



THE STORY OF VIGA-GLUM

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THE STORY OF VIGA-GLUM

**TRANSLATED FROM THE ICELANDIC, WITH NOTES AND
AN INTRODUCTION**

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1866

The Story of Viga-Glum by Edmund Head.

This edition was created and published by Global Grey

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and supported the charge made by the latter. Neither Arnkel nor Snorri therefore, being respectively thus connected with the accuser and accused, were considered competent to decide the case by the Tolftarkvidr.

Accordingly a third Godi, Helgi, was called in, but Arnkel was allowed to swear on the altar-ring (Stalla-hring) that Geirrid was innocent, and Thorarin swore with ten men, I presume, the other way. Then Helgi acquitted Geirrid (Eyrbyggja Saga, c. xxi.). In this case Arnkel and Thorarin seem to be something between compurgators and witnesses, but the verdict is given by another. The Tolftarkvidr, therefore, in Halvard's case was neither like our "wager of law" nor like the verdict of a jury.

I have already observed that Glum's oath of purgation, in chapter xxv., seems to be a case of an exceptional character, dependent on a special compact between the parties. The accusers agreed to a compromise only on the express condition that he should take such an oath, and it must be remembered that another person had already been declared guilty of the death with which he was charged. We are told, at the end of chapter xxiv. that it was on this condition alone the suit was to drop; the oath itself was no part of the proceedings in such suit.

With regard to the Holmgang or duel as a recognized method for terminating a suit, Maurer tells us that it was supposed to be abolished in Iceland in 1011, very few years after the introduction by Nial of the Fifth Court at the Althing, but I confess that I doubt whether its abolition was so closely connected as he supposes with the institution of this tribunal. In the first place the cases provided for by the Fifth Court in which legal proceedings would previously have been brought to a dead lock, were only a portion, and a small portion, of those in which the Holmgang might naturally be resorted to. In the second place, moreover, we learn that it was in like manner abolished in Norway, in 1012, by Eric, the son of Hakon, without any such supplementary court being instituted to supply its place.³⁰ I am more inclined to think that the influence of Christianity, and a gradual change in the manners of the people led to an alteration in both countries, and that the same feeling showed the necessity of additional judicial facilities in Iceland. Of course I admit that the institution of the Fifth

³⁰ See Grettir's Saga, chap. xix.

