

PARTIES TO COURT ACTIONS IN
SAGA AGE ICELAND (930-1030AD)

VOLUME II: APPENDICES

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*Suits marked with * are omitted from the main discussion in the text and from the Tables as too unreliable.

W1

Killing (Version A) or Wounding (Version B) of Gunnlaugr

Version A: Landnámabók, S79Version B: Eyrbyggja saga ch. 16Version ADATE: 980 ADCOURT: ?CHARGE: Witchcraft (fjölkyngi)HOW COMMENCED: By summonsINJURED PARTY: Gunnlaugr - deadPROSECUTOR: Þorbjörn, father of Gunnlaugr.ACCUSED: Geirríðr, a femaleDEFENDER: Not clear, perhaps Þórarinn, son of the Accused.OUTCOME: "Arnkell goði was asked by the twelve jurymen to give judgement in the case, and he dismissed the charge after Þórarinn had invalidated the case by taking an oath at the sacred ring."Version BDATE: 980 ADCOURT: Þórsnes AssemblyCHARGE: "being a night witch and causing Gunnlaugr bodily harm."INJURED PARTY: Gunnlaugr Þorbjárnarson, a young man, perhaps not even 16, living with his father.PROSECUTOR: Þorbjörn, father of Gunnlaugr. No transfer is mentioned, but rather it is treated as if it was Þorbjörn's own case. Þorbjörn had his own farm.SUPPORTERS OF PROSECUTION: Snorri goði, although the nature of help he gave is confused. Þorbjörn seemed to do the legal work, but the verdict referred to "the charge preferred by Snorri and Þorbjörn". Þorbjörn was married to Snorri's sister Þuríðr, which seems to be the reason for Snorri helping: "Snorri goði supported (veitti) his brother-in-law Þorbjörn". Snorri was very young, just 17, and had only recently assumed the godord at Helgafell.KIN NOT INVOLVED: Gunnlaugr's mother's relations (he was a son by an earlier marriage of Þorbjörn), including her father Ásbrandr and her brothers (see genealogical table a)ACCUSED: Geirríðr, apparently a widow, with one son.DEFENDER: Arnkell goði, brother of Geirríðr. As with Snorri, his kinship with the accused is stressed, not his godord: "Arnkell goði acted on behalf of his sister". He was "clever

W1 page 2

at law (lagamaðr mikill) and very shrewd. He was a great hearted man and stood head and shoulders above all the other men in the district both in popularity and strength of character. Arnkell was a temple priest (hofgoði) and had plenty of support (þingmenn)."

OUTCOME: Arnkell, Þórarinn (son of Geirríðr) and 10 others swore that Geirríðr was not responsible, and the charge was dismissed. "The outcome was a great setback to them". The verdict was announced by Helgi Hofgardagóði, as neither Snorri nor Arnkell could because of kinship with the parties.

SUSPICIOUS ELEMENTS OF VERSION B: 1. Involvement of Snorri at the age of 17, which is not mentioned in the Landnámabók version. Landnámabók notes W3 as being the case which started the conflict between Arnkell and Snorri (see the quote at the end of the Outline of W3).
2. The role of Arnkell differs in the two versions. It may be that the author of Eyrbyggja begins their conflict here to make a better story.
3. The survival of Gunnlaugr. He is never mentioned again in Eyrbyggja, which seems more consistent with his having died as version A states.

COMMENT ON VERSION A: Sturlúbók borrows heavily from Eyrbyggja. Where there are variations, as here, these generally reflect borrowings from an earlier Landnámabók. Normally, however, these are also reflected in Hauksbók or Mélabók, which is not the case here, as neither of these manuscripts mentions the incident, nor even Þorbjörn's first marriage and Gunnlaugr, a child of that marriage. (See Björn Magnusson Olsen, "Landnáma og Eyrbyggja saga", Aarbøger for Nordisk Oldkyndighed og Historie, 1905, II Række, 20 Bind, 81-117.)

BIBLIOGRAPHICAL NOTE: Konrad Maurer, "Zwei Rechtsfälle aus der Eyrbyggja", Sitzungsberichte der philosophisch-philologischen und der historischen Classe der k. b. Akademie der Wissenschaften zu München, München, 1896, p. 3-48, compares the two version, discusses the problem of Gunnlaugr taking the suit if he was alive, and discusses the rights of widows in court with respect to Geirríðr.

W2
 Return of Mundr and Heimanfylgja of Wife of Illugi
 the Black
Eyrbyggja saga ch. 17

DATE: 980 (same time as W1)

COURT: Þórsnes assembly

INJURED PARTY & PROSECUTOR: Illugi the Black, who was probably a goði (see Gunnlaugs saga ch. 4 & 5). Little doubt he operated his own farm.

SUPPORTERS OF ILLUGI: 120 men were with him at the assembly.

ACCUSED & DEFENDER: Tin Forni, who had charge of the property and apparently would not give it up.

SUPPORTERS OF TIN FORNI: The Kjalleklings, led by Þorgrímr Kjalleksson, a goði (Eyrbyggja ch. 10) although we are not reminded of this in relation to the law suit. He is treated as the major personage and leader in the law suit, although Tin Forni retained legal control. He seems to have been acting in the position of family leader (see genealogy a), although Tin Forni's position in the family is not specified in the saga.

OUTCOME: The Kjalleklings hoped to settle the matter in battle, but some of their supporters were delayed by storms. Therefore Illugi won the law suit and Tin Forni gave up the money. But then the rest of the Kjalleklings arrived, there was a battle, several people were killed, and Snorri goði intervened to stop the fight.

VERSES: They are probably authentic (E. Ó. Sveinsson, "Eyrbyggja sagas kilder", Scripta Islandica 19(1968), p.3). They confirm a law suit at Þórsnes over money held by "Forni", probably involving Illugi as the poem is alleged to be a eulogy on him. Illugi was successful. There was a battle after agreement, three people were killed, Snorri was the peacemaker and became famous for it.

SAGA OF GUNNLAUGR WORMTONGUE: Illugi "fought with Þorgrímr Kjallaksson goði and his sons at the Þórsnes Assembly, and carried off single-handed all that lay at stake there".

W3
 Killing of Þorbjörn
 Eyrbyggja saga chs. 19, 21, 22

DATE: 981 AD

COURT: Þórsnes assembly.

CHARGE: Manslaughter

HOW COMMENCED: By summons at home of the accused, although note it seems to be Arnkell's house, where the Accused Þórarinn was staying, not his permanent home.

INJURED PARTY: Þorbjörn, dead (see W1)

PROSECUTOR: Snorri goði, half brother of Þorbjörn's widow Þuríðr - their in-lawship is stressed, and Snorri's goðord is not mentioned as relevant. A transfer of the prosecution is suggested, although not specifically stated: "hann tók við eptirmál um víg Þorbjarnar, mágs sins". Þorbjörn's killer, Þórarinn, immediately assumed that Snorri would be the prosecutor.

CLOSER RELATIONS NOT INVOLVED IN SUIT: Þorbjörn had a wife Þuríðr, and three sons, Gunnlaugr who was perhaps killed earlier (see W1), Ketill the Champion who was abroad, and Hallstein who took part in the battle in which Þorbjörn was killed and was badly wounded.

SUPPORTERS OF PROSECUTION: 80 men were at the service of the summons.

ACCUSED: Þórarinn, a married man who owned and operated his own farm. From the start he did not consider handling the defence on his own. Also accused were "all the others involved in the killings", seven in all including Álfgæirr a ship's captain and his crew mates and Nagli his companion.

DEFENDER: No defence was submitted in court. Indications are Arnkell goði (see supporters) would have handled it if they had chosen to submit a defence.

SUPPORTERS: 1. Þórarinn turned first to Vermundr, his tengdamadr (mágr is the term usually used for an in-law), who was his sister's husband. Vermundr acknowledged his duty to help Þórarinn, but distrusted his own ability and therefore suggested approaching Arnkell. Vermundr had just taken over Bjarnarhöfn after the death of his father Þorgrímr (see W2), and had perhaps also taken over the goðord, but this is never mentioned. Vermundr said he was not strong enough to help (taka við) Þórarinn.

2. On Vermundr's advice Þórarinn then asked Arnkell, his mother's brother and probably his closest male blood relation, for help. It is of interest that his in-law Vermundr was approached before the blood kin. Arnkell was turned to as a relation (frændr) of Þórarinn, not goði. Þórarinn stayed with him over the winter and he kept enough men to defend them. Also he helped Þórarinn leave the country. In seeking help from Vermundr and Arnkell, Þórarinn was apparently speaking for the others involved in the killing, as they accompanied him to see Vermundr, and Arnkell specifically included Álfgæirr.

W3 page 2

OUTCOME: Þórarinn, accompanied by Vermundr, went abroad before the court actions. He and all those involved in the killing were outlawed and their property confiscated.

VERSES: They confirm the battle which Þórarinn engaged in because of a charge of cowardice, and the involvement of Álfgéirr and Nagli. Þórarinn killed someone. There are references to friendship of Vermundr, to an upcoming lawsuit re the killing, and the the legal help of Arnkell, and to the importance of force to the outcome: "It will not be for crime of mine, if they outlaw me. They have the bigger party. May the gods strengthen my cause".

LANDNAMABÓK: S79: "At the Þórsnes assembly, Snorri goði took action over Þor^{bj}'s killing, and had all the attackers sentenced to outlawry....This started the enmity between Arnkell and Snorri goði".

COMMENT: Several of Þorbjörn's men were killed with him, and his son Hallstein badly wounded or killed, but no suits for any of these were brought.

W4
Wounding of Bjorn and Assault on Helgi
Eyrbyggja saga ch. 23

DATE: 982 (spring court)

COURT: Þórsnes assembly

CHARGE: Wounding

INJURED PARTY: Bjorn, who lived with Vigfúss of Drapuhlíð, his mother's brother.

PROSECUTOR: Vigfúss, a good farmer (bóndi). He sought no outside help, and assumed the prosecution immediately without being asked.

ACCUSED: Már, illegitimate uncle of Snorri goði, and overseer of Snorri's farm. His father was also Snorri's grandmother's overseer.

DEFENDER: Snorri, who Vigfúss approached initially to request compensation, rather than the actual offender.

OUTCOME: Snorri countercharged.

COUNTERCHARGE: Assault

INJURED PARTY: Helgi, Snorri goði's shepherd.

PROSECUTOR: Snorri goði.

ACCUSED: Bjorn (injured party, above).

DEFENDER: Vigfúss

OUTCOME: Bjorn was found guilty of the assault and got no compensation for his wound.

COMMENT: This case seems to have proceeded on the basis of legal merits, rather than being affected by force, although in the end it was the side supported by a goði which won.

W5
 Killing of Sons of Þorgestr
Eyrbyggja saga ch. 24; Landnámabók H77, S89
Eiríks saga rauða

DATE: 982AD

COURT: Þórsnes assembly

CHARGE: Killing

INJURED PARTIES: Sons of Þorgestr the old, dead (Landnámabók says two sons of Þorgestr and "some other men".)

PROSECUTORS: Þorgestr, father of the dead men, who is shown as of some standing in the desecration dispute around 930 (Eyrbyggja ch.9), but was therefore also old by this dispute. He was assisted by the sons of Þorðr gellir (concerning whom see W14), who were the brothers of Þorgestr's wife, although this is not pointed out in the text. (The prosecutor is not stated in Landnámabók.)

SUPPORTERS OF PROSECUTION: Þorgestr, sons of Þorðr gellir, Þorgeirr of Hítardalr (no relationship known), Áslákr of Langadale and his son Illugi (Áslákr like Þorgestr was married to a daughter of Þorðr gellir and had helped Þorgestr stop the desecration battle). (All these are according to the Landnámabók account).

ACCUSED: Eiríkr the Red (and his men according to Landnámabók) They were not at the assembly.

DEFENDER: ? No details of the actual suit are given. Only Stýrr attended the assembly on behalf of the defence according to Eyrbyggja.

SUPPORTERS OF DEFENCE: Þorbjörn Vífilsson, Víga-Stýrr, sons Þorbrandr of Álptafjörðr, Eyjólfur Æsuson of Svín Island. The basis of their support is not stated; there is no apparent relationship of any of them to Eiríkr. Víga-Stýrr was the son of Þorgrímr goði and therefore perhaps a goði. Eyjólfur was his cousin. "Each side kept a large standing force".

OUTCOME: Stýrr persuaded many men to withdraw support from Þorgestr, and Snorri not to join the attack on Eiríkr after the assembly. Eiríkr managed to get away by ship with the help of Eyjólfur, Stýrr and Þorbjörn and went to explore Greenland. Landnámabók says Eiríkr and his men were outlawed (sekir); they returned to Iceland three years later, at which time "Eiríkr and Þorgestr fought a battle and Eiríkr was the loser. After this they were reconciled".

SUSPICIOUS ELEMENT: It seems unlikely that Þorgestr the old and Áslákr could have been involved in both the desecration battle around 930 and this suit. But as they are also both said to have been married to daughters of Þorðr gellir, who died around 965 (annals), it seems probable that it is their involvement in the desecration dispute which is not correct.

W6
 Killing of Vigfúss
Eyrbyggja saga ch. 26 & 27

DATE: 983AD

COURT: Þórsnes assembly

CHARGE: Manslaughter

INJURED PARTY: Vigfúss, dead (see W4)

PERSON ASSUMING RESPONSIBILITY SUIT PURSUED: Þorgerðr, wife of dead person.

PROSECUTOR: Arnkell, uncle of Vigfúss' wife Þorgerðr, and a goði (see W1). He assumed the case only at the request of Þorgerðr, and refused at first, telling her to go to the Kjalleklings, Vigfúss' relations. She was also unsuccessful with them, but was advised by one of them, Vermundr, to goad Arnkell to action by presenting him with Vigfúss' head. Þorgerðr did this and it worked. (See Genealogy a)

PERSONS WHOSE HELP SOUGHT: The Kjalleklings, Vigfúss' kin. After Arnkell's initial refusal to take the case (taka við mál), Þorgerðr approached three of them for help:

1. Stýrr, Vigfúss' second cousin. He refused because of a promise not to get involved in suits against Snorri.
2. Steinþórr, second cousin once removed of Vigfúss, who refused because he was inexperienced in law suits, and because Vigfúss had many closer relations.
3. Vermundr, Stýrr's brother, who would not "shoulder my kinsmen's burden", and sent her first to Steinþórr, and later advised her how to get Arnkell involved; however, he did agree it was his "duty to help [her] in the case".

SUPPORTERS OF PROSECUTION: The Kjalleklings, including Steinþórr and Vermundr. "Both sides came to the Þórsnes Assembly with a large following, but all the Kjalleklings supported Arnkell and they had the biggest force. Arnkell pleaded the case forcefully."

ACCUSED: "All those who had taken part in the attack on Vigfúss, with the exception of Snorri goði". Those involved were said to be "six men", presumably members of Snorri's household.

DEFENDER: Snorri goði.

DEFENCE: A counter-action for attempted manslaughter of Snorri, and one for the wounding of Már. If Vigfúss were guilty of these charges, he could be legally killed.

OUTCOME: Peace makers intervened before judgement was passed and the matter was put to arbitration. Snorri paid a large fine for the killing of Vigfúss and Már was to go abroad for 3 years. Note that neither of these men was actually charged, and no mention is made of the six who were.

W6 page 2

SUSPICIOUS ELEMENTS: 1. Þorgerðr's goading of Arnkell strongly resembles the goading of Flosi by Hildigunnr in Njála ch. 116, although of course Njála is more likely to have borrowed from Eyrbyggja (see STH23).

2. The author may have been anxious to dramatize the growing power of Snorri, and therefore may have exaggerated the reluctance of men to become involved in suits against him.

W7
 Killing of Sons of Þórir Wood-Leg
Eyrbyggja saga ch. 29

DATE: 983 or 984 AD

COURT: Þórsnes Assembly

CHARGE: Killing of sons of Þórir Wood-Leg.

INJURED PARTY: Two sons of Þórir Wood-leg, Qrn and Vali, dead. Þórir was a farmer, but he possibly had a dependent relationship with the farmer at Froð river, as he moved ^{of Froð} there in his old age. Qrn and Vali were with Þóroddr ^{on} river an expedition to kill Björn, whom Þóroddr resented because he was keeping company with his wife Þuridr, half sister to Snorri goði. Þóroddr seemed to assume the case as his own: "Þóroddr asked Snorri to support him in the action over the killing of the Þórissons", perhaps because they were acting on his behalf when they were killed.

PROSECUTOR: Snorri goði, at the request of Þóroddr.

ACCUSED: Björn. He was probably fairly young as he was courting Snorri's younger sister (Snorri was only 20), and living with his father.

DEFENDER: Ásbrandr, father of Björn, the Accused. No transfer is mentioned. Ásbrandr made pledges on Björn's behalf at court. (See Genealogy a).

SUPPORTERS OF DEFENCE: Sons of Þorlákr of Eyrr. It is not explained why, but in ch. 40 we are told that Björn's brother Arnbjörn was brother-in-law to Þórðr blígr Þorláksson. It is interesting that Ásbrandr did not enlist the support of an equal of Snorri, compare for example W1. (See Genealogy a).

OUTCOME: Björn was outlawed for 3 years. Ásbrandr paid a fine.

VERSES: They confirm the killing of the sons of Þórir by Björn and the involvement of Þóroddr in the matter.

W8
 Killing of Slaves of Þórólfr
Eyrbyggja saga ch. 31

DATE: 980's AD

COURT: Þórsnes Assembly

CHARGE: Manslaughter

INJURED PARTY: Þórólfr, the owner of six slaves killed by Arnkell, his son, because they were caught setting fire to a house owned by Úlfarr, a freedman of the sons of Þorbrandr.

PROSECUTOR: Snorri goði at the request of Þórólfr after Arnkell refused his demand for compensation: "you're the leading farmer in the district (heraðshofðingi), and it's up to you to put right any wrongs people have suffered around here". Snorri was reluctant, and took the case (tok við eptirmáli) only after Þórólfr said he "wouldn't claim more than a part of the compensation for" himself, and also offered Snorri Krákunes wood in payment. He wanted Snorri "to press your case so hard that your standing will be greater than ever".

ACCUSED AND DEFENDER: Arnkell goði, son of the injured party Þórólfr. But note that Arnkell didn't do the killing himself, he "had the slaves taken out to Vaðilshofði and hanged".

SUPPORTERS: "Both sides turned up at the Assembly in large numbers."

OUTCOME: Arnkell argued that the slaves were lawfully killed because they were caught committing arson, but Snorri pointed out this would be correct if they were killed at the scene of the crime, but they were not. Peacemakers stepped in, and Stýrr and Vermundr, sons of Þorgrímr goði, acted as arbitrators. They awarded twelve ounces of silver for each slave, to be paid at once. Snorri gave it all to Þórólfr, who took it. Everyone was displeased, especially Þórólfr, but Snorri wouldn't pursue it any further: "I'm not staking my good name on your malice and injustice".

W9
Killing of Haukr
Eyrbyggja saga ch. 35

DATE: 980's AD

COURT: Þórsnes Assembly

CHARGE: Manslaughter

INJURED PARTY: Haukr, dead, a fylgdarmadr (follower) of Snorri goði, killed by Arnkell while collecting timber in Krákunes Wood on Snorri's orders. Arnkell claimed Þórólfr had no legal right to give Snorri the wood (see W8), and claimed to own the wood as son and heir of Þórólfr.

PROSECUTOR: Snorri goði. Haukr was his fylgdarmadr and was acting for him when he was killed.

ACCUSED AND DEFENDER: Arnkell goði (see W1, W6, W8).

DEFENCE: Haukr had assaulted him first.

SUPPORTERS: "Both sides turned up at the Assembly in large numbers and fought a hard case".

OUTCOME: Because of the assault, no compensation was to be paid for Haukr.

W10
Killing of Arnkell
Eyrbyggja saga ch. 37-38

DATE: 990 AD

COURT: ?

CHARGE: Manslaughter

INJURED PARTY: Arnkell goði, dead (see W1, W6, W8, W9).

PROSECUTORS: The legal heirs of Arnkell's estate, who were all women.

ACCUSED: The sons of Þorbrandr, foster brothers to Snorri goði. They thought Arnkell was getting the better of Snorri too often. After they goaded Snorri, he encouraged them to kill Arnkell.

DEFENDER: Not stated

OUTCOME: "The case was not followed up as vigorously as people might have expected after the killing of so great a man. The case was settled at the Assembly, and Þorleifr Kimbi was the only one to be sentenced to outlawry. He was charged with giving Arnkell his death-wound and banished from Iceland for three years. Because the action over the killing of this outstanding man had gone so badly, the leading men of Iceland made it law that neither a woman, nor a man under the age of sixteen, should ever again be allowed to raise a manslaughter action."

W11
 Killing of Stýrr
Eyrbyggja saga ch. 56

DATE: 1008AD

COURT: Alþing

CHARGE: Killing Stýrr

HOW COMMENCED: By Summons. Snorri goði took 400*men with him to deliver the summons, but was met by a force of 500* and had to deliver the summons from a safe distance across a river.

INJURED PARTY: Stýrr, dead. He was survived by a brother, Vermundr, (see W6), a nephew, and two sons (see Genealogy 1).

PROSECUTOR: Snorri goði, father-in-law of Stýrr.

SUPPORTERS OF PROSECUTION: 400*(480) men at the summons, including Stýrr's brother and nephew, and a distant cousin Þoroddr (see W6). His sons are not mentioned. There were also "a good many other important men".

ACCUSED: Gestr, the orphan son of a farmer killed by Stýrr, who was quite young.

DEFENDER: ?

SUPPORTERS: 500*(600) men at the summons, including Illugi the Black, Kleppjárn the Old, Þorsteinn Gislason, Gunnlaugr Adder-tongue, Þorsteinn Þorgilsson of Hafursfjörðr Island "and many other notable men".

OUTCOME: "That summer at the Alþing Þorsteinn Gislason dismissed Snorri's case". Snorri later killed Þorsteinn and his son, for which a settlement was reached.

COMMENT: The total number of men involved in this dispute is said to have been about 1080, which would have been around 2% of the population, perhaps as much as 10% of the adult male population, assuming a total population for Iceland of around 60,000. And as the men came from only part of Iceland, an area representing perhaps 1/5 of the population, as much as 50% of the adult male population of the area may have been involved. In other words, this dispute quite probably should not be regarded as a private matter, but rather as a power struggle on a large scale.

* Probably long hundreds of 120.

W12
Pillaging of Álfr's Farm
Eyrbyggja saga ch. 59

DATE: Circa 1015-20 AD

COURT: Þórsnes Assembly

INJURED PARTY: Álfr the short, a man who was "well-off, and running a good farm". His farm was looted by Óspakr, a local bully, and his men.

PROSECUTOR: Snorri goði "took over the case (tók við málum)". Álfr is said to have been his þingmaðr.

ACCUSED: Óspakr and his men, bandits who looted and terrorized the neighbourhood.

DEFENDER: Not specified. It seems implied no one was at court for the defence.

OUTCOME: Óspakr and his men were outlawed. A confiscation Court was attempted but Óspakr had taken everything. What there was Snorri divided "between Álfr the Short and all the other farmers who had suffered most through the outlaws' robberies."

W13

Hay Taken from Hænsa-Þórir by Blund-Ketill for his
Tenants

Hænsa-Þóris saga ch. VI-IX (Íslenzk fornrit edition)

DATE: 963 (same as W14)

COURT: Didn't get that far

CHARGE: Theft (rán)

HOW COMMENCED: By summons at home of accused.

INJURED PARTY: Hænsa-Þórir. He was a prosperous farmer, but had started as a peddler and seemingly did not have good family connections. He doesn't seem to have considered pursuing the matter alone.

PROSECUTOR: Þorvaldr Tungu-Oddsson. Hænsa-Þórir transferred the suit to him for $\frac{1}{2}$ his property ("handsalar Þórir honum fé sitt halft ok þar með málit a hendr Blund Katli"). There is no apparent relationship between Hænsa-Þórir and Þorvaldr. Þorvaldr lived with his father, having just returned from a trip abroad. Tungu-Oddr was a leading man in the area, and probably a goði (see Landnámabók S398/H355).

PERSONS WHO REFUSED TO PROSECUTE: Hænsa-Þórir asked Arngrímr goði for help first. Arngrímr refused, although he later joined the summoning party. Hænsa-Þórir had fostered his son in return for a promise of support in his dealings. Þorvaldr called Hænsa-Þórir the friend of Arngrímr, not his pingmaðr, although it seems probable Arngrímr was his goði. Hænsa-Þórir then went to Tungu-Oddr (see Prosecutor), but he also refused.

When Þórir asked Arngrímr for support, he argued that the robbery was as much from him, but this was probably because Arngrímr's son was to have $\frac{1}{2}$ of Þórir's estate as his foster son. When asking Oddr for support, Þórir said he was the leading man of the district (forradsmáðr heradsins), and that therefore the matter was as much his concern, but this did not seem to carry much weight with Oddr. However, his son Þorvaldr felt he had some responsibility: "how comes it, Arngrímr, that you chieftains (hofdingjar) let such shameful things take place?"

SUPPORTERS OF PROSECUTION: Arngrímr goði and his son Helgi, foster son of Þórir, Víðfari, a relative of Þórir, and 30 men.

ACCUSED: Blund-Ketill, a rich man with 30 tenant farms.

DEFENDER: Blund-Ketill, although the matter never got to court, so this is uncertain.

SUPPORTERS OF DEFENCE: Orm the Easterner, a ship's captain lodging with Blund-Ketill.

OUTCOME: The legal case was pursued only to the summons, at which point Blund-Ketill was burned in his house.

SUSPICIOUS ELEMENT: In the 1280's there was considerable controversy over a provision in the new Norwegian law code for Iceland, Jónsbók, which made it compulsory for a man to sell his hay. (See Alan J. Berger, "Old Law, New Law, and Hænsa-Þóris saga" Scripta islandica, 27 (1976), p. 7-8.) This incident could have been inspired by this controversy.

W14 - Version A

Burning of Blund-Ketill

Hænsa-Þóris saga ch. IX-XV (Íslenzk fornrit edition)

DATE: 963 (annals)

COURT: Summoned first to the Þingnes assembly, later taken to the Alþing. Concerning the quarter, Hænsa-Þórir and Þórðr gellir lived in the West Quarter, Blund Ketill and Tungu Oddr in the south. According to Landnámabók Þingnes assembly was in the west quarter. (Concerning the location of Þingnes assembly, see Jón Jóhannesson, Magnús Finnbogason and Kristján Eldjárn, Sturlunga Saga, Reykjavík, 1946, vol. I, p. 560.)

CHARGE: Not stated

INJURED PARTY: Blund-Ketill, dead (see W13). His closest male relation was his son Hersteinn, who never considered handling the case alone.

PROSECUTOR: Hersteinn, who transferred it to Þórðr gellir and Gunnarr because he was too sick to go to the Alþing. According to Landnámabók (S398/H355) Þórðr gellir was one of the leading chieftains (hofðingjar) in the West Quarter around 930, and Eyrbyggja saga ch. 10 also identifies him as such. His main claim to fame seems to have been the constitutional changes he instituted as a result of this case. Gunnarr was married to a sister of Þórðr. Both became involved in the case through trickery; Hersteinn and his foster-father arranged the betrothal of Gunnarr's daughter, Þórðr's niece and foster daughter, to Hersteinn after the burning, but before Gunnarr and Þórðr had learned of it. Gunnarr and Þórðr than felt duty bound to help in the case (skyldr); Gunnarr's statement was that Þórðr was duty bound to help Hersteinn, and he, Gunnarr, was bound to help Þórðr. Þórðr gellir handled the legal aspects of the case on his own.

SUPPORTERS: Þorbjörn, Hersteinn's foster-father, then Þorkell trefill, whose aid Þorbjörn helped Hersteinn get. Þorkell trefill was perhaps a goði, at least a chieftain (hofðingi, Laxdæla 10), but it is not indicated that Hersteinn or Þorbjörn were his þingmenn. He was reluctant to get involved, but had already offered hospitallity before, knew of the burning and he would not go back on that. He helped them get Gunnarr involved, and Gunnarr helped them get Þórðr gellir involved. Þórðr gellir had 240 men at the Þingnes assembly battle. He was supported by kin and friends at the Alþing, including the brother of Þorkell trefill, Helgi.

PEOPLE NOT INVOLVED: Egill Skallagrímsson and his son Þorsteinn.

Eigla ch. 78 says Egill was a friend of Þorkell trefill, but perhaps we can assume from Eigla that Egill seldom got involved in law suits. He lived 15 kms from Þorkell trefill. Also, Blund-Ketill was Egill's sister's son (Landnámabók S36, although Þordarbók disagrees, see Benediktsson, Landnámabók, p. 84, note 4). Egill and Þorsteinn belonged to the same assembly as Hersteinn.

W14, page 2

PEOPLE WHO REFUSED TO HELP: Hersteinn and Þorbjörn went to Tungu-Oddr first, because he had often offered Þorbjörn aid. Oddr "helped" by claiming ownership of Blund-Ketill's farm as a derelict farm, and later acted for the defence. (re Tungu-Oddr see W13).

ACCUSED: Þórvaldr Tungu-Oddsson, Arngrímr goði, Hænsa-Þórir, and several other unnamed (see W13 concerning all these men). Þórir did not attend the assembly, but it seems implied that at least Arngrímr did, and perhaps Þórvaldr.

DEFENDER: Tungu-Oddr. No transfer to him is stated, but it is treated as his defence, apparently for all concerned.

SUPPORTERS OF DEFENCE: 480 men at the first battle, 360 at the Alþing battle, which was not enough. Tungu-Oddr agreed to a truce because he had a worse case, but also because he was outnumbered.

PEOPLE NOT INVOLVED IN THE DEFENCE: Torfi Valbrandsson, who was married to Þurídr, daughter (or sister, see Landnámabók S37) of Tungu-Oddr. He is introduced at the beginning of the saga, but plays only a small role towards the end. He had a godord according to Hardar saga. (See STH5, 6 & 7).

OUTCOME: Tungu-Oddr with 480 men prevented Þórðr gellir et al from attending the Þingnes assembly. Four of Þórðr gellir's men were killed, one of Tungu-Oddr's. Hænsa-Þórir and twelve men were killed by Hersteinn during but not at the Alþing. A battle broke out at the Alþing, but it was stopped. Arngrímr goði and the rest of the burners were made full outlaws, except Þórvaldr who got 3 year outlawry, in a settlement. Þórðr-gellir instituted a major constitutional change to try to prevent the problems he had in pursuing the case.

COMMENT: As in W11, the large numbers of men involved in this suit suggest that it had developed far beyond a private dispute, and had become a major power struggle. Gunnarr suggests this: "it is as well if you now try out once and for all which of you chieftains (höfðingjar) is top dog, for you have long torn at each other like wolves" (ch. XI). On the other hand, these chieftains showed little sense of duty. Oddr did not help Þorbjörn, despite his promises, and Þorkell trefill, Gunnarr and Þórðr gellir all were very reluctant.

W14 - Version B

Burning of Blund-Ketill (or Þorkell, his Son)

Landnámabók, S37, S46, S107; H34; Þórðarbók (Mélabók), Benediktsson, Landnámabók p. 84 note 4.

DATE: not given

COURT: Þingnes assembly, although some manuscripts say Þórsnes, see Benediktsson, Landnámabók p. 145 note 3.

INJURED PARTY: Blund-Ketill (Þorkell in Þ(M)).

PROSECUTOR: Þórðr gellir? (S107).

W14, page 3

SUPPORTERS: Þórólfr refr, son of Eysteinn and Þórhildr, daughter of Þorsteinn the Red (S107).

ACCUSED: Þorvaldr, son of Tungu-Oddr (S30); Hænsa-Þórir (P(M)); Arngrímur goði (S46/H34).

DEFENDER: Tungu-Oddr (S107).

OUTCOME: Battle at Þingnes assembly (S107).

W14, Version C
Burning of Þorkell Blund-Ketilsson
Íslendingabók ch. 5

DATE: During the term of the Lawspeaker Þórarinn Ragabróðir (950-969 AD).

COURT: 1. Þingnes assembly in Borgarfjörðr
2. Alþing.

CHARGE: Manslaughter (vígsokn).

INJURED PARTY: Þorkell Blund-Ketilsson, dead.

PROSECUTOR: Þórðr gellir (hofðingi at sökinni). It is stated he took the case because Hersteinn Þorkelsson was married to Þórunn, daughter of Þórðr gellir's sister.

SUPPORTERS: Þórólfr refr, brother of Álfr of Dales (killed).

ACCUSED: Þorvaldr, son of Tungu-Oddr; Hænsa-Þórir; others at the burning.

DEFENDER: Tungu-Oddr, father of Þorvaldr.

SUPPORTERS: None named. 6 were killed at the Alþing battle.

OUTCOME: Pitched battle, first at the assembly in Borgarfjörðr, then at the Alþing. Hænsa-Þórir was outlawed, and later killed together with others who were at the burning.

COMMENT on the relative merits of the two main versions by Theodore M. Andersson, The Problem of Icelandic Saga Origins, Yale University Press, 1964, p. 107.

"Nordal argued well for the use of Íslendingabók by the author of the saga, but the case is inherently too weak. The issue is not whether the author of Hænsa-Þóris saga knew Ari or not. He may have known Ari and in this case it is even more striking that he took no account of Ari's version. His disregard would evince a variant with enough vitality to maintain itself against any source. That the writer did in fact draw from such a variant is adequately shown by the þáttur of Gunnarr Hlífarson and Þóróddr at the end of the saga. The story has no foundation in Ari and cannot be invention since it has no compositional function. Yet it presupposes the rest of the saga, which must therefore also have a foothold in tradition. And let us again not forget the weight of Sturla's opinion. Nordal asks how the author of Hænsa-Þóris saga could fail to know Ari. In turn it is fair to ask how Sturla could

W14, page 4

fail to know that Hænsa-Þóris saga was an imaginative deviation from Ari's authority, if this were really the case. It is possible as Nordal says (Fornrit, 3, xii), that Sturla was a poor judge, but that his obliviousness could go to the extreme of confusing contemporary fiction with bona fide history is hardly a tenable position. If he used a saga to correct Landnáma, that saga, right or wrong, must have had some generally accepted basis in tradition. It is therefore unwise to part with Hænsa-Þóris saga as an essentially oral story or to reject the discrepancy between it and Ari as a measure of oral distortion."

W15
Witchcraft concerning a Whale
Landnámabok, S75, H63

DATE: Mid 10th century, as the grandfather of Einarr Sigmundarson (Defender) was a landnámsmaðr, his granddaughter was married to a son of Snorri goði (who lived about 963 to 1031), and his cousin Hjalti was a hofðingi in 981 (Kristni saga, V&PI p. 377).

COURT: ?

CHARGE: Witchcraft (fjolkynngi)

HOW COMMENCED: Summons delivered by Lón-Einarr with eight men at the home of the Accused.

INJURED PARTY: Lón-Einarr, to whom Sigmundur and his son Einarr sold Lónland. Hildigunnr allegedly caused a drift whale, which came ashore on Lón-Einarr's land, to drift to her son's, Einarr Sigmundarson's, land.

PROSECUTOR: Lón-Einarr

ACCUSED: Hildigunnr, mother of a farm owner. Her husband and his father were landnámsmenn in different parts of the country.

DEFENDER: Her son Einarr went after Lón-Einarr and attacked him. Lón-Einarr and four of his companions were killed.

W16

Killing of Eyjólfur saurr and Hólmqongu-Hrafn by
Eiríkr the Red
Landnámabók S89/H77; Eiríks saga rauða

DATE: Before W5, perhaps 975-980AD

COURT: Not stated

INJURED PARTIES: Eyjólfur saurr and Dueller-Hrafn, both dead. Eyjólfur was killed by Eiríkr because Eyjólfur killed slaves of Eiríkr who caused a landslide on the farm of Eyjólfur's kinsman (frændr) Valþjófur. The connection of Hrafn is not stated. "The men named here are otherwise unknown. It is likely that the farm name Saurstaðir in Haukadalur has some connection with Eyjólfur saurr" (Íslensk fornrit vol 1 p. 131 note 5).

PROSECUTORS: Geirsteinn and Oddr of Jorva, kinsmen (frændr) of Eyjólfur, also otherwise unknown, although there was a farm "Jorfi" in Haukadalur very close to all the other places mentioned and identifiable, (see Íslensk fornrit vol. V, map).

ACCUSED: Eiríkr the Red, a farm and slave owner, a late settler in Iceland along with his father, and later leader of the expedition to first settle Greenland.

DEFENDER: Insufficient details.

OUTCOME: Eiríkr banished from (gorr ór) Haukadalur.

BIBLIOGRAPHICAL NOTE: Concerning the possible sources for this story see Jón Jóhannesson, Gerdur Landnámabók, Reykjavík, 1941, p. 95-99.

W17

Sheepstealing by Björn

Landnámabók S115, H87; Geirmundar þáttur heljarskinns
ch. 4.

DATE: According to Landnámabók it was shortly after the death of Geirmundr heljarskinn, who emigrated when he was already old during the time of Haraldr Fairhair (see Landnámabók S112); in other words the action must have taken place in the first half of the 10thC, perhaps before 930 AD.

ACCUSED: Björn, a slave (præll) who managed one of the several farms owned by Geirmundr, but see Outcome concerning a possible change in Björn's status before the law suit.

NO DETAILS OF THE ACTUAL LAW SUIT ARE GIVEN

OUTCOME: Björn was outlawed (sekr) and his land forfeited as sekðarfé, presumably under the normal rules of confiscation of an outlaw's property (see above, volume 1, p. 73). The land became common property (hans sekðarfé urðu almenningar). Therefore we must perhaps assume that on Geirmundr's death Björn was freed and given the land; otherwise it would have been owned by Geirmundr's heirs and therefore not subject to confiscation for Björn's wrongdoings.

COMMENTS: Differences in the translations of the two versions, which are substantially similar in the Icelandic, illustrate the difficulty which can be encountered in working with translations rather than the Icelandic originals. Landnámabók, translated by Pálsson & Edwards: "Björn was found guilty (sekr) of sheepstealing after Geirmund died, and what is now common land was a portion of his fine (sekðarfé)". Geirmundr þáttur, translated by McGrew & Thomas: "Björn was later outlawed (sekr) for sheep-stealing and his confiscated possessions (sektarfé) became common property." Being found guilty is not the same as being outlawed, nor is a fine the same thing as confiscated property.

W18

Sheepstealing by Þórarinn gjallandi
Landnámabók S118/H90/M33, S142

DATE: 980-1000AD (see Note on Chronology of W18, 19 & 20).

COURT: Þorkskfjardar assembly.

CHARGE: Sheepstealing (sauðataka).

INJURED PARTY: Not stated, perhaps Þorvaldr Óláfsson.

PROSECUTOR: 1. Þorvaldr Óláfsson. Óláfr belgr was a landnámsmaðr, driven from his original settlement by Ormr the Slender, but then took another claim.

2. Þorvaldr transferred the suit (søk seldi) to Qgmundr Völu-Steinsson. His father and grandmother were settlers (S145), but his father was alive when he was killed as a result of this action (S142).

ACCUSED & DEFENDER: Þórarinn gjallandi. No information is given about him, and there are no other references to him.

OUTCOME: Þórarinn killed Qgmundr at the assembly.

W19
 Abduction of Ásdís by Óspakr Ósvífrsson
Landnámabók Sl42; Laxdæla saga ch. 50

DATE: 995-1000AD (see Notes on the Chronology of W18, 19 & 20).

COURT: ?

CHARGE: ? likely abduction.

INJURED PARTY: Ásdís. In Landnámabók she is the sister of Ljótr the Wise, a householder depicted in Hávardar saga (assuming Gestr Oddleifsson = Ljótr - see Íslensk fornrit vol. VI, p. 303 note 1, V&PII p. 240-241) as reasonably influential; his mother was an earl's daughter. In Laxdæla saga Ásdís is called Aldís, and she is said to be the daughter of Holmgöngu-Ljótr of Ingjaldssandr.

PROSECUTOR: Ljótr, the brother or father of Ásdís. He could also be interpreted as the Injured Party as the male most closely related to the abducted female, as this was seen as more of an offence against the family than the female (see above vol. 1, p. 124).

ACCUSED: Óspakr Ósvífrsson, of good family according to Laxdæla saga (see eg. ch. 32). It is never stated he had his own farm, but rather he is generally connected with Laugar, his father's farm.

OUTCOME: Óspakr outlawed (sekr), although this does not seem to have restricted his activities in Laxdæla saga. Ásdís had a son who was brought up by Ljótr and later became the marshall of King Haraldr Sigurdarson (see also his saga in Heimskringla, which does not name her as the mother, nor mention Ljótr).

W20

Grímr kǫgurr Ditch Digging on Ljótr's Land
Landnámabók S142

DATE: About 1004AD (see Notes on the Chronology of W18,19&20)

COURT: ?

CHARGE: Digging a ditch across the prosecutors land.

INJURED PARTY & PROSECUTOR: Ljótr, a landowner, see W19.

ACCUSED: Grímr kǫgurr, a landowner.

OUTCOME: ? Ljótr was ultimately killed by the sons of Grímr.

ALTERNATE VERSION: Hávardar saga ch. 14 tells the story with considerable variations, and without mentioning the law suit. However, the Landnámabók version was probably taken from an earlier version of hávardar saga and therefore is probably more reliable (see Íslenzk fornrit vol. VI, p. lxxxvii-lxxxix.)

NOTES ON THE CHRONOLOGY OF W18, W19 & W20

1. The relative dating depends in part on the assumption that the events in S142 are stated in chronological order, which assumption is not necessarily valid.

2. W19, the abduction of Ásdís (Aldís) likely took place a few years before 1000AD because: a) Óspakr had been outlawed for it before the killing of Kjartan in about 1003AD (Laxdæla ch.49, 50, 51, see W26). b) The child of Ásdís and Óspakr, Úlfr, died in 1066 (King Haralds saga ch. 79) after having been with King Haraldr for 30 or so years. c) Úlfr was brought up by his grandfather Ljótr, who was killed the winter before Þorbjörn Þjóðreksson, who was very likely dead by the time Vermundr the Slender moved to Ísafjörðr, probably about 1007 (Eyrbyggja ch. 56, Íslenzk fornrit vol. VI, p. xciv). Hávardar saga dates Þorbjörn's death to the days of earl Hakon, but this seems probably wrong.

3. The death of Ljótr occurred shortly after W20, and therefore according to 2c) the law suit took place about 1004.AD.

4. W18. a) According to S142 the killing of Qgmundr took place shortly before a banquet at which Gestr Oddleifsson made a prophecy about Úlfr, suggesting W18 and W19 took place about the same time. b) Óláfr belgr, father of the first prosecutor, was a landnámsmaðr, and was driven from his land by Ormr the Slender. The son of Ormr the Slender died in 980, still a vigorous man, but with three grown sons (Eyrbyggja saga ch.18, see W3). c) Qgmundr, to whom the prosecution was transferred, and who was killed, was also the son of a landnámsmaðr, and his father was still alive. b) and c) suggest an earlier date than a). S142 may therefore be wrong in attributing the composition of Qgmundar-drápa to the same feast as the prophecy concerning Úlfr. Gestr was, according to Kristni saga, already a leading höfðingi in 981, so an earlier date is possible.

See also Íslenzk fornrit vol. VI, p. xciv-xcv.

W21

Killing of Two Slaves by Þorsteinn Egilsson
Egils saga ch. 81

DATE: Mid 970's AD.

COURT: spring assembly (várfing)

CHARGE: Killing of two slaves

HOW COMMENCED: Summons, perhaps at the home of the accused.

INJURED PARTY: Slaves owned by Steinarr, Þorsteinn's neighbour and son of Egill's old friend Qnundr. Steinarr had taken over his father's farm when his father was old.

PROSECUTOR: Steinarr. Later, when Egill intervened, Steinarr's father asked to have the suit transferred to him, to facilitate settlement. Steinarr reluctantly did so. (Síðan seldi Steinarr í hendr Qnundi málit, ok skyldi hann þá sækja eða sættast a, svá sem lög kenndu til.)

SUPPORTERS: Steinarr turned first to Einarr of Stafaholt, a goði, who said: "My help will not be much use to you unless other important men (virðingamenn) support the case". Steinarr then went to Tungu-Oddr (see W13). Oddr "promised his help, namely that he would side with Steinarr in effecting a law suit against Þorsteinn". Steinarr gave them both money. They went with Steinarr with many men to serve the summons. Steinarr attended the assembly with a large number of men with Tungu-Oddr in charge. Einarr also brought many men: "Steinarr behaved arrogantly over his lawsuits. To him his charges seemed legal (logligar) and his support enough to implement the law (at koma málum fram)."

ACCUSED & DEFENDER: Þorsteinn Egilsson, who had taken over his father's farm and godord.

SUPPORTERS: "A great crowd of men". Later his father Egill also supported him with eighty men.

PEACEMAKER: Egill, who appealed to his old friendship with Qnundr, asking him to convince Steinarr to turn the case over to Qnundr for settlement.

OUTCOME: Steinarr transferred the prosecution (seldi málit) to Qnundr, who gave Egill sole judgement in the matter. Tungu-Oddr then said: "I now count myself free, Steinarr, from that help which I promised you, however Egill's settlement turns out for you, for it was agreed between us that I should give you such help that either you were successful in your suits, or the cases ended in a way to satisfy you." Egill declared the slaves were justly killed because of Steinarr's encroachment on Þorsteinn's land, and said Steinarr had to leave his farm and the area.

CHRONOLOGY PROBLEM: The Annals say Tungu-Oddr died in 965.

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Þorsteinn, the youngest child of Egill, would likely have been born around 950, and therefore would have taken over his father's farm no earlier than 970. But Egils saga mentions one other incident in which both were involved, in ch. 28, a quarrel over Grímarsstaðir. Details are not given, but one might conjecture that the story was intended to be inserted at the end of ch. 84, or even that it was there and was left out by the abridger.

W22

Killing of Þórgrímr Þorsteinsson by Gísli Súrsson
Gísla saga ch. 19, 20, 21.

DATE: 963AD

COURT: Þórsnes Assembly.

CHARGE: Manslaughter

HOW COMMENCED: By summons at the home of the Accused, but the accused was not there.

INJURED PARTY: Þórgrímr Þorsteinsson, dead. His closest kin was his brother Bórkr the Stout. His father was dead (Eyrbyggja saga ch. 11). There were also his wife's brothers, Þorkell, who was living with him, and Gísli, who was however the killer.

PROSECUTOR: Bórkr, part owner and householder at Þórsnes. Snorri, his nephew and step-son, had a half interest.

SUPPORTERS: 40 men went with Bórkr on the summoning, also Þorkell and Bórkr's sister's sons Þóroddr and Saka-Steinn and a Norwegian Þórgrímr. No details are given concerning who was at the assembly.

ACCUSED: Gísli Súrsson, a farm owner and operator, brother-in-law of the dead person.

DEFENDER: Gísli sent word to his wife's uncles, Helgi, Sigurdr and Vestgeirr, to go to the assembly and offer to pay a settlement. According to one manuscript they were very young, but this perhaps is unlikely and merely one scribe's explanation of their conduct.

SUPPORTERS: Þorkell, Gísli's brother, warned Gísli that the summoning party was coming and said he would always give such warnings, but otherwise sided with Bórkr. He was helped by a slave, who got killed for him. Þorkell Eiríksson bought his farm, but apparently did nothing at court (he is said to have been a "mann of standing (virðinga manna)"). Þorkell the Rich relayed a message from Auðr's uncles concerning the outcome, but did nothing at the assembly. After the outlawry both Þorkells offered shelter.

COMMENTS RE PERSONS NOT INVOLVED: Gestr Oddleifsson, later said to have been kin of Vesteinn's sons, and therefore presumably of Auðr, Gísli's wife, and of her uncles. His mother later helped Gísli. He was a man people went to for advise.

OUTCOME: Gísli was outlawed, as Auðr's uncles behaved badly and failed to get a settlement.

REFERENCES IN OTHER SOURCES: Eyrbyggja states that Gísli killed Þórgrímr (ch. 12), and that Eyjólfur the Grey killed Gísli (ch. 13). Landnámabók alludes to his outlawry (S114/H86).

W23

Glúmr Geirason vs Oddr

Bardr saga Snæfellsás ch. 22; Landnámabók S207/H174

DATE: After 960, when Glúmr Geirason moved to Breidafjörðr (Reykðæla saga ch. 18, Landnámabók S256/H220, Íslenzk fornrit vol. X p. lxx), before 975 or so when he likely died (Íslenzk fornrit vol. X p. lxx).

COURT: Þorskafjardar Assembly.

CHARGE: Ányt . V&PI p. 141 translate this as "rent", Cleasby & Vigfusson, Dictionary, p. 44 as "ewe's milk, = ærnt" p. 459 nyt = use, enjoyment, produce.

HOW COMMENCED: Summons.

INJURED PARTY: ?

PROSECUTOR: Glúmr Geirason, the son of a landnámadr. He and his father were made district outlaws in the Keykjadalr area, after which they moved to Kroksfjörðr in Breidafjörðr and started a farm there (Reykðæla saga ch. 18, Landnámabók S256/H220). He was also a poet, with several verses quoted in Heimskringla, chiefly about Haraldr Greycloak.

ACCUSED: Oddr, a poet from Breidafjörðr, probably the same one who composed the eulogy for Illugi the Black quoted in Eyrbyggja ch. 17, which included events in 980. There is no evidence for his family or social background.

DEFENDER: Þorvaldr and Þórðr Hjaltasynir. They came from Skagafjörðr and were probably godar there (they are listed as hofdingjar when the land had been settled for 60 winters in Landnámabók S398/H355). But obviously they had no authority as godar at the Þorskafjardar assembly, and it was a considerable distance for them to go from Skagafjörðr. Bardar saga may suggest they were relatives of Oddr, but we have no evidence of what the relationship might have been, and in this same passage which is omitted from Landnámabók the saga errs in saying the Hjaltasynir were from Hrutafjörðr, which was considerably closer to the Þorskafjardar assembly. The verse confirms their attendance at this Assembly, but does not connect it with any particular incident.

OUTCOME: "The brothers defended the suit for Oddr with strength."

W24

Inheritance Claim by Hrútr Herjólfsson
Laxdæla saga ch. 19

DATE: Circa 956AD, but there are problems, as Hrútr is said to have been a retainer of King Haraldr Gunnhildarson, who became king about 960. This tale could either be misplaced in the saga, or it was on a later trip to Norway that Hrútr became a retainer of King Haraldr.

COURT: "Assemblies and other lawful meetings (þingum eða qðrum loqfundum)".

CLAIM: Hrútr claimed half the inheritance of his mother from his half-brother Hqskuldr. Hrútr was born and brought up in Norway, and came to Iceland specifically to make this claim.

INJURED PARTY AND PROSECUTOR: Hrútr Herjólfsson, whose mother was the daughter of Forsteinn the Red, son of Auðr the Deep-minded; his father came of good family in Norway.

ACCUSED AND DEFENDER: Hqskuldr Dala-Kolsson, "a great chieftain (høfðingi)...powerful and wealthy" (Laxdæla ch.9), half-brother of Hrútr.

DEFENCE: "Hqskuldr said he owed him nothing, since their mother had not been penniless when she left Iceland and met Herjólftr". "Hqskuldr argued that Þorgerðr had married Herjólftr without his consent as her legal guardian".

OUTCOME: "Hrútr lived at Kambsnes for three years and continued to claim the money from Hqskuldr at Assemblies and other lawful meetings; he presented his case well, and most people agreed that he had justice on his side. But Hqskuldr argued (see above, Defence)...And there the matter rested." Hrútr then stole some of Hqskuldr's cattle, Hqskuldr's servants pursued him, and there was a battle which Hrútr won. Hqskuldr gathered forces to go after Hrútr, but his wife talked him out of it, pointing out the justice of Hrútr's case, and that it was rumoured Þórðr gellir was going to support him. Hqskuldr calmed down, and made a settlement with Hrútr.

OTHER SOURCES: Landnámabók S106: "Hrútr, to whom Hqskuldr gave as his share in their mother's estate the Kambsnes lands."

W25
 Witchcraft & Theft by Kotkell, Gríma and Sons
Laxdæla saga ch. 35

DATE: Circa 995 AD.

COURT: Alþing

CHARGE: Theft and Witchcraft (þjófnaðr ok fjqlkyngi).

HOW COMMENCED: Summons at the home of the accused. The sons were not home.

INJURED PARTY: Ingunn, mother of Þórðr Ingunnarson, widow of Glúmr Geirason (see W23). She had her own farm. (Concerning Þórðr see Laxdæla saga ch 35). Ingunn went to her son, who lived in a different area, for help, and placed herself under his protection (hon kvaz vilja ráðaz undir áraburð Þórdar).

PROSECUTOR: Þórðr Ingunnarson.

PERSON NOT INVOLVED: Hallstein goði, who held the goðord in the area where both Ingunn and the accused lived.

ACCUSED: Kotkell, his wife Gríma and their two sons. They had recently arrived in Iceland from the Hebrides. "They were all all extremely skilled in witchcraft and were great sorcerers." They acquired their farm with the aid of Hallstein goði "and enjoyed the protection of Hallsteinn goði" (Laxdæla ch. 35).

OUTCOME: Þórðr and his companions returned home by sea after serving the summons. Kotkell and this family used witchcraft to brew up a storm, and the whole party was drowned. Further action was taken against Kotkell and his family, and they were eventually killed, but the law suit was not pursued.

CORROBORATING EVIDENCE: Three place names occur which were associated with the drowning of Þórðr: Kjalar Isle, Skjaldar Isle, and Haugsnes .

W26

Killing of Kjartan Ólafsson
Laxdæla saga ch. 49, 50, 51.

DATE: 1003-1004AD (Íslenzk fornrit vol. V, p. lvii, Annals).

COURT: Þórsnes assembly.

CHARGE: Manslaughter.

HOW COMMENCED: "Óláfr hafði lýst vígsokinni til Þórsnessþings"

INJURED PARTY: Kjartan Ólafsson, dead. His father, Óláfr, was alive, aged about 65. Óláfr was an illegitimate son of Hqskuldr Dala-Kolsson (see W24) and Melkorka, an enslaved Irish princess. Óláfr became a distinguished man in the area and married well, his wife being Þorgerðr, daughter of Egill Skallagrímsson. He is listed in Kristni saga as one of the leading hofðingi around 971, and in Laxdæla saga ch. 71 his son Hálldórr is said to have held a godord.

PROSECUTOR: Óláfr Hqskuldsson.

SUPPORTERS OF PROSECTUION: Þorsteinn Egilsson, Óláfr's wife's brother, who held a godord (see Egils saga ch. 79-82). Guðmundr Sölmundarson, husband of Óláfr's daughter Þuridr, "a wealthy man" (Laxdæla saga ch. 31), and his son Hallr. The Ásgeirssons, especially Kálfr Ásgeirsson, brothers of Kjartan's wife Hrefna; Kálfr was a companion of Kjartan on his trip abroad; "Ásgeirr was a man of great consequence", his father was the first settler in Víðidalr (Laxdæla ch. 40).

ACCUSED: "All those who had taken part in the attack on Kjartan...apart from Óspakr Ósvífrsson, who was already an outlaw over a woman called Aldís" (W19). One of the attackers, Guðlaugr, Ósvífr's nephew, was killed in the battle, two others, the sons of Þórhalla, were killed later, so only the sons of Ósvífr and Bolli Þorleiksson, husband of Guðrun Ósvífrsdóttir and the actual killer, were concerned. The saga is somewhat confused on the position of Bolli. When Óláfr took a conciliatory line, it is said "There were no difficulties as far as Bolli was concerned, because he invited Óláfr himself to arbitrate on his behalf", suggesting he really was one of the accused. However, in ch. 51 the saga says "Óláfr refused to have Bolli prosecuted (lata sækja Bolla) but asked him to put up damages on his own behalf instead". Bolli and Kjartan were cousins, and Bolli had been fostered by Óláfr. The sons of Ósvífr were brothers of Bolli's wife Guðrun, who egged them all on to attack Kjartan. Concerning the Ósvífrssons see also STH8. Three lists of the Ósvífrssons are given in Icelandic sources, with some variations in names and numbers (Kristni saga, V&PI p. 385, Laxdæla saga ch. 48, Landnámabók S84/H72).

DEFENDERS: Bolli spoke on his own behalf, but did not attend the peace meeting, Ósvífr for his sons. Ósvífr was "a great sage" with his own farm (Laxdæla ch 32). His sons and daughter Guðrun and her husband Bolli lived with him.

W26 page 2

SUPPORT REFUSED: "The Þorhallusons were sent off to Helgafell to tell Snorri goði what had happened and to ask him to send immediate help and support against Óláfr the Peacock and the others whose duty it would be to take action over the killing of Kjartan". Later when Óláfr offered conciliation "Ósvífr found he was in no position to object, for he had not received any support from Snorri goði". Snorri was supposedly a good friend of Guðrun Ósvífrsdóttir.

OUTCOME: A peace meeting was arranged, and "the whole case was put unconditionally into Óláfr's hands....The terms of the settlement were to be announced at the Þórsnes Assembly". Again, the author seems a little confused, as he treats the actions against the Ósvífrssons as being pursued to their legal conclusion, not as being settled: at the Þórsnes Assembly "the actions against the Ósvífrssons were now heard, and they were all sentenced to outlawry. Money was put up to secure them a passage abroad, and they were forbidden to return to Iceland for as long as any of the Ólafssons, or Ásgeir Kjartansson, were alive". They went abroad in the summer and never returned. "Óláfr refused to have Bolli prosecuted (láta sækja Bolla), but asked him to put up damages on his own behalf instead".

OTHER SOURCES: The Annals give 1003 or 1004 as the year of the killing of Kjartan Ólafsson. Landnámabók S114/H86 mentions Þórarinn son of Ingjaldr of Hergilsey who "was with Kjartan in Svínadalr when he was killed". S84/H72 names the sons of Ósvífr who "were outlawed for the killing of Kjartan Ólafsson".

W27

Killing of the Son of Eidr of Ass

Laxdæla saga ch. 57; Pórdur saga hreðu ch. 7;

Grettis saga ch. 52

DATE: Circa 1005AD, although the connection of Grímr with Grettir does not fit this date.

COURT: ?

CHARGE: Manslaughter

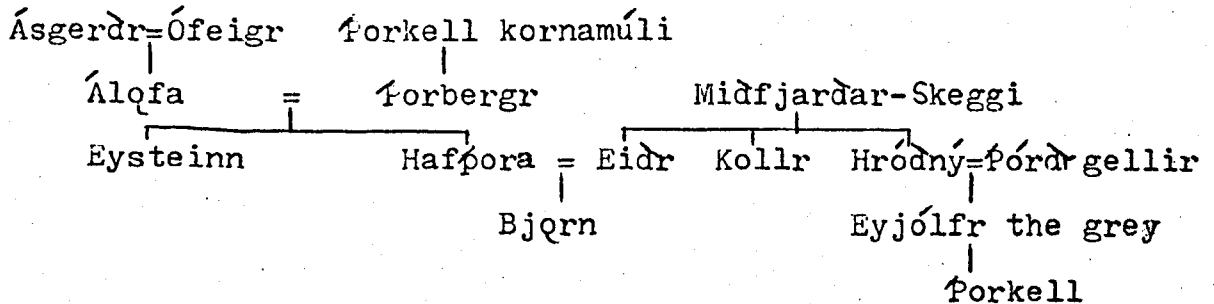
INJURED PARTY: Son of Eidr of Ass (Bjorn), whose father was Midfjardar-Skeggi, one of the leading hofdingjar when the land had been lived in for 60 winters (circa 930-950, see Landnámabók S398/H355). He was an old man. His great nephew was Þorkell Eyjólfsson, quite likely a goði.

PROSECUTOR: Eidr

ACCUSED: Grímr, the son of Helga of Kroppr, a widow. Nothing further is known of him.

DEFENDER: ?

OUTCOME: Grímr was outlawed and took to the mountains. "Eidr was very old when this happened, so the case was not followed up any further; but Þorkell Eyjólfsson was severely criticized for failing to pursue it to the limit", in other words for not killing Grímr as an outlaw who failed to leave the country. Þorkell pursued Grímr, who got the better of the encounter, but spared Þorkell's life. Þorkell took him abroad and set him up as a merchant.



N1

Loss of Two Heifers by Þorkell and Sigmundur
Víga-Glúms saga Ch.7. and Fragment C

DATE: Circa 947AD

COURT: not stated which court summons for. Settlement to be confirmed at Alþing
 (En um sumarit, er menn fóru til þings er þessu máli var sett)

CHARGE: Theft (Stuldr).

HOW COMMENCED: Summons

INJURED PARTIES: Þorkell and his son Sigmundur, who operated one farm (Þverá) together; the farm^{was} owned by Hallfríðr, Þorkell's daughter, Sigmundur's sister; they moved there from Þorkell's farm on Lake Mývatn when Hallfríðr inherited on her husband's and then son's death. See also, Landnámabók S255/H219. Sigmundur^{is} said to be a "man of note" (mikill maðr). (See Genealogy b).

PROSECUTORS: Þorkell and Sigmundur

ACCUSED: Two slaves of Ástríðr, Víga-Glúmr's mother, who Þorkell and Sigmundur summoned in their own right. Maurer considers this an example of an owner being charged for his slaves' deed (Strafrecht p.462) but the saga states quite clearly that the slaves were summoned and they personally were subject to outlawry.

PERSON ASSUMING RESPONSIBILITY FOR DEFENCE: Ástríðr, owner of the slaves - she valued the slaves and wished to prevent their outlawry.

DEFENDER: Ástríðr asked her son, Þorsteinn, to defend the slaves (svara fyrir þrælana) saying "I think you ought to be my shield and protection and thus prove yourself member of a good family (ætt)". Note^{the saga} does not state a legal obligation to help. He lived at Hólar, which he presumably owned as he had an inheritance from his father. He was very ineffective in the suit, being apparently reluctant to oppose Sigmundur & Þorkell as he felt they had a strong kin (probably referring to Sigmundur's wife's kin, who they turned to in N2). No formal transfers^{are} referred to.

KIN NOT INVOLVED: Ástríðr is depicted as quite helpless with only two sons as support, neither yet effective, with Glúmr in addition abroad at this time. She had come to Iceland with her husband on his return from a trip to Norway, her own immediate family staying in Norway. Her husband's brother Steinólfr is ignored in the story, as is his sister's husband Narfi, although Víga-Glúmr was involved with the children of both later in his life. Narfi lived on an island in Eyjafjörðr (but see N12 for his dubious pedigree). Steinólfr's home not

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stated. Also Teitr, the husband of Ástríðr's cousin (1st cousin in Landnámabók, 1st cousin once removed in Glúma), who later supported Glúmr, together with his son Gizurr the White (see N2), were not involved. He did live in the south and not in physical proximity. Also Eyjólfur Valgerðarson, 1st cousin once removed of Astríðr's husband although he was just as closely related to the prosecution. Landnámabók S398/H355 lists him as leading man in 930, but it may be in error as other references suggest he was no older than Glúmr. In Mantissa he counsels a change in law in about 976 (V&PI, 269); in Kristni saga is listed with Glúmr as a leading chieftain around 980 (V&PI, p.376). (Genealogy a).

RELATIONSHIP OF PROSECUTION AND DEFENCE: Ástríðr was the mother-in-law of Sigmundur's sister.

OUTCOME: Ástríðr offered Þorkell and Sigmundur self-judgement to avoid outlawry of her slaves, although it is not stated there was any evidence against the slaves; they took full rights to a field, Vitazgjafi, held jointly by them. That summer the heifers were found buried in an avalanche. Þorkell and Sigmundur then offered payment for the land but Ástríðr refused, arguing she wanted only the land.

COMMENTS: Ástríðr is not depicted as particularly aggressive in trying to get justice or as seeking out powerful help, unlike Unnr in STH11, Hildigunnr in STH23 and Þorgerðr in W6. She is seen as biding her time until Víga-Glúmr was ready to act. Perhaps this shows the aggressive behaviour of Hildigunnr and Þorgerðr was justified and necessary, and men wouldn't go out of their way to help females.

N2
 Killing of Sigmundr Þorkelsson
Víga-Glúms saga Ch.9 and Fragment C (AM445)
 Turville-Petre p.91-94

DATE: Circa 948AD, 946 according to Íslenzk fornrit edition.

COURT: Alþing

CHARGE: Manslaughter

INJURED PARTY: Sigmundr Þorkelsson, dead - see N1, injured parties.

PERSON ASSUMING RESPONSIBILITY SUIT PURSUED: Þorkell, his father, but he did not seem to consider pursuing the matter himself, turning rather to Sigmundr's wife's brothers.

PROSECUTOR: Þórarinn Þórisson, Sigmundr's wife's brother. The saga suggests Þórir of Espihóll and his sons were of a better family than Þorkell and Sigmundr. "Sigmundr was considered a man of substance after he had married into the family at Espihóll" (Ch.5). Þórir was a grandson of Helgi the Lean and a son of Hamundr heljarskinn, who are both listed in H354 as among the leading settlers. Þórarinn Þórisson is depicted in the saga as a powerful man in the area. Neither is said to have held a godord. Þorkell went to see the sons of Þórir and urged them to press this suit, giving as his reasons their own relation by marriage to Vigdís as well as many acts of friendship which both he and his son Sigmundr had done them." Glúmr's brother assumed the "Esphœlingar" would be interested in the matter. Þórarinn took up the case, reluctantly, because of his kinship with Glúmr, and because he felt they would not be too successful. "It would seem to me that it might be difficult so to press this suit so as to be sure to increase our standing in the community". But his brother Þorvaldr argued "it would be regarded as downright shameful if he and his kin did not lend their support to the suit brought by their kinsman" and "we won't concede to be his [Glúmr's] inferiors in the district (herað)". Þórarinn, ^{was} likely the elder of the two as he later took over the family farm at Espihóll (Ch.17), although at this time his father was still alive and he was therefore not a householder in his own right. Þorvaldr lived at Mòdrufell. No formal transfers referred to in the main text, but in C fragment ^{the} Þórissons ^{were} urged to "taka við eptirmálinu" (T-P.p.94). (See Genealogy b).

SUPPORTER: Þorvaldr pledged his full support.

KIN NOT INVOLVED: Þórir, father of Þórarinn and Þorvaldr - said in Ch.11 to be blind but not clear how much later this might be.

ACCUSED AND DEFENDER: Glúmr. He was about 17 at this time and living with his mother. On his father's death his elder brother Vigfúss took over the family estate. On Vigfúss' death it was divided, half to Vigfúss' wife (Þorkell's daughter and Sigmundur's sister) half to Víga-Glúmr and his mother Ástríðr. Their father, Eyjólfur, had held a godord, as had his father. There is no explicit statement as to who exercised that godord at this date or that Glúmr ever held it during his life, but as he is shown delivering the verdict of twelve in Ch.18 and as hallowing the autumn assembly in Ch.27 he is clearly considered to have held it. (See Turville-Petre p.72, note 29/11). Þórarinn: "the suit against him won't be an easy matter if he himself defends the case, as I presume he will".

SUPPORTERS OF DEFENCE: Gizurr the White, Teitr, and Ásgrímur Ellidagrímsson, stated to be relatives (frændr) of Glúmr, although the relationship not stated. Gizurr is identified elsewhere in the saga as a cousin of Glúmr's mother's father (Ch.III and V). Íslendingabók (Ch.7 and genealogy) states that Gizurr was the son of Teitr, Teitr the son of Ketilbjörn, who was an original settler in Iceland. Njáls saga (Ch.26) states that Ásgrímur was the son of Jórunn, the daughter of Teitr and Ólof and thus sister to Gizurr the White; Ásgrímur was thus nephew to Gizurr. (see Genealogy b). Glúmr said "he expected his kin to support him to obtain justice". Ásgrímur was probably a goði (Kristni saga, Njála Ch.118).

SUSPICIOUS ELEMENT: Glúmr's supporters came from three generations of the same family. It sounds like the author picked a few famous names, known to be related to Glúmr, having only a hazy idea of their exact relationship and age relative to Glúmr, perhaps working from a tradition that Glúmr was backed by the Mosfell people. It seems likely that Gizurr, the White was considerably younger than Glúmr, as his son Ísleifr became bishop at the age of 50 around 1060 (Íslendingabók Ch.9). Gizurr is also depicted as very active at the time Christianity was adopted in Iceland about 1000 (Íslendingabók and Kristni saga). It is thus unlikely he, or his nephew Ásgrímur were old enough, or even born, in around 948 when this law suit occurred. Ásgrímur married the divorced wife of Arngrímur in Ch.21, some 30 years later.

KIN NOT INVOLVED: Glúmr's brother Þorsteinn (see Suit 1).

OUTCOME: The case was presented in such a fashion as to avoid any flaws (spjall) but Glúmr brought a counter suit (see N3), and had Sigmundur declared an outlaw before he died and therefore justifiably killed: "And his kinsmen supported him so strongly that Sigmundur was declared to have fallen an outlaw".

REFERENCES IN LANDNÁMABÓK: Glúmr is stated to have killed Sigmundur Þorkelsson in the field Vitazgjafi (Sigmundarakri in one manuscript) (S255/H219 and Benediktsson p. 283 note 10). There is a reference to "Þórny, daughter of Sigmundur Þorkelsson, whom Glúmr killed" (S205/H172).

N3
Theft of Vitazgjafi
Víga-Glúms saga Ch.9

DATE: Circa 948 (946) AD

COURT: Alþing

CHARGE: Theft (Stuldr, Bekráð). Brought as a defence to N2.

INJURED PARTIES: Glúmr and his mother. See N1, outcome, for circumstances of theft.

PROSECUTOR: Glúmr - see N2.

SUPPORTERS: As N2.

ACCUSED: Sigmundur, who was already dead. Dug up and summoned by Glúmr.

DEFENDER: Presumably the prosecutors of N2.

OUTCOME: "Sigmundur was declared to have fallen as outlaw".

N4

Slander of Astríðr's slaves by Þorkell the Tall
Víga-Glúms saga Ch.9

DATE: Circa 948 (946) AD

COURT: Alþing

CHARGE: Slander (illmæli). See N1 for details of the slander.

INJURED PARTIES: The two slaves of Astríðr and Astríðr as their owner; perhaps also Glúmr as he might have been joint owner with Astríðr of the slaves.

PROSECUTOR: Glúmr. No discussion of his rights to a suit re the slaves.

ACCUSED: Þorkell the Tall (see N1 and N2).

DEFENDER: "No legal defences for Þorkell were entered"

SUPPORTERS: See N2

OUTCOME: Þorkell would have been outlawed. Glúmr said the only alternative was for Þorkell to sell Þverá (the half that Glúmr and Astríðr didn't have - see N2, Accused) at a price set by Glúmr. Þorkell agreed and moved back to Mývatn where he had come from.

N5
Killing of Hlōðu-Kálfr
Víga-Glúms saga Ch.14

The story seems very likely to be wholly fictitious, bearing a strong resemblance to a European fable. Also the main characters of it, Kálfr, Ingólfr and Þorkell, are otherwise unknown. It is also clearly an interpolation in the saga, and could have as its basis 13th C events. This Law Suit will therefore be disregarded.

See G. Turville-Petre, Víga-Glúms saga, p. xxxii-xxxviii.

J. Kristjánsson, Íslensk fornrit, IX p. xxxix-xlii

(But note that unlike the Víga Skúta episode, this þáttur does involve the Esphœlingar and thus fits nicely in one of the main themes of the story).

N6

Loss of Sheep by Halli
Víga-Glúms saga Ch.17 and 18. Also Vatnshyrna
 fragment, Turville-Petre p.100-102.

DATE: Circa 975 AD

COURT: ? probably the local spring assembly

CHARGE: Theft (stuldr, þjófsok)

INJURED PARTY: Halli the White, of Jórunnarstaðir in Eyjafjörðr, a respected person as he "had to do with all cases in the district (herað) calling for reconciliation (sáttmál), for he was both wise and just in delivering judgement". (Glúma Ch.XVII); he is called a bóndi in one manuscript fragment (Turville-Petr, p.100); he was blind at this time. He was 1st cousin once removed of Einarr and Guðmundr enn ríki, the sons of Eyjólfur (see Genealogy b, although this relationship¹⁹ not pointed out in the saga), soon to be powerful men in the area (see Ljóstvetninga saga) and foster-father to Einarr, according to the saga, (perhaps indicating he was of lesser position).

PROSECUTOR: Bárðr Hallason "a boisterous and unscrupulous man, rash of speech and abusive". No indication he had any special standing in the community but had his own farm. Took the suit at request of his father.

ACCUSED: Hallvarðr, a freedman of Glúmr, foster-father to Vigfúss Glúmsson. He was independently well-off and owned a farm, Tjörn, although he had given his property to Vigfúss to look after (hann handsalaði Vigfúsi fé sitt). He was disliked because he often took what wasn't his in the common pastures (var svá hendisamr í afréttum. V. fragment: hann mundi verða hendisamr um dilka manna um haustum ef ómarkaðir váru).

DEFENDER: ? no discussion of the defence.

SUPPORT REFUSED: Glúmr not anxious to "risk my standing (virðing) for such a person".

SUPPORTER: Vigfúss Glúmsson.

OUTCOME: The suit was to be decided by a tólftarkviðr (composed of the goði of the area in which the accused lived plus 11 of his þingmenn, see Turville-Petre p.72 note 29/1; Finsen III p.632; Eyrbyggja saga Ch.16) in this case Glúmr plus 11 others. It became apparent the verdict was going to be guilty, whereupon Vigfúss announced in court "that Glúmr would have reason to consider that verdict dearly bought". Glúmr "quashed the suit" (ónýtti málit). The goði's vote was not supposed to carry greater weight than the others unless the vote was evenly split, in which case he had the deciding vote. But presumably he also had influence with the others who were his þingmenn. This decision "caused Glúmr to lose much respect in the district (Glúmr fekk af óvirðing)": "fekk Glúmr þar af enga sæmd". (But note this resulted from exercise of his legal duties as goði, not from his participation as party to a law suit).

N7
Loss of a Boar by Halli
Víga-Glúms saga Ch.18

DATE: Circa 977 AD

COURT: Didn't get to court

CHARGE: Theft

HOW COMMENCED: Summons at home of accused

INJURED PARTY: Halli the White (see N6)

PROSECUTOR: Bárðr Hallason ("Bárðr tekr málit")

ACCUSED: Hallvarðr (see N6).

OUTCOME: Bárðr killed Hallvarðr while serving the summons on him. Halli went to Glúmr and offered him sole arbitration for the killing which Glúmr accepted, but he didn't take high damages. Vigfúss was abroad at the time and was upset by it all on his return.

COMMENT: In N6 Bárðr had relied on legal procedure, and apparently submitted there to the legal outcome. But that legal outcome was not just, and resulted from improper pressure on court officials. Therefore this time he resorted to another, violent, remedy.

N8
 Killing of Bárðr Hallason
Víga-Glúms saga Ch.19

DATE: Circa 978, according to Íslenzk fornrit edition

COURT: ? The assembly

CHARGE: Not stated, but doubtless manslaughter

INJURED PARTY: Bárðr Hallason, dead (see N6, N7).

PERSON ASSUMING RESPONSIBILITY SUIT PURSUED: Halli, father of the dead person - see N6, Injured Person.

PROSECUTOR: Einarr Eyjólfsson of Saurbæ; foster-son of Halli. Halli asked him to take up the prosecution ("taka við mál"). "It devolved (skyldr) upon him to prosecute the case for his kinsman (frændr) and foster-brother". The kinship is not explained in the saga, but they were 1st cousins once removed (see Genealogy b). His brother Guðmundr held a godord but there is no evidence he did.

SUPPORTER: Þórarinn of Espihóll (see N2). No reason stated for seeking his support, but he also was related, 2nd cousin once removed; also he was married to Einarr's brothers' wife's cousin (see Genealogy b). More to the point perhaps, his was a powerful family in the area.

ACCUSED: Vigfúss Glúmsson and two Norwegians. The latter actually did the killing but they went with Vigfúss at his request. He started the fight and they only intervened because they feared he might lose. They were staying with Glúmr and Vigfúss.

DEFENDER: Not stated

OUTCOME: Settlement sought but the prosecution resisted, and, because they were "intrepid men" and "skilled in the laws", they were able to press their case. The two Norwegians were declared full outlaws and Vigfúss subject to three year outlawry. But he failed to keep the terms of his outlawry and became a full outlaw.

COMMENT: Prosecution was a combination of the other men of power in the area, the Esphœlingar and Moðrvellingar, against Glúmr and his family, and the latter lost, i.e. the balance of power in the area was perhaps shifting.

Landanábók: Þordarbók confirms Vigfúss Víga-Glúmsson killed Bárðr and cites a verse of "Bárdardrapa". (See Íslenzk fornrit 9, p. xxix and p.65 note 2).

N9
 Killing of Steinólfr
Víga-Glúms saga Ch.21, 22, 23

DATE: Circa 984 AD (Íslenzk fornrit says 983)

COURT: Probably Alþing (see N10)

CHARGE: Manslaughter

HOW COMMENCED: Summons at Mòdrufell , farm of the accused, who was not at home.

INJURED PARTY: Steinólfr, dead. Arnórr Redcheek, his father, apparently still alive as Steinólfr had recently been living with him.

PROSECUTOR: Arnórr is never mentioned in connection with the suit. The defence assumed Glúmr to be in charge and Glúmr also seemed to. Glúmr was 1st cousin once removed of Steinólfr and had been a good friend of his father. Glúmr's son Már served the summons.

SUPPORTERS: Már had 17 men with him to serve the summons. Glúmr had "a host of supporters at the Assembly".

ACCUSED: Arngrímr Þorgrímsson, who owned and operated his own farm, Mòdrufell . He was 1st cousin of Steinólfr, the man killed.

DEFENCE: Arngrímr sought the help of his father's half-brother Þórarinn of Espihóll (see N8 Supporter of Prosecution), who took him in for the winter, along with Þorvaldr Barb, half-brother to Þórarinn, who was a friend of Arngrímr and with him at the killing. At the suggestion of the meddlar Þorvarðr Qrnólfsson, the Esphølingar decided to summon Steinólfr for seducing Arngrímr's wife, a charge involving outlawry which meant he would have been lawfully killed. This led to the battle of Hríateigr, further killings and a further law suit (see N10). Arngrímr was among those killed.

OUTCOME: See N10.

N10
 Killings at Hrístateigr
Víga-Glúms saga Ch.22, 23

DATE: Circa 984 AD

COURT: Probably Alþing, as it was the þing in the summer.

CHARGE: Manslaughter of Þorvaldr Barb, brother of Þórarinn Þórisson of Espihóll (see N8, N9). Several people were killed in the battle at Hrístateigr which was brought on by the interference of Þorvaldr Qrnólfsson between the parties involved in N9. "According to the law at that time if equally many men fell on either side in a battle it was to be regarded as a draw, even though it was thought there was a greater difference in rank between them; but the party suffering the greater loss of life was to select one of their dead for whose death a suit was to be preferred".

PROSECUTOR: Þórarinn, the brother of Þorvaldr Barb. Later Einarr Eyjólfsson took up the suit (tók nú Einarr málit). The two had also co-operated in N8. Þórarinn was severely wounded and perhaps not capable of pursuing the suit. Þórir, father of Þorvaldr, was dead (see Ch.17 Glúma).

ACCUSED: Guðbrandr, son of Þorvaldr Qrnólfsson, the trouble-maker; he was at the fight but did not kill Þorvaldr. Glúmr was the actual killer but convinced Guðbrandr and everyone else otherwise. The author got a little confused saying Einarr prosecuted Glúmr.

DEFENDER: Glúmr. Guðbrandr's father is not mentioned until the suit is over and he was ill pleased with outcome.

SUPPORTERS: Glúmr had a host of supporters at the Assembly and so did the other side.

PEACEMAKERS: Distinguished kinsmen on either side.

OUTCOME: Conciliation. "The death of Steinólfr was to be compensated by Vigfúss, the son of Glúmr, being declared free from outlawry. But Guðbrandr was decreed guilty of the death of Þorvaldr. Glúmr procured passage abroad for him". See further N11. "Glúmr was now highly regarded (sat nú Glúmr í virðingu)".

LANDNÁMABÓK: "Þórðar at Stokkahlöðu, er var á Hrístateigi með Esphælingum ok töldu Þveræingar hann hafa völl víðan en Esphælingar kváðu hann flesta særa ór Glúms líði". (Þórðarbók, quoted by Benedikksson, p.271 note 9). Confirms the battle was Esphælingar vs Þveræingar, but is of little help re the law suit.

N10 page 2

SUSPICIOUS ELEMENTS: (1) many persons on both sides of the battle are otherwise unknown, including Jøðurr, Eyjólfur son of Þorleifr inn hávi, Guðbrandr Þorvarðsson, Eysteinn, Eyvindr, Halli enn digri (see Íslenzk fornrit Vol IX p.71, notes 1 and 2, 73 note 1, 74 notes 2, 3 and 5).

(2) Nowhere else is it suggested that in killings the dead on either side were to be set off against one another (see Íslenzk fornrit Vol IX p.80, note 1). This is a nice egalitarian concept, but we frequently see in the sagas that men's lives are not thought of equal value e.g. even in Glúmr, Ch.27 the killing of Grímr eyrarleggr is set off against the wounding of Guðmundr the powerful. This strongly suggests that details of the battle and ensuing law suit were not preserved in the author's sources, whether oral or written, in anything like the detail given here. It seems unlikely to me that this part of the litigation concerning Hrístateigr actually occurred. The author was merely drawing out the story of Glúmr's downfall, to great literary effect. It is further not a necessary link for the rest of the litigation (N11) over Hrístateigr.

N11
Víga-Glúms saga Ch.24, 25, 26
 Killing of Þorvaldr Barb (see also N10)

DATE: Circa 985 AD

COURT: Hegranes assembly, then Alþing

CHARGE: Manslaughter

INJURED PARTY: Þorvaldr Barb, dead

PROSECUTOR: Þórarinn his brother, although he had to be urged by Þorvarðr, father of Guðbrandr, who was outlawed for the killing in suit 10. Þórarinn would have preferred to let matters rest.

SUPPORTERS: Einarr Eyjólfsson and Esphœling people and many friends. Sufficient men to nearly block Glúmr with 100*men from going to the court.

ACCUSED AND DEFENDER: Víga-Glúmr, who in N10 had tried to fix guilt on Guðbrandr Þorvarðsson.

SUPPORTERS: 100*men at Hegranes assembly. Ásgrímr Ellidagrímsson and Gizurr the White. (see N2).

OUTCOME: Prosecution tried to block Glúmr from attending court to present his defence. Glúmr forced his way in. Court was in an uproar for some time. By then the sun was on the assembly field, for which reason Glúmr brought a veto forbidding the judges to bring sentence (see Grágás la Ch 28, p.52). The Esphœlingar renewed the suit at the Alþing. Settlement that Glúmr to swear an oath at three sanctuaries in Eyjafjörðr that he hadn't killed Þorvaldr. He swore an ambiguous oath which people only later realised meant the opposite of what they thought.

N11: Revival

DATE: Circa 986 AD

COURT: Alþing

CHARGE: Manslaughter

PROSECUTOR: Þorvarðr pointed out to Þórarinn the ambiguity in Glúmr's oath, but Þórarinn said he was tired of fighting Glúmr. Þorvarðr suggested Einarr take the suit again (see N10), which Einarr agreed to (taka við mál).

OUTCOME: Glúmr admitted the manslaughter. His friends and relations intervened to get a settlement to avoid his outlawry. He had to pay compensation to the son of Þorvaldr Barb, sell his estate at half price to Einarr Eyjólfsson and leave the immediate area (heraðssekr).

*Probably a long hundred of 120 men.

N11 page 2

SUSPICIOUS ELEMENT : Use of Hegranes assembly. The spring assembly for Eyjafjörðr was the Vøðlaþing. Vigfusson and Powell (Vol II, p.434) suggest this reflects mid to late 13thc conditions when power lay in the Hegranes area and Eyjafjörðr was in decline. Careful description in Ch.27 of the location of the autumn assembly in Eyjafjörðr, held at the same place as the Vøðlaþing, might support the idea that memory of the Vøðla spring assembly was lost. Jónas Kristjánsson (Íslensk fornrit IX p.LI note 3) also suggests this. Ólafur Lárusson (Lög og Saga "Nokkrar athugasemdr um fjórðungapíngin p.115, see also Jónas Kristjánsson Íslensk fornrit vol IX, p.46, note 3) suggests it was the Quarter Assembly for the north. This suit took place at most 20 years after the Quarter Assemblies were set up, and thus perhaps at their most active time. They were apparently not the most successful part of the legal system in Iceland as they receive only one mention in Grágás (Finsen II, p.356, Ch 328). Perhaps this suit may be taken as an illustration of some of the reasons why the Quarter assemblies did not thrive: (1) they were held at a time of year when travel was difficult; (2) suits brought to them were of perhaps greater importance than at spring assemblies, but there were not enough people in attendance sufficiently detached to keep matters under control, whereas this generally could be achieved at the Alþing; (3) they were not a necessary addition to the Alþing.

If this suit was held at the Quarter Court, the author was not clear on this, as he states that Þórarinn brought the suit there "because all Chieftains taking part in this assembly (samþingisgoðar) were bound by affinity (raudleytum) to himself". A Quarter Assembly would have included all the goðar in the north - presumably Þórarinn couldn't claim affinity with all of them to any greater extent than Glúmr. He was, however, married to the granddaughter of Þórðr of Høfði. Þórðr had 19 children and they or their children married into most of the important families in Skagafjörðr. But the affinity Þórarinn could thus claim in many cases looks considerably weaker than Þórarinn's blood kinship with Víga-Glúmr himself (2nd cousin). For example, his wife's mother's sister's husband's sister's son was Þorvarðr Spak-Bødvarsson (probably a goði at this time, see Kristni saga V&PI p.377), a relationship traced mainly through female connections and marriage ties. If kinship at this level assured support, then all the descendants of Helgi the Lean, the combatants in much of Víga-Glúms saga, should have been firm supporters of one another. It is more believable that Þórarinn could rely on the support of his wife's cousins, who were probably goðar, Arnorr Kerlingarnef (Kristni saga) and Halldórrof Hof (Grettla Ch.70); the latter may however have been considerably

..... 3

N11 page 3

younger, the list in Grettla being applicable to circa 1030, 50 years later. The Hjaltsynir, who may have held another goðord (Landnámabók S398/H385) were Halldor's wife's father and uncle, also brothers of her mother's sister's husband's brother's wife - again relationships perhaps rather remote from Þórarinn. One other goðord probably existed in Skagafjörður at this time, held by Hólmgöngu-Starri and his brother (Kristni saga) but I have found no evidence of their affinity with Þórarinn or his wife. There is thus evidence for close affinity with only one goði active at this time in Hegranessþing (see also Jónas Kristjánsson Íslenzk fornrit Vol IX p.82 note 4). Also, Glúmr had closer connections with some of these, as his daughter Þorlaug married Arnórr kerlingarnef, (Víga-Glúms saga, Reykðæla saga, Ljósvefninga saga) and his son Már married Halldóra, daughter of Spak-Þóðvarr and sister to Þorvarðr Spak-Þóðvarson (Landnámabók Þórðarbók, see Íslenzk fornrit Vol IX p.xxviii). Both of these marriages could of course have taken place later than this, but are not likely to have been too long after as Glúmr's children were adults by this time. But in any case the Hegranes spring assembly would have had no jurisdiction over a case concerning a suit in which the events occurred in, and all the people come from, the Vøðla spring assembly area (see Finsen Iap.96, Ch 56, II p.356, Ch 328).

It is possible there was a genuine tradition that this law suit was started at the Hegranessþing, probably at the Quarter Assembly as Lárusson suggests, but that the reasons given in Glúma are not accurate. It certainly does seem probable that there would have been strong traditions about how Glúmr lost Þverá to Einarr Eyjólfsson, an event which most probably signalled a major power shift in the area. (Concerning the North Quarter Court see also N19).

REFERENCES IN LANDNÁMABÓK: Landnámabók Þórðarbók Benediktsson p.271, note 9. "Hrafn, faðir Þórðar at Stokkahlöðu, er var á Hrístateigi með Esphælingum, ok töldu Þveræingar hann hafa völl víðan, en Esphælingar kváðu hann flesta særa ór Glúms líði."

LJÓSVETNINGA SAGA: Íslenzk fornrit Vol X p.41: Vigfúss Víga-Glúmsson talking: "If Einarr will not fight with me, there is no lack of causes to my hand against him, for this is unavenged, that Einarr drove us, my father and me, from the Þverá land, and from all rank (mann-virðing).

N12a
 Killing of Þorvaldr of Hagi
Víga-Glúms saga Ch.27

DATE: After 986 and Glúmr's defeat (N11 revival)

COURT: ?

CHARGE: Murder (mord)

INJURED PARTY: Þorvaldr menni of Hagi, dead, a landowner.
 No details of his family are given.

PROSECUTORS: Þórarinn Þórisson and Þórðr Hrafnsson of Stokkahlada. Þórðr was married to Þórarinn's sister Vigdís, widow of Sigmundur who Víga-Glúmr killed (see N2). Þorvaldr menni was married to Helga, daughter of Þórðr, i.e. the prosecutors were father-in-law and uncle-in-law of Þorvaldr (see genealogy b). Re Þórarinn see N8-10.

SUPPORTERS: Einarr Eyjólfsson - no comment on his involvement is made.

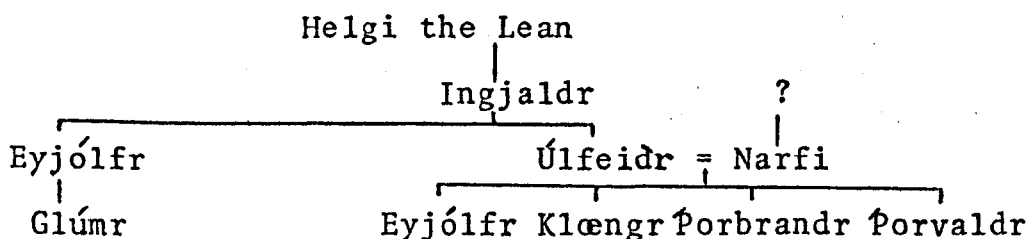
ACCUSED: Klængr, son of Narfi of Hrísey and Úlfeidr, Glúmr's father's sister, a landowner.

DEFENCE: Apparently no defence was submitted at court, although it seems assumed that Glúmr, cousin of Klængr, handled the suit. He did not go to the assembly.

OUTCOME: Klængr outlawed. Einarr, Þórarinn and Þórðr went to hold the court of confiscation (féransdómr) but Glúmr had been collecting supporters and was able to chase them away. At the autumn assembly, held in the same place as the Vøðla spring assembly, the parties fought, Glúmr and his party got the worst of it, being forced to retreat towards the sea with Klængr and Glúmr's wife's brother Grímr eyrarleggr being killed; Guðmundr enn ríki, on the prosecutors side, injured by Þorvaldr tasaldi, Glúmr's nephew.

Verses 10, 11, 12, 13: Confirm that a battle took place on the banks at the þing and that one party was forced to flee; Grímr eyrarleggr was killed (not necessarily at the battle) and Glúmr was unable to avenge him due to old age and the intervention of others.

GENEALOGY OF THE KILLER IN GLÚMA:



N12b

Killing of Grímr of Kalfskinni
Landnámabók, Þórðarbók Íslensk fornrit Vol IX,
 p.xxviii

COURT: Vøðla assembly

CHARGE: Murder (mord)

INJURED PARTY: Grímr of Kalfskinni, son of Helgi, son of Narfi and Úlfeidr, daughter of Ingjaldr of Gnúpafell, son of Helgi the Lean - dead. Married to Helga, daughter of Þórðr of Stokkahlada.

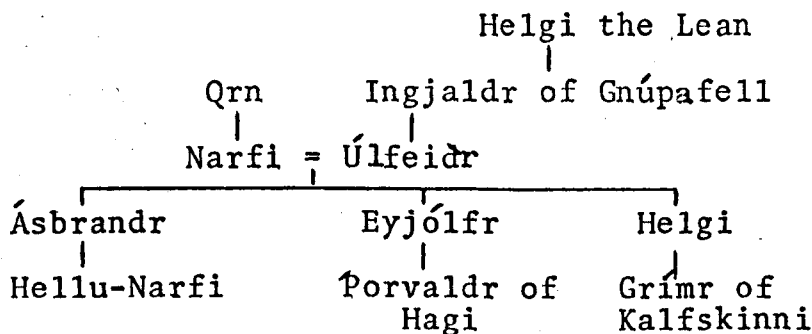
PROSECUTOR: Einarr Eyjólfsson - no explanation given.

ACCUSED: Þorvaldr of Hagi, son of Eyjólf, son of Narfi. Þorvaldr and Grímr were therefore first cousins.

DEFENDERS: Víga-Glúmr and his son Már, step-father of Þorvaldr. Már was married to Halldóra, daughter of Spak-Bøðvarr, and lived on Hrísey.

OUTCOME: Battle at the assembly, corresponding to the battle at the autumn assembly in the Glúma version and supported by the same verses. Glúmr was forced to retreat out to sea. Einarr was injured by Glúmr. Brother of Glúmr's wife, Grímr eyrarleggr, was killed by Einarr. Þorvaldr was outlawed.

GENEALOGY OF KILLER AND VICTIM IN ÞÓRÐARBÓK:



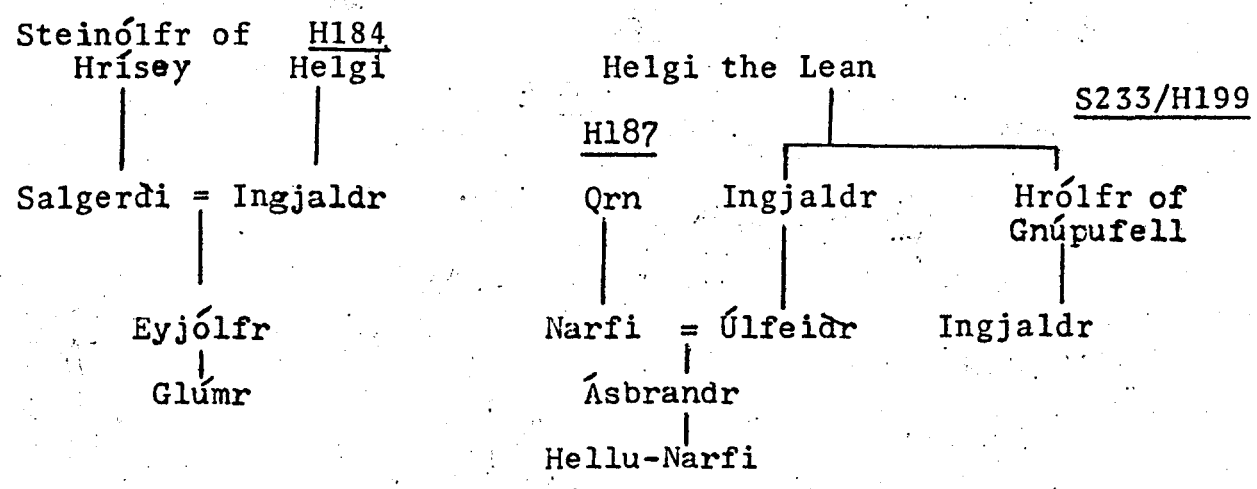
RELEVANT GENEALOGIES IN LANDNÁMABÓK

S215/H182: Þormóðr the Strong, a settler in Siglufjörðr. Had a quarrel over some land in which 16 men were killed. He was married to Arngerðr. Their sons were Arngeirr the Sharp and Narfi, father of Þrandr, father of Hríseyjar-Narfi, and Alrekr, who fought Knørr Þórðarson at Sléttahlíð. (If this is the Hríseyjar-Narfi of Glúma, we might expect some mention of the incident, since two other quarrels in which the family were involved are mentioned.)

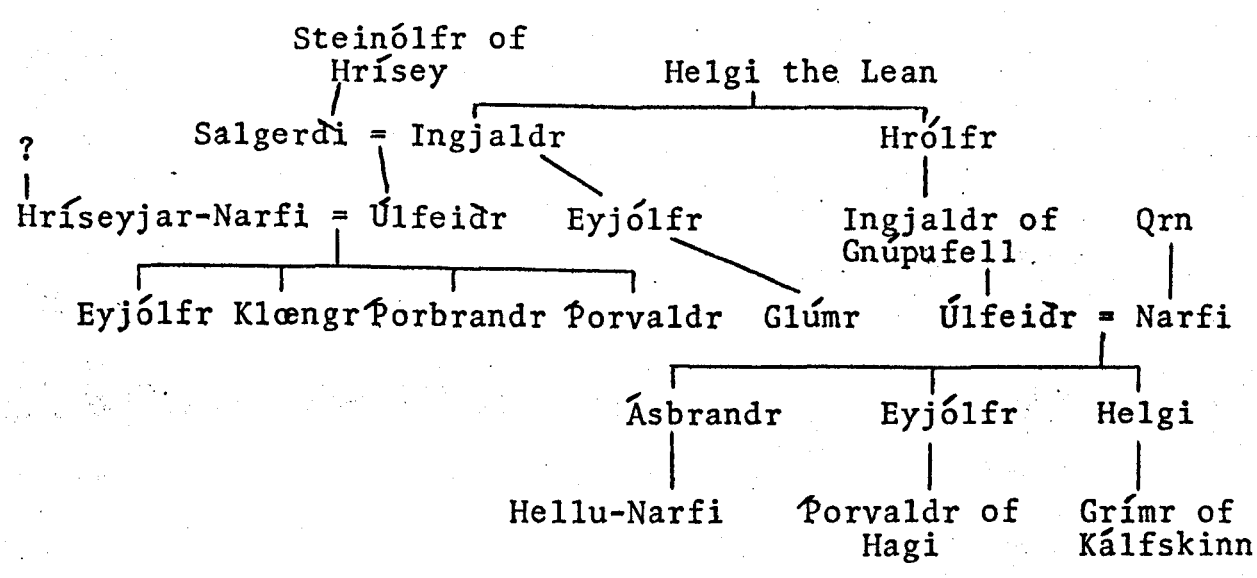
S.221. Qrn of Arnarness. "His daughter was Idunn, who married Ásgeirr Red-Cloak, and his son was Narfi after whom

Narfasker is named. He married Úlfeidr, daughter of Ingjaldr of Gnúpufell [S233: he was the son of Hrólfr, son of Helgi the Lean] and their sons were Ásbrandr, father of Hellu-Narfi, Eyjólfur father of Þorvaldr of Hagi and Helgi father of Grímr of Kálfskinn."

H187. "The son of Qrn of Arnarness was called Narfi; he married Úlfeidr, daughter of Ingjaldr, son of Helgi the Lean; Narfasker was named after him; their son Ásbrandr, father of Hellu-Narfi."

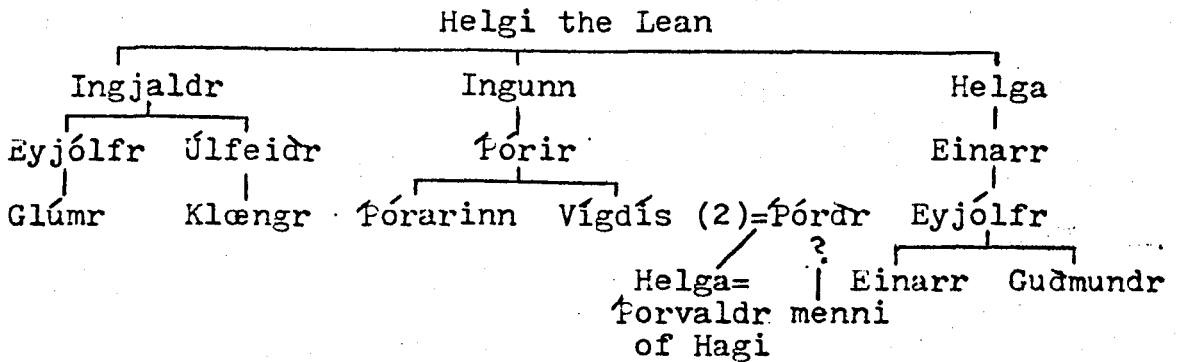


There is obvious confusion in these accounts between Ingjaldr Hrólfsson of Gnúpufellr and Ingjaldr Helgasson. The most logical explanation would seem to be that in a manuscript which both Hauksbók and Þórðarþók were derived from the words "the son of Hrólfr" were omitted between Ingjaldr and Helgi the Lean. We would then be left with the following genealogy compatible with all Landnámabók versions:

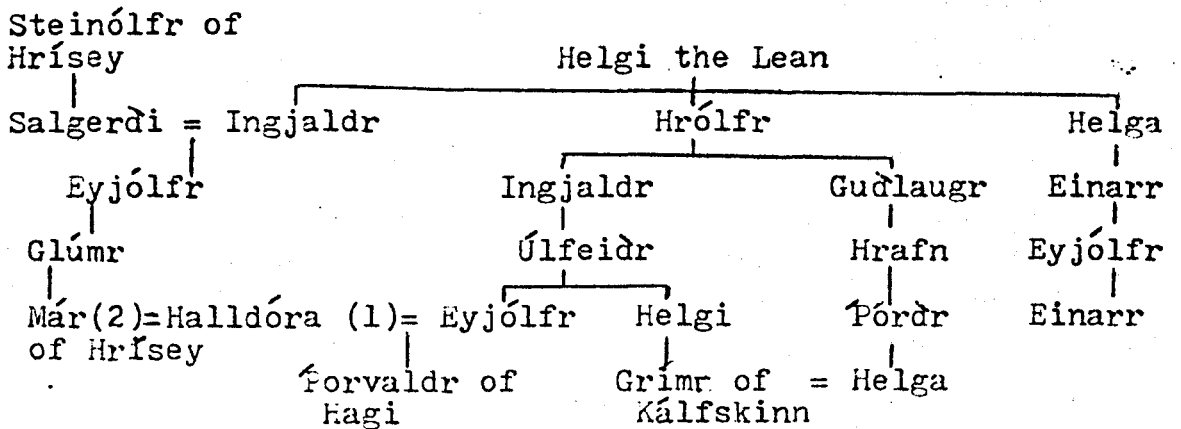


COMPARISON OF THE TWO VERSIONS

Glúma Version



Pórdarbók



Common Elements

1. Glúmr is the defender (in P with his son Már) because of close kinship with the accused (cousin in Glúma, step-grandfather in P).
2. The father-in-law of the dead person is Pórðr Hrafnsson of Stokkahláða, 2-3 kms from both Pverá (Einarr) and Espihóll (Pórarinn) - helps explain Einarr's involvement.
3. Einarr involved in both.
4. Everyone descended from Helgi the Lean, although this is not pointed out in either version w.r.t. Einarr or Pórðr. Glúma substitutes marriage into the kin of Helgi the Lean for Porvaldr and Pórðr.
5. Einarr is only distantly related in both cases, and his kinship is not cited as the reason for his involvement.

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6. In both cases the charge is murder, much more serious than the usual manslaughter.

7. Both versions connect the family of Ingjaldr Helgason with Hrísey. In Glúma his daughter married a man from Hrísey, their son being the killer. In Pórdarbók Mår, who defended the killer, was living on Hrísey. Landnámabók Hauksbók 184 also says that Ingjaldr himself was married to a woman from Hrísey, although not in connection with this story.

8. Grímr eyrarlegg, brother-in-law of Glúmr, killed.

Disagreements in the Two Versions

1. The names of the killer and the victim. The victim in Glúma has the same name and home as the killer in Pórdarbók. In Glúma they are at best 2nd cousins once removed by marriage, in Pórdarbók they are 1st cousins.

2. In Glúma the Court is not specified, although the Alþing is perhaps assumed; in Pórdarbók it is the Vqðla assembly.

3. In Glúma, Glúmr does not attend the court hearing, preferring rather to resist the execution of the judgement. In Pórdarbók he goes to court, where violence breaks out. In Glúma the same battle is placed at the fall assembly held at the same spot as the Vqðla assembly, at a time when the case was not apparently the subject of official discussion.

4. In Glúma, the killer is killed in the battle at Vqðla. In Pórdarbók he is outlawed.

5. In Glúma, Guðmundr enyriki is wounded by Þorvaldr tasaldi, in Pórdarbók Einarr, Guðmundr's brother, is wounded by Glúmr.

6. Glúma associates the killing with a fight over a whale, Pórdarbók does not cite the provocation.

Weaknesses in Glúma Version

1. Assuming Landnámabók is correct, that Úlfeidr, daughter of Ingjaldr, son of Hrólfr, married Narfi son of Qrn, we have two Úlfeidr daughters of an Ingjaldr, married to a Narfi - improbable but not impossible as names do run in families and regions.

2. The marriage of Úlfeidr to Hríseyjar-Narfi and the four sons Eyjólfur, Klængur, Þorbrandr and Þorvaldr are otherwise unknown, although why would the author invent three people, the brothers of Klængur, who take no part in the story? Possibly these were the son of Hríseyjar-Narfi and we need only question the identity of their mother.

3. Curious that Glúmr seeks support in Fljót, very close to the territory of the godar Þórarinn supposedly relied on for support in N11. Also, Þórarinn's father-in-law lived at Bard in Fljót (Ch X), and Klaufi of Bard, who happily pledged his support to Glúmr, was Þórarinn's wife's brother. He was married to Halldóra, Glúmr's first cousin once removed. Curious that it was around this time that he was supposed to have tried to burn down a church built by Þorvardr Spak-Bogvarson (see Kristni saga, V&PI p.379-80), who according to the Þórðarbók version, was brother-in-law to Már, son of Glúmr. His marriage to Halldóra is not confirmed elsewhere.

Arguments in Favour of Þórðarbók Version

1. The murder took place after Glúmr had moved away from Pverá and thus when he was over 60. In the Glúma version the killer is from the same generation as him, the victim one generation younger. In Þórðarbók both are two generations younger. It is perhaps more likely that two younger men would get involved in a killing than one middle-aged and one older man.

2. As argued w.r.t. N11, the author of Glúma may not have been aware that the spring assembly was held at Vødla. But in this case he was faced with the tradition that Glúmr and the Esphœlingar had been in a battle at Vødla assembly. Not realising this could have been at the main hearing of the suit, he invented two extra stages to the suit. First, it was taken to the Alþing. Then he tells of Glúmr's triumph at Hrísey to explain why the convicted person was able to be present at the later battle. The battle is placed at the fall assembly since the author knew it was held at Vødla. Is it reasonable to believe Glúmr would have attended the fall assembly with an insufficient force, and with the outlawed man, when his enemies in the matter would be attending?

Conclusions

All in all I am inclined to favour the Þórðarbók version, which has been argued to have been based on a lost Esphœlinga saga (see Islenzk fornrit Vol IX, p.xxx-xxxvi), and therefore may have just as good a pedigree as the Glúma version. Certain comments can however be made with respect to parties to court actions without any decision as to which version is best, particularly with respect to the involvement of Einarr.

BIBLIOGRAPHICAL NOTE: I have relied heavily on the following commentaries on this law suit: G Turville-Petre, Víga-Glúms Saga, Introduction, p.xxxviii-xlii; Jónas Kristjánsson, Islenzk fornrit Vol IX, p.xxviii-xxxvi.

N13
Failure to Pay for Goods
Ljósvetninga saga ch. 1 (V&PII p.357)

DATE: 990-95AD (Sigfússon, Íslenzk fornrit vol. X, p. XXVII-XXIX).

COURT: ?

CHARGE: Not given. It involved the failure of Sǫlmundr to pay a foreign merchant for goods.

HOW COMMENCED: Summons at the home of the Accused.

INJURED PARTY: Sigurðr, a Norwegian merchant who owned a ship jointly with Hallvarðr Arnórsson of Reykjahlíð.

PROSECUTORS: Sigurðr, Arnórr (father of Sigurðr's ship partner), and Forni of Hagi with whom Sigurðr was staying. Both Arnórr and Forni appear to have been farm owners. The three went together to summons Sǫlmundr.

ACCUSED: Sǫlmundr Víðarson of Gnúpur, who seems to have owned the farm with his brother Sǫxólfr.

OUTCOME: Sǫlmundr and Sǫxólfr resisted the summons with violence, Sǫxólfr killed Sigurðr; the two matters are treated together in N14.

SUSPICIOUS ELEMENT: There are two law suits in Ljósvetninga saga involving an Icelander cheating a merchant, the other being N17.

N14

Killing of Sigurðr

Ljósvetninga saga ch. 1, 2 (V&PII p.357-8)DATE: 990-95 (reference as in N13)COURT: ?CHARGE: Not stated - would have been manslaughterINJURED PARTY: Sigurðr, a Norwegian merchant, dead.PROSECUTORS: The saga is not explicit, but we can assume they were Forni and Arnórr (see N13).ACCUSED: Sqxólfir and Sxlmundr (see N13)OUTCOME: A settlement reached that Sqxólfir was to go permanently abroad, Sxlmundr for three years.FURTHER DEVELOPMENTS: After two years Sxlmundr wanted to return to Iceland. Earl Hakon gave him gifts to take to Guðmundr the Mighty and Þorgeirr goði so they would support his cause. They did so, despite the opposition of the sons of Þorgeirr. The sons of Þorgeirr killed Sxlmundr and a battle ensued between them and Þorgeirr and Guðmundr, in which Arnórr of Reykjahlíð and two other men, one from each side, were killed (this led to N15). Guðmundr and his men were thus prevented from getting to the autumn assembly (leið), where he had intended to lift Sxlmundr's outlawry (See also N15, "Confirmation in other Sources").

N15
 Killing of Arnórr and Plot to Kill
Ljósvetninga saga ch. 3 & 4 (V&PII p.361-365)

DATE: 2 years after N13 and N14

COURT: A spring assembly, probably Þingeyjar assembly, but possibly held at an irregular spot. See Sigfússon, Íslensk fornrit vol. X, p. 14 and note 5.

CHARGE: Manslaughter and a plot to kill (fjorrad).

HOW COMMENCED: ?

INJURED PARTY: Arnórr (see N13 & N14), dead, and the Þorgeirssons, Tjörvi, Hqskuldr, Finnur and Þorkell.

PROSECUTORS: The sons of Þorgeirr. Þorgeirr was goði of Arnórr, but opposed him by backing Sölmundr's request to return to Iceland early (see N14). His sons took up the cause, although no explanation is given as to why, and were leaders in the battle in which Arnórr was killed, at the same time as Sölmundr (see N14). The sons held 1/3 of the godord, Þorgeirr 1/3 and Arnsteinn 1/3. Only Hqskuldr is said at this point to have had his own farm (Íslensk fornrit vol. X p. 8). Later we also see Þorkell living on his own farm, Øxará, in his conflict with Guðmundr (I.F. Vol. X p. 16).

PERSONS NOT INVOLVED: The sons of Arnórr, Hallvarðr, Þorfinnr, Bqðvarr (see Ljósvetninga saga ch.1, Reykdæla saga ch. 17, Landnámabók S254/H218). Ljósvetninga saga states that Þorfinnr was out of the country.

SUPPORTERS: 120 men. Ófeigr Jarngerðarson with 50 men was more or less on their side, but advocated conciliation and settlement rather than confrontation. He was a great-grandson of Helgi the Lean, called a chieftain (höfðingi) in Ljósvetninga saga ch. 1, and shown there as a man with some strength. In Ófeigs páttur (Íslensk fornrit vol. X p. 369) he is shown as having great power in the north and able to stand up to Guðmundr, but nevertheless apparently subservient to him.

ACCUSED: ? Would be Guðmundr and/or members of his party, including possibly Þorgeirr goði, who was Lawspeaker at this time, although the saga doesn't mention this.

DEFENDER: Guðmundr and Þorgeirr. Guðmundr seems to have considered Þorgeirr as the principal.

SUPPORTERS: Many men.

PEACEMAKERS: Ófeigr tried to encourage the Þorgeirssons to settle, with little success. Finally Snorri Hlídarmanna-goði induced the parties to settle. (Snorri Hlídarmanna-goði is also named in Landnámabók S228/H194 as the son of Eyvindr who settled on land given him by the Qndóttssons, who received their land from Helgi the Lean. Ásgrímr Qndóttsson was the grandfather of Ásgrímr Ellidagrímsson,

N15 page 2

who is shown in Njála as active from the 980's to around 1012AD. In Glúma ch. 21 he is said to marry around 978AD. It is therefore possible that Snorri was alive at this time (late 990's), but it must be questioned whether he would be too old. Sigfússon argues (Íslenzk fornrit Vol. X p. 15 note 2) that he may have been a temple priest only, and not a political godi. If he were, we would expect him to take part in the Vǫðla spring assembly, not the Þingeyjar assembly, where all the people directly involved in this suit would have gone.

OUTCOME: Arnsteinn, apparently because he could not decide who to support, and Þorgeirr, because he didn't feel he had enough support against his sons, were slow to set up the court. The Þorgeirssons therefore took proceedings to take over the whole of the godord from Arnsteinn and Þorgeirr, thus gaining more control and dishonouring Þorgeirr. Snorri stepped in before they completed proceedings against Þorgeirr, and a settlement was reached. Sǫlmundr was declared to have fallen an outlaw and large compensation was paid for Arnórr.

COMMENTS: Guðmundr does not display the strength one might expect. But then, the events and people directly involved all came from outside his assembly area, his involvement seeming to stem more from the expectations of the King of Norway. The image here of his control does not accord well with the image of Ófeigs pátttr. We could view Ljósvetninga saga and the short stories as chronicling the changing power structure in the north, with Guðmundr only gaining his very strong position after the death of Þorgeirr, the exile of Þórir Helgason, and the killing of Þorkell hákr Þorgeirsson. N16, N17, and N18 would then appear as definite steps in the growth of Guðmundr's power, as well as a personal vendetta, and Ófeigs pátttr would represent him at the pinnacle of his power, and thus be later than all these suits. Note also Guðmundr's comment "I do not care to go into Þórir Helgason's country (sveit), so that he have greater strength than I" (Íslenzk fornrit p. 17).

CONFIRMATION IN OTHER SOURCES: Njála ch. 119: Þorkell hákr "and his brothers also fought against Guðmundr the Powerful at the Ljósvetningaleið, and the Ljósvetningar won the day". This likely refers to the battle in which Arnórr was killed, as Guðmundr is said to have been prevented from going to the leið after this battle. Njála ch. 120: Skarphedinn speaking to Þorkell hákr, "I at least have never threatened my own father's life, as you once did, nor ever fought with him, as you once did".

N16

Various Suits against Þingmenn of Þórir Helgason.
Ljósvetninga saga ch. 5(13) (V&PII p.394)

DATE: During the years prior to N17

COURT: None specified

CHARGE: Various suits including unlawful sexual intercourse (legorðssakar) and riding other's horses (hrossreidr, see Grágás, Konungsbók ch. 164, Finsen Ib p. 61, Staðarhólsbók ch. 208, 209, Finsen II p. 241).

INJURED PARTIES: Unknown.

PROSECUTOR: Guðmundr enn ríki. No transfers to him are mentioned. His purpose was to collect money to pay compensation for any future revenge he might take on Þorkell hákr and Þórir Helgason for their slander of him (that he was not brave), while at the same time discrediting Þórir Helgason. Note that as well as handling the suits he received all monies paid.

ACCUSED PERSONS: Þingmenn of Þórir Helgason.

DEFENDERS: "It became known that Þórir was losing his renown (sæmd), because he could not maintain his þingmenn, and he got great dishonour (óvirðing) thereby".

OUTCOME: Guðmundr was successful in his suits and collected money from them.

See also N17, a detailed account of a particularly successful suit.

N17

Cheating a Merchant

Ljósvetninga saga ch 5, 6 (AM561), 13,14 in AML62
(V&PII p. 396-402, p. 427-428)

DATE: 1013 at the earliest. St. Ólafr was king in the third year of Þórir's outlawry according to AM561. St. Ólafr gained power in Norway between 1014 and 1016 AD.

COURT: Vqðlaþing (AML62) or Alþing (AM561).

CHARGE: Attempt at fraudulent acquisition, brekráð (AM561). or taking of property, brottaka fjár (AML62).

HOW COMMENCED: By summons at home of the accused.

INJURED PARTY: Ingjaldr (AM561) or Helgi Arnsteinsson (AML62), a merchant trading in Iceland, perhaps the son of Arnstein goði of Ærlækur (Íslenzk fornrit vol. X, p. 22 note 3; N15). Þorgils (Þórir) paid him for some goods with goods of inferior quality. He was on the point of sailing abroad when he discovered the flaws in the goods.

PROSECUTOR: Guðmundr the Mighty. Ingjaldr (Helgi) stayed with him over the winter, and complained to him about the matter. In AM561 Guðmundr asked him to hand the suit over to him ("seldu mér málit"), in AML62 Helgi asked Guðmundr to take it ("vil ek þú...takir við málinu"). In both cases Guðmundr gave the merchant gifts, in AM561 these are said to be payment for what was owing to the merchant. In AM 561 it says "Now he took over the suit (nú tók hann við málinu)", in AM 162 Guðmundr "took over the suit from Þórir Akraskeggr"(tók ssk á hqnd Þóri Akraskegg)" in the presence of two witnesses. Guðmundr had an ulterior motive in taking the suit, as he was looking for suits against the þingmenn of Þórir Helgason, hoping to thereby discredit Þórir and raise enough to pay compensation for the killing of Þorkell hákr (see N16).

SUPPORTERS: Many men (he was allfjqlmennr). In AML62 he tried to get the support of his brother Einarr, a friend of Þórir Helgason; he succeeded in getting his neutrality, as he failed to go to the assembly.

ACCUSED: Akra-Þórir, Akra-karl (AML62); Þorgils, called Akra-karl (AM561); he was a þingmaðr of Þórir Helgason, a rich man (AML62) but not well liked.

DEFENDER: Þórir Helgason, a goði, great-grandson of Helgi the Lean. In AM561 Akra-karl did not attend the Alþing with him. In AML62 Akra-karl attended the Vqðlaþing and did some of the talking in court. In both versions Akra-karl asked Þórir Helgason to help, in AML62 he stated he was doing so because he was his þingmaðr (í þingreið). Þórir Helgason answered "I am not greatly pleased to have to do with you, but I must stand by you". Akra-karl offered him gifts for his help. In AM561 Akra-karl merely pointed out that Guðmundr seemed to always get the better of Þórir (Akra-karl also says this in AML62, but later on at the assembly).

N17 page 2

SUPPORTERS: Am 561: Þórir Helgason did not have the strength to oppose Guðmundr. In AM162 he had many supporters, but less than Guðmundr.

OUTCOME: A settlement was offered, but Guðmundr was determined to have, and got, Akra-karl outlawed. Akra-karl went abroad, the confiscation court was held, and Þórir Helgason's dubious claim to some of Akra-karl's sheep (goats) led to suit N18.

BIBLIOGRAPHICAL NOTE: For a commentary on the two variant versions see Theodore M. Andersson, The Problem of Icelandic Saga Origins, Yale University Press, 1964, p. 150-165. He concludes that AM162 is closer to the original than AM561.

N18

Withholding Stock from a Confiscation Court
Ljósvefninga saga ch. 6 (AM561), ch. 14-17 (AM162)
 (V&PII p. 428-30, p. 403-410)

DATE: One year after N17

COURT: Alþing (AM162). In the summer (AM561).

CHARGE: Sheep concealment, saudalaun (AM561; falsely marking goats of Akra-karl as his own (AM162) (see N17). These sheep (goats) should have been declared as property of Akra-karl at the confiscation court after N17.

HOW COMMENCED: By summons at the home of the accused.

INJURED PARTY AND PROSECUTOR: Guðmundr, prosecutor of N17, to whom the confiscated goods of Akra-karl should have gone.

ACCUSED & DEFENDER: Þórir Helgason, see N17.

SUPPORTERS: Guðmundr's attempt to get his brother Einarr's friendship (see N17 Supporters) is placed at this point in AM561. In both versions Einarr repudiated their friendship when he discovered what was going on, and supported Þórir Helgason. Both parties rode to the assembly with large numbers of supporters, but Guðmundr had more (AM561). Vigfúss Víga-Glúmsson supported and advised Guðmundr, along with partners of his (possibly fellow merchants, see Íslenzk fornrit vol X, p. 39, note 2. Re Vigfúss see N6, 7, 8, 10.)

PEACEMAKERS: AM561: "Þorkell Geitisson was there and sought for a settlement. But Guðmundr would not settle". AM162: "A peaceful settlement was sought for. Þórir declared that he thought that it would be long before he paid him compensation over this case, and Guðmund allowed that he wished nothing better than his outlawry". AM561 breaks off after this, and there is no other mention of Þorkell Geitisson in this story. He came from the East, but he was married to Einarr's daughter (Íslenzk fornrit vol X p. 38 note). See further N19, 20, 21). Einarr initiated the successful settlement.

OUTCOME: Þórir challenged Guðmundr to single combat, arguing Guðmundr was not really concerned about the sheep (goats), but rather about the alleged slander (that Guðmundr was not brave) by him and Þorkell hákr. He argued a fight was the best way to test the statement. Vigfúss argued to Guðmundr that he had little chance in the battle, and that instead Vigfúss would challenge Einarr. Þórir and Einarr guessed they had a plan, and therefore finally offered Guðmundr self-judgement. Þórir was to pay 100 of silver, and be abroad as outlaw for three winters.

CONFIRMATION IN OTHER SOURCES: Njála mentions the slander, the cause of Guðmundr's enmity to Þórir and thus of suits N16, 17 and 18: ch. 119 - Þorkell hákr "fought against Guðmundr enn ríki at the Ljósavatn leið, and the Ljósavatn men won the day; it was on that occasion that Þorkell hákr and Þórir Helgason had slandered Guðmundr".

N19

Wounding of Þorbjörn of Reykir
Vöðu-Brands þáttur ch. 3 (V&PII p. 381)

DATE: 988-1015 AD. A major error must be assumed in either Vöðu-Brands þáttur (the involvement of Þorsteinn Síðu-Halls-son) or in other sagas (the date of marriage of Þorkell Geitisson to Jörunn Einarsdóttir) (see Björn Sigfússon, Íslensk fornrit vol. X, p. LIV-LV; Jón Jóhannesson, Íslensk fornrit Vol. XI p. XXIV).

COURT: Vöðlaping, which seems to be treated as the court of the Northern Quarter Assembly. It is held in the summer rather than spring (although at one point there is reference to the spring assembly, várping) and it is called the Norðlendinga dómr. Also, the defence is raised that the accused, Brandr, had lawful domicile in the east quarter, not the north. But the author could have meant by "Norðlendinga dómr" a court held in the north (Íslensk fornrit vol X p134 note 3; Ólafur Lárusson, "Nokkrar Athugasemdir um Fjórðungapingin", Lög og Saga, p. 117). See also N11 where it is suggested that the Northern Quarter Court was held at Hegranes.

CHARGE: Wounding

INJURED PARTY. Þorbjörn of Reykir. In Ófeigs þáttur he is said to have been "well-liked and wealthy". In that þáttur Guðmundr the Mighty is said to have been the chieftain, höfðingi, of the people in Þorbjörn's area, and Þorbjörn initiated a protest against his excessive visits.

PROSECUTOR: Guðmundr the Mighty. No explanation, although he was assumed responsible from the start as Þorkell, the Defender, went to him, not Þorbjörn, to enquire about a settlement. Later "Guðmundr went north to Reykjahverfi and took over the suit for Þorbjörn and made it ready for the spring assembly". ("tók mál af") The father of the accused, with whom the accused was staying at the time, also lived in Reykjahverfi, but there is no suggestion that Guðmundr tried to arbitrate as höfðingi or godi of both parties. We can probably assume Þorbjörn was his pingmaðr, and this is why Guðmundr acted.

ACCUSED: Vöðu-Brandr, son of a farmer at Mýrr in Reykjahverfi, who was sufficiently wealthy to give him 1500 hundreds to go abroad. On his return from abroad he had, however, taken legal domicile (logheimili) in the east with Þorkell Geitisson, a godi (see Vápnfirðinga saga, Droplaugarsona saga, E7, E10, E11, E13), becoming his heimamaðr. At the time of this incident he was living with his father, but he afterwards returned to Þorkell Geitisson.

DEFENDER: Þorkell Geitisson. When Brandr returned to him, Þorkell expressed disapproval of his actions, but commented "but yet I will receive thee, for I cannot remember ever having cast any domiciled man (heimamaðr) of mine to the winds". He then proceeded to act on Brandr's behalf, first approaching Guðmundr concerning a settlement, later speaking in court.

N19 page 2

SUPPORTER: Þorsteinn Síðu-Hallsson, cousin of Þorkell and a goði (see Genealogy c). A chronology problem here, as in his saga Þorsteinn is said to have been 20 at Brjáns-orrosta in 1014, making Þorkell some 30 years older than him. It seems likely that this suit would have occurred before 1014 AD. See Sigfússon, Íslensk fornrit vol. X p. LIV-LV. His participation is not essential to the case, and is perhaps a little forced; perhaps his presence can be attributed to an eastern author. (see Sigfússon p. LIII).

DEFENCE: Since the accused had a legal domicile in the east, the suit could not be heard in the Northern court.

OUTCOME: Guðmundr threatened to force his suit through, but Þorkell summoned a sufficient force to break up the court. Guðmundr then summoned Þorkell for contempt of court (N20), Þorkell summoned Guðmundr for wrongful procedure (N21).

N20

Contempt of Court by Þorkell Geitisson
Vöðu-Brands þáttur ch.4&5 (V&PII p. 384-7)

DATE: See N19

COURT: Alþing

CHARGE: Contempt of Court - see N19

HOW COMMENCED: Summons at the spring assembly where the offence occurred.

INJURED PARTY & PROSECUTOR: Guðmundr the Mighty, prosecutor in N19.

ACCUSED & DEFENDER: Þorkell Geitisson.

SUPPORTERS: "Þorkell and Þorsteinn had many men, but yet Guðmundr the Mighty had many more."

DEFENCE: Þorkell Geitisson accused Guðmundr of wrongful procedure (N21).

OUTCOME: See N21

N21

Wrongfull Procedure by Guðmundr the Mighty in N21
Vöðu-Brands þáttur ch.4&5(V&PII p. 384-387)

DATE: See N19.

COURT: Alþing

CHARGE: Wrongful procedure in bringing suit N19 to the North Court at Vöðlaping.

HOW COMMENCED: Summons at the spring assembly where the offence occurred.

PROSECUTOR: Þorkell Geitisson

ACCUSED & DEFENDER: Guðmundr the Mighty.

SUPPORTERS: See N20.

PEACEMAKERS: Þorsteinn Síðu-Hallsson (see N19), and Ófeigr Járngerðarson, a man with power in Reykjahverfi and a chieftain (hofðingi), a descendant of Helgi the Lean (Ljósvetninga saga ch.1, Ófeigs þáttur). His farm was between Brandr's father's farm (4 kms) and Þorbjörn of Reykir (7 kms) (see N19 concerning these two people).

OUTCOME: The peacemakers arranged for the marriage of Þorkell to the daughter of Einarr, Guðmundr's niece. Guðmundr was then more amenable to a settlement. Again it must be noted that Þorsteinn's participation is suspect due to chronology (see N19, Supporter). He is not at all essential here. Concerning the marriage, Guðmundr is made to comment "it must have been Ófeigr Járngerðarson that has been foremost in bringing it about", with no mention of Þorsteinn. With respect to the settlement it is said "Einarr and Ófeigr Járngerðarson had most to do with this".

N22

Outlawry of Þorvaldr and Bishop Frederick
Kristni saga (Óláfs saga Tryggvasonar en mesta,
Þorvalds þátr) (V&PI p.380-382)

DATE: 984AD

COURT: Hegranes Assembly (possibly quarter court). Þorvaldr, the accused, was from Vatnsdalr, whose spring assembly was Húnavatns Assembly, and he and the bishop lived in Víðidalr for four years, also in Húnavatns assembly area. See N11 for a discussion of the possibility that Hegranes Assembly was a quarter court.

CHARGE: Not clear. The text says the accused were "outlawed according to the heathen laws". The charge could have been that the accused were Christian, but also manslaughter as Þorvaldr killed two poets (unidentified) who lampooned him at the previous Alþing. The account of the law suit is told as if it was a natural extension of this.

PROSECUTORS: ? "heathen men". The main person responsible for the lampoons was Heðinn of Eyjafjörðr, and perhaps his father-in-law Eyjólfur Valgerðarson of Eyjafjörðr, the father of Guðmundr the Mighty (see N14-21).

ACCUSED: Þorvaldr the far-farer Koðránsón from Vatnsdalr, of good family. He travelled abroad where he became Christian, and returned to Iceland in 981AD with Bishop Frederick, the other accused, where the two travelled about preaching Christianity. Frederick was not personally involved in the manslaughter.

DEFENDER: Þorvaldr and Frederick were blocked from attending the assembly by heathen men.

OUTCOME: Þorvaldr and Frederick were outlawed (sekðr).

SUSPICIOUS ELEMENT: Kristni saga has another story of two poets being killed for lampoons about a Christian, see STH9 and comment there under Suspicious Element.

N23

Theft of Horses

Hrómundar þáttur halta ch. 3, Landnámabók S168/H137

DATE: 965-975AD (see Íslenzk fornrit vol. VIII p CXV, note 5, and below under Injured Party and Prosecutor)

COURT: Alþing.

CHARGE: Theft (stuldr)

HOW COMMENCED: Summons at the residence of the accused (þáttur).

INJURED PARTY: Hrómundr halta, and his sons or household (þeim Hrómundi) according to the þáttur. He was a householder, the son of a landnámsmaðr (S183/H149, þáttur ch. 1), and a contemporary of the sons of Ingimundr. Ingimundr came to Iceland after aiding King Haraldr in the Battle of Hafsfjörðr, circa 885AD (S179/H145). Hrómundr had been made a district outlaw (heraðssekr), between Jokulsá in Skagafjörðr and Hrútafjardará, for killing Hogni Ingimundarson, prior to this law suit (S183/H149).

PROSECUTOR: Miðfjardar-Skeggi, although in the þáttur Hrómundr with 9 others, including his two sons, served the summons and then turned the suit over to Skeggi (sendu þeir málin öll til meðferðar Skeggja í Miðfjörð). Skeggi was "hofðingi over those districts" (þáttur ch. 3), one of the leading chieftains (hofðingjar) "after the land had been lived in for sixty years" (S398/H355). His daughter married Þórðr gellir (S174) who died about 965 AD (Annals). His granddaughter married Illugi the Black, who in Eyrbyggja is seen disputing his wife's marriage money in 980AD (W2). In the þáttur Hrómundr sought Skeggi's advice before going to serve the summons, and Skeggi promised then to oversee the suit (ek heita yðr minni forsjá). Hrómundr did not attend the assembly.

ACCUSED: Sleitu-Helgi, a viking, and his mates. The þáttur specifies that they all were summoned, the "all" perhaps including an Icelander, Helgi's father-in-law. Helgi came to Iceland with his brother and 10 other vikings (to trade according to the þáttur). Helgi married Helga, the daughter of a local farmer, and he and some or all of the vikings were staying with this farmer.

DEFENDER: ? The accused did not go to the assembly, but rather prepared their ship.

OUTCOME: "All the easterners were outlawed (sekr) for the horsetheft" (þáttur only. Landnámabók does not state the outcome, although one verse refers to the lawbreakers, another calls Helgi sekdaudigr). Before sailing the Easterners attacked Hrómundr in his fortified farm. Hrómundr, his two sons, and his grandson defended well, killing 6 of the Easterners. Hrómundr also was killed, his grandson injured. The rest of the Easterners drowned after they set sail.

N24
 Sheepstealing by Háls
Reykðæla saga ch. 2

DATE: See comment following N26

COURT: ?

CHARGE: Sheepstealing (sauðataka). The prosecutor set up the accused, having some of his sheep secretly put on the accused's property, then charging him with stealing them.

INJURED PARTY & PROSECUTOR: Eysteinn of Raudaskriða, a farmer, considered to be a very unjust man. He had received an injured foot in single combat with the cousin of the accused, and apparently wanted to get even with the family.

SUPPORTER: Þorkell, son of Þorgeirr Ljósvetningagoði (see N15, Genealogy b, (C)). He accompanied Eysteinn when he went to look for the sheep. It is not explained why he was involved.

ACCUSED: Háls Fjörleifarson, who had his own farm. His uncle, Áskell, was a goði (see Genealogy b, (C).)

SUPPORTER: Áskell goði, but he would not answer for Háls at court, considering that Háls deserved what he got for getting friendly with a man like Eysteinn. Many people thought the whole matter very suspicious.

OUTCOME: Háls and his brother Vémundr went abroad (it is not explained what Vémundr had to do with it). No defence was made at court, and Háls was outlawed. While abroad, Háls and Vémundr met up with Björn, whom Eysteinn had paid to take the sheep to Háls' farm. They got the truth out of him, took him back to Iceland, where he told Áskell the story. Áskell presented Eysteinn with the truth and the evidence, and then charged him (see N25).

SUSPICIOUS ELEMENTS: See comment following N26. The circumstances are very similar to a later suit in the saga (N27). The journey involved in planting the evidence was rather long (see Íslensk fornrit vol. X p. LXXV).

N25
Slander by Eysteinn
Reykdæla saga ch. 3

DATE: See comment following N26

COURT: ?

CHARGE: Slander (illmæli), see N24 for the circumstances.

HOW COMMENCED: Summons

INJURED PARTY: Háls Fjörleifarson (see N24).

PROSECUTOR: Áskell goði, uncle of the injured party (see N24).

ACCUSED: Eysteinn (see N24). He did not attend the assembly.

DEFENDER: No one would answer for Eysteinn.

SUPPORT REFUSED: Þorkell, son of Þorgeirr Ljósvetningagoði (see N24). He said Áskell would never support an unjust suit, and that the prosecution had a witness to support their charge.

OUTCOME: Eysteinn was outlawed. During the assembly he burned his house and disappeared. The land became sekðarfé.

SUSPICIOUS ELEMENTS: See Comments on N24-26 following N26.

N26
 Sheepstealing by Hánefr
Reykðæla saga ch. 5

DATE: See comment following N26.

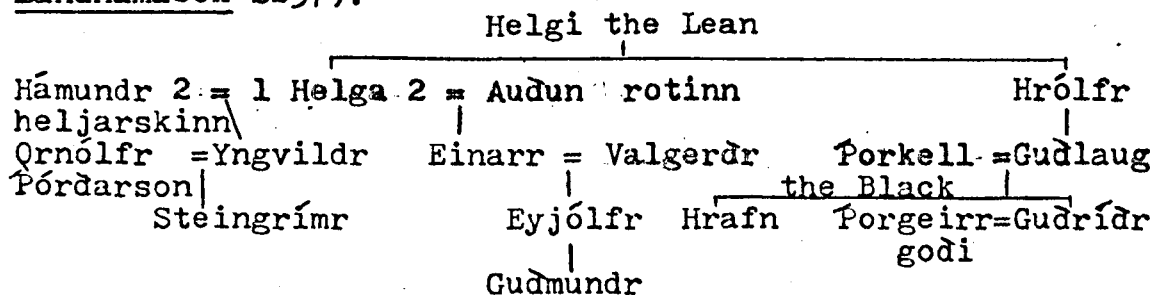
COURT: Alþing

CHARGE: Sheepstealing (sauðataka).

HOW COMMENCED: Summons.

INJURED PARTY: Hrafn, a good farmer.

PROSECUTOR: 1) Hrafn. He summoned Hánefr, then moved out of the district. 2) Steingrímur Órnólfsson. He agreed before the summons to take over the suit afterwards (taka við málinu), and handled the suit at the Alþing. He was a great grandson of Helgi the Lean, cousin of Eyjólfur who was the father of Guðmundr the Mighty; there is no evidence he held a goðorð. As to the reason for his involvement, it is stated only that he was related to Hrafn, the nature of the relationship not being stated. Hrafn was perhaps the son of Þorkell the Black, and thus third cousin to Steingrímur (see: Islensk fornrit vol. X p. 163 note 2; Landnámabók S237).



(see also Genealogy b).

If this is the correct Hrafn, we might have expected Þorgeirr goði to have been involved.

ACCUSED: Hánefr, a farmer with large stock, but he had a bad reputation and had difficulty keeping employees.

DEFENDER: ?

SUPPORTERS: Vémundr Fjorleifarson (see N24). Hánefr had some time earlier gained his support by giving him good gifts and fostering his daughter. However, Vémundr was reluctant to give full support in the matter as Hánefr at first lied to him, saying he hadn't stolen the sheep. He took over Hánefr's property (thus perhaps protecting it from confiscation in the event of outlawry?) but it is not said that he spoke for Hánefr in court.

SUPPORT DENIED: Áskell goði lectured Hánefr, and after he was outlawed refused him help to get abroad safely, because of Hánefr's bad character.

OUTCOME: Hánefr outlawed. Steingrímur then paid a man, Hrói of Klifshagi, to kill Hánefr before Vémundr could get him abroad, which he did (ch. 6), although strangely Hánefr is not treated as having been rightly killed as an outlaw.

Comment on N24-26, Reykðæla saga ch. 1-16.

There are severe chronological problems with this section of Reykðæla saga, see Björn Sigfússon, Íslenzk fornrit vol. X p.LXIX-LXXIII. Most importantly, Askell godi must have died between 950 and 960AD, at which time the Fjorleifarsons would have been young children, or some not even born. Thus Áskell's involvement in their affairs is fictitious, which is a pity since there are some interesting features of it. In particular, there is a very sophisticated attitude to evidence, with Áskell refusing to support Háls in suit N24, allowing him to be outlawed, because all the evidence was against him, even though it was common belief that the evidence was rigged. Not until Háls could provide proof, in the form of the person who rigged the evidence, did Áskell take any legal action in support of Háls. Participants in a law suit were not normally so concerned about whether they could prove their case, or indeed even whether right was on their side.

An additional problem with N24, and thus N25 which arose from it, is its close similarity to another which occurs in the second part of the saga, in Ch 18 (N27). In both a person is charged with stealing an animal which the prosecutor had maliciously had placed on their property. N24 seems the most likely to be fictitious because of the long journey involved in the planting of the evidence. (See Íslenzk fornrit Vol. X p. LXXV).

It is of course possible that all the suits took place in somewhat altered circumstances. N26 in particular suffers little if we omit the involvement of Áskell, and is quite plausible as a story on its own. The other two, especially N25, lose much of their impact if Askell is removed and they are taken out of the context of the saga. It seems most probable to me that they, and a good part of the first 16 chapters of the saga, were invented by the author to illustrate his opinions on evidence, proof and the attitudes goðar should take in dubious disputes, with only a very few facts, mainly taken from Landnámabók, on which to build. (See Íslenzk fornrit vol. X p. LXXIII-LXXV concerning the possibility of omitting Askell from the story).

N27
 Theft of a Mare
Reykðæla saga ch. 18

DATE: 960AD (Íslenzk fornrit vol. X p. LXXII).

COURT: Didn't get that far.

CHARGE: Theft of a mare (þjófskap) found on the farm of the accused. The injured party had the mare put there by one of his servants, with completely malicious motives.

HOW COMMENCED: By summons at the home of the accused.

INJURED PARTY AND PROSECUTOR: Þorbergr hoggvinkinni, an unpopular farmer.

SUPPORTERS: 18 altogether in the summons party. Þorbergr consulted Þorgeirr goði of Ljósavatn, and probably got a promise of support from him.

ACCUSED: Glúmr Geirason. He operated a farm with his father. There are suggestions he was in financial trouble, but these may just have been malicious gossip.

OUTCOME: Glúmr attacked the summoning party, killing the son of Þorbergr. Many other men arrived and got involved. Some foreign merchants staying with Þorbergr were killed, as well as a servant from each side. The person who planted the mare, Ótryggr, was injured, and then confessed the deed. People intervened to urge settlement, and Þorgeirr goði and Arnórr of Reykjahlíð (a well respected man) were named arbitrators (although this is hardly possible, see Íslenzk fornrit vol. X p. LXXI). The deaths of the two servants were set off. The injury to Ótryggr and the deaths of two others of Þorbergr's party were set off against a wound to Geirr (Glúmr's father). The injury to Þorbergr was set off against his false accusation. The killings of the foreign merchants were not compensated for. Glúmr and Geirr were driven out of the district (þeir váru brott górvir þaðan ór sveitinni).

OTHER SOURCES: Landnámabók S256/H220 confirms that Glúmr and Geirr killed Þorsteinn Þorbergsson and that they were outlawed from the area for this.

N28
 Killing of Bjarni Þorsteinsson
Reykðæla saga ch. 24

DATE: 965-75AD (Íslenzk fornrit p. LXXI-LXXLLL).

COURT: Didn't get there.

CHARGE: Manslaughter.

INJURED PARTY: Bjarni Þorsteinsson, dead. His mother Þorgerðr was a sister of Víga-Glúmr (see N1-12). His father had a farm.

PROSECUTOR: Víga-Glúmr at the request of his sister who transferred the suit to him (selr hon honum vígsmálit ok biðr hann taka við eptirmálinu). Bjarni's father perhaps was dead, as he played no part in the story. Már, the 18 year old son of Víga-Glúmr, served the summons, as he did in similar circumstances in N9.

SUPPORTERS: Eyjólfur Valgerðarson, father of Guðmundr the Mighty (see N14-21), probably a goði (Landnámabók S398/H355, Kristni saga), 2nd cousin to Víga-Glúmr (see Genealogy b). a total of 200*(240) men were in the summoning party.

ACCUSED: Eyjólfur Þormóðsson, a farmer's son. His mother was a sister of the father of Víga-Skúta. Þormóðr, his father, was dead, killed by Bjarni.

DEFENDER: Víga-Skúta, son of Áskell goði (see N24-26). According to the saga his brother Þorsteinn sold the goðorð on Áskell's death, but it is perhaps doubtful whether this happened. Certainly Guðmundr the Mighty later held considerable control in the area of Áskell's goðorð and had þingmenn there, and may therefore have acquired the goðorð, but this was possibly a later development (see Íslenzk fornrit vol. X p. LXXVIII note 3). This suit may represent one stage in a struggle for power in the area. Eyjólfur had approached Skúta earlier after Bjarni killed his father Þormóðr, and transferred that matter to Skúta.

SUPPORTERS: Skúta's brother Þorsteinn and his 2nd cousin Einarr Konálsson (see Genealogy b). Einarr is said by the saga to have arbitrated after Áskell's death, but this is probably an error as he was likely too young (Íslenzk fornrit vol. X p. LXXVIII note 3), and may still have been rather young at this time. He was also a first cousin of Guðmundr the Mighty, and in Ljósvetninga saga is shown as his foster-brother and a close friend and adviser around 1010AD (see N16-N18). It is interesting therefore that he and Guðmundr's father, Einarr's uncle, are shown here on opposite sides of a major local dispute. Skúta was also supported by Arnórr of Reykjahlíð (see N27). Skúta had nearly 100*men, but the combined forces of all his supporters were as big as Víga-Glúmr's.

OUTCOME: The two sides collected forces against each other prior to the summons. Már Glúmsson was able to slip off with

*Probably long hundreds, ie 120.

N28 page 2

ten men to serve the summons (he killed one man while doing so), but after he returned to his father, a battle nearly broke out, with another man being killed. Eyjólfur Valgerðarson and Einarr Konálsson then managed to arrange a settlement. Eyjólfur Þormóðsson had to go abroad for 3 years, and 100 of silver was paid to Bjarni's mother for his killing. Skúta was to marry the daughter of Glúmr.

SOURCE: Ch. 23 to 26 of Reykðæla saga were probably based on an earlier saga, which Björn Sigfússon calls Þórlaugar þáttur (Íslensk fornrit vol. X p. LXIV-LXVIII).

N29
Killing of Þorgeirr Þórisson
Reykðæla saga ch. 25

DATE: 970-990AD

COURT: Alþing

OFFENCE: Manslaughter at the Alþing

INJURED PARTY: Þorgeirr Þórisson, dead. His father killed Askill goði, father of Víga-Skúta, and in revenge Skúta killed Þórir. Þorgeirr therefore had a niðing pole raised on Skúta's booth at the Alþing, and Skúta killed him for this at the following Alþing.

PROSECUTOR: ?

ACCUSED: Víga-Skúta. He did not attend the Alþing, but rather left immediately after the killing.

SUPPORTERS: Arnórr of Reykjahlíð (see N27 &28), who accompanied Skúta to the Alþing before the killing. Víga-Glúmr, Skúta's father-in-law, paid compensation at the Alþing (the Glúmr of N1-12).

OUTCOME: Víga-Glúmr paid 100 of silver at the Alþing for Skúta. Skúta was very displeased that anything had been paid.

N30
Plot to Kill Skúta
Reykdæla saga ch. 27

DATE: 970-990AD

COURT: Eyjarþing

OFFENCE: Plotting to kill, fjorráð.

INJURED PARTY: Víga-Skúta (see N28, 29). Þorbergr, the accused, bribed a workman of Skúta to let two assassins into Skúta's house.

PROSECUTOR: ?

ACCUSED: Þorbergr hoggvinkinni, who was apparently still brooding over suit N27.

DEFENDER: ?

OUTCOME: Settlement. Þorbergr had to pay $\frac{1}{2}$ hundred of silver, and leave the immediate area.

N31

Plot to kill Skúta and Killing of Vestmann
Reykðæla saga ch. 29

DATE: 970-990AD

COURT: Eyjarþing

CHARGE: 1) Plot to kill, fjorráð. Þorgeirr goði and Þorbergr hoggvinkinni set an ambush for Skúta with 200 men.
2) Skúta discovered the ambush, and killed one of the lookouts, Vestmann (Björn Sigfússon considers this name invented, see Íslenzk fornrit vol X, p. LXXVI. If so, the incident could be too).

OUTCOME: Settlement at the assembly. Þorbergr and Einarr (Einarr Konálsson? - his involvement is not explained) paid one hundred of silver for the killing of Vestmann. Þorgeirr goði promised never to plot against Skúta's life again.

N32
Killing of Víga-Skúta
Reykðæla saga ch. 30

DATE: 980-990AD

COURT: ?

OFFENCE: Manslaughter

INJURED PARTY: Víga-Skúta, dead (see N28-31)

PROSECUTOR: ?

ACCUSED: Þórðr illugi, son of Þórir flatnef (see N29). He was still seeking revenge for the killing of his father by Skúta. His brother Björn was with him, but was killed by Skúta.

DEFENDER: ?

SUPPORTERS: Þóroddr goði, a relation of Þórðr, but no detail given, and Qlvir the wise, son of Þorbergr hoggvinkinni (see N27, 30, 31).

OUTCOME: Þórðr was outlawed for 3 years. Þóroddr and Qlvir offered compensation and a settlement was reached.

E1
 Killing of Einarr Þórisson
 Þorsteins saga Hvíta Ch.7

DATE: 935-45 AD. Brodd-Helgi was 3. He was killed in 974 when his youngest son, Bjarni was probably a teenager (see Íslenzk fornrit Vol XI p.x.)

COURT: not stated, but was in the summer.

CHARGE: Manslaughter

INJURED PARTY: Einarr Þórisson, dead. Lived with his father, a farmer. His sister was married to Þorgils, son of Þorsteinn the White, a goði. Þorgils was also killed later by the brothers Einarr and Þorkell of Þorsteinn fagri (accused). No mention of a suit for his death, or for the deaths of two húskarls of Þórir, presumably because their killers, the brothers of Þorsteinn, were also killed in the encounter. However, it is evident from the rest of the story that Þorsteinn fagri was being held responsible for the death of Þorgils as well.

PROSECUTOR: ?

ACCUSED PERSON: Þorsteinn fagri, son of Þorfinnr who owned two farms and enough money to send Þorsteinn abroad. Þorsteinn spent most of his time abroad as a merchant.

DEFENDER: ? Þorsteinn left the country after the killings before the law suit commenced.

OUTCOME: Þorsteinn outlawed (sekr)

CONFIRMATION FROM OTHER SOURCES: Killings but not law suit mentioned in Landnámabók (S272/H234) and killing of Þorgils (by Þorkell and Hedinn) mentioned in Vápnfirdinga saga.



E2
Killing of Skidi
Vápnfirdinga saga Ch.2

DATE: Brodd-Helgi 12. Annals state he was killed 974, saga says in the year of the famine, which annals date to 975. He had a teenage son when killed and an older son killed with him. Therefore this suit around 950AD.

COURT: ?

CHARGE: Manslaughter

INJURED PARTY: Skidi, a poor farmer in Vápnfjqrðr; he is otherwise unknown.

PROSECUTOR: Brodd-Helgi, a 12 year old. He held the godord which originated with his grandfather, Þorsteinn the White, but whether he did so at this young age is not stated.

ACCUSED: Svartr, a farmer in Vápnfjqrðr - he is otherwise unknown.

DEFENDER: ?

OUTCOME: Svartr outlawed (sekt), took to the hills, and later killed by Helgi.

E3

Failure to Pay Temple Tax
Vápnfirðinga saga ch. 5; Kristni saga, V&PI p. 401;
Ólafs saga Tryggvasonar en mesta (Íslenzk fornrit
 vol. XI p. 35 note 3)

DATE: 970-1000AD

COURT: Probably spring assembly in Fljótsdalshérað.

CHARGE: Failure to pay temple tax (vápn); being a Christian (Ólafs saga). The suit is most likely to have taken place after 997, pursuant to the law quoted in STH8 from Kristni saga and Ólafs saga.

HOW COMMENCED: Summons at home of accused.

INJURED PARTY: The temple priestess, Steinvör.

PERSON ASSUMING RESPONSIBILITY SUIT PURSUED: The temple priestess, Steinvör, complained to Brodd-Helgi, a godi (see E2). Her interest in the matter is obvious; of Brodd-Helgi it is said he was related (or owed obligation, skyldr) to her. Also, he had a grudge against Þorleifr, the accused, and was looking for ways to get him. He and Þorleifr lived in different districts, 80 miles apart, and according to the saga attended different spring assemblies, Brodd-Helgi Sunnudals assembly (which was abandoned after his death, see Vápnfirðinga saga ch. 14), Þorleifr Múla assembly in Fljótsdalshérað. Brodd-Helgi could have been the godi handling the secular duties of Steinvör (see Íslenzk fornrit vol. XI, p. 33 note 1), but then one would expect him to take the suit himself. "Brodd-Helgi promised to look after the matter and pay her what she was due, and he took over from (tók mál af) her her case against Þorleifr."

PROSECUTOR: Digr-Ketill. We know little of him, but his son married the daughter of Síðu-Hallr, and therefore he was probably of good family. (Íslenzk fornrit vol. XI, p. 33 note 3). He could well have been a relation of Þorleifr, the accused, pursuant to the law of 997 (see STH8); we know almost as little about Þorleifr's family (Íslenzk fornrit vol. XI p. 28 note 4). Digr-Ketill lived in Fljótsdalr, and therefore in the same assembly district as Þorleifr. He took over the case reluctantly at Helgi's request, after they made a pact of friendship. "Characteristically Brodd-Helgi undertakes a roundabout series of maneuvers so that the Christian will have little idea of the real weight of the case against him, and will arrive at the Assembly unprepared. In this way Brodd-Helgi plans to obtain a judgement against Þorleifr that will be more secure" (Jesse Byock, Saga Iceland: Wealth, Class and Power Manuscript, 1979, p. 170).

ACCUSED: Þorleifr of Krossavík in Reyðarfjörðr, a Christian who travelled abroad a good deal. We know little of his family (Íslenzk fornrit p. 28 note 4).

OUTCOME: Digr-Ketill encountered bad weather on his journey

E4
 Return of Property of Halla
Vápnfirðinga saga Ch.6

DATE: Circa 970, a few years before death of Brodd-Helgi which Annals place in 974AD.

COURT: (1) Sunnudalsþing (2) Alþing

CHARGE: For return of property of Halla, who left the home of her husband, Brodd-Helgi, after he spurned her by taking another wife, because she was ill.

HOW COMMENCED: Summons

INJURED PARTY: Halla, sister of Geitir Lýtingsson. She went to live with him after she left Brodd-Helgi. She did not wish to pursue the matter, saying her property was in good hands with Helgi.

PROSECUTOR: Geitir, a goði. He and Brodd-Helgi had been close friends, but had fallen out in recent years. He pursued the matter, despite Halla's objection, because he considered it a great insult that the property had not been handed over.

ACCUSED & DEFENDER: Brodd-Helgi, a goði, husband of Halla (see E2 and E3).

SUPPORTERS: "They each rode to the Assembly with a big following, Geitir having the choicer men and Helgi the greater number". Gudmundr the Mighty (see N15, N16, N17 18, 19, 20, 21) supported Helgi at the Alþing.

OUTCOME: "When the case should have gone into court, Geitir was forcibly overborne, and Helgi won the day. Geitir now committed his case to the National Assembly itself, but Brodd-Helgi again voided it for him, mostly because of Gudmundr the Mighty's backing".

SUSPICIOUS ELEMENT: Gudmundr probably rather young to be involved at this time (Íslensk fornrit Vol XI, p.xxiv). He was not involved in Glúma until about 986, and none of the events in Ljósvetninga saga appear to be any earlier.

E5
 Tree-felling
Vápnfirðinga saga Ch.7,8

DATE: 970-75AD(see E4)

COURT: Didn't get that far

CHARGE: Tree felling. Þormóðr, a þingmaðr of Geitir, and Þórðr, a þingmaðr of Brodd-Helgi owned a forest together, and shared the tree-cutting. Þórðr thought he was not getting his fair share so he turned his property over to Brodd-Helgi (seldisk Helga arfsali) to get his help. Brodd-Helgi with his tenants and húskarls cut down the whole wood and took the timber.

HOW COMMENCED: Summons at home of Brodd-Helgi, where Þórðr living.

INJURED PARTY AND PROSECUTOR: Þormóðr, a farmer, joint owner of the forest. Brodd-Helgi's grandfather Þorsteinn had acquired their farm Hof from Þormóðr's father Steinbjörn, as payment for a loan. Probably this is why Steinbjörn's family were allied to Geitir, not Helgi.

SUPPORTERS: Þormóðr sought help from Geitir (see E4), his godi (see Ch.3) who only gave him advice, suggesting he seek the help of his nephews, Steinn and Hreidar, and of Tjörvi, mentioned earlier (Ch.4) as a friend of both Helgi and Geitir, with the hint that he was the killer of the foreigner Þorleifr with the connivance of Helgi and Geitir. Perhaps we are intended to believe he tipped off Helgi about the summons plans (see Islenzk fornrit Vol XI, p.40, proverb).

PERSONS NOT INVOLVED: There is no mention of Þormóðr's two sons (see Islenzk fornrit Vol XI, p.xvi).

ACCUSED: Þórðr, a farmer who turned over his property to his godi, Brodd-Helgi. But Brodd-Helgi and his helpers actually committed the offence (see above, CHARGE). He is otherwise unknown (Islenzk fornrit Vol XI, p.38 note 2).

OUTCOME: Having been alerted to the proposed summons, Brodd-Helgi was at home with all his servants, etc. and attacked the summons party after they delivered the summons. Some of them were killed by Helgi, but no names or details are given. A couple of pages later, it is stated "There was no bloodsuit for the slaying of Þormóðr", so presumably he was killed at this time by Helgi, and thus the suit lapsed. Geitir's only further action was to collect the bodies of the dead from Brodd-Helgi's farm, which required some subterfuge, as Helgi resisted.

SUSPICIOUS ELEMENTS: Þórðr accused, though Brodd-Helgi did the deed.

BIBLIOGRAPHICAL NOTE: Jesse Byock, Saga Iceland: Wealth, Class and Power, Manuscript, 1979, p. 1-9, p. 173-185. He describes the case as an example of how conflicts developed from small matters to major confrontations between godar.

E6
Brodd-Helgi's suit at Alþing
Vápnfirðinga saga Ch.10

DATE: 972 or 3AD

COURT: Alþing

CHARGE: ?

PROSECUTOR: Brodd-Helgi, who found himself short of backing.

SUPPORTER: Brodd-Helgi asked Guðmundr, who helped him in E4, for help. "Guðmundr said he was not disposed to grant him help at this or any other Assembly and so win himself the dislike of other Chieftains (hofðingjar), and get no profit in return", so Helgi promised a half-hundred of silver for his help.

OUTCOME: Helgi's case was successful. Guðmundr asked for his money. "Helgi maintained he had nothing to pay him - he did not see, he said, that he need pay money between friends such as they". Guðmundr was angry and said he would never give him help again.

E7
 Concealing Ewes and Stealing Milk
Droplaugarsona saga Ch.5

DATE: 991 (Íslenzk fornrit Vol XI, p.lxxix)

COURT: Alþing

CHARGE: Concealing (leyna) ewes and stealing (stela) their milk.

HOW COMMENCED: Summons at home of accused.

INJURED PARTY: Þorgeirr, a farmer at Hrafnkelsstaðr well enough off to buy 50 ewes after suffering considerable losses in a famine.

PROSECUTOR: Helgi Droplaugarson. Þorgeirr "went to see Helgi Droplaugarson and asked him to take up the case (taka við málinu): and I wish you to receive what is gained by it, he said. And on these terms Helgi took over the case (tók Helgi málit)". Relationship of Þorgeirr and Helgi is not stated. His father was a goði, but the saga specifies that this godorð went to his uncle Ketill (Droplaugarsona saga Ch.2). As a teenager Helgi became hostile to Helgi Ásbjarnarson over a case involving an insult to his mother, after which he went to Geitir Lýtingsson for protection. Þorkell Geitisson taught Helgi law. "Helgi took up law suits, especially those against Helgi Ásbjarnarson's þingmenn", and also helped Hrafnkell get his rights to the godorð shared by Hrafnkell and Helgi Á. It was probably because of his legal knowledge and his antipathy to Helgi Á that Þorgeirr approached Helgi D. Helgi D does not seem to have had a farm of his own.

SUPPORTERS: Þorkell Geitisson, Helgi D's cousin and a goði, (see Vápnfirðinga saga); Ketill of Njarðvík, Helgi D's uncle and a goði (see Droplaugarson saga Ch.2); a great host of men.

ACCUSED: Þórðr, a rich man with a farm, foster father of a son of Helgi Ásbjarnarson.

DEFENDER: Helgi Ásbjarnarson, who shared a godorð with Hrafnkell Þórisson, his cousin, a grandson of Hrafnkell goði Hrafnsson.

OUTCOME: "Helgi Ásbjarnarson did not have enough followers to void their suit". A settlement called for, but Helgi D demanded self judgement, and "was paid as much value in cows as the ewes had been worth which Þórðr had milked".

E8
Murder of Björn of Snotrunes
Droplaugarsona saga Ch.6

DATE: 992 (Íslenzk fornrit Vol XI p.lxxix)

COURT: Alþing

CHARGE: Murder (hann hefði myrðan) and failing to bury the dead man properly.

HOW COMMENCED: Summons

INJURED PARTY: Björn, a farmer, dead.

PROSECUTOR: Helgi Ásbjarnarson (see suit E7): "it seemed to Björn's wife that she ought to obtain support from him for the case against the slayer". No reason given.

ACCUSED & DEFENDER: Helgi Droplaugarson (see E7). He killed Björn because he was making advances on Þórdís, a close relation of his. He became involved at the request of Þórdís' husband (see further E9).

DEFENCE: A charge of adultery against the dead man (suit E9) commenced before the manslaughter charge was. Also, Helgi D produced three witnesses that Björn had been properly buried.

OUTCOME: All of Helgi Á's charges were quashed (see also suit E9).

E9
Seduction by Björn
Droplaugarsona saga Ch.6

DATE: 992 (as Suit E8)

COURT: Alþing

CHARGE: Seduction (legordssqk).

HOW COMMENCED: Summons over the dead body of the accused.

INJURED PARTY: Þorsteinn, husband of the seduced person. A farmer, foster-father of a child of Helgi Ásbjarnarson, quite old, but still vigorous.

PROSECUTOR: Helgi Droplaugarson (see E7), who was closely related to the seduced woman. Þorsteinn asked for his aid and Helgi took over the suit (taka mál af). After obtaining no satisfaction from Björn after Helgi's request that he cease his visits and pay compensation, Helgi killed Björn (see E8).

ACCUSED: Björn, dead.

DEFENDER: Helgi Ásbjarnarson (see E8).

OUTCOME: "Helgi Droplaugarson wished to have judgement declared against Björn as having incurred outlawry, but Helgi Ásbjarnarson offered money indemnity in place of that, and it was left to Helgi Droplaugarson alone to decide the amount. He awarded himself one hundred ounces of the silver then current and with that they parted".

E10
 Plotting Hallsteinn's death
Droplaugarsona saga Ch.7 and 8

DATE: 995 (Íslenzk fornrit vol XI, p.1xxix)

COURT: Alþing

CHARGE: Plotting a death (fjorráð)

HOW COMMENCED: Summons

INJURED PARTY: Hallsteinn, dead, the 2nd husband of Droplaugr, mother of Grímr and Helgi. He was "rich and well liked" with his own farm (Droplaugarsona saga Ch.3). He had three adult sons, but they were not in the country at the time.

PROSECUTOR: Helgi Ásbjarnarson. No explanation as to why. Hallsteinn's wife was in on the plot and his three sons were abroad, and no other close relations are mentioned who could have asked Helgi to take the suit. Helgi had a personal feud with Helgi Droplaugarson, which would explain his interest (see suits E7, 8 and 9); also public opinion was against Helgi D. Helgi was a goði, but he shared the godord with his cousin Hrafnkell. It could have been his turn to exercise the duties of office. When the sons of Hallsteinn returned to Iceland a short time later, "They gave Helgi Ásbjarnarson timber for a hall, and thus they rewarded him for taking up the case of the slaying of their father. The hall he built is still standing on Mjófanés".

SUPPORTERS: Helgi Á "had many followers at the assembly".

ACCUSED: Droplaugr and her son Helgi, the wife and stepson of the dead man. (For Helgi, see also E7, 8 and 9).

DEFENDER: Droplaugr went abroad before the suit was heard and never returned. Helgi D probably defended himself, although this is not specifically stated.

SUPPORTERS: "The case of Helgi Droplaugarson was regarded with disfavour; and no men would give him aid for it except Þorkell Geitisson and Ketill Þíðrandason". It is odd that the author should regard their support as meagre, since they each held a godord and their support had allowed Helgi D to defeat Helgi Á in E7.

OUTCOME: People sought a settlement, but Helgi Á demanded self-judgement. "The agreement was that 1200 pieces of silver, and to the value of five cows, was to be paid for the killing of Hallsteinn and Helgi Droplaugarson was to go into exile for three winters... If he did not go, he would fall forfeit to Helgi Ásbjarnarson between Smjörvatns heath and Lóns heath". Helgi failed to go abroad and was ultimately killed in the Battle of Eyvindardalr by a party led by Helgi Á, in 998 (Annals).

E11
Killing of Helgi Ásbjarnarson
Droplaugarsona saga Ch.14

DATE: 1008 (Íslenzk fornrit Vol XI, p.lxxix)

COURT: ?

CHARGE: Manslaughter

INJURED PARTY: Helgi Ásbjarnarson, dead (see E7-10).

PROSECUTOR: Hrafnkell goði, cousin of Helgi. He and Helgi shared a godord (Droplaugarsona saga Ch.3, Ch.4).

ACCUSED: Grímr Droplaugsson, who killed Helgi Á. to avenge the killing of his brother Helgi D (see E10).

DEFENDER: Þorkell Geitisson (see E7, E10). A goði and longstanding friend of Grímr's family. Grímr did not attend the assembly.

OUTCOME: Þorkell Geitisson offered to pay indemnity for Grímr, but Hrafnkell would not take it, so Grímr was declared an outlaw. Þorkell sheltered Grímr for a time, and then helped him to go abroad.

OTHER SOURCES: Íslendingadrápa says Grímr killed Helgi (see Íslenzk fornrit Vol XI, p.lxvii).

E12

Debts of Ásbjörn vegghamarr
Gunnars þáttur Þiðrandabana Ch 1 & 2 (V&PII p.569)

DATE: 1007 (See Íslenzk fornrit Vol XI p.xc)

COURT: Didn't get to court

CHARGE: Claim for property borrowed by the accused to operate his farm.

HOW COMMENCED: By summons at lodgings of the accused. The accused had taken lodgings with Ketill þrymr Þiðrandason of Njarðvík, who was a goði (see E7 and Droplaugarsona saga Ch.2). Ketill refused to pay the accused's debt, but he gave permission to have him summoned for the debts if they came with few men ("leyfa mun ek at þeir stefni honum við fá menn").

INJURED PARTY: Björn Kóreksson and his brothers, farmers with sufficient wealth to hire help and aid one of their helpers to acquire and run his own farm.

PROSECUTOR: The Kórekssonar themselves, or perhaps Þiðrandi Geitisson. His father Geitir and his brother Þorkell were goðar (see Vapnfirdinga saga) as was his foster father and uncle, Ketill of Njarðvík (see E7 and Droplaugarsona saga Ch.2). It is not said he had a goðord, but the Kórekssonar did ask "to become his followers (fylgdarmenn) and to serve him". Then they said they wished to go summons Ásbjörn and he agreed.

ACCUSED: Ásbjörn vegghamarr. He had worked for the Kórekssonar for 3 years, then asked them to help him set up a farm which they did. However, he was not a thrifty farmer, and borrowed considerably from them to keep his farm going. When he was pressed for what he owed, he went to work for Ketill of Njarðvík.

SUPPORTER OF ACCUSED: Ketill of Njarðvík (see above). When Ásbjörn found he was being pressed for what he owed, he asked Ketill to take him in as a worker. Ketill refused to pay his debts for him, and said the Kórekssonar could come and serve their summons, but when they did come, he got angry and attacked them.

OUTCOME: Þiðrandi and the Kórekssonar arrived, seven in all, to serve the summons. Ketill attacked them, killing Björn Kóreksson. Þórir Englandtrader (who was with Þiðrandi, and also incidentally had money owing to him by Ásbjörn) killed Ketill, and was in turn killed by one of Ketill's servants. 2 of Ketill's servants were also killed. The five remaining in the summons party left, but two ships' captains staying with Ketill were urged by a serving woman to pursue them, which they did, and killed Þiðrandi. Ásbjörn is never again mentioned.

E13

Killing of Þiðrandi Geitisson

Gunnars þáttur Þiðrandabana Ch.6; Laxdæla saga Ch.69.

(V&PII p.574)

DATE: 1008 (see Íslenzk fornrit Vol XI, p.xc)COURT: Probably Alþing (the þing in the summer)CHARGE: ManslaughterHOW COMMENCED: ?INJURED PARTY: Þiðrandi Geitisson dead (see E12).PROSECUTOR: Þorkell Geitisson, his brother, although this is not pointed out in the þáttur. Þorkell was a goði (see E7, E10, E11, Vápnfirðinga saga especially Ch.14-19), but this also is not pointed out.ACCUSED: Gunnarr, a ships captain who had been staying with Ketill of Njarðvík (see E12).DEFENDERS: ? perhaps noneSUPPORTERS: Helgi Ásbjarnarson, a goði (see Droplaugarsona saga). Gunnarr had been helped by a farmer, Sveinki, when he was pursued by Þorkell Geitisson. Sveinki sent him to his friend Helgi Ásbjarnarson. Helgi gave him shelter but there is no mention that he went to court for Gunnarr. Also Eyjólfur, son of Ketill Þiðrandason (see E12), who could have inherited his father's goðord. It seems implied that he helped Gunnarr send his goods abroad to escape confiscation.OUTCOME: Gunnarr outlawed. Þorkell tried to confiscate his goods but found they had all been sent abroad. Helgi was killed a short time later, and then his wife sent Gunnarr to Guðrun Ósvífrsdóttir at Helgafell, who got him passage abroad. Why she should give help is not stated (see Íslenzk fornrit vol.XI, p.209, note 3).

STH1
 Killing of Snjallsteinn Baugsson
Landnámabók, S348/H307

DATE: 920-35AD (see Note on Chronology following STH4).

COURT: ? LOCATION: Rangarvellir, south of Þjórsá (River). Snjallsteinn and Gunnarr lived there. Qnunder lived north of Þjórsá, near Qrn of Vælugerði.

CHARGE: Manslaughter

INJURED PARTY: Snjallsteinn Baugsson, dead. Baugr was a landnámsmaðr who came after Ketill Hæng, who probably settled in the early 890's. Snjallsteinn and his two brothers were outlawed from Hlid for killing Sigmundur Sighvatsson, after which he set up a farm at Snjallsteins-hofða. Sigmundur's daughter urged her husband Qnunder to kill Snjallsteinn in revenge.

PROSECUTOR: Gunnarr, brother of Snjallsteinn, who also was outlawed from Hlid. Lived at Gunnarsholt, which we can assume was his own farm; it was about 20 km from Hlid.

ACCUSED: Qnunder, husband of the daughter of the man avenged by the killing of Snjallsteinn.

DEFENCE: ? No details of the court procedure.

PERSON NOT INVOLVED: Mordr gigja, son of Sigmundur Sighvatsson (H304, S345, M9), a leading hofdingi circa 930 (S398/H355) and well versed in law (H304). See also STH2 and Note on Chronology following STH4.

OUTCOME: Qnunder outlawed (sekr). Two years later Gunnarr attacked and killed him, and himself died of his wounds. He was helped in the attack by his sister's husband, Qrn of Vælugerði in Flói. See further STH2.

OTHER SOURCES: Sigmundur's killing is also mentioned in M9, but the other details of this suit and of STH 2 and 3 do not occur in M. Jón Jóhannesson (Gerðir Landnámabók p. 120-1) concludes the story was taken from a lost saga he calls Fljótshlíðinga saga.

STH2
Wrongful Grazing by Orn
Landnámabók, S348/H307

DATE: 925-40 (see Note on Chronology following STH4)

COURT: ? LOCATION: Flói (between Þjórsá and Hvítá).

CHARGE: Wrongful grazing (beitingamál)

INJURED PARTY: ?

PROSECUTOR: Sigmundur kleykir and Eilífr audgi, sons of Onundr (see STH1). They wanted to prosecute Orn of Vælugerði for his involvement in the killing of their father but Mórðr gigja, their kinsman, advised that this wasn't possible because Onundr died an outlaw. Therefore they took over this suit from someone else.

ADVISOR: Mórðr gigja (see STH1)

ACCUSED: Orn of Vælugerði (see STH1)

DEFENDER: ? Details of court not given.

OUTCOME: Orn outlawed: "Orn could be killed by the Onundarsons with impunity (falla óheilagr) anywhere but at Vælugerði and within an arrowshot of his own land." The Onundarsons killed Orn "and people agreed that he'd been killed legally". But Orn's brother hired an archer who "shot an arrow so far, it meant Orn had been killed within an arrow's shot of his land". A manslaughter charge was made (see STH3).

STH3
Killing of Orn of Vælugerði
Landnámabók S348/H307

DATE: 927-43AD (see Note on Chronology following STH4).

COURT: ? LOCATION: Flói.

CHARGE: Manslaughter.

INJURED PARTY: Orn, dead, see STH2 and STH1.

PROSECUTORS: Þorleifr gneisti, his brother, and Hámundr Gunnarson, Orn's wife's brother's son.

ACCUSED: Sigmundr kleykir and Eilífr audgi, who were seeking vengeance for their father's killing, see STH2.

SUPPORTER: Mordr gigja (see STH1 and 2).

OUTCOME: Sigmundr and Eilífr^{were} outlawed from Flói (heraðs-sekr) but didn't have to pay any money. Mordr arranged marriages for them both, and also married his sister Rannveig to Hámundr Gunnarson, the prosecutor.

STH4..
 Sheepstealing by Boðvarr
Landnámabók S376/H331

DATE: 920-35AD(see Note on Chronology following S4).

COURT: ? Location: Flói.

CHARGE: Sheepstealing (sauðataka)

INJURED PARTY: ?

PROSECUTOR: Orn of Vælugerði, see STH1 and STH2.

ACCUSED: Boðvarr, a freedman of Ozurr, a landnámsmaðr.
 He had a farm.

DEFENDER: Atli Hasteinsson. Hasteinn's father was Earl Atli, killed by King Haraldr Fairhair's deputy, Earl Hakon. Hasteinn then was forced to flee to Iceland. Boðvarr "handed all his possessions (handsalaði fé sitt) over to Atli Hasteinsson".

OUTCOME: Atli quashed the case (ónýtti mál).

Note on Chronology of STH1-STH4

1. Mordr gígja, a son of Sigmundur Sighvatsson (H304, S345, M9), was a leading hofdingi around 930-950 (S398/H355). Sighvatr settled with the approval of Ketill hængr, who probably settled around 890 (S344/H303, Egils saga ch 23.) In Njála Mordr dies about 970AD (ch. 18). He did not get involved in the vengeance for his father's killing (STH1), but was involved a few years later in STH2 and STH3. This suggests an early date for STH1, perhaps 915-920, although his lack of involvement could be merely an error in tradition.
2. Qnundr, husband of Mordr gígja's sister Þorgerðr and avenger of Sigmundur and thus accused in STH1, was a landnámsmaðr in Flói (S375/H330). His sons were young in STH1.
3. S331/H291 lists Sigmundur kleykir, son of Qnundr, as a landnámsmaðr. But the area of land he took was small, and is more consistent with the story in S348 that he took the land after his marriage to the sister of Eysteinn, within whose land claim Sigmundur's farm probably lay (S330/H289).
4. Molda-Gnúpr, a landnámsmaðr who sold parts of his claim in the extreme west of the East Quarter, was forced to flee because of a lava flow. He was refused help by Vémundr, son of Sigmundur kleykir (S329, H284). As Sigmundur was quite young in STH3, and married at the end of STH3, this must take place at least 15-20 years after STH3. Gnúpr did, however, have four full grown sons and could have been quite old, but still 960 would have to be a very outside date for this event, closer to 945 being more likely, in which case STH3 would have to take place around 925-30AD. It is of course possible that tradition erred in having him still alive at this time, and that only his sons were involved.
5. At the end of STH3 Mordr gígja married his sister Rannveig to Hámundr Gunnarson. They were the parents of Gunnarr, a hero of Njála, where he appears as probably their eldest son, born around 945AD. This date depends of course on the connection in the saga of his death and the story of Njáll, which may well be completely fictitious. Outside Njála, there is mention in H312 of his killing, in which Geirr godi, Gizurr the White and Ásgrímr Ellidagrímsson were involved. In Landnámabók Geirr godi is listed as a hofdingi around 930-950 (S398/H355). Gizurr, cousin of Geirr, and Ásgrímr, nephew of Gizurr, are listed as hofdingi in Kristni saga around 981AD. Thus if all three were involved, Gunnarr's death is unlikely to have taken place as late as 990 as Njála suggests, but more likely around 975, and therefore he could have been born as early as 930AD. A further indication of his age is that his sister married Hróarr Tungugodi, who was a grandson of Gardar, a discoverer of

Iceland. Hróarr was born in Haraldr Fairhair's lifetime, as his father Uni was sent by Haraldr to subjugate Iceland and he was conceived illegitimately at that time. (S284/H245). He was thus born before 930AD probably much earlier as his father found land to claim.

6. STH4 took place before STH2, as the prosecutor Qrn was killed shortly after STH2.

7. Atli, defender in STH4, was the son of Hasteinn, son of Eart Atli, who was killed in Haraldr Fairhair's reign, before the battle of Hafrsfjorðr, and thus perhaps around 880AD (Heimskringla, Saga of Haraldr Fairhair). Hasteinn was an adult then, and fled to Iceland shortly thereafter. He had also been a Viking companion of Ingólfr, the first settler of Iceland, before he went to Iceland around 874 AD. Thus Atli was born perhaps around 890, fairly certainly by 900AD. When he was killed in the aftermath of STH4 his son was only nine, which suggests a date of around 920AD, certainly no later than 935 AD.

8. The accused in STH4 was a freedman of Ozurr, a landnáms-madr who came to Iceland at the age of 17 immediately after the wedding of Sigurðr hrísi, son of Haraldr Fairhair, which would be around 910 (Heimskringla, Saga of Haraldr Fairhair, ch. 25, 29, 33; Saga of Óláfr Tryggvason, ch 60.) Sigurðr Sýr, grandson of Sigurðr hrísi, married about 996AD, died about 1017 (Saga of Óláfr Tryggvason ch. 60, St. Óláfs Saga, Íslendingabok ch. 9), so a later date is possible. When ^{ch.75} Ozurr died after this suit, his son was not old enough to inherit. This supports a date of 920-935 for the suit.

STH5

Exposure and Humiliation of Þórbjörg and Return of
 Heimanfylgja of her Mother, Signý
Hardar saga, V&PII p. 55-57

DATE: 950-955 AD.

COURT: Alþing.

CHARGE: 1. fjorrad, plotting to kill, ie. by exposing the baby Þórbjörg 2. repayment of heimanfylgja.

HOW COMMENCED: By summons at the home of the Accused, who was not at home.

INJURED PARTY: Grimkell goði, father of Þórbjörg, widower of Signý, and Þórbjörg a female baby.

PROSECUTOR: Grimkell goði, who was a powerful and rich man.

SUPPORTERS OF PROSECUTION: 60 of Grimkell's þingmenn, also called bændr.

ACCUSED AND DEFENDER: Torfi, Signý's brother, who had a goðord. He had been hostile to Grimkell from the time he heard of the betrothal with Signý. We are not told of his goðord until later in the saga.

SUPPORTERS OF DEFENCE: A great force.

PEACEMAKER: Grímr the Little, foster son of Signý, who wished to make peace between the hofðingjar. He enlisted Þorkell Moon the Lawspeaker to act as arbitrator, paying him 100 in silver. He was caring for Þórbjörg at the time.

OUTCOME: Þorkell was awarded 600 3-ell ounces, at interest for 6 years, to be paid to Hqrðr, son of Grimkell.

PEOPLE NOT INVOLVED: Svarthofði, Grimkell's brother, was married to Þuridr, daughter of Tungu-Oddr, who was a leading man in the area at the time and probably a goði (see W13, W14).

STH6
Killing of Sigurðr Auðsson
Harðar saga, V&PII p. 65-67.

DATE: 983 or 984 AD

COURT: Alþing.

CHARGE: not stated - offence was manslaughter.

HOW COMMENCED: By summons at home of accused.

INJURED PARTY: Sigurðr, dead, son of a rich farmer.

PROSECUTOR: Torfi (see STH5). Auðr, father of the injured party, went to see "my friend Torfi", and transferred the suit to him (selt honum málit). Torfi promised "to follow it up to the utmost of the law (till enna fremsto laga)." Torfi had a godorð, but this is not pointed out at this point, or given as the reason for his acting. Torfi and Auðr were close neighbours. Auðr is said to have been trying to stir up enmity between Torfi and Hqrðr, the employer of the Accused.

ACCUSED: Helgi Sigmundarson, son of a vagrant, foster brother and servant of Hqrðr, the nephew of Torfi (see STH5).

DEFENDER: None. Hqrðr, the employer of Helgi, seemed to be treated as the person responsible for the defence (see STH7).

PEACEMAKER: As soon as he knew of the killing, Hqrðr went to see Auðr to offer self judgement, but Auðr had already transferred the suit to Torfi. In anger, Hqrðr killed him, and his servant and burnt the house. Two women died in the burning.

OUTCOME: See STH7.

STH 7
 Killing of Auðr and His Húskarl and Burning of His
 House and Two Women
Hardar saga, V&PII p. 66-67.

DATE: 983 or 984 AD

COURT: Alþing.

CHARGE: Not stated

HOW COMMENCED: By summons at home of Accused who was not there.

INJURED PARTY: Auðr, a húskarl, and two women of the household of Auðr, all dead. No relations are cited in the saga. Landnámabók (S38/H26) says Auðr's father was Raudr and his brother Úlfr of Úlfsstaðir; it also states that Auðr was killed by Hqrðr.

PROSECUTOR: Torfi assumed the prosecution, apparently on the basis of being the transferee prosecutor of STH6. No mention is made of any kin of the dead people.

ACCUSED: Hqrðr, son of Grimkell, an old rival of Torfi (see STH5). Torfi and Hqrðr had already had a clash over the property held in trust for Hqrðr pursuant to the judgement in STH5.

DEFENDER: None. Hqrðr refused to go to court himself and make settlement because of enmity with Torfi which had developed over the years.

PERSONS WHOSE HELP SOUGHT: Eindriði Þorvaldsson, husband of Hqrðr's sister, Þórbjörg; he refused to go to the Alþing because of other commitments, but said Hqrðr could stay with him.

PERSONS NOT INVOLVED: Noone at the Alþing offered to pay compensation for Helgi and Hqrðr. Hqrðr's foster-brother Geirr was not involved, nor was Þorkell Moon the Lawspeaker, who arbitrated in their previous dispute, nor was Illugi the Red who had helped Hqrðr recover the settlement of the suit re Signý and Þórbjörg (STH5) from Torfi (Illugi was Hqrðr's half brother-in-law).

OUTCOME: Torfi asked if anyone would pay compensation for Helgi and Hqrðr, noone did, and both were outlawed (sekr).

SUSPICIOUS ELEMENT: Eindriði refused help because he was going to the Kjalarnes þing at the request of Illugi the Red, but could this be possible during the Alþing?

STH8

Blasphemy by Stefnir

Kristni saga V&PI p. 385; Óláfs saga Tryggvasonaren
mesta ch. 143 (142)DATE: 997 ADCOURT: Alþing

CHARGE: Being a Christian, pursuant to a new law passed the same summer at the Alþing, which said "that Christian men's kinsmen should take action against them as blasphemers (Óláfs saga: that whoever blasphemed the gods or inflicted any injury or disgrace on them should be fined and outlawed), that is those kinsmen that were nearer than fifth cousins and farther than second cousins." Stefnir became a Christian abroad, and was sent by King Óláfr to convert Iceland. "He journeyed boldly north and south, making known the right faith", later defacing temples and idols.

PROSECUTORS: The sons of Ósvífr the sage, Þórólfr, Áskell, Vandrádr and Torrádr. They were third cousins once removed of Stefnir:

Ketill flatnose	
Björn the Easterner	Helgi bjóla
/	/
Óttarr	Eilífr
/	/
Helgi	Þorgils
/	/
Ósvífr	Stefnir
Óspakr Þórólfr Áskell Vandrádr Torrádr	

(Laxdæla ch. 32 lists the Ósvífssons as Óspakr, Þórólfr, Vandrádr, Torrádr and Helgi; S84/H72 list Óspakr, Þórólfr, Torrádr, Einarr, Þorbjörn and Þorkell). Óspakr did not take part in the law suit, perhaps because he was an outlaw (see suit W19). None of the Ósvífssons are shown as owning a farm independently of their father, but Ósvífr was a farm owner and a "great sage" (Laxdæla saga ch. 32). The Ósvífssons "set the suit afoot because Christendom was then called a kin-shame or family disgrace".

ACCUSED: Stefnir, son of Þorgils, son of Eilífr, son of Helgi bjóla of Kjálarnes. Helgi bjóla was one of the leading settlers in the south (S397, H354), but these descendants are not mentioned in Landnamabók.

DEFENDER: Stefnir seems to have attended the Alþing himself, but no details of the defence are given.

OUTCOME: Stefnir outlawed (sekdr).

STH9
 Killing of Vetrliði and Þórvaldr enn Weile
Kristni saga V&PI p. 389

DATE: 998 AD

COURT: Probably Alþing (in the summer).

CHARGE: Manslaughter

INJURED: Two poets, dead, who made lampoons about Þangbrandr the missionary. Both seem to have owned their own farm, Vetrliði in Fljótshlíð and Þórvaldr in Grímsnes. Vetrliði was a great grandson the the settler Ketill hæng (S344/H303). Little is known of Þórvaldr.

PROSECUTOR: ?

ACCUSED: Þangbrandr. No mention that Guðleifr Arason, who apparently also played a major part in the killings (see also Landnámabók Þ(M) Benediktsson p. 348 note 4; Njáls saga ch. 102) was charged. Þangbrandr was the son of a reeve of Bremen, played a part in the conversion of Óláfr Tryggvason, and was sent by him as a missionary to Iceland.

DEFENDER: ?

OUTCOME: Þangbrandr outlawed (sekðr).

SUSPICIOUS ELEMENT: Þórvaldr the far-farer also killed two poets for lampoons a few years earlier (see N22). "It will be noticed that the stories of Þangbrandr and of Þórvaldr resemble each other in several ways. In fact, both of them probably owe their existing form largely to Gunnlaugr, the monk of Þingeyrar (died 1218). It is plain that they were intended, not as records of history, but as imaginative descriptions of the fortunes of missionaries in pagan Iceland. They are historical romances and, although tendentious, they probably give as fair a picture of the period as it was possible to give, after all but the barest facts had been forgotten". (G. Turville-Petre, Origins of Icelandic Literature, p. 67)

(There is no mention of this law suit in the Saga of Óláfr Tryggvason).

STH10

Blasphemy by Hjalti Skeggjason

Íslendingabók ch. 7; Landnámabók S367/H322; Kristni saga V&PI p. 392; Laxdæla saga ch. 41; Óláfs saga Tryggvason en Mesta ch. 217; Njála ch. 102 & 104.

DATE: 999 AD

COURT: Alþing

CHARGE: Blasphemy against the pagan gods (goðgáa). Hjalti made a verse at the Law Rock mocking Óðinn and Freyja. (Note the law in STH8).

PROSECUTOR: Runólfr Úlfsson, a goði, of Dale in the Eyjafjöll district (south coast opposite Westman Islands), listed in Kristni saga as one of the strongest hofðingi in Iceland circa 981 (V&PI. p. 377). His grandfather, Jörundur goði, a landnáms-madr, had built a large temple (S346, H305, M10), suggesting strong pagan religion in the family. The wife of Runólfr's nephew Loðmundr Svartsson Úlfsson, Þorgerðr, was first cousin once removed of Vilborg, wife of Hjalti Skeggjason, the accused (S41, H29; H19; S346, H296; Njáls saga ch. 25, 26; Íslendingabók ch. 7; Kristni saga V&PI p. 392).

	Teitr	Jörundur goði
Gizurr enn hvíti	Jörunn=Ellida-Grímr	Úlfr aurgóði
Vilborg = <u>Hjalti</u>	Sigfúss	Svartr
	Þorgerðr = Loðmundr	<u>Runólfr</u>

It seems dubious that this relationship would make Runólfr responsible for prosecuting under the law of 997 (see STH7). It is perhaps more likely he acted as a strong goði. For example, we see later in the story (Kristni saga, V&PI p. 398) that none of Runólfr's þingmenn would give Hjalti horses. Landnámabók says only his brother-in-law would give him horses "because of the power of Runólfr Úlfsson".

ACCUSED: Hjalti Skeggjason. He is listed with Runólfr in Kristni saga as one of the strongest hofðingi in 981 (V&PI p. 377). He was baptized by Þangbrandr (Kristni saga V&PI p. 388). He lived in Þjórsárdalr.

DEFENDER: no detail

SUPPORTERS OF DEFENCE: Probably large numbers of Christians, perhaps including Gizurr the White, his father-in-law; they were later together in Norway, and returned to Iceland in 1000 and went to the Alþing together. Gizurr also ^{was} baptized by Þangbrandr. Runólfr "could not get the court sat - so beloved was Hjalti - before he set it at Óxarár bridge, and had both bridge-tails kept with arms." (Re Gizurr see Chronology suits STH1-4, #5).

OUTCOME: "There was no one who would sum up the case till Þorbjörn, the son of Þorkell of Goðdalir, took his seat in the court and summed up the case, and by his doom was Hjalti condemned to outlawry (sekr fjörbaugsmadr) for his blasphemy." Later in the text it states it was lesser, three-year outlawry (V&PI p. 398).

STH 11
Return of Marriage Money of Unnr
Njáls saga ch. 8

DATE: 968AD (see Brennu-Njáls saga, ed. by Einar Ól. Sveinsson. Íslensk fornrit vol. XII, p. LXI for chronology of the saga.)

COURT: Alþing

CHARGE: Return of marriage money of Unnr Mardar dóttir gígju.

HOW COMMENCED: By lýsing (publication or notice) at the Alþing. Most of the suits in Njála use this procedure, which is hardly mentioned in suits from other sagas. See Lehmann & Carolsfeld, Die Njalssage, p. 45-48 for a discussion of the procedure; also Finsen III, p. 643 "lýsa" for its occurrence in Grágás; and Maurer, Altisländisches Strafrecht und Gerichtswesen, p. 748-756.

INJURED PARTY: Unnr Mardar dóttir gígju, who divorced herself from Hrútr, apparently for good cause.

PROSECUTOR: Mordr gígja, father of the Injured Party, a powerful hofdingi and skilled lawyer (Njáls saga ch. 1, Landnámabók H304).

ADVISER OF MQRDR: Jqrundr goði and other friends.

ACCUSED AND DEFENDER: Hrútr, a landowner and head of household. He is not stated to be as influential as Mordr, but he was growing in stature.

SUPPORTERS OF HRÚTR: His brother Hqskuldr, and many men who rode with him to the Alþing.

OUTCOME: Hrútr challenged Mordr to single combat. Mordr's friends advised against it, and his case failed.

SUSPICIOUS ELEMENTS: 1. Mordr, the great lawman, was unable to get justice. It is later stated (ch. 22) that the single combat challenge did not remove his right to proceed. Why did he not know this?

2. Mordr "referred this action to the proper Quarter Court", without naming it. This sounds like repetition of a formula, rather than something based on a genuine tradition.

Revival of Suit
Njáls saga ch. 21-24

DATE: 969 or before.

COURT: Alþing.

CHARGE: As above.

HOW COMMENCED: By summons at the home of the accused. The danger of the procedure is emphasized. This danger seems to have been one reason for the existence of the lýsing procedure used in the original suit, and it seems odd it was not used here (see Lehmann & Carolsfeld, Die Njalssage, P. 47.)

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PROSECUTOR: Gunnar Hámundarson, first cousin once removed (Njála ch. 1 and ch. 19) or first cousin (Landnámabók S345) at request of Unnr. ^{There is no} statement of duty, but Unnr reminded him of his kinship. He was accomplished and prosperous, apparently a householder and landowner, but he had no legal skills. A transfer of the case to him by Unnr is suggested by the terminology that he "tók við málinu".

LEGAL ADVISER: Njáll, whom Gunnarr approached at the suggestion of Unnr. He advised how to revive the suit and attended court. He was the neighbour and freind of Gunnar, a prosperous farmer and a lawyer (logmaðr).

PARTIES NOT INVOLVED: Unnr had closer kin, including Sæbjörn goði her sister's husband, Sigfúss her uncle, and Sigfúss' many sons.

ACCUSED AND DEFENDER: Hrútr

SUPPORTERS OF HRÚTR: As above.

OUTCOME: Hrútr raised legal quibbles, which Njáll said he could overcome, but Gunnarr instead challenged Hrútr to single combat. Hrútr on his brother's advise chose rather to pay money.

DETAILS IN LANDNÁMABÓK: Hrútr and Unnr married; Hrútr had another wife Hallveig; Unnr married Valgerðr after Hrútr. (S106, H305).

Laxdæla saga: Ch. 19: Hrútr married Unnr. She left him, and "that was the cause of the conflict between the men of Laxriverdale and the men of Fljótshlíð".

SUSPICIOUS ELEMENTS: It seems a little strange that, with all the emphasis in Njála on the need for detailed legal knowledge in the pursuit of court cases, Unnr would not have approached someone with more experience, as her brother-in-law Sæbjörn goði presumably was. But this would not have suited the purpose of the author, who used this opportunity to introduce Gunnarr, build up his character, and link his name up with that of Njáll. It seems to be fairly generally accepted that traditions probably existed both about Gunnarr and Njáll, and that it was popular knowledge of these the author was depending on to inspire interest in his story. But on the other hand, we know of no traditions before Njála in any way linking Gunnarr and Njáll; this seems to have been an imaginative reconstruction of the author (see Lars Lönnroth, Njáls saga: A critical Introduction, p. 35).

See also comments under How Commenced above.

BIBLIOGRAPHICAL NOTE: The suit is discussed by Lehmann & Carolsfeld, Die Njálssage, p.44-51.

STH 12
Theft by Melkólfr from Otkell on Orders of Hallgerðr
Njáls saga ch. 50 & 51

DATE: 984 AD

COURT: Alþing, although it was settled before the court appearance.

CHARGE: Receiving stolen goods (Gunnarr) and theft, stuldr (Hallgerðr).

HOW COMMENCED: Summons at the home of the accused.

INJURED PARTY AND PROSECUTOR: Otkell Skarffsson, a prosperous farmer and head of the household at Kirkjubær.

SUPPORTERS OF PROSECUTION: Otkell was accompanied on the summons delivery by two brothers, a friend Skamkell, and eight others.

ADVISERS: Gizurr the White and Geirr goði, second cousins of Otkell (first cousins in Landnámabók S385,386,389). Mórðr Valgarðsson, son of Unnr. — once removed (re Gizurr see STH10).

ACCUSED: Hallgerðr, who had instructed Melkólfr, the actual thief, was charged with theft, and her husband Gunnarr was charged with receiveing stolen goods. Gunnarr owned and operated a farm.

PERSON NOT CHARGED: Melkólfr, a slave, who actually carried out the theft.

DEFENDER: Gunnarr. He took self judgement and announced the terms himself. Hallgerðr took no part in the legal proceedings. It seems assumed, although we are not told, that Gunnarr also acted for her.

ADVISERS OF GUNNARR: Njáll (see STH11), Hqskuldr, his father-in-law, and Hqskuldr's brother Hrótr.

SUPPORTERS OF GUNNARR: Sigfússons, Gunnarr's uncles (or cousins according to Landnámabók S345). Njáll's sons.

OUTCOME: Self judgement, ^{was granted} to Gunnarr on ^{the} advice of Gizurr, after the treachery of Skamkell in not reporting his original advice correctly was discovered.

PEACEMAKERS: Geirr goði, Úlfr aurgoði.

SUSPICIOUS ELEMENTS: As in STH11, the connection of Njáll and Gunnarr. Perhaps more serious is the major role played by Hallgerðr, whose actions caused the whole incident. Hallgerðr is mentioned in other sources as the daughter of Hqskuldr and as having long hair (Landnámabók S105, S152, H122; Laxdæla saga Ch. 9), but none of her marriages are mentioned elsewhere, nor are her first two husbands. Perhaps it is because their marriage was his invention that the author felt it necessary to have Gunnarr seek advice from

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Hqskuldr and Hrútr in chapter 51, rather than have Njáll give it; the audience would perhaps have expected Gunnarr to turn to his influential in-laws and would feel more convinced concerning the marriage if he did.

STH 13

Manslaughter of Otkell and his Seven Companions
Njáls saga ch. 55 and 56

DATE: 985AD

COURT: Rangriver Quarter Court at the Alþing.

INJURED PARTY: Otkell, his brothers Hallbjörn the White and Hallkell, his friend Skamkell, Auðólfur (a foreigner staying with Otkell) and three other men, all dead. Otkell was the leader of the group.

PROSECUTOR: Geirr goði. He and Gizurr the White^{are} said to have had the "duty to take action over Otkell's death" (áttu eptir Otkel at mæla). Geirr was chosen by lot. For their relationship to Otkell see STH12. Geirr commenced actions for all but the "three other men". The jury later declined jurisdiction over the foreigner, Auðólfur, "because the lawful plaintiff was in Norway". According to Grágás, if a foreigner without kin in Iceland were killed, the proper plaintiff was one of his mates or the captain if he were killed on ship, or the householder he was staying with if he was living on land, or the goði if the householder killed him. (Finsen Iach. 97 p. 172-4). No provision was made for the situation, as here, where a foreigner was killed at the same time as the householder he was staying with. Lehmann and Carolsfeld argued that the suit would then fall to the heirs of the householder (Die Njálssage, p. 53), and that the saga is therefore wrong. Jónsson, on the contrary, argues that there is no reason why the suit should not then have reverted to his kin in Norway. ("Om Njála" p. 122). With all due respect to Jónsson, this hardly seems likely when so many other possible situations are covered in chapter 97 giving someone in Iceland the suit. It seems more probable that either Njála is wrong on this point, or that in the tenth century the law was different from Grágás, and it was not permissible to pursue a manslaughter suit for foreigners if their kin were not in Iceland. Considering how many first generation settlers there would have been in Iceland at the time law was introduced there, the latter does not seem likely, as many suits would then have been unresolved.

CHARGE: Manslaughter

HOW COMMENCED: Lýsing at the Alþing.

CLOSER KIN NOT INVOLVED IN THE PROSECUTION: Otkell's son Þorgeirr, a "promising young man", and his wife.

SUPPORTERS OF PROSECUTION: Gizurr, several hofðingjar: Skapti, Þóroddr, Ásgrímur Ellidagrímsson, Oddr of Kidjaberg and Halldórr Qrnólfsson.

ACCUSED: Gunnarr was charged with the manslaughter of Otkell, Hallbjörn, Auðólfur and Skamkell. His brother Kolskeggr was charged with the manslaughter of Hallkell.

DEFENDER: Gunnarr. Kolskeggr and his defence are never mentioned again

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SUPPORTERS OF DEFENCE: "A great number of men from Fljóts-
hlíð and the Rangriver Plains" because Gunnarr was "so
well-liked".

OUTCOME: Both parties had considerable legal difficulties.
Therefore it was submitted to arbitration as a result of
"wise counsel".

DETAILS IN LANDNÁMABÓK: H312, confirms the fight,
and killing of Otkell and Skamkell by Gunnarr. Kolskeggr
and the other dead are not mentioned, nor the law suit. It
is placed after the battle of Knafahills, the subject
of suits STH18-20.

BIBLIOGRAPHIC NOTE: Lehmann and Carolsfeld discuss the suit
in some detail, particularly the legal terminology used and
the legal procedure (Die Njálssage p. 52-66).

STH14
 Inheritance Claim
Njáls saga ch. 60

DATE: 986AD

COURT: Alþing

CHARGE: Inheritance Claim (erfdamál).

HOW COMMENCED: ?

INJURED PARTY & PROSECUTOR: Ásgrímr Ellidagrímsson, a hofðingi.

SUPPORTER OF ÁSGRÍMR: Gunnarr Hámundarson intervened when a technical flaw in Ásgrímr's case was discovered, apparently purely in the interests of seeing justice done.

ACCUSED & DEFENDER: Úlfr Uggason, a poet. It is not recorded where he lived or if he had a farm (see also Kristni saga V & P I p. 388-9).

OUTCOME: Gunnarr challenged Úlfr to single combat; Úlfr then agreed to pay the full claim.

SUSPICIOUS ELEMENT: After this law suit, one would expect Ásgrímr to play some major role on Gunnarr's side when he got into major trouble later in the saga, but he didn't. Landnámabók in fact counts him among the attackers of Gunnarr when he was killed (H312). One might therefore suspect that this law suit is an attempt to clear Ásgrímr's reputation, by showing that he was Gunnarr's friend, and therefore he would not have taken part in the attack. Lönnroth's suggestions concerning the author of Njála might explain this, as believed he could have been Þorvarðr Þórarinnsson, a member of the Svínfelling family, or at least someone in or closely connected with that family. Ásgrímr was, according to tradition, an ancestor of Þorvarðr's wife Solveig, a member of the Oddaverjar family (Lönnroth, Njáls Saga, p. 182). One problem with this argument is, however, that Mórdr Valgarðsson, who is presented as a major evil element in Njáls saga, with little justification being given for his actions, was as much an ancestor of Solveig as Ásgrímr (Njáls saga ch. 25, Benediktsson, Landnámabók, genealogical table XXVII). He was as well a goði, and therefore perhaps should have been subject to stricter rules of conduct. But unlike Ásgrímr he is never called a hofðingi (chieftain) in Njáls saga or elsewhere, although he is said to have had hofðingskap (authority) (Njála ch. 107). Ásgrímr is given this title in the saga (ch. 56), and in Kristni saga, where he is named as one of the mightiest chiefs (stærster hofðingjar) in the land at the time Christianity came to Iceland (V&P I p. 376-7). Perhaps it was because he was otherwise known as a great man that the author wished to clear his name in this incident.

STH15-17
Suits transferred to Gunnarr as Countercharges
to STH18 & 19
Njáls saga ch. 64, 65, 66

DATE: 987AD

COURT: Alþing

CHARGES:

- 15 - seduction of Njáls kinswoman, Þorfinna (legordssok).
- 16 - cutting wood on Njáls property
- 17 - ?

PROSECUTOR:

- 15 - Njáll. The nature of his relationship to Þorfinna is unknown, although compare with Guðfinna in Njála ch. 20 & 39, who was perhaps his aunt.
 - 16 - Njáll (a personal suit of his).
 - 17 - Tyrfingr of Berjanes, who is otherwise unknown (Sveinson, Brennu-Njáls saga, p. 161, note 5).
- At the suggestion of Njáll all three suits were transferred to Gunnarr as countercharges to STH18 and 19.

SUPPORTERS OF PROSECUTION: See STH20

ACCUSED:

- 15 - Þorgeirr, son of Starkaðr, apparently still living at home
- 16 - Starkaðr, a landowner and householder
- 17 - Qnundr, " " " "

DEFENDER: To the point of the transfer of prosecution it seems to have been the accused. See STH18 & 19 for further developments.

OUTCOME: See following STH20.

STH18 & 19
Manslaughter and Wounding Suits against Gunnarr
Njáls saga ch. 64, 65, 66

DATE: 987AD

COURT: Alþing.

CHARGE: Manslaughter and wounding.

HOW COMMENCED: By lýsing and citation of nine neighbours.

INJURED PARTIES:

18 - Þorkr and Þorkell, sons of Starkaðr (both dead); Starkaðr and his third son Þorgeirr (both wounded).
19 - Egill and his sons Kolr, Ottar and Haukr (all dead). Several others in the party were killed, including an Easterner, but no actions for them are mentioned, although they were taken into account in the settlement.

PROSECUTORS:

18 - Þorgeirr. It is not explained why he and not his father took the action. He was still at home. It is never indicated that Starkaðr was thought weak, and he was still active years later. Þorgeirr did seem to act in close co-operation with his father. Perhaps he should be viewed as spokesman of his father.
19 - Qnundr, "er málit á eptir Egill, bróður sinn".

KIN NOT INVOLVED: Egill's daughter Guðrun and wife Steinvqr, who are both ignored with respect to the law suits.

ROLE OF MQRÐR: Ambiguous. Þorgeirr sought advise and support from Mqrðr and his father Valgarðr, who demanded a large payment. On the urging of Mqrðr, Þorgeirr and Qnundr started proceedings, but Mqrðr spoke for them in court. No connection between Mqrðr, Þorgeirr and Qnundr is stated; it is possible he was their goði. He was related to Gunnarr, the accused, through his mother Unnr (see STH11 Revival).

SUPPORTERS OF PROSECUTION: Runólfr of Dale, son of Úlfr aurgóði and Mqrðr's cousin.

ACCUSED AND DEFENDER: Gunnarr for all of the offences, although he personally did not commit them all. His brother Kolskeggr killed Haukr and Kolr, sons of Egill, and some others, but no action against him is mentioned.

OUTCOME: See following STH20

STH20
 Manslaughter of Hjqrtr
Njals saga ch.65, 66

DATE: 987AD

COURT: Alþing.

CHARGE: Manslaughter

HOW COMMENCED: Lýsing and citation of neighbours.

INJURED PARTY: Hjqrtr, dead.

PROSECUTOR: Gunnarr, brother of Hjqrtr. Hjqrtr probably was not married, nor did he have any sons, as it is stated in chapter 19 that he was still a child. Kolskeggr, a third brother, was however still alive, having taken part in the battle, but he is not stated to have taken any part in the suit (see STH18 & 19). Perhaps he and Gunnarr had agreed that Gunnarr would handle it, or perhaps Gunnarr was considered the most influential of the brothers and normally was assumed responsible for their joint affairs. Nor does Hjqrtr's sister's husband Hróarr Tungugóði take part. Gunnarr is said to have sent for his brothers-in-law for support, but it seems to be his wife's brothers who were meant.

Gunnarr's right to bring an action was questioned: "Mqrdr asked by what right did a man like Gunnarr, who had already made himself liable to outlawry (til óhelgi) for his assault on Þorgeirr, bring an action." Njáll answered for Gunnarr that at the Þingskála assembly Gunnarr had offered compensation and full settlement, and that Njáll then gave notice of his immunity, giving him the right to conduct legal actions ("þá fridhelgáða ek Gunnar"; segir Njall, "til allra loqligra mála"). The use of the term fridhelga here may betray the influence of late laws. Sveinsson notes that it is probably a young word, and notes a passage from Járnsíða, laws introduced to Iceland after the submission to Norway in the 13th century, which uses the term (Sveinsson, Brennu-Njals saga p. 165 note 2). Lehmann and Carolsfeld argued that there was no need, pursuant to the law in Grágás, for any such fridhelga, that Gunnarr never lost his right to attend the assembly and pursue a legal action. Konungsbók ch. 86 (Finsen Ia p. 149) provides for three sorts of blows and the consequences of each. All led to lesser outlawry. The first blow was that which left no mark. The person struck then had the right only to take vengeance on the spot. The second type, which Lehmann and Carolsfeld felt applied in this case, the striking of Þorgeirr by Gunnarr at the horse fight, was áverk, a blow which left a mark on the body, including the case where the injured lost consciousness. In such a case vengeance could be sought against the accused until the next assembly at which the law suit could be brought (Finsen Ia p. 147 ch. 86). The third type of blow was one which resulted in broken bones, and it was this type which resulted in the loss of right to attend the assembly (Finsen Ia p. 149 ch. 86). Since

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one Alþing had come and gone, at which Þorgeirr could have started proceedings, he no longer had the right even to seek vengeance (Lehmann & Carolsfeld, Die Njálssage, p. 68-71). Thus, taking into consideration the probable late origin of the word fridhelga, this element of the case does seem suspect. It is of course possible that the rules concerning the attendance at assemblies were stricter in the earlier period, but the sagas in general do not suggest this to be the case (see above, Vol. I, ch. 3, p. 147)

SUPPORTERS: Gunnarr's wife's brothers; Sigfússons; Njálssons.

ROLE OF NJÁLL: He gave Gunnarr tactical advice, arranged the transfer of prosecution in STH15-17. He spoke for Gunnarr in court, both at the Alþing and the Þingskála Assembly, but it is never made clear on what basis, as Gunnarr did the rest of the legal work and^{no} transfer is stated.

ACCUSED: Kolr, dead. But he was not the actual killer, who was a foreigner who was also dead. Njáll recommended that he choose Kolr. The point of the charge is that Kolr was an outlaw for the killing of Hjørtr, and therefore he could be killed with impunity.

DEFENDER: It is not clear anyone assumed responsibility, although Mordr raised the objection in court that Kolr was not the real killer.

OUTCOME: See next page.

STH15-20, continued

OUTCOME: Put to arbitration. Þorgeirr's wound was set against the seduction charge, Starkaðr's wound against the wood cutting charge, and $\frac{1}{2}$ compensation paid for Þorgeirr's brothers. The action against Qnundr was set against the killing of Egill, the killing of Hjqrtr against the killing of Kolr and the Easterner, and $\frac{1}{2}$ compensation paid for the rest.

PEACE MAKER: Hjalti Skeggjason. He had no special relationship to any of the parties. He was a leading chief at the time Christianity came to Iceland (Kristni saga V & P I p. 377). (See STH10).

ARBITRATORS: Hjalti Skeggjason, Njáll and Ásgrímr Elliðagrímsson.

SUSPICIOUS ELEMENTS: 1. It is questionable whether Mqrðr was old enough to play any major role.
2. The association of Gunnarr and Njáll (see STH11).
3. Gunnarr did not kill all the people he was accused of killing. This is ignored, although much is made of his choosing of Kolr as killer of Hjqrtr.

CONFIRMATION FROM OTHER SOURCES: Landnámabók H312 confirms the battle of Knafahills from which the manslaughter suits stem, but mentions as killed only Egill, his huskarl Ari, and two Easterners, and Hjqrtr, ~~and~~ places it before the manslaughter of Otkell (STH13).

BIBLIOGRAPHIC NOTE: The suits are discussed by Lehmann & Carolsfeld, Die Njálssage, p. 67-78.

STH21

Suit for Return of Land Paid As Compensation in

STH 15-20

Njáls saga ch. 67 & 68DATE: 988 or 989 ADCOURT: Þingskála Assembly in the autumnCHARGE: Claim to landINJURED PARTY: Rannveig , mother of Kolskeggr and Gunnarr.PROSECUTOR: Kolskeggr, who was not a householder. We would perhaps have expected Gunnarr to take the case (see STH13 and 20). A transfer from his mother is fairly explicit (hefir hann mál þat tekit af móður sinni).ACCUSED: Starkaðr, who received the land in compensation for one of his sons.DEFENDER: Þorgeirr, son of Starkaðr (see STH18).OUTCOME: Gunnarr offered alternative compensation. Þorgeirr charged Gunnarr with breaking their settlement, and the case was left at that.

STH22
 Manslaughter of Þorgeirr Otkelsson
 Njals saga ch. 73 & 74

DATE: 989 AD

COURT: Alþing, Rangriver Court

CHARGE: Manslaughter of Þorgeirr Otkelsson. Several others were also killed, but no charges were brought.

HOW COMMENCED: Lýsing at site of the battle and citation of nine neighbours. Lýsing at the Alþing.

INJURED PARTIES: Þorgeirr Otkelsson, dead. Several others were killed, including Qnundr the Handsome, kin of Þorgeirr, and Qgmundr Tangle Hair. Geirr and Gizurr gave notice of "the killings" at the site of the battle, but these others are never again mentioned. Þorgeirr Otkelsson and Þorgeirr Starkaðarson were joint leaders of the expedition on which Þorgeirr was killed, which they undertook because they were unhappy with the outcome of STH18-21.

PROSECUTOR: Gizurr the White, after he and Geirr discussed which of them was to do so. See STH12 for their relationship to Otkell and his son Þorgeirr.

SUPPORTERS: Geirr goði. "Each side gathered a large number of supporters.

ACCUSED & DEFENDER: Gunnarr Hámundarson.

PERSON NOT ACCUSED: Kolskeggr, brother of Gunnarr, who killed several men, although not Otkell. Terms were, however, imposed on him in the final settlement.

LEGAL ADVISER OF GUNNARR: Njáll. He also spoke in court.

OUTCOME: Njáll raised a good defence. Therefore the prosecution agreed to arbitration by 12 men, who are not named. Compensation was awarded, and Gunnarr and Kolskeggr were sentenced to three year outlawry.

SUSPICIOUS ELEMENTS: 1. Again, the association of Gunnarr and Njáll. 2. As in STH11, the citation of the suit to "the proper Quarter Court", instead of naming it.

BIBLIOGRAPHIC NOTE: The suit is discussed by Lehmann & Carolsfeld, Die Njálssage, p. 83-98.

STH23

Manslaughter of Hqskuldr Hvítaness Goði.
Njáls saga ch. 111-123

DATE: 1011AD

COURT: Alþing, Rangriver Court

CHARGE: Wounding and manslaughter of Hqskuldr Hvítaness-goði.

HOW COMMENCED: Lýsing at the site of the battle and citation of nine neighbours. Lýsing at Alþing.

INJURED PARTY: Hqskuldr Hvítanessgoði, son of Þráinn Sigfússon, foster son of Njáll, dead.

PROSECUTOR: 1. Mqrðr Valgardsson, at the request of Þorgerðr, mother of Hqskuldr, probably after the suggestion of Mqrðr, and with the agreement of Ketill of Mqrk, a Sigfússon and uncle and one-time foster father of Hqskuldr. Ketill refused to take the case himself because he was married to Njáll's daughter. Mqrðr's involvement was motivated by envy. He planned and took part in Hqskuldr's killing, and involved himself in the prosecution in the hopes of invalidating it. 2. Sigfússons. Mqrðr transferred the suit to them before the Alþing. They were brothers of Hqskuldr's father. One of them, Ketill, refused to take the case initially (see above), although he later stated "I have sworn never to abandon this cause until it is settled one way or another, and to this I pledge my life". 3. Flosi, uncle of Hildigunnr, the wife of Hqskuldr. He is said to have been personally upset at the killing, and collected supporters on his own behalf. He was also urged to act by Hildigunnr. No transfer to him is stated, but when the defence was put forward, namely that the suit was invalidated by the participation of Mqrðr, it was Flosi who spoke, and not the Sigfússons. And it was Flosi, not the Sigfússons, who was then urged to accept a settlement: "Gizurr and Einarr and Hafr, each in turn, spoke at length and urged Flosi to accept a settlement"; it was also Flosi who named the arbitrators, although the Sigfússons did shake hands with Njáll along with Flosi. When the arbitrators had reached a decision, Hallr of Síða asked Flosi to come to the court, and "Flosi asked the Sigfússons to come with him", as if they were not primarily concerned themselves, and it was Flosi's decision which caused the settlement to be refused. But after this Flosi made it clear that he did not consider himself the chief figure by asking the Sigfússons: "What kind of help from me would you appreciate most?" He was subsequently chosen leader of those pledged to kill the Njálssons, and led them on to the burning of Njáll and his sons.

The author thus gives a very confused account of the roles of the various persons in the prosecution of this case, which one would hope does not reflect the real situation of the 11th century. If legal relationships were so ill defined, it would have been difficult to conclude agreements with any hope they would be kept. It seems probable, however, that the confusion has resulted from the author's literary efforts. It has already been noted in STH20 that Mqrðr Valgardsson is shown as playing a part in law suits long before he would have been old enough to do so. Throughout

the saga he acts as a major evil element, the cause of much of the strife, and as a ^{literary} unifying element. As such his role in most of the events has no doubt been much exaggerated by the author, and we are probably entitled to view with great scepticism the details of any part he is said to have played.

Flosi's role in this case was probably similarly contrived by the author, although for different reasons. As discussed in STH14, the author of Njála may well have been Þorvarðr Þórarinnsson, or some other member of the Svínfelling family, a leading family of the 13th century, who were directly descended from a brother of Flosi, Þorgeirr (see Lönnroth, Njáls Saga, p. 182). Lönnroth argues that Flosi's reputation prior to the writing of Njála was not very good, and an embarrassment to the Svínfellings. He was known as Brennu-Flosi, probably because of the major role he played in Njáll's burning, and was said to have killed Arnórr Órnólfsson at the Skaptafell Assembly, a particularly outrageous act, especially when done by a god (Lönnroth, p. 175-6). In Njála this deed is attributed to two of his brothers, who had not been godar (ch. 116). Flosi had as well played a dishonourable role in the conversion of Iceland, a role which is omitted from the Njála account. In addition to being descended from Flosi's family, two members of Þorvarðr's family also married descendants of Njáll's brother:

Their double alliance with the heirs of Flosi is likely to have occasioned a good deal of speculation about the past by members of both families as well as by outsiders.

Our present text of Njála may to a large extent be regarded as the result of such speculations. It tells the story of Njáll in a way that is flattering to his heirs and presumably faithful to local tradition, but is yet compatible with the ambitions of the Svínfellings to be regarded as good Christians and as great and venerable protectors of law and order. The entire second part of our saga may, in fact, be described as an attempt to save Brennu-Flosi's reputation; it pictures him as a noble chieftain and a devout Christian who was driven against his will to burn Njáll in his home and who later regained his honour by making full atonement for his deed. (Lönnroth, Njáls Saga, p.177). By involving Flosi so deeply in this case the author would have been attempting to justify Flosi's participation in the burning, giving him good reason for great animosity, and showing him as prepared to accept a settlement, but deterred from doing so by an unacceptable slur on his manhood by Skarphedinn (ch. 123).

ROLE OF WOMEN: 1. Mother of dead person, Þorgerðr. She was seen by Mordr as having responsibility in the suit: "I am quite certain that Þorgerðr will ask me to give notice of the killing" (ch. 111). She did, after asking the advice of Ketill.

2. Wife of Hqskuldr, Hildigunnr. Flosi visited her. "What redress will you get me" she asked. 'How much help will

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you give me?' 'I shall press your claims to the full extent of the law,' said Flosi, 'or else conclude a settlement which in the eyes of all good men will satisfy every demand of honour'." (ch. 116). Mordr also thought Hildigunnr would take action, as he sent someone to her home "to find out how soon they plan to take action there."

ACCUSED: Skarp Hedinn as killer, the other Njálssons and their brother-in-law Kári for wounding. All still lived with Njáll. Only Kári is said to have had his own farm, which was in the charge of overseers (ch. 90).

DEFENDERS & LEGAL ADVISORS: 1. Ásgrímr Ellidagrímsson, father-in-law of Helgi Njálsson, their leader and spokesman, a goði.
2. Þorhallr Ásgrímsson gave legal advise and spoke in court. He was a foster son of Njáll, who taught him law. He was probably not a householder.
3. Njáll spoke for them when arbitration was suggested.

SUPPORTERS: The Njálssons, led by Ásgrímr, sought support from many powerful men, both before and at the Alþing.

OUTCOME: Deadlock on legal quibbles. Njáll achieved arbitration, but the settlement was dishonoured.

SUSPICIOUS ELEMENTS:

1. Hqskuldr and his killing are not otherwise known outside Njála. If as much fuss was made over his death as Njála suggests, with so many great chieftains involved, perhaps we would expect at least a hint of it elsewhere.
2. The role played by Mordr and Flosi - see above under Prosecutor.
3. The goading of Flosi by Hildigunnr strongly resembles the goading by Þorgerðr in Eyrbyggja, see W6.

BIBLIOGRAPHICAL NOTE: The suit is discussed by Lehmann & Carolsfeld, Die Njálssage, p. 98-102.

STH24

- a) Killing of Helgi Njálsson
 - b) Burning of Njáll et al
- Njáls saga ch. 135-145

DATE: 1012 AD

COURT: Alping

CHARGE: a) Manslaughter of Helgi Njálsson. b) Burning of Njáll et al.

HOW COMMENCED: Lýsing and citation of 9 neighbours, lýsing at the Alping.

INJURED PARTIES: Njáll, his wife Bergþóra, his two sons Skarphedinn and Grímr, his grandson Þórðr, Bergþóra's foster mother Sæunn, Þórðr Freedman, three other members of Njáll's household. Njáll's third son Helgi was killed outside the house. All were dead.

PROSECUTORS: 1. Þorgeirr skorarþgeirr, nephew of Njáll (see Ch. 20; in Landnámabók he is said to be a cousin, see S340, S341, H298, H299) for the killing of Helgi by Flosi. Later, on the advice of Gizurr the White, Þorgeirr assigned the action to Mqrðr Valgardsson. His involvement does not seem to have been based on any legal right or duty, but rather on the desire of Gizurr to make him pay for the evil role he had played in the events which led to the burning (Ásgrímr "asked Gizurr who should bring the manslaughter action, and Gizurr said that Mqrðr should do it, even though he is unwilling. He said 'Mqrðr must bear the brunt for he has behaved worst in all this'" ch.132). We are told of the taking over of the action in detail: "Mqrðr summoned the nine nearest neighbours. He took Þorgeirr's hand and named two witnesses - 'to witness that Þorgeirr Þórisson assigns to me a manslaughter action against Flosi Þórðarson for the killing of Helgi Njálsson, with all the evidence pertinent to that. You assign this action to me to prosecute it or settle it, making full use of all the evidence, as if I were the rightful plaintiff; you assign it lawfully and I take it over lawfully.'" This statement of Mqrðr bears a very close resemblance to one section of Grágás, Staðarhólsbók: "A case is to be transferred thus: they are to take each other by the hand, the one who takes the case and the one who transfers it, and name two or more witnesses to witness that the principal transfers that case to the other, to prosecute and to settle and to use every formal means of proof as if he were the rightful principal. He transfers the suit lawfully and he takes it over lawfully." (Finsen II p. 344, ch. 307).

2. Þorgeirr also sued Glúmr Hildisson for the burning.
3. Þorleifr, Njáll's nephew (or cousin) sued the Sigfússons for the burning.
4. Þorgrímr the Mighty, Njáll's nephew (or uncle) sued Móðólfr Ketilsson, Lambi Sigurdarson and Hróar Hámundarson for the burning.
5. Kári Sölmundarson, Njáll's son-in-law and father of

STH24 page 2

Þórðr sued Kolr Þorsteinsson, Gunnar Lambason and Grani Gunnarsson for the burning.

6. Ásgrímr Ellidagrímsson, father-in-law of Helgi Njálsson, sued Leidólfur, Þorsteinn Geirleifsson, Árni Kolsson and Grímr the Red for the burning.

LEGAL ADVISER: Þórhallr Ásgrímsson (see STH23).

SUPPORTERS OF PROSECUTION: Hjalti Skeggjason, Gizurr the White, Guðmundr the Powerful, Snorri goði.

LEADERSHIP OF PROSECUTION: It seems to have been a league of powerful men, all of whom gave and sought advice from each other. Kári seemed to be viewed as the one with the greatest personal grievance, Njáll's nephews as having the greatest legal duties or rights.

ACCUSED: see Prosecutors.

DEFENDER: Eyjólfur Bqlverksson. The defence was transferred to him by Flosi, although it is not stated by what authority Flosi transferred the defence of the burning suits which were against other men. Eyjólfur was "one of the three greatest lawyers in Iceland". He took payment for his assistance, a gold bracelet.

LEADER OF DEFENCE: Flosi.

SUPPORTERS OF DEFENCE: Flosi travelled widely in the east fjords before the Alþing to get support. Many chieftains (hofðingjar) promised it, with payment being made for support in many cases. Hallr of Síða, Flosi's father-in-law, stated: "I am under obligation (skyldr) to provide you with as much help as I can". (ch. 134).

OUTCOME: Much legal manouvering, leading to frustration, then pitched battle, finally arbitration and a settlement to which all but Kari and Þorgeirr Skorargeirr agreed.

PEACEMAKERS: Snorri goði, Hallr of Síða.

CONFIRMATION IN OTHER SOURCES: 1. Gunnlaugs saga ch. 11 the assembly at which the hólmgang between Hrafn and Gunnlaugr took place "was one of the three most crowded assemblies ever known; the other two were those after the Burning of Njáll and after the Heathslayings".

2. Landnámabók. "He was the Njáll that was burnt in his house and eight men with him at Bergþórr's hillock" H300, M7 (it says 7 with him). H336 refers to Brennu-Kára, and S381 to Sviðu-Kára.

3. Kristni saga refers to Brennu-Flosi. (V&PI p. 395, 396, 397).

BIBLIOGRAPHICAL NOTE: The suit is discussed by Lehmann & Carolsfeld, Die Njálssage, p. 103-121.

Appendix II: Law Suit Summary Tables

- I. Prosecutors - Non- Manslaughter
 - A. Neither prosecutor nor defender a godi
 - B. Defender a godi, prosecutor not
 - C. Prosecutor a godi, defender not
 - D. Both prosecutor and defender are godar
 - E. Summary
 - F. Summary of godar Involvement
- II. Prosecutors - Manslaughter
 - A. Neither prosecutor nor defender a godi
 - B. Defender a godi, prosecutor not
 - C. Prosecutor a godi, defender not
 - D. Both prosecutor and defender are godar
 - E. Summary
 - F. Summary of godar involvement
- III. Defenders - Non-Manslaughter
 - A. Neither prosecutor nor defender a godi
 - B. Prosecutor a godi, defender not
 - C. Defender a godi, prosecutor not
 - D. Both prosecutor and defender are godar
 - E. Summary
 - F. Summary of godar involvement
 - G. Accused did not attend court
- IV. Defenders - Manslaughter
 - A. Neither prosecutor nor defender a godi
 - B. Prosecutor a godi, defender not
 - C. Defender a godi, prosecutor not
 - D. Both prosecutor and defender are godar
 - E. Summary
 - F. Summary of godar involvement
 - G. Accused did not attend court
- V. Transfer of Prosecution
 - A. Manslaughter - prosecutor not a godi
 - B. Manslaughter - prosecutor a godi
 - C. Non- manslaughter - prosecutor not a godi
 - D. Manslaughter - prosecutor a godi
- VI. Outcome - Non-Manslaughter
 - A. Neither prosecutor nor defender a godi
 - B. Defender a godi, prosecutor not
 - C. Prosecutor a godi, defender not
 - D. Both prosecutor and defender are godar
 - E. Summary
- VII. Outcome - Manslaughter
 - A. Neither prosecutor nor defender a godi
 - B. Defender a godi, prosecutor not
 - C. Prosecutor a godi, defender not
 - D. Both prosecutor and defender are godar
 - E. Summary
- VIII. Use of Force and Violence
- IX. Location of Court

Notes to the Tables

1. W1 is indexed according to the Landnámabók account as a manslaughter suit.
2. N15 is listed twice as there are two charges, one for manslaughter, one for a plot to kill.
3. W17, N29, N30, N31, N32, E1, & STH9 have little if any information about the prosecutor and defender, and are omitted from the tables, except for N29 and E1 which are included on IVG. All are included on IX.
4. N5, N24, N25, N26, and STH11 to STH24 are omitted from the tables as too unreliable.
5. A * indicates that although the prosecutor was not a godi he was supported by a godi.
6. A + indicates that although the defender was not a godi, he was supported by one.
7. Although it is actually a suit for murder, I have counted E8 as a manslaughter suit.

I. Prosecutors - Non-Manslaughter - Relationship to Injured PartyA. Neither Prosecutor nor defender a godī

- personal matters of the prosecutor: W15, W20, W24, N13, N1, N27*, E12 (although an unrelated person was involved with the prosecution here). (7)
 - prosecutor's interest unspecified but could be personal: STH4 (1)
 - Abduction suit concerning the prosecutor's sister or daughter: W19 (1)
 - Prosecuted by a woman's son: W25 (1)
 - prosecuted by a blind man's son: N6, N7 (2)
 - blasphemy suit prosecuted by 3rd cousins of the accused, apparently in accordance with the relevant law: STH8 (1)
 - non-payment of temple tax. Temple priestess transferred prosecution to a godī who transferred to a friend: E3* (1)
 - prosecuted in return for $\frac{1}{2}$ of property of injured party - no connection between them: W13* (1)
 - prosecutor a transferee of unknown relationship: W18 (1)
 - prosecutor not named: N22 (1)
 - transferred suit, injured party not named: STH2* (1)
- (18)

B. Defender a godī, prosecutor not

- personal matter of prosecutor: E5* (1)
 - prosecutor the uncle and employer of the injured party: W4 (1)
 - prosecuted by a legal expert in return for proceeds of the suit: E7* (1)
 - prosecuted by the same legal expert at the request of the husband of a close female relation involved in a seduction suit: E9 (1)
 - prosecutor's interest not specified, could be personal: W23 (1)
- (5)

C. Prosecutor a godī, defender not

- personal matters of the prosecutor: W2, N4, N3 (3)
 - prosecuted for a pingmadr: W12 (1)
 - prosecutor's relationship with injured party unspecified: N23 (1)
 - prosecutor's interest unspecified: E10 (1)
 - injured party unspecified: E6 (1)
- (7)

D. Both prosecutor and defender are godār

- personal matters of the prosecutor: N18, N20, N21, STH5, N15 (5)
 - prosecuted for a sister: E4 (maybe legal administrator) (1)
 - prosecuted for a merchant friend, a winter house guest: N17 (1)
 - prosecuted for a pingmadr: N19 (1)
 - blasphemy prosecution against a very distant relation by marriage: STH10 (1)
 - injured party not specified. Prosecutor had no personal interest, wished to discredit defender: N16 (1)
- (10)

E. Summary

- 16 personal matters of prosecutor (8 godar)
 - 2 could be personal matters
 - 1 abduction suit re sister or daughter, ie. prosecutor likely the designated primary prosecutor
 - 4 prosecuted for mother, father or sister (1 godī, maybe as
 - 1 by the uncle and employer of the injured /legal
 - 2 by non-godar for financial profit /adminstrator)
 - 1 by legal expert for close kin
 - 1 blasphemy suit by the appropriate relations
 - 2 by godar for pingmenn
 - 1 by a godī for a merchant friend, a winter house guest
 - 1 by a godī in a blasphemy suit
 - 1 suit for temple tax
 - 7 relationships unspecified (4 godar)
- 40

F. Summary of Godar Involvement

- 17 not godar (including 4 to summons only, W15, E12, W25, N7)
 - 6 not godar but with support of godar (including 3 to summons only N27, E3, W13)
 - 8 by godar in personal matters
 - 9 by godar for others (1 maybe as legal adminstrator)
- 40

II. Prosecutors - Manslaughter

A. Neither prosecutor nor defender a godī

- father of dead: W1, W5 (with uncles), W27* (3)
 - brother of dead: W22, STH3 (with wife's brother's son), STH1 (3)
 - closest kin, who were female: W10 (1)
 - first cousin and foster brother at request of father N8 (1)
 - father-in-law and uncle-in-law, or an unrelated person: N12 (1)
 - head of household of foreign merchant: N14 (1)
 - relations of dead: W16 (1)
- (11)

B. Defender a godī, prosecutor not

- brother of dead, later transferred to a powerful friend: N10, N11 (son alive) (2)
 - in-law, wife's brother: N2 (1)
 - slave owner, later transferred to his father: W21* (1)
- (4)

C. Prosecutor a godī, defender not

- father of dead: W26 (1)
 - brother of dead: E13 (1)
 - 1st cousin & friend of dead, father alive: N9 (1)
 - uncle of dead: N28 (1)
 - in-laws: W3 (widow's half brother), W7 (brother-in-law of leader of expedition when killing occurred, father alive), W11 (father-in-law, 3 brothers, 1 a godī, alive) (3)
 - friend of father of dead: STH6 (1)
 - unclear: E2, E8, STH7 (3)
- (11)

D. Both prosecutor and defender are godar

- cousin of dead: E11 (1)
 - in-laws: W6 (widow's uncle), W14 (son's wife's uncle) (2)
 - expedition leader, sons alive: N15 (1)
 - deceased an employee (fyldarmadr) of prosecutor: W9 (1)
 - for money paid by dead slave owner: W8 (1)
- (6)
32

E. Summary

- 4 fathers of dead (1 a godí)
 - 6 brothers of dead (1 a godí)
 - 6 close relations (father alive in one prosecuted by a godí, 2 others godar)
 - 7 in-laws (father alive in one prosecuted by a godí, brothers alive in another by a godar, 3 others godar)
 - 1 slave owner
 - 1 expedition leader by a godí, son alive
 - 1 head of household of foreign merchant
 - 1 for an employee by a godí
 - 1 for friend by a godí
 - 1 for money by a godí
 - 3 unclear by godar
- 32

F. Summary of Godar involvement

- 15 not godar, 2 with support of a godí
 - 17 godar
- 32

III. Defenders - Non-Manslaughter

A. Neither prosecutor nor defender a godi

- accused defended self: W24, STH8, W18 (3)
- suits abandoned or settled after summons: W15, N27 (7)
E12+, W25, N7, E3, W13
- freedman accuse. Transferred possessions to another (1)
who defended: STH4
- slaves accused. Owner female. Her son defended: N1 (1)
- accused kept from court by force: N22 (1)
- unclear who defended or if accused attended court: (5)
N6, STH2, W19, W20, N13 (see N14) (18)

B. Prosecutor a godi, defender not

- accused defended self: W2+, E10+(1 of accused) (1½)
- accused not at court, no defence: W12, N23, E10 (2½)
- no defence: N4 (1)
- accused dead, defenders presumably widow's brothers: (1)
N3+
- charge, accused and defender not named: E6 (1)
(7)

C. Defender a godi, prosecutor not

- accused illegitimate uncle & employee of defender: W4 (1)
- farmer turned over his property to his godi so he (1)
would defend: E5
- accused a rich farmer. Defended by his son's foster (1)
father: E7
- accused dead. Defended by godi at request of widow: E9 (1)
- relationship not specified: W23 (1)
(5)

D. Both prosecutor and defender are godar

- accused defended self: N15, N18, N20, N21, E4, (7)
STH10, STH5
- for pingmenn N17, N16 (2)
- for employee (heimamadr): N19 (1)
(10)
40

E. Summary

- 11½ personal matters
- 2 for relative (one also an employee)
- 1 by son of slave owner
- 1 by rich farmer's son's foster father
- 1 for a freedman in return for custody of his property
- 1 for a farmer by a godi in return for custody of his property
- 1 by a godi at request of accused's widow
- 2 for pingmenn
- 1 for employee (heimamadr)
- 1 relationship not specified
- 6 unclear
- 3½ no defence
- 7 abandoned or settled after summons
- 1 kept from court by force

F. Summary of godar involvement

- 9 not godar which got to court
- 3 not godar but with support of a godî which got to court
- 7 not godar to summons only
- 6 unclear
- 7 by godar in personal matters
- 8 by godar for others
- 40

G. Accused Did Not Attend Court

- bandits in fortress - no defence: W12
- Vikings prepare their ships - no defence: N23
- kept away by force: N22
- accused went abroad before court: E10/2

IV. Defenders - Manslaughter

A. Neither prosecutor nor defender a godî

- son of woman probably defends: W1 (1)
- accused absent, wife's uncles defend: W22 (1)
- accused nephew or cousin and step father: N12 (1)
- accused absent and no defence: W5+ (1)
- not specified: W10, W16, W27, STH1, STH3+, N8+, N14 (7)
- 11

B. Prosecutor a godî, defender not

- accused defends self: E8 (legal expert), W26/2 (1½)
- father defends: W7, W26/2 (1½)
- unclear reason: N28 (1)
- accused absent, no defence: W3+, STH6, STH7 (3)
- accused killed just after summons: N9 (1)
- unspecified: E2, W11+ (2)
- unspecified, probably none, accused absent: E13 (1)
- 11

C. Defender a godî, prosecutor not

- accused defend selves: N2, N11, W21 (3)
- defended by leader of expedition when killing occurred: N10 (1)
- (4)

D. Both prosecutor and defender are godar

- accused defend selves: W8, W9, N15 (3)
- defender the father of one of the accused who was expedition leader: W14 (1)
- expedition leader: W6 (1)
- accused absent, defender a longstanding friend: E11 (1)
- (6)
- 32

E. Summary

7½ accused defend selves (6 godar)
2½ father of accused defend (1 godi)
2 expedition leaders, both godar
2 close relations
1 friend, a godi
1 unclear reason
4 no defence
10 not specified
1 accused killed after summons
32

F. Summary of godar involvement

20 no godar involved
2 defenders not godar, but godar support defence
6 godar defend selves
4 godar defend others
32

G. Accused did not attend court

- Accused went abroad or prepared to do so before court - no defence: W3, W5, (E1)
- Accused got a defender who attended court: N12b, W14/2, W22, E11, W7.
- Accused refused to get involved: STH 6&7.
- Accused refused to go to court - represented at court contrary to his wishes (N29).
- Defender not specified - probably none: E13.
- No defence submitted : N12a

V. Transfer of ProsecutionA. Manslaughter - prosecutor not a godí (6)

- W21- to father to facilitate settlement
 N2 - father of dead asked in-laws, who were of good family
 N8 - father of dead blind; got foster son who was also a cousin and powerful (Einarr Eyjólfsson)
 N10- brother of dead perhaps wounded and incapable; transferred to a powerful friend (Einarr Eyjólfsson)
 N11- brother of dead no longer wished to pursue the matter which had dragged on but was persuaded to transfer to a powerful friend (Einarr Eyjólfsson)
 N12- prosecuted by in-laws of dead, not explained

B. Manslaughter - prosecutor a godí (11)

- W3 - half brother of widow prosecuted; 3 sons alive but perhaps unavailable (wounded, abroad)
 W6 - uncle of widow prosecuted reluctantly; close kin of dead more or less refused.
 W7 - prosecuted by brother-in-law of leader of expedition (Snorri)
 W8 - prosecutor no relation, took suit for money (Snorri)
 W11- prosecuted by father-in-law of dead (Snorri); brothers alive, one a godí
 W12- prosecuted for þingmadr
 W14- primary prosecutor too sick to attend assembly, transferred to his wife's uncle
 N9 - prosecuted by cousin and good friend of father of dead, no comment made on this
 N28- mother of dead person asked her brother, a godí, to prosecute
 E8 - godí prosecuted for an unrelated widow of the dead
 STH6- father asked godí to prosecute, no relation

C. Non-manslaughter - prosecutor not a godí (7)

- W13- son of godí prosecuted for money
 W25- son prosecuted for mother
 N6 & N7 - son prosecuted for blind father
 E7 - well off farmer transferred to legal expert promising he could have the proceeds
 E9 - husband in seduction suit transferred to legal expert who was also related to his wife
 STH2- injured party unknown; prosecutor using suit for his own ends

D. Non-manslaughter - prosecutor a godí (3)

- N17- godí prosecuted for a foreign merchant who was his winter house guest and wished to sail
 N19- probably for a þingmadr
 N23- prosecutor probably a godí; the accused were Vikings, and the injured party stayed home to protect his property

- E3 - priestess in suit for temple tax said to have transferred to a godí, who retransferred to a friend

(1)

VI. Outcome - Non- ManslaughterA. Neither prosecutor nor defender a godi

- a. Judgement (6)
 - outlawry: W19, N22, STH2*, STH7
 - judgement for defence: STH4, N6 (godi giving verdict biased to defence)
 -
- b. Settlement (2)
 - owner of accused slaves offered self judgement to prosecutor because of lack of support: N1
 - accused attacked summoning party, but settlement followed, district outlawry for accused: N27*
- c. Violence (8)
 - prosecutor killed at or shortly after summons, no further action: W15, E12+
 - summons resisted by force, one of prosecutors killed, settled with manslaughter suit: N13
 - accused killed at summons: N7, W13*
 - outcome uncertain, but prosecutor ultimately killed by sons of accused: W20
 - prosecutor killed at assembly: W18
 - summons party drowned on return trip; accused blamed for witchcraft: W25
- d. (2)
 - impasse, both parties arguing legal right: W24
 - case dropped after summons: E3*

B. Defender godi, prosecutor not

- a. Judgement (1)
 - on legal merits: W4
- b. Settlement (2)
 - prosecutor demanded self-judgement, compensation paid: E7*
 - defender offered compensation, prosecutor got 100 of silver: E9
- c. Violence
 - accused attacked summons party, prosecutor killed: E5*(1)
- d. Uncertain (1)
 - defenders seem to have won: W23

C. Prosecutor godi, Defender not

- a. Judgement (3)
 - Outlawry: N23, W12 (confiscation court failed), N3* (accused legally killed)
- b. Judgement and settlement (2)
 - outlawry likely, accused sold farm cheaply to prosecutor to avoid it: N4

- judgement for prosecution, but defence later resisted when reinforcements arrived, settlement followed: W2+ (1)
- c. Settlement (1)
 - prosecution demanded selfjudgement. Large compensation plus 3 winters outlawry: E10+
-
- d. Uncertain (1)
 - prosecution probably successful: E6
- D. Both prosecutor and defender godar
- a. Judgement (4)
 - outlawry: N17 (confiscation court held), STH10
 - voided by defence by force: E4
 - unspecified judgement: N16
- b. Settlement (5)
 - self- judgement, fine plus 3 winters outlawry: N18
 - compensation paid: STH5
 - not detailed: N20, N21
 - settlement, but concerned only with the accompanying manslaughter charge: N15
- c. Violence (1)
 - defender blocked the court, charges ensued: N19

40

E. Summary

Judgement	14
Settlement	9
Violence	11
Judgement & Settlement	2
Uncertain	2
Impasse	1
Dropped after Summons	<u>1</u>
	40

VII. Outcome - Manslaughter

- A. Neither prosecutor nor defender a god
- a. Judgement (9)
 - full outlawry: W5+(although outlaw returned after 3 years), W22, W27*, N12 (after battle at assembly; confiscation court unsuccessful), STH1, N8/2
 - district outlawry: W16, STH3+
 - 3 year outlawry: N8/2
 - dismissed on legal merits: W1
- b. Settlement (2)
 - one of accused outlawed for 3 years: W10
 - one of accused given full outlawry, on 3 years: N14
- B. Defender god, prosecutor not
- a. Judgement (1)
 - dismissed on legal merits, both sides strong: N2

- b. Settlement (3)
- parents of prosecutor and defender friends and pressed for settlement. Slaves justly killed, prosecutor subject to district outlawry: W21*
 - accused to swear oath he was not guilty. Prosecutor tried to keep defender from court by force, but defender stronger: N11
 - outlawry: N10

C. Prosecutor godi, defender not

- a. Judgement (7)
- no defence, outlawry: W3* (accused abroad before trial; confiscation court held), STH6, STH7
 - outlawry: E2, E13 (confiscation court unsuccessful)
 - charge dismissed on legal merits, defender a legal expert: E8
 - charge dismissed by biased godi: W11+

- b. Settlement (3)
- defence forced to settle because of insufficient support. Outlawry for lifetime of brothers and son of dead man: W26
 - both sides strong, 200 each at summons, nearly a battle. Peacemakers intervened. 3 year outlawry plus fine of 100 of silver: N28
 - 3 year outlawry and fine: W7

- c. Violence (1)
- battle after summons served- settled later with further charges: N9 (see N10)

D. Both prosecutor and defender godar

- a. Judgement (2)
- outlawry: E11 (money offered, prosecutor insisted on outlawry).
 - charge dismissed on legal merits - both parties large: W9

- b. Settlement (4)
- 3 year outlawry plus large fine: W6
 - re slaves, 12 ounces of silver paid for each: W8
 - one of dead declared fallen an outlaw, compensation paid for other after much legal manouvering and delay: N15
 - outlawry, except one who got 3 year outlawry: W14

E. Summary (after battles between large forces)

Judgement	19
Settlement	12
Violence	1

(4)
32

VIII: Use of Force and Violence

A. Violence affects the outcome

a. Prosecutor killed at or shortly after the summons (4)
 E5: defender godī, prosecutor not - case ended
 W15: no godar involved - case ended
 E12: godī supported defence - manslaughter suit brought
 N13: no godar involved - manslaughter suit brought

b. Accused killed at or shortly after summons (3)
 N9: manslaughter; prosecutor godī, defender not - charges brought
 W13: godī supported prosecution - charges brought
 N7: no godar involved - compensation paid

c. Battle at summons, some killings (2)
 N28: manslaughter; prosecutor a godī - settlement
 N27: godī supported prosecution - settlement

d. Force used to keep accused away from court (2)
 N22: no godar involved - successful
 N11: manslaughter - defender a godī - unsuccessful: suit renewed

e. Prosecutor killed at court (1)
 W18: no godar involved, no further proceedings

f. Battle at court but judgement (2)
 N12b: manslaughter; no godar involved
 W14: manslaughter, both prosecutor and defender godar

g. Defence used force to void the suit (3)
 E4 } both prosecutor and defender godar: successfully
 N19 } voided but charges ensued (N19) or case renewed (E4)
 STH10: both prosecutor and defender godar; unsuccessful: judgement

h. Violence at court after judgement - settlement (1)
 W2 - prosecutor a godī

i. Prosecutor killed by accused's sons at unspecified time (1)
 W20 - no godar involved, no further proceedings

Total 19
 Total manslaughter 5

j. Summary
 violence successful 5
 suit renewed later 2
 charges brought concerning the violence 5
 settlement after violence 4
 judgement in spite of violence 3

k. Summary of involvement of godar
 no godar involved 7
godar support aggressive party 2
godar support non-aggressive party 1
 prosecutor godī, defender not 3
 defender godī, prosecutor not 2
 both prosecutor and defender godar 4

B. At least one party said to have a large number of supporters

a. Large prosecution and defence

Manslaughter

W6: both prosecutor and defender godar; settlement

W8: " " " " ; charge

W9: " " " " ; charge
dismissed on legal meritsW21: defender godi, prosecutor not; many support
prosecution, 80 support defence; settlementN10: defender godi, prosecutor not; outlawry

Non-manslaughter

N20 & 21: Prosecutor and defender godar; settlement

E4: " " " " ; case

voided by force

STH5: Prosecutor and defender godar; 60 support
prosecution, great force support defence; settlementN18: both prosecutor and defender godar; prosecution
had larger force; settlementSTH10: both prosecutor and defender godar; judgement

b. Very large prosecution and defence

Manslaughter

W11: 480 prosecution, 600 defence; prosecutor godi,
defender uncertain; case dismissedW14: 240 prosecution, 400 defence; prosecutor and
defender godar; battles at spring assembly and
Alping; judgement finallyN15: 120 prosecution, many for defence; Prosecutor
and defender godar; settlementN28: 200 prosecution, 200 defence; prosecutor godi,
defender not; battles, settlementN11: 100 defence, nearly equal prosecution. Defender
godi, prosecutor not; uproar at court, legal
veto on court, later settlement.

Non-manslaughter

W2: 120 prosecution, insufficient defence at first,
stronger later. godi prosecutor, defender not;
judgement, battle later followed by settlement.

c. Large prosecution

Manslaughter

W3: 80 prosecution; prosecutor a godi; no defence; outlawryW22: 40 prosecution; no godar involved; accused
absent, weak defence, outlawryN9: a host for the prosecution; prosecutor a godi,
defender not; accused killed after summons,
charges ensued

Non-manslaughter

N17: many prosecution; both prosecutor and defender
godar; outlawry.E7: a host for the prosecution, not enough for defence;
defender a godi, prosecutor not; settlementE10: many for prosecution; prosecutor godi, defender
not; settlement

N22: sufficient pros. to block accused from court

d. Large defence

Manslaughter

N2 & N3: defender godi, prosecutor not; judgement for defence

Non-manslaughter

N19: 120 support defence, prosecutor thought he didn't
need many; prosecutor and defender godar; defender
broke up court, charges ensued

IX Location of Court

A. Alþing

E6, E7, E8, E9, E10,
STH5, STH6, STH7, STH8, STH10.
W11, W25.

N1, N2, N3, N4, N17 (one version only), N18, N20, N21,
N23, N26, N29.

After failing at a spring assembly:

E4, W14, N11

At the assembly in the summer, presumably Alþing

STH9, N9, N10, E1, E13

B. Spring Assembly (várþing)

W21, N6 (probable), E3 (probable).

Fórsnes Assembly: W1, W2, W3, W4, W5, W6, W7, W8,
W9, W12, W22, W26.

Pingnes Assembly: W14 (later to Alþing).

Forskarfjardar Assembly: W18, W23.

Hegranes Assembly: N22 (possibly Quarter Assembly)

Eyjar Assembly: N30, N31

Vodla Assembly: N12, N17 (one version only).

Pingeyjar Assembly: N15

Sunnudals Assembly: E4 (later to Alþing).

C. Possible Quarter Assembly

Hegranes Assembly: N11 (later to Alþing), N22

Vodla Assembly: N19.

D. Not stated

E2, E11

STH1, STH2, STH3, STH4.

W10, W16, W17, W19, W20, W24, W27.

N8, N13, N14, N16, N24, N25, N32.

E. Didn't get to court

W13, W15.

N7, N27, N28

E5, E12

Appendix III: Additional Law Suits

West Quarter

- W28 Wounding of Þormodr Coal-brow skald. Fóstbræðra Saga
ch. 10.
W29 Killing of Þorgeirr Hávarsson. Fóstbræðra saga ch. 18.
Þórarinnss þátr.

North Quarter

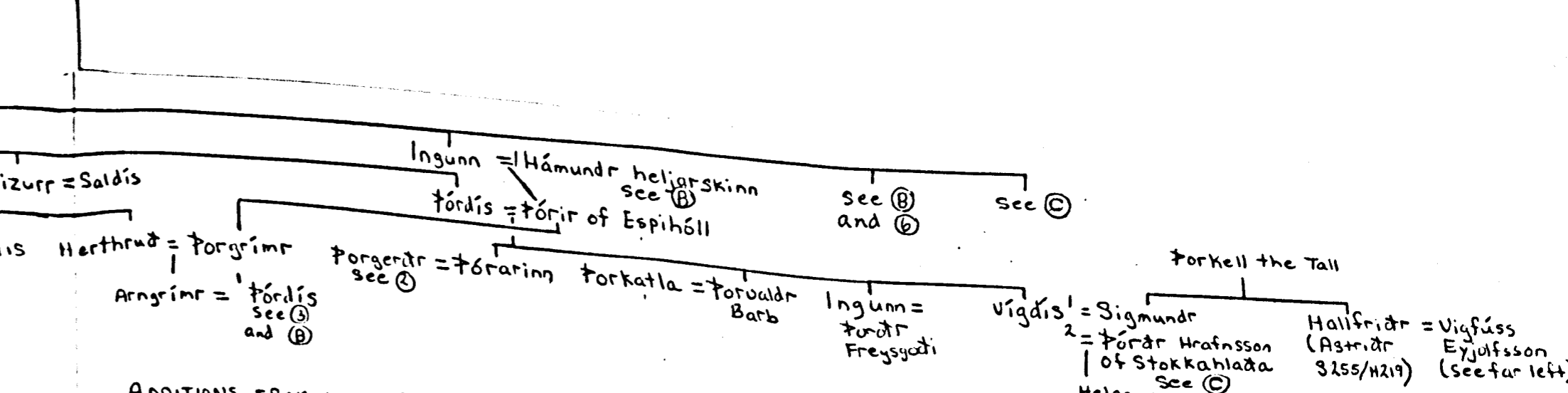
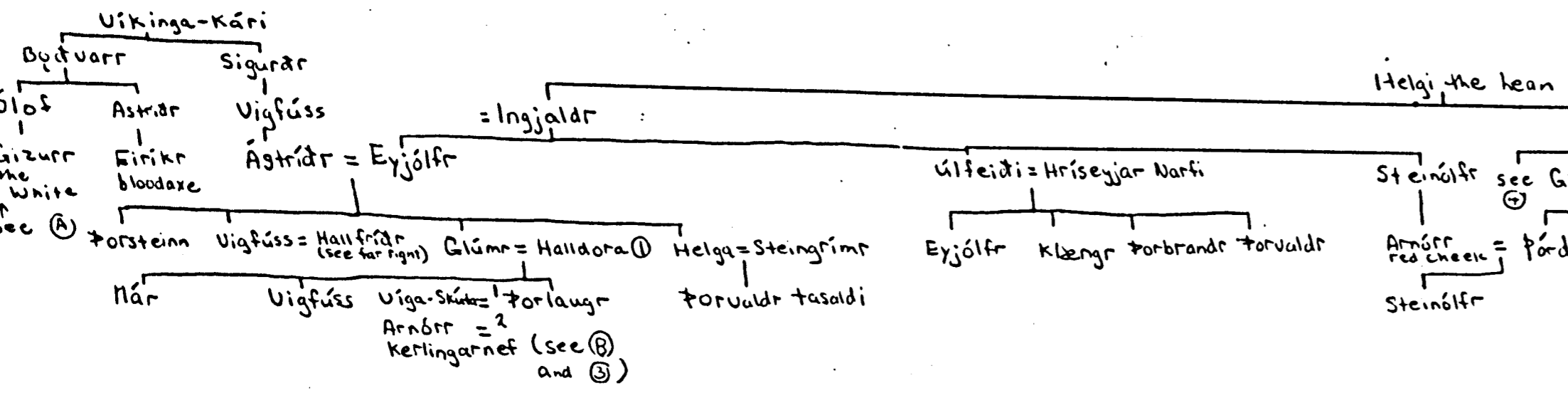
- N33 Blow on Bergr the Bold. Vatnsdæla saga ch. 32-33
N34 Love songs by Ingólfr Þorsteinsson. Vatnsdæla saga
ch. 37, Hallfredar saga ch. 3.
N35 Plot against life of Gudbrandr Þorsteinsson. Vatnsdæla
saga ch. 40.
N36 Killing of Glædir. Vatnsdæla saga ch. 44
N37 Killing of Úlfhedinn. Vatnsdæla ch. 47.
N38 Killing of Þorgils Maksson (Mársson). Grettis saga
ch. 25-27, Fóstbræðra saga ch. 7 & 8.
N39 Killing of the sons of Þórir of Skarð. Grettis saga
ch. 44
N40 Killing of the sons of Þórir of Gardr. Grettis saga
ch. 46.
N41 Killing of Þorbjörn Oxmain and Atli, brother of Grettir.
Grettis saga ch. 51.
N42 Killing of Grettir. Grettis saga ch. 84.
N43 Satire of Þorvaldr and Þorvarðr, sons of Eysteinn.
Kormáks saga ch. 21.
N44 Killing of Einarr Þórisson, satire of Gríss.
Hallfredar saga ch. 10.
N45* Killing of Ólafr Þordarson. Bolla þátr
N46* a) Theft of hay by Bolli Bollason
b) Summons of Bolli for being vagrant
c) Evil speaking by Helgi
d) Wrongfully claiming of property by Helgi
Bolla þátr

East Quarter

- E14* Killing of Ótryggr. Brand krossa þátr.
E15* Killing of Einarr Þorbjarnarson. Hrafnkels saga.
E16 Killing of Þórðr. Þorsteins þátr stangarhöggs.
South Quarter

- STH25* Burning of Godaskógr. Olkofra þátr.
STH26 Killing of Sorli. Flóamanna saga, V&PII p. 639.
STH27 Attempt on the life of Þorgils. Flóamanna saga,
V&PII p. 669.

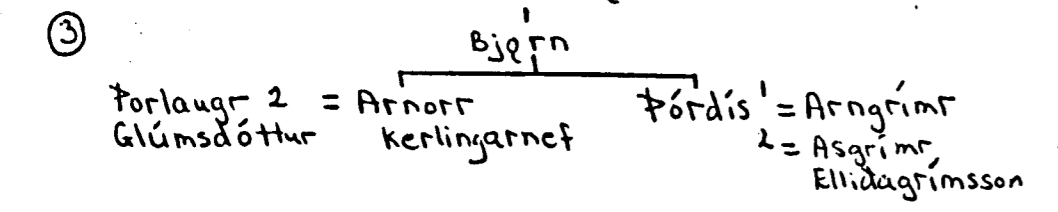
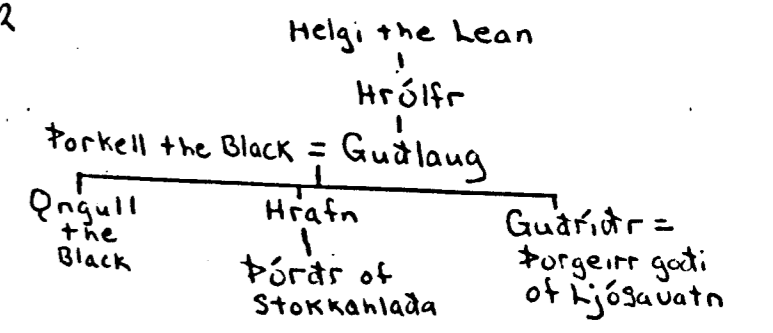
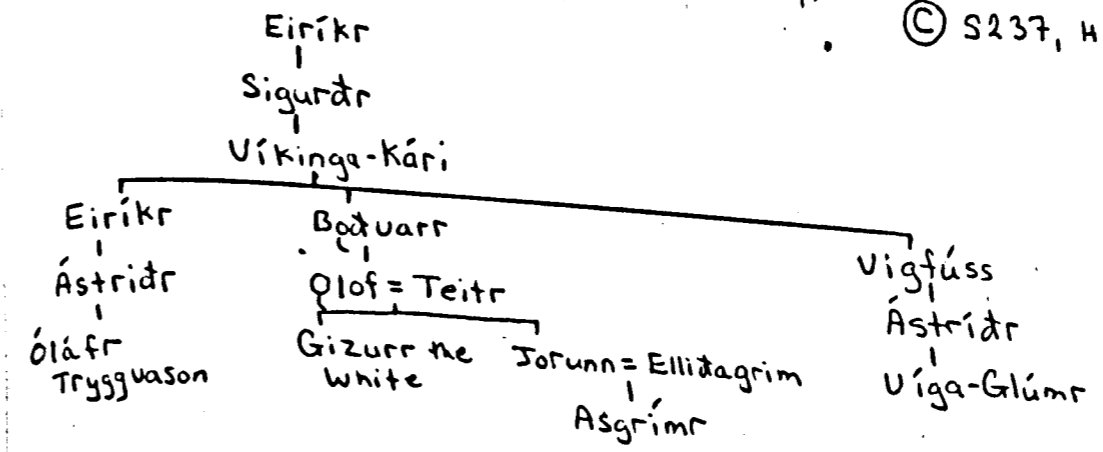
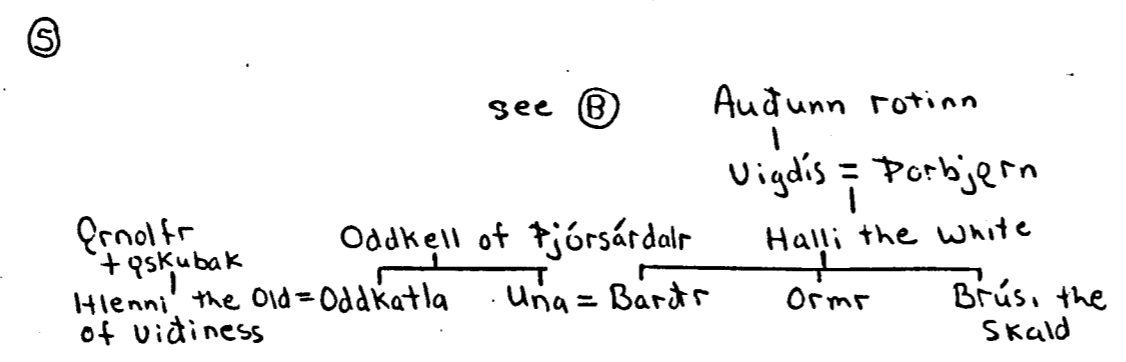
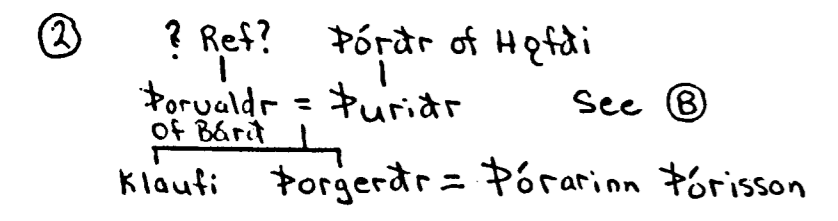
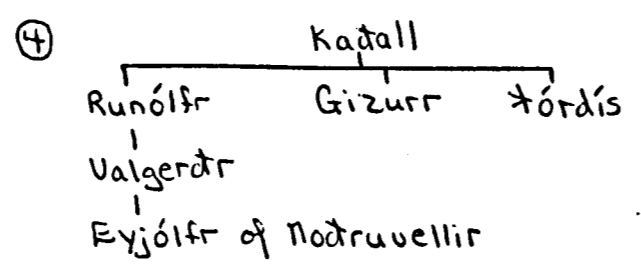
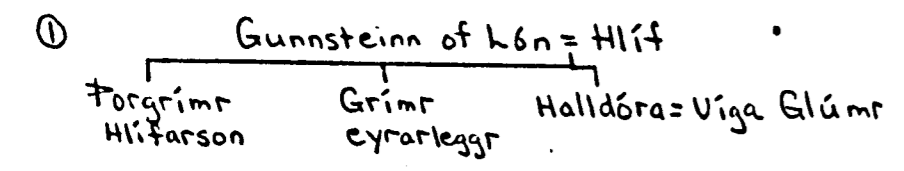
The sagas in which these law suits occur have been read and the details of the suits noted, but little detailed study of their background undertaken. They are not included in the Summary Tables in Appendix II, but are sometimes referred to in the Text if they raise interesting relevant points. Suits marked with * are generally regarded as unreliable. Concerning E14 see Jón Jóhannesson, Islenzk fornrit vol. XI, p. lxxxiii: the last part of the þátr "is clearly pure fiction"; in the same work Jóhannesson says Olkofra þátr (STH25) is likewise fiction. (p. xxxiv). Bolla þátr (N45, N46) is also considered fiction (Einarr Ól. Sveinsson, Islenzk fornrit vol. V, p. lxxii-lxxiii).



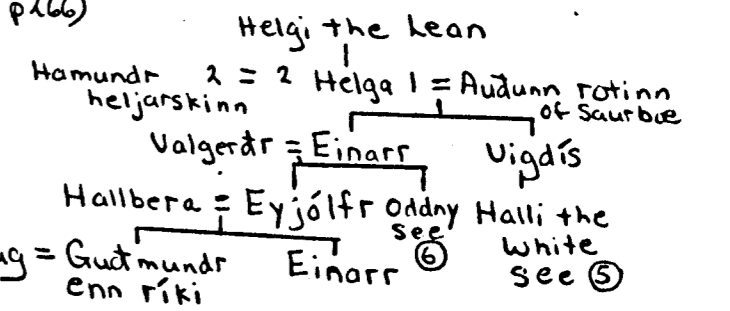
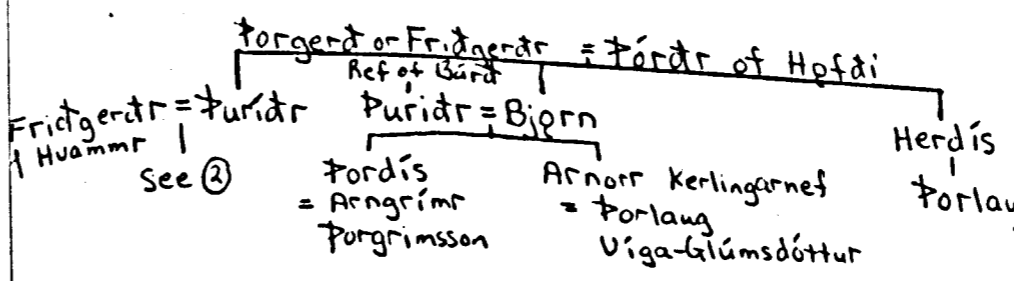
ADDITIONS FROM LANDNÁMABÖK

(A) S177/H143, H184, S233/H199

(C) S237, H202



(B) S108, H175, S183/H155, S232/H198, †(H) (Benediktsson notes p266)



(6) Reykdæla saga

