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MAGNUS THE LAWMENDER'S LAWS OF THE LAND

Translated by Jóhanna Katrín Friðriksdóttir



Magnus the Lawmender's *Laws of the Land*

The first English translation of Magnus the Lawmender's law code, this book allows students and scholars to interpret, compare and add their perspectives to this crucial source to European legal history.

The *Laws of the Land* are one of the very few law books issued in the Middle Ages which regulated a whole kingdom. It stayed in force until the late seventeenth century, shaping society, politics and law in Norway and its surrounding regions for over 400 years. This book is separated into three parts. The first is an introduction to the laws written by the translator, Jóhanna Katrín Friðriksdóttir. The second and longest section of the book is a complete English translation of the *Laws of the Land*. The final part is a glossary, which lays out the most important Old Norse legal terms with English translations. The glossary also contains explanations and conversions of religious feast days which are relevant in the law.

Providing familiarity with the *Laws of the Land*, this book is crucial to students and scholars of medieval history alike in understanding the social, legal, political and intellectual developments of the Nordic High Middle Ages.

Jóhanna Katrín Friðriksdóttir is a research librarian at the National Library of Norway in Oslo, and her scholarship focuses on Scandinavia in the Viking and medieval periods. Her publications include numerous articles and two monographs, including *Valkyrie: The Women of the Viking World* (2020).

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Acknowledgements

In 2024, the 750th anniversary of King Magnus VI Hákonarson ‘the Lawmender’s’ *Laws of the Land* (*Landsløg*), promulgated in 1274, will be commemorated in Norway. In connection with the anniversary, extensive research on the laws of King Magnus has been carried out, and new Old Norse editions and Norwegian and English translations of these laws have been prepared. It is to be hoped that these publications will stimulate even more work on these laws and yield more knowledge and understanding of them. This is the first translation of the laws into English, and its aim is to make the laws more accessible to researchers, whether they primarily study medieval Norway or do comparative work with sources from other countries.

As part of my work at the National Library of Norway (Nasjonalbiblioteket), I was asked to undertake the present translation and to base it on Magnus Rindal’s Old Norse edition of the *Landsløg*, which will be published by the National Library in connection with the anniversary. I am very grateful to Magnus Rindal for allowing me to consult his edition of the text and his New Norwegian translation while they were both still in progress, and for discussing tricky words and passages with me. I am also greatly indebted to the support of the project’s leader Jørn Øyrehaugen Sunde and colleagues who participated in the research project *Social Governance through Legislation* at the Centre for Advanced Studies, Norwegian Academy of Science and Letters, in 2021–2022, that is, Brage Thunestvedt Hatløy, Else Mundal, Magne Njåstad, Ole-Albert Rønning Nordby, Erik Opsahl, Miriam Jensen Tveit and Helle Vogt. All these experts generously took the time to read the translation and share their knowledge and feedback with me, and Erik Opsahl additionally commented on the introduction. My colleagues at the National Library of Norway have always been supportive and encouraging, and for this I am grateful. Last but not least, my husband Anders Winroth has patiently answered my questions about medieval law and helped me better understand its complexity and nuances. I am, however, naturally responsible for any errors that may have made their way into the translation.

The *Laws of the Land*: introduction

In 1274, King Magnus VI Hákonarson (ruled 1261–1280) adopted a new law book for the entire kingdom of Norway, the *Landslög* (*Laws of the Land*). These laws would bring about profound changes in the country's legal system and power structures, introducing legal principles that are still considered among the pinnacles of modern society. The *Laws of the Land* were among several new laws passed in the 1270s, when the entire Norwegian legal corpus was systematically revised and modernised. This was ostensibly at the king's instigation and under his leadership, a project which earned King Magnus the byname 'Lawmender' (*lagabótir*). Previously, Norwegian laws had varied from one district to another, but the king and his advisors replaced these with new laws divided into four separate law codes: laws for the entire country (*Landslög*), town laws (*Bójarlög*), maritime laws (*Farmannalög*) and laws for the *hirð*, that is, the king's vassals (*Hirðskrá*). The *Laws of the Land* were in effect for several centuries, or until King Christian IV issued a new national law for Norway in 1604.¹

Norway around 1274

At the beginning of the Viking Age, Norwegian society was mostly based on subsistence farming, hunting and fishing. The country as we now know it was on the periphery of Europe and by no means unified – rather, it consisted of several smaller regional units which each had their own power centre and assemblies.² In parallel with the enormous expansion out of Scandinavia that began in the late eighth century, in the subsequent centuries, Viking warrior kings consolidated these units and took control over larger territories, often violently fighting for supremacy between themselves. Rulers came and went, but more importantly, profound structural changes were underway: the country was on its way to becoming a unified kingdom.³ During this time, Norway (and the entire Scandinavian region) rose to much greater prominence on the world stage than previously, in no small part thanks to the Vikings' success in the bustling international trade during this period. By the middle of the eleventh century, overseas Viking raids had ended, and Norway, now Christian, had become a typical European kingdom whose

power structures centred on the Church and Crown. However, change was gradual, and many pre-Christian social structures remained in place, such as the practice of concubinage and polygyny by kings and magnates.⁴ The king ruled Norway as a whole, but power was still to a large extent associated with regional assemblies rather than being centralised at the royal court, and outbreaks of civil war between political factions occurred regularly.

The political instability that characterised the Viking Age and the High Middle Ages was eventually brought to an end around 1240. King Magnus's father, King Hákon IV Hákonarson (ruled 1217–1263), was determined to 'civilise' the country and bring it closer to the cultural and political sphere of Europe, especially England (which was, in turn, strongly influenced by French culture following the Norman invasion). Just as many Vikings agreed to be baptised on a pragmatic basis to make it easier to do business with Christian rulers and groups, so too King Hákon saw the need to adopt foreign customs to make his country an acceptable partner in international trade and politics.⁵ Adopting a feudal ideology would in turn bring stability and prosperity to the realm and consolidate the king's power, which was precarious at times, and there were occasional plots to overthrow him. To cement his authority even further, King Hákon abolished the previous system of royal succession in which the throne was up for grabs for any number of men who belonged to the royal family, including illegitimate sons of kings' concubines or sons of the king's sister. Instead, he established the rule that only a son by the king's lawfully wedded wife could ascend the throne, and the principles of succession were subsequently further developed and refined.

The reign of King Hákon inaugurated a new phase of foreign cultural and ideological influence in Norway, introducing concepts such as courtliness to the Norwegian elite, which ultimately resulted in King Magnus giving some of his vassals aspirational feudal titles such as knight and baron instead of the traditional Norse titles. The native literary forms – sagas, and eddic and skaldic poetry – chiefly centred on heroic and mythological themes, but as part of his Europeanisation efforts, King Hákon commissioned texts which depart significantly from the Norse tradition in content and style. Primary among the texts promoted by the king were translations of courtly romances, one of the most fashionable and prestigious literary genres in Europe at the time. Another innovation was the *King's Mirror* (*Konungs skuggsjá*), an eclectic treatise which falls into the 'Mirror of Princes' genre.⁶ King Hákon also nurtured diplomatic ties with European rulers, marrying his daughter Kristin to a Castilian prince. Her marriage was a politically expedient match which showed that Norway could be a player on the world stage, enhancing the royal family's prestige at home and abroad.⁷ In light of King Hákon's extensive work in the preceding decades to bring Norway into the European mainstream, King Magnus's ambition to modernise the legal system and adapt it to European models was arguably a continuation of his father's activities.

The changes instigated by King Hákon had a positive effect on the realm's success, and in the following decades, Norway entered the heyday

of its international power. By the 1260s, the kingdom had tributary lands (*skattland*) in Orkney, Shetland, the Faroe Islands, Iceland and Greenland; the latter three settlements had no native fleet (owing to their lack of local timber), and consequently, they were wholly dependent on Norwegian merchants sailing to their lands to provide a link to the outside world. In this period, Bergen, Norway's primary royal seat and administrative centre, became a central node in the Hanseatic trade network. The town formed the crucial connecting point between Northern Norway and the Norse settlements in the west, and the Baltic, North-Western Continental Europe and England in the east and south.⁸ In both church matters and secular affairs, Norway dominated its tributary lands politically: the Archbishop of Nidaros appointed bishops, and the king granted titles and royal offices to local rulers.⁹

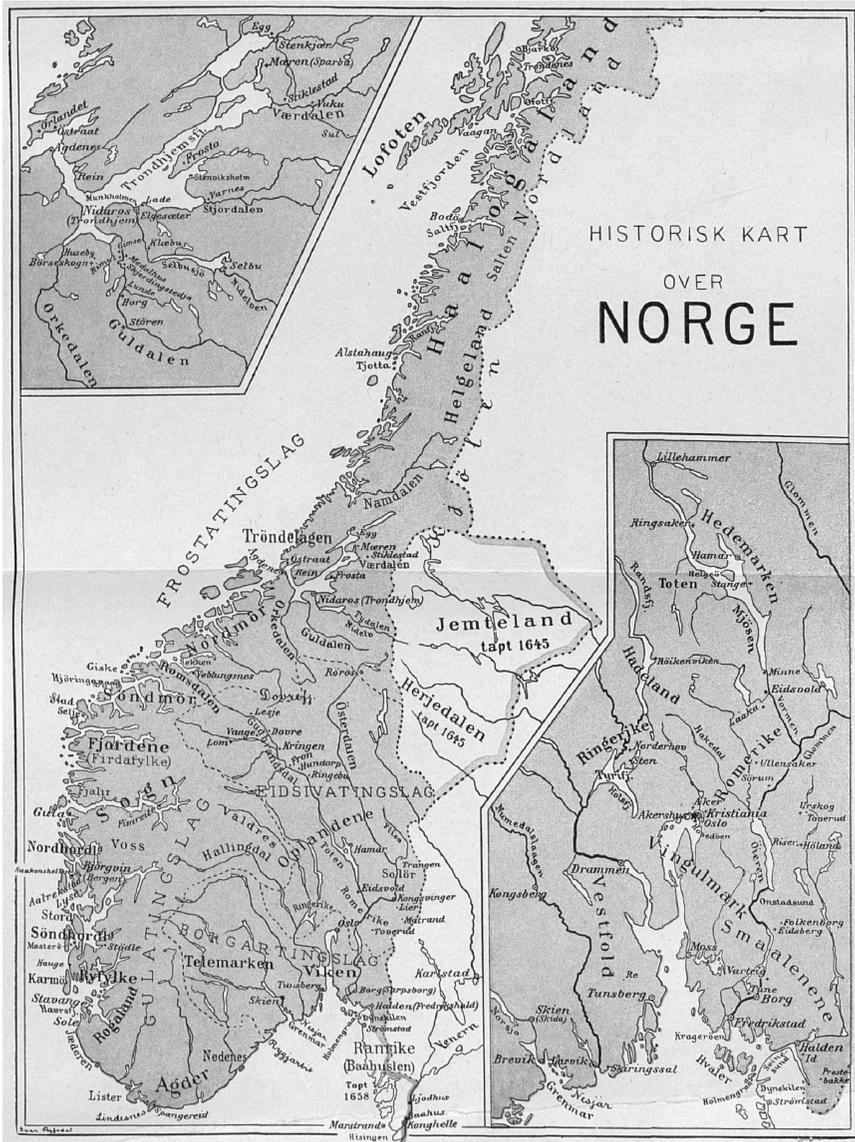
The 1274 *Laws of the Land* for Norway were also adopted in Norway's tributary lands, usually with some local amendments. For example, two of the laws' extant manuscripts contain a royal decree from 1298 pertaining to the Faroe Islands, suggesting that these manuscripts were used in the islands.¹⁰ An exception was made for Iceland: the country had been given a new law book in 1271 called *Járnsíða* ('Ironside', perhaps because its first manuscript had iron panels), but another law code referred to as *Jónsbók* ('Jón's book', named after the law's putative author/editor, Jón Einarsson), was accepted at the Althing in 1281.¹¹ *Jónsbók* shares a great deal of content with the Norwegian *Laws of the Land*, but it incorporates some material from the older Icelandic law code *Grágás*, likely on the Icelanders' insistence. Both King Magnus's laws for Norway and *Jónsbók* were valid for hundreds of years after their implementation, putting an irrevocable mark on the societies that were governed by them.

The legal reforms carried out under the auspices of King Magnus demonstrate Norway's connectedness to the kingdoms of Europe, bringing new modes of thought into a culture previously founded on traditional Norse mentalities and social structures. King Magnus's reign was also a time of change for the Church, but in contrast, it was already a thoroughly international and hierarchical institution with the curia in Rome at its centre.¹² Local canon law was revised during this time, and after a period of political struggles between the Crown and the Church, led by the tenacious Archbishop Jón 'the Red' (*rauði*), in 1277, the two parties renegotiated their relationship in the Concordat of Tønsberg (*Sættargerðin í Túnsbergi*). In return for formally acknowledging the Crown's supremacy in certain matters, the Church received sole jurisdiction over others, including both marriage and internal church affairs such as the election of bishops. Moreover, its clerics were given an exemption from paying taxes and contributing troops to the levy. The arrangements reached between the two pillars of power during this time did not remain undisputed for long, however, and conflicts between the two parties recurred after this agreement. However, all in all, King Magnus's reign and legal reforms were truly a formative period for Norway.¹³

Old laws and new

Before the 1274 *Laws of the Land* were put together, Norway had several provincial law codes which varied from one district to another, that is, the Gulathing, Frostathing, Borgarthing and Eidsivathing district laws (Map 1). These were valid only in the respective part of the country.¹⁴ The earliest extant evidence of these laws consists of small fragments dated to the late twelfth century, while the oldest complete (or nearly complete) book dates to the mid-thirteenth century.¹⁵ Some of the older laws have passages claiming that they reach back to the reign of King (and later saint) Olaf Haraldsson (ruled 1015–1028, canonised in 1031), a towering figure in Norwegian history, while other paragraphs are explicitly said to contain law revisions made in the time of King Magnus Erlingsson (1156–1184). While it is possible that such statements are true, they could also be a type of truth claim, that is, attempts to appeal to the kings' authority – especially in the case of the holy King Olaf – rather than an historical fact.¹⁶ In the absence of other written contemporary (or near-contemporary) sources, there is usually no way of ascertaining these assertions independently. On the other hand, the texts of the older provincial laws texts often diverge in manuscripts, which certainly supports the claims that they were revised and changed at various stages. The task of sorting out which passages might be older and which younger poses various philological challenges, but the crucial conclusion that we can draw from this evidence is that laws were likely under regular review even before King Magnus the Lawmender's reign.¹⁷

A few years after King Magnus ascended the throne in 1261 as his father's co-ruler – King Hákon died in 1263 – he began his drive to reform the country's laws anew, that is, to create laws that were fit for a kingdom irrevocably altered by his father's reign. He started in the late 1260s at a district level and subsequently turned his attention to making a new law for the entire country. But what was the background to King Magnus's decision to standardise the laws on a national basis? In the twelfth century, the Church's laws had been collected and synthesised by the Italian university teacher (and later bishop) Gratian and his successors, resulting, first, in the *Decretum Gratiani* (Gratian's Decretum) and subsequently the *Liber Extra* of Pope Gregory IX (1234).¹⁸ Gratian was at work in the 1140s, but it took European secular law around a century or more to catch up with developments towards synthesis and standardisation. The first two kingdom-wide laws in Europe are the *Liber augustalis* for the Kingdom of Sicily (1231) and the *Siete partidas* for Castile (completed in c. 1265), but it was finally in the latter part of the thirteenth century, when the state was taking its form, that many more countries went through a similar process.¹⁹ King Magnus's *Laws of the Land* were thus among the first of their kind in Europe, but it was only a matter of time until most of the continent would promulgate such laws. Thus, the legislative activity in Norway was very much aligned with what was happening further south, demonstrating, as mentioned previously, that the Norwegian elite in the thirteenth century followed the latest developments in Europe and sought to align itself with these countries.



Map 1 A map of Norway depicting the country’s major regions, places and four medieval law districts.

Source: Map drawn by Ivar Refsdal, in Ole Jensen, *Norges historie for Skolen og hjemmet* (Oslo: Aschehug, 1912), 129.

When King Magnus and his advisors put together the *Laws of the Land*, they did not completely revolutionise the legal system. Rather, they built on what was there previously, updating, discarding and adding to older laws according to new legal customs and ideas, and society’s needs at the time.

A great deal of the material in the *Laws of the Land* can be found in the older regional laws, but other passages are new and likely imported from abroad.²⁰ More work is necessary to reach a full understanding of this matter, and to that end, this translation is partly intended to facilitate comparative research with other European laws.

One of the most fundamental changes that were heralded by King Magnus's *Laws of the Land* was the adoption of evidence-based legal procedure. In the Old Norse legal system, defendants had to defend themselves of charges by undergoing an ordeal, that is, carrying hot iron or the like. The idea behind this ancient practice was that God would protect them from harm if they were innocent. The new laws instead introduced the principle of using witnesses and written evidence to support one's case, a principle based on objectivity and transparency which is still the foundation of the Norwegian legal system today. God was still a part of legal proceedings in that people swore oaths with him as their witness, and they answered for their acts knowing that they would later do the same to him, as the laws make explicit in several paragraphs. This system was based on procedures that were rational, impersonal, even bureaucratic, but the invocation of God suggests the lawmakers' view that however much you legislate, justice ultimately depends on people's truthfulness and Christian morality.

Another important change was that the practice of family members of victims exacting vengeance, a system that could lead to prolonged blood feuds, was abolished. Now, all crimes were crimes against the king as well as their victims, and punishment and fines were meted out in the king's name. Third, even before the *Laws of the Land* were passed, the ancient office of the *løgmaðr* (literally 'law man', royal magistrate) had gone from being a 'first among equals' role, where the members of the assembly chose the law man from their own ranks, to being an official of the king, that is, a royal magistrate. But with the *Laws of the Land*, the *løgmaðr*'s job also changed in principle: before, he was strictly bound to the letter of the law, with judgments being derived directly from the formulations in law books. However, now, the royal magistrate had the duty to exercise discretion and weigh the circumstances and interests of each party in suits, and judge based on what he considered reasonable and fair, and for which he was prepared to answer to God.²¹ These changes were fundamental in transforming the Norwegian legal system, phasing out some of the ancient practices in favour of contemporary principles.

The *Laws of the Land* as an historical source

The *Laws of the Land* are a rich source for knowledge about the medieval period in Norway, and they give a fascinating glimpse into the life and struggles of ordinary people – perhaps more so than any other source. Because of the need to regulate the division of finite resources, they address the organisation of farming, fishing and hunting in extensive detail, and how

the spoils of these pursuits were divided between parties. The tenancy section gives some idea of medieval architecture and infrastructure (i.e., roads and bridges), and it also addresses diverse prosaic topics, such as acquiring heating sources or material for roofing, salt-making, preventing fire hazards and who is responsible for damage done by animals on the loose. The idiom ‘good fences make good neighbours’ encapsulates much of the attitudes expressed in these parts of the law, and there is a strong emphasis on behaving responsibly towards one’s fellow humans. The section about trade is in many ways startlingly familiar to a modern reader, emphasising the need for witnesses and fulfilling formalities for contracts to be valid, though there are some contradictions when it comes to the basic principles regarding the need to provide evidence. This is chiefly regarding cases relating to economic disputes, for example, when someone must clear themselves of an accusation of owing relatively small amounts of money by swearing an oath, rather than the burden of proof being on the plaintiff, which is often the case in other situations.²²

The laws give diverse rights to those lower in the social hierarchy, that is, small farmers, tenants and skilled labourers. For example, these provisions concern the right to be given proper notice when a contract of employment or tenancy is terminated, to receive payment for a crop sown when one moves away from rented land before harvest, to occupy rented buildings in the transitional period after tenancy has ended, to land a limited amount of herring from someone else’s net and many more rules that reflect an existence of limited means. On the other hand, one wonders how easy it would have been for such people to be educated about these rights or to enforce them against a stronger party.

Although the interests of these sections of society are addressed, the laws arguably most strongly met the needs of its top layer: a large part of the *Laws of the Land* are structured around issues pertaining to the king, the titled aristocracy and the landowning class. This concerns constitutional matters, that is, the order of royal succession and appointment of new kings, attending assemblies, levy expeditions and duty, as well as landholding rights, especially matters pertaining to the redemption of allodial land (i.e., land that has been in the family for several generations). From these laws, we can gauge what the upper class’s main concerns were, as well as their sources of status and income.

We also learn a great deal about social values and norms in medieval Norway from the *Laws of the Land*. The provisions for destitute people in several of the sections show that lawmakers strove to make society take responsibility for the less fortunate. In the Thieves’ Section, it is explicitly stated at the beginning of chapter 1 that it is not an offence to steal food if one is starving and unable to find work. Moreover, chapter 12 of the Tenancy Section states that if there is famine in the land, someone who has plenty of grain must sell it to those in need and not turn it into malt for brewing alcoholic drinks. Other paragraphs seek to control people’s more extravagant

behaviour for the greater good. Thus, weddings and funerals are not to be longer than two days so that their hosts do not overspend on food and drink and consequently get themselves into debt, and it is forbidden to hold a party on someone else's land. There are extensive laws intended to protect people's safety, whether from violence, carelessness or accidents. Moreover, there are different categories of violence depending on the method (fists, weapons or biting), its location (it was more serious to commit violence at assemblies or at someone's home than elsewhere) or its timing (Christmas and other periods were meant to be peaceful). Illicit sex, that is, sex with someone else than one's lawfully wedded spouse, is proscribed, and rape and attempted rape are serious crimes. However, if a woman made a rape accusation and there were no witnesses to the alleged crime, a panel of twelve people was to assess her trustworthiness. We can therefore assume that it would have been a daunting prospect for a rape victim to come forward. Overall, the *Laws of the Land* give a clear indication that human dignity was considered separate from material interests: it was valuable for one's self-worth and status in the eyes of others and therefore worthy of protection.

Medieval and early modern charters, contracts, court proceedings and other legal documents provide some answers to whether the *Laws of the Land* were followed in the centuries during which they were in effect. Studies of such documents have yielded more knowledge about what happened in practice as opposed to the abstract. As might be expected, life turns out to have been more complicated than what the laws might indicate, and it varied how strictly they were followed or enforced. For example, recent work on property holdings shows that people generally adhered to the inheritance laws, but sometimes they stretched them to their limits. They found ways to use pre-nuptial contracts and gifts to exercise some agency over the transfer of property beyond what the inheritance laws prescribed. This could be to favour one family member over another, to safeguard the rights of blood relatives in cases when spouses died without having children together or to strengthen the position of their spouse after their death.²³ When it came to the (probably rare) court procedure of compurgation, that is, when someone swore an oath with a number of other people to prove their word, diplomas indicate that, broadly speaking, real-life practices followed the law, but there were exceptions.²⁴ However, attitudes to abiding by the law seem to have been somewhat flexible at times. Women sometimes had difficulties claiming their rightful inheritance when other relations also had claims, unless they had support from a husband. On the other hand, sometimes wives participated much more actively in a couple's business affairs than they were strictly allowed, had the law been followed to the letter.²⁵ More work is needed on the workings of the laws in reality, but broadly speaking, it seems that gender, social status and networks, noble rank, material wealth, age and the authority it can bestow, the question of remarriage and the existence or absence of other family members were all factors that could impact outcomes in legal cases.

The manuscripts and text of the *Laws of the Land*

King Magnus the Lawmender's *Laws of the Land* have been preserved in the original Old Norse language in thirty-nine manuscripts and fifty-five fragments from the medieval period, and four manuscripts from the 1500s (Figure 1).²⁶ As is usual for medieval Norse texts, no original manuscript exists of the *Laws of the Land*, and their extant manuscripts are usually dated from their palaeographical features rather than explicit information recorded in them. The 2018 critical edition of the *Laws of the Land* by Magnus Rindal and Bjørg Dale Spørck uses as its base text Stockholm, Royal Library, Perg. 34 4to, which likely dates to the last quarter of the thirteenth century, that is, within a couple of decades after the laws were passed.²⁷ The book consists of several parts which were copied in both Norway and Iceland at different times and bound together into their current form very late, probably in the sixteenth century. The Norwegian part of the book was copied by a certain Eiríkr Þrándarson, a scribe about whom we know nothing else, while the rest of the book has no explicit information about its scribes. Additionally, there are many paper additions from the sixteenth century inserted into the book.²⁸ The Old Norwegian part, containing the *Laws of the Land* and the 1276 town laws, is a relatively plain book in quarto size with some modestly decorated majuscules and red rubrics but no illuminations. The text is written in one column in a clear gothic bookhand.

The manuscripts of the *Laws of the Land* vary a great deal in size and opulence, from small and plain utility books to large and splendid display copies. The most magnificent volume by far is the so-called Codex Hardenbergianus (Copenhagen, Royal Library, GKS 1154 fol.), whose first, main part is dated to the first half of the fourteenth century, with two more parts dated to the late fourteenth and sixteenth centuries respectively.²⁹ These were bound together at some point in the sixteenth century (Figure 2). Although it is quite large, Codex Hardenbergianus is written in one column, but it is especially known for its 11 illuminations, one at the beginning of each section and an additional one in the middle of the list of inheritance. A facsimile edition of this manuscript was published in 1983, and the book itself is currently on long-term loan from the Danish Royal Library to the National Library of Norway in Oslo.³⁰

Following the publication of the 2018 two-volume critical edition of the *Laws of the Land*, one of its editors, Magnus Rindal, has prepared a composite, normalised edition of the Old Norse text. This edition takes as its point of departure the text of the manuscript Copenhagen, Royal Library, NKS 1642 4to, called Codex Tunsbergensis after its place of origin in Tønsberg, an important administrative and commercial centre in South-Eastern Norway in the fourteenth century. The manuscript is a thick volume containing an enormous amount of legal material, law codes passed in the 1270s, younger law amendments, canon law and various other legal content such as royal decrees.³¹ Codex Tunsbergensis's texts are often excellent from a

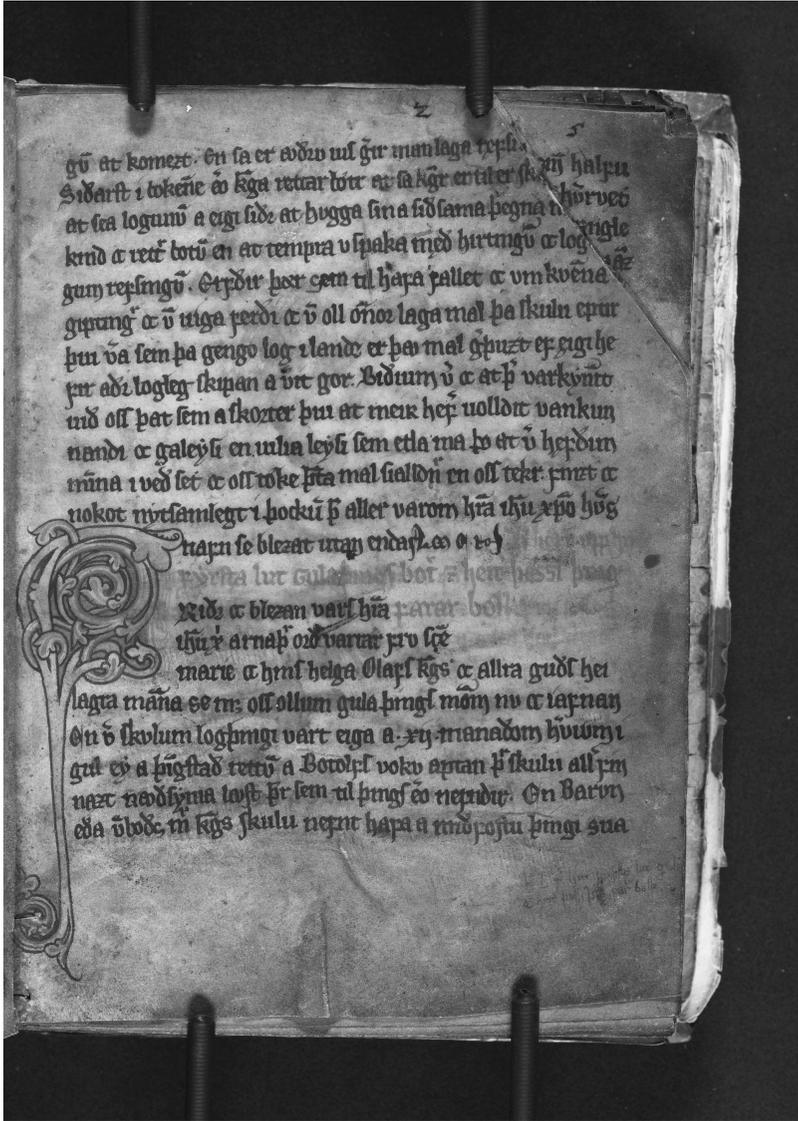


Figure 1 A typical law manuscript from the early fourteenth century. National Library of Norway, Ms.4° 1, 2r. Photo: National Library of Norway.

stylistic point of view, but its scribe used an unusual orthography, and for this reason, editors have avoided using it as a base text, some even going as far as calling it ‘upsetting’ (*stodende*).³² This edition is the basis for the present translation; for further discussion about its editorial principles, I refer to the editor’s introduction.

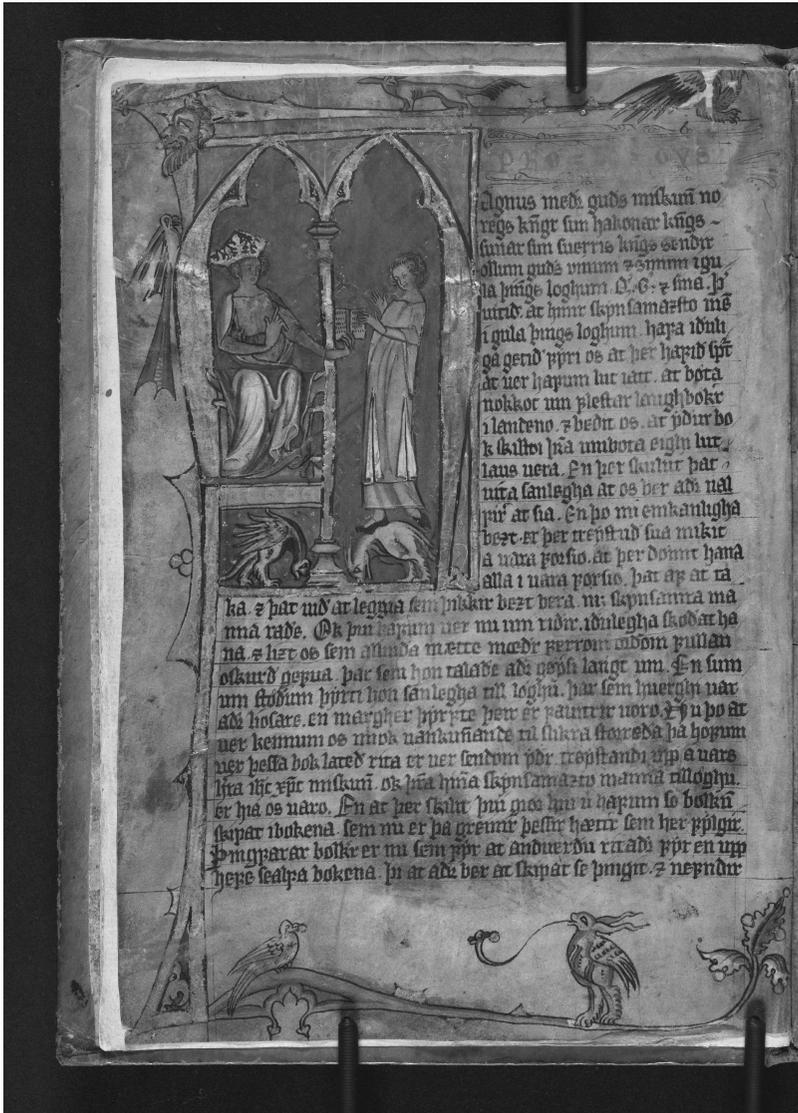


Figure 2 The lavishly illuminated Codex Hardenbergianus, dating to the middle of the fourteenth century (Copenhagen, Royal Library, GKS 1154 fol., 1v).

Photo: National Library of Norway.

The translation

Through the ages, King Magnus the Lawmender's *Laws of the Land* have been translated into modern Norwegian, Danish, Latin and German but never into English. The first translations were into Danish in the sixteenth century. After 1537, the administrative class in Norway was mostly manned by Danish officials, who usually did not have much, if any, training in Old Norse, and they were thus unable to read the country's laws in the original language, and neither were most of the native inhabitants, most likely. Several different translations were produced in this period, and over 100 manuscripts containing one of these have been preserved.³³ The first printed Danish translation appeared in 1751, followed by another into Danish and Latin in 1817, several modern Norwegian editions from 1915 to 1963 and a German translation in 1941. In connection with the 750th anniversary of the laws in 2024, new translations into the two written forms of modern Norwegian by Magnus Rindal and Jo Rune Ugulen Kristiansen will be published in 2024. Jana Schulman's English translation of *Jónsbók*, which, as stated previously, shares a great deal of material with the *Laws of the Land*, was published in 2010.

It is conventional to point out the fact that a translator must decide how to prioritise different criteria, weighing faithfulness to the original text's content and linguistic features against readability and clarity in the translation language. Certainly, the Old Norse text presents many challenges for a translator. For example, although many passages are written in an elegant style, others are phrased clumsily or opaquely, with grammatically incomplete or run-on sentences – constructions generally considered bad style in Modern English. I have strived to strike a reasonable balance between legibility, on one hand, and retaining some of these aspects, on the other, so as to stay true to the original text and not iron out too many of its characteristics. As a result, readers might sometimes struggle with the text, but that would also be the case for a reader well-versed in Old Norse working with the text in the original. In that spirit, I have also tried to refrain from adding words or information not in the original text, even though it would clarify its legal meaning, but on the other hand, I have occasionally added words such as a subject pronoun to make it clear who is doing what. It is not always easy to translate without the risk of introducing anachronisms, or at least more disputed terms, and for that reason, I avoid using concepts such as nation/national, given that they do not map straightforwardly onto the medieval period.

One of the most common words in the *Laws of the Land* is *maðr* (plural *menn*), which occupies a large semantic field. *Maðr* is a masculine noun and can either mean 'man' or 'person' of either sex, depending on the context. For example, in the *Saga of the People of Laxardal* (written in Iceland not much earlier than these laws), a man spots two *menn* (people), a boy and a woman: 'sá hann þar tvá menn ok kendi; var þar Óláfr son hans ok móðir hans' (there he saw and recognised two people; there were his son Olaf and his mother).³⁴ In cases of the latter, which is the more usual meaning, I thus translate *maðr*

as ‘someone’ or ‘a person’ (‘people’ in the plural), and occasionally with the impersonal ‘one’. Apart from when gender is significant and/or specifically alluded to – primarily in matters of royal succession, inheritance, warfare and related matters, illicit sex and sexual assault – the law generally applied to men and women equally.³⁵ The world of the lawmakers and their contemporaries was largely a man’s world, where men participated in public life, attended assemblies and court trials, held offices, owned property, went on levy expeditions, engaged in trade and business, acted as heads of their households, and so on. And yet, medieval documents show that medieval women were often much more actively involved in their family’s business and other affairs than the passive stereotypes suggest. Men are the default in this world, but the law still acknowledges numerous times that women are a presence in it, not just as brides and widows but as parties to all kinds of legal cases, whether property dealings or court proceedings.³⁶ Although the gender of an individual, whether a plaintiff or defendant, is usually not mentioned in the laws except in the circumstances mentioned previously, the first paragraph in the section about human inviolability states that ‘if a person murders someone, they have forfeited everything they owned, only apart from their allodial lands. Both if a man kills a woman, or a woman a man’. This demonstrates that women could conceivably be the worst kind of criminal, and that if they committed murder, they were to be punished in the same way as a man. The example from the *Saga of the People of Laxardal* (and many others) shows that *maðr* was often just a general term for person, and perhaps our understanding of the word *maðr* – and that men are the default – reflects more on our own world and experiences than that of medieval people.

The Old Norse grammatical system has three genders – masculine, feminine and neutral – but although the neutral pronoun *það*, ‘it’, can be used about a child whose gender is not specified, it cannot refer to an adult in the same way. Thus, there is no epicene (gender-neutral) pronoun in Old Norse that signifies a person whose gender is undetermined.³⁷ This issue is pertinent in, for example, the frequent cases where the Old Norse text begins a sentence with *ef maðr . . .*, ‘if someone . . .’ and refers to the subject with the pronoun *hann* later in the sentence. For example:

Ef maðr selr konungs jörð at úleyfi hans, þá er hann þjófr at, ok svá sá er kaupir, ef hann veit.

(*Þjófabálkr*, ch. 9)

If someone sells land belonging to the king without his permission, they are a thief, and so too, the person who bought it, if they are aware.

(Thieves’ section, ch. 9)

In this case, the masculine noun *maðr* and the pronoun *hann*, ‘he’, arguably do not indicate that the law in question only applies to men. Rather, it is in the grammatical nature of the construction to use a masculine pronoun when

its antecedent, that is, *maðr*, is masculine. The same goes for the demonstrative pronoun *sá*, ‘that’, referring to the buyer of the stolen land: the noun *maðr* is implied, making the unit *sá maðr*, ‘that person’. In this connection, Roman law, which was generally applicable throughout Europe, explicitly stated that laws that used masculine pronouns about subjects also applied to women.³⁸

I often translate pronouns whose grammatical gender is masculine with the gender-neutral epicene or singular ‘they’ when these pronouns refer to a person of undetermined gender semantically. The use of singular ‘they’ was stigmatised by eighteenth-century grammarians because of the lack of singular agreement, and the proscription was long deferred to by many in formal written English. However, singular ‘they’ has been used by speakers and writers of English since at least the fourteenth century, and since the late 1990s, singular ‘they’ has rapidly been gaining acceptance among authorities such as the *Oxford English Dictionary* and the *MLA*.³⁹ Constructions such as ‘he or she’ or ‘s/he’ are arguably more awkward than singular ‘they’, while the ‘generic he’ has become obsolete in Modern English. Given its long historical as well as common contemporary usage, it seems timely to use singular ‘they’ in this translation.

When it comes to translating specialised legal terminology, such as formal offices, procedural acts and other concepts, I have generally followed the recommendations of the *Lexicon of Medieval Nordic Law* online dictionary, which lists data harvested from many different published translations, sometimes giving a more substantial explanation for the meaning of the term. When more than one translation was listed, I tried to choose the best one, usually basing my choice on explanations provided in Ebbe Hertzberg’s ground-breaking and reliable Norwegian glossary, published in volume 5 of *Norges gamle love* in 1895. I have also made frequent use of Magnus Rindal’s New Norwegian translation, published in 2024.

Norwegian place names are usually given in their modern form to make it easier to look up the geography. In places where the law refers to the Gulathing law district, manuscripts from other districts refer to their respective places, that is, Borgarthing, Frostathing and Eidsivathing. Feast days and other days of the liturgical calendar are translated into their most common English form, but I have often given the corresponding Gregorian date in brackets at the first mention, unless they are very well known. The glossary also includes specialised vocabulary such as legal concepts, royal offices, geographical units, monetary units and more.

Notes

- 1 Norway joined the Kalmar Union when it was founded in 1397, but from 1537 until 1814, Norway and its former tributary lands were a part of the kingdom Denmark-Norway. In 1814, Norway became a modern state, and it was in a personal union with the king of Sweden until 1905, when the country became fully independent. In 1604, the king of Denmark-Norway, Christian IV, issued

- national laws in Danish that contained much of the same laws as the Old Norwegian *Laws of the Land*. Conversely, the new laws issued by King Christian V in 1687 (valid from 1688) were mostly taken from the Danish laws of 1683.
- 2 For a reliable history of Viking and medieval Scandinavia, including Norway, see chapters in Helle, ed., *The Cambridge History of Scandinavia*, vol. 1, *Prehistory to 1520*; Bagge, *From Viking Stronghold to Christian Kingdom*.
 - 3 See, e.g., Bagge, *From Viking Stronghold to Christian Kingdom*.
 - 4 See Auður Magnúsdóttir, 'Kingship, Women and Politics in *Morkinskinna*'.
 - 5 For further reading on the conversion to Christianity in Scandinavia, see, e.g., Winroth, *The Conversion of Scandinavia*. For further reading about King Hákon Hákonarson, see, e.g., Bagge, *From Gang Leader to Lord's Anointed*.
 - 6 For a succinct overview of Norse romance translations, see Glauser, 'Romance'; for a recent introduction to the *King's Mirror*, see Johansson and Kleivane, '*Konungs skuggsjá* and the Interplay between Universal and Particular'.
 - 7 For discussion, see Larrington, 'Queens and Bodies: The Norwegian Translated *lais* and Hákon IV's Kinswomen', 523–527.
 - 8 Helle, 'Bergen's Role in the Medieval North Atlantic Trade', 43–51.
 - 9 For further reading on the royal dominion of Norway, see, e.g., Imsen, ed., *Rex Insularum: The King of Norway and His 'Skattlands' as a Political System c. 1260–c. 1450*.
 - 10 This is the so-called *Sauðabréf* (Letter about Sheep); it is mainly about sheep rearing, but it also addresses other matters. It is preserved in the manuscripts Lund University Library, Mh. 15 fol. and Stockholm, Royal Library, Perg. 33 4to.
 - 11 *Jónsbók: The Laws of Later Iceland*, trans. Schulman.
 - 12 On the Norwegian Church's relationship with Rome, see D'Angelo, '*In extreom orbe terrarum*'.
 - 13 For more discussion, see, e.g., Bagge, *From Viking Stronghold to Christian Kingdom*.
 - 14 See *The Earliest Norwegian Laws*, trans. Larson; *The Older Gulathing Law*, trans. Simensen.
 - 15 *Codex Ranzovianus* (Copenhagen, Royal Library, E don. var. 137 4to) is the oldest complete manuscript of the Gulathing laws. Copenhagen, Arnamagnæan Institute, AM 315 f fol., dated to the last quarter of the twelfth century, consists of five small fragments containing snippets of the Gulathing laws as well as early canon laws. There are a few further late-twelfth-century fragments containing the oldest town laws of Nidaros and the older Frostathing laws, now kept at the Norwegian National Archives.
 - 16 Introduction to *Den eldre Gulatingslova*, eds. Eithun, et al., 9.
 - 17 See also Sandnes and Hagland, introduction to *Frostatingslova*, xxx–xxxiii.
 - 18 For the most recent scholarship and up-to-date overviews on this topic, see Wei and Winroth, eds. *The Cambridge History of Medieval Canon Law*.
 - 19 See van Caenegem, *An Historical Introduction to Western Constitutional Law*, ch. 5.
 - 20 See, e.g., Tveit, 'In Search of Legal Transmission', 158–189 and 269–297; Nordby, 'The Self in Legal Procedure', 185–186.
 - 21 Sunde, 'Daughters of God and Counsellors of the Judges of Men'.
 - 22 Nordby, 'The Self in Legal Procedure', 183–184.
 - 23 See, e.g., Hansen, 'The Field of Property Devolution in Norway during the Late Middle Ages: Inheritance Settlements, Marriage Contracts and Legal Disputes'; Johnsen, 'Inheritance among the Bjarkøy Descendants'; Pedersen, 'Landed Property as Marital Gifts: Women and Landownership in Fifteenth-Century Norway'.
 - 24 Nordby, 'The Judicial Oath in Medieval Norway: Compurgation, Community and Knowledge in the Thirteenth Century', 219–236.
 - 25 Pedersen, 'Marriage, Law and Property: Married Noblewomen's Role in Property Management in Fifteenth-Century Norway'.

- 26 Introduction to *Kong Magnus Håkonson Lagabøtes Landslov*, eds. Rindal and Spørck, 1:50. There are additionally over 120 manuscripts from the sixteenth century that contain translations into Danish.
- 27 *Ibid.*, 1:28; see also Storm, ‘Handskriftbeskrivelse’, in *Norges gamle love*, 4:667, available electronically on www.nb.no.
- 28 Storm, ‘Handskriftbeskrivelse’, 667.
- 29 Rindal, introduction to *King Magnus Håkonsson’s Laws of Norway and Other Legal Texts*, 1.
- 30 *King Magnus Håkonsson’s Laws of Norway and Other Legal Texts*.
- 31 See Storm, ‘Handskriftbeskrivelse’, 425–434.
- 32 Berg, et al., introduction to *Norges gamle love*, 2:VII.
- 33 For a brief summary of the sixteenth-century Danish translations, see Leslie-Jacobsen, ‘The Parergon and the Transformation of the Prologues to the Medieval and Early Modern Norwegian *Landsløg* (1274–1604)’.
- 34 *Laxdæla saga*, ch. 32.
- 35 A woman could not ascend the throne under any circumstances, women inherited less than men, and there was a difference between men’s and women’s roles in sexual matters. The law uses *maðr* in connection with the duty to own weapons, and although this could technically refer to ‘people’, a search through the diplomas suggests that only men had the duty to bear arms.
- 36 See, e.g., Pedersen, ‘Marriage, Law and Property: Married Noblewomen’s Role in Property Management in Fifteenth-Century Norway’. A cursory glance through the documents printed in *Diplomatarium Norvegicum* (in Old Norse) reveals that women were sometimes involved in cases that came before a judge, either as direct parties to the case or as witnesses, but more work is needed to develop a clearer picture of women as active agents in the medieval legal system.
- 37 Modern Icelandic has adopted the newly coined pronoun *hán*, and Swedish and Norwegian have *hen*.
- 38 ‘Ulpianus libro primo ad edictum. Verbum hoc “si quis” tam masculos quam feminas complectitur’, *Digesta*, 909; ‘ULPIAN, Edict, book 1: This expression “if anyone” covers both men and women’, *The Digest of Justinian: Translation*, 4:447. This translation obscures that ‘if anyone’ is *si quis* – i.e., masculine – in the original. I thank Anders Winroth for pointing this out to me.
- 39 Balhorn, ‘The Rise of Epicene They’.

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King Magnus the Lawmender's *Laws of
the Land*



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Prologue

Magnus, by the grace of God, king of Norway, son of King Hákon, grandson of King Sverrir, sends God's and his own greeting to all friends of God and his in the Gulathing district.

You know that the most discerning people in the Gulathing district have frequently mentioned to us that you have heard that we have had a share in somewhat improving most law books in the land, with the advice of the most excellent people, and asked us that your book should not be without part in these improvements. And you should know that it was our duty properly to attend to this previously, but most especially now when you trust so much in our government that you place it entirely in our charge, to remove and add what we consider most suitable, with the advice of the most excellent men. And for that reason, we have frequently examined it for some time now, and it seems to us that in many places, a full pronouncement could be made in fewer words where previously it carried on at great length. But in some places, it truly requires additions where it was by no means as clear as necessary for many of those who had little knowledge.

Now, although we feel exceedingly ignorant for such a great undertaking, we have nevertheless had this book written that we send to you in the manner to which it testifies, trusting in the mercy of our lord Jesus Christ and the intercession of the holy King Olaf, and the contribution of all the most prudent people that were with us. And so that you may better understand why we have organised the sections in the book in the present manner, this arrangement will be outlined for you in the following.

The section about going to assembly is now, as before, written at the beginning, before the book itself starts, since first, it is necessary that the assembly be set, delegations viewed, members of the law council elected and oaths sworn, truce pledged and proper conduct announced. For if the book is better heard and judgements observed, then the calmer and more orderly the assembly.

The first part of the book is the Christianity section, so people understand that the Christian faith is the basis and beginning of all good things, and that obedience to the Holy Church and its leaders is a light and guide for all lawful justice and merciful conduct.

2 Prologue

Following the Christianity section is the section about land defence, so that all the people understand that the same God appointed the king to secular rule as the bishop to the spiritual one.

After the section about land defence is human inviolability, for next to this, it is fitting that people in positions of power (*hofðingjar*) and everyone else extending from them hold and ensure God's peace and good people's freedom among Christians, and punish in accordance with laws – though with moderation – those who are proven to have done otherwise.

Following human inviolability is the list of inheritance along with more that belongs there, and it begins with the marriage of women because it is very important for those who claim inheritance that they be born in a lawful marriage.

After the list of inheritance comes the section about redeeming land, for when someone inherits lands, it is incumbent upon them to investigate their and other people's allodial lands to ensure that they do not hold anyone's allodial land on which they have a legal claim, and that they can assert a legally valid claim to their own allodial land.

After the section about land redemption is the land tenancy section, because those who have acquired their estate in a lawful manner must lease it in accordance with the law.

After the land tenancy section is the trade section, because cases over moveable property shall be pursued in the same way as those over land and estates, in accordance with the land claim section.

After the trade section is the thieves' section, because no one shall destroy that which another person has lawfully acquired. But anyone who does otherwise will be punished in accordance with the law.

Last in the book are the kings' law amendments, because the king, who is appointed to maintain the laws, shall no less comfort his upstanding subjects with mercy and law amendments than moderate unruly people with admonishments and lawful punishments.

All the inheritance passed on, and that concerning allodial land claims, and homicide and all other legal cases, shall be settled according to the laws that were valid in the land at the time when those matters occurred, if no lawful judgement was previously made.

And we ask you that you excuse us for what is lacking, for it is rather owing to our ignorance or heedlessness than lack of will, though that might be assumed, even though we had put less at stake and worked on this material more seldom than we do. If anything useful is found in here, we all have Jesus Christ to thank for that. Blessed be his name forever. Amen.

Section about going to assemblies

1. Here, it says that the general assembly shall be once every twelve months on the eve of St Botolph's day

May the peace and blessing of our Lord Jesus Christ, the intercession of our Lady, the holy Mary, and the holy King Olaf and all the saints be with all of us people of the Gulathing district, now and forever. And we shall have our general assembly (*logþing*) every twelve months at the proper Gulathing assembly site on the eve of St Botolph's day [June 17]. Everyone appointed to attend the assembly who has no necessity is to meet there. And at the mid-Lent assembly, a landed man (*lendr maðr*) or sheriff (*sýslumaðr*) or steward (*ármaðr*) or their lawful representative shall have nominated as many people from each county (*fylki*) as outlined here in the following chapter, and they are to name those people who employ farm workers and they consider most discerning, and they must affirm this with an oath. And upon arriving at the Gulathing assembly, they shall swear that oath on the first day an oath can be sworn, following this formula:

For this, he places his hand on a book, and he calls God as his witness, that he has named those men to the Gulathing assembly whom he considered most discerning according to his conscience, and he did not take anything else into account, and he will always nominate thus while he remains in this office.

And no one needs to swear this oath repeatedly after this time.

2. Here, it says how many people shall be appointed to the general assembly¹

Now it is said that twelve people are to be appointed from Agder county, and each delegate (*nefndarmaðr*) is to receive ten ounces (*eyrir*) of silver for their travel expenses. And thirty people are to be appointed from Rogaland county, and from there, each delegate is to receive a mark (*mork*) of silver from south of the fjord, but seven ounces from north of the fjord. Forty people are to

4 Section about going to assemblies

be appointed from Hordaland county, and each one from South-Hordaland shall have five ounces of silver, but each delegate from North-Hordaland three ounces. Twenty people are to be appointed from Sogn county, and each delegate shall receive five ounces of silver. Twenty people are to be appointed from Fjordane county, and each delegate shall receive six ounces of silver from Sunnfjord but seven from Nordfjord. Twelve people are to be appointed from Sunnmøre county, and each delegate shall receive ten ounces of silver, but one mark from the northern part. Four people are to be appointed from Valdres, and four from Hallingdal, three from Setesdal, four from Otra; each delegate shall receive five month-portions of butter. The householders are to convert that into ready money, and each delegate is to receive a mark of silver for their travel expenses. This money shall be paid in Bergen by the royal magistrate (*logmaðr*) and those who keep the householders' fees.

It is said that forty householders from each county in Outer Trøndelag are to be appointed, and forty householders from each county in Inner Trøndelag. And two people are to be appointed from each warship district (*skipreiða*) in Namdal and Romsdal. Each of those appointed to the assembly is to receive three ounces for their assembly travel expenses. And in Nordmøri, three people from each warship district are to be appointed, and likewise from Oppdal, and receive two ounces for travel expenses. And two ounces of silver go to each delegate everywhere on the inner part of the fjord for the journey to Frostathing. They are to receive this money out of the householders' fees in Nidaros from the royal magistrate and those who keep the householders' fees.

Now, the royal magistrates and sheriffs are to nominate people to the Eidsivathing at the mid-Lent assembly, the number outlined here: four people from Gudbrandsdalen north of Rosti, and the householders are to contribute six ounces for each delegate. And eight people from south of Rosti and to Humla, and the householders are to contribute half a mark for each delegate. From Heinafylke county two dozen, and the householders are to contribute three ounces. From Hadafylke county two dozen, and the householders are to contribute three ounces. From Raumafylke county, two dozen are to be nominated, and the householders are to contribute two ounces for each delegate. From Østerdalen, two people from north of Åmot are to be appointed, and the householders are to contribute six ounces for each delegate, and four people south of Åmot, and the householders are to contribute half a mark for each delegate.

Now it is said that appointments to the general assembly are to be made in the customary way, and each person is to receive money for their travel expenses according to ancient custom from each county or rural community.

And if a landed man or sheriff or steward does not appoint people to the assembly in the manner outlined here, they must pay a mark of silver for each one not appointed. No one is to be nominated on the assumption that they can be released from their duty, and changes should only be made if the person originally appointed has a lawful excuse for their absence, as mentioned

previously. And every delegate who arrives to the general assembly after oaths have been sworn without a compelling necessity must pay a mark of silver. And the royal magistrate and the men of the Law Council shall assess the necessity. And anyone who does not pay the delegates the compulsory contribution for travel expenses is to pay a fine of a mark of silver. Now, the king's vassals, sheriffs and representatives of both the king and the bishop are all duty-bound to attend the general assembly. But those who do not come, and who have no necessity that prevents them, will be fined three marks of silver, and an additional sum corresponding to the infraction of which the king considers them guilty.

3. Here, it says how long the assembly shall last, and about royal magistrates

The assembly shall be in session as long as the royal magistrate wishes and he considers necessary for the sake of people's suits, and the people of the Law Council give their consent. The royal magistrate is to have the assembly ropes set up at the proper assembly site in Guløy,² so spaciously placed that there is room within for the people who are to be on the Law Council. And that is to be three dozen people, and yet selected in such a way that several people from each county are nominated who are considered particularly suitable.

And those appointed to the Law Council shall swear an oath according to this formula before they enter the Law Council. That they call upon God as their witness that in every person's matter, they will act only according to what they know to be the most truthful before God, according to the laws and his conscience, so towards foes as relatives. And they will always do so when they are appointed to the Law Council. People are to swear this oath upon first entering the Law Council and not a second time, if they are reappointed.

None of those not nominated to the Law Council are to sit within the assembly ropes without permission. If anyone takes a seat and does not leave when asked to do so, they must pay a fine of half a mark of silver. People are to go to the assembly on an empty stomach and attend the assembly when the sun is in the east and remain at the assembly until noon. And the royal magistrate is to have a great bell rung when he wishes to go to the assembly with a book. And that bell is not to be rung for any other reason for the period during which the assembly is in session. If anyone turns to food or beer and pays more attention to that than the assembly, none of their cases will be considered on that day, whichever suits they have to pursue at the Gulathing assembly. No person shall bring drink to the assembly, neither to sell nor for other purposes. If it is brought, it shall be seized and it belongs to the assembly members.

Everyone nominated for the Law Council shall sit on it for as long as prescribed now unless they have to attend to necessary business. If anyone leaves the assembly enclosure without compelling necessities, they are to pay a fine

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of two ounces of silver. And those people who are outside of the assembly enclosure and behave in a rowdy and noisy manner, so that the members of the Law Council are prevented from deliberating on their judgements, or the parties are prevented from pursuing those cases that have been allowed to proceed by the royal magistrate and the people of the Law Council, each of those known for and found guilty of (*kunnr ok sannr af*) such behaviour must pay a fine of an ounce of silver if they had been given warning before.

4. Here, it says that evidence and witnesses are to be presented with every case

Every case is to be decided based on evidence (*gogn*) and witnesses. And it is so that if one person testifies in support of someone, it is as if no one testifies, but two are as good as ten if one does not need to worry about counter-witnesses. Now are the witnesses that no contrary testimony may counter. Those are a witness to a home summons and a witness to an assembly summons, a witness to a formal claim and a witness to necessity – if witnesses testify on someone's behalf – and a witness to a claim on allodial land, and those testimonies people give regarding disagreements at social events.

Those who are nominated to the Law Council are to judge in accordance with the law in all cases that are filed and lawfully argued there. Those cases are to be decided first which are appealed to the general assembly, and which the law book states are most important. Next after that are the cases that are filed there, and all those cases for which people shake hands on in the presence of two witnesses, if those testimonies are given at the assembly. Finally are those that can settled there and that are least significant.

And concerning everything not dealt with in the law book, each case shall be settled in the manner agreed upon by all the members of the Law Council. But if they disagree, the decision of the royal magistrate and those who concur with him is to prevail unless the king, on the advice of the best people, considers another ruling more lawful.

5. Here, it tells about peace between everyone and assemblies and fines that are issued at the general assembly

Everyone who goes to the Gulathing assembly is to hold peace with each other until they return to their home. If anyone breaks this peace by murdering someone or inflicting a disabling wound, they have forfeited property and peace, land and chattels, and they are never to return to the country. If people are wounded at the Gulathing assembly or are harmed in some other way at the hands and intent of others, their right to compensation increases by half,³ but they are to pay the king eight *örtogar* and thirteen marks of silver. If people carry arms at the Gulathing assembly, they are to pay half a mark of silver and surrender their weapons. The king will receive half of the weapons and half the fine, and the assembly delegates half, for people should

observe peace and moral conduct everywhere, but most especially in those places that were intended from the outset as places of prudence and calm deliberation, and where the most people will suffer the greatest damages if there is any disruption.

Whenever people are fined at the Gulathing assembly, the king receives half of that money and the members of the Law Council the other half, apart from the penalty for killing the king's subject and the fine for breaching the peace. That belongs to the king alone. And regarding all fines issued for violating the rules of the assembly and are not paid at that assembly, the sheriff is to take charge of these and bring to the next Gulathing assembly. And those who do not pay this owing to their obstinacy are automatically summoned to the next Gulathing assembly, and they are to answer to fines and breaches of judgements there, if they have not been paid at that time, and the half that the assembly delegates receive is to be used for those matters on which the king decides.

And if someone flouts a judgement made at the Gulathing assembly, and fighting with weapons occurs within the boundary ropes and outside them, the person who violates that judgement is to pay a fine of four marks of silver to the king, and a mark of silver to the plaintiff (*sakaráberi*).

Sheriffs are to declare at the Gulathing assembly how many killers or other criminals there have been in their district (*herað*) in the last twelve months, and describe the physique and appearance of those who did harm to others, the easier they can be recognised from the resemblance wherever they may turn up.

6. Here, it tells about judgements of the royal magistrate, that no one except the king may breach them

If a party complains about their lot when the result of a suit comes back to the county and claims that it was wrongly presented before the members of the Law Council, the judgement may nevertheless not be contravened without penalty. However, the following year, they may sue the party with whom they have a dispute to the Gulathing assembly, and both are to argue their case. If the case has the same result as before, they are to have their expenses increased by half from the person who drove them into a wrongful case, and that is to be claimed in the same way as other suits concerning property.

But if it is proven that the party that initially won the case presented it wrongly to the members of the Law Council, and this time it is ruled in the other party's favour, that person is to have their expenses increased by half, and the king a mark of silver, and that is to be claimed as stated previously. And so it shall be every time the royal magistrate and other prudent people see that people are wrongly or unlawfully sued and summoned to respond to suits, whether to the royal magistrate or assemblies or other places, and they are not to be punished either with compensation payments or oaths unless

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the other person who prosecuted the case swear an oath that they considered themselves to be bringing a lawful case.

7. Here, it says that sheriffs are to announce what was discussed at the assembly

It is said, too, that sheriffs are to hold an assembly within those three weeks after they return from the general assembly, and publicly announce what was discussed at the assembly, and especially what decision was made in the cases of those who were from his jurisdiction. Now, the sheriff is to declare publicly that a general assembly shall be held each summer on St Botolph's day. He is also to declare that people are not to take into the district those who run off from the east or west, north or south, unless they know that they are discerning people, for such people are in the habit of being somewhat stable for a year or two and thus ingratiate themselves with people. However, thereafter, they do not leave things better than so that they either run away with people's wives or kinswomen, or steal people's property. And anyone who does otherwise is to pay a fine of a mark of silver to the king, if the other person is proven to be wicked.

8. Here, it says about all the judgements regarding killings that are to be issued and regarding illicit sex with women

All those judgements that are to be issued regarding killings, and illicit sex (*legorð*) with those women for whom full or half personal compensation (*mannsgjöld*) is to be paid, these are all to be made in accordance with the laws, and a truce is to be held until the first payment. And anyone who contravenes a lawfully issued judgement before the payment or at the first payment, that person spoils their truce and is a truce-breaker, and has forfeited property and peace. However, it is a legitimate necessity for the one who is to pay if they are ill or injured, or some other necessities come up which good people testify that these prevented them from coming on the appointed payment day. And the first payment is to be made within the same month, and to be brought to their home and offered in the presence of two witnesses. And the other party or their representative is to accept it, unless the recipient wants to make it even easier.

And regarding all other matters which people resolve between themselves by lawful judgements, the person who violates that judgement must pay the plaintiff a mark of silver, and comply with the judgement as before, and to the king four marks of silver, and the sheriff is to claim this on both of their behalf. And they are to receive what they are owed first in accordance with the judgement. And the fines paid to both are thereafter divided based on the size of the claim if there is not enough for both. And if they still do not want to comply with the judgement, the sheriff is to summon them to an assembly and make them an outlaw unless they pay in full, as is outlined now.

9. Here, it says about people's lawful summons, when a summons is to be issued

Every time people lawfully summon someone to the assembly, or to the residence of the royal magistrate, a fortnight's notice is to be given for a summons within the county but outside the quarter (*fjórðungr*), one month's notice outside the county and within our jurisdiction, two months' notice within the country and outside our jurisdiction, twelve months' notice if a person is out of the country. If someone is out of the country, an heir or representative is to appear on their behalf. Now, an heir is obligated to send them a message, or assembly delegates if an heir is not present at the assembly. Everyone is entitled to respond to charges.

10. When one is to summon to the royal magistrate

These are the periods during which one is not to summon to the royal magistrate: from St Mary's day in Lent [March 25], even though it falls near Easter, in which case one is not to summon any later than a fortnight before Easter and up to St Hallvard's day [May 15]. From the feast day of the saints of Selja [July 8] and to the feast day of the Cross in autumn [September 14] – no closer to Christmas than so that the person summoned can stay at the royal magistrate for a period of three nights and get home by Christmas if weather permits travel. And one is not to summon at Christmas. Times other than those excluded now are proper for summoning. And anyone who flouts a decision of the royal magistrate without a lawful excuse is to pay a fine of four marks of silver to the king.

Now, whenever a person or their valid representative summons someone with a lawful summons (*lagastefna*) to a royal magistrate, and they have a lawful case against this person, the defendant is to pay a fine of a mark of silver to the king if they do not come and have no valid excuse. However, if the defendant comes but the plaintiff does not, then they are to pay a fine to the king in the same way as the person summoned, unless lawful necessities prevent this, or their representative comes or is already there at the lawful summons. Now, the party who loses a case is to comply with everything the royal magistrate has settled between them, and they are to pay the one in whose favour the case went their expenses increased by half, everything they spent on the case since the royal magistrate first ruled in their dispute.

Now, a person appeals their case from the royal magistrate to the general assembly. Then the members of the Law Council are to investigate that case thoroughly. And even though they consider the judgement which the royal magistrate has issued unlawful, they are not to overrule the royal magistrate's judgement, but they are to write to the king what they consider to be the most truthful in that case, and such investigations that they have executed to the fullest. For no one may contravene the ruling of the royal magistrate, unless the king sees that the law book is against it, or he arrives at another,

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more just, conclusion with the agreement of wise people, for he is set above the law.

Now, someone does not achieve their rights in their home region or with the royal magistrate, then the plaintiff can summon the person from whom they are unable to get compensation to the general assembly. And if they have lawful witnesses that they have summoned the other party there, and secondly, that the case went in the way that they have stated there. Then the assembly delegates are to judge that case lawfully, regardless of whether both are present or only the one who is suing, and the royal magistrate and the men of the Law Council consider their case strong, unless the defendant is prevented from coming by absolute necessity, and likewise, if the summons is to the residence of the royal magistrate.

Notes

- 1 In the following, the rules for the Gulathing district are listed first, then the rules for Frostathing and Eidsivathing districts. Finally, the general rules found in a few manuscripts of the Borgarthing redaction are listed. The place names in this section are given in modern Norwegian when there is a direct counterpart to the medieval name, since they are more commonly known and thus easier to look up.
- 2 In manuscripts with redactions for other regions, the appropriate site is given for the respective region.
- 3 ON *at holfu*. Some dictionaries gloss this as the fine being doubled rather than increased by 50%, but both interpretations seem possible.

Christianity section

1. Here, it says about the Christian faith which we Christians are obliged to keep and believe in

It is the origin of the laws of ours, people of Gulathing – which is the origin of all good things – that we shall have and keep the Christian faith. We shall believe in God the Father, the almighty creator of Heaven and Earth. We shall believe in Our Lord Jesus Christ, his only son, who was conceived of the Holy Spirit's power, and born of the Virgin Mary, suffered under the authority of Pontius Pilate, crucified, killed and buried; descended to Hell and set all his friends free from there. On the third day after he was killed in his human form, unscathed in his divinity, he rose from the dead, and was then with his apostles for forty days from Easter Day and to Ascension Day, and then ascended into Heaven, and from there he will judge each person on their merit on the last day of this world. We shall believe in the Holy Spirit, that he is the true God, as Father and Son, and those three entities are one God. We shall believe everything that Christendom and the communion of saints believe, and the Holy Church has previously agreed on with unswerving steadfastness. We shall believe that sins are forgiven with baptism and repentance and confession; with the flesh and blood of Our Lord, who is consecrated in the mass; with prayer; with charity and with fasting, and with all good things that people do, think and say. We shall believe that each person's body that is come into the world, or may come until Judgement Day, will then rise up. And from then on, those who did evil and did not repent with atonement in this world will have never-ending sorrow with the Devil and his representatives in Hell. But those who have done good in this world will then receive and retain eternal joy with God and his holy saints in Heaven.

2. Here, it says about the Christian faith that we are obliged to keep

And because God's mercy sees every day the great need of the voiceless people and general populace, he has appointed two of his servants to be his visible representatives for this holy faith and his holy laws, for the protection and

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justice of those who are good, but the punishment and purging of those who are evil. They are two: one is the king and the bishop is the other. From God, the king receives secular authority for secular matters, but the bishop receives spiritual authority for spiritual matters. And each of them must support the other's authority in just and lawful matters, and recognise that they have power and authority from God himself but not from their own self, for they are God's representatives, and additionally that everyone sees that one can by no means do without them. Third, that God himself humbles himself by calling himself by their names. Then they are truly in great peril towards God who do not support them with perfect love and fear in their rule, to which God has appointed them, since they bear such great concern for all the people in the land and responsibility towards God, especially where the laws outline defined limits, so that if they are mindful of these, rulers may neither enslave or oppress the people with excessive avarice, nor may ignorant people refuse rulers allegiance out of obstinancy or short-sighted ignorance.

3. Here, it says what evil came of false kings, and the orders issued by King Magnus

And because the people of the land owe the king great allegiance, then it would be useful if people were wary of the great fog of falseness which has sadly blinded the greatest part of this country's people, so that in no other country are there found cases where various men have been taken and unjustly called kings against the rightful king and the laws of the holy King Olaf and all those rights which each householder wished to enjoy from others with regard to their inheritance. High-born men often served those who were scarcely fit to be their servants, as is still borne out today, that more of them lost their allodial lands than those they called their kings, and the same goes for the loss of men.

Now, so people will not need to go with grasping hands or searching for him who should be the rightful king of the realm of Norway, then let it be known to all the people of Norway that King Magnus, son of King Hákon, so confirmed and had codified the correct order of inheritance for the king of the realm of Norway according to law. And the people of Norway consented and agreed, on behalf of themselves and their offspring, with the correct assembly procedures, that this order which was passed then and is outlined below will stand in perpetuity.

4. Here, it says that one man shall be king over the entire realm of Norway

In the name of the Father and Son and Holy Spirit, one God in Holy Trinity, a single one of his servants shall be king of all of the realm of Norway, both the country itself and its tributaries. And after the death of our king, it is the first inheritance that he who is the son of the king of Norway shall be king of all of the realm of Norway, solely the oldest and lawfully begotten.

Here is the second inheritance of the king

It is the second inheritance that the lawfully begotten paternal grandson of the king, solely the oldest, shall be king, one whose father was lawfully begotten.

The third inheritance of kings

It is the third inheritance that the lawfully begotten brother of a king, solely the oldest, shall be king, the one who has the same father as the king.

The fourth inheritance of kings

It is the fourth inheritance that the paternal uncle of the king who has the same father as the king's father and is lawfully begotten, solely the oldest, shall be king, one whose father was lawfully begotten.

The fifth inheritance of kings

It is the fifth inheritance that the king's lawfully begotten fraternal nephew, solely the oldest, shall be king, one whose father had the same father as the king and was lawfully begotten, if there are none of the others.

The sixth inheritance of kings

It is the sixth inheritance that the king's male first cousin, solely the oldest, shall be king, he whose father was lawfully begotten and the paternal uncle of the king and they had the same father.

The seventh inheritance of kings

It is the seventh inheritance that a king's son shall be king, solely the oldest, even though he is not lawfully begotten, nor is he conceived in an adulterous relationship or a consanguineous or incestuous one, and the king himself has acknowledged his paternity, and has himself told discerning people in advance about his relationship with the son's mother, and the time when the child is born corresponds to this, and the mother has not claimed that two men are the father, according to the procedure that the law book outlines regarding such matters. Those who are informed shall not conceal it for more than a month unless they are afraid of tyranny; then they should tell someone else who can testify about it if necessary.

The eighth inheritance of kings

It is the eighth inheritance that the lawfully begotten son of the king's daughter, solely the oldest, shall be king, one whose mother was lawfully begotten, if there are none of the others.

The ninth inheritance of kings

It is the ninth inheritance that the king's sororal nephew, solely the oldest, shall be king, if his mother had the same father as the king and was lawfully begotten.

The tenth inheritance of kings

It is the tenth inheritance that he shall be king, solely the oldest, who is the lawfully begotten son of the king's fraternal nephew, if his father was lawfully begotten and descended from the king's lawfully begotten brother with the same father.

The eleventh inheritance of kings

It is the eleventh inheritance that he shall be king, solely the oldest lawfully begotten man, who is the male first cousin of the king, the son of the king's parents' siblings with the same father and lawfully begotten, if there are none of the others.

The twelfth inheritance of kings

It is the twelfth inheritance that he shall be king, solely the oldest and lawfully begotten, who is the son of the king's mother's sister, and their mothers had the same father and were lawfully begotten and descended from the rightful royal line.

The thirteenth inheritance of kings

And if there are none of those who have been listed now, then he shall be the king of Norway, solely the oldest who is next in line to inherit, according to what the book of the kingdom outlines in the list of inheritance, albeit a man and not a woman, and descended from the rightful royal line.

5. Here, it says about the election of a king and the meeting of dukes and earls and bishops

If the difficult situation arises that none of these are to be found, then a duke, if there is one, and an earl, the bishops and abbots, all barons and the officer of the king's vassals (*hirðstjóri*) with the king's vassals (*hirð*), are automatically summoned to travel north to Nidaros to the holy King Olaf for deliberations with the Archbishop. And every bishop and the king's sheriffs who are present are to appoint, according to their conscience, twelve of the most prudent and wise people to come with them, and set off before a month has passed from when they hear of the king's death. And so, every bishop and the sheriffs shall leave men remaining with the householders to defend

and patrol, to protect the land against thieves and villains, as many barons and sheriffs in each jurisdiction as they deem most fitting. Those who stay behind shall have the same authority to defend the land in other administrative districts (*sýslur*) as they have in their own, but they are true traitors if the country does not remain peaceful because of their neglect.

And when those appointed have arrived in the North, the laymen are all to undertake this decision under sworn oath that they are to appoint as king whomever seems best suited to them before God. And bishops are to answer for this oath to God, even though they do not swear as the others who take oaths, that he will make fair contributions to this matter as far as God wills him to see things justly. But if they disagree, the cause shall prevail of those who reach a greater number and are more discerning, and with whom the Archbishop and other bishops agree, and confirm this with their oath.

Now, if anyone has himself appointed king in a manner different from what is said now, he has forfeited property and peace and is excommunicated by the Pope and all saints, and he is not to be buried at a church, nor is anyone who follows him in this. If the officer of the king's vassals or the king's vassals neglect this journey, they are traitors to the king unless necessity prevents it. But any householder who neglects this journey is to pay eight *örtogar* and thirteen marks of silver to the king. And the king will assess the necessities with the advice of prudent people. And everyone will undertake this trip at their own expense, but the king will grant provisions to all those who have not previously received royal income.

6. Here, it says what can be inherited from a king other than a kingdom

And a daughter or filial granddaughter, sister or mother, or other of those women who are enumerated in the list of inheritance of the book of the kingdom, as well as those who are listed in the list of inheritance and who are not descended from the royal line, and these men or women are more entitled to inheritance other than the royal throne according to the general list of inheritance, then each of them are to pursue this as outlined in the general list of inheritance.

And to clarify, first, they can inherit the following: property which the king inherits from his other relations or that which he buys with ready money, provided that he does not sell royal lands for it or exchange them for the other property. So, they shall also inherit chattels and all objects that do not belong to the Crown, unless the king had previously made other arrangements with discerning witnesses and tokens of proof, for the salvation of his soul and the benefit of his honour and his most loyal men, with the advice of good people.

And it is important that, in their days, each person make good provision for themselves and their most loyal men, and preferably when healthy rather than ill, for another's friendship is fickle, and so is their bestowment after

death, even though they have strong obligations. And there are many examples of heirs subtracting from rather than increasing the share of those who were entitled to and received [property], often owing to their loyal service and having risked their life, or by virtue of various toil and trials.

7. Here, it says about the king's affirmation when he is accepted as king

Now, so that the king knows he is duty-bound to hold the laws towards his subjects and improve them, he shall affirm this to his people with complete faithfulness after he has been accepted as king:

I affirm to God and his saints and his people, over whom I am unworthily appointed, that I will hold those Christian laws that the holy King Olaf introduced and others, his true successors, have now confirmed between the king and those who live in the country, with the consent of both parties, and improve them with the advice of good people, according to the good sense that God lends me.

And the king is not only duty-bound to keep this oath to those who are at the assembly with him but to everyone who owes him allegiance, born and unborn. And when the king is crowned, he shall promise the people laws and rights with the oath formula which accompanies a king's coronation.

8. Here, it says about the duke's oath and the earl's oath

And a duke or an earl, if there are any, shall swear this oath at the assembly at which a king is given the title of king:

For this I put my hand on a sacred relic, and with God as my witness, I will be loyal and faithful to my lord N., King of Norway, both in secret and in public, and I shall faithfully hold the office which the king grants me with the deference and compliance that King Magnus, son of King Hákon, ordained between a king and a duke. I shall obey him in every way that a good duke or earl must obey a good king. I will support him and his rule with sound advice and all my power. I will also keep all oaths that he has sworn to all the people according to the good sense that God lends me. God be gracious to me if I am speaking the truth, wrathful if I lie.

9. Here, it says about the oath of barons and the officer of the king's vassals

Now, barons and captains of the royal bodyguard shall swear this oath:

For this I put my hand on a sacred relic, and with God as my witness, I shall be loyal and faithful to my lord N., King of Norway, both in

secret and in public. I will support him and his rule with sound advice and all my power. And I will keep all the oaths that he has sworn to all the people according to the good sense that God lends me. God be gracious to me if am speaking the truth, wrathful if I lie.

10. Here, it says about the royal magistrates' oath

Now, the royal magistrates shall swear this oath when the king wishes:

For this I put my hand on a sacred relic and with God as my witness, I shall be loyal and faithful to my lord N., King of Norway, both in secret and in public. To the people that my Lord places under my jurisdiction, I will speak those laws that the holy King Olaf introduced, and others of his true successors have now acknowledged to those who live in the land. And in every instance where the law book does not resolve an issue in a straightforward manner, I will rule in each person's case in the manner in which I wish to answer for to God on Judgement Day, which I consider the most just according to my conscience, and nevertheless with the advice of the wisest people who are by me, so for the rich as the poor, the young as the old, foe and friend. God be gracious to me if am speaking the truth, wrathful if I lie.

11. Here, it says about the householder's oath, that everyone is duty-bound to be responsible for that oath

Now, so that the householders and all people are aware that they are the more duty-bound to be loyal and give allegiance to and obey the king, they are to swear this oath to the king, as many people from each district as the king wishes:

For this I put my hand on a sacred relic and with God as my witness, I shall be loyal and faithful to my lord N., King of Norway, both in secret and in public, with all my might and strength, as a good subject must give all lawful allegiance to a good king, with all those laws and privileges that the holy King Olaf ordained between the king and those who live in the land, and his rightful successors have now acknowledged with the will of both parties. So be God gracious to me if I am telling the truth, wrathful if I lie. I take responsibility for this oath, as do all those who owe allegiance to the king, born and unborn, and who wish to benefit from his oath.

Not only are those who swear this oath duty-bound to answer for it, but so, too, are all those who owe allegiance to the king, born and unborn, who wish to benefit from his oath. For the King of Norway has an equally strong duty to ensure justice for those who are at home as others who are at the assembly with him. And so, all those in the land are duty-bound to be faithful

to him, even though not everyone swears oaths of allegiance to him. And everyone knows that a king is just as duty-bound to do right by a child born in the last winter of a king's life as to the one who swore an oath to him at the first assembly. And so, everyone who wishes to benefit from the laws and to be deserving of them is duty-bound to give all lawful allegiance. And the king and bishops and clergy, barons and all the common people shall follow the holy cross and holy relics back to the church. Then the king shall go to the altar and there receive blessings and then go to his quarters, and all the best men shall follow him.

Land defence section

1. **Here begins the land defence section, and the first chapter tells about where the lawful King of Norway shall have rule over orders and bans**

It is the beginning of our land defence section that Jesus Christ, the crucified, the true God and the son of God and the Virgin Mary, king of kings, from whom all power and government derives, may he be our protection and the custodian of all of Norway's people forever. In the name of this same Jesus Christ, our lawful King of Norway shall decide over orders and bans and our travels as part of military campaigns. And rule by law and not lawlessness, for the glory of God, for his gain and our benefit. We shall not refuse him levy duty or conscription if he issues these according to the conditions that here follow.

In times of peace, the king shall not conscript more than half of the levy unless he has some necessity and people wish to do more for the sake of their love for him, if they sense mercy and good will from him. The king or his representative shall not impose any general levies on us where the naval duty occurs, whether gifts or royal duties or horse fodder or lumber, apart from the riding horses and other homage, as the law book witnesses.

Now, the ships or boathouses in the districts decay or rigging breaks down so that repair is needed or they need to be replaced entirely. Then the king shall raise funds in that part of the country, as much as he considers necessary and productive according to the advice of the best people. The royal magistrate and one of the king's vassals and one discerning householder from that part of the country shall receive this for safekeeping, and it shall be spent on nothing other than what was outlined previously with the king's knowledge. The king's representatives who hold stewardship of any of the trades necessary for the repair work shall have this carried out for the payment they negotiate with those who guard the householders' fees. And in the Gulathing region, the royal magistrate shall have ten marks for his work from the householders' fees, and each of the others five marks a year. They are to account for this money at every Gulathing assembly, how much income they have received and what is left over, and what they have paid out or put aside.

2. Here, it says that if a ship is beset by decay, another one is to be built

Now, if a ship is beset with decay in one of the regions, then another one is to be built on the king's authority using the householders' fees, and have it raised where they wish in such a way that neither field nor pasture is damaged. If there is damage, it is to be compensated for out of the householders' fees based on the appraisal of prudent people. A king's estate must allow a ship to be raised on it, if one is there. And likewise, the king's forest must provide wood for a land defence ship, as must everyone else who owns forest, and divide it equally, because one individual's forest shall not be cut down.

Now, all those carpenters who are within the quarter district are to be called in, and further afield if necessary. Each prow-builder (*stafnsmiðr*) is to pay a fine of a mark of silver to the king if he does not come, and each plank-maker (*filungr*) half a mark. Now, if they have put a keel on the ship-building stocks and begun to build, and one of them runs away from this work, a prow-builder is to be fined eight *örtogar* and thirteen marks of silver to the king, and every plank-maker five marks of silver to the king, for by this, they compromise the land defence for the king. Now, the carpenters shall receive wages: each prow-builder two ounces of silver on workdays between Sundays, and each plank-maker an ounce, and additionally food and drink, a half cup's portion a day.

And when the ship is completed, the ship is to be tarred and put into the boathouse, if there is one. If there is no boathouse, one is to be made, and building material shall be acquired from each person's forest at will in the same way as previously for ships, and so nominate carpenters and so pay wages. A sail and anchor, a boat and all rigging and everything that is necessary to outfit a ship shall be procured on the king's authority from the householders' fees, so that the ship is in every way seaworthy.

3. Here, it says if a heathen or Christian army arrives in our land

Now, such a burdensome situation arises owing to the sins of men that a heathen or Christian army invades the realm of the King of Norway in some place. And even if it invades his tributaries, we shall not refuse our king the entire levy as a military force as well as ships and weapons if he sees with the counsel of the wisest people that this much is necessary. But if less is needed, then we gratefully receive what is offered.

And if such a difficult situation arises that an army gathers or attacks within the country, those who hear a truthful account of the army shall send out arrow summons to arms and have them go from one end of the country to the other. On land, this summons shall go along the main roads with at least three men of age, and with a fully manned ship on sea. It shall travel the main roads both night and day. A wood arrow shall be sent out to the provinces in every direction from the main road and into the fjords and out to the islands, and be carried with witnesses, and each person relay it to another.

And for all men to whose home an arrow arrives, it summons him to ship if he lives on the coast, but the gathering of the army inland. Anyone who remains in place is outlawed, for both subject and slave shall go if needed. And everyone is to provide supplies for himself and any of his household members who were unable to bring provisions for themselves.

If anyone fails to pass on the arrows summoning troops or does not heed the order, he is to be outlawed, and everything he owns, unless necessity prevents him. The king shall assess the necessity. If the king suspects that we do not want to defend his realm with him to our full ability, we are to give him hostages as security. If we keep our word and our duty to defend the land to our king, he is to give us back our hostages unharmed. But if we fail, our hostages are forfeited, and they are at the king's mercy, and they must answer for that who are responsible by law.

4. Here, it says that if an army is expected in our country, we shall have a beacon guard appointed and kept

Now, an army is expected in our country, then people are to appoint a beacon guard. The baron or the king's representative shall send out the summons. Every man who does not come is to pay a fine of half a mark of silver to the king. The householders, one quarter of the locals who are closest by, shall build a beacon where one has stood from ancient times, and also a patrol building with a roof and four doors.

Now, a levy district assembly shall be called to supply the guard. The baron or king's representative shall issue a lawful summons for the householders to keep guard. Then the householders shall keep guard on the fifth night from the time when the guard was summoned unless it is needed sooner. And those who are to keep beacon guard and do not turn up are to pay a fine for failure to keep guard, that is a mark of silver. And three men are to keep beacon guard who have healthy eyes and ears and feet, are free men and of age, native-born and not foreigners from the kingdoms of other kings.

Men are to assume their guard at midday and remain until the next midday. If anyone arrives later or leaves earlier, then he is to pay a fine for failure to keep guard unless someone replaces him. During the guard, one is to be awake and not sleep. If everyone sleeps during the shift and the beacon burns, in the south or the north, they are to pay a fine to the king for failure to keep guard. Now, guards are to light the beacon upon seeing three or more warships. But if they do not light the beacon, they are to pay a fine to the king for failure to keep guard. And if they are in doubt as to whether they are warships or not, they shall call to them the most prudent people who are near and take their advice about whether to light the beacon or not.

The beacon guard located furthest to the east shall answer with eight *ortogar* and thirteen marks of silver to the king, and so too, the one that is next. In the same way, the one that is furthest north shall answer with eight *ortogar* and thirteen marks of silver to the king, and so too, the one that is

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next, if an army invades from the north. And everywhere in the same way where there is the greatest expectation of an army. But all others are to pay a fine of a mark of silver to the king for failure to keep guard.

A baron or king's representative shall appoint discerning people to inspect the guard every day while it is considered necessary, and facilitate the guard's correct practice. But if they forget, they are to pay a fine of eight *örtogar* and thirteen marks of silver to the king if this results in damage.

5. Here, it says if an outlaw gives a truthful account of the arrival of an army, and so, if a native inhabitant gives one and it is not true

Now, someone comes to our country who had been outlawed from here and gives a truthful account of an invading army, one of which the people were previously unaware, then they have the right to remain in the country with the king's ruling and decree, even though they were a disgraceful criminal (*níðingr*) before. Now, someone tells a false account of an invading army, then they are outlawed, even though they were previously a lawful inhabitant, unless they swear a single oath that they acted in good faith and thought it was true. Now, a lawful inhabitant gives a true account of an invading army, then they shall receive three marks of silver from the king and one mark from each county.

6. Here, it says about the levy duty preparations and how people should demand their equal share between warship districts

Now, everyone is to pay their levy duty in equal measure. And when the duty has been issued, people are to pay their equal share in proportion to their land holdings and capital. And when the duty is collected, everyone who lives on a plot of land shall pay from their crop and chattels, whoever owns the land.

Now, if necessary, one shall demand equal distribution of payment from the people of their warship district with the advice of the king's representative. And those who do not come without a valid reason must pay the amount calculated, although it be later, and in addition, compensate for failure to pay the levy duty to the king, that is six ounces of silver. And if people demand equal distribution – with the advice of the king's representative and other discerning people – from another warship district or eighth (*áttungr*) or quarter (*fjórðungr*) or county (*fylki*), those demands are to be made at an assembly. And if they refuse equal division, proceed as stated before.

Now, someone evades the levy duty or equal division and runs between warship districts or quarters or counties, and pays neither here nor there, they are to pay the levy tax, although it be at a later time, and a fine of six ounces of silver to the king for avoiding the levy tax. And anyone who becomes a tax evader and is summoned to pay the levy duty and is sued for

the tax and refuses to pay, and flees the suit, and pays no levy duty anywhere for three winters, they are to pay the full duty, although it be later, and pay a fine of five marks of silver to the king.

7. Here, it says where we are to pay our levy duties

Now we shall find out where we are to pay our levy duties. If someone has a house in town and a farm in the country, and goes between them and stays intermittently, they shall pay the levy duty in the country on the land on which they live, paying equal share with other householders, but from stock (*kaupeyrir*) and rental income in town. And so, if someone owns two farms in the country, one in each warship district, then tax on each one is to be paid according to land holdings and equal division. If a man is unmarried with no fixed household and he goes between town and country, and he is born in the country and conducts business there, and is in the country over Christmas, if he otherwise packs and unpacks his baggage in town the entire winter, then he should pay levy tax in town from his goods. A man is born in the country and goes to town to conduct business, and has his home neither in the country nor in town, he shall pay his levy duty in the country from his stock. If a man dissolves his household in the country and moves to town before the equal share calculation and headcount, and then goes back to the country, then the householders shall have his contribution. Now, if a man pays levy duty somewhere else than where he ought to, then it is as if he did not pay, if he knows himself not to have paid.

8. Here, it says about appointments to the ship and what the captain and navigator are to receive for their work

The man appointed by the king or his representative shall command a ship. Now, a captain is to appoint crewmembers to accompany him. Then all of those selected must go unless lawful necessity prevents it, in which case others are to be appointed instead. And the captain shall receive half a mark a month from the householders' fees for his work and trouble if he carries out his job well, albeit only if he has not previously received a fief (*veizlur*) or royal land grants from the king, and he shall receive this when he returns home. A navigator shall have half a mark of silver from Trondheim to Bergen, half a mark from Bergen to Tønsberg, half a mark from Tønsberg to the border of the country, so the same on the way back, and, additionally, food and drink.

Anyone appointed in the first round is to go and not make any replacements unless there are lawful necessities. And no one is to accept payment to release someone from this duty. And he who accepts money is to pay a fine of eight *ørtogar* and thirteen marks of silver to the king for each person from whom he received money for their release. And anyone who offers it is to pay a fine of a mark of silver to the king. And anyone who accuses someone else

of doing so and it is not proven must answer for this in the manner in which the law relates regarding those who slander someone.

9. Here, it says about the preparation of ships for departure and the crew meeting and what the punishment is if they do not turn up

Now, the captain shall send out a message when the ship is to be prepared for departure and summon men as widely as he considers necessary. And anyone who does not heed the summons without a valid excuse is to pay a fine of an ounce of silver to the king. And they are to transfer the ship to harbour; they are responsible until the ship has been secured. And so, he shall give the appointed crew a date for when they should come to the ship, and at that point, they shall have a crew meeting and inspect the crew, the men's weapons and clothes. If any weapons are missing, then weapons are to be received there on the captain's recommendation, what he considers most appropriate, and the man who carries the weapon is responsible for it by law.

Now, each crewmember is to receive an ounce of silver as his wages, and so cooks as sailors. Now, the householders are to contribute two month-ports of butter and three of flour per oar bench. The captain is to take guardianship (*umboð*) over this when the levy sets off and use it for the crew's board for three months in accordance with traditional boarding charges. And this is the customary boarding charge: a pound of ground barley every fortnight and three three-pound lumps of butter for each dozen. Anyone who does not pay this shall answer for evading the levy tax as previously outlined; the sheriff is to collect this and keep two-thirds, and the captain one-third. Now, if he is unwilling to collect it and he had been told about it before, the captain is to collect it and have half, and the sheriff half.

10. Here, it says about bows and missiles that everyone shall have, and if a man boards another ship

There is to be a bow at each rowing bench. It must be procured by the two bench mates who go on the trip, and a string on it, or else they are to pay half an ounce of silver to the king and nevertheless procure a bow. And two dozen arrows, either broadheads or bodkins; this is to be procured by the householders. And for each dozen arrows that is missing, pay one and a half ounce of silver to the king. If the king wants to have a larger outfit, more warship districts are to prepare and man the ship that is to sail, so that each crewmember has as much provisions as was related previously.

Now, a man boards another ship than that to which he was appointed. In that case, he must both go on the expedition and pay the fine. And if a free man takes work as a cook and he does a bad job of cooking, then tell the captain, and he shall call a crew meeting and punish him with the advice of prudent people so that he neither receives severe wounds nor dies, for the captain shall have the greatest authority onboard each ship. Now, they pull

up anchor and if a man does not go to his place, pay a mark of silver to the king unless lawful necessity prevents it. If a man misses an expedition owing to stubbornness or insubordination, he is to be outlawed, and everything he owns. But if necessity prevents him, the king shall assess this based on the circumstances with the advice of prudent people.

11. Here, it tells of which weapons each man is to own, and what the penalty is if they are missing

A man who owns the equivalent of six weighed marks apart from his clothes shall own a red shield with a double border, a spear and a sword or thin-bladed axe.¹ And a man who owns the equivalent of twelve weighed marks apart from his clothes shall own a shield and a steel helmet in addition to the weapons listed previously. And each shield-maker (*skjaldari*) shall have an official mark on their shields so that it can be known who has made them if they are discovered to be counterfeit. But anyone who does not have this will have their shields confiscated in the name of the king.

A man who owns the equivalent of eighteen weighed marks apart from his clothes must own a shield and steel helmet, armour or coat of mail, and all basic weapons. If anyone lacks these weapons, there is a penalty of an ounce of silver to the king for each one that is missing. And every unmarried man with no household and those who own less in assets than now related, each of them shall own a shield and spear, sword or axe. And all broadaxes are acceptable, and thin-bladed axes with robustly made handles, and spears with sturdy shafts and two nails in them, or one that goes all the way through and is securely fastened on both sides. A wooden shield is acceptable for each of these men, with three pieces of iron fastened across it and three handles on the inside, securely nailed down.

If a labourer begins his first job with lodging (*vist*) and receives full wages, he must buy an axe the first summer, a shield the second and a spear the third. But if he lacks any of these three weapons, then he is to be fined an ounce of silver for each one he is missing. If he lacks all three, he is to pay a fine of an ounce of silver to the king for each one he is lacking, and he will have legal status as a person who only receives half compensation for offences committed against him until he has acquired weapons.

12. About the muster and when it shall be and how they are to show their weapons

Now, there is a type of assembly called a muster; it is to be held all over Norway. It is not to be larger than a warship district assembly. Work is to begin on Candlemas and everything is to be finished by Laetare Sunday. A summons is to be sent out for this assembly. Every householder is to attend it who has a household and the title of householder, and to bring his basic weapons. If a man remains at home during this assembly, he is to pay a fine

of two ounces of silver to the king, and an ounce for each weapon that he ought to have brought there.

Now, a man is ill or wounded, then his tenant is to bring his weapons to the assembly, or the householder is to pay a fine to the king for failure to present weapons, an ounce of silver for each one missing. If a small farmer is ill or wounded, then he is to contact his neighbours and show them his weapons on the assembly day, then he is free from penalty if they are all there; he is to pay a fine of an ounce of silver to the king for each one missing. Now, a man hands away his weapons, and he does not own basic weapons in accordance with what is outlined now. He is to pay a fine of an ounce of silver to the king for each one missing, whenever it occurs.

Now, at this assembly, the sheriff shall instruct people as to how they are to come forward in a lawful manner. And it is a lawful presentation when three go slowly abreast so that the sheriff is easily able to inspect their weapons. And all the king's vassals and the men who receive income from royal land grants are duty-bound to inspect weapons with the sheriff. If more men go forward abreast than it says now, and, as a consequence, the sheriff is unable to inspect their weapons, those who do so are to pay a fine of a mark of silver to the king for their insubordination. And each man who does not have lawfully mandated weapons is to pay a fine of an ounce of silver. If someone lends his weapons for the muster and it is proven with witnesses, the king shall have the weapons, and the other is to pay for failure to present weapons as before.

13. If someone absconds from a levy expedition from ship, and how livestock shall be slaughtered without penalty

Now, a captain turns his ship on course with the king, and someone abandons the ship while the king presses on with the land's defence, he is to pay a fine of eight *ortogar* and thirteen marks of silver to the king. If the captain absconds, he is outlawed in every way and a traitor to the king.

Now, a military expedition must not be kept out longer than so that men have a fortnight's store of flour and butter, and make this known to other ships and show them their food, that they do not have more food than that. Now, they set off home and run out of food; then they may slaughter two cattle that belong to a householder without penalty. They are to pay two ounces for a cow and so for a three-year-old bull, but two and a half ounces for a fully grown one, and leave the head and feet and hide behind. Then they are free from penalty. If others slaughter cattle belonging to the same householder as someone else did before, and a head or feet or hide are not to be seen, they slaughter without penalty if they pay money to the sum of what is now obligatory and they leave behind a head and feet and hide.

Now, they do not slaughter in the way related now, then a captain is to be fined eight *ortogar* and thirteen marks of silver to the king if they cut down at his command, and each crewmember a mark of silver to the king, and

nevertheless, they are to pay the householder full compensation for the cattle they slaughtered from him first. And the householder is to receive as much as he is entitled to from the compensation payment and the king what remains. Now, they are accused of slaughtering in a different manner from what is now related, and if they deny it, the captain is to refute it with a three-man oath for as many men as he wishes. If he does not want to swear for them, each man must exonerate himself with a three-man oath.

Now, someone leaves a ship before the ship is by the launching place, and no one gives him permission. He is to pay a fine of a mark of silver to the king.

14. Regarding the hauling of ships and the safekeeping of sails and rigging

Now, ships return to the landing place; then the captain is to send out a message as widely as he considers necessary so that the ship can be pulled ashore. Everywhere the captain sends a message, everyone is to communicate that message and not fail to pass it on, whether they belong to that warship district or another. But anyone who fails to pass on this message is to pay a fine of an ounce of silver to the king. Likewise, anyone who does not come to haul the ship ashore although the message reached their house, unless necessity prevented it. And the sheriff shall collect these fines, whether for launching a ship or hauling it ashore, and keep two portions, and the captain one-third. If the sheriff does not wish to collect them, and he has been informed before, then the captain is to collect them and receive half, and the sheriff half.

Now, if the ship is not launched or hauled in, and a quarter or half or more of the warship district's men abandon their duty, they are to answer to fines as outlined, and the ship is to be their responsibility if it is damaged. Now, men arrive five nights earlier or five nights later, then no one is to provide them with board. But if there is a greater difference, those who are duty-bound by law are to provide board to others according to the result of the calculations.

Those who are most discerning and who live closest to the ship's nearest church are to safeguard the sails. And all the crewmembers are to accompany the sail to the church, and all the rigging, and store this in such a way that it is most likely to keep intact. Now, if anyone removes that sail without permission from the king or a householder, they are to be responsible for it in every way until they return home, and to pay a fine of eight *örtogar* and thirteen marks of silver to the king and householders. Now, if the church burns and the sail is in it, the householders themselves are responsible for their sail unless people set the fire on purpose.

Now, they are to have the hauling place where they had it from ancient times. If a river or the sea ruins the hauling place, the king's estate is responsible for replacing it if it is within the county quarter. If there is no royal estate,

then a plot is to be bought where they wish, for the sum valued by prudent people from the householders' fees.

15. About messages to provide riding horses when the king travels around the country

And so it is said that householders are to furnish the king with riding horses, as many as necessary. And the king's representative shall send out a message to call in riding horses as widely as they consider necessary so that the king does not lack riding horses. And all the householders to whose homes a message calling for riding horses arrives shall provide horses; any horse on which a saddle or harness has been placed. If the king lacks riding horses, then every householder to whose home a message arrived and who did not provide horses is to pay a mark of silver for every horse that was not brought to the changing of horses if he lacks a valid excuse.

16. About thieves, and that men are to go along to arrest them

Now, thieves are inexpressible criminals wherever they are arrested, as is anyone who helps them, as it says in the paragraphs regarding inexpressible crimes in the section Human Inviolability. Now, they plunder, and the one who suffers this plundering has no force to pursue them, then they shall send out an arrow message if they want, and everyone shall go to pursue the pillaging army where the arrow message summons.

Now, they pursue them, then they are all to go who are present. And if they do not wish to go, then their assets shall be confiscated unless necessity prevents it.

Now, they come to where the one who sent the arrow message is located. If they have sent the arrow message correctly, that is good. If they have sent the arrow message falsely and no pillaging troops have been at their house, they may confiscate their property and divide it between them. Now, if they have sent the arrow message correctly, they shall go with them as far as the sender wants. And if they encounter the force and need to redden points or blades to retrieve that property, the person who owned the property before is to take everything they recognise. And they are to divide between themselves what the pillagers had unless people come forward who identify it with lawful witnesses.

17. Here, it says if one trades with pirates

Now, pillagers go along the country and someone buys an object from them; then the person who owned this property before is to get it back, and they must bring two witnesses. And the person who traded with the pirates (*vik-ingar*) is to pay a mark of silver to the king if they knew about it. If they are not able to get witnesses against the person who has bought wrongly

acquired goods, then sue them to the assembly, and the assembly members are to rule that the property is theirs, or else a three-man oath must be sworn instead.

18. If the king accuses a man of treason, and building a longship

Now, if a king accuses someone of treason, they are to refute it with a twelve-man oath. But if that oath fails, they are condemned to outlawry.

Now, someone builds a longship in the country and does not declare their journey publicly, then the baron or king's representative shall go and ask them where they intend to travel. If they do not want to divulge it, then they are to demand eight *örtogar* and thirteen marks from them as security. If they do not wish to give security, they are to cut a five-ell long plank from either side of the keel. If they do not do so, the householders are to do it and take the sail away if there is one, and thus hinder their journey. But if they do not do so, they are to pay the king a mark of silver for each rowing bench but three marks for each rudder strap. That is called a bench fine.

Note

- 1 The word in Old Norse is *hálfþynna*, meaning that half of the blade is thin, i.e., tapered and sharp; the inferred meaning is that the axe is for combat rather than chopping wood or other uses.

Human inviolability

1. Here begins our human inviolability, and in the first chapter it tells about if someone kills a man or a woman a man

It is first in our human inviolability that each of our countrymen in the King of Norway's realm shall be inviolable to another, within the country and outside it. And if a person murders someone, they have forfeited everything they owned apart from their allodial lands (*óðal*) only. Both if a man kills a woman, or a woman a man, unless they commit a shameful killing (*skemmðarvíg*) or disgraceful act (*níðingsverk*).

2. Here, it tells about a murderer's assets

And although everything a murderer owned in land and chattels, apart from allodial lands, previously went to the king, then the most gracious King Hákon made this mercy and decree in connection with the entreaties of the best people in the land, that whatever remains – land or chattels – the king shall not receive a greater penalty for the killing of his subject (*þegngildi*) than eight *örtogar* and thirteen marks of assets or land, unless they have committed a killing of shame or a disgraceful act. If a piece of land is used to pay a penalty for killing the king's subject, the heirs of the murderer shall be able to claim it if it is their allodial land, if they make the claim within ten years. An heir shall never sell the property they receive from an outlawed person while the outlaw is alive, but they are to pay all rightful dues from the assets if the chattels do not suffice.

Now, some event might arise where the king grants a murderer leave to remain in the country because of the intercession of high-ranking men or other good people, or if they are able to get a meeting with the king and receive a truce from him. Then they shall purchase their peace with the king in whatever way the king gives him mercy, and expiate what remained on such terms that good people consider them able to afford, unless fines have already been paid. Then their case shall be settled with the survivors in accordance with the king's decision. And those who took over their assets for safekeeping while they were in outlawry are to repay what they received in land or chattels, apart from tenancy income.

3. Here, it says that no one can forfeit their land

No one can forfeit their land unless they commit a disgraceful act or a shameful killing. It is a matter of the greatest severity if a person conspires to take land or subjects from their king. If the king accuses someone of treason, then he is to nominate a man from his vassals of equal social rank to the person who must answer to this charge. And if a freeborn person is to answer for that matter, then a householder's son shall be nominated from the king's vassals, if there is one, and he is to have the king's official document and seal and pursue this case according to law. A freeborn person is someone who has achieved all rights.

It is a disgraceful act if one kills a person towards whom one has pledged peace. It is a disgraceful killing to murder a man who has received pledges of peace.

In every case where someone has a claim to compensation for injuries inflicted upon them, or on behalf of the dependant or minor for whom they have legal guardianship, or stand to inherit, and all those on whose behalf they have the right to receive compensation, or the legal mandate to do so, then they are to offer peace and pledge a truce in the presence of witnesses. All their relatives are subject to these truces and promises of peace as if each of them had made them themselves.

It is a disgraceful killing if one murders a royal magistrate, one who is appointed to communicate the laws to the people, for that person cuts down justice for all people, because he is equally duty-bound towards everyone to communicate the laws, so to the rich as to the poor, in his jurisdiction. It is a disgraceful killing to burn someone to death inside a house. It is a disgraceful killing to murder someone. It is a disgraceful killing to avenge thieves. It is a disgraceful killing to avenge oneself on someone other than the people who execute or plan. It is a disgraceful act to chop a hand or foot off someone, or gouge out someone's eyes, or cut the tongue out of someone's head, or mutilate someone on purpose. And so, those who put people to this are just as much inexpressible criminals as are the others who carry it out, unless the king has them punished in order to purge the land. If this is inflicted during combat with arms, then proceed according to what the king ordains with the advice of good people.

It is an inexpressible killing to murder one's father or mother, son or daughter, brother or sister, unless it is the act of an insane person.¹ So, too, if a man kills his wife, or a woman her husband, so that the one who killed has committed adultery or intended to commit adultery, that is an inexpressible matter. It is an inexpressible matter to take one's own life. It is an inexpressible crime to kill a person within the threshold or in the yard outside, or within the fence that surrounds a field or meadow by their own home unless it is in self-defence. And so, those men who are found guilty of such misbehaviour as to run away with men's wives, they are inexpressible criminals both before king and man. They may be killed or put to death with impunity wherever they are.

4. About inexpiable cases

And they who lose their lives as the result of theft or main road robbery, whether they steal on ship or on land, and so, for murder and sorcery, and all prophecy rituals and sitting outside summoning spirits,² to raise hostile supernatural beings³ and thereby perform heathenry. And so, those who become assassins, killing those people with whom they have no quarrel and receiving payment in return, unless the king's representative has them punished in order to purge the land and ensure peace. So, too, men who take women by robbery or military capture in contravention of God's and men's law, whether they are men's female relatives or other men's daughters or wives, against their own will, regardless of what their will becomes later on when they live together. And so, those who avenge those inexpiable criminals or claim compensation for them in such a way that a witness knows of it. Now, all these people have forfeited their property and peace, land and ready money, and all who defend their property or female relatives against them are immune from prosecution, but the others have no right to personal compensation (*úgildr*), whether to king or man, even though they are wounded or die.

And it is an inexpiable crime to forge our king's mint, letter or seal. And it is an inexpiable crime to kill someone who has the king's letter and seal for granting leave to remain in the country or carrying out an inspection, if the other knew this when they killed. And it is a disgraceful killing to kill someone in a room near the king, or in his presence, or at the king's residence (*konungs garðr*), or on the king's ship, even though the king is not at the residence or on the ship. If it happens in a town, and the king is in the town or the harbour by it, proceed according to the king's mercy, depending on circumstances.

And so, it is an inexpiable crime if a man rapes a woman by force if there are two lawful witnesses to its veracity. Now, there are no lawful witnesses to it but she says she was raped and she reports it on the same day, then twelve of the most prudent people shall judge according to what they think is most likely, and which of them is more likely to tell the truth. And even though a woman is able to defend herself on account of her womanhood, so that he is not able to carry out his will, then it is by no means appropriate that he go unpunished for this, following a judgement, if it is proven that he was fully intent on it, and nevertheless keep his life.

5. If a man has sex with someone's wife

If a man finds a man with his wife with lawful witnesses, he must pay full personal compensation to the husband, the same sum as the man who had sex with the woman would merit, had he been killed without guilt. But half personal compensation if he finds him with his mother, daughter or sister, if they have no husband. These compensation fees shall be awarded by twelve people, lawfully nominated by the justiciary (*rétteri*).

6. If someone commits a disgraceful act

In every case when someone commits a shameful killing or a disgraceful act, then they shall be outlawed and unholy, forfeited assets and peace, land and ready money, and even their allodial lands, and never return to this country again unless they report a truthful account of an invading army, one of which the people did not know before; then they shall be granted leave to remain in the country with such peace payment and mercy that the king determines. And no one can forfeit more assets at one time than those of which they have ownership.

If someone receives an inheritance while they are in outlawry and their relatives have taken possession of this inheritance, they are to repay the outlaw these assets in the same manner and with the same conditions under which they took them, and to which they would have been subject when they were outlawed.

7. Here, it says if anyone sells a freeborn person out of the country

If someone sells a freeborn person out of the country, they are to pay a fine of eight *örtogar* and thirteen marks of silver to the king, and get the person back to the country, and compensate them according to the judgement of twelve lawfully nominated people by the sum to which they are entitled. If they are unable to get them back, they are to pay full compensation for that person, as much as they are worth. But if they deny it, they are to swear a six-man oath.

8. Here, it says about an outlaw, if someone shelters them

If someone shelters an outlaw or receives them into their home, eats or drinks with them, a householder or anyone else, they are to pay a fine of a mark of silver to the king for one night, but two for two nights. And if they are three nights with them and they have been outlawed from that county, pay a fine of eight *örtogar* and thirteen marks of silver to the king, unless they who shelter are unaware of the outlaw's legal status. And the sheriff is to declare their outlawry at an assembly on the same day, when he is aware that they have committed an act punishable by outlawry.

9. Here, it says if someone is killed at an assembly, and what the punishment is

If someone is killed at an assembly, then everyone is to run in pursuit, to the mountain or the forest, to ship or shore. And anyone who does not pursue is to pay a fine of half a mark of silver to the king, and so, too, anyone who runs after and does not wish to apprehend them even though they are able to, and there are witnesses to this. If there are no witnesses, they are to deny it with

a one-man oath. By law, third cousins by blood or marriage shall not pursue unless they want to. But anyone who gives help is outlawed unless they are unaware of the outlaw's legal status, and swear an oath to that.

If one injures someone at an assembly, and people pursue the one who initiated violence to the mountain or the shore, and they are apprehended, and they wish to defend themselves in accordance with the law, then they are to lower their weapons; in that case, they have legal immunity while the injured party lives.

That person is to be bandaged and taken to the sheriff or his representative for safekeeping. If the sheriff needs help to watch over them, the householders are to appoint as many as he needs. If they escape from the sheriff, and the injured person dies, the sheriff himself is pledged as security until the king's judgement, and he shall judge on the facts of the case with the advice of the best people. Now, if the sheriff or his representative refuses to receive, they are to place the bandaged person into his house in the presence of witnesses. Then he is subject to the same, unless an overbearing force removes [the bandaged person] from him.

And every time the sheriff confiscates the property of an outlaw, he is to commission someone to punish them according to the judgement of the members of the assembly. Now, the householders are to comply with this punishment. Everyone who does not comply shall pay a fine of half a mark of silver.

10. Here, it says about the deeds of an insane person, and who is to guard according to the law

Now, someone goes so insane that they break loose from bonds and kill someone. Then full compensation is to be paid from their assets, if there are any. If there are no assets and they regain their health, they are to remain abroad until they have paid full compensation on their own behalf. But if people see that they are fully insane, anyone who wants can tie them up with impunity and take them to the assembly and summon relatives, and release there and renounce their responsibility, and be reimbursed for their expenses – without additional charges – from their assets, if there are any. And people are to guard all insane people with impunity.

And an insane person is the dependant of their heir, although not until the heir knows they are insane and they are able to place them in bonds if they wish to do so. If a plaintiff accuses the heir of an insane person of being unwilling to keep them under guard, they are to refute this with a one-man oath. If an insane person injures someone, the heir is to pay compensation for the wound and the doctor's fee from the insane person's assets, and the king has no right to it. Now, it is only the deed of an insane person if they break free from bonds, or prudent people assess or know that they are truly insane.⁴

11. Here, it says about who shall be designated the killer of the dead person

They shall be designated the killer about whom witnesses who were nearby testify and they accuse, and they do not shirk from swearing oaths, unless they were so far away on the day of the killing that they could not have been both at the killing and far from it on the same day, and, if they were in the district, in church or at an assembly or a gathering or on ship. Then those twelve free people of legal age who were with them are to exonerate them. And they were in none of these places, but nevertheless far away as is said now, then they are to defend themselves with a twelve-man oath.

But if witnesses who were nearby are not able to go to the assembly to testify because of some necessity, two people are to report their testimony at the assembly and swear to it on a book. If a person is wounded and they are able to speak when people find them, then the party whom they identify is to be designated the killer, if they speak sense and are able to identify him, and their account is sworn to on a book at the first assembly, unless they clear themselves with a twelve-man oath.

12. Here, it says about the announcement of a killing and if someone commits premeditated murder

If a person kills someone, the person who publicly announces that they committed the killing is to be designated the killer. A killing is to be announced on the same day within the county, and state one's name and place of overnight stay and the district where they are from, and declare this to free people of age. Their place of overnight stay is to be made known at the assembly called with arrows (*orvarþing*), and the householder is to swear that he was there that night, and that he stated his name thus. And an announcement of the killing shall be made at the assembly.

If someone does not wish to testify that they witnessed a killing announcement, or swear to the place of overnight stay, the victim's heir is to proceed and summon them to the assembly in five days' time to give testimony about everything they know according to their conscience, and to conceal nothing. If they do not wish to testify, then each of them is to pay a fine of a mark of silver, the king shall have half and the plaintiff half, and it is to be so for all witnesses who have human inviolability. This money is to be paid at the five-day assembly, or a seizure at which an additional half is to be taken.

So, a killer is not to pass three farms from the one where the killing was committed without the killing being announced, unless the victim's third cousins by blood or marriage or closer are there, or other antagonists of the killer who pose a threat to their life. If they do not announce thus, they are a rightful murderer, and have forfeited assets and peace. But if both an announcement of a killing and the wounded person's statement are announced at the first assembly, and declared in the manner that was previously outlined, the

wounded person's statement is to prevail, and not the announcement of a killing, and then the killer is exonerated for murder, for which they would be outlawed.

Now, the wounded person's statement is not made public at the first assembly, but eyewitnesses and witnesses to the announcement of the killing come forward, then the eyewitness testimonies are to prevail if they are given lawfully by two free people of age, but the announcement of the killing is not. And the heir of the victim is to go to the district from where the other person said they were, and if they encounter someone who has that name and is most likely to be them, and if that person does not surrender, then they are to be sued to appear at the assembly, and at that assembly, twelve freeborn people are to exonerate them, albeit not appointed witnesses, and testify at the assembly. If they do not wish to defend themselves, they are considered guilty in the case. If they do defend themselves, the heir of the deceased shall summon as many people as they wish of those who were near for a twelve-man oath with the previous conditions.

If someone is struck or wounded so that they are unable to speak, send out arrows without delay when they are able to speak. Then that arrow assembly is as valid as if it had been called on the same day. If they die, then the heir is to send out arrows and have an assembly called; the sheriff [should be summoned] if there is no heir.

If someone plots to kill or wound someone, and everything that a person receives – dishonour or loss of esteem – as the result of their actions, they are to pay the compensation awarded by the lawful court (*lagadómr*) which is to try that case by law, and so the Crown, unless they defend themselves in accordance with the laws. And the person who carried it out is nevertheless to pay full compensation as awarded by the lawful court.

If a man is killed whose paternity is not legally recognised, even though he is identified as the son of a particular man, then his maternal relatives are to receive compensation and, so, inherit him. And if he is beaten or wounded or dishonoured, he is to receive compensation according to his maternal grandfather's worth.

13. Here, it says about the law amendments of King Magnus

King Magnus, son of King Hákon, gave these law amendments to all of Norway's people, with the advice and consent of the best people in the land and the entreaties of the common people, that those who do harm to others will be dealt with in the manner previously prescribed in the laws. And from a killer's assets, six discerning people, lawfully appointed, shall award the victim's heir alone such compensation, according to the provision of the law, which they consider most just before God and merited by the facts of the matter. And all other compensation fees to kinsmen and penalties are entirely abolished, so that relatives on each party's side receive or pay more than what is now compulsory.

Now, a killer's assets are not enough to pay both the penalty to the king for killing his subject and compensation, both are to be reduced according to the sum yielded by calculations, based on the assets' value. If anyone goes against this, that person has forfeited their assets and peace, lands and chattel, and will never subsequently be a person who has the right to expiate their crimes by paying compensation, and so, too, anyone who plots that this order should be breached or contravened.

And King Magnus had these law amendments and more passed, that although disgraceful acts or shameful killings are committed, compensation fees are to be paid from the killer's assets first, and the king shall receive whatever remains. If there is less remaining than the amount of a penalty for killing the king's subject, each share is to be reduced according to the sum calculations yield. And so, King Magnus agreed to that the king is never to confiscate a killer's assets nor an outlaw's forfeited money unless all lawful debts incurred previously have been paid in full, and the killer's assets are to be used to pay that claim.

14. Here, it says about acts leading to unintentional harm and how to discern them

Acts leading to unintentional harm should be explained in a prudent manner, in what way they may have happened. For in all those situations where people need to carry out necessary work, or help others with useful things, these acts of unintentional harm are more forgivable than others, which are not motivated by necessity but, rather, by carelessness and enormous short-sightedness.

Now, even though two people go to the forest together, and the axe of one of them slips onto the other – contrary to the intent of the one holding the shaft – and they die from this, then they are to pay one-fourth of a compensation fee to the heirs of the deceased and demonstrate their intent with a six-man oath that they did not intend to commit this act. And such accidents are always to be compensated for in this way if they are doing what is useful for people, whether they become ill or wounded or die at the hands of someone else, if it was not their intent.

And all other acts leading to unintentional harm, such as throwing or shooting over a house or a ship or a hill, or doing other useless things; if people become ill or wounded or die as a result, then half compensation is to be paid, and nevertheless they are to prove their intent with a six-man oath. This is not subject to penalty to the king, for the king is not party to accidents. It cannot be categorised as an accident if a person beats or strikes someone with a weapon if the blow hits someone else, for then they intended to do someone harm. If a person willingly goes wrestling or skin-pulling,⁵ they are entirely responsible for themselves. And a person is to swear a one-man oath that it was not their intent that they were harmed, if someone who gets hurt questions it.

15. Here, it says that it is forbidden to carry daggers

And it is known to most people that it is forbidden to carry daggers. And anyone who does so is to pay a fine of three ounces of silver to the king. If someone wields a knife at another person and misses them, they are to pay full personal compensation following a lawful judgement to the person they stabbed at, and the king three ounces. If someone stabs a person with a knife, they are outlawed; they are to compensate the person they stabbed the sum awarded by twelve discerning people, and they are satisfied that they are given all due honour. And the king's representative shall apprehend that person and bring to the assembly, and take the knife with which they stabbed, and thrust it through their hand there at the assembly, and they shall purchase their peace with that punishment if the other survives, and they must be responsible for their own wound, however they manage.

If the person who was stabbed innocent dies, then the one who stabbed can be killed with impunity. If they escape, they are to be outlawed and never again return to the country unless the king considers there to have been some necessity in the matter. And the killer's assets are to be handled in the same way as previously outlined, both the penalty for killing the king's subject and personal compensation. The same conditions apply if someone shoots at a person, even though it does not hit; they are to pay a fine of three ounces of silver to the king, but full personal compensation to the person at whom they shot, in accordance with a lawful judgement. If they injure someone with a missile, they shall receive the same punishment as the person who stabbed with a knife. And so, if the person who was shot dies, the one who shot them shall be submitted to the same punishment as the one who stabbed, to pay both the penalty for killing the king's subject and compensation.

16. Here, it says if a person bites someone, what the punishment is

It is indecent that people bite each other like horses or dogs. If a person bites someone, the sheriff is to apprehend the biter and bring them to the assembly and have the front teeth knocked out of their head. And then they are to be free from accusation towards the king in this matter, unless prudent people consider some necessity to have caused this. And they can settle this with compensation and pay compensation to the person they bit according to the judgement of twelve people, and they are satisfied before God that the person who was bitten is given all due honour.

17. Here, it says about apprehending and bringing criminals to the judiciary

And so it is said and steadfastly accepted all across the country that if someone kills another person, or inflicts those injuries or commits those deeds for which they are to forfeit their life or limbs according to the law, those who are closest by or the first people who are able to capture them are to

apprehend that person and take bound or fettered to the sheriff. If they do not do this, but they are able to do so without receiving dishonour or physical injury from them, each of them is to pay a fine of half a mark of silver to the king, unless they are third cousins by blood or marriage; they are not duty-bound to apprehend them unless they want to.

Then the sheriff must take that person and bring to the assembly, and the householders are duty-bound to judge them at the assembly in accordance with the law, and the sheriff have them punished in accordance with the law. This is legislated thus so that no one can do this without penalty apart from the judge whom the king has appointed because the laws punish, and not he, even though he does his duty according to what the law prescribes for him. But others do so with enmity and malice, and therefore it happens somewhat often that first they suffer the loss of life and then they must answer to large church fines with great expenditure of money. Now, anyone who does differently, and it is proven that they were able to do otherwise, then they are outlawed until the king determines the necessity that compelled the one who acted, based on the facts of the matter.

Now, the person who complains does not have a force, then they are to tell the sheriff. And if the sheriff summons a force with him, then anyone who does not go with him is to be fined a mark of silver to the king, unless he is the third cousin by blood or marriage of the person who killed or inflicted wounds. Now, all those who go to apprehend are inviolable, but the others are outlawed, regardless of whether they become ill or die.

18. Here, it says about those who have committed punishable crimes

Now, since the law book testifies widely regarding those who have committed a punishable crime, they shall be brought to an assembly and judged, and a punishment is to be meted out according to that judgement. Then they who are appointed to pass judgements are duty-bound rigorously to examine and assess with great moderation whether an innocent person is being wronged, or for minor trespasses, though still some, or for grave misdeeds, yet still not grave enough, or grave enough deeds but ones that the person who committed them is considered to have been compelled by great necessity. Also, whether some lawful offer of compensation went between the parties, or none, or – what is the worst – that the person who was mistreated has sought compensation but received none. Also, if anything has been appealed to the justiciary (*rétтары*), that the judgement was passed by those who do harm to innocent people.

And the panel is appointed for the purpose of examining and assessing charges and misdeeds, and so temper the judgement based on the facts of the matter depending on what the assembly delegates and the justiciary see as most just before God, according to their conscience. And not how many a fool has answered in this context, that they do not judge anything but the law,

for truly, they who let evil people get away unpunished must answer for that for which the laws make them responsible, if the judge fails to issue an appropriate punishment, and so, too, if those who deserve mercy are punished too severely as a result of their counsel. And there are plenty of examples of those who have made lenient judgements having received cruel revenge from God, and even harsher for those whose judgements were too severe.

And for that reason, the judgement is generally to be brought in a better direction if they know both things as securely, for balance is a narrow path, and the narrower it is, the more blessed are they who find their way to the moderating influence of the four sisters, which is to be present in all just judgements, so as to please God and benefit the people. And they are Mercy and Verity, Justice and Peace. Mercy is to prevent cruelty or hatred from entering judgements. Verity is to ensure that lies will not be told. Justice is to prevent unrighteousness from skewing just judgements. Peace is to guard against a vehement judgement of condemnation being passed in anger until a just judgement is made. And for that reason, judges must keep in mind that the more necessary this is, the more carefully all judgements are scrutinised. And so that people better avoid unjust judgements, it is hardly possible to be on guard against evil unless one knows about it.

And therefore, people should remember that unjust judgements come about in four ways. Either because of fear, where people are afraid of the person they are to judge, or avarice, where someone scrounges for bribes, or with enmity, when someone hates the person they are to judge, or with friendship, where someone wants to help their mate. And it is a bad situation when those bastards are let in, but the lawfully begotten sisters mentioned previously are driven away, and that court will be regarded unfavourably by good men, and most of all by God. And the more often this chapter is read when important cases are to be decided, the better.

And people should be particularly mindful to provide a priest for those who have been condemned to death or loss of limbs, and give ample time and space for this before they are punished. For evil deeds shall be hated, but the person shall be loved according to nature, and especially the soul as one's fellow Christian.

19. Here, it says about those men who fight on a levy expedition with their king

If men fight on a levy expedition with the king, at assemblies or summons before the royal magistrate, or at five-day assemblies, at feasts or weddings, during Christmas peace or herring fishing, Maundy Thursday and all through Easter week, an automatic truce goes into effect on all these occasions. And the right to compensation increases by half for those who suffer insult or injuries in these places or at these times. And here, the king receives eight *ortogar* and thirteen ounces of silver for each wound, blow with a club or blow with a stone, blow with the back of an axe or plunging into water, but

four marks of silver for a punch and everything of that sort, and two marks for a slap and everything of that sort.

If someone injures a person or beats or insults them in their own home so that they have claim to full personal compensation, the right of the victim of insult or injury to compensation increases by half. And so, they who attack someone at home and breach the sanctity of home are to be fined a half share more to the king, if the others survive, and be irrevocably outlawed if they die.

20. Here, it says if someone ties up a free person without just cause, and what the punishment is

If someone ties up a free person without just cause, they are to pay a fine of five marks of silver to the king, and full personal compensation to the person who was tied up, awarded by a panel of twelve. One is allowed to tie up a thief without penalty, and all those they know to have committed a crime, and they have witnesses to that they were unable to get them to the justiciary in another way. If there are no witnesses, they are to prove it with a one-man oath.

If someone hits a person with a hostile hand in a place where there is no truce – with an axe, club or stone, they are to pay a fine of a mark of silver to the king for the blow. If they deal another blow again immediately, pay a fine of three marks of silver to the king. If they deal the third one immediately after, pay a fine of three marks of silver to the king. If they deal the fourth one again immediately, pay a fine of five marks of silver to the king. If they deal the fifth one again immediately, pay a fine of eight *ortogar* and thirteen marks of silver to the king. And compensate the victim according to the judgement of a panel of twelve people, lawfully appointed by the justiciary, whether it is one blow or more.

If someone hits a person in the head once, or pushes them under water, or gives them a disabling injury or head injury – whether it was a blow or a wound – they are to pay a fine of two marks of silver to the king for each one, but the sum awarded by a panel of twelve to the victim. And it is a disabling wound which subsequently renders a person less able than before, and which hair or clothes do not conceal, and which is generally visible.

Now, the person who did wrong and was lawfully prosecuted refuses to pay compensation, they shall be outlawed. Now, the person whose honour was attacked does not want to accept compensation, or the sheriff, then the other person is to declare their legal immunity to the panel, whether they accept it or not.

If one person wounds two men or strikes them, on one occasion or more, they are to pay a separate compensation fee for each of them to the king, such as is stipulated before, and so too, to the victims. If two or more hit or wound one person, each of them is to pay full compensation to the king on their own behalf, in accordance with what was stipulated before, and so too, to the victim.

Now, if one person's wounds heal but another's do not, and they die from them, the person who dealt the wounds that did not heal shall be outlawed. And they alone are responsible for all the penalties issued by a panel of twelve, lawfully appointed, and so too, the penalty for killing the king's subject. And so, those who assist or accompany men to execute people, praising and accepting the intent, answer for that to the Crown and the heirs of the slain, as the royal justiciary judges based on the facts of the matter, and other prudent people with him, but their leave to remain in the country be at the mercy of the king.

21. Here, it says if a person who committed does not want to pay compensation

Now, a person who transgressed does not want to pay compensation, the victim of the crime is to appeal to the king's representative, whomever they have mandated to enforce the law. Then the justiciary is to summon both parties to them, and appoint twelve of the most prudent people to judge in their dispute, and set a due date for compensation payment. And if the person who committed the crime does not want to pay what was awarded, then enforce it with charges of flouting a judgement and distraint (*atferðir*).

Now, a person who transgressed does not want to pay compensation, and the king's representative neglects to carry out their rightful duties, and the victim of the crime avenges their dishonour, and the revenge amounts to more than the damage done by the other. When their case is settled, the avenger shall pay half the difference as decided by a panel of prudent people, and the king's representative half, both to the king and so to the person whose honour was attacked, for they neglected to carry out their rightful duties. But if they exact revenge and the revenge is no greater than the damage which had previously been done to them, then they have no guilt towards the king, for they did ask for their rights to be upheld before. And the king's representative is to pay the fine prescribed, for they neglected to carry out their rightful duty.

Now, an innocent person is dishonoured, and they exact revenge instantly during the flurry of insults, and two prudent witnesses are present. In that case, they attack someone who has no right to compensation, and the king has no right in this matter, nor do they, regardless of whether they receive a wound or lethal injuries. And if they die from this, then be at the king's mercy based on the facts of the matter.

Every time a victim of a crime appeals to the justiciary, the justiciary is to obtain justice for the person who has been mistreated before he collects penalties on behalf of the king. And every time the panel is lenient towards the person who committed the crime based on the facts of the matter, and reduces the victim's compensation, it is the more incumbent upon the justiciary to reduce the king's fine accordingly if they wish to handle the matter justly, for the king himself does so regarding the payment for killing the king's subject.

22. Here, it says about blows and fist punches and pushing about, and more of that sort

If a person deals someone a blow or fist punch, or people push each other about, or engage in fisticuffs, and so, if a person thrusts the shaft of an axe or spear into someone with a hostile hand, those who did these misdeeds are to pay a fine issued by a panel of six, but to the king half a mark of silver for each act of this sort. And about all other slaps, and if a person pushes someone, or pulls them towards or away from them, or pushes someone to the ground, or tears someone's clothes, and all types of violence to which a person is maliciously subjected in that way.

If the victim makes a formal accusation, and prudent people have seen it, the aggressor is to pay compensation according to what six prudent people, lawfully appointed by the justiciary, judge, and two ounces of silver to the king. And even though there are no witnesses, they shall have the option to claim their rights whenever they wish. If the person who is accused denies the charge, refute it with a three-man oath or pay compensation, as outlined previously.

If one runs at someone and is restrained, they are to compensate the person at whom they ran following a judgement, and two ounces of silver to the king. And if someone runs at a person and restrains themselves, that is called cowardly bluster; the king has no right in this.

A plaintiff is to pursue each accusation; no one is to make accusations regarding someone else's honour or property unless a witness to a rumour circulating at their home (*heimiliskviðarvitni*) accompanies it, and then, only if there is a disabling wound or other injuries that incur the same or greater fines to the Crown. And even though they are less serious when the person who is party to the matter makes the formal accusation, even though they later make a settlement or abandon the case, the king shall nevertheless have his fees, and his prosecutor may collect them when he wishes. But the king has no right to compensation from those who have no such rights themselves.

23. If a bull kills someone, or a horse bites or kicks

Now, a bull is categorised as an ox until it is five years old. Everything it does from then on is at the responsibility of the owner. And if it causes harm to someone, then their heir is to claim the ox, and the owner is to put it on a lead and hand it over to them. If they do not want to give them the ox, and they subsequently rear it, they are to pay five marks of silver in compensation, and, additionally, the ox. The compensation to the relatives and the king's fee is to be dropped.

If a stallion or horse bites or kicks someone, or a bull gores someone, or a pig bites someone, the owner of that animal is to pay half compensation for wounds up to the point where the fee is as high as the worth of the animal that harmed the other person, according to a panel of six, lawfully appointed, unless people consider it to have been the fault of the person who was harmed. Then they are to receive what the panel awards.

Now, if a dog bites someone, then the person who was bitten shall claim the dog, and the owner must put it on a lead and hand it over to the other person, unless prudent people consider it to have been the fault of the person who was bitten. Then they are to receive what the panel awards. If they subsequently rear the dog and it bites someone again, they are to compensate as if they had done it themselves.

24. Here, it says if one makes derogatory accusations about someone and what the penalty is according to law

No one is to say to anyone else that their honour has been compromised, neither the sheriff nor anyone else, unless they are accompanied to the assembly by ten people, and affirm their statement as prescribed in the laws of men, that two people are to swear an oath and eight to substantiate their words, and the two shall have a book in hand and swear thus: 'For this, we place a hand on a book, that we have heard it, but we do not know whether there is truth in it'. And if they lack these witnesses, they are to pay a fine of four marks of silver to the king, and they are to compensate the person whom they accused according to a panel of six, lawfully appointed. And the person who was accused shall swear a three-man oath even though they have all these witnesses.

Now, if someone says about another person that they plot against the king to deprive him of land or subjects, neither the sheriff nor anyone else shall say this unless it is accompanied by a witness to a rumour circulating at their home. And if anyone makes this accusation, that person is to be fined four marks of silver to the king, and the other is to receive the compensation fee awarded by six prudent people.

But if someone accuses a man's wife of the dishonour of having had sex with someone other than her husband, or accuses a man's daughter or sister of having sex with a man, no one is to say this unless accompanied by a witness to a rumour circulating at their home. And if they say it, they are to pay a fine of four marks of silver to the king, but compensate the other according to a panel of six men, lawfully appointed. And if someone speaks defamatory insults which are subject to this penalty to a man or a woman, full personal compensation shall nevertheless be awarded by a panel of six to the person who was accused, regardless of whether the other one declares their legal immunity with witnesses to a rumour circulating at their home, unless the other person is guilty in that matter according to law. Then there is no right to personal compensation, and so it shall be in all cases of slander and defamation.

25. Here, it says about slanderers, who slander people to the king

And so it is said about all slanderers that the person who is known for and found guilty of slandering someone to the king, the bishop or earl or king's

vassal shall expiate this in such a way as the person who was slandered would have to do if they were convicted in the case, unless they refute it with a six-man oath.

If someone blames a slanderer for their falling out of the king's favour because of their words, they are to defend with a one-man oath or pay the plaintiff according to the judgement of a panel of six. But no one can claim compensation for that which is true.

26. Here, it says if one composes a slanderous verse about someone, and about slanderous tongues

And if one composes a verse longer than a quarter of a stanza about someone which people consider belittling or slanderous, the plaintiff is to summon an assembly, and they are to recite at the assembly, and the other person is to defend themselves with a three-man oath if they can muster it, or pay a fine of four marks of silver to the king, and to the other, the compensation fee awarded by a panel of six, lawfully appointed.

Now, everything that a person says about someone else which causes them disgrace, or accusations of petty theft or sorcery, and they themselves are not party to matter, then they are a slanderer, unless they have a witness to a rumour circulating at their home against them. Then they are to swear a six-man oath. But if they lack a witness to a rumour circulating at their home at the assembly, then they are to pay a fine of four marks of silver to the king, and to the other, the compensation fee awarded by a panel of six, lawfully appointed.

27. Here, it says if a man has sex with the wife of another man

And if a man does such a disgraceful thing as to have sex with another man's wife, then he is to pay the wife's husband the compensation fee awarded by a panel of twelve men, lawfully appointed. And if he is able to defend himself against the charge, refute it with a twelve-man oath.

If he reaches a settlement with the man who has had sex with his wife, the husband of the wife is to pledge peace. If he takes his wife back into matrimony and the other man has sex with her again while they are together, he is a trucebreaker, and so too is the one who kills while there are inviolable pledges of peace in effect.

28. Here, it says if someone goes to people's feasts uninvited

Now, those who are in the habit of turning up to people's feasts uninvited by the host and sitting there like a leech, even though they are forcefully driven away or are harmed in some way there, they are only entitled to half compensation and they are to pay a fine of an ounce of silver to the king. This is issued because many a good person has suffered damages and trouble because of their rudeness.

**29. Here, it says about those who go around with a beggar's staff
from house to house**

Every person of age who goes between houses and receives alms has no right to personal compensation while they go with a beggar's staff – even though they are forcefully driven away – and they are healthy and fit to work, unless they ask for work with board and lodging and is refused. And at the moment when they provide for themselves with food and clothes or weapons, or their relatives give them this, they are able to assert personal rights.

**30. Here, it says about the compensation rights pertaining to a
woman and a maiden, and damages to her value, and who is to
claim compensation**

All those women who are related to men, and whose well-being men do nothing to ensure, then no one shall receive more compensation for them than a mark of silver. If the woman's relatives wish to give her a dowry amounting to the sum that six prudent people assess that the man who had sex with the woman merits, and he does not wish to be betrothed to her, he is to pay compensation for that woman to the sum awarded by twelve prudent people, lawfully appointed. But if her relatives do not wish to contribute, the man who had sex with the woman is to offer and pay the personal compensation prescribed by law. If the person who has a lawful claim to this compensation does not wish to accept it, and attacks the man who had sex with the woman, they attack a man who is free from blame. They are to answer to that in accordance with the law.

And all those women or maidens whose well-being people seek to ensure, and someone has sex with them, then twelve discerning people, lawfully appointed, are to judge both the compensation due and the damage to her value, according to the amount the person who has the right to this compensation merits in their assessment.

If a man boasts of having had sex with a woman even though she denies it in accordance with the law, he is to pay such compensation for the woman as if he had been proven guilty in that case, and he is to be called a lesser man.

An heir shall have the right to compensation for every woman, although a man and not a woman, even though she is an heiress, and so too, as others, someone who is a dependant. His representative is to receive it on his behalf. If she has a husband, he takes over his wife's claim. A woman has claim to compensation on her own behalf if she is beaten, unless she has a husband.

Notes

- 1 ON *óðr maðr*, 'an insane person'. The adjective 'óðr' has an intriguing usage in Old Norse: its core meaning is something that is stirring, perhaps frantic, and it is related to 'æði', which can have the meaning of 'frenzy, fury' but also 'nature, mind, inner character'. As a noun, 'óðr' means either 'mind' or 'song/speech'.

Moreover, it is the main component in the name of Óðinn, the Norse god of wisdom, knowledge, poetry and war. The expression ‘óðr maðr’ does not seem to be inherently demeaning although it might have acquired such a meaning, but the point here concerns a person’s capacity to understand the consequences of their actions.

- 2 ON *útiseta*, ‘sitting outside’. The implied meaning is that this involves communicating with supernatural beings that exist in a realm normally beyond human reach but which can be approached by sitting outside.
- 3 ON *troll*. This word has a remarkably broad and varied semantic range in the corpus, referring to both humans who are in some way othered but also various supernatural creatures. Whichever the case, the being is perceived as hostile towards the person using the word, but it is not necessarily understood as inherently evil. For discussion, see, e.g., Ármann Jakobsson, ‘The Trollish Acts of Þorgrímr the Witch: Troll and ergi in Medieval Iceland’, *Saga-Book* 32 (2008): 39–68.
- 4 Here, five mss. interpolate a new chapter with the rubric ‘Regarding women on whose behalf a man is allowed to kill’: Now, there are seven women on whose behalf a man is allowed to kill without penalty to the king and relatives, if there are witnesses. One is a man’s wife, the second is a man’s mother, the third is a daughter, the fourth is a sister, the fifth is a stepmother, the sixth is a son’s wife, the seventh is a brother’s wife. An arrow is to be sent, and include with the arrow that he found a certain man with one of the women now mentioned, and those witnesses – men or women – who were nearby are to testify on the same day, because a suit against the person who killed the slain cannot be initiated unless there are lawful witnesses who were present.
- 5 This seems to be a sport or game of some sort, but it is not clear what it entailed.

List of inheritance

1. Here, it says and begins the list of inheritance along with more material belonging to it, and the first chapter tells about the marrying of women

A father and a mother are to decide on their daughters' marriages if they are alive. But if they are dead, the closest paternal kinsmen are to decide. The person responsible for the woman's marriage (*giftingarmaḍr*) is to determine a dowry and counter-gift for their kinswoman according to what they negotiate. And they are [to decide] the date of the wedding. If they disagree on the marriage contract, the man who betroths himself is to benefit from his witnesses, two people who were present, regarding what was said about the dowry. If they disagree about the counter-gift, the person responsible for the woman's marriage is to benefit from their witnesses according to the previous conditions.

A woman is not to be given away with textiles forming more than one-third of her dowry. And anything that the person responsible for the woman's marriage bestows from home is to be in the form of things which will be to the gain and benefit of the groom. And the heir of the person responsible for the woman's marriage is not to renege on any dowry when what is outlined now is carried out.

If daughters are their father's, mother's or brother's heirs, or whoever's heir they might be – some married and some unmarried – the ones who are unmarried shall receive as much of the undivided inheritance as those who received the largest dowry. And even though all of them have been married and left home, but their dowries have not been distributed equally, they are to receive from the undivided inheritance as much as the daughter who had the largest dowry, as far as the property lasts.

Regarding all those objects which are lent with the dowry, and which are appraised and released into the hands of the man who marries the woman: he has just as much right to them as if the father and mother had given them as dowry. If someone claims not to have lent these items to such an end, they are to swear a one-man oath, so a man as a woman, and claim the equivalent amount from the person responsible for the woman's marriage, and this is to reduce her counter-gift by the same amount.

2. Here, it discusses if a woman marries without the permission of her father and mother or brother, and what the penalty is

If a woman marries without the permission of her father or brother or mother, or the person responsible for her marriage, she has forfeited all the inheritance which she could have acquired from then on, and the person who is next in line to her to inherit is to receive that inheritance as if that woman had no claim on that inheritance, unless the person responsible for the woman's marriage tries to prevent her from an equal match. If so, she may marry with permission from her other, prudent kinsmen if they consider it an equal or better match, and they can prove it with their oath. And nevertheless, the person responsible for her marriage is to be approached about this first.

And the person responsible for the woman's marriage is a father or a brother with the same father; next a mother lawfully married. If she is not alive, then a man twenty years of age or older who is closest in line to inherit the woman who is marrying. But whoever dares to do so is to pay the person responsible for her marriage full compensation based on the judgement of twelve people unless other kinsmen consider it an equal match, as stated previously. A widow may give herself in marriage to whomever she chooses with the blessing of some kinsman of hers.

And those women who let themselves be used to tempt people's children or people's kinswomen to one form of immorality or another, and it is confirmed by witnesses, they are to pay a fine in accordance with the judgement of twelve men, in ready money if she has it. But others are to receive a punishment according to a lawful judgement.

No maiden is to have authority over her assets until she is twenty years old, even though she has received an inheritance, unless she is married with the permission of her kinsmen. In that case, the man who marries her may have authority over both her and her assets. Anyone who is the rightful person responsible for the woman's marriage is to release the entire dowry with the same legal conditions. And there shall be no counter-gift in return for anything that needs to be claimed through cases.

If a widow gives herself in marriage and presents other people's assets to be counted as part of her dowry, and the person who owned them lent them to her, they are as entitled to them as to other property the widow owned. If someone says that they did not lend it for this purpose, they are to prove it with a one-man oath, and her dowry is to be reduced by that amount.

3. Here, it says that no man shall move his wife's property out of the country

No man shall move his wife's property out of the country unless it is her will to do so. He is to have authority over all their property for their benefit. Neither of them is to damage the other's property with words or actions.

Every man has the same right to compensation on his wife's behalf as his own, if she is mistreated with ill will.

No woman is to refuse her husband marital joint ownership (*félag*). And they can establish their joint ownership by each contributing everything they own at that time to the partnership, or what they will become the owner of by inheritance or in another way.

If dependants subsequently come into the care of either of them, they shall be equally responsible for the resulting expenses, even if none fall on one of them personally. And if one of them dies before the other, the dependants are to become the responsibility of those who are lawfully obligated to support them.

And the person who contributed more to the partnership, or that person's heirs, shall receive more out of it. And it is subsequently to be divided in half, even if it has been reduced in value. But if it has been augmented, the man or his heirs are to receive two parts of the increase in value, but the woman one part. They do not need to ask anyone permission for this joint ownership. But if they make other arrangements, these may not hold, even though an heir is unable or unwilling to break them apart, for the law dissolves that joint ownership.

Now, there is no joint ownership between a wedded couple, then the woman is permitted the counter-gift which was given to her and witnesses know to have been declared on the wedding day, if she lives longer than he does. Women's weddings and counter-gift are to be declared every ten years, and declare these at large gatherings, either in church or at an assembly. But if he loses her, her heirs are to receive her dowry, but the counter-gift is forfeited.

Now, even though a maiden is responsible for her brother's assets, she is not to take anything from his assets for her dowry. And if an heir makes the accusation – when he is of age – that the person responsible for his sister's marriage has taken from his assets to give with her, the accused is to refute it with a one-man oath. But if they are proven guilty of it, they are to pay the lad those assets of his that they had given away, and they are to be called a lesser man.

4. Here, it says about when one of a married couple dies before the other and about the division of assets and if two destitute people marry by law

Now, if one of a married couple loses the other, and marriage witnesses are not available, the surviving spouse is to present the assets and divide them in the way they wish to answer for to God, that it is correct according to the terms of their marriage, and that none of them are poorly provided for by the other. And they are to swear a proper oath to this, and two discerning men are to swear with them.

If a man purchases a piece of land with his wife's objects or money or livestock, and she survives him, she shall only have land from his property

equal to what she received as dowry, and any more only if the heir agrees to it. And if she inherits property after they marry, and those assets are paid out in land, that land is hers.

If two destitute people marry in accordance with the rightful laws of the land and they acquire some property, the one who lives longer shall have two shares of land and ready money if it is divided with heirs not in the direct line of inheritance, but half if it is divided with their children.

5. Here, it says if a woman has sex with a man other than her husband, or separates from him, and if fines are charged to one of them

And if a woman has sex with a man other than her husband, or if she separates from him without cause in contradiction to God's and men's law, she has forfeited her counter-gift. And if her husband asks her to remain in matrimony with him and she does not agree, the husband shall retain all her assets while she lives. And the person closest in line to inherit is to receive her dowry but not the counter-gift. But if they settle their quarrel and he takes her back, their affairs are to be as if they had never been disturbed.

And if this transgression befalls her again, he is nevertheless to retain all of her assets while she lives, even though he refuses to take her back, and thereafter, things are to go as was outlined before. And if she has never before been accused of such a misdeed, and she vows to atone to God and her husband, and asks him to remain in matrimony, if he does not want to have her, she is to receive her dowry but not counter-gift. And if the husband wants to deprive her of her dowry, and says that she has committed this transgression before, and this charge was not previously made by him against her to anyone's knowledge, she is to swear a one-man oath, and then receive her dowry if he refuses to take her back, but not the counter-gift.

And if fines are issued to either one of the couple, the one who commits a misdeed is to pay it with their own money. But if they have joint ownership, the one who has not received the fine, or their heir, is to receive the same amount without interest from the undivided estate when one of them dies before the other, or they separate in a lawful manner.

Now, an accusation of illicit sex (*legorð*) is levelled at the woman to whom a man has betrothed himself verbally or with a handshake, concerning a sexual encounter which occurred previously. If he marries that woman, he has the right to damages for her reduced worth, but the person responsible for her marriage has the right to personal compensation. But if she is lain with after he betrothed himself to her verbally or with a handshake, and he marries her, he has the right both to personal compensation and damages for her reduced worth. But if he does not marry her, the person responsible for her marriage has both, as stated previously.

And if a man goes to a woman's bed and he intends to lie with her, even though he is unable to carry out his will, he is to pay compensation according to the judgement of twelve.

6. Here, it says about the separation of married couples

And if an impediment breaks apart a couple's marriage on the advice of the person who has authority in the matter according to God's law, they are each to have their own assets. And if they separate on account of a relationship for which the man is responsible, and he knew it when he betrothed himself to the woman, and concealed it, he must compensate for his deceit according to the judgement of a panel of twelve, half to the woman and half to the person responsible for her marriage. And for each impediment on account of which they separate, things are to go as outlined previously.

If a man marries a woman in a lawful manner in accordance with the law of the land, and gives a counter-gift in exchange for her hand in marriage, and he subsequently dies, she is to be paid her valuables and dowry from his assets, as far as they last. And if they are not enough to cover this, an heir is not to pay it out of their own assets, for no one is to acquire a wife with someone else's property.

7. Here, it says about the list of inheritance, and it says in the first chapter about lawfully begotten children

It is the first inheritance that lawfully begotten children inherit their father and lawfully wedded mother, in accordance with God's and men's law, and the son's son if he is lawfully begotten, and so his father, unless his father has previously received his due share of the inheritance, and the son's son nevertheless receives an inheritance before it goes to the second inheritance. And assets are so to be divided after a father and a mother that two daughters receive the same share as one son, and a son's son is to receive the same amount as a daughter, if he exists.

Now, there is one son and one daughter, then he receives two parts, and she a third. If a father leaves allodial land after his death, the sons are to turn to the allodial lands and the daughters to the lands which are not part of the allodial property, and the moveable assets, if there is no land. And the oldest alone shall receive the main farm, and the others are to receive other allodial lands as their share, so that they are equal in terms of legal value, but the son's son is to have those allodial lands that were his father's due, up to the point where he receives an equal share to a daughter.

And concerning allodial lands which are greater than what his father stood to inherit, he is to buy them from his paternal uncles for one-fifth less than what they are worth. And he is not to buy them from his paternal uncles before his father's father has died unless his grandfather becomes the dependant of his sons.

Now, a father loses his son or daughter or son's son, then he receives inheritance after them unless they leave lawfully begotten children. A child inherits its father and others even if it is conceived but not born, and is born alive and baptised.

Whatever property a mother gives to her children and they die childless, then she inherits that property after them. And if a mother is dead, her lawfully begotten children are to inherit that property before a father.

If a daughter is lain with in her father's or brother's home, she is neither to inherit her father nor mother but she shall have whatever mercy her father wishes to give, or brother, if there is no father.

Now, there is no son who can inherit but there is a son's son with those rights outlined previously, and a daughter who has not been lain with, then she who was lain with in the father's or brother's home shall receive half of what the others get. Now, neither of those mentioned previously exist, she receives the entire inheritance as if her affairs were uncompromised.

In every case when a married couple have joint ownership, their daughters' weddings and dowries are to be paid from their mutual assets, according to the terms of their joint ownership. But if the married couple do not have joint ownership, each of them is to pay for their children based on their relative assets.

A father or mother is not to marry their son or give their daughter away in marriage with more property from home than what each of those children still at home would inherit were the inheritance divided, unless those who are next in line to inherit give their permission. And if they give more from home, then it is to be made even when the inheritance is paid out, as far as the inheritance lasts. But if the inheritance does not cover the discrepancy, then anyone who received more than the law stipulates is to repay to make the shares equal.

And so it is confirmed in the entire country that when a man betroths himself to a woman in accordance with God's law and with both of their consent, the children he has with that woman are all lawful heirs, whether they were begotten before the betrothal or after it.

The second inheritance

The second inheritance is inherited by a legitimised child that has been lawfully incorporated into the line of inheritance, the lawfully begotten son's son, even though his father is the son of a concubine (*frilla*), and a lawfully begotten son's daughter if her father was lawfully begotten, and a lawfully begotten daughter's son if his mother was lawfully begotten. A quarter of the land and moveable assets for each of them. And though the son's daughter is only one, but the males are many, she receives the same share as they do. Now, though there is only one of the males, and the male and female heirs are quite many, he still receives a full share, even though there are more people in the other branch of the family. And if only one of them is alive, they receive the entire inheritance. Now, none of these exist, then a lawfully begotten daughter's daughter receives the inheritance if her mother is lawfully begotten.

This is the third inheritance

It is the third inheritance when a brother becomes his brother's heir, if they have the same father and are lawfully begotten. And if there is no brother, a lawfully begotten sister with the same father inherits. Now, she does not exist, a lawfully wedded mother inherits her child. If she is not alive, then the lawfully begotten daughter of a concubine's son and lawfully begotten son of a concubine's daughter receives the inheritance. And if they do not exist, the lawfully begotten daughter of a concubine's daughter inherits. If she does not exist, the mother's father and lawfully begotten father's mother inherit. If they do not exist, the lawfully wedded mother's mother inherits.

Here begins the fourth inheritance

It is the fourth inheritance which is inherited by a lawfully begotten paternal uncle who had the same father as the deceased's father, if his father was lawfully begotten, and a lawfully begotten fraternal nephew whose father had the same father as the deceased, if he was lawfully begotten, and a lawfully begotten brother with the same mother, if his mother was lawfully begotten, one-third to each of them if they all exist.

The man who has a lawfully begotten father or lawfully begotten mother is normally to receive inheritance first, whether he inherits through his father or mother. Thereafter, a man who is equally related but whose father is a concubine's son, or mother a concubine's daughter.

And if there is one paternal uncle but more than one fraternal nephew, then he receives the same share as they do between them. The same goes for a brother with the same mother, and so it shall be henceforth that when there is only one man in one branch of the family, he receives an equal share for himself, even though there are many in another branch of the family. And if there is only one person, they are to receive the entire inheritance.

Now, none of those mentioned now exist, then a lawfully begotten paternal aunt with the same father as the deceased's father, and a lawfully begotten fraternal niece whose father had the same father as the deceased, and a lawfully begotten sister with the same mother, according to previous terms. And in every case where a piece of allodial land is in the inheritance, they who have the birthright to it are to receive that allodial land, but others moveable assets.

The fifth inheritance

It is the fifth inheritance which is inherited by the lawfully begotten maternal uncle who had the same father as the deceased's mother, and the lawfully begotten sororial nephew whose mother had the same father as the deceased. But if they do not exist, then a lawfully begotten maternal aunt with the same father as the deceased's mother inherits, and the lawfully begotten sororial niece who is the daughter of a sister with the same father as the deceased.

The sixth inheritance

It is the sixth inheritance when lawfully begotten fraternal nephews inherit each other, if their fathers are lawfully begotten and have the same father, then next those whose fathers were concubines' sons, despite that. But if none of them exist, then the lawfully begotten fraternal nieces inherit on the same terms. Now, they do not exist, then the lawfully begotten male first cousins inherit, when their parent and the deceased's parent were siblings with the same father. But if they do not exist, the lawfully begotten female first cousins inherit, when their parent and the deceased's parent were siblings with the same father. If they do not exist, then the lawfully begotten male first cousins inherit, when their sister and the deceased's sister had same father. If none of them exist, then the lawfully begotten female first cousins inherit, when their mother and the deceased's mother were sisters.

Now, none of them exist, then a concubine's son, one or more, if they exist, and they are not begotten in adultery or incest or closer affinity through marriage than what is permitted by law.

Here begins the seventh inheritance

It is the seventh inheritance which is inherited by a lawfully begotten paternal uncle who had the same mother as the deceased's father, and the lawfully begotten fraternal nephew whose father had the same mother as the deceased. If they do not exist, the lawfully begotten paternal aunt who had the same mother as the deceased's father, and the lawfully begotten fraternal niece whose father had the same mother as the deceased.

Eighth inheritance

It is the eighth inheritance which is inherited by a lawfully begotten maternal uncle with the same mother as the deceased's mother, and the lawfully begotten sororal nephew whose mother had the same mother as the deceased. Now, they do not exist, then the lawfully begotten maternal aunt who had the same mother as the deceased's mother, and the lawfully begotten sororal niece whose mother had the same mother as the deceased. They become each other's heirs, and so, everywhere where there are two or more people who have a claim on one inheritance, if none of those who were listed before exist.

Here begins the ninth inheritance

It is the ninth inheritance when someone inherits the child of their first cousin when they and their cousin had the same paternal grandfather, unless someone more closely related to the deceased can be found, for in this inheritance, the closer relation inherits. Next after that, people related in the same way but who are the children of siblings who had the same father, and the male line is to be given privilege over the female one. If they do not exist, then a

person inherits the child of their first cousin when they and the deceased's parent were the children of sisters.

The tenth inheritance

It is the tenth inheritance when people inherit each other who are lawfully begotten second cousins and their grandfathers were brothers with the same father. Now, they do not exist, they inherit each other who are lawfully begotten second cousins whose grandparents were siblings. If they do not exist, they inherit each other who are lawfully begotten cousins whose grandmother were sisters, and they are second cousins, and a man is always to receive inheritance before a woman if they are equally related.

The eleventh inheritance

It is the eleventh inheritance when lawfully begotten sons of brothers inherit one another, if their fathers are lawfully begotten and had the same mother, and the others next, even though their fathers were the sons of a concubine. If they do not exist, the lawfully begotten daughters of brothers, with the same terms. Now, they do not exist, the lawfully begotten sons of siblings who had the same mother inherit. If they do not exist, the lawfully begotten sons of sisters who had the same mother inherit. If they do not exist, the lawfully begotten daughters of sisters who had the same mother inherit.

Here begins the twelfth inheritance

Now is the twelfth inheritance, when a man inherits the child of his first cousin if his father and the cousin's father were brothers with the same mother, unless someone more closely related to the deceased can be found, for in this inheritance, the closer relation inherits. Next, those who are related in the same way but descended from siblings with the same mother. Next, a man inherits the child of his first cousin when his father and the cousin's mother were siblings with the same mother. Then those people inherit who survive their lawfully begotten second cousin and their grandfathers were brothers with the same mother. Next, those who are lawfully begotten second cousins whose grandparents were siblings with the same mother, with the male line taking precedence over the female one, in the male line before the female line. Next, those who are lawfully begotten second cousins whose grandmothers were sisters with the same mother, and they are second cousins, and a man always inherits before a woman.

The thirteenth inheritance

It is the thirteenth inheritance that the illegitimate daughter of a concubine inherits. If none exists, the illegitimate brother with the same father, the son

of a concubine, inherits. If he does not exist, then an illegitimate sister with the same father, the daughter of a concubine, inherits. Now she does not exist, the illegitimate paternal uncle with the same father as the deceased's father, and the illegitimate fraternal nephew whose father had the same father, and the illegitimate brother with the same mother as the deceased, all sons of concubines, have an equal claim. They shall all receive one share and they become each other's heir. Now, they do not exist, then women who are related in the same way inherit. And if they do not exist, then the first cousins whose father was the brother of the deceased's father, a man before a woman. And if none of these exist, the third cousins are to inherit, unless someone more closely related is found, and descended from the same father before the same mother, as is outlined in the inheritance list, before it goes to the king.

8. Here, it says how a man can make someone a legitimate member of the family

Now, a man can improve the lot of his son and formally legitimise him, if he wishes, if the person who is first in line to inherit consents to this. And if he has lawfully begotten sons, then each of them who are of age must give consent on their own behalf, but not on behalf of those who are unborn or minors. The legitimised son does not inherit more than the person who gave their consent stood to inherit. The person who co-owns allodial land with them must agree to the allodial land.

Now, the man who legitimises someone, the person who consents to the inheritance or allodial land and the legitimised son-to-be all go to the church door together, and they all carry one book, and then the person who legitimises the man is to say:

I legitimise this man to the assets I bequeath to him, to seat and to rank, to fees and to gifts, and to all those rights to which a legitimised son is entitled by law, according to the law book's testimony.

A woman is to be legitimised in the same way as a man. Now, a brother can legitimise a brother into the line of inheritance, and a paternal uncle his brother's son. And so, more people can legitimise others into their family in the manner recounted now, so a woman as a man, provided that the person who is first in line to inherit consents.

Now, he is to receive the assets that his legitimising made him entitled to inherit while those who legitimised him are alive, in anticipation of when he comes into the inheritance. Then the inheritance will be his witness for the rest of his days. A man is to declare his legitimising every twenty years until he comes into the inheritance. And anyone who is legitimised in a manner different from what is outlined now, it will be as if it was never done.

9. Here, it says how one can forfeit one's inheritance

It is said thus that if the error befalls someone that they murder someone for their inheritance, they have forfeited that inheritance. And the inheritance is to be divided following the rightful order as if the person who murdered another for their inheritance did not exist.

10. Here, it says if people fall in battle

And if people fall in battle and no one is able to escape, or they all drown or burn to death inside a house, their inheritance is to be divided as if they had all died simultaneously, unless something else is proven with lawful witnesses.

11. Here, it says if heirs are abroad

In every case when someone dies and there is no heir close at hand who can be notified to come, the appraised inheritance is to remain at the home of the deceased with all due safeguarding for twelve months. And if an heir does not turn up within twelve months, the king is to appropriate the appraised inheritance, and he is to safeguard it and take possession of it if no lawful heir turns up within ten years. But the inheritance of foreigners is to be kept as said before, that is, for one day and twelve months, before the king receives it.

12. Here, it says about lawful gifts

It is next that no one is allowed to give away someone else's inheritance, with the exception of lawful gifts. A fraudulent transaction is to be regarded as void. No one is to commit inheritance fraud against another person.

Now, a person is dead; the heir is to sit down in the high seat and summon the all creditors to come to the seventh-day gathering and each take away the debt owed to them, such as testified by witnesses. Now, the assets are not substantial, then everyone is to accept a reduced payment according to calculations. The more a person was owed, the greater a reduction they are to accept. And the person who does not come to the seventh-day gathering must pursue what is owed to them with witnesses if there is enough money left, and summon the heir to the testimony of witnesses. But those who do not come to the seventh-day gathering because of some necessity, and there is no more money beyond what those who came before received, then those who got money on the previous occasion must repay some of it and everyone will lose the amount yielded by the calculations, and the heir has no more responsibility if they issued the summons lawfully.

13. Here, it says about the property of a minor and a wife's claim

Now, if there are a minor's property and a wife's claim in the estate, it is ideal if there are enough assets to pay out both. But if there is not enough for both

of them, she is to reduce her bridal gift and counter-gift. But if the estate's assets do not fully last, the person is to lose most who was to receive the greatest amount of property from him, so his wife as other creditors. Calculations are to be carried out to this end, unless someone had a pledge in some object, then they are to receive it first. A woman is rather to reduce her bridal gift than the men to whom he owed money before he married her, for no one is to acquire a wife with someone else's property.

Now, she is to have her dowry, and the minor their property. Now, there is not enough for both, then their shares are each to be reduced based on their relative assets.

No one is to pay debts there if they do not receive an inheritance, neither a son nor anyone else.

Now, a married couple have joint ownership and one of them dies, then the debts are to be settled according to the terms of their joint ownership.

14. Here, it says about the division of dependants

Now, men are to be divided as women and as other debts. And their children and assets are to be safeguarded by the person who is first in line to inherit. The guardian, whether a man or a woman, is to take over property which has been appraised, and not to move the dependant's property out of the county unless they obtain a guarantor – someone who owns lands there – for the assets they took being repaid if the minor comes into their personal rights.

Now, the assets are appraised and declared to form enough capital for full maintenance, four marks for each dependant – and it is good if there is more. Then they are to assume control over that property and it is neither to grow nor diminish, and they are to pay back as much as they received. If a minor owns so much land and moveable assets that their kinsmen consider them hardly in need of the maintenance support mentioned previously, they are to be given a clothing allowance, and they shall be kept handsomely. And the person who has guardianship of their assets shall be supported in such a way that they fare well from this undertaking, and then the dependant is to receive all the income from their assets. And the kinsmen are to check on the arrangement every twelve months, and give someone else the task if the person proves inadequate, with full guarantee that the person who receives [the minor's assets] will pay it back.

Now, there is not enough for a maintenance capital. Then the minor dependant is to be allotted half a mark every twelve months until they are twelve years old; after that they are to be someone who works for their meals (*matlaunarmaðr*).

A minor is to be allotted half a mark's rental income from land. Now, the appraisal made in the first year of a piece of rented land is to be valid, whether it grows or diminishes in value. A person in charge of a minor's assets is not to place the assets in the care of someone else. But if they give

them to someone else, a minor has the right to call upon whomever they want to reclaim what is theirs.

If a minor owns a piece of farmland worth half a mark, that is capital for maintenance. But if a person parts with a minor's money, except if it is taken away from them following a judgement, they are to replace it with their own assets, for the debt remains unpaid unless witnesses are aware of it. But if they deny it, then they must pay a second time.

And if a husband is dead but a wife survives, and there are no more assets than what she is to receive, she is to provide for her destitute children. But if she has other children, they are to become the responsibility of their paternal kinsmen.

15. Here, it says about the division of dependants

Now, a householder in the district falls into destitution, then his dependants are to be divided according to the terms of their joint ownership. The mother is to hand responsibility for her dependants to the kinsmen who are next in line to inherit if they have capital for maintenance, four marks of silver for each dependant. Now, if there is a surplus from the four marks, then they are to receive one of the dependants, and receive as many as they have maintenance capital for. But the ones left are to be handed on to the person next in line to inherit if they have enough maintenance capital. If they have no maintenance capital, the dependants are to pass on through the family until they land on a maintenance capital. And those who are the charge of the father's side of the family are to be divided in the same way.

Now, someone places a dependant in a home, then that is to remain in place. If they expel him then the position and they go from house to house begging, they are to pay six ounces of silver to the king and provide for them as before. And so, the person who lets their dependant go begging is always to pay in the manner now outlined if they know that they are their dependant.

16. Here, it says how an inheritance shall be claimed

An inheritance is to be claimed in the county where the inheritance falls by death. But if they call witnesses in another county than where the inheritance falls by death, or in accordance with the townspeople's laws, their witnesses are invalid, because everything that is occurs in town is to be pursued in accordance with the townspeople's law. And everything that is done in the country, and that involves us countryfolk as well as townspeople, is to be pursued according to district laws.

17. Here, it says if a person takes possession of inheritance to which they are not entitled

Now, someone has possession of inheritance and puts it to a judgement, and another person claims it is theirs, they are to sue them in a rightful manner

at their home and demand the inheritance and their departure. Now, they refuse to leave, they are to sue them to an assembly for robbery and unlawful occupancy. And if their evidence and witnesses support their case and there are no witnesses who appear against them, the members of the assembly are to award them the inheritance. But the other person is to pay six ounces to the king for bringing a case to judgement when they had no share in that inheritance.

Now, they refuse to leave, then they are to call on the members of the assembly to remove them from his inheritance. Anyone who refuses to go with them is to pay a fine of an ounce of silver to the king. Now, they arrive there and they put up a defence with spears and swords, then they are to pay a fine of ten marks to the king. And anyone who joins their defence is to pay six ounces. Now, they fight, then anyone who obstructs an inheritance that has been granted by judgement is to be outlawed, but those who attack are immune.

18. Here, it says if people are to divide an inheritance

In every case when someone does not claim an inheritance on account of ignorance, and they are nevertheless entitled to it, they must have claimed it within the ten years during which they were in the country and no longer a dependant if they have the sense to do so, unless prevented by compelling necessity.

Now, when people are to divide an inheritance, it is ideal if everyone who has a share in that inheritance comes to divide it. But if some of them do not want to go, they are to be summoned to the division. And if some do not arrive, then the inheritance is to be divided with witnesses present, and lots are to be drawn, and each is to receive what they get. Now, if they claim that the division is unequal, and they say that they concealed assets, they are to refute this with a three-man oath.

19. Here, it says how an inheritance is to be claimed

Now, it is uncertain whether someone is or is not eligible to inherit, then summon the person who prevents them from inheriting to an assembly; then they are to bring his witnesses to testify that they summoned him to the assembly. Other witnesses are to declare this in their testimony: 'We were present at that place when his mother was lawfully betrothed', and name the place. Then the members of the assembly are to award him the inheritance with a judgement.

In every case when someone wants to be deemed eligible for an inheritance, then they are to bring their witnesses and summon the person next in line to inherit. If they do not summon in that way, their witnesses are invalid. And the inheritance is to be awarded by judgement where it fell by death or where the allodial lands are or the deceased's estate.

No one may divide property or inheritance until permission has been given by whoever owned it before unless people see that they let it go to ruin. And

if a man has his faculties and can run his farm and business, and can ride a horse and take part in social gatherings where ale is served, he is to have control over his own property; no one may divide it. And even if anyone does divide it, that is not to stand.

20. Here, it says about the division of poor dependants

Now, people divide destitute dependants between them. In whatever manner they divide and they draw lots thereafter, the division between them is to hold from then on. They are to go by the inheritance order if a dependant owns assets.

21. Here, it says about lawful gifts that shall prevail

Now we shall name those gifts that shall prevail. Those gifts are to prevail that the king gives to us, or we to him. A person is permitted to give away one quarter of the property they have earned in land and moveable assets to anyone they want, to their lawfully begotten children as to other people separately, if they wish to do so. And the gift of one-tenth of the property someone has inherited, both in land and moveable assets, even though they do not ask heirs, whether they are ill or healthy. And the sum one gives God for their soul is to be paid first from tenth gifts and quarter gifts, whomever they give their lawful gift.

22. Here, it says when a minor shall take possession of their property

If someone is placed in a home when dependants are distributed, they are no longer a minor when they are twenty years old, and at that point, they are to take possession of their property and hand the administration of their assets and all other management over to whomever they want if they are unable to run their own affairs. If a man marries, or a woman gives herself in marriage, without the permission of their relatives, they will have forfeited rental income from land and the interest yielded by their assets for their heirs.

Now, a dependant comes into the care of someone who is not responsible for them, they are to summon the person who is to support them at their home. Their witnesses are to utter so: 'Here is the dependant for whom you are to provide, and not the person who brought them here'. Then they are to be charged with the duty to support this dependant.

Now, a dependant comes into someone's care, they can do whichever they want, return them back or bring them to the assembly, and the members of the assembly shall deliberate on where they are to be taken. If they send them back, they are to take them to the place of accommodation from where they came. Anyone who refuses to receive them shall pay a fine of one ounce to the king, and they are to pay full compensation in accordance with a lawful

judgement, and also a penalty for killing the king's subject if they die as a result of negligence.

Now, people need to divide dependants and one person wants to divide them and another does not; then they are to be summoned to the division of dependants. If they turn up, that is ideal, but if they do not come, bring forward witnesses to testify that they summoned them there, and then discerning people are to divide the dependants, and draw lots, and they are to take away their lot, and declare the person who never came responsible for their own lot.

23. Here, it tells if a dependant receives an inheritance

Now, if someone supports a dependant for whom they are responsible by law, even though another person is the heir, and that dependant subsequently receives an inheritance or compensation, or however they acquire money, and the dependant who is provided for owns assets when they die. Then the person who supported them, or their heir, shall receive what they spent on their care without interest, and the heir receive what is left.

Now, for the sake of God, someone provides for a person whom they are not legally obliged to support, God will reward them but there will be no payment in return, whether to them or their heir.

24. Here, it tells how long weddings are to last, and what the penalty is

And everyone knows about the enormous sums people spend on weddings – more so in this country than in any other – which causes trouble for many people with a great deal of cost and huge debts. And for that reason, we make it known to all that it has now been ordained in the entire country that no one is to hold their wedding for longer than two days. And whoever holds one for longer, the host is to pay a fine of three ounces of silver to the king, but each person who receives hospitality for longer than what is now outlined is to pay one ounce.

25. Here, it tells about funeral feasts

The funeral feasts which people give seem to us arranged more for extravagance and to be talked about than for the salvation of the deceased. And for that reason, we make it known to all that we consider it the better, the more charity is given for people's souls. And we forbid any drinking while the funeral feast is being held. But anyone who does otherwise is to pay a fine of three ounces of silver to the king, and anyone who receives this hospitality one ounce. These funeral feasts have frequently and improperly been held at great expense, for the money is spent in a useless manner, and the debts of the person who owned the assets are unpaid, and great trouble and killings have often been the result of too much drinking.

Land redemption

1. Here, it tells about the division of allodial land between relatives

Now, two or more brothers divide their allodial lands, or the women who have right to allodial land, that is, a daughter and son's daughter, paternal aunt and fraternal niece. Then the allodial lands are to go to the branch of the family to which the lot falls, both when it comes to the right to redeem it and to possession, and only offer another branch if they fall into destitution or the line of inheritance dies out completely. But they do not lose claim to allodial lands until each of them can marry the other's daughter. If both a man and a woman have the same claim to allodial land, the allodial land is to be divided between them in the same way as inheritance.

Now, there are two or more brothers and one of them dies before their father, and a son or a daughter survives, the one who exists shall purchase the share of allodial land their father stood to inherit from his father from their paternal uncles at four-fifths of its value. And he is not allowed to purchase until his paternal grandfather has died.

2. Here, it tells about the lands to be included with allodial lands

Now, the lands to be included with allodial lands will be listed. The first is the one written in the law amendments of our esteemed sir, King Magnus the crowned, which he gave to all people of Norway, that if a land is in the possession of the same branch of a family for sixty years or more, it becomes the allodial land of the person who possesses it, so that land may not be claimed from them. It is the second which someone receives from a king unless it is given with some other condition attached to it. It is the third which three generations have owned and it comes into the possession of the fourth one without interruption. It is the fourth when people divide allodial land between them, and not other people's allodial lands, then it becomes the allodial land of each person who received land in that division.

3. Here, it says how people are to divide allodial land between them

Now, people wish to divide allodial lands according to how the lots fall, and divide allodial divisions between themselves, and everyone is agreed, then those who want are to divide, and cast lots, and each person shall keep what they receive, and declare at an assembly what each of them received, and if they all consent to it, this division is not to be broken.

Now, people wish to divide their allodial lands and have the locals present, then the person who wishes to divide is to summon to the land all of those whose land borders on it, with enough notice that they are able to turn up while the earth is thawed and unsown. The person who wants to divide into the largest shares is to decide. A land is to be divided with a measuring stick within the yard unless it is considered better to measure with a rope. But by eye outside the enclosure. Boundary stones are to be put down and dug into the ground where people agree to place them, and place three stones by these, and they are called witness stones. Now, if someone who was summoned does not want to come to the division, they are nevertheless to divide in the manner outlined now.

They are to bring witnesses to testify that they summoned them there to divide land with them. They are then to put lots into a piece of textile, as many as the people who have a share in the land. Discerning people are to view the marks on their lots and know what each of them receives in buildings or land. Other people are to cast the lots of those who do not wish to do so themselves. They are then to go to the assembly and declare there what each of them received in their division of allodial land. Then they have divided their allodial land in accordance with the law.

Now, someone who owns allodial land with them is not in the country; they are to be given twelve months' notice to return for the land division. If they do not turn up at that point, their heir is to be summoned to divide with them, and they are to divide as if they themselves were there. Now, they do not want to come, then they are to be summoned to the main farm with two witnesses, and they are to bring their witnesses forward to testify that they summoned them to land division. The person who wants to divide into the largest shares is to decide; they are to divide whole or half farms into parts unless they consider something else more just. Now, prudent people are to divide and cast lots at an assembly, and each is to mark their lot, but trustworthy people are to throw in the unmarked lot of anyone who ignores the summons, and then declare what each of them receives. That division is to prevail for all time.

No one is to refuse someone else measuring with a rope within three years. The person who has more than what the strap says is to reduce their share and give it to the person who has less, and then each of them has what they received in the casting of lots.

4. Here, it says if someone wishes to sell their allodial land

Now, if someone wants to sell their allodial land, allodial lands are to be advertised in this manner if they go up for sale: they are to go to an assembly within the county where the land is located at the time when the sheriff is at the assembly, and speak loudly enough so that all who are present there hear; name the property with these words:

This property, which is my allodial land and which I must now sell, I offer to all of those kinsmen who have the right to redeem it, and I summon everyone who has a right to redeem the allodial land, first, those who are most closely related, and yet, all the people who have claim to the allodial land have the right to bid for it at the price assessed by six prudent people, and I lawfully give them notice to pay the price in full and in accordance with the rightful Gulathing laws.

And the lawful time limit shall be that they are to have paid for the land within six months if they have no necessity.

They are to be responsible for the witnesses to this claim for ten years, but no longer. Necessities are when someone has no assets and declares every ten years for sixty years that they demonstrably have a lawful right to redeem allodial land, and it is their allodial land. If they can acquire money, they are to take possession of their allodial land, even though someone else who is next in line after them for the allodial land has redeemed it. It is a second necessity if someone is abroad or travels on the king's errand, or they are ill or wounded, or did not know that the land was lawfully put up for redemption.

Now, if someone who has a lawful right to redeem has redeemed allodial lands from someone else, they are to pay within twelve months from when they arrive in the county where the land is located and they become aware that the land was put up for redemption.

5. Here, it tells about those given notice to pay

Now, if the person has got hold of money whom the owner of the allodial land gave notice to pay for redeeming the land, but the allodial land owner does not want to sell the land to the person whom they had given notice to pay, they are to redeem their land with a fee for breach of agreement, one ounce for each ten-ounce purchase.

If the person who wishes to sell casts doubts on the ownership of the money with which they intend to pay for the land, the person who wishes to redeem is to swear a one-man oath that they intend to purchase allodial land but not take it from someone else by means of inheritance fraud, because no one is to put in a sham bid for another person's allodial land, but they are to buy whatever they can afford at that time. And they are to buy the land at the sum that six prudent people assess it to be worth, both the land and buildings

and all the emoluments, even though the person who was not able to remain the owner of the allodial property bought it for a higher price.

Now, the person who bought their allodial land wishes to sell it, then they are to offer it to the person from whom they bought it, if it was their allodial land, and their kinsmen, if it was their allodial land.

6. Here, it says that people are to offer the king his allodial lands

Now, we are to offer our king his allodial lands if they come into our possession – those he has not given us – if we wish to sell them, as is the king to offer to us if he acquires them. He is to offer all the people who share the allodial land with him in this way, as they, too, offer him those lands they possess which are among the allodial lands that they share with him, in accordance with what the law book explains.

7. Here, it says that women are to offer men to purchase allodial lands

So are those women who are among those who have a claim on allodial land to offer men land as men are to offer women. And a sister is to offer land to a sister if they become heirs to allodial lands. All land that women inherit from their children or receive as their counter-gift, or which people give as tenth-gifts, or are unlawfully taken from people, they are never to be forfeited on account of the time lapsed as long as there are discerning witnesses. Then the person who has right to purchase the allodial land who is first in line to redeem may start land redemption proceedings and go to the purchase when they wish, in the manner in which the law book testifies.

8. Here, it tells about how someone is to redeem their allodial land

And it is next that a defence determines the redemption of allodial land; each person warrants a judgement for their land. If a person wishes to redeem their allodial land, they are to go in the autumn when the enclosure has been closed with two witnesses, and give the person from whom they wish to redeem land notice to leave, wherever they meets them. They are to have done this before the Holy Night. They are to summon them to this land on the first Tuesday after Easter week and there, they are to bring witnesses before a panel regarding their right to redeem the allodial land, and they are to receive the land's assessed value in payment, based on the judgement and appraisal of prudent people.

If the other person responds with the following: 'You give me notice to leave the land which has been in the possession of me and my ancestors for more than sixty years'. They can answer with a second response:

You give me notice to leave the land which was offered to you kinsmen in a lawful manner, people with the right to claim allodial land and people who had a share in the allodial land, pledged and conveyed

to me and my branch of the family, and I defend this land by law and judgement.

Now, they both arrive at the land in the spring, then the plaintiff is to appoint a panel of judges, six discerning people of their choosing, and offer the defendant to appoint half the panel in turn, and to name six more people. On that panel, there are neither to be those related by blood nor marriage in the eighth degree or closer, and they are not to bear witness; neither foes nor rivals. If any of these are appointed to the panel, they are to be deselected with the testimony of two witnesses, and a discerning person is to be appointed instead.

Now, the plaintiff is to bring their witnesses forward, first those who testify that they gave them notice to leave the land before Christmas, and summoned them to the land on the first Tuesday after Easter week for witness testimonies and reception of payment. Next, they are to bring forward the witnesses to their right to redeem the allodial land, three witnesses to the plaintiff's right to claim allodial land who were twenty years old when their father died, and born to an allodial farm in the same county, and who have included in their oath that they will report the words of their father and no one else. Now, they are to have three others who corroborate their testimony, and who were fifteen years old when their father died. Now, these witnesses testify in support of his case, then the defendant is to be invited to bring their witnesses forward.

Now, they wish to spar with counter-testimonies, then neither of them is to be allowed to swear; then they are to head to the royal magistrate, and the person whom the royal magistrate considers to have the stronger case is to be given permission to swear an oath, and pay there as much for the land as they would have done following a judgement based on the land's appraised value. But if the royal magistrate considers the defendant to have a stronger case, the ownership of the land is to remain where it is until it is redeemed in a lawful manner.

Now, the defendant does not come to the land, then the plaintiff is to bring their summoned witnesses forward and, thereafter, witnesses to their claim to redeem the allodial land. Then the panel is to award them the land with a judgement, but, to the other person, as much money as six prudent people assess, and they are to present the money and have it on loan until the other person claims it, and vouch for it as for their own assets. If they fail to redeem land on account of some necessity or ignorance which is assessed by prudent people, they are to claim that land in the way outlined now, even though it happens later.

9. Here, it says that a defence determines the redemption of allodial land

Now, if they answer the following:

This land has been in the possession of my family branch of all the kinsmen whom the allodial lands follow for sixty years or more, and

I defend this land with laws and judgement. I sue you to the same land which you gave me notice to leave on the first Tuesday after Easter week, there to listen to my witnesses to the longstanding possession of the land.

Then the defendant is to bring their own witnesses to the longstanding possession of the land before the panel, and those who are able to remember are to testify that this land came into the possession of this branch of the family. And if none exist, those testify who were twenty years old when their father died, and they are to report the words of their father and no other person.

If these witnesses support their case, this land becomes their allodial property, even though it was the other person's allodial land before. If these witnesses do not support the defendant's case, the plaintiff is to bring forward their witnesses to their right to claim allodial land, as the law book testifies.

10. Here, it tells about defence in allodial land cases

Now, if they answer this:

This land was lawfully offered to you kinsmen, pledged and conveyed to me and my branch of the family. I defend this land with laws and judgement, and I sue you to the land which you gave me notice to leave on the first Tuesday after Easter week, there to hear my witnesses to my right to redeem allodial land and conveyance witnesses.

Then the defendant is to bring their witnesses before the panel, those who testify that 'we were present there when this land was lawfully put up for redemption, pledged and conveyed, to this person and their family line'. And if these witnesses support their case, this land becomes their allodial property unless the other person brings forward witnesses to their necessity, that they had no money at the time when the land was put up for redemption, and they declared every ten years that they had a demonstrable claim on the allodial land, and they had witnesses to their right to purchase the allodial land accompany this.

Everyone is to return such a land in the same manner as they received it. If it is improved, that is to their credit. If it is in worse condition, they are to pay compensation according to the assessment of six prudent people.

11. Here, it tells about a land's mortgage and redemption

Now, someone wishes to mortgage their land for redemption. A rightful mortgage contract is that a person receives the same amount of money as they pay. Now, they wish to redeem their land, then they are to have offered them their money before the Holy Night and after Michaelmas. And do both at the same time: summon them to the land on the first Tuesday after Easter

week, and receive payment, unless the other person wishes to receive it immediately, the amount that witnesses know they paid them. But if they refuse, they are to pursue their case and bring their witnesses forward to testify to how they gave them notice to leave the land, and in what way they summoned them to receive payment.

And if the witnesses prove satisfactory, they are to bring forward witnesses to the amount they own in that land; then they are to offer them the sum to which they are entitled according to witnesses. They are then to pay them in whatever assets they have available, in gold or burnt silver or circulating silver, cows or grain, butter or pelts, as much as they could buy with the gold or silver with which they bought that land and which six prudent people assess as none the worse than what was used to pay for the land.

If the witnesses who were present when they received payment for the land do not testify in their support, and they do not agree about how much money it was or in what form, and the person who paid does not have any witnesses to it, the person who pays is to prove with their oath that here is the same amount of money and just as good as what was previously used to pay, unless the other person brings forward two witnesses to testify that the payment was higher and better. Now, if the plaintiff succeeds in their case, they are to take care of their land, and the other the money, for then they have redeemed their land with payment and rightful legal procedures. Now, if the person who has possession of the land wishes to receive their money, they are to pursue that as with known assets (*vitafé*).

12. Here, it says when a land becomes available for purchase for full payment

Now, a land remains unredeemed for ten years and no declaration of a right to claim it is made, then it becomes available for purchase to the person who owned it for full payment.

A declaration of the right to claim land is useless unless both parties consent to purchase and sale. If one of them refuses, they shall bring forth witnesses of theirs who were present at their transaction and settlement of terms.

Now, a widow or a maiden of age has the right to claim allodial land. They are to procure a representative whose status is equal to the person defending, and pursue it as any of us does from another. And each of us is to redeem land from someone else in that manner.

13. Here, it tells about how a man is to redeem land from a woman

Now, the land comes into the possession of a woman from whom people have the right to claim it, then they are to give her notice to leave the land in the autumn before the Holy Night with two witnesses, and summon her to

the land on the first Tuesday after Easter week to receive such payment for it as assessed by six prudent people.

Now, this land comes into the possession of a minor from whom people have the right to claim it, then it is to be claimed from the person responsible for their assets, as stipulated before.

14. Here, it tells about claiming land rented for a fixed term and mortgaged land

Now, someone wants to redeem their land which has been rented for a fixed term or mortgaged land, and the person who has possession of it is outside of our jurisdiction, or abroad. Then it shall be redeemed from their representative if there is one. But if there is none, the land is to be redeemed from the heir, in the same manner as from the other.

Now, someone sells a land which is held for a fixed term. Then they are to redeem it from whichever they want, the person who sold it or the person who has possession of it at that point, and the same with a mortgaged land.

15. Here, it tells about if someone finds assets buried in the ground and what the penalty is if they conceal it

If someone finds assets buried in the ground, the king shall receive one-third, and another third to the owner of the closest allodial manor with the right to buried treasure, and a third to the person who finds it, if they make it known according to law, but otherwise, the king receives half and the allodial landowner (*holder*) half. If there is no owner of allodial land with the right to buried treasure, the person who owns the land receives that third. If someone finds assets on their own allodial land, they are to receive two-thirds but the king one-third. If someone who is not the owner of allodial land with the right to buried treasure finds goods buried on their land, they are to receive half and the king half. Now, someone finds goods on common land, then the finder is to receive a third but the king two-thirds.

Now, someone breaks into a burial mound or digs a hole on someone's land for their own gain without the permission of the owner. They are to turn it in to the landowner in the condition in which they found it, and additionally, pay a fine to the landowner for trespassing and damaging land. Now, the allodial landowner casts doubts on them having brought back the whole treasure, then they are to refute it with a three-man oath. And if the oath is not sworn, they are to pay a fine equivalent to what they would have paid, had they stolen the same amount, and the assets are to be divided according to the previous terms.

16. Here, it tells about how a representative shall overtake a mandate from another person

And if someone who owns a land is in the country but outside of our jurisdiction, the person whom they appointed as their representative is to have their mandate as long as they wish. If they want to remove it from them, they are to appoint whomever they want to remove the mandate from them. And that person is to bring along two witnesses to confirm that the landowner appointed them to take the mandate away from the person who had it before, and subsequently, they are to give it to whom they want, to have the same legal force as if it were the landowner.

And if the landowner claims that the representative has taken something from their property and used it for their own benefit, whether it is outside the enclosure or within it, and good people know about it. And if they claim they have bought it from the person who was the owner of what they said they bought at the time, they are to bring discerning witnesses to testify that what they say is true. But if their witnesses fail them, six prudent people are to assess their loss and the landowner is to pursue this with the seizure of assets, and the representative is to add a fine for damaging land on top of that, and it is not to expire.

They are to sue the person who misappropriated the property, or their heir, and claim ownership from the person who has possession of the property at that time. And if the person who misappropriated the property lives on the land, it is as if they occupy land which has not been rented out. If someone else lives there, they are to be free of blame for everything apart from the land rent. And the landlord has the option to remove the mandate from them at any time they want, but the contract is entirely to hold regarding the manner in which they have the right to lease the land, that is, three crop years. But a representative is not to make a new lease contract until the other one has expired.

And if a landlord or representative dies, the other party is subsequently to honour the contract for one crop year. And so, too, if someone goes abroad, the mandate is to hold for three years unless the other person dies before then, in which case the mandate is automatically removed from them. And if a representative casts doubts on the death of their landlord, the heir is to have one witness who is present at the time they learn the truth, a person willing to swear that they consider it to be the truth, and then they are to receive the inheritance. And the representative is not to allow agricultural work to be done in the forest or fields, and not carry out any work themselves, except more by half than what a tenant can allow. And a tenant may not give permission unless the landowner would have allowed it. And a landowner can allow as much as they want, but nevertheless not so that it does harm to a tenant, everything that was included in their agreement.

Land tenancy section

1. Here begins the land tenancy section, and in the first chapter, it tells about how people should acquire a farmstead

If someone wants to lease another person's land for their farming, they are to acquire a farmstead in a proper and thorough manner with two discerning people as witnesses, and the more people are present, the better. And if they rent a piece of land from a landlord, they shall live there for the number of crop years (*arðarmáli*) for which they leased it to the knowledge of witnesses. Even though someone gives their land, uses it as payment for fees or sells or exchanges it, the person who leased it is to have their lease contract honoured. And if the landlord dies, the tenant is to retain the lease for one crop year afterwards, even though it was leased for very many years. And if a tenant dies, their heir is to have the lease for one crop year afterwards, even though it was leased for very many years. And a representative may not enter a lease contract for more than three years.

A tenant's right to occupy land entails the right to receive rent, and tenancy gives the right to the harvest and all work on the farm that was included in their bargain. The rent payment for land is to be paid in full before the beginning of summer; otherwise, they mow or reap for the person who owns the land. And if the landlord loses their home and wishes to move to their land, which they have previously rented to someone else, they are to claim their land from the person to whom they had previously rented it with the sum of one crop year's rent, and they are to inform them before the Holy Night that they have lost their home, and prove it with their oath if the tenant does not believe them.

Houses are to be built in the manner required. And if that is not done, the landlord owns as much of the crop as the house is valued, and it is to be as if the same amount of the land rent has not been paid. But if the houses are built to a lower standard than required, six prudent people are to value the buildings and the tenant is to pay a fine as assessed, and seize their crop until it has been paid.

2. Here, it tells about how one is to maintain buildings in accordance with the law

Now, by law, they are to maintain all the buildings which are on the land when they arrived there, thatch them well and keep watertight. And they are to keep all the laths that hold up the turf rooves and gable boards and cruck rafters in their place, and ensure that the walls are sealed against leaks. And if all proper care is taken, the tenant cannot be held responsible for the buildings deteriorating. But if they let a building become dilapidated from neglect, they are to build another one instead.

And if someone builds a house on another person's land – one which is not included in their duties and which does not give a reduction in rent to the landlord, and they took timber and all materials from someone else's forest and built the building on an empty lot – everything is considered an empty lot if there were no buildings standing there when they arrived to the land – that is called a proprietary¹ house. That is to be offered for purchase to the landlord with two witnesses present when the tenant leaves the land, and they are to buy at a price assessed by six prudent people. And if they do not want to buy it, they can sell it to whomever they want, or remove it before the feast of the Holy Cross in the spring [May 3]. And if it has not been removed then, the landlord owns the house.

3. Here, it tells about old buildings on a land

And if it is required to restore an old building but it is not restored, a fine is to be paid in accordance with the assessment of six prudent people. But if the other does not want to pay it, the landlord is to have their crop secured by law and summon them with five days' notice, and the householders are to award the landlord as much from his crop as the building is deemed worth.

4. Here, it tells about if one rents one's land

Now, someone rents out a piece of land and they do not want to hand it over to the person who rented it, then the person who rented it is to secure the land by law and issue a five days' summons, and bring forward their witnesses to testify how they have taken the land on lease. And if their witnesses are satisfactory, the householders are to award them their land in accordance with the witness testimonies.

Now, someone rents a piece of land and subsequently, they do not want to take it over. Then the landlord is to go and sow the earth when a fortnight of summer has passed, and make use of it as if the other person had not rented it, and rent it to someone else if they want. But nevertheless, they are to collect rent from the other person who previously took it on lease, and they are to fulfil their obligations to pay levy duty and land rent.

5. Here, it tells about if one leases a single piece of land to two parties

Now, someone leases a single piece of land to two parties, then the person who took possession of it first is to get it. And in every case where someone contracts the same thing to two people, the person who bought or rented it first is to get it. They are to take it to a court of arbitration and bring witnesses forward to their taking possession of it first; they are to be given another piece of land if there is one. But if they have none, the landlord is to pay them as much money as is owed to them in land rent, and then their case is settled. And they are to have taken care of this within a fortnight from when the land was rented to two parties.

6. Here, it tells about the king's representative

Now, if the king's representative leases the king's lands in the country on the basis of crop years, the land rent and occupancy stipulated in the contract are to prevail according to the terms for which the tenant has witnesses. For by law, the king's lands are to be leased in the same manner as other land. Even though there is a change of representative, everyone is to have their rental contract honoured.

And if someone accepts bribes for renting out the king's land, or that of other people, they are to repay what they received, and twice that to the king. And for land that the king does not own, they are to pay half to the king and half to the landowner, and their mandate is to be removed, and they are to be called a lesser man. But the person who paid the bribes is to pay a fine to the same amount that they paid in bribes in accordance with what was stipulated before, and they lose the right to occupy the land.

Now, someone leases land for a higher price than usual, then they have all the more duty to pay levy duty and land defence, the more rent is charged, and it is to be one or the other, that both sums increase or decrease, depending on the lease.

Now, if the king's representative causes his property to be lost on account of passivity and neglect, and even though the Crown subsequently reclaims it, the representative is to pay as much from their own assets as was lost owing to their neglect, or the damage caused, if they knew about it.

And if one does not terminate someone's land tenancy contract before the Holy Night, they are to retain that land if the landlord wishes to give them respite for those twelve months for the same rent as before. But after the Holy Night, the landlord is to offer the other person that land. Now, they do not want to have it. Then the landlord is to have their land themselves, and receive rent from the person who left to the sum stipulated previously. If one deserts someone's land – that is, if one leaves the land before the Holy Night so that no one is left – the landlord owns everything that remains, and they are to pay them a mark of silver additionally.

And if the person who lived on the land dies and the landlord claims that the land rent is unpaid, the deceased's heir is to bring witnesses forward to testify that it has been paid, and, so, too, that all the tenant's duties have been fulfilled. But if they have no witnesses to this, the landlord is to bring forward [their witnesses]. And if neither of them has sufficient [witnesses], the heir and the wife of the deceased are to swear that to their knowledge, neither tenancy duties nor land rent remain unpaid. And if they swear, the landlord is to receive the farm, and so, too, if the farm's tenant is in outlawry.

7. Here, it tells about the first moving day from the land

The first moving day in the Gulathing law district is the first working day after the thirteenth day of Christmas. Then, the person who lives on the land is to have half of the buildings vacated until they take possession of land, and, they are to have use of half the buildings for a month from when they have rented a piece of land. But if they have not rented a land, they are to have use of half the buildings until the beginning of summer, and a fourth until the feast day of the Cross if they are a person who has lost their home.

At that point, the person who takes over the land is to demand the division of houses and have two witnesses present and declare before them that they demand the division of houses from them, and give them five days' notice. And if they do not want to divide then, they are to appoint two of their neighbours, and they are to organise the casting of lots, and subsequently, they are to cast lots. And if they are still against it, they are to pay a mark of silver to the person who takes over the land, and they are nevertheless to get the buildings. And if the other person does not want to pay, they are to pursue it in the manner of known assets.

But when the buildings have changed hands, each is immediately to have control over their own share. And even though they tie a single cow² on someone else's property without permission, they are to pay a fine of two ounces of silver to the person who takes over the land.

8. Here, it tells about maintaining a land's pasture

And a quarter of a piece of land is to be used for pasture. All winter manure is to be distributed in a pasture which has not been fertilised, with the sole exception of the night before their morning departure. And if a pasture has been fertilised, manure is to be brought to where it is most needed, and one is to be able to prove that with one's oath if the landlord wants. But if they do not want to swear an oath, they are to pay the person who takes over the land for the entire damage according to the assessment of prudent people if they have worked in an unlawful manner.

The equivalent of a cow at the minimum is to be kept on each half-pound of seed, or else, pay the landlord half an ounce of silver for each one missing. But if someone sows rye during the winter and they leave the land where there is a crop field, they are by no means to receive any of it. And if they dig up a field that can be sown within the yard, they are to have payment for their seed. And if they dig up a field outside the yard and erect a fence around it, the person who sows it is to have half of the harvest, and the person who takes over the land half.

A tenant is not to grant more than three loads of wood and two of scraped bark. But the landlord as much as they want, although not so that it harms the tenant in terms of what was stipulated in their rental contract.

9. Here, it tells about how one is to move from someone's land

Now, if someone moves away from a land, there are to be three doors standing, even though there were none when they arrived. That is, the living room door and the storage door and the kitchen door, and all those which were there when they arrived are to remain. And if they take any of those doors and bring them away, they are to take them back, and, additionally, pay a fine for trespassing to the landlord if they have unfastened it. And if it is accompanied by any thresholds or lintels or doorposts – even though only a single splinter follows it – that is defined as house-breaking, and they are to pay a fine of a mark of silver; half to the king and half to the landlord. And if they break bench supports and remove them from a house, or panels fastened with mortises and tenons, they are to bring them back and pay a mark of silver, half to the king and half to the landowner. And a fine of one mark of silver is to be paid for everything removed when a house is damaged, half to the king and half to the landowner, and they are to repair the house so that it is as good as before.

Now, they are to take everything away from the land which they are rightfully to remove, their hay and grain, after the rent has been paid, after the first moving days, and all other objects, when they want. They are to remove the barn floor planks and the woodpile, hay stacks and hay poles, the floor planks and wall partitions, and everything not attached with mortises and tenons, or fastened with nails under a beam or crossbeam. And so, they are to take with them all their material for woodworking and carpentry. And if someone keeps a garden with angelica or alliums,³ they are to have removed it by the feast of the Holy Cross in the spring.

And the landowner is to receive everything that is left on the last moving days, unless the other person has moved it to the shore or rocky terrain outside the enclosure where it is not necessary to cross a crop field or meadow to reach it, and they are to have it removed by St Botolph's Day. But if it remains there any longer, the landowner owns it.

10. Here, it tells about if someone lives on unrented land

And in every case when someone lives on an unrented piece of land, the landlord owns the entire crop. And they can redeem their assets by paying a fine for trespassing to the landlord. Now, they refuse to leave the land, then the landowner is to sue them to an assembly and ask the householders for assistance to remove them from their land; anyone who does not go is to pay a fine of an ounce of silver to the king. The king's representative is duty-bound to lead the householders, and by that, they gain half a mark of silver on behalf of the king.

11. Here, it says that the landowner is to be offered the yield

If someone has grain in a stack for sale, or hay, the landowner is to be offered to buy it with two witnesses, and they are to give a fortnight's notice to pay the sum in full, as much as assessed by prudent people, three on behalf of each party. But if they do not pay the price by that time, they can sell it to whomever they want.

Now, if two people own a stack together, whether it is grain or hay, neither of them is to remove anything until it is divided. But if someone cuts hay that is someone else's share, they are not to be penalised while they still retain as much as they need in order to pay. But if they remove all of it, they are to pay a fine of two ounces of silver to the owner of the hay, and additionally, swear a one-man oath that they did not move back less of their neighbour's hay than what they removed.

12. Here, it tells about if people need to buy seed in the country

Now, people in the country need to buy seed, then the person who needs it is to go to the king's representative with two witnesses and ask them to summon an assembly and appoint prudent people to search all the countryside, as far as necessary, and where seed is found for purchase, they are first to set aside the amount the householder needs for sowing and to sustain their household until they get new grain. And grain is not to be malted in preparation for sale in the countryside during such times of serious shortage except when the king gives permission with his letters.

Now, where surplus grain is found, or ground meal, they are to sell it to those in need in accordance with the price normally exchanged between parties. And whoever does not want to sell it is to pay a fine of half a mark of silver; the king's representative is to have two ounces and the person who was refused purchase of grain or meal two ounces, and they can take grain or meal for no payment as before and divide it between those who are in need.

Now, they ask for keys and do not get them, then everyone who has the right can break into the building or storage without penalty. And if a representative neglects this, they are to pay half a mark to those who needed to buy grain or meal. And if someone defends [it] with weapons, they have no

right to compensation, even though they receive wounds or other injuries. But if they die from this, it is up to the king's mercy.

13. Here, it tells about fence-breaking

And if a tenant moves away from a piece of land and has broken down a standing fence longer than five fathoms, they are to restore the fence to its previous state and pay a fine for trespassing to the landlord. And if they tear up a standing fence longer than ten fathoms, that is called fence-breaking; they are to pay the landlord a mark of silver and restore the fence to its previous condition and length. They are not to tear up the pasture fence in one of the halves, but if they do so, they are to make another one and, additionally, pay a fine for trespassing.

14. Here, it tells about if someone damages buildings

Now, if more than one person cohabit in houses, regardless of how they divide the houses, everyone is entitled to using the doors that are not divided. And if someone cuts more doors on a house than were already there when they arrived, they are to pay a fine of a mark of silver, half to the king and half to the landlord, and compensate for the house in the way assessed by prudent people.

Now, the person who rented land there and took up residence is to get the manure their cattle yielded. But if someone takes manure from another person's rented land and spreads it on their field, they are to pay a fine of an ounce of silver to the owner of the manure and fertilise a field of the same size for them and do it just as well as the one they fertilised for themselves with their manure, which they had previously removed. Now, tenants do not arrive to a land all at the same time, then the person who wishes to take [manure] is to demand division, with two witnesses, if the land has not been rented out or the person who has rented land has not arrived; then they are to measure an area of land of equal size and fertilise it equally well, and they are then to do whichever they want, draw lots, or each person takes the area they fertilised.

And the division between tenants is to hold while one of them lives on the land. But if one of them moves away from the land and someone else arrives, the person who arrives is to receive the plots of land and houses that the person who left had, and each party is to enjoy the yields of their tenancy. The land is to be divided so that everyone has areas of equal length and equal breadth and equal quality, proportionally to the amount they pay in rent. But if someone has an area that is broader or longer, they are to reduce their share of the field and give it to the person who has a smaller one – give so from a sown field as from an unsown one – and they are not to receive anything for their labour. But if they refuse to reduce their share, the tenant is to pursue that as known assets.

15. Here, it tells about if someone wants to take over their allodial land to live on it

Now, a person is to have their allodial land to live on in favour of another person of good standing, all the land adjoining the enclosure around the farmhouses. But if the people who share a claim to the allodial land do not want to rent it to them, they are to offer them the same amount in rent before moving days as others would have rented it for, and it is not to be a sham offer; no one is to gain from someone else's sham bid. And if someone moves to the land, unless the person who owns assets in the land wants to live there, that person steals from them; then they are to be banned from moving there. But if they move there, they are to move away from the land and pay a fine of half a mark of silver to the king for unlawful seizure of land.

Now, a piece of land does not adjoin the yard around the farmhouses, then they are nevertheless to receive it if they already have possession of their land that they own and it is in the same district, and they are to have all the crop consumed there. No one may receive that land if a mountain or fjord or impassable rivers prevent it. And if more than one person lives in the houses, they are to cut firewood based on the number of inhabitants and not the size of their land, for the members of the household need heating, and the land does not.

16. Here, it tells about if one prevents someone from carrying out the spring tasks

And if one cuts down a draught animal which is in front of a plough or ard or harrow or in a harness on a spring day, the person who is known for (*kunnr af*) and found guilty of (*sannr*) having done so is to pay a fine of five marks of silver to the king. And they are to pay compensation for the animal they slaughtered to the person who owned it, and whatever damages for the ill will with which they acted as judged by prudent people, lawfully appointed, based on the facts of the matter. And if they steal the iron part of a plough or ard, they are to pay triple the value of what they stole to the person who owned it, and six ounces of silver additionally, and the king two marks of silver. And if someone destroys someone else's plough, or ard or harrow, cuts the straps or harness, bridle or reins, draft-pole or stirrup or horn buckle; if any of these are destroyed, they are to pay a fine decided by six prudent people, and six ounces of silver in damages to the owner for the ill will shown to them, and be called a petty thief with impunity ever since. Anyone can cut down with impunity for a plough and ard in any person's forest when they want, even though they do not ask for permission.

17. Here, it tells about the division of meadowland and fields in the country

Now, one is to demand the division of meadowland as well as fields, but one is neither to mow nor reap on other people's land. And if one reaps or mows

someone else's meadow, the person who owns it is to go and secure the field or meadow by law, whether grain or hay is lying in it or not, and the person who considers themselves to need it more is to issue a five-days' summon. And if the person who secured by law gets the field or meadow, they are to ask for restitution, that it be returned within the five days' notice, and additionally, that they pay a fine for damaging land. And alongside this, they are to swear a one-man oath that they did not bring back less than what they removed. And if they do not return [it], they are to claim that their rights be upheld, and summon them to their home within a fortnight, and if they do not come home by then, summon them to an assembly for robbery and contempt of law, and have their witnesses brought forward at the assembly to testify regarding their actions, and ask the householders to issue a verdict and carry out distraint as for secured property.

And a tenant is not to allow anyone to cultivate a plot of land except their sons and farm workers, and not to make one anywhere unless it is adjacent to a field or meadow. But if they allow more people to do so, the landlord owns everything which grows there, and they are also to be paid a fine for trespassing by the person who dug it. And the tenant is to pay damages to the other person for everything they lost to the landlord on account of their permission.

18. Here, it tells about if someone secures their land within the enclosure by law

And if someone secures their land by law within the enclosure or outside it, the woods or pasture or fishing places, they are to issue the lawful security by a church or at an assembly where the land is located. And the person who secures it by law is to speak so loudly that everyone there can hear if they so wish. And this issue for lawful security is to remain in place for the next twelve months if it is the owner or his representative who secures by law.

19. Here, it tells about the king's fine for trespassing

If a king's land is worked, he is entitled to compensation for damage, as much as the damage amounts to according to the appraisal of prudent people, and a fine for trespassing equal to the compensation for damage, up to the point where the damage amounts to three marks of silver; increased by half if it is secured by law. And even though the damages amount to more, the fine for trespassing is not to be any higher. If an archbishop or duke's land is worked, they are to receive compensation for damages based on an appraisal, regardless of whether the damage is greater or less, and everyone is to receive compensation for damages in this manner, and their fine for trespassing shall be equal to the compensation for damages up to the sum of twenty ounces but increased by half if it is secured by law. If the land of a

suffragan bishop or earl is worked, they are to receive a fine for trespassing based on the compensation for damages, up to the point where the compensation for damages is worth two marks of silver but increased by half if it is secured by law. If the land of an abbot or abbess or representative of the Holy Church is worked, they are to receive a fine for trespassing based on the compensation for damages, up to the point where the compensation for damages are worth twelve ounces of silver, but increased by half if it is secured by law. If the land of a baron or marshall (*stallari*) or standard bearer (*merkismaðr*) is worked, they are to receive a fine for trespassing based on the compensation for damages, up to the point where the compensation for damages is worth nine ounces of silver, but increased by half if it is secured by law. If the land of an allodial landowner is worked, they are to receive a fine for trespassing based on the compensation for damages, up to the point where the compensation for damages is worth six ounces of silver, but increased by half if it is secured by law. If the land of a householder is worked, or that of people from other kingdoms who settle here in this country, they are to receive a fine for trespassing based on the compensation for damages, up to the point where the compensation for damages is worth half a mark, but increased by half if it is secured by law, unless they have a higher rank. And no one's fine for trespassing is to be greater than what is listed here. And all compensation for land damages is to be assessed by six prudent people.

20. Here, it tells about the reception of fines for trespassing

If several people co-own a piece of land, they are all to receive a fine for trespassing based on the rank of highest-ranking of those who co-own the land, if the land has not been divided, and they are to divide the fine for trespassing and compensation for damages according to the proportion of each person's share of the land. And a maiden is to receive a fine for trespassing after her father, and a widow after the man to whom she was last married. And if some people permit use of the land and some do not, then whoever did not allow it is to receive the full fine for trespassing based on their status, and a proportion of the compensation for land damage to which they are entitled, based on the proportion of their share of the land. If a piece of land is divided in the manner of allodial lands, the full fine for trespassing is received, each from their share, based on their rank.

Now, someone goes to another person's forest without the permission of its owner and fells trees in it, the owner is to bring prudent people to the tree stumps to observe and assess the damages to the forest. Then the other person who felled trees in the forest is to pay a fine for trespassing or refute it with a three-man oath if the owner does not have any witnesses to it. In every case where someone comes across the yields of unlawful tree-felling in their forest, they are to be removed without penalty.

21. Here, it tells about tree-felling in a forest which people co-own

If two people or more own a forest together, or an outlying pasture, no one is to fell more trees than their share, and to the amount yielded by calculations if the land has not been divided, apart from firewood. And if someone wants to work it more than they are entitled to, they are to apply for division to their co-owners, in accordance with what the law book says about the division of allodial land, for the person who wishes to divide is to take charge of the division. And no one is to plan or cause someone else property damage or loss of assets. And if they fell more trees than they are entitled to when no division has been carried out, they are to answer for that to the owner of the forest in the same way as the person did who felled trees without permission and did not own any share in the land, both regarding the fine for trespassing and compensation for damages to land.

No one is to fell trees in another person's forest except travellers to repair their conveyance vehicle, whether it is a sled or ship which is broken, or for fuel if they are sleeping outdoors in the same place, unless they neither purchase it nor receive permission but necessity demands it. Then they can fell as much as they need, and they are to pay compensation for damages to the forest with no fine for trespassing if the owner or their representative brings it up. And if they are staying onboard a ship, not more than what they are able to fell on the same day. And if they fell more, they are to pay compensation for damaging the forest, and a fine for trespassing to the landowner, unless they give permission.

22. Here, it tells about hauling ships

Now, a ship needs to be hauled to sea. The captain is to send out a call – as far and wide as necessary to summon enough manpower – to come haul and launch that ship to sea. Everyone who does not come to this hauling is to pay a fine of half a mark of silver.

In every instance when someone suffers a shipwreck and they think they will not be able to save it themselves, they are to send a call to the householders who live closest by, as many as they need within that warship district. And those who are able are to bring their draught animals, and they are to receive six ounces for every load they recover, and as a part of this effort, they are to save the rigging and the ship. And anyone who does not answer the call is to pay a fine of six ounces of silver; the king shall have half, but the people whose ship was lost half.

23. Here, it tells about damages to someone's land

Everything about which people disagree regarding damages to a field or meadow, woods or pasture, that is to be lawfully secured. The person considered to have greater need is to issue a summons giving five days' notice, and

a panel of six prudent people are to be appointed for that meeting to assess their witnesses and the substance of the case. And all work carried out by someone in a field or meadow before the five-days' meeting, and which they do not hide from a lawfully appointed panel (*lagadómr*), they are not to be sentenced to any fine. The person who brought the case to laws and judgement is to bring their witnesses forward to the panel first, and the defendant thereafter, and the person whom the people on the panel consider having a more just cause, and about whom they are prepared to answer to God as having a more just cause, is to have their witnesses sworn in according to their conscience. But they are not both to have oaths sworn. And if they disagree, they are to appeal their case to the royal magistrate.

24. Here, it tells about five-days' meetings and representatives

And all the property and land rent for which people are to summon with five days' notice, the plaintiff is to secure them by law and appoint two witnesses, and bring to the five-days' meeting, and it should not be possible to spoil this suit. But if someone does spoil it, they are to pay six ounces of silver; the king shall have half and the plaintiff half. And witnesses are then to testify, and hold a certain book, and appeal to God that they were present when the five-days' summons was issued, and they are not to swear about anything more. But if the people on the panel disagree and do not come to a unanimous ruling, the person with the more unjust cause is to pay six ounces of silver, half to the king and half to the plaintiff, unless they swear to God that they did not know anything more truthful.

25. Here, it says that when people own a piece of land, they are to have a representative on their behalf

Now, the owner of a piece of land is within our law district (*log*). They are to have a representative for themselves within the county where the land is located unless they are within the county, and nevertheless, they can have a representative if they want. And whoever has the mandate is to collect a trespassing fine for all damages to land as if it were their own, half for the landlord, and half for themselves. And if they do not collect it, they are not to have any of it.

The representative may rent land to others, but not to themselves, and they may receive rental payments if the landlord wants. But if the representative receives rental payments and does not want to give them to the landlord, the landlord is to demand the rent and pursue it as known assets. And if the representative denies that they have received the mandate, the landlord is to bring two witnesses. But if the landlord denies it and says that they did not give them a mandate, the person who had the mandate is to bring two witnesses to testify that the landlord or their representative gave them the mandate, and they are to receive the mandate by law.

26. Here, it says that there are three hearth fires

By law, there are three hearth fires. The first is the one that a householder is to have in the buildings in which they dwell and sleep. The second is the one by which baking and cooking is to be done, and the fire that the household are to have for their domestic comfort. It is the third which is called a kiln-and barn-fire. When it comes to that fire, no one is to be responsible for more than what they own, except for a tenant living on rented land.

For all the buildings included in their rent which burn in an accidental fire, the tenant is to transport wood to the lot, and everything needed to build buildings as good as those which stood there before. And the landlord is obligated to provide money for their restoration.

And the person who takes a fire outside is to be responsible for it and put it out before they leave it. And if people come to harm from that fire, the person who took it outside is to compensate for the entire damage based on the assessment of six prudent people; there are no fines for this, for it is called accidental fire.

But if someone orders their dependant to fetch fire, their sponsor is to be responsible for all of the dependant's actions. And if an adult commands another person's dependant to commit an act which leads to harm, the person who commanded them is to pay compensation, but they are to be released.

27. Here, it tells about arsonists and what the penalty is

Now, no one is to burn someone else's property with a hostile hand, neither houses nor barn, shieling nor salt-works hut nor ship. But if they burn something and they are known for and found guilty of having done so, they are outlawed and excluded from the law's protection, and called an arsonist, and they have forfeited every penny of their assets in land and movable goods, and they are to repay the person whose property they burned double its worth based on the assessment of six sensible people, and their personal compensation according to a lawful judgement, before they become the property of the king. And if it happens in a different way, the assessment of prudent people is to be followed, depending on the circumstances.

Now, if they claim not to have done this, they are to go to their home and sue them to an assembly for arson and compensation for a crime punishable by outlawry. Then they are to organise a twelve-man oath at that assembly, and they are to have done that during the ten weeks that have days on which one can swear, and if it is not carried out, that leads to outlawry.

Now, someone plots a house burning and is known for or found guilty of this, then they are to pay double for half the worth of the property that was burned. And if they deny this, they are to refute it with a six-man oath, and half the fees are incurred. And if someone burns a heap of wood or a bundle of branches, timber or thatch, a gate door or sledge, or other equipment which people consider better to have than to do without. And anyone

who does so is to pay a fine of a mark of silver to the king, and double the value to the person whose property they burned, and damages for the ill will with which they acted, in accordance with a lawful judgement. The landlord is normally to receive compensation for trespassing if what is burned causes them damage.

28. Here, it says that fences are the peacekeepers of neighbours

Now, fences are to be divided based on the proportional ownership of land and all farm labour. Now, fences are the peacekeepers of neighbours. They are to construct one tall enough that it comes up to the hand of a man of average height. And it is a valid fence which has an ell between each pole, and every third one is a supporting pole, and securely dug into the ground, so thick that it is impossible to throw a workman's axe through it. Those fences are valid by law, and everyone is to have their own fence constructed by the feast of the Cross in the spring, and be responsible for it until the beginning of winter, the one surrounding the harvest.

And there is another fence which is called a rail fence; there are to be four rails in it and cross-pieces on the ends, and they are to fasten it so securely with poles and fastenings that it is not pushed down by livestock or wind. It is a third which is called a wood fence, where there is an abundance of wood, and they are to maintain it in the traditional way. It is the fourth which people call a field fence, and people have this as a boundary fence between their properties; it is to be made so thick as to prevent livestock from going through it – then it is valid.

Now, people's land is often surrounded by fens or marshes; that can be used as a fence where possible. And if livestock cross it, everyone is to put up a fence along their field or meadow, or compensate for the damage that their livestock caused for their neighbours as a result of their lack of a fence.

29. Here, it tells about main roads and gates, how they are to be

If a main road intersects with a fence, a gate is to be made on it, and a gate door to close it, rails in it and two cross-pieces on the ends, and a cross brace on it; then the gate door is valid. The gate door is to be mounted so that it closes by itself. And if someone opens the gate and livestock go into a field or meadow, they are to pay for the damage caused and an additional fine for trespassing to the owner of the grain or grass. And if someone chops down the gate pillars or rolls away the rock lying there, and the gate stands open for that reason, they are to compensate for the damages caused, and an additional fine for trespassing, to the owner of the grass.

There is to be a neighbours' meeting on St Hallvard's day. Those fences are valid which are accepted as valid at the neighbours' meeting. And if a fence is broken, people are to be led to inspect the fence. If the fence was accepted as valid, the owner of the cattle is to pay for the damages. But if the fence

does not appear valid, the owner of the fence is to pay for the damages. And if a boundary fence has stood between farms and has fallen, the people who wish to have it standing are to raise their own part, and they are to request the people who own the adjacent land to erect their part. And if that person does not put up a fence, they are to be responsible for all the damages which occur as a result, whoever owns the livestock that causes it, and additionally, two ounces of silver to the person who suffered the damages.

30. About raising fences

If someone wants to have a fence between farms where none has been before, the person who initiates this is to make one in proportion to their land ownership, and so, the person who owns the adjacent land, and from then on, each is to maintain it in proportion to their land ownership. But whoever does not want to maintain a fence or put one up is to pay for all resulting damages.

A notice of five days is to be given to divide fences and cast lots, and they are to have witnesses present whether they want it or not; make them responsible for the fence and all damages caused by livestock, no matter who owns it. And when the fences have been raised, all the livestock and the pigs are to be taken to their home, and they are to demand a lawful fine, that is, two ounces of silver, and pay the damages based on the assessment of six prudent people.

31. Here, it tells about livestock violation

Now, if one person owns livestock and another has a field, and a third has an invalid fence, the person who owns the field is to fetch other people and have them see that livestock have got into a field or meadow. Then they are to remove it with witnesses, and have six people assess the resulting damages, and put the cattle that have come and drive them into a cattle shed so that they roam free, and neither tie them with ropes nor bonds, even though they are butting each other. Then it is the responsibility of the owner and not the person who put them in there. And however large a sum the owner of the livestock loses to the person who owns the field, the person who owned the invalid fence is to pay it.

The owner is to be sent a message on the same day the livestock are put inside. And if they do not wish to redeem them, they are to be kept there until the five days' notice has expired. And if they have not been redeemed then, the person who put them inside owns them, and at that point, the compensation for damages is considered paid. And if someone removes the livestock that was put inside and refuses to redeem it in accordance with the law, it is called lock robbery; then the instigator is to pay a fine of a mark of silver to the person who put it inside, and two ounces, each of the others who were there with them to drive the livestock away.

And if a pig gets into a field or meadow, or other livestock, through valid fences, it is to be put inside in anticipation of compensation for damages, and whoever owns it is to redeem it in accordance with the law. And tethered horses or cows, and all the livestock that householders place within the enclosure themselves, and they break free and cause damages, they are to put them inside in anticipation of compensation for damages, and the owner is to redeem them in accordance with the law.

32. About fence-breakers

If someone has a fence-breaker among their livestock and their neighbours know of this, bring it [to its] home before it does any damage, and from then on, they are to put it inside in anticipation of compensation for damages. And if it gets into a field or meadow, the owner is to redeem it in accordance with the law.

Now, someone wishes to redeem their livestock and they do not have enough silver for it, then they are to provide a pledge or get a guarantor whose word is as good as a pledge. And if they do not wish to release the animal until they have the fine in hand, they thereby starve their animal and their household. They are to pay a fine of a mark of silver to the owner of the animal, and pay a fine for causing the loss of livestock based on the assessment of prudent people.

Now, they do not want to release their animal or pay the fine, then they are to demand their animal and charge with theft, and the owner of the animal is to call a parish assembly and ask the householders to carry out a seizure of their animal, and the fine, too. Anyone who does not go is to pay a fine of an ounce of silver to the king. The king's representative is to be at the head of this group if they are anywhere near, and thus gain half a mark of silver on behalf of the king for the theft of livestock. Everyone who goes to seize is immune from prosecution, and all of those who stand in the way are ineligible for compensation, whether they are injured or die from this.

33. About the placement of roads

All roads and fence gates are to be as they have been from ancient times. And if someone rides or walks across a field or meadow and refuses to go the proper way, they are to pay a fine of a mark of silver to the owner of the field. If someone breaks through someone else's fence, they are to pay two ounces for each fence opening. And if someone breaks or chops it apart down to the ground, the penalty is an ounce of silver. Now, everything up to ten fathoms long is called a fence opening, but after that, it is called a broken fence; the penalty is a mark of silver; the owner of the fence is to have that and nevertheless, they are to repair the fence to the state in which it was previously.

34. If someone owns a horse

Now, if someone owns a stallion, they are either to purchase a mare for it or borrow one. And if they are lent a mare for it, witnesses are to know about this. Now, if horses kept in this manner bite each other and one of them dies as a result, the dead one is to be appraised, and they are to pay half of its worth in compensation unless the one that survives is worth less in its entirety than half of the dead one, in which case it cannot lose more than itself.

Now, if someone owns a horse unaccompanied by a mare and it bites another horse in its stall, that horse is to be compensated with full compensation. But if the one that attacks it dies, it is dead because of its own actions; its owner has no claim for compensation. And if a horse bites a mare to death, that is to be compensated with full compensation. And if a mare bites a horse to death, that is to be compensated with half compensation. And if an uncastrated horse bites a gelding to death, that is to be compensated with full compensation. And if a gelding bites a mare to death, that is to be compensated with half compensation.

If a horse of either sex lies dead outside, people are to be brought to it and have them inspect it, and if they consider there to be signs of another horse's actions, they can charge three people who own horses in the vicinity to pay the horse's worth as compensation, but the fourth one only if they can prove their culpability with witnesses. And each of them is to deny it with a one-man oath on behalf of their horse, according to their conscience. And if someone refuses to swear an oath, they are to make a payment of compensation for the mare.

Now, if a horse of either sex has been driven into a hollow or a bog, down a mountain or over a precipice, and the tracks of two horses can be identified to it but only one away from it, the people who own horses in the vicinity are to compensate in the manner outlined previously.

And if a horse of either sex or a cow kills smaller livestock, all of those attacked by a more powerful animal are to be compensated with full compensation.

35. If people make horses fight

In every case when people make someone's horses fight without the permission of their owner, they are to pay the horse's owner compensation for the damages caused based on a lawful judgement, and additionally, a fine for the ill will with which they acted. And if damages amounting to half a mark are caused by this, pay full compensation based on a lawful judgement, as if they had acted with enmity or malice.

And everyone is responsible for themselves at a horse fight, regardless of who eggs on. And if someone hits a horse at a horse fight without necessity, they are to pay a fine for acting with ill will based on a lawful judgement. And if it is injured by this, pay for the damage and full compensation to the horse's owner, based on a lawful judgement.

And if someone untethers a horse without permission, they are to pay the owner based on a lawful judgement, and take complete responsibility for the horse and its actions until the owner takes hold of it, or deny it with a one-man oath, unless they have put it inside in lieu of compensation for damages.

And if a draught horse or other livestock runs after someone, they are to put it inside before passing three farms, or else be completely responsible for it themselves.

36. Here, it tells about livestock violation of horses or livestock

Now, a livestock violation against goats or sheep occurs if someone kills them and refuses to confess to it. And if someone owns a prime hog worth half a mark, a livestock crime occurs for this single instance. It is a livestock violation to kill cattle or horses, even though one kills a single animal. And it is a livestock violation against farm animals if their legs will not carry them home to the owner. And the penalty for a livestock violation is a mark of silver, half to the king and half to the livestock's owner, and pay damages based on the assessment of six prudent people. And if they kill fewer than four goats or sheep, they are to pay a fine to their owner for acting with ill will. And if the person denies it, they are to refute it with a three-man oath. And if a cow or horse is injured or hit, and its legs carry it home to its owner's houses, the livestock violation is cancelled; nevertheless, they are to compensate for ill will based on a lawful judgement, half to the king and half to the animals' owner. But if someone kills someone's livestock and confesses to it and declares their own culpability of the violation, they are to keep what they killed but the owner is to get an unharmed one in its place. Livestock never becomes ineligible for compensation.

Now, there is one charge for all these cases of ill will. And if someone kills someone's livestock or commits livestock violation, the animals' owner is to summon a district assembly within three days. They are to prosecute the case there and have it tried with two witnesses unless they want to confess. They are to bring two witnesses forward to testify that it looked to them like the livestock showed signs of injury by human hands. Then the members of the assembly are to order them to swear a three-man oath by a judgement; that is to be sworn within a month during which oaths can be sworn. And if this oath is not sworn, they are to make a payment of compensation for the livestock, and a mark of silver additionally, half to the king and half to the owner of the livestock. And if someone hits someone's livestock or injures it, they are to compensate for the infraction based on the assessment of six prudent people, but there is to be no compensation for wounds inflicted on livestock that heal.

The loss of working or milking ability is to be compensated based on the assessment of six prudent people. An ounce is to be paid for a cow's eye, likewise for a horn, likewise for a tail. And a quarter of the sum is to be paid for a horse's eye. And if someone cuts off a horse's tail so that the tailbone is

severed, they are to pay a fine of a mark of silver, half to the king and half to the horse's owner, and they are to repay the horse's worth. The person who cut the tail is to keep the horse and be called a fool, but the owner is to have an unharmed horse in return. But if someone cuts off a horse's tail below the tailbone, or cuts a tail off cattle, they are to pay a fine of two ounces of silver to the owner, and two ounces to the king. Now, someone cuts the tail off cattle, three or more than three, they are to pay a fine of two ounces of silver, half to the king and half to the cattle's owner. And if someone milks someone else's cow, they are to be flogged based on the justiciary's lawful punishment, unless a hungry person does the milking, and nevertheless they are to pay the lost milk's worth to the owner.

37. Here, it tells about the flock and herder

Now, they all go together, the flock and the herder, then the herder must know what becomes of the flock, and they are to testify about it on a book if they are able to bear witness regarding that matter. And if an ox butts an ox, half of its worth is to be paid in compensation. And if an ox butts a cow, its entire worth is to be paid in compensation. All cattle younger than three years of age are to be compensated for their entire worth, and all cattle without horns. Now, a cow is butted, then people are to be brought over, and if it appears to them that a cow has butted it, the cattle and their herd are to be inspected. And if any of the cows has a damaged horn, or cud or hairs or blood on it, it is most likely to have done it, and the animal's owner is to pay a fine in accordance with what was outlined previously.

And if a dog bites someone's livestock or chases it over a cliff, pay compensation for half its worth the first time, but the entire sum after that, if there are witnesses to it. And if there are no witnesses, defend themselves with a one-man oath to their knowledge for each of these cases.

38. Here, it tells about borrowed items

Now, if someone lends their possession, each person is to return the borrowed item undamaged, or else pay its worth to the owner, based on the assessment of six prudent people, unless the person who borrowed it dies with the object on them, for they cannot be made responsible for that borrowed item if they are not responsible for their own life.

Now, no one is to keep a borrowed item for longer than it was lent. And if they keep it longer, they are to pay a fine of a mark of silver to the person who owned and lent it; that is called unlawful appropriation unless lawful necessity prevents it.

Now, even though someone goes around with someone else's draught horse which they have borrowed or rented, the owner is to be responsible for it, even though it does some harm, if it is not the fault of the person who had possession of it, or a result of their negligence. And if someone takes

someone's property without having been lent it, a ship or a horse, no matter whether the ship is larger or smaller, a draught horse or other such things, they are to pay a fine to the person it was taken from according to a lawful judgement, depending on the circumstances and what necessity compelled the person who took it, or with what malice they were treated, what damage they suffered, or whose property they took. They are to pay a compensation fee and whatever fine they judge for them, and so to the royal office if the circumstances call for it. And if someone takes someone else's ship, they are to answer to one charge for themselves and their dependant.

39. Here, it tells about people's shielings

In every case when there is a shieling that belongs to someone's farm, one is to leave the home pasture when two months of the summer have passed, unless they all consider something else more appropriate. Now, someone is in the lower fields for longer, then they are to be forbidden from remaining there. But if they still remain there, they are to be summoned to a district assembly on a charge of robbery and unlawful occupancy. Then the members of the assembly are to judge half a mark of silver to the king for grass-robbery, and the tenant half a mark of silver for the grass's worth.

Now, they are to call upon the householders and people of the district, as many as they need to drive their cattle away from their home pasture; anyone who is called upon and who does not go is to pay a fine of an ounce of silver. This is the penalty if they go back to the home pasture before the fifth month of summer.

40. About boundary marks at people's shielings

Now, a boundary mark is to be around shielings up on the mountain, as it has been from ancient times. It is not to be moved out of place unless they move it to no harm for anyone. The same goes for unlawful occupancy; there, the herder may not send animals home to their owner. There, horns shall meet horns and hoof shall meet hoof.

41. Here, it tells about grazing

If two people or more live on one farm, and all of them sow the same farmland, and now, someone has reaped and stacked earlier than the others, and they want to have their flock put into an enclosure, then they are to mind their flock in such a way that it does not get into the field or meadow of their neighbour. And if it does get into it, they are to pay compensation based on the assessment of six prudent people, and an additional fine for trespassing to the person who owns the grain or grass.

Now, the person who cut their grain later has stacked it, then the other person is to mind their flock in such a way that it does not get to their

neighbour's pasture until they have been grazed equally. And if they do get into it, they are to pay a fine for trespassing to the grass's owner. And so too, if the livestock goes into a field or meadow when the fences are valid. But if someone places their pasture by another person's field or meadow, they are to enclose it with a valid fence.

42. About main roads

Main roads and roads to shielings and all cattle tracks are to be as they have been from ancient times. Now, a main road goes past someone's farm, then they may move it away from their farm in such a way that they make another one outside the enclosure which is just as easily passed in dry weather and wet; then this way is to be taken, even though it is longer. Now, a main road is to be eight ells wide, but if they damage a field or meadow any wider, it is to be compensated based on the assessment of six prudent people, and an additional fine for trespassing.

Now, someone robs someone else on a main road, then they are to pay half a mark of silver to the king, and so, too, for hand-robbery, and full compensation to the person who was robbed following a lawful judgement.

Now, someone breaks a bridge on a main road, they are to replace it with another one just as good, and additionally pay a mark of silver to the bridge's owner.

Now, someone takes unlawful possession of another person's shieling road or a cattle road that has been in use from ancient times; they are to pay the king half a mark of silver in compensation for unlawfully preventing someone from using a road, and the other person is to have possession of their road as before.

43. About lawful summonses to road improvement

The king's representative is to demand road improvements at the mid-Lent assembly, and they are to call for those road improvements to be done in the district where the householders consider it most appropriate, and they are to issue a lawful summons to the householders to improve the road. It is the first lawful summons when the snow has thawed and until the plough is brought out. It is the second one when the spring work has been completed and until haying. It is the third one that begins when the crops are in the enclosure, and it continues until snow falls on the roof covering. Those are the lawful summonses to road improvement, that is, in between working seasons. Everything that is damaged in between those periods is to be improved during these summonses.

44. That householders are duty-bound to improve roads

As stated previously, demands for road improvements are to be issued at the mid-Lent assembly. And the householders are duty-bound to contribute

according to what they see most fitting for the district. Now, all roads are to be improved in such a way that they can be passed on foot and horse, both winter and summer. And if those rivers intersect with main roads which are not passable by ship, the people who own the land on each side of them are to make a passable road. They are to make a bridge if they have the resources, or a raft and a tow attaching it to each side, or a barge or a rowboat. If that is not done, the penalty is half a mark to the king, and they are to make a conveyance over it nevertheless.

All impediments which are on the main road so that one must plunge the horse into the water and pull it out with a force, the penalty is half a mark of silver to the king. And all others, where one must dismount the horse to drive it across or lead it under, the penalty is half a mark of silver to the king. For every tree that lies across the main road that forces the horse to jump over it with the rider, the penalty is an ounce of silver to the king. For every tree lying across a main road that forces the horse to change its course, the penalty is half a mark of silver to the king.

45. About road improvements and the ring ride

The king's representative is to have done what is called a ring ride if – between working seasons – they want to send out arrow messages with witnesses and call a district assembly. Then they are to begin their ride where the representatives consider it to be most urgent, and they are to ride along the rightful main road. All roads that go through the settlements and from the mountain to the shore are called main roads. And all other roads that go to people's farms are called minor roads and they are not included in the ring ride. A spear shaft is to be measured to the length of eight ells and they are to make two loops from a willow stem, and attach one of them to the shaft and the other to the spearhead. The people of the district are to appoint a householder of their choosing; they are to mount a horse and put the spear shaft in front of them across the horse's back and ride in the middle of the main road. The penalty for every tree that causes the loops to come loose from the shaft is a *ertog* of silver to the king. This is called the ring ride according to ancient custom.

All half-mark fines for failure to maintain the road are to be paid by the landowner. And all lower ones are to be paid by the tenant, and they are obligated to maintain the road, and the same goes for the driveway. And the road up to the farm is to be the same length as it has been from ancient times to each person's property. And all those roads that go across common land are the responsibility of all the people of the district who own that common land.

46. Regarding principal rivers

Now, those rivers are called principal rivers which are so large that they are passable by floating vessels and it is impossible to keep them bridged even

though they have been erected. Now, if there is a main road to and from it, the person who owns the adjacent land is to hire a ferryman, and everyone who wishes to cross is to pay a fare; that is called a public ferry. A traveller must pay a fare: one coin of silver for each person, another for each horse. And the people of the district are to make an agreement with the ferryman on behalf of themselves and all paupers, as much as they can spare, and they are able to live well on. And beggars are the responsibility of the people of the district unless they pay the ferryman so that they have full fare for both.

Now, if the ferryman forces travellers to pay a higher fare than outlined now; it is the second charge if they refuse a person who offers payment; it is the third if the ferry is not run for more than a day, and if the ferryman is known for and found guilty of it – that is called failure to keep the road and they are to pay a fine of half a mark to the king and another half a mark to the person who hired the ferryman, and they are to spend that on maintaining the vessel. And if someone has a cow transported on a vessel, they are to negotiate whatever they can. And if someone goes aboard a ferryman's vessel or apprehends it, that is unlawful appropriation; whoever does so is to pay a fine of a mark of silver, half to the king and half to the ferryman.

Now, the ferryman is not obligated to transport after the sun has set and not until the sun has risen, for the sun determines transportation hours during the summer, and the day in the winter. And if they ferry a thief knowingly, they have forfeited their skin and they shall be called a thief's accomplice. And if the ferryman leaves the crossing, the landowner or their representative is to find a replacement within three days or pay a mark of silver, half to the king and half is to be used to improve the ferry vessel, since it is an obstruction to travel if there is no vessel at the crossing. And if the vessel deteriorates to the extent that it is unusable, the people of the district are to acquire another usable one within three nights or pay the king a mark of silver and acquire a vessel regardless.

47. Here, it tells about fishing places

Everyone owns the water and fishing place by their own land in the same way as in ancient times unless it has been lost in a lawful manner. All water is to run as it has run in ancient times; no one is to lead water away from a farm or to another person's farm unless it breaks a new course itself. And if it is lead away, it is to be lead back, and they are to pay the landowner a fine for damage to land, and additionally, a fine for trespassing. Now, if a river runs between farms and there is fish in it, they own half of it each if they both own land on one side. And if a river or brook runs straight and does not break a new path on the land of either of them, each of them can fish from their land as has been done from ancient times. Now, if a river breaks a new path into one of their land, the person is to have the river who owned the land into which it broke, but the other person owns the isthmus or spit next to where it ran straight in ancient times. And if it breaks into more, the person who

owned the land owns both the river and the isthmus to the middle of where it ran straight in ancient times.

No one is to do damage to someone else's fishing place where they have had one from ancient times, or to prevent them from accessing it. And in every case when people own a salmon-fishing river together, each of them is to fish in their own part of the river, and nevertheless, to make it so that fish can swim up the entire river. God's gifts are to roam to the mountains as to the shore if they want to roam. And the person who puts a fence in their way, the people who own the land above it are to summon them with five days' notice to an assembly to take it down. And if they do not wish to break anything out of it, a force is to be bid to go and break [a section] out of it. And every householder who refuses to go with them is to pay an ounce of silver to the king. And those who made the fence in contravention of the law are to pay a mark of silver to those who own the land above it, and for whom they fenced out catch.

No one is to go to another person's river unless they wish to fish for the owner of the river, and they are to pay them additionally a fine for trespassing. No one is to prevent someone else from accessing a fishing place on their land, and no one is to do damage to another person's fishing place. And if people do damage to this fishing or break fences – unless they are cross dykes of the type forbidden by law – or fishing tackle, the instigator is to pay a fine of a mark of silver to the king for law-breaking, and another mark of silver to the owner in compensation for ill will. And everyone else who helps them is to pay a fine of half a mark of silver to the king and half a mark of silver to the owner, and they are to compensate for the fence and all equipment and damages based on the assessment of six prudent people.

Eel and trout fishing, if it is vandalised, they are to pay a fine of half a mark of silver to the king and another half a mark to the person who owns the fish. And that is called deliberate damage, and they are to compensate for it based on the assessment of six prudent people, three from each side. Normally, six people are to assess the matter when compensation payment amounts to half a mark, but twelve when compensation payment amounts to more.

48. Here, it tells about herring fishing

It is said so that if people go herring fishing, one can, without penalty, lay [the catch] both on fields and meadows and anywhere one wants, and one is to remove all of it before the beginning of summer, or else the landlord is entitled to the herring lying there, or a fine for trespassing if they have previously issued a five days' notice. And all damages that fishermen do at herring fishing beyond what is permitted by law, they are to compensate for the damages based on the assessment of six prudent people, whether they occur outside the yard or within the yard. And if they have refused to compensate, they are additionally to pay a fine for trespassing. And if they set fire to fences or gates or the harvest – whatever it is – they are to pay for the damages as

they are appraised and, additionally, a fine for trespassing, whether they pay the fine on the spot or later. And the fine for trespassing and compensation for damages are divided between the landlord and the tenant in accordance with what the book outlines in the tenancy section.

49. Here, it tells about peace at herring fishing, and what the penalty is

All prosecutions are to be suspended during herring fishing. And if they leave without paying compensation, the captain is to act as a guarantor for his crewmembers wherever he is stopped, and he can subsequently demand reimbursement from them if charges are made, but otherwise, everyone is only to be responsible for themselves. And if they take oars or planks or ladles or other rigging or fishing equipment from each other or damage it, they are to compensate for it based on the assessment of prudent people, and pay compensation for ill will in accordance with a lawful judgement. And if they do any of this when the owner is nearby, they are to pay full personal compensation to the owner in accordance with the judgement of six people, and damages which people assess, and the king half a mark of silver.

50. Herring from nets

Now, people take herring from other people's nets and they are not beggars or their servants, and this is confirmed with witness testimonies, then the owners of the nets are to receive all the herring that the other person had moved on land, and that they scooped out without permission. And if someone intentionally tears people's nets or cuts them apart in order to take herring from them, they are to pay compensation for the damage to the nets and catch, and full personal compensation to the owner in accordance with a lawful judgement, and a mark of silver to the king.

51. Here, it tells about fishing casts

No one is to cast their fishing line in the way of another person's line; the person who cast out their lines first is to have the cast, and they are to fish for the person towards whose fishing lines they cast their own line. And if it is no use to either of them, the captain is to pay the other captain a fine for ill will in accordance with a lawful judgement, and each crewmember is to pay an ounce of silver; the other crewmembers are to receive this. And if they both cast their lines at the same time and they are thrown together, each is to have what they catch if neither of them casts in the direction of the other. And if it goes in some other way, whoever catches more is to have half.

And if people throw out dragnets to fish herring, anyone who wants can put a line under the buoys up to where the pulleys come ashore, and they

are not to scoop herring from the net before that. And if they are not told to leave, anyone can help themselves with baskets and hand nets, but they are nevertheless to do it in such a way that they fully help other people.

And if others tell them to leave but they continue to scoop herring, those who laid out the net are to receive all the herring. And if they load so much that their boat does not float, so that they are unable to help before the net-hauling rope is pulled ashore, the person who laid out the nets is to receive all the herring that the others convey to shore, but if it sinks, everyone may have what they took. And the person who casts themselves on the floats and refuses to help and does damage to the catch and they are told to go away, they are to pay compensation for damage to nets and catch in accordance with the previous stipulations, and full personal compensation to the person who laid out the nets, and a mark of silver to the king.

And if a net spoils proper net fishing, so that it gets thrown over the floats or the floats are cut loose, or whatever kind of damage to nets occurs, or damage to catch, as a result of someone else's unnecessary carelessness, they are to fish for those to whose catch they did damage, and pay compensation for the damages if there are any, and a fine for ill will, in accordance with a lawful judgement.

And if the nets manage to drift together on account of currents or storms, they are to be separated so that neither has any damage as a result, if possible. And if it is not possible, pay compensation for the resulting damages unless both are there. And if both are there, each is to assume responsibility for half the damage unless it is the fault of one of them.

52. About goshawks and gyrfalcons

All goshawks and all gyrfalcons, wherever they lay their eggs, belong to a landowner. And if they wish to sell gyrfalcons, they are first to be offered to the king before anyone else. The king may have gyrfalcons hunted in the forest of anyone he wants in Norway. And anyone else who takes [a gyrfalcon], they are to bring it back and, additionally, pay a fine for trespassing to the landlord.

A tenant is not to allow ships to be at shore longer than five nights if weather permits travel.

A tenant is to use the forest for making a ship for their needs, not more than a twelve-oared boat while the rental contract is valid. And if they make a larger one, they are to make it for the landowner, and pay them a fine for trespassing in addition.

No one is to cut birch bark to sell unless they need to purchase salt for their farm. They are not to make any more salt than what they need for their farm unless they need to purchase bark for roofing over his head while they live there.

And no one is to make more tar than what they need for tarring their vessels.

And no one is to have a gathering on another person's land, unless the person who has rented the land needs to fulfil their duty to hold an ale feast. And if they do so, they are to pay a mark of silver to the landlord.

53. Cleared areas in the country

If a cleared area in the country or on common land is settled, the person who clears it is to have it for three years with no rent or levy duty, and they are not obligated to carry arrow messages or transport the poor. And when the three years have gone by, six prudent people are to assess what the cleared place warrants with regards to rent or levy duty. Then the person who is the nearest neighbour is to send messages to the new farm, and from the new farm to the next farm in the route of messages. And if they fail to pass on the message, they are to answer to message failure in the same way as other householders do. And if people disagree as to which farm is the closest, they are to measure it with a measuring rod, and the person's position becomes the worse, the further they unlawfully carry the message, for they can take the right course when they want. And if the cleared place is deserted because it is overextended or the owner is unable to rent it out even though they would like to do so, messages are to be sent and the poor transported in the way it was done in ancient times before the cleared place was settled.

54. Here, it tells about how messages are to be passed between farms

The person who is able to represent words or oaths accurately is to carry messages between farms. They are to be presented to the householder, if he is at home, the mistress of the house if he is not at home, his son if he is of legal age, his daughter if she is of legal age, next the steward or the highest-ranking man at the farm. And if the entire household is away from the farm, one is to go to the householder's living room if it is open, and put it in the high seat and support it so that it does not fall. And if it is not possible to enter, the message is to be tied across the middle of the door so that everyone who enters can see it. They are to go to those who brought them the message and hear what the message is and then take it to the next neighbour.

The people of the district are to keep a message overnight. A message is to be taken there on the first day it is provided, and do not send the message earlier or later than so that the message is easily kept overnight, and so too, the second and the third. Now, the person who receives it is to note what time of day the message arrives to them, with witnesses if there are any available. And if there are no witnesses available, the person who brought it there is to swear a three-man oath.

Now, someone claims to have brought a message to their neighbour, and the recipient denies it, then the person who brought the message is to testify with a three-man oath that they did not bring the message earlier or later

than they were obligated to do by law. Then the recipient is to pay for failure to deliver a message, an ounce of silver to the king.

Now, failure to pass a message occurs when the message does not reach a place of accommodation, and second, that it is not delivered, and the third failure to deliver a message is when one puts it in the hands of a dependant. And if someone moves their houses from an ancient lot and to a lot of theirs within the enclosure that is more convenient for them, a message is to be carried to those houses, and the poor are to be transported there. And if they release them before that, they are to take full responsibility themselves.

No one is to take a message to someone else from when the sun sets in the summer, or the day in the winter; so the same regarding the poor.

55. Further on message failure on empty lots

In every case when someone mows or sows their land, and there are houses fit for human habitation on it, they must keep up all message passing. Now, the owner of a deserted piece of land refuses to carry messages or transport the poor, then the person who lives the closest is to transport [the poor] to where people are living, and they are permitted to use half of their land unless they negotiate some other deal. And if more people live on a piece of land, they are to divide both message passing and transportation of the poor between them equally in accordance with the householder's wishes, and not based on the proportional ownership of land. And regarding all new farms within the boundaries between common and private land, the landowner or their representative is to bid householders to pass messages at an assembly.

56. Here, it says that there are four assemblies that householders are generally to attend

Now, every person who considers themselves in need of an assembly has the right to decide on an assembly. In that case, everyone is to carry this message and not fail to pass it on. Now, that is to be sent to the winter dwellings following the proper route of messages, and not to the shielings, and if they fail to pass the message, they are to be fined an ounce of silver to the king. Now, all householders are to attend to whose home the message arrives, with the sole exception of small farmers. They are to involve themselves in four assemblies: the king's assembly, an assembly called in connection with manslaughter, a levy census assembly and a muster. Everyone who has come into their personal rights is to attend these. And small farmers can remain at home for all other assemblies if they so wish. A small farmer is one who has someone younger than fifteen years old to work with him, whether it is his son or someone else's. And a widow and a householder unable to work are only to go to an assembly if they wish to do so.

And all other householders are to go to assemblies when a message reaches their home, or else pay a fine for failure to attend an assembly, an ounce of

silver to the king. Now, if a message arrives late to the householder, and the road to the assembly is so long that the householder is unable to arrive at midday, and they have two discerning people as witnesses to this, they can remain at home without penalty. Now, if more than one person is charged in a single case of failing to attend an assembly, a message may summon them to the assembly if they have been fined to the knowledge of witnesses.

57. Here, it tells about transportation of the poor

All those impoverished people whose relatives lack maintenance money to support them, and they have no assets with which to support themselves, and they are not able to travel by their own means, then each householder is duty-bound to transport them, so a small farmer as a fully-fledged householder. So does the poor man need God's mercy as the man who has more, and they are to transport [the poor] from a farm following the route of messages. First, the person who is at the front end of the route, and transport to the next farm; anyone who does not transport in that manner is to pay a fine of an ounce of silver to the king.

And if they move them to a deserted place, or where the pauper dies as a result of them bringing them there, or it seems to prudent people that it is their fault, and so, too, if someone turns a pauper away from them and refuses to shelter them and they die as a result. And whoever is proven with witnesses to have done so – which, God willing, no one will do – they are to pay full compensation for that person to the relatives of the deceased, in accordance with the judgement of prudent people, depending on the circumstances. And so, too, a penalty for killing the king's subject, and those who judge are carefully to adjust their judgement in this matter so that such offences will not become too common.

And if the person responsible refuses to receive the pauper or allow them to be lead inside, the person who transported them is to nominate witnesses and declare the person who was meant to receive the pauper responsible for them, and then they are free of responsibility. And if, subsequently, it happens that the pauper either dies from exposure, or animals or dogs bite them to death, it is the fault of the householder who had them remain outside.

The poor are not to be transported any later than sunset; the sun is to determine this in summer but the day in winter. And those people who transport themselves are to be permitted to go indoors in the winter at the time of feeding, or else pay a fine of two ounces of silver to the king, unless they die outside. Then it depends on the lawful judgement, unless they themselves cast their dependant off their hands; they are to be wholly responsible if they have maintenance resources to support them.

And it is especially ordered that if a pauper falls ill and asks for a priest, then the householder is duty-bound to go fetch a priest, and they are not to transport the invalid from their house before the priest arrives to them. They are to pay a fine of three ounces of silver to the king if they do not go fetch

a priest, unless necessity prevents it. And if the priest refuses to go, assign responsibility to him with witnesses.

Now, the poor are to be housed overnight, and they are not to be driven out after the sun has set. And if anyone breaches this ordinance about the poor, they are to be guilty of what was outlined previously, and go to confession, and atone to God for refusing to help a Christian.

58. Here, it tells about bears and wolves

It is permissible to hunt bears and wolves in anyone's forest for those who want, unless the bear has gone into its den. It is to be declared in the presence of many people that the shelter belongs to them. Now, other people hunt it, then they hunt for the person who owned the shelter, and they are to pay the landowner a fine for trespassing.

Now, if neighbours own forests together where traps are put out, the person who wishes to divide and lay traps is to ask for division with witnesses present, and if they refuse to divide, the person who wants to lay traps can do so and make use of the catch. But if they lay traps and have not asked for division, the catch belongs to all of those who own the forest together, and they are to divide it in proportion to their land ownership. Now, if someone lays a trap on their property or where they have permission to do so and people steal his trap or cut it down, that is called vandalism, and if it is proven with witness testimonies, they are to pay a fine of half a mark of silver to the king, and compensation to the owner based on the assessment of six prudent people, and a fine for ill will in accordance with a lawful judgement.

Now, if someone steals an animal from another person's trap and it is proven with witnesses, that person must pay a fine of a mark of silver to the king for thieving, and twice the catch's worth to the person from whom they stole. Now, if someone sets traps in the home area, they are to remove it during the day and set it overnight. And if livestock gets into them at day, the person who owned the trap shall have the animal and pay the animal's owner for a replacement of equal worth, in accordance with the judgement of six people.

Now, if someone sets traps away from home areas, sets self-closing traps for bears or other animals, they are to declare their location at the district church or an assembly. And if people subsequently walk into them and come to harm as a result, they are to be responsible for themselves. But if it is not declared and someone dies from this, one is to pay five marks of silver in compensation to the heirs of the deceased, but compensation to kinsmen and the king is omitted. And if they survive, they are to pay them compensation for wounds based on the assessment of six prudent people, three from each party; the king has no share in this.

No one is to set a trap on someone else's land. And if they do so, they are to pay the landowner a fine for trespassing, and hunt for the landowner.

59. Here, it tells about people's hunting of animals

Now, people go animal hunting, then everyone is to go to their own forested boundary area and set dogs on animals there. The person who instigates the hunt owns the animal while they pursue it even though someone else fells it. Now, an animal begins to swim, then whoever hits it is owns the shoulder; they are to cut it off with the coat, or receive payment for the gap in the coat. Now, the animal runs off the hunting tracks and other people fell it, then the person who fells it has the right to half of it, and the one who instigated the hunt half. Now, people go to a forest or forested boundary area to set dogs on animals, then they hunt the animals for the owner of the land, apart from bear and wolf.

60. About moose hunting

Now, if someone crosses someone's land on the right roads, they may shoot those squirrels which they see loose dogs have. But if they attempt any other hunting on someone's land where there is a forest with squirrels, they are to pay a fine of a mark of silver, half to the king and half to the landowner, and a fine for trespassing additionally. And a hunting hut which belongs to someone, built with four posts, the fine for trespassing in it is increased by half.

And if someone goes hunting in someone's moose-hunting forest or empties their traps of wood grouse or otters, they are to compensate for that in accordance with a lawful judgement. All moose are to be left in peace by those who go on skis, everywhere within the boundaries of the landowner. And if people shoot or hunt moose outside the boundaries, that does not incur a fine to the king, and so, if they catch them in pens or traps. And anyone who goes moose-hunting on skis without the permission of the landowner is to compensate for that in accordance with a lawful judgement. The person who shoots an animal is to receive half of it and the landowner half.

Swedes are to pay compensation just as those who live in the kingdom of Norway if they shoot or fell animals in the kingdom of Norway. This peace is to be valid in this entire jurisdiction and as far east as the kingdom of Norway reaches.

61. Here, it tells about common land

Now, common land is to be as it has been from ancient times, both the upper and so the outer. And if people disagree and one person claims that a piece of land is theirs and another that it is common land, the person claiming it as theirs is to initiate a court case and call an assembly where people shall deal with this matter, and they are to have summoned the assembly with five days' notice. And if they do not do so, the court case is forfeited at this time.

And at the assembly, they are to name twelve owners of allodial land, or the most excellent householders if there are no allodial landowners, six

in the assembly district (*þingbá*) by each of them, and they are to have two of those twelve it is possible to get to swear an oath regarding whether it is their property or common land. And after that assembly, the person claiming ownership of the land is to give five days' notice and bring forward witnesses nominated at the assembly. And if the fifth day happens to be a holy day, the notice is to be given for the first working day thereafter, and they are to bring witnesses forward with the same validity as at a five-day meeting. And then they are to swear an oath to that they have heard that a forested boundary area divides the householder's property and the common land, 'and do not know anything more true in that matter before God'. And then the five days' meeting is to be set and each is to be allotted what is theirs by judgement.

And if the king's representative makes the accusation towards someone that they are the occupant of a plot that is situated on common land and is now farmed without the king's permission, and the occupant answers so, 'I have had possession of this land, and those who had it before me, for sixty years or more'. And if the king's representative casts doubt on this matter, the occupant is to bring their witnesses forward in the manner noted previously, regarding someone's property and common land.

62. Here, it tells about cleared areas on common land

The king may farm common land anywhere he wants. And the person who takes possession is to put up a fence around the yard in the first twelve months, and they shall have no option to move the enclosure again, and for the yard, they are to have the length of a reaping knife's throw in all directions for their own benefit. The person who first begins to mow with their scythe is to have all haying on common land for twelve months.

Everyone who wishes to have a summer dwelling on common land is to make a shieling there. And if someone sows on common land and has not received possession of it from the king's representative, the king owns both grain and hay, if any hay is made.

Now, someone burns down a shieling on common land or a smithy booth or tar-works or a fishing booth or harvest (*andvirki*), anything at all, they are to pay a fine of three marks of silver to the king and pay compensation to the owner of the harvest following a lawful judgement unless it is considered an accidental act, and even so, they are to pay compensation to the owner in accordance with the assessment of six prudent people.

And if two people go to mow one area, they are each to have what they mow. And if they disagree about who of them began to mow before the other, the person is to prevail who proves their word with a one-man oath, unless the other person has more counter-witnesses. All fishing waters on common land are equally permitted to everyone.

Timber and boarding wood may be stored on common land while needed for up to twelve months. And for anything else, one is only to fell what can be removed by evening, and if not, everyone has a right to it. And if the wood

is taken within twelve months that, as previously stated, may be stored, the person who takes it is to pay a fine of six ounces of silver to the king, and the owner is to receive payment for it and compensation for ill will following a lawful judgement.

63. Here, it tells about animal pits and animal pens

Anyone who wants can make animal pens or animal pits on common land in such a way that it does not spoil someone else's hunting prospects, in the same manner as stated previously regarding traps and the hunting of wild animals. No one is to make it closer to someone's farm which is already there than so that noise cannot be heard between the two, or the cleared area where someone plans on making a farm. They are to make it using the end of another fence if they wish. And if a fox pen or spear fence or animal pits or a wolf-hunting hut or bear pens lay in disrepair for more than ten years, then whoever wants to may renovate them and make use of them while they are able to maintain them.

64. Here, it tells about an allodial landowner and finding drift whales

An allodial landowner has exclusive rights to a drift whale, or someone with a higher rank than an allodial landowner, eighteen ells long or shorter. And a person is an allodial landowner who has inherited allodial land both from their father and mother, those which their parents owned before them, and they are not to count other people's allodial land among these, those which have been acquired through purchase, or inheritance, or other people's allodial land. And a whale half that length is the exclusive right of any other person.

Now, someone finds a drift whale to which they have exclusive rights, then they are to cut it up in the presence of witnesses, or let the whole spine and head and tail remain, and it is to be testified to on their behalf if they have no witnesses to it themselves. Now, a drift whale is to be transported there to land, as one wishes, and cut it up there and move up on land. Now, if the landowner considers them to do damage to either a field or a meadow, they are to pay compensation for damages to the owner of the field or meadow based on the assessment of six prudent people and, additionally, a fine for trespassing. If a drift whale floats up to a beach or rocky stretch where there is no damage done, it can be moved away without penalty.

Now, a whale drifts onto someone's land, whether it drifts to within the enclosure or outside it, then the king owns half of it, except for the blubber to which the finder is entitled, whether the whale is larger or smaller. Now, a whale drifts into a fjord so that it can be shot with an arrow from either side, then both lands own the whale. And if the drift whale is stranded before people become aware of it, and even though it is not shallow water, or it drifts onto an islet, the land owns the whale and they are to divide it in

the way stated previously. Now, a whale drifts onto a boundary line, then each party owns the part of the whale on whose land it lies. Now, one can hunt a whale where one wants apart from a fin whale during herring season. And if one shoots a fin whale during herring season and so despoils God's gift, they are to pay a fine of eight *ortogar* and thirteen marks of silver to the king.

Now, someone hunts a whale, and it swims or drifts onto land, then the hunter owns half of it and the landowner half. Now, someone shoots a whale with a marked spear and other people find it floating in the sea, then the person who shot it owns half of it if they have witnesses to their throw, and the people who subsequently find and retrieve it half. Now, someone shoots a whale in fishing waters, a larger whale than one to which they have exclusive rights, then the person who finds it gets the finder's blubber. They are first to cut off the blubber surrounding the harpoon and go to inform the king's representative; then they are to get the finder's blubber for that whale, two fathoms in each direction in a square. Now, one shoots a whale on land or by land so that it is not necessary to move it, they are to bring out fastenings and secure the whale with them, and they receive a fathom of finder's blubber in each direction. And if they need to bring any fastenings there, they are to receive two fathoms of finder's blubber in each direction. And if a whale drifts away from land and the fastenings remain on shore, they are not to be penalised, and if the whale is found, they are still to receive the finder's blubber. And if there is nothing left of the fastenings on land, the whale has been badly secured, and they are to pay a fine of four marks of silver to the king.

Now, someone finds a whale on land, whether it is larger or smaller, and they do not secure it, and they notify the person entitled to it, they are to have half a fathom of finder's blubber in each direction. The finder's blubber is to be cut downwards from the dorsal fin and back to the side, all the way to the bone. Now, those who are not entitled to any of a whale go and cut it loose from the fastenings overnight, the person who does so is to pay a fine of eight *ortogar* and thirteen marks of silver to the king, but those are to receive their whale who are entitled to it. Now someone drives a whale into someone else's whale bay and fences it in without the other person's permission, then the person who owns the bay owns the whale, and they are to remunerate the other person for their work in accordance with the assessment of six prudent people, and what they consider to be fair.

Now, someone drives a whale into those bays which are not whale bays, then the person who does the hunting owns half of it and the owner of the bay half. Now, someone shoots a whale out on the fishing grounds so that they are unable to move them to land, they are to cut off whatever they can and not to cut open the cavity and then let it drift. Now, a whale drifts onto common land, the king owns half of it and the householders half, those who own the common land with the king.

65. Here, it tells about seal hunting

And if someone finds a net at their seal colony site with a seal in it, they own the net and seal until the owner pays for its release with a fine for trespassing. Now, one can shoot a seal from a ship if they row straight, whether it is swimming or on land, unless the seal is lying at a colony site where a trap has been built; then they hunt from the person who owns the hunting station. Now, someone shoots a seal from land and no trap has been built, the owner of the colony site is to have the seal. Now, if a trap has been built, they are to have the seal and, additionally, a fine for trespassing.

Now, someone strikes a seal and other people find it, then the finder gets half of it and the one who struck it half, and the person who shot it gets their harpoon if a harpoon comes with it.

Now, if one shoots a seal or a porpoise or a fish other than whales above the deep-sea boundary, and brings it to the owner, one is to get one-third of it outside the enclosure but a quarter within the enclosure, and the land is to get the other two parts outside the enclosure, but three parts within the enclosure. And if they take it away, they are to bring it back and, additionally, pay a fine for trespassing. And if one finds a dead animal on land, the finder gets half of it and the landowner half, whatever animal it is.

Notes

- 1 ON *hægindi* ‘comfort, convenience’ rather than a word signifying ownership, but as is conveyed in this paragraph, this means that the tenant builds a house for their own use on the landlord’s land.
- 2 Cow is used throughout as a gender-neutral term for a single male or female animal of the bovine domestic sort. See Brent Huffman, ‘Cow’, *Encyclopedia Britannica*, www.britannica.com/animal/cow, accessed November 4, 2020. Cattle is used as a mass noun to indicate a group of cows.
- 3 ON *laukar*; *laukr* is a leek, onion or other type of allium, but the usage of the plural *laukar* in a domestic context usually indicates that it can refer more generally to herbs and vegetables.

Trade section

1. Here begins the trade section, and in the first chapter, it tells what a person is guilty of who takes from someone else

Now, it is next that none of us shall steal from someone else; we are not to appropriate other people's property; everyone is entitled to a judgement for their property. And anyone who takes from someone else is to bring it back and pay the person from whom they took full personal compensation in accordance with a lawful judgement, and three ounces of silver to the king for having wrongfully stolen, and thereafter, they can pursue what they are entitled to by law.

Now, a baron or king's representative seizes a householder's farm which has not been appraised or removed by judgement, or imposes other seizures of property on them, they are to return it and pay a fine of ten marks of silver to the king. And each of those who assisted them is to pay a mark of silver and full personal compensation to the owner of the assets in accordance with a lawful judgement.

Now, men row to a householder with a fully manned ship, or a force of men go to his farm, and they overpower him and break into the householder's buildings and carry out his property, that act incurs outlawry. Those of them who wish to remain in the country are to bring back the property to the householder, everything they took, and pay the king ten marks of silver and full personal compensation to the person they robbed, in accordance with a judgement of twelve people, or be outlawed.

2. Here, it says if someone defends a debt against another person

If someone claims money from someone else, they can defend themselves against this claim by declaring that this debt has been paid to another person, and name their witnesses, those who were present, and the time and place. Now, the witnesses are within the county, then they are to be given notice appropriate to the distance. And if the witnesses are outside the county, they are to be lawfully summoned to come there and testify about what they witnessed.

Now, they testify that they were present when the defendant paid that entire debt from their own hand and into the hands of the person to whom it was owed or their lawful representative. And a lawful representative is someone who has two witnesses to their mandate; then they have a rightfully defended claim. It is called a conclusive witness testimony, and it cannot be met with counter-witnesses. Third cousins related by blood or marriage are not allowed to testify on someone's behalf unless they are equally related to both parties. Two people may take one person's testimony if the person who was present is the primary witness, and if another person who was present is unable to attend, and other people have heard his testimony previously. Then it is just as valid as if all of them had been present at the beginning.

Regarding all debts for which oaths must be sworn, one person can refute one ounce, but two two ounces and three three ounces. And even if the amount is higher, there is not to be more than a three-man oath. And in every case where people do business with each other in a lawful manner, surplus is to be returned while deficit is to be made up, until the numbers add up correctly.

3. Here, it tells about asset claims between people

Now, it is next that if someone is owed money by another person which witnesses know about, or which has been acknowledged, the person who intends to call in their debt is to claim their assets with two witnesses anywhere they can find the person who is to pay, and give them a fortnight's notice. And if it has not been paid by this notice given, the plaintiff is to summon an assembly and yet again claim their debt, which is known to witnesses.

Now, it is best if they pay on the spot, or their representative, or within a fortnight in the absence of a valid excuse. And if it has not been paid by then, the plaintiff is to nominate as many assembly members as they believe necessary to go to the home of the debtor, and there appraise assets as payment for their debt, and full personal compensation from the defaulter's assets in accordance with a lawful judgement.

Now, all householders are duty-bound to go on this journey. Anyone who does not go is to pay a fine of an ounce of silver to the king. The king's representative is duty-bound to go, and thus, they gain half a mark of silver on behalf of the king. And if they do not want to go, they thus forfeit the king's fines.

Now, people stand in their way and resist with points and blades, then everyone who stands in the way is outlawed, while all those who advance and seek to uphold the law are inviolable. And even if those who stand in the way do not fall, the debtor is to pay a fine of eight *örtogar* and thirteen marks of silver to the king, and each of the others a mark of silver.

4. Here, it tells about lent assets and all assets removed by judgement and everything about which witnesses know

Now, lent assets, and assets removed by judgement, and all assets witnesses know about, or the debtor acknowledges, are to be pursued in the manner now outlined. Regarding all assets that witnesses know must be paid by a certain date: you are to bring forward your witnesses on the day that you have summoned the debtor home. Now, the person who was to receive the money does not come, but the person who is to pay does, the money is to be offered on the due day, and they are to ask whether anyone present has been given a mandate to receive this money in the presence of witnesses. Then [the payment] is to be handed to them. But if no one is there, they are to renounce their responsibility, and the person who had [the payment] before is to retain [it] and be responsible only for their own errors until the owner comes to fetch it, at which point [the payment] is to be handed to them.

Now, someone is owed money by another person, and this is not known by witnesses. Then one is to summon them home for a formal debt claim, and there issue a claim for their assets, those which they demand from them. The other person is either to accept to pay the debt or refute it. And one person is to refute the charge of an ounce, and two two ounces and three three ounces. And even though the amount is greater, one is nevertheless not to refute it with more than a three-man oath. And if the defendant wishes neither to accept the debt nor swear an oath, they acknowledge their responsibility for a debt in accordance with the previous suit.

5. Here, it tells about debts one collects from destitute people

If someone who is destitute owes a debt to another person – someone who has lost their money in a fire or a shipwreck or another misfortune – if the owner calls in their debt, they are to swear a one-man oath that they will pay that debt to its owner as soon as God gives them the means to do so, if they have never before been known as a defaulter.

Now, someone calls in their debt from a destitute person who has none of the circumstances listed previously, then they are to keep [the person] in custody and summon an assembly, and let them go forth unfettered at the assembly, and ask their relatives to release them from the debt for which they are responsible. And if they do not wish to pay for their release, the members of the assembly are to sentence them to work off the debt wherever they get work – if they are able to work – to repay the debt to its owner. But if they run away, they are to be punished in accordance with a lawful judgement, unless people consider there to be some circumstances that merit greater mercy, and they are to decide whatever they are willing to answer to before God.

6. Here, it tells about claiming debts from a dead person

Now, the person who owed a debt is dead, but the one who is to claim it lives, then they are unable to recover the debt unless they have witnesses, for

no one is to swear an oath on behalf of the deceased. And an heir is to swear an oath if they are of legal age, or a lawful guardian of their assets, that this debt was unknown to them. in that case, they swear on their own behalf and not the deceased's.

Now, the debt is unpaid for twenty years or over twenty years, then this debt expires for witnesses, but they may bring them to oath-swearing if they want, for the case is preserved in a salt pickle if the plaintiffs last.

7. Here, it tells about how one shall issue a home summons

Now, someone arrives in the county whom you wanted to have sued in a certain case, and they have no heirs in the county and were not there on the Holy Night, then they are to be asked for their fixed abode. And if they say what their home is, they are to be summoned there. They are not to say that they live at the baron's residence unless they do. And if they do not wish to state [their address], call witnesses and summon the person to any farm you want except your own. Subsequently, sue them there. And each person is correctly summoned who is summoned to the place where a bargain was carried out, where they did business with each other.

Someone without a fixed household is to be summoned to their home just as a householder, to where their heir lives within the county, or else they are to be asked for their fixed abode. It is to be wherever they say within the county or quarter, unless they say it is at the baron's residence.

No one is to make a charge for someone else's assets.

8. Here, it says that no one is to make a charge while the levy is out

Now, legal cases are to be halted while the levy is out, up until the time when the ships have been five nights on shore. And all legal cases are to be halted during Lent. Everything falling under the Christian court can be dealt with, and all new crimes which are committed. Legal cases cannot be carried out on holy days, with the sole exception of summoning to someone to their home.

One may issue another person's home summon as one's own if one has been given the mandate with witnesses present. Any person free and of legal age is to pursue their own suit within the country. But if they do not have the knowledge or bearing to do so, the king's representative is to pursue the suit on their behalf, and they will then receive the fine that is the penalty by law, but this will not happen a second time. And if one leaves the country, the person to whom they have given their mandate in the presence of witnesses is to safekeep their assets for three years, and that person is to pursue and defend suits on their behalf. And if they are away longer than three years, their closest heir is to take their assets into their care and they are not to spend any of it. And if the other person returns, they are to repay whatever they took to the knowledge of witnesses.

A woman is to pursue a suit in the same way as a man if she is on her own. But she has the option to put her prosecution and defence into the care of whomever she wishes. She is not to give it to a baron or anyone who ranks higher than her opponent. A man can prosecute her suit as his own if she has given him a mandate and had it witnessed.

Now, someone wants to sue someone else for some issue, but another party had previously sued them, then the person is to yield their suit first who initiated it last, for they cannot defend themselves against two people at the same time, if it is not a fraudulent suit being brought against them.

9. Here, it tells about the king's trade

The king or his representative has first right to purchase all merchandise or other useful things, whether they have been offered for sale by natives or foreigners. Then he is to be offered it first, and they are to sell it for the same price as others would pay. And regarding everything he considers necessary to buy, and which is available for purchase, it is to be sold to his representative first, whomever he appoints.

10. Here, it says that matters formally agreed with a handshake are to be binding

In every case where people buy land or farms, or exchange houses or ships or other items with each other, the contract is to be agreed formally with a handshake and two or more witnesses, and with the taking of warranties (*heimildartaka*). And all other contracts formally agreed with a handshake are to be binding, and all those that witnesses know about, if those people do business with each other who are in control of their own affairs, unless someone sells something without permission or there is a defect [in the sold item]. Then that bargain is to be made void, and the other person is to get back their payment.

And if someone sells gold or purified silver – whether worked or unworked – which is supposed to be pure and is sold as pure, that is to be pure. So too, if one sells honey in barrels or vats, malt or grain in pounds, meal in baskets, butter or salt in bushels, linen in bundles or bags, or any item which comes in bundles or bags; it is to be the same quality within as on the outside, for none of us shall sell something fraudulent or counterfeit to another.

And if the seller committed fraud, they are to pay a fine of eight *örtogar* and thirteen marks of silver to the king unless it seems to warrant more in accordance with the law. And if they sold in the same condition in which they bought, and nevertheless knew that it was faulty and did not remove it, they are to pay the king five marks of silver. And so too, if one sells fine wool fabric or linen or homespun wool fabric, and anything which is found to be counterfeit, the seller is to answer to the same penalty as outlined previously. Unless only if they did not know that there was a fault [in the merchandise],

and they are to defend themselves with a six-man oath. Then everyone is to submit their warrant for possession until the time of the inspection, and the person responsible by law is to answer for the fraud.

Everything is fraud which prudent people consider to be fraud. And the sheriff or representative is not to appraise this, because in that case, avarice can be blamed.

Now, a contract is formally agreed with a handshake but there are no witnesses to it, then the seller is to swear a one-man oath, then their contract is to prevail.

11. Here, it tells about people's terms and the marriages of women

All the terms people negotiate regarding the marriages of women, and so, too, if people buy or sell property or farms, and for every contract amounting to ten marks or more, both parties are to make a written document about their agreement and terms, and name the witnesses present, the time and place. And attach the seal of the royal magistrate or the sheriff, or some of the discerning people who knew about their contract. But if they do not get a seal, they are to make a chirograph, and that testifies to their contract if there are no witnesses to it, whether that case is judged by the royal magistrate or another rightful judge in that case.

12. Here, it tells about cases that have witnesses

Every case in which something is confirmed with witnesses, and so too, those in which there are no witnesses, whether a person has heard or seen, then they are duty-bound to testify when lawfully summoned by the judiciary. And if they do not want to testify, the plaintiff is to demand this testimony from them. And if they do not want to testify any more than before, they are to pay a fine of a mark of silver to the king. And they are to testify thus, when they are not summoned, that they are to confirm their presence, based on what they saw or heard as far as possible. Then the royal magistrate or the panel of judges is to evaluate how credible they consider this witness.

13. Here, it tells about formal contracts that are valid

Now, all contracts that have been formally agreed with a handshake are to be binding, those which can prevail by law. It cannot be binding if a person sells someone something they have previously sold to another person. And if the person who was the latter buyer has taken possession [of the item], they may protect their purchase with a judgement from a court of arbitration until the royal magistrate's verdict.

Now, the first buyer is to have their contract fulfilled if they have satisfactory witnesses in the court of arbitration. Then it is a fraudulent contract for the latter buyer; then they are to declare it in the presence of respectable

people. It is a fraudulent contract if someone buys something that the seller did not own any part of, unless it was sold at the behest of the owner.

Now, they are to find the person who sold to them and demand from them what is rightfully theirs. And if they refuse to hand it over, they are to summon them home and bring forward their witnesses to testify that they handed it over in accordance with the law, and demand their money from them, and accuse them of theft. And if they subsequently sell [it] to someone else, they are to pay a fine of half a mark of silver to the king.

Now, if they do not manage to deliver the same item, or another of the same value, they are to pay the buyer one ounce for each mark exchanged, and an ounce regardless of whether the contract amounts to less than that, and then their matter is settled. And if the buyer is aware that they purchased something that someone else had bought previously, they are to pay a fine of an ounce of silver to the king for every mark exchanged.

Now, someone trades with an outlaw, then the king owns the money with which they buy from them, and they are to pay a fine of six ounces of silver to the king, or prove with a three-man oath that they did not know they were an outlaw.

14. Here, it tells about rented cows which people rent from others

Now, someone rents out a cow, then the person who has the cow is to guarantee it, except in the case of raids and sudden illness and pneumonia and calving and old age, or lightning and babesia, or if the wind fells a tree on it. And if a cow in the possession of a poor person dies, they are to repay its value over three years, based on the assessment of six prudent people, for no one is to rent a cow for longer than it lives unless they kill it themselves.

Now, they are to have the cow in their possession according to a valid rental contract until the feast of the Cross of the second spring, because at that point, cows are to be moved, unless they have agreed on another day when they received the cow.

Now, the cow is dead, but they had a pledge in another one, then they are to take that cow for their own, because one cow is to replace another. But if it lives, they are to have back their cow, even if it is older. And if damages have come to it, even if the tail is torn off or a horn broken, then those damages are to be compensated.

Now, they do not want to rent the cow any longer, then they are to find the owner of the cow if they are within the county, and offer them their cow with witnesses present. And if they are not within the county, then they are to transport the cow home, and bring people to have them observe this cow, that it is healthy and in shape to be received by the owner. Then they are to renounce their responsibility, and one is to mind the cow as one's own cattle, and make use of its milk, and receive it for one's grass and herding, and be responsible only for their one's mistakes. Now, if the owner of the cow has left the country and they have charged someone else with the administration of their affairs, they are to offer this person the cow if they are within the

county, an heir if there is no property administrator, if they do not want to rent it any longer.

15. Here, it tells about cattle foddered by contract over the winter which people take into their care

Now, someone places their cattle into someone else's care in accordance with a valid winter foddering contract, then they are to be responsible for all of their mishandlings. It is someone's mishandling if they starve or kill the cattle, or those do so on whose behalf they are to speak or swear an oath. And it is their mishandling if the custodian does not find the cattle before its life has expired. And so too, if a bear lobs it or wolves maul it or it falls over a cliff and there is no herder guarding it, then that is their mishandling. And if it falls over a cliff and they show it to people before they flay off the hides, then it is not their mishandling. Furthermore, it is their mishandling if livestock drowns in a well and no one is guarding it. It is also their mishandling if it dies from starvation or it strangles to death with a halter. But if there is a swivel or a pole on the tether, then it is not their mishandling.

Now, they are to rear the cattle until it can survive outdoors. Then they are to find the owner and bid them to take care of their flock, and show them that it is in shape to get itself food, and renounce their responsibility for it. And if one takes a horse for foddering or grazing and wolves maul it outdoors, that is their mishandling, if other people's horses are not out. Now, someone takes a cow for foddering, they are to be responsible for it in the same way as with cattle foddered by contract. It is not someone's responsibility that a cow rejects a calf if they have a bull among his cattle.

16. If someone has made an agreement to use a cow to pay their debt

Now, someone has made an agreement to use a cow to repay their debt, one that is lacking neither in purchase nor rental value, then that cow is not to be older than eight years, and not younger than having had its second calf, healthy and with intact teats, and it is to have had a calf that winter after the feast of the Conversion of St Paul [January 25].

Now, one buys a horse or livestock from someone, then it becomes the responsibility of the buyer as soon as they lead it away. When one purchases live livestock, no one is to sell it to someone else fraudulently or with concealed defects. It is a concealed defect on a horse if it is deaf or blind, overworked, lame, nervous or stubborn, and cattle, if it drinks from itself. The seller is to swear that they did not know about a concealed defect on the animal, or take it themselves, if the other person finds it during the first month.

17. When someone buys something sight unseen

Now, someone buys an item from someone else sight unseen, then it is the responsibility of the seller until it has been given into the hands of the buyer,

or the person they gave the mandate to receive it with witnesses present, unless they agree on something else in the presence of witnesses.

18. Here, it tells about the division of items

Regarding all those items which people own together, whether it is a field or meadow, house or other items which can be divided, then the person who wishes to divide is to decide on the division in accordance with what it says previously in the section about allodial land division. And when two or more people own a single item together which cannot be divided without causing damage to it, an item which one party wishes to make use of and another neglects or is unable to take care of, they are first to offer the person who owns it with them for sale.

Now, they do not want to buy it, then they are to cast lots about who is to buy it, and the person to whom the lot falls can redeem it in accordance with the appraisal of six prudent people; otherwise, they can sell to whomever they want and pay them their share of the payment. Now, they do not want to receive the payment, then they are to keep it without penalty until the other claims it and vouch for it as for their own assets.

No one is to sell something belonging to someone else except in accordance with what it says in the law. And if people own a ship together which neither of them are in a position to buy, and no one else wants to buy it, the person who so wishes can keep it for their own use and pay the other owner their share of the ship rent and deduct what they need for costs for their share.

19. Here, it says that the person who borrows an item, and who is lent it, is to be responsible for it

The person who borrows an item is to be responsible for it and return it intact. And if they do not want to do so, that is to be pursued as known assets. And known assets are everything a witness knows about, and also everything that a panel of judges awards someone. And so, too, if the royal magistrate compels someone with a lawful verdict to pay someone else assets, then those are known assets.

Now, someone lends or sells an item they were lent, and it is damaged, then they are to make a claim to whomever they want, the person who sold or the one who bought. It is to be so in every case where someone lends or sells someone else's property.

20. Here, it tells about if one pledges something one does not own to someone else

Now, someone pledges an item as security to someone else, then the person who receives the pledge is to be responsible for it. If they have agreed on a

date on which it is to be redeemed, they are to offer [the pledge to] them or their representative on the appointed date and have witnesses present. And if they do not redeem at that point, then do whichever they want following the assessment of prudent people, to retain it themselves or sell it to someone else. The person who received the pledge is to have the debt owed to them but the owner what remains. Now, no pay date is set; they are to redeem within twelve months or proceed in the way outlined previously.

Now, if someone has assets to claim from someone else and they accept an item as a pledge for their assets, whether it is land or other property, that pledge is to be appraised. Now, they sell the pledge to another person, then the person who owned the pledge is to have witnesses for their pledge, and they are to have redeemed it in the first twelve months if they are within the county. And if they are not within the county, they are to have redeemed it in the first twelve months after they return home to the county unless prevented by necessity, those listed in the laws. They are to have witnesses to confirm its truthfulness, or else they will never have a chance to raise this case thereafter.

Now, someone gives a single pledge to two people, then the person who received it first is to keep it, and it is a fraudulent pledge for the person who received it second and witnesses know about this.

21. Here, it tells about people's transfer of debt

Now, someone claims a debt from someone else. If they are within the county and transfer their debt to another person, they have discharged the debt for their part if there are witnesses to the other person taking over the debt in the first person's place. A dependant may not decide on any bargains.

And let it be known how large a bargain women may decide on. A householder's wife a bargain of one ounce, the wife of an allodial landowner a bargain of two ounces and the wife of a baron a bargain of half a mark. And if a bargain amounts to a higher sum, it can be cancelled in the first month. And if her husband is not at home, he may cancel in the first month after he comes home and he finds out about this bargain.

22. Here, it tells about labourers

Now, someone buys the labour of a free person, then everything they agree on is to hold. And if a householder does not want to honour a contract with their labourer and they dismiss them from service, they are to claim their position in the presence of two witnesses and offer them their labour in the manner they had agreed upon. Now, if the householder does not want it, they are to pay a fine of three ounces of silver to the king, and the other person is to have their wages and food costs for what is not yet consumed. And if a hired worker does not want to honour a contract with a householder, the householder is to demand that they perform such work as they had agreed to do in a legally binding way, and offer them service in the presence of

witnesses. And if they do not want it, they are to pay a fine of three ounces of silver to the king, and then the householder can claim from them the same as what they would have paid them for, and they have forfeited food costs, for they have turned it down themselves.

And if someone knowingly takes another person's labourer, they are to pay a fine of half a mark of silver to the king.

And if someone undertakes work and is unable to perform it, people are to assess what wage reduction they are to get for that. Now, a hired worker lays ill or wounded and is bedridden for a fortnight, that is not to incur wage reduction from the householder when prudent people assess and see that they are being kept properly. And if they lay longer, six prudent people are to assess their loss of work and the food they consume, or else have their heir support them.

23. About getting hold of labourers

Now, because labourers are very difficult to get hold of in the country, and everyone now wishes to go on trade journeys, we wish to abolish completely that anyone goes on trade journeys who owns less in assets than three marks of silver. This ban is to last from Easter and until Michaelmas. And from Michaelmas and the entire winter thereafter, all may go in peace with whatever good God grants them, whether less or more. And those captains who hire men to their ships with less in assets than what is outlined now are to pay a fine of two ounces of silver to the king for each one of them, and so, everyone who enters a joint ownership (*félag*) with them.

24. Here, it tells about loading ships in the country

Now, someone loads a trading vessel at home in the country, and people commission their transport, they are to organise the ship so that everyone who has ordered transport has space onboard. Now, if the ship is overloaded, the captain is to offload his own stock first, and those who paid for transport are to get one. And if they still do not consider it able to sail, those are to get off who commissioned transport last until the ship is able to sail; then they are to pay a fine of two ounces of silver for breach of contract.

25. About travel bans between countries

Now, people travel between countries or places despite a ban; then the captain is to pay a fine of eight *örtogar* and thirteen marks of silver to the king, and each crew member a mark of silver. And if someone goes from a market town and to the country despite a ban, they are to pay a fine of a mark of silver to the king. And one captain is to be on each ship: the person who sleeps closest to the bulwark on the starboard side. That person is to be prosecuted for all matters, but everyone is to pay according to their share in the ship that sailed despite a ban.

No one is to issue a ban on [transporting] grain or food between counties except on the order of the king. But if they do issue it, all the people of the county are to pay a fine of eight *örtogar* and thirteen marks of silver; the king owns half of that money and all the people in the law district half.

26. Here, it tells about sailing collisions

Now, people row or sail into others, then they are to pay for all the damage they do, unless people row in front of their prow. All things that drift onto common land belong to the king. Now, people sail along the land or from the sea and wreck their ships, then all are to receive their assets who identify them with witnesses, regardless of who owns the land onto which they drift, but the king owns all other things drifted from sea.

27. Here, it tells about loans that are lent

Now, someone lends someone else their horse or ship, and the person to whom it was lent wishes to make use of it, and the other person who lent it goes and takes away the loan, the owner of the ship or horse is to pay a fine for unlawful seizure of two ounces of silver. And if the other person keeps it for longer than the time for which it was lent, they are to pay a fine of two ounces of silver to the owner of the ship or horse for unlawful seizure.

In every case where someone inflicts economic damage with hatred or ill will, they are to pay full personal compensation and economic damages based on the appraisal of six prudent people lawfully appointed by the justiciary, if there are witnesses to it.

Everything people appraise as amounting to half a mark of silver merits damages amounting to full personal compensation. And if it is less, then it is a fine for ill will to the injured party in accordance with a judgement. Now, they conceal it and there are no witnesses, they are to refute it with a three-man oath, but a six-man oath for damages amounting to full personal compensation. And if the oaths are not sworn, they are to pay the amount stipulated previously.

28. About gambling and betting

And if people gamble or throw dice for money, everything that is lying on the table may be confiscated by the king's representative; each of them is to pay a fine of half a mark of silver to the king. And if people lay wagers, they are to be disregarded and this does not incur a fine to the king.

29. About steelyards and all scales

And because it is so accepted in the entire country that the same steelyard and the equivalent weights and the equivalent scale weights and the equivalent measuring vessels and the equivalent measuring sticks are to be valid in the

entire country, so that ignorant people are less likely to be fooled wherever they might arrive in the country. And then this ordinance is made that a ship steelyard is to be in the customary way, it is to lift from half a ship pound, and up to one and a half ship pound, in such a way that twenty-four weights make a ship pound, where each of them add up to twenty-eight and a half marks, and eight *ortogar*. And next, a hand-held steelyard is to lift from half a weight, and be able to weigh up to half a ship pound. And if less than half a weight needs to be weighed, it should be weighed with scales and scale weights.

A steelyard for weighing butter is to be in the customary way, three pounds of butter, so that twenty four marks make up each pound of butter. And if it is in a basket, then it is not to weigh more than eight marks when empty. And these measuring units are to be used for groats and other similar produce: a *sáld* measure, two of which make up a ship pound, a *mællir* measure, six of which make up a *sáld*, half a *mællir*, one-sixth of a *mællir*, and it is to be tested with rye and levelled with a stickle.

Other types of measuring vessels are to be used to measure honey and various drink, fish oil and other such things. First, there is an ash and half an ash, a bowl and half a bowl and a *justa* measure, and there are two *justa* in half a bowl, two half bowls in a bowl, four bowls in an ash.

The royal magistrate is to bring these steelyards, weights and measuring vessels and scale weights and measuring sticks to the general assembly. And in the meantime, they are to be kept under lock and key by the royal magistrate and those who administer the householders' fees. After that, each sheriff is to correct their valid steelyards and weights and measuring vessels and measuring sticks and scale weights, and the householders from them. A mark shall be on each measuring vessel which will be made at the general assembly. The sheriff is to be duty-bound to inspect this every twelve months. But in every case where invalid measuring vessels are found, destroy them so that they are subsequently impossible to use for this.

And anyone who has contravened or ignored anything in this paragraph is to pay a fine of a mark of silver to the king, if they know. But a householder is not to be convicted if the sheriff does not give them a mark to use on steelyards and measuring vessels.

Thieves' section

1. Here begins the section about thieves, and in the first chapter, it tells about the penalty for someone who steals

It is next that we shall not steal from others. Now, it can be told that if someone steals food who is unable to get work to support themselves, and so, on account of hunger, saves their life, that theft is by no means worthy of punishment. And if the person who is able to work to support themselves steals the equivalent of one ounce – someone who was not previously convicted of such things – then they are to be brought to the assembly, and they are to redeem their skin from flogging by paying three marks of silver to the king.

Now, if they steal the equivalent of one ounce a second time, they are to pay six marks of silver to redeem their skin from flogging. And if they do not pay for its redemption, they are to be flogged and a key is to be branded on their cheek. Now, they steal the equivalent of one ounce the third time, then they are to be flogged, and the king is to receive six marks of silver from their assets. And if the same person steals yet more times, they can be killed. And if a person steals the equivalent of half a mark of weighed silver – someone who has not previously been convicted such things – they are to be brought to the assembly, and they are to pay eight *ortogar* and thirteen marks of silver to the king to redeem their skin from flogging or be outlawed. And if they steal another time, they can be killed.

Now, if a thief steals the equivalent of a mark the first time, they have forfeited their assets by theft, and they are to receive the punishment meted out by the person who has the king's mandate for rightful punishments, and yet they are to keep their life. Now, if the same thief steals and is convicted of such things on further occasions, they have forfeited land and moveable assets and their life therewith.

2. Here, it tells about how a thief is to be bound with stolen property

Now, if a thief is found, the stolen property is to be tied onto their back in the county in which the thief is apprehended, and they are to bring them bound

to the representative and the representative is to keep them until an assembly, and from the assembly to the shore. And the representative is to hire a man to execute them, and so, all thieves. And householders are obligated to accompany a thief to the execution, then they are no longer their responsibility. And if they refuse to accompany, they are each to pay a fine of half a mark of silver to the king.

All the money confiscated from a thief belongs to the person who apprehended the thief if no witnesses come forward on behalf of someone else. And the king owns all other moveable property. The person who ties up a thief assumes responsibility for them, they are to pay a fine of four marks of silver to the king unless they deliver them to the representative's abode in fetters and they are to have witnesses present.

And if a thief wants to defend themselves, they become outlawed. And if someone releases a thief, they are to pay a fine of four marks of silver to the king, so the king's representative as others. Every thief is to be convicted in the place where they stole, wherever they are apprehended.

3. Here, it tells about the guilt of someone who robs a thief from someone

Now, if someone robs a thief or outlaw from someone else, they are to answer to a charge of treason to the king. And anyone else who is in their force is to pay a mark of silver to the king. And if someone apprehends a thief, they will not be punished if they escape. Now, someone claims that someone else has their stolen property, and they take possession of their property and so declare: 'I do not in any way suppress the king's right', and if they have witnesses to this, the other person is proven guilty as charged, and the person who receives their assets is not guilty. But if they conceal the thief and take possession of their assets, they are to pay a fine of four marks of silver to the king.

Now, the sheriff or baron declares that the person from whom something was stolen and the one who stole it have made a settlement, and they have suppressed the king's right, then the person from whom something was stolen is to deny it with a three-man oath; the penalty is four marks if they fail to swear the oath, but the other person is a thief as before.

4. Regarding stolen assets and the thief does not follow

Now, if someone finds their stolen property in the possession of someone else, and they claim that they have a guarantor of ownership, and claim that it is their purchased property, then they are to be asked to come forward on their behalf, and so on behalf of the assets they claim to be theirs, and to do so on a particular date. At that point, they are to bring forward their witnesses to testify that this property is theirs and that they did not give it nor pay it in fines or sell it, and did not give anyone the mandate to sell it; then

they may seize the property. Then they can do whichever they want, to leave with their assets or to test their warrants for possession. And if it fails them, they are a thief.

5. If someone accuses someone else of theft

Now, someone accuses another person of theft, then they are to do whichever they want, to summon them home and to the assembly from there, or to go to the assembly and announce the theft; then the assembly delegates are to summon them to the next assembly if they are within the county. If they are outside the county, they are to be issued with a lawful summons for each case to return to the assembly and an appointed date for that assembly. Now, if they do not come, they carry the charge on their back unless a witness to necessity emerges on their behalf. Now, they attend in person, then they are to swear an oath there based on the worth of the assets in accordance with what was stipulated previously; the penalty is outlawry if they do not swear.

6. Here, it tells about ransacking

Now, if someone's assets are stolen and they see man-made tracks leading away from it, they are to go to their neighbours and declare their loss and call on a force for pursuit, and follow the track to someone's enclosure. Then they are to sit outside the enclosure and send one person to the house and announce their business and demand to ransack. And if they offer it, they are to fetch their neighbours. Then the others are to go, wearing only their shirts and without a belt. And if they offer a ransacking and the stolen items are not found at their home, they are to refute it with a six-man oath if they want to charge them. And if the oath is not sworn, they must pay a fine of four marks of silver.

7. If one finds one's stolen property without a thief

And if someone finds their stolen property and there is no thief that accompanies it, they are to have bystanders present when they take possession of their property. And if the sheriff doubts their story and says that a thief did accompany it, they are to bring witnesses forward to testify that there was no thief nearby when they took possession of their property. Now, someone accuses someone else of theft, and another person of reception, that they received their stolen property, and that person says no to this, they are to refute it with a six-man oath. And if that oath is not sworn, the penalty is four marks of silver if they knew it was stolen. And if someone accuses someone else of theft and the theft is not publicly declared, the person charged is to refute it with a six-man oath. That oath incurs a penalty of four marks for them if it is not sworn.

And if a dependant steals, compensation is to be paid for their actions; the king has no part in this matter. Now, someone is convicted of theft, then the person whose property was stolen is to receive full payment for their assets from the culprit's money as well as their costs, those that they need for the pursuit, based on the assessment of six prudent people, and personal damages in accordance with a lawful judgement to the same sum as if they had been robbed of the same amount.

8. Here, it tells about the theft of hawks in caves

Now, someone ties up a hawk and takes it from its nest and conceals it, they are a thief if the owner announces it. And if someone steals mowed grass from someone's land, they are a thief; they can refute it with a six-man oath. If it is not sworn, that incurs a penalty of four marks, and so the same for hawks; the king receives those fines.

9. Here, it tells about the theft of the king's land

If someone sells land belonging to the king without his permission, they are a thief, and so too, the buyer if they are aware of it; they are to refute it with a six-man oath. Now, someone removes the boundary stones from the ground and puts them down somewhere else, and they move them to the disadvantage of the person who owns adjacent land, they are a thief and they are to pay everything they own to the king, but six ounces if they remove them and do not put them down.

10. Regarding cow-drinkers

If a person lays down under someone else's cow and drinks, that person has forfeited their rights to personal compensation.

And if one goes into an apple orchard or angelica patches or kitchen gardens or a turnip, pea or bean patch, and every sort of produce that people protect with fences and surveillance, they are to pay twofold damages to the owner and two ounces as redress. And if it amounts to one ounce or more, they are to pay a fine as for other theft. And if those do this who have no money with which to pay fines, take them to an assembly, and they are each to answer for themselves in accordance with a lawful judgement.

11. About the theft of dogs and cats

Now, someone steals someone else's dog or cat, knife or belt, and anything worth less than an ounce, that is petty theft, and if they are proven guilty of this, they are to pay a fine of two ounces of silver to the king and one ounce to the owner, and they are to be called a scoundrel.

12. About taking hay for one's horse

If someone passes a road on their horse and there is some hay standing near the road when they need it, they are allowed to take as much as their horse needs to eat without penalty.

13. About finding property

And if someone finds someone else's property and the owner has lost it, they are to announce it to people on the same day, or else they become a thief if they do not announce it, if the money is enough that it warrants a charge of theft.

Now, the property is to be held openly and made use of; even if the owner comes after it has been used, they do not need pay compensation for it. And the person who claims it belongs to them is to have two discerning witnesses to testify that the property is theirs and they would own it, had they not been stolen from, and they are to swear a proper oath to that; then they release it in accordance with the law.

14. Here, it tells about people's twelve-man oaths

If the king charges someone with treason, they are to refute it with a twelve-man oath. And all inexpiable cases are to be refuted thus. Now, six people are to be appointed on each side of the defendant who are their equals in rights, those who are closest to them, and who are bound to be most knowledgeable of this matter. Neither their relatives nor antagonist, people of legal age and respectable, those who are previously neither guilty of swearing false oaths or giving perjured witness testimonies. And they are to take seven of them and they themselves are the eighth, and four witnesses of legal age freely chosen by them who have not been proven guilty of perjury. The defendant is to swear a proper oath on their own behalf and everyone else is to support his oath with the proviso that they do not know anything truer before God to their knowledge than what they swear in support of.

15. Here, it tells about a six-man oath

A six-man oath is to be carried out for all cases amounting to eight *örtogar* and cases of thirteen marks, and so, too, for cases amounting to ten marks. Now, three people are to be appointed on each side of the defendant in the manner stated here previously about twelve-man oaths; take three of them and they are the fourth, and two witnesses freely chosen.

16. About a three-man oath

A three-man oath is to be carried out for all cases amounting to five marks and cases of four marks, where two people are appointed on each side of the

defendant, and they are to take two of those, and they are the third themselves. And for cases amounting to one mark and less, people for a three-man oath are to be appointed, one person on each side of the defendant; take one of them, they are the second, a witness freely chosen (*fangavottr*) is the third. This oath is to be carried out to the limit of when a two-man oath or one-man oath are to be used, for one person is to deny a case of one ounce, and two people two ounces, as the law book testifies.

17. Here, it tells about perjurers

Those who are found guilty or convicted of swearing false oaths, and their guilt is proven with evidence, they are to be outlawed for three years, and they are not to benefit from anyone's oaths or witness testimonies, for the reason that they rendered themselves useless, and they are to pay four marks of silver to the king, and six ounces for each person who swore with them, if they did not know that it was a false oath. And if they did know that it was a false oath before they swore it, they are each to pay four marks of silver, as they are, too.

And if those events transpire in which people are charged with cases that are punishable by death or corporal punishment, or the forfeiture of their assets, they are to benefit from whatever witnesses and defence which the king mercifully permits.

Law amendments

1. King Hákon, the father of King Magnus, granted these law amendments

King Hákon, the son of King Hákon, the grandson of King Sverrir, granted these law amendments to all the people of the Gulathing district who have fulfilled their duties to God, and shown true obedience and allegiance, and who are compliant to the rightful King of Norway and his rule and councilors, who support him and affirm this with dutiful service within the country and abroad, preserving the kingdom's honour and rights of the lawful kings that succeed him.

First, where a fine was forty marks previously, six ells of homespun cloth in an ounce for an unreduced fine, he reduced that fine by a third so that it would be eight *ørtogar* and thirteen marks of silver as it comes from the king's mint. Where there were fifteen marks unreduced previously, six ells in an ounce, that is to be five marks of silver; so, too, were other fines reduced by a third.

Second, that no one is to pay someone else's fines. And those who do harm to others than those who commit or plan crimes are inexpiable criminals; they have forfeited property and peace, land and moveable assets, even their allodial land, and they are never to return to the country.

Third, that those who chop a hand or foot off someone on purpose are also inexpiable criminals, unless the king has punishments carried out in order to purge the land, or they inflict these in combat, then this is to depend on the king's orders.

Fourth, that those who run off with men's wives or stolen property, as much as is stipulated by law, are inexpiable criminals.

Fifth, that even though everything a killer owned, both in land and moveable assets, previously went to the king, apart from land, the king is not to receive more in compensation for a subject than eight *ørtogar* and thirteen marks of silver from assets or landed property, unless they commit a shameful killing or an disgraceful act, and if compensation for a subject is paid with landed property, the heirs are to have the chance to redeem it within ten years if it is their allodial land.

Sixth, that he abolished that any man of the king be able to impose general taxes or billeting on us, the people of the Gulathing district. If anyone gives a king's representative hospitality or does him honour in another way, they are to decide their own matters themselves.

2. King Magnus granted these law amendments

King Magnus, the son of King Hákon, the grandson of King Sverrir, gave these law amendments to all the people of the Gulathing district who have fulfilled their duties to God, and shown true obedience and allegiance, and who are compliant to the rightful King of Norway and his rule and councillors, who support him with dutiful service within the country and abroad, preserving the kingdom's honour and the rights of the lawful kings that succeed him.

First, that when previously a fine was reduced by a third in the Gulathing book, it is now to be reduced by a quarter, and decisively registered in the book the maximum that can be collected for each conviction, so that those who are ignorant are the less easily fooled by deceitful prosecutors regarding the quarter reduction.

Second, that when previously five marks of silver were to be paid for every blow, and eight *örtogar* and thirteen marks at the third blow, from now on, a mark of silver is to be paid for each one, and less in some cases, as affirmed in the human inviolability section. And moreover, that the justiciary is first to uphold the victim's right to compensation and thereafter collect a fine on the king's behalf.

Third, that the slaughter toll the king received when he remained in Bergen over Christmas, one leg of a slaughtered animal from each man's work, he surrendered these entirely.

Fourth, that he added many people to the list of inheritance who were not mentioned in it previously, in accordance with what the law book itself outlines.

Fifth, that when someone killed a person, on penalty of fines, they were previously able to force their relatives, who neither caused nor planned the killing, to pay compensation with them, the compensation is to be paid solely from the assets of the killer to the deceased's heir alone.

Sixth, that the assets of an outlaw who commits an disgraceful act or shameful killing, the killer's assets are first to be used to pay compensation before they go to the king's estate, as is outlined in the human inviolability section.

Seventh, that the outlaw's assets are never to go to the king's estate before all lawful debts have been paid which were incurred previously.

Eighth, that if people are killed at their home, the heir is to receive compensation increased by half.

Ninth, that if someone is beaten or wounded at their home, they are to receive personal compensation increased by half in accordance with a lawful judgement.

Tenth, that previously, everything went to the king's estate, both in land and moveable assets, when someone stole the value of one *ertog*, but now everything does not go to the king's estate until it has been distributed as it says in the thieves' section, and the fine is in accordance with what the law book outlines.

King Magnus gave the eleventh especially, that though someone finds their way into committing inexpiable crimes so that they have forfeited their life and everything they own in moveable and fixed assets, either that someone kills a royal magistrate for rightful legal rulings, or burns someone to death inside a house, or murders someone, or chops a hand or foot off someone, or gouges out someone's eyes, or cuts the tongue out from someone's head, or maims someone, or kills their father, son or mother, brother or daughter, sister or their own wife, or a woman her husband, or commits suicide, or kills someone in their own home, or runs away with someone's wife, or abducts women or takes them as war booty, or if someone forges the king's mint, letter or seal, or kills the man who derives their authority from the king's letter and seal, or in the king's quarters, or at the king's residence, or onboard the king's ship, or in the king's presence, or rapes a woman, or avenges those who cannot clear themselves by paying compensation, or collects debts for them. And if someone who finds their way into committing such inexpiable acts – which God let happen to no one – and even though this person has forfeited their life and all their assets to the king, and one of them leaves behind dependent children, the king's representatives are to estimate full maintenance money for each child from the outlaw's assets, while there are enough assets remaining, until the children are old enough to work for their food by law, even though the assets are not greater than what they are given for maintenance.

Epilogue

Here, it says that King Magnus had this book made, and sent it to the people of Gulathing

In addition to this, King Magnus had put together from all the country's books that which he considered best suited, with the advice of the best people, and he had this book written, and he went in person to the Gulathing assembly and had it read aloud there, and there he gave the assembly delegates the book, and enclosed was the law amendment – which is not the least significant – that from now on and for eternity, this book is to be valid in all of Norway, preserving the kingdom's honour, with the provisions previously mentioned. If any of his rightful descendants consider some of it in need of improvements, this person is to arrange this so that God receives honour from it, he himself salvation, and that it is useful for those who must abide by it. It may occur that more law amendments are found in this book than only those mentioned here, if prudent people carefully analyse this book and the previous one.

This book was lawfully accepted at the Gulathing assembly on the feast of St John¹ when 1274 years had passed from the birth of our Lord Jesus Christ, in the eleventh² year of the reign of King Magnus.

Jesus Christ grant us that we so use it that he is done honour, for the salvation and reward of the one who had it made, and all those who defend him, for the worldly prosperity and eternal rejoicing of us all. The blessing and protection of the Father and the Son and the Holy Ghost, one God in Holy Trinity, and the intercession of the holy Lady Mary and the holy John the Baptist and the holy King Olaf, be with us now and forever. God let us part in health, and so to meet. Amen.

Notes

- 1 St Botolph's day in 1 ms., St Peter's day in 1 ms., six nights before the Nativity of the Blessed Virgin Mary in 1 ms.
- 2 ninth in 13 mss., thirteenth in 1 ms.

Glossary

Offices, trades and work

- ármaðr steward
barún baron
filungr plank-maker
hóldr owner of allodial land
hirð the king's vassals
hirðstjóri officer of the king's vassals
höfðingi, pl. höfðingjar people in positions of power
lendr maðr landed man, this title became *barún* in 1277, but that title was abolished in 1308
lögmaðr royal magistrate
matlaunarmaðr a person who works for their food but receives no further remuneration
merkismaðr standard bearer
nefndarmaðr delegate
réttari justiciary
skjaldari shield-maker
stafnsmiðr prow-builder
stallari marshall
sýslumaðr sheriff
veizlur fief
vist work with lodging

Money and assets

- fé assets, property
kaupeyrir stock
mørk mark
örtog a third of an ounce
eyrir, pl. aurar ounce

Geography and places**áttungr** eighth**fjórðungr** quarter**fylki** county**herað** district**lög** law district**konungs garðr** king's residence**skipreiða** warship district, a community of a fixed size that sent men to the levy**sýsla, pl. sýslur** administrative district of a sheriff**þing** law province**þinghá** assembly district**Legal terms****arðarmáli** crop year**atferðir** distraint**gögn (pl. of *gagn*)** evidence**fangavottr** witness chosen freely**félag** joint ownership, often marital**frilla** concubine**giftingarmaðr** person responsible for a woman's marriage**heimildartaka** the taking of warrants**heimiliskviðarvitni** a witness to a rumour circulating at their home**kunnr af** known for**kunnr ok sannr af** known for and found guilty of**legorð** illicit sex**lagadómr** lawful court, or legal decision**lagastefna** lawful summons**lögþing** general assembly**mannsgjöld** personal compensation**níðingsverk** disgraceful act**óðal** allodial land**sakaráberi** plaintiff**skemmðarvíg** shameful killing**úgildir** without the right to personal compensation**umboð** guardianship**vitafé** known assets**þegngildi** penalty for paying the king's subject**orvarþing** assembly called with arrows, usually at short notice

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