

Helsinki, National Library, F^o V 25. A collection of laws

Saec. XVI 4/4 (ca. 1591), Finland (Rauma?)

Contents

Fols. [a]v–25r, 26v–32v, 33r–135v, King Magnus Eriksson's city law (*Stadslag*); each book is preceded by a list of chapters (defect; most of the list of chapters for *Jorda Balck*, as well as the first three chapters and most of the fourth chapter of that book missing; cf. C. J. Schlyter ed. 1865).

'*Stadslagen* [in a later hand]. Konungz Balk haffwer 25 Capitel Doblara Balk haffwer 1 Capitel. [Fol. 1r] *Konungs Balck*. 1. *Huru Borghamestara och Radhmen skulu tagas* ... [fol. 2v] ... the skulu wara. Bättre såå wijse, ähn många owijse [added in another hand(?)]. 1. *Nu skall man Borgamestara* ... [fol. 14v] ... öfwer allth Rijckedh. *Giftomala Balck*. 1. *Hwilkom lundom man* ... [fol. 15v] ... aff boo oskiffes. 1. *Nu man sikh konu bidia* ... [fol. 23v] ... till räkenskap gånge. *Arffda Balck*. *Om byia man döör eller hustru* ... [fol. 24v] ... skiffwas och ärffwas. 1. *Nu döör byiaman eller hustru hans* ... [fol. 25r] ... arfwe J andra slächt. [fol. 26v] 3. *Nu delis wider* ... [fol. 32v] ... än thet barn. *Jorda Balck*. 1. *Huru ärffda godz skal upbiudas* ... byrdamen som wilija [fol. 33r] | eller tomphtar som sagt är och wpskilles. 5. *Thetta äru the wärdöra ther man* ... [fol. 36v] ... aff honom hörde. *Bygginga Balck*. 1. *Twe skulu the wara j hwariom* ... [fol. 37v] ... broar som ther äru. 1. *Twe skulu the men wara j hwariom* ... [fol. 49v] ... sudra wari Lagh samu. *Köpmala Balck*. 1. *Um lösöra köp såå och* ... [fol. 51v] ... köpslagh J stadenom. [I.] *Alt thet man köper höffwat så illa* ... [fol. 68v] ... Konunge och Stadhenn. *Skipmåla Balck*. 1. *Huru man skal godz upskipa* ... [fol. 69v] ... wider brona ligger. [fol. 70r] 1. *Hwilken man till stadiens hampn komber* ... [fol. 75r] ... hwars there wägna. [fol. 75v] *Rådhestughu Balck*. 1. *Huru mång måål man må* ... [fol. 78r] ... män skulu komma. 1. *Ty må man flere måål kara å...* [fol. 92v] ... Stadz rätter seger. [fol. 93r] *Edzöris Balck*. 1. *Nu rider man heem åth eller* ... [fol. 104r] ... misthe hand sijna. *Höghmåla Balck*. 1. *Om man myrder man eller kona* ... [fol. 104v] ... warder å tagenn. 1. *Mörder man annan eller kona eller* ... [fol. 108v] ... misthe hoffwedh sitt. *Dråpmåla Balck, medh wilia*. [I.] *Om the drap man trenger göra* ... [fol. 109r] ... Koninger ledungh vth. [fol. 109v] 1. *Nu dråper man annan utan* ... [fol. 112v] ... Je twe böthe. *Dråpmala Balck, medh wadha*. 1. *Huru mång hugg til wådha* ... [fol. 113v] ... 17. *Om fåå dråper man*. 1. *Nu hugger man at manne och* ... [fol. 117v] ... sikh silffwer tridhie. *Saramala Balck, medh wilia*. 1. *Nu wil man annan till Sara binda* ... [fol. 119r] ... som eij botum orkar. 1. *Nu wil man annan til sara binda* ... [fol. 125r] ... thera nådh såå. *Saramala Balck, med wadha*. 1. *Om man kan fa hugga annan* ... [fol. 125v] ... han skal wara. 1. *Hugger man åf androm och* ... [fol. 127v] ... orkar eij botum. [fol. 128r] *Thiuffwa Balck*. 1. *Nu kan man thiuffnadh eij* ... [fol. 128v] ... annars timber bort. 1. *Warder then thiuffnahder någrom* ... [fol. 134v] ... orkar eij botum, etc. *Dobblara Balck*. *Hwar som dobblar öffwer eena* ... [fol. 135v] ... Konunge och Stadenom, etc. *Explicit Legisterium Ciuile, scriptum per manuum Mathie Erics, L[ector?] Raumoensei. Anno Christi -91 Augusti 30. etc.*'

Fols. 25v–26r, an *arbor consanguinitatis*.

The original scribe has marked the names of the individual books in the upper margins. A slightly later hand has made occasional additions (copied variants?), e.g. fols. 1r–2v.

The original scribe seems to have left a chapter (*Eedzöris Balck* no. 19, on fols. 100r–v) unfinished, and a slightly later hand has copied its text on fol. 100r.

Fol. 136r–v, rules for oaths.

‘*Hwilken man som eedh swär uppå boock ... [fol. 136v] ... är nå forelagder. Hwilken man som falz swär uppå ... eller hwadh han skall, etc.*’

Fols. 137r–140v, a code for judges.

‘*Aret effter Gudz byrdh 1357. Om sancte Katherine dagh ... [fol. 137v] ... och wrede öffwer. Hwar rätter domare wil wara ... [fol. 139v] ... och then helghe ande. Amen. Om någon domare dömer orätten ... [fol. 140v] ... och ej aff sättias.*’

Fols. 140v–153v, Olaus Petri’s code for judges (*Domarregler*, ca. 1540).

‘*Några allmanneligha Reglar, ther domaren bör aldelis rätta sigh effter. Een domare skal först besinna adt ... [fol. 153v] ... och mera macht vppå, etc. Orät saaköra gör ingen herra rijk, Men Lagh och rätt är Herrans prijs.*’

A reader (distinct from the copyist?) has made underlinings and annotations to the text of the code (esp. on fols. 145v–153v).

Fols. 154r–156v, Västerås’ *Ordinantia* 1527 (selective; cf. *Svenska riksdagsakter, jämte andra handlingar som höra till statsförfattningens historia under tidehvarfvet 1521–1718*, vol. 1, E. Hildebrand and O. Alin, eds, Stockholm 1887, 89–93).

‘*Ordinantia som giordes i Wasterors herredagar, Anno Domini etc. 1527. Bisperna sporie sokna kyrkior thå the ... [fol. 156v] ... effter thet är Jw Christhna folk.*’

Fols. 157r–v, King Christopher’s law of the land, the first chapter of the section on thefts (cf. C. J. Schlyter ed., *Konung Christoffers Landslag*, *Corpus Iuris Sueo-Gotorum Antiqui*, vol. 12, Lund 1869, Tiuffua balker 1, 369–370)

‘*Bästa ting som bonde j sijno boo haffwer ... [fol. 157v] ... medh giffth manne, etc.*’

Fol. 158r–179v, the maritime code of Visby, *Gotländische Wasserrecht* (1505), in Michael Agricola’s Swedish translation of the original Low German (transcribed from this manuscript in Hurmevirta 1956, 10–34).

‘*Siöö Rätt, Thet är then höghsta och äldzsta Skipmåla lagh, som the almennelighe Köpmän och Skippare haffwa skickadh ... Vthdragen aff Tydzske på Swensko, Anno etc. 1549. [fol. 158v] Förspråk till thenne Siöörätz ... [fol. 159r] ... Wisby fordom ordinerat. [I.] När nagor skippare leggher sigh ohn Styrman ... [fol. 179v] ... J thessa Book ähr ordinerat, etc. Enden på thenne gottlandzke Siöörätten ... adt effter rätte.*

There are illegible and hard to date (not to mention highly inexpert) additions, e.g. on fols. 145v, 179v.

Structure

1^[a] + I^[c] + 4xIV³² + (IV-3)³⁷ + 17xIV¹⁷³ + (IV-2)¹⁷⁹ + 1^[d]. Paper, 15,5x19,5 (11,5x13-14). Text in one column on (mostly) 21 lines, blind-ruled. Modern foliation in ink, in the upper right-hand corners of *recto*-sides, skips not only the present fly-leaf but also the first two leaves of the present book proper. These (fols. [b-c]) may be the original pastedown and fly-leaf of the book; they are currently glued together, but fol. [c]r has writing in a saec. XVII-XVIII hand. There is a lacuna between fols. 32 and 33, apparently three folia long. The book is in fair condition, with some dirt to the edges of pages and damage from damp and (frequently) from the oxidization of the ink (especially visible in the thickly drawn rubrics; see e.g. fol. 32r, where the ink has corroded through the page).

Script

Gothic Cursive and Semitextualis by one saec. XVI4/4 scribe, Mathias Erici of Rauma (f. 135v). He cannot be (*contra* Hurmevirta 1956, 6) the priest of same name known as the curate of Eurajoki from 1580 until his death in 1587 (Leinberg 1903, 57), since the colophon is dated in [15]91. He might have been a teacher (*lector*) or a judge (*laghmann*), given the contraction in his colophon.

Decoration

Monochromatic but skilfully flourished Gothic versals for the beginnings of books and chapters, which are also marked by the use of Semitextualis for book titles and the incipits of chapters.

Provenance

On fol. 1r, in the upper margin, a stricken-over ownership marking(?) dated 1620 (otherwise illegible)

On fol. 179v, 'Carl Hindricßon van boorn' in a saec. XVIII hand. Apparently the same hand has written (or more properly doodled) his name on fols. 44v, 45r, 46r, 48v-49r (other doodles by the same hand on fols. 71r and 92v-93r). He is possibly the officer Carl Bernhard von Born (1734-1790), son of Herman Henrik von Born and married to Johanna Catharina Krogius, daughter of the curate of Rantasalmi, who died in Suomenlinna (Elgenstierna ed. 1925, 542).

Inside the front cover, in pencil 'skr[iven] 1591', and, in a slightly older hand, in ink, 'Tillhör Universitesbibliotheket Helsingfors'. Also the blue stamp of the University Library and the numerals '263' stricken over. Inside the back cover the previous shelf mark in ink, stricken over, and the current shelfmark in pencil: '~~B.III.21.a~~ F⁶ V 25'

Binding

A saec. XIX half-leather binding with raised bands; on the spine the title 'LAGBOK' in gold on a burgundy background. The covers show considerable wear but the binding appears sound.

History

A collection of laws prepared copied ca. 1591 by a Mathias Eriki from Rauma, perhaps a judge or a teacher. In the eighteenth century owned possibly by Carl Bernhard von Born. Acquired by the University Library in the nineteenth century.

Jesse Keskiaho

Literature

G. Elgenstierna, ed., *Den introducerade svenska adelns ättartavlor*, Stockholm 1925, 542.

H. Hurmevirta, *Visby sjörätt. Michael Agricolas översättning från tyska till svenska*, unpublished Master's thesis, University of Helsinki, 1956, 6–7.

K. G. Leinberg, *Åbo stifts herdaminne 1554–1640* (Suomen kirkkohistoriallisen seuran toimituksia, vol. 5), Helsingfors 1903.

J. Schlyter ed., *Magnus Erikssons Stadslag*, Codex iuris Sueo-Gotorum antiqui, vol. 11, Lund 1865, xxxix.