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Librum legum terre Hælsingie:
The Inspection and Approval of Versions
of the Law-Book of the Hälsingar

The northern part of Sweden is called *Norrland*, a name probably coined in the late Middle Ages.¹ It was also called *Hälsingland*, hence the name of a province (*landskap*) came to be used for the whole of northern Sweden. Sometimes the epithet *Stor-Hälsingland* [Large-Hälsingland] was used in order to differentiate it from the province. The confusion in names may stem from the fact that the laws of northern Sweden were called *Hälsingelagen*, that is, the Laws of the Hälsingar.²

The history of the *Hälsingelagen* is rather obscure. The only extant manuscript, kept at the University Library in Uppsala, is UppsUB B 49 (c. 1300–1400),³ which was acquired by the Swedish national antiquarian, Johannes Bureus, during a journey to Norrland in 1600–1601.⁴ Philologists and antiquarians have shown that at least four manuscripts of the laws must have existed in the late fourteenth century;⁵ this has been assumed on account of three important letters from 1374 which refer to official meetings that took place on the coast of Norrland.⁶ In 1609, the *Hälsingelagen* was printed but the manuscript used for the edition is now lost, and it may have been one of the manuscripts used for a revision of the laws made in 1374. According to Åke Holmbäck and Elias Wessén, the manuscript used for the printed edition was in the possession of the Royal Chancellery and would have been better and more complete than UppsUB B 49.⁷ At least three versions of the *Hälsingelagen* might have existed around 1600: UppsUB B 49, the printed edition and one or several

1 BRINK: 1981, 122.

2 STÅHL: 1976, 135; BRINK: 1981, 123, and 2010, 122.

3 In facsimile: *Lex Helsingiae (Hälsingelagen) e codice Bibl. Univ. Upsal. B* : 1948.

4 NELSON: 1948, xxiii.

5 Ibid., xxix.

6 *DS* 8660 (Ragnholmsund 7th October 1374; RA 0101), 8665 (Svartasund 16th October 1374; original lost, several copies), 8666 (Härnösand 1st October 1374, original lost, several copies).

7 HOLMBÄCK and WESSÉN: 1940, xlv.

versions from which the variants that appear in the printed version originate.⁸

All these versions must be considered copies of the *Hälsingelagen* which were made around the middle of the fourteenth century. There is a great probability that the Archbishop of Uppsala, Olof (episcopate 1315–1332), ordered the laws to be written down; he was known as *sapiens* [legally wise] because of his interest in collecting and copying legal documents. On the basis of the language of the text and the writer's knowledge of the *Jyske Lov*, it has also been proposed that the editor and writer of the *Hälsingelagen* was a Dane.⁹ It is highly probable that the Archbishop of Uppsala had Danish clerics or writers around him. The writer of the *Hälsingelagen* either chose, or had been ordered, to use the Uppland laws as a guiding help, and to abridge, adjust and complement relevant parts of these laws in order to render it suitable for the people living in the northern part of the Archbishop's diocese, Norrland.

In the autumn of 1374, the Archbishop of Uppsala, Birger Gregersson, undertook a probably rare journey to the north. We do not know how often he went to Norrland on inspection journeys, as there are no written accounts of them, but it can be assumed that he (or a representative) had at times to pay visits to the priests and congregations there. It seems that men of royal or noble rank seldom dared to venture north of the river Dalälven, which roughly cuts Sweden in half and creates a border called by scientists *Limes Norrlandicus*. The background to the Archbishop's (probably unique) northward journey was the settlement of a dispute of great importance to the archbishopric and to the then-emerging Sweden: a dispute over the border between the Diocese of Uppsala and the Diocese of Åbo in Finland, and thus also a dispute over the border between Sweden and Norway.¹⁰ The settlement was reached with the help of the *Hälsingelagen* that contains, in an *addendum* to the *Pingmalabalker* [Section of Legal Procedures], a description of the boundary between Norway and Sweden.

A legal clerk, a priest from Tillinge called Olaus Nicolai, travelled with Archbishop Birger and took minutes of all meetings. On the 1st of October of 1374, at the harbour of Härnösand in Ångermanland, a certain Nils

⁸ Ibid., xlv–xlv.

⁹ See NELSON: 1948, XXXVIII and references given there.

¹⁰ AHNLUND: 1920, 211–224.

Petersson from Utinä in the parish of Styrnäs witnessed the ›attestation‹ of the boundary in Uleå by the bailiff (*advocatus*) of Hälsingland, Torsten Styrbjörnsson. Nils Petersson stated that it was written ›in libro legum terre Helsingonie‹ [in the law-book of Hälsingland]: ›Swa æra Helsinga raa som byrias i Vla træske ok ledher epter Isma fempten vikna langan‹.¹¹ This important statement was verified on the 7th of October during the following inspection in a locality called Ragnholmsund in the parish of Selånger, in the province of Medelpad, which was chosen because the main copy of the *Hälsingelagen* – the copy of the law that took precedence over all other copies – was attached with iron chains to the nearby church of Selånger.¹² The vice-lawman (*vicelegifer*) of Hälsingland, Henrik Djäkn from Sund in Selånger, had been ordered to take the law-book (*librum legum terre Hælsingie*) – together with the iron chains – to Ragnholmsund.¹³ The document (Fig. 42) states that the *addendum* to (or the fifteenth paragraph of) the *Pingmalabalker* was written by the same scribal hand as the rest of the law-book, and quotes the law (note that the scribe has wrongly interchanged the words *Swerikis* and *Norighis*):

Swa skiptis landum twæggia kununga mællum at Swerikis oc Norighis byrias j Vlothræski oc ledhir vt j Ismæ xv vikna langæn þa a Swerikis kunungir væstæn oc sunnæn æn Norighis kunungir østæn oc nordhæn.¹⁴

The inspection continued after nine days, on the 16th of October, in the harbour of Svartasund in the parish of Norrala (Hälsingland), where

11 [Thus is the Hälsinge border, which starts in Vlo Thräski, and leads after Isma fifteen ›vikor‹ [a rowing distance] long]. All translations in this article are by the author. This statement appears in a notarial attestation which was written some time after the 17th of October 1374 (*DS* 8666).

12 NELSON: 1957, 74. There are indications that this copy of *Hälsingelagen* was *in situ* until c. 1760 (HELLBOM: 1977, 10–12). We do not know what happened to it afterwards. On the manuscript of the Town Law of Söderköping (Holm B 170) from the same period, which was probably equipped with an iron chain, see ÅSTRÖM in this volume, 45.

13 It is said in the letter (*DS* 8660) that Henrik Djäkn, from Sund in Selånger, the vice-lawman (*vicelegifer*) in Medelpad, displayed the law-book which had been approved by King Magnus. The book was attached with a 4 ¼ ells long iron chain to the church in Selånger and should be consulted by all inhabitants in Hälsingland when there were disagreements or in case of appeal from the judges.

14 [This is the way the countries are divided between the kings, [the border between] Sweden and Norway starts at *Vlothræski* [Ulen] and goes out in *ismæ* [Ismunden] fifteen nautical miles; there the Swedish king owns [the land] to the west and south, and the Norwegian king to the east and north] (*DS* 8660). A transcription in *DN* III no. 381, 302–303 does not contain the mistake; see NELSON: 1957, 74.

three copies of the *Hälsingelagen* were brought.¹⁵ There is no mention of the place where these copies were originally kept, but it is possible that they were kept at the three royal farms (*kungsgården*) within the province, or their adjacent churches, in Norrala, Hög and Jättendal: the judicial centres of the three thirds or ridings (*pripiungs*) into which Hälsingland was divided during the Middle Ages.¹⁶ The archbishop also had the *addendum*, or the fifteenth paragraph, read out and it was established that they corresponded both with each other and with the Selånger copy. This inspection revealed that the witness statement by Nils Petersson could not have been correct: *Vlothræski* could not have been a reference to the large lake *Ule träsk* in northern Finland, but rather to the lake *Ulen* in Sørli, Trøndelag, in Norway.¹⁷

In a thorough and excellent study, Olof Holm has analysed this and other similar descriptions, treaties and witness-letters that provide information about the border.¹⁸ He suggests that the border description in the *Hälsingelagen*, which was probably edited and written around 1320–1340, must be understood as an old and obsolete addition to the law. The description, Holm argues, probably describes the state of the border between Norway and Sweden prior to c. 1220. It could thus be argued that the primary aim of the archbishop's visit was not to settle border disputes, as had been previously thought, but to check whether the existing copies of the *Hälsingelagen* were in agreement with the most important chained copy at Selånger in Medelpad.

Holm's theory finds support in Nelson's analysis of the background to the writing of the law and its textual situation. Nelson claims that Archbishop Olof *sapiens*'s inclination to preserve and copy old documents explains the inclusion in the *Hälsingelagen* of an old (and obviously obsolete) description of the boundary between Norway and Sweden.¹⁹

The rather unique inspection tour reveals that there were several copies of the *Hälsingelagen* in use in its judicial district (Hälsingland and all the Swedish provinces in the north), and that there must have been some

¹⁵ DS 8665. Axel Nelson suggests that the extant manuscript of the *Hälsingelagen* (UppsUB B 49) could actually be one of the copies used at the examination in Svartasund (NELSON: 1957, 77).

¹⁶ See BRINK: 1994a; 1994b and 1990.

¹⁷ See HOLM: 2003, 229–230.

¹⁸ HOLM: 2003.

¹⁹ NELSON: 1957, 83.

textual correspondence between them; perhaps they were even identical.²⁰ These copies might have been kept at the legal centres of the administrative and judicial districts (the *land* and the *pripiung*): the royal farms in Norrala, Hög, Jättendal and Selånger²¹ or, later on, in the main neighbouring churches.

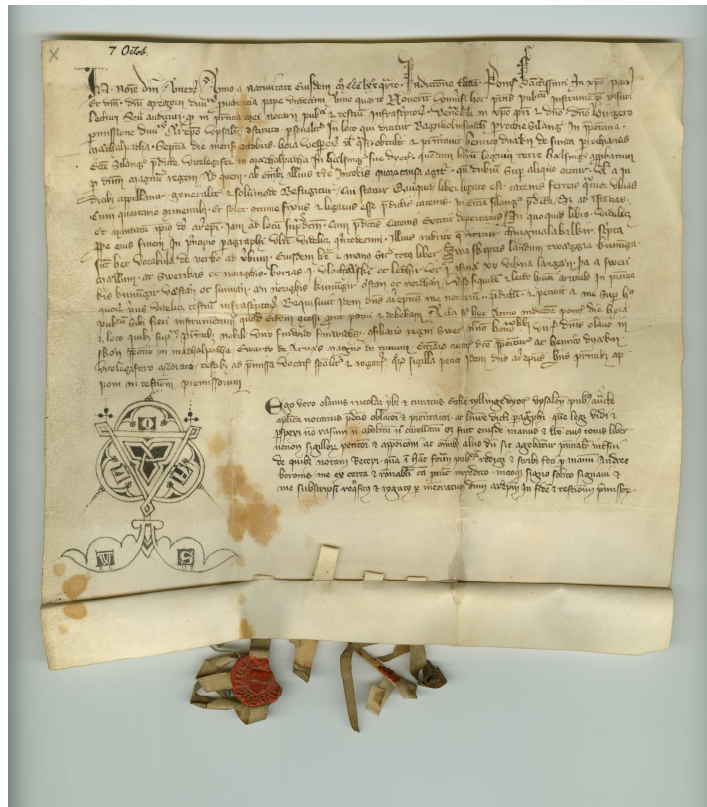


Fig. 42. Ragnholmsund, 7th October 1374. Document testifying the inspection of the law-book from the church of Selånger by Archbishop Birger Gregersson and other witnesses, issued by the apostolic notary Olof Nilsson, whose notarial sign and recognition appear to be found on the lower part of the document.

²⁰ On the *Hälsingelagen*, see BRINK: 2010.

²¹ As for the province of Ångermanland, the situation is more uncertain. On medieval Ångermanland, see BLOMKVIST: 1986, 49–103, and GRUNDBERG: 2006.

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