(29)

THE COMPENSATION
PAID BY THE KENTISHMEN TO INE
FOR THE
BURNING OF MUL.

BY THE REV. DANIEL HAIGH.

A. 687.   Her Mul wearth on Cent forbærned, and othre XII men mid him. — Here Mul was in Kent burned, and other twelve men with him.

A. 694.   Her Cantware gethingodan with Ine and him gesaldon XXX manna forthon the hie ær Mul forbærndon. — Here Kentishmen settled with Ine, and to him paid (*weregild*) of thirty men, because that they before Mul had burned.

Him gesaldon XXX *manna* is the reading of MS. A of the " English Chronicle," the earliest and the best, (whence, immediately or mediately, all the rest are derived,) and of MS. G, the latest. For XXX *manna*, C has XXX *punda*, B $\overline{XXX}$ *punda*, F the equivalent XXX *thusend punda*, D and E XXX *thusenda*. Æthelweard has "solidos millia triginta, per singulos constanti numero sexdecim nummis," and Florence of Worcester, "$\overline{\text{III}}$ DCCL libras." My object in the present paper is to shew that the reading of MS. A is the best, as might be presumed from the circumstance that it is the original reading, and the only true one. Whatever the amount might be, the payment by the

Kentishmen to Ine was the *weregild,* or "man-price," which he, as the nearest relative of Mul, was entitled by the laws of the Saxons, to demand from his murderers; and an examination of these laws will shew clearly why it is thus stated, and what would be its amount.

First, then, the following laws of Cnut with regard to *mund bryce,* or "breach of household peace," exhibit the relative consideration of the three lowest classes of freemen.

" Si quis pugnam inierit—in domo
    hominis quem Angli vocant *cherle-*
    man (emendet) . . . .   VI solidos.
" Si autem hoc fit in domo hominis quem
    Angli vocant *radcniht* alii vero *sex-*
    hendeman, ter, id est . . .   XVIII   „
" Si in domo liberalis, quem supra *thegen*
    nominavimus, et quidem *xii hende-*
    man, hoc fit, dupliciter ei emende-
    tur plus quam illi quem *sexhende-*
    man nominavimus, id est . .   XXXVI   „   „

The laws relating to the *weregild* shew that the titles,* here given to these classes, were intended to express their respective values in hundreds of *scillings.*

" Pretium hominis quem supra nomina-
    vimus *cherleman,* secundum legem
    Merciorum, sunt . . . .   CC solidos."
That of the *radcniht* is not stated, but
    may be presumed . . . .   DC   „
" Liberalis hominis, id est *thegenes,* pre-
    tium ejus sexies (sc. hominis)
    tantum, id est . . . .   MCC   „

* *Twy-* ⎫ *hund-mann,* are the best forms of these titles. *Hinde-,*
  Sex- ⎬   and *hynde-* also occur.
  Twelf- ⎭

" Comites — consuetudines liberalium
    hominum dupliciter omnes habere
    videlicet duplicem *mundam,* dupli-
    cem *manbote ;* duplex etiam debent
    habere pretium, id est *were.* Epis-
    copus et comes multas habent sæ-
    culares leges æquales, et etiam
    olim idem habuerunt propter ex-
    cellentiam ordinis." Therefore
    the *weregild* of an *eorl* or a bishop
    was   .   .   .   .   .   .   MMCCCC sol.
" Archiepiscopus, et filius regis ex legali
    conjuge, habent similem sæcularem
    rectitudinem in multis rebus, hoc
    est in despectu, et emendatione
    hominis occisi, quod dicitur*manbote,*
    et in multis aliis rebus diversis id
    est *were*-pretio reddendo, et foris-
    facturum utroque æque magnum
    et charum." Now, as in the laws
    relating to *borh-bryce,* or " breach
    of pledge," the penalty due to an
    archbishop or *ætheling* is 1½ that
    due to a bishop or *eorl,* it follows
    that their *weregild* would be .   .   MMMDC „
" Sexies " (sc. pretii liberalis hominis)
    " est   simplum   pretium regis."
    Therefore   the   king's   *weregild*
    would be v̄ii. cc *scillings.*   .   .   MMMMMMMCC „

The following annotation appended explains the
reason of this amount :—" Hoc est, cxx libræ* tantum,

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* In these laws xxx *scillings*=1 *pund.* The *grith-bryce* or
penalty for breaking the peace of churches was,—for a cathedral
v pounds ; for an abbey cxx *scillings;* for a parish church with cemetery,
lx *scillings;* for a chapel without cemetery, xxx *scillings.* The sums cxx
sol. and lx sol. are glossed respectively, " hoc est quatuor libras," "hoc
est tres libræ." Both cannot be right, and it is clear that the error is
in the latter; for, if xx *scillings* made the *pund,* the penalty for an

secundum justitiam est pretium regis; sed propter excellentiam regiæ dignitatis convenit iterum tantumdem dare; parentes vero debent habere simplum pretium regis, et populus aliud." Thus, on account of the nobility of his blood, the simple *weregild* due to his relatives was that of an *atheling*, CXX pounds; but by his election to the kingdom he acquired another kindred, the nation, and to them also CXX pounds were due. Thus his *weregild,* CCXL pounds, was six times that of the *thegen*.

Thus we obtain the following scale.

							sc.	p. sc.
1 Ceorl	.	.	.	.	.	. =	CC=VI.XX
3 „ = 1 Radcniht	.	.	.	.	. =	. DC=XX.
6 „ = 2 „	=1 Thegen	.	.	. =	MCC= XL.
12 „ = 4 „	=2 „	=1 Eorl	.	. =	MMCCCC=LXXX.
18 „ = 6 „	=3 „	=1½	=1 Ætheling=	MMMDC=CXX.
.36 „ =12 „	=6 „	=3	=2 = 1 Cyning }	= MMMMMMMCC=CCXL.

Now, referring to the variant readings of the passage under discussion, we observe that *xxx punda* is very much too little, *xxx thusend punda* very much too great. The *xxx thusenda* of MSS. D and E might be explained, on the supposition that they were *sceattas ;* for, in the " Judicia Civitatis Londinensis," the *weregild* of a king is said to be "xxx millia sceattarum, et hæc omnia faciunt cxx libras;" and this was really the sum which was due to Ine, as representing the relatives of Mul; the remaining sum of cxx pounds, on account of his kingship, was due to the Kentish nation (if due at all), and Ine had nothing to do with it. But the composition would not be for Mul only; for there were twelve others

abbey would exceed that for a cathedral; and the MCC *scillings* of the *weregild* of a *thegen* would be LX pounds, *i. e.*, one-fourth, not one-sixth, of a King's.

burned with him; and as they were freemen,* of
course, their rights were as sacred as his, and could
not be set aside. This number therefore fails as well
as the rest. Æthelweard's number, also, is excessive,
and Florence's utterly inexplicable.

The reading of MSS. A and G, on the other hand,
" *him gesaldon* xxx *manna*," is simply the truth. The
weregild of Mul as an *ætheling* was that of eighteen
men, and amounted to one hundred and twenty
pounds; the *weregild* of the twelve men who were
with him, amounting to eighty pounds, made up the
weregild † of thirty men (xxx *manna*), *i. e.*, two hun-
dred pounds or six thousand *scillings*.

The facts above stated supply the explanation of
two curious passages, one in the Traveller's Tale,
the other in Beowulf.

In the former, it is said that the traveller, Widsith,‡
commenced his career as an attendant on Queen
Ealhhild, on a mission of peace to the Court of
Eormanric, King of the Goths (whom I have identi-

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* They are called simply "men," *i. e.*, "freemen " or *ceorls*.

† The weregild for the murder of the princes Æthelred and Æthel-
berht was paid to their sister Eormenbeorh or Eafe (Domna-Eva, Dom-
neva) in land, not in money. From the scale which we have deduced
above, it would seem that the amount of land due for each prince should
be equal, as Mr. Thorpe says, to three *thegen's* fees, *i. e.*, for the two
princes the compensation would be thirty hides. The extent of the
hide was variable, according to the nature of the land. Still it would
be worth while to ascertain if the extent of the original grant was over
three thousand seven hundred acres.

‡ Mr. Thorpe was the first to suggest that Widsith was a name
assumed by this traveller, on account of his "wide-wandering." From
its occurrence here it became a personal name, and we find it among
the names of clerics in the Lindisfarne, "Liber Vitæ," fol. 25. This
does not interfere with my theory, expressed in the "Anglo-Saxon
Sagas," that his actual name was Hama.

fied* with the father of Æthelberht, King of Kent).
Of what befell him there Widsith thus speaks:—

Ic wæs mid Eormanríce.	I was with Eormanric.
Ealle thrage	All the time
thær me Gotena cyning	there me the Goth's king
góde dohte.	well treated.
Se me beág forgeaf,	He to me a collar gave,
burgwarena fruma,	of burgesses the first,†
on thæm siex hund wæs	on which six hundred was,
smætes goldes	of beaten gold,
gescýred sceatta	scored of divisions
scilling rime	in scilling reckoning.
Thone ic Eádgilse	Which I to Eadgils
on æht sealde,	for value gave,
mínum hleódryhtne,	to my protector lord
thá ic tó hám bicwom	when I to home come
leofum tó leáne,	to my friend for recompense
thæs the me lond forgeaf	for that he to me the land gave
mínes fæder-æthel,	of my patrimony,
freá Myrginga.	the lord of the Myrgings.

Eormanric, in fact, raised him to the rank of
rad-cniht, and gave to him a collar on which was
scored the valuation of that rank. This he gave up to
his lord, on his return home, after the lord had invested
him with the rank of *thegen*, by the grant of the land
which his father had held.

In Beowulf we are told how King Hygeloc
rewarded the valour of two of his *thegens*, Wulf and
Eofor, who had slain, in battle, Ongenthrow, the King
of the Swers.

Eofore and Wulfe mid	To Eofor and Wulf with (him)
ofer mathmum sealde	besides treasures, he gave
hiora gehwæthrum	of them to either

* In " Anglo-Saxon Sagas."

† It may well to remark that this epithet belongs to Eormanric.
The free Teuton's idea of a king is lost.

hund thusenda	a hundred thousand
londes and locenra beága	of land and locked rings.

Taking the pole for the probable unit (as it has no aliquot parts), the gift would be 625 acres=5 hides of 125 each, and this was a *thegen's* fee. But just as a *ceorl* could rise to the rank of a *thegen* by the honest acquisition of so much land, so could a *thegen* rise to the rank of an *eorl*, which was worth twice his own, if he could have another under him who held five hides for the king's service; and by this gift it is intimated that Hygelac raised his two *thegens* to *eorlscype*, to a rank which enabled him to give his daughter in marriage to one of them, to him who had actually killed Ongenthrow;

and thá Eofore forgeaf	and then to Eofor he gave
angan dohtor.	his only daughter.

My concern with this passage, however, is to contrast it with another, in which Hygelac is represented as raising his nephew, Beowulf, to participation with himself in the kingdom.

Him gesealde	To him he gave
seofon thusendo	seven thousand,
bold and brego-stól.	a palace, and a throne.
Him wæs bám samod	To them was both together
on thám leódscype	in the nation
lond gecynde,	the land natural,
eard-éthel-right	the patrimonial right
othrum swithor,	in one stronger
síde rice	the wide realm
thám thær sélra wæs.	for him who there better was.

Obviously the *seofon thusendo* has nothing to do with land, since, as we have seen, those of a lower rank had been rewarded with *hund thusenda*. But if we consider that VII. co (7,200) was the *weregild* of the

dignity to which Beowulf was now advanced, and that
he could be called *seofon-thusend-man*, as the ceorl
was *twi-hund-man*, the radcniht *six-hund-man*, and the
thegen *twelf-hund-man*, we see that this passage must
be understood of Hygelac's investing him with the
title, as well as assigning to him a palace and a
throne; and that this is really the sense of "an ex-
pression which has undergone many attempts at
explanation, but none of them satisfactory."

Amongst many other traces of an early connection
between the primitive Chaldæans and our own fore-
fathers, I have recently discovered an indication of
weregilds, and of titles corresponding to them,
amongst the former people. Thus—

<div style="margin-left:2em">

◄𝕎 is a synonyme for *Turtanu* (xv),

ɪ◄◄◄   ,,   *Siltannu* (ll.xxx),

ɪ𝕀◄◄◄   ,,   *Sarru* (lll.xxx).

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The titles are Assyrian, the numerals corresponding
to them are Akkadian or Proto-Chaldæan synonymes
for them, doubtless of very remote antiquity.

In later Assyria, *Turtanu* (mentioned in Isaiah
xx. 1.) was the highest military officer, next in rank to
the king, at the king's right hand; and so this
numeral synonyme was also used to express *imnu*
"the right hand." What was his relative rank in
primitive Chaldæan we do not know; the title is
apparently of Chaldæan origin, its first element *tur*
certainly means "little," and its second *tan* may
possibly be connected with רן "judge," or "ruler;"
thus indicating that his rank in early times was com-
paratively low.

In the Assyrian records, a *Siltannu* is mentioned only
once, and he is *Sib'e*, called in 2 Kings xvii. 4 סוא *Seve*,
King of Egypt. In the Samaritan version of Genesis,

Tidal, King of Goim, one of the vassal confederates of Kudurlagomar, is entitled מלך שלמון. In Daniel (iii. 2), the שלטני are the rulers of conquered kingdoms, provinces of the Babylonian empire; and under the Mahometan rule the kings of various provinces of the Kalifate have borne this title. It seems, therefore, to have been always the title of a king, but of the ruler of a vassal kingdom, not of a sovereign. The low estimation in which these were held by the kings of Assyria may account for the numerical synonyme being employed to express *sumilu* "the left hand;" but it was assuredly otherwise in primitive Chaldæa, divided as it was into kingdoms, the rulers of which took their title of king from their chief city, save one who was chief, and had in addition the title of "King of the land of Akkad,"—first one, then another, of these kingdoms rising to pre-eminence.*

Sarru was the title of the king.

Now, remarking that the lowest of these numerals, xv, is the half, and the others the double and triple, respectively, of xxx, I conclude that this represents the talent of xxx *manas*, and as this talent weighed about 80 lbs. we are enabled to institute a comparison between the system here indicated and that of our fathers.

1 *Turtanu*=XV *manas*= XL pounds=1 *Thegen*.
1 *Siltannu*=4 *Turtanu*=LX ,, = CLX ,,
1 *Sarru*=1½ *Siltanu*=6 *Turtanu*=XC ,, =CCXL ,, =1 *Cyning*.

It seems, then, very probable that a system of

* This state of things seems to have resembled what Ven. Bœda tells us existed in England. There were several kingdoms, quite independent, but one of these had the pre-eminence. The kingdom of the South Saxons first enjoyed this pre-eminence, then that of the West Saxons, then Kent, then East Anglia, then Northumbria, then Mercia, and eventually Wessex again.

accepting pecuniary compensation for homicide, graduated according to the rank of the slain, existed amongst the Chaldæans in the earliest ages. Of such a system the remembrance, brought by Abram to Canaan from Ur of the Chaldees, would be preserved by his descendants in Egypt; and against such a system, even in the case of involuntary homicide, the precepts in Num. xxxv. 31, 32 are clearly directed.