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SOURCE (OR PART OF THE FOLLOWING SOURCE):

Type	Dissertation
Title	Reading between the lines: Old Germanic and early Christian views on abortion
Author	M.J. Elsakkers
Faculty	Faculty of Humanities
Year	2010
Pages	xiv, 540

FULL BIBLIOGRAPHIC DETAILS:
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ARTICLE VIII

"Anglo-Saxon Laws on Poisoning: an Invitation to Further Investigation," to be published in: *Anglo-Saxon Secular Learning in the Vernacular*, Sandor Chardonnens & Bryan Carella (eds.), special issue of *Amsterdamer Beiträge zur Älteren Germanistik*, 2010, forthcoming.

[Elsakkers 2010, forthcoming]

ANGLO-SAXON LAWS ON POISONING

AN INVITATION TO FURTHER INVESTIGATION[1]

Most Old Germanic law-codes contain laws on poisoning. On the continent only a few Germanic law-codes lack laws on poisoning, but, because the tribes concerned lived under Frankish rule, Salian law was probably applicable.[2] It seems reasonable to expect a law on poisoning in one of the Anglo-Saxon lawcodes, because poisoning is a serious crime. However, strangely enough, there does not seem to be a simple, general law on the subject. This article discusses the Anglo-Saxon laws that might qualify as laws on poisoning and it leads us to the ambiguous words *lybblac*, *maleficium* and *veneficium*.

The Anglo-Saxons were the first Germanic tribe to write their laws down in the vernacular. The early medieval continental Old Germanic laws were all written in Latin. The earliest Old English laws, the laws of king Aethelbert of Kent, date back to the late sixth or early seventh century. Many of Aethelbert's successors also issued laws in the Old English vernacular.[3] Although the language used differs, Old English and continental Old Germanic law have many general Old Germanic legal principles in common, such as *wergeld*, 'the price for a man' and tariff lists to determine the punishment for injuries. This short study of Anglo-Saxon law on poisoning is a by-product of my research on early medieval abortion law. In the continental law-codes we usually find the laws on intentional abortion and abortifacients near or in the same section as the laws on poisoning, because abortifacients were classed as poisons.[4] Most laws only punish aiding and abetting, that is, supplying the often poisonous drugs that were used as abortifacients.[5] Continental laws without prohibitions of abortifacients probably punished 'supplying' under their laws on poisoning. Poisoning is a serious crime that is punished as murder, if the attempt succeeds. Old English law was studied in order to complement my investigation of the laws on poisoning in the continental Germanic law-codes. However, despite the fact that there are many Old English law-codes, there does not appear to be a general Old English law on poisoning. The Old English laws that might qualify as condemnations of poisoning will be discussed below.

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[1] This article is for Jacqueline. Many thanks are due to Sandor Chardonnens, Bryan Carella and Michael Satlow.

[2] The Alamans, Saxons, Chamavian Franks, Thuringians and Frisians, Germanic tribes who lived in the more northern and central parts of the Frankish empire in the early medieval period, do not have laws on poisoning of their own. All five tribes have relatively short law codes with supplementary laws for special cases, like the Thuringian law on poisoning one's husband (LThur 52). There were probably also oral customary laws on poisoning that are now lost.

[3] For editions and translations of Old English law, cf. Felix Liebermann (Hrsg.), *Die Gesetze der Angelsachsen*, 3 vols. (Halle am Saale, 1903-1916; rpr. Leipzig, 1935), F.L. Attenborough (ed. and transl.), *The Laws of the Earliest English Kings* (Cambridge, 1922; rpr. New York, 1974), A.J. Robertson (ed. and transl.), *The Laws of the Kings of England from Edmund to Henry I* (Cambridge, 1925; rpr. New York, 1974), Karl August Eckhardt (Hrsg.), *Gesetze der Angelsachsen 601-925*, Germanenrechte, Texte und Übersetzungen, 13 (Göttingen, 1958), Dorothy Whitelock, M. Brett & C.N.L. Brooke (eds.), *Councils and Synods with other Documents Relating to the English Church*, vol. 1. *A.D. 871-1204*, part 1, *870-1066* (Oxford, 1981), Warren Winfred Lehman, 'The First Old English law', *The Journal of Legal History* 6 (1985), pp. 1- 32, Lisi Oliver (ed. and transl.), *The Beginnings of English Law*, Toronto Medieval Texts and Translations, 14 (Toronto, 2002).
On Old English law, see also: Ekkehard Kaufmann, 'Angelsächsisches Recht', *Handwörterbuch zur deutschen Rechtsgeschichte* 1 (1971), Sp. 168-171, Mary P. Richards, 'The Manuscript Contexts of the Old English Laws: Tradition and Innovation', *Studies in Earlier Old English Prose; Sixteen Original Contributions*, ed. Paul E. Szarmach (New York, 1986), pp. 171-192, Richard J. Dammery, 'Editing the Anglo-Saxon Laws: Felix Liebermann and Beyond', *The Editing of Old English Papers from the 1990 Manchester Conference*, eds. D. G. Scragg and Paul E. Szarmach (Cambridge, 1994), pp. 251-261, Patrick Wormald, *The Making of English Law: King Alfred to the Twelfth Century*, vol. 1, *Legislation and its Limits* (Oxford, 1999) and Patrick Wormald, *Legal Culture in the Early Medieval West; Law as Text, Image and Experience* (London, 1999).

[4] See, for instance, Marianne Elsakkers, 'Abortion, Poisoning, Magic and Contraception in Eckhardt's *Pactus Legis Salicae*', *Amsterdamer Beiträge zur Älteren Germanistik* 57 (2003), pp. 233-267 (*Quod Vulgo Dicitur; Studien zum Altniederländischen*, (Hrsg.) Willy Pijnenburg, Arend Quak & Tanneke Schoonheim).

[5] Only Visigothic law actually punishes the pregnant woman for intentional abortion (LV 6.3.1), cf. Karl Zeumer (Hrsg.), *Leges Visigothorum*, Monumenta Germaniae Historica, Leges Nationum Germanicarum, 1 (Hannover-Leipzig, 1902), p. 260.

KING ALFRED's DOMBOC

West Saxon king Alfred (c. 848-899) incorporated a translation of 'the best part of chapters 20 to 22 of Exodus' into the prologue of his *Domboc*.[6] Alfred's prologue constitutes a recognition of 'higher' law that was included in order to provide his book of secular law with extra authority. His own laws are in the *Domboc* proper. Alfred's Old English translation of Mosaic law includes Ex. XXII.18, the biblical condemnation of those who engage in magic and/or poisoning. Alfred's source was the Vulgate, the Church father Jerome's fourth-century, Latin translation of the Bible. Jerome translated the book of Exodus straight from the Hebrew and he used the ambiguous word *maleficus* to denote the 'poisoners' and/or 'magicians' that are condemned.

> Vulgate
> Ex. XXII.18 maleficos non patieris vivere.[7]

Ex. XXII.18 is usually translated as 'thou shalt not permit poisoners / magicians to live'. But, although Alfred's source is the Vulgate, his Old English translation deviates significantly from his source.[8]

> Alfred, *Domboc*, Prologue (*Af*)
> [*El.* 30] Þa fæmnan þe gewuniað onfon [anfon] gealdorcræftigan [galdorcræft] 7 scinlæcan 7 wiccan, ne læt þu ða libban.[9]

First of all, Alfred does not punish *malefici*. He imposes the death penalty on women who consort with (and probably consult) *malefici*. Secondly, Alfred seems to focus on the meaning 'magician', using three different Old English nouns to explain the word *maleficus* and the kinds of magicians that women should not associate with: *gealdorcræftiga*, 'enchanter, charmer', *scinnlæca*, 'deluder, deceiver, illusionist, necromancer, sorcerer' and *wicca*, 'wizard, witch, sorcerer, soothsayer'. None of these words has anything in particular to do with poisoning. Alfred's usage of three different words for 'magician' seems to indicate that he did not want to make any exceptions; his message seems to be that all 'magicians' are evil and should be avoided. Alfred's emendation of Ex. XXII.18 is puzzling and it seems to point to usage of other sources. One of Alfred's sources is closer by than one might think. The *Septuagint* specialist John William Wevers points us in the right

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[6] Wormald, *Making of English Law*, p. 419; see also: pp. 264-285, 416-429. On the introduction to Alfred's *Domboc* and its probable or presumed sources, cf. Liebermann, *Gesetze der Angelsachsen*, Paul Fournier, 'Le Liber ex Lege Moysi et les Tendances Bibliques du Droit Canonique Irlandais', *Revue Celtique* 30 (1909), pp. 221-234, Michael Treschow, 'The Prologue to Alfred's Law Code: Instruction in the Spirit of Mercy', *Florilegium* 13 (1994), pp. 79-110, Wormald, *Making of English Law*, and Bryan Carella, 'The Sources of the Prologue to the Laws of Alfred,' *Peritia* 19 (2005), pp. 91-118.

[7] The Brepols *Cetedoc* Library of Christian Latin Texts (CLCLT): *Biblia sacra iuxta Uulgatam uersionem (Uetus Testamentum), Exodus (liber ab Hieronymo ex hebraico translatus)*, cap. : 22, versus : 18 (*Cetedoc* last accessed 28 November 2009).

[8] There are no variants or variant versions in the Vulgate editions by Francis Aidan Gasquet & Henricus Quentin (eds.), *Biblia Sacra iuxta Latinam Vulgatam versionem ad codicum (…)*, 18 vols. (Rome, 1926-199), vol. 2, *Exodus - Leviticus*, ed. Henricus Quentin (Rome, 1929), p. 193, and Bonifatius Fischer, Jean Gribomont e.a. (eds.), *Biblia Sacra iuxta Vulgatem Versionem*, vol. 1., *Genesis - Psalmi*, 2nd ed. emend. (Stuttgart, 1975), p. 108.
The Brepols *Cetedoc* Library of Christian Latin Texts (CLCLT) contains thirteen quotations of the Vulgate version of Ex. XXII.18 (XXII.17), ranging from Augustine's *Speculum* to Thomas of Aquinas's *Summae Theologicae* - all exactly the same (*Cetedoc* last accessed 28 November 2009). In spite of Wormald's advice: 'When noting deviations from the Latin original, one must look out for variants in the several families of early medieval Vulgate texts' (Wormald, *Making of English Law*, p. 418) no variants were found.
Liebermann also comments on the differences between the Vulgate text and Alfred's renderings of the Vulgate: 'This version [of the Vulgate] suffers from several gross mistakes in the chapters here in question' (Felix Liebermann, 'King Alfred and Mosaic Law', *The Jewish Historical Society of England* 6 (1908), pp. 21-31, at p. 22); he suspects that Alfred 'therefore must have used some text besides the Vulgate, which, however, seems now not to be known' (p. 22).

[9] Alfred, *Domboc*, Einleitung, '[*El.* 30] Die Weiber, welche Beschwörer und Magier und Zauberer [hilfreich] aufzunehmen plegen: lasse du die nicht leben' (Liebermann, *Gesetze der Angelsachsen*, vol. 1, pp. 38-39) or 'women who are wont to receive [and assist] conjurers, magicians and sorcerers' (Liebermann, 'King Alfred and Mosaic Law', p. 26). The version of Ex. XXII.18 in *Quadripartitus*, an early eleventh-century Latin translation of Old English law, is identical to the version in the Vulgate.

direction. Wevers notes that Ex. VII.11 lists 'three classes of people: experts, mixers of magical potions and enchanters, all presumably magicians of some sort'.[10] It looks like Alfred used part of Ex. VII.11 in order to define the word *maleficus* more accurately.

Why Alfred only punishes women who associate with 'magicians' seems to be a mystery.[11] In spite of the gender neutral word *maleficus* in the Latin Vulgate Alfred chose to specifically punish women. Neither the Vulgate nor the (*Septuagint*-based) *Vetus Latina* versions of Ex. XXII.18 that were available in the early medieval period mention women.[12] Women are only mentioned in the Hebrew text of this verse, which is usually rendered as 'You shall not let a sorceress live'.[13] There are no records (that I know of) of Jewish communities or Jewish biblical scholars in England before the arrival of William the Conqueror in 1066, so it does not seem likely that Alfred had direct or indirect access to the Hebrew text of Exodus.[14] On the other hand, there was regular contact between England and the continent at least since Roman times (Roman garrisons, Anglo-Saxon missionaries, visiting scholars such as Theodore of Tarsus, etc.), even though this contact may have been (partially?) interrupted when the Angles and the Saxons settled in England. Jews were often international merchants and thus part of the early medieval economic system. We might therefore assume that there were small Jewish communities in some of the Anglo-Saxon ports, cities or towns, so that Alfred may have been able to consult someone on the Hebrew Bible.[15] If this is true, it might explain why Alfred's

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[10] John William Wevers, *Notes on the Greek Text of Exodus*, Septuagint and Cognate Studies Series, Society of Biblical Literature, 30 (Atlanta GA, 1990), p. 97. This passage in Ex. VII is about magicians who are able to change their staffs into snakes. The version in the Vulgate is as follows: Ex. VII.11 *Vocavit autem Pharao sapientes et maleficos, et fecerunt etiam ipsi per incantationes aegyptiacas et arcana quaedam similiter*. In some versions in Brepols's *Vetus Latina Database* (cf. note 12) we find *incantatores* for *incantationes*. The translations usually mention 'wise men' and 'magicians', for instance: 'Da forderte Pharao die Weisen und Zauberer; und die ägyptischen Zauberer taten auch also mit ihrem Beschwören' (Luther's Bible), 'Then Pharaoh also called the wise men and the sorcerers: now the magicians of Egypt, they also did in like manner with their enchantments' (King James Version) and 'And Pharao called the wise men and the magicians: and they also by Egyptian enchantments and certain secrets did in like manner' (Douay-Rheims Bible). Cf. http://www.biblegateway.com and http://www.drbo.org (both last accessed 28 November 2009).

[11] Many thanks are due to Michael Satlow for giving me his take on this strange problem (email correspondence May 2009).

[12] The Greek *Septuagint* version of Ex. XXII.18 reads: *φαρμακους ου περιποιησετε*, 'you should not let magicians / poisoners live' (cf. John William Wevers & U. Quast (eds.), *Exodus*, Septuaginta, Vetus Testamentum Graecum, vol. 2.1 (Göttingen: 1991), p. 262, Wevers, *Notes on the Greek Text of Exodus*, p. 350 and http://spindleworks.com/Septuagint/Exodus.htm (last accessed 28 November 2009).
The card index of the *Vetus Latina Institut* at the Abbey of Beuron contains seven Latin versions of Ex. XXII.18. Two versions contain the Vulgate text and most of the other versions resemble the Vulgate, for instance: *maleficos non sinetis uiuere* or *venenarios non sinitis uiuere*. The words substituted for *maleficos* are: *blasphemum*, *venenum*, and *venenarios*. It is obvious from the variants that both poisoners and magicians were meant. Brepols made the *Vetus Latina* card index available in the *Vetus Latina Database*, see also: http://www.vetuslatina.org/ (last accessed 28 November 2009) and http://www.vetuslatina.de/ (home page of the *Vetus Latina Institut* at Beuron; last accessed 28 November 2009). The version in Sabatier's edition of the *Vetus Latina* is identical to the Vulgate version of Ex. XXII.18, cf. Petrus Sabatier (ed.), *Bibliorum Sacrorum Latinae Versiones Antiquae seu Vetus Italia (…)*, 3 vols. (Remis, 1743; rpr. München, 1976), vol. 1, p. 179). None of the Latin versions of Ex. XXII.18 that have come down to us and were available in the early medieval period refer to female *malefici*.

[13] The Hebrew text of Ex. XXII.17 (= XXII.18) reads: מְכַשֵּׁפָה, לֹא תְחַיֶּה. (*mekashephah lo thechayyeh*), cf. *A Hebrew - English Bible according to the Masoretic Text*, published by the Jewish Publication Society, 1917 edition (http://www.mechonmamre.org/p/pt/pt0.htm; last accessed 28 November 2009); see also: http://www.ccel.org/ccel/bible/hetran.titlepage.html; last accessed 28 November 2009) Bretherton explains that the Hebrew 'feminine term' is usually translated as 'sorceress' and that it means 'either a mixer of drugs or a cutter up of poisons (…). The root verbal term also signifies "to mutter" and consequently "to mutter charms" whilst cutting up herbs or drugs in order to produce a magic brew; a process which may just as well refer to healing potions as well as to harmful concoctions. In terms of mood, tense and gender, it can also quite simply and effectively be translated "a woman practising magic"'
(Donald J. Bretherton, 'An Invitation to Murder? A Re-interpretation of Exodus 22:18 "You Shall Not Suffer a Witch to Live"', *The Expository Times* 116 (2005), pp. 145-152, at p. 147).

[14] Cf. also Liebermann, 'King Alfred and Mosaic Law', p. 22: 'about the year 890 there probably was no soul living in Britian that knew Hebrew'.

[15] In the early medieval period, from at least the eighth century onwards, Jews were actively involved in international trade. There are no references to their presence in Anglo-Saxon England, but 'on the other hand, in a period when the Jewish

translation of Ex. XXII.18 seems to betray some knowledge of the Hebrew Bible. Other possibilities are that Alfred was influenced by early penitential articles on *maleficia*, or that he used unknown exegetical sources.[16] Or perhaps Alfred simply chose to deliberately deviate from the standard text of Ex. XXII.18. Although we cannot determine why Alfred chose not to punish *malefici*, but to punish the women who consorted with them, it is clear that Alfred interpreted the ambiguous word *maleficus* as 'magician', not as 'poisoner'. The connection between women and magic in Ex. XXII.18 persists to this day. Most (early) modern vernacular translations of the Bible contain the same association of women with magic we find in the Hebrew text, for example, the *New King James Bible*, reads: 'You shall not permit a sorceress to live'. However, we know that most (early) modern translators, including Luther, were able to consult the Hebrew text.[17] The question - intriguing as it is - why the ninth-century king Alfred introduced women into his text and only punished *consorting* with magicians must therefore remain unanswered for the time being.

ÆLFRIC

Despite Alfred's rendering of Ex. XXII.18 we know that the gender-neutral Vulgate version of Ex. XXII.18 was known in Anglo-Saxon England. The early eleventh-century Old English translation of the *Heptateuch* (the first seven books of the Bible) commonly attributed to the abbot Ælfric (c. 955 - c. 1010) was also based on the Vulgate. It contains a literal, gender-neutral rendering of Ex. XXII.18:

Ælfric, *Heptateuch*

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traders were so active in international trade it is improbable that none visited England' (S. Schwarzfuchs, 'France under the Early Capets', *The Dark Ages; Jews in Christian Europe 711-1096*, ed. Cecil Roth, (New Brunswick, 1966), pp. 143-161; 410-412, at p. 160). There are interesting references to the early medieval merchant scholars Dematus or Domatus and Meshullam ben Moses of Mainz in some sources, cf. Cecil Roth, 'Economic Life and Population Movements', *The Dark Ages*, ed. Roth, pp. 13-48 at pp. 34, 42.
Agus explains that 'the professional rabbi was entirely unknown in the Rhine communities of the early Middle Ages' and that 'Talmudic scholarship was not the possession of a small elite group, but was rather the preoccupation of a large portion of the population' (I.A. Agus, 'Rabbinic Scholarship in Northern Europe', *The Dark Ages*, ed. Roth, pp. 189-209 at p. 189). Roth informs us of a 'system of universal education' among Jews and tells us that 'by now every Jew within certain limitations was able to read, was able to write (…) and had at all events a smattering of Hebrew' (Roth, 'Economic Life', p. 22). Although there is no proof that Alfred consulted Jewish scholars, this information indicates that it was not impossible.

[16] Women are regularly associated with *maleficia* in the penitentials. Carella analysed two sources thay may have been used by Alfred for the introduction to his *Domboc* (cf. Carella, 'The Sources of the Prologue', passim). He concludes that the *Collatio Legum Romanarum et Mosaicarum* was not one of the Alfred's sources - as Wormald claims (Wormald, *Making of English Law*, pp. 418 ff.), but that the *Liber ex Lege Moysi* may have been used. The *Collatio* does not contain a version of Ex. XXII.18; the *Liber* does (cf. Fournier, *Liber ex lege Moysi*, p. 230). Bryan Carella kindly sent me excerpts from the edition of the *Liber* he is preparing. Its version of Ex. XXII.18 is identical to the Vulgate text (email correspondence, June 2009) and can therefore not have been Alfred's source.
Liebermann proposes the 'standard'- in my view too simple - solution to this problem: 'Sorcery was considered by many Teutonic peoples as a crime to which women seemed peculiarly prone' (Liebermann, 'King Alfred and Mosaic Law', p. 26). However, he concedes that this solution may not be convincing enough: 'If these facts, taken together with Alfred's strict orthodoxy, fail to explain this alteration, we must fall back on the ingenious hypothesis of Professor Turk, who points out that the words "women are wont to receive" form in the Vulgate the conclusion of the preceding verse and may, by a mere blunder of punctuation, have been mistaken for the beginning of the next' (p. 26); see also: Otto B. Schlutter, 'King Alfred's Interpretation of Exodus XXII,18', *Modern Language Notes* 41 (1926), pp. 177-178, who agrees with Turk. Another emendation is proposed by Bretherton. He suggests that Ex. XXII.18 should be read together with the *following* verse, so that the verses combine into a condemnation of necromancy: 'A woman practising magic must not engage in necromancy' (Bretherton, 'An Invitation to Murder?', p. 152). If either of these readings is correct the Church Fathers and centuries of biblical commentators missed them. Both suggestions seem to underestimate biblical learning in ninth-century Anglo-Saxon England.

[17] Luther's Bible (1545) reads: 'Die Zauberinnen sollst du nicht leben lassen', and the seventeenth-century *King James Bible* or *Authorized Version* translates: 'Thou shalt not suffer a witch to live'. Only the (Catholic) *Douay-Rheims* version has a genderless noun: 'Wizards thou shalt not suffer to live'. Cf. http://www.biblegateway.com/ and http://www.drbo.org/ (both last accessed 28 November 2009). Ex. XXII.18 became an important text when the witch hunts started in the late medieval period.

Ex. XXII.18 Ne læt þu lybban þa þe geunlybban [unlybban] wircon.[18]

Ælfric does not mention women, enchanters, illusionists, wizards or witches. He renders *maleficos* as *þa þe geunlybban wircon*, 'those who make poison / work magic', so that it denotes either a male or a female *maleficus*. His choice of the word *geunlybba* seems to indicate that he meant to retain the ambiguity of the word *maleficus*, because *(ge)unlybba* has the same double meaning.[19] Although the two Old English versions of Ex. XXII.18 given above are translations of the same Bible verse, their context and time frame is different. Alfred's translation is in the preface to his late ninth-century book of secular law and Ælfric's is in his early eleventh-century Bible translation. Ælfric uses the word *geunlybba*, which can denote both 'magic' and 'poisoning', but Alfred uses three words that are specifically linked to magic. If *gealdorcræftiga*, *scinnlæca* and *wicca* include poisoners, which in itself is not unreasonable, because magic and poisoning are both secretive and deceitful

[18] Ælfric, *The Old English Heptateuch and Ælfric's Libellus de Veteri Testamento et novo*, ed. Richard Marsden, vol. 1, *Introduction and Text*, Early English Text Society, 330 (Oxford, 2008), p. 119; 'Ex. XXII.18, Do not let those who make bad poisons / work magic live'. See also: Richard Marsden, 'Old Latin, intervention in the Old English Heptateuch,' *Anglo-Saxon England* 23 (1994), p. 229-264.

[19] *(Ge)unlybba* (m.) means 'poison, particularly when used in witchcraft', cf. Joseph Bosworth, *An Anglo-Saxon Dictionary: Based on the Manuscript Collection of Joseph Bosworth*, ed. and enlarged by T. Northcote Toller (Oxford, 1898), pp. 462, 1120, and Jane Roberts, Christian Kay & Lynne Grundy, *A Thesaurus of Old English*, 2 vols., King's College London Medieval Studies, 11 (London, 1995), vol. 2, p. 1151. It is related to the word *lybblac* or *liblac* (n., m.), which means 'sorcery, witchcraft, the art of using drugs or potions for the purpose of poisoning, or for magical purposes' (Bosworth & Toller, *Anglo-Saxon Dictionary*, p. 649, Roberts, *Thesaurus of Old English*, vol. 2, p. 1151). These words are derived from *lybb* (n.), 'medicine, drug, simple, in a bad sense poison', 'drug, poison, charm', 'pharmacy, curing with salves', and related to Old High German *lubbe*, 'poison' (Bosworth & Toller, *Anglo-Saxon Dictionary*, p. 649, J.R. Clark Hall, *A Concise Anglo-Saxon Dictionary*, 4th ed. (Toronto, 1960), p. 223, Roberts, *Thesaurus of Old English*, vol. 2, p. 1151). The word *at(t)or* also means 'poison', Latin *venenum*, cf. Bosworth & Toller, *Anglo-Saxon Dictionary*, pp. 59-60. *Lybb, lybblac* and *(ge)unlybba* all seem to have the same double meaning as the words *maleficium* and *veneficium*. There are interesting attestations in Ælfric's *Homilies*, the Old English *Leechdoms*, the Old English *Herbarium*, the *Blickling Homilies*, *Egbert's Penitential* and Wulstan's *Homilies*. The three examples given below show how difficult it is to pinpoint the meaning of these words.

(1) The late tenth- or early eleventh-century Old English translation of *Egbert's Penitential* contains the words *lybblac* and *attorcræft*. The Latin version quoted in Thorpe reads: *Cave tibi a maleficiis et veneficiis*, and was rendered in OE as *and bebeorh ðe wið lyblacas and attorcræftas*, 'and you must beware of magic and poisoning', cf. Benjamin Thorpe, *Ancient Laws and Institutes of England* (London, 1840; rpr. Clark NJ, 2003), pp. 132-133, and Robert Spindler (Hrsg.), *Das altenglische Bussbuch (sog. Confessionale Pseudo-Egberti); ein Beitrag zu den kirchlichen Gesetzen der Angelsachsen* (Leipzig, 1934), p. 171. *Maleficium* was rendered as *lybblac* and *veneficium* as *attorcræft*. Apparently there was a difference in meaning between *attor* and *lybblac*.

(2) Another interesting example is in the *Legend of St. Andrew* in Cambridge, Corpus Christi College 198, where we find the words *attor* and *lybcræft* in a passage about St. Matthew. Matthew was sent to Marmadonia to evangelize; the people there were cannibals and *and hie him sealdon attor drincan þæt mid myclum lybcræfte wæs geblanden*; 'and they gave him poison to drink that was mixed with powerful poison / magic', cf. James W. Bright, (ed.), *An Anglo-Saxon Reader and Grammar*, 4th ed., London: George Allen & Unwin, 1923, p. 113. Again, we find the words *attor* and *lybcræft* in the same sentence; the meaning of *lybcræft* is ambiguous. Note that this sentence is missing in the version of homily 18 [19] in the *Blickling Homilies*, cf. Richard J. Kelly (ed.), *The Blickling Homilies; Edition and Translation* (London, 2003), pp. 158-159. Morris added the missing sentences from MS CCCC 198 in his edition (R. Morris (ed. and transl.), *The Blickling Homilies of the Tenth Century*, 3 vols., Early English Text Society Original Series, 58, 63, 73 (London 1874-1880; rpr. in one vol. Oxford, 1967), pp. 228-229).

(3) The third example has *unlybba* and *attor* and is in Ælfric's homily on St. Benedict (homily II.11): *and þa æt nextan ræddan þæt hi mid attre hine acwealdon; Gemengdon þa unlybban to his drence. and se þen stod feorran mid anum glæsenum fæte on ðam wæs wines drænc mid þam cwelmbærum attre gemænged* 'and at last counselled to kill him with poison. They mingled then venom in his drink and the servant stood at a distance with a glass vessel, in which was a drink made of wine mingled with deadly poison', cf. Ælfric, *Ælfric's Catholic Homilies: the Second Series*, ed. Malcolm R. Godden, Early English Text Society (London, 1979), p. 94, and Aelfric, *The Homilies of the Anglo-Saxon Church; the First Part Containing the Sermones Catholici or Homilies of Ælfric*, ed. Benjamin Thorpe, vol. 2 (London, 1846), p. 159. Ælfric's source for this passage is Gregory the Great's *Dialogues* (II.3.5-39): *Qui, inito consilio, venenum vino miscuerunt. Et cum vas vitreum, in quo ille pestifer potus habebatur* (Malcom R. Godden, *Ælfric's Catholic Homilies: Introduction, Commentary and Glossary*, Early English Text Society (Oxford, 2000), p. 432). Here both *unlybba* and *attor* have the meaning 'poison'.

crimes, Alfred's translation of Ex. XXII.18 might also - albeit vaguely and implicitly - refer to poisoning.[20] Alfred's specific choice of words does not seem to support this, and, moreover, he did not include a separate general law on poisoning in his *Domboc* proper.

TENTH-CENTURY OLD ENGLISH LAW

When looking for Anglo-Saxon laws on poisoning, we expect to find Old English words associated with *at(t)or*, *at(t)ere*, 'poison, venom', *lybb*, 'medicine, drug, poison, charm', *lybblac*, 'sorcery involving drugs or potions', derivatives of *lybb(lac)*, as in Ælfric's translation of Ex. XXII.18, or the Latin words *maleficium* and *veneficium*.[21] The words *at(t)or* and *lybb* do not occur in Old English law and *lybblac* only occurs in two late Old English laws.

The oldest law with the word *lybblac* is Aethelstan's early tenth-century *Æt Greatanleage* (*Grately Code*). It contains the 'dooms' or laws enacted during a council held at Grately (Hampshire) between 925 and 930.[22]

> Æthelstan, *Æt Greatanleage* (*II As)*
> [6] Be wiccecræftum. Ond we cwædon be þam wiccecræftum 7 be liblacum 7 be morðdædum, gif mon þær acweald wære, 7 he his ætsacan ne mihte, þæt he beo his feores scyldig.[23]

Article 6 punishes *wiccecræft*, *liblac* and *morðdæd*, 'witchcraft, *liblac* and secret murder', with the death penalty.[24] Modern translators interpret OE *lybblac* as 'magic'; Liebermann translates *liblacum* as 'Verhexungen' ('bewitchments') and Whitelock has 'sorceries'. The early twelfth-century *Quadripartitus* - a Latin translation of Old English secular and Church law that was compiled under King Henry I (c. 1068-1135) - contains a Latin translation of Aethelstan's *Grately Code*:

> Æthelstan, *Æt Greatanleage*, *Quadripartitus* (*II As Q*)
> [6] De sortilegis et liblacis. Decreuimus etiam de sortilegis et liblacis et mortem dantibus, si hominem occidant et negare non possint, uitę suę culpa iudicetur.[25]

Quadripartitus transformed the list of 'crimes' in the Old English version into a list of 'criminals': *de sortilegis et liblacis et mortem dantibus*, 'concerning soothsayers, *liblaci* and those who cause death'. The *Quadripartitus* translator seems to have found the OE word *lybblac* difficult to translate and, taking the easy way out, he

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[20] There is an interesting Salian law on 'magical transportation' that forbids the use of *maleficia* to convey a person to another place (PLS 19.3). In this article *maleficia* can be interpreted as 'magic spells', but also as a 'herbal concoction' or psychedelic drug that can cause hallucinations. This law can be interpreted as a law against magic, poisoning or both, cf. Karl August Eckhardt (Hrsg.), *Pactus Legis Salicae*, Monumenta Germaniae Historica, Leges Nationum Germanicarum, 4.1 (Hannover, 1962), pp. 81-82, and Elsakkers, 'Abortion, Poisoning, Magic and Contraception', pp. 252-257.

[21] Cf. Liebermann, *Gesetze der Angelsachsen*, vol. 2.2, *Glossar* under *Gift*, p. 472 and Liebermann, *Gesetze der Angelsachsen*, vol. 2.1, *Wörterbuch*, p. 137. See also: note 19.

[22] On the date, cf. Wormald, *Making of English Law*, p. 113.

[23] Æthelstan, *Æt Greatanleage* (II As), '[6] Von Zauberkünsten (und Verhexungen). Und wir bestimmten über die Zauberkünste und über die Verhexungen und über verstohlene Lebensgefährdungen, wenn ein Mensch dadurch getödtet wird, und der [Verklagte] es [überhaupt] nicht leugnen kann, dass er sein Leben verwirkt habe' (Liebermann, *Gesetze der Angelsachsen*, vol. 1, pp. 152-153). Whitelock translates: 'Concerning witchcrafts. [6] And we have pronounced concerning witchcrafts and sorceries and secret attempts on life, that, if anyone is killed by such and he (the accused) cannot deny it, he is to forfeit his life' (Whitelock, *Councils and Synods*, vol. 1.1, p. 50). See also: Attenborough, *Laws of the Earliest English Kings*, p. 131.

[24] *Morðdæd* means 'a deed which causes destruction (of body or soul)', cf. Bosworth & Toller, *Anglo-Saxon Dictionary*, p. 698 under *morð* and *morðdæd*. It probably involves some form of secrecy. Liebermann translates *morðdædum*, as 'verstohlene Lebensgefährdungen' and Whitelock translates 'secret attempts on life'.

[25] Liebermann, *Gesetze der Angelsachsen*, vol. 1, p. 153; Æthelstan, *Æt Greatanleage* (II As), *Quadripartitus*, '[6] On diviners and *liblacis*. We have also decreed about diviners (soothsayers) and *liblaci* and those that cause death that, if they kill a man and cannot deny [it], [their] guilt will be punished [judged] with their life'.
On *Quadripartitus*, cf. Felix Liebermann (Hrsg.), *Quadripartitus; ein englisches Rechtsbuch von 1114* (Halle am Saale, 1892) and Patrick Wormald, 'Quadripartitus,' in his *Legal Culture*, pp. 81-114. See also: table 1.

converted it into a Latin word. The OE dative plural *liblacum* was rendered as the Latin dative plural *liblacis* < *liblacus*, a noun that denotes 'a person who engages in *lybblac*'.

The second attestation of the OE word *lybblac* is in a near contemporary Church council canon from a London Council held between 942 and 946.

> Eadmund, *London Synod* (*I Em*)
> 6. (Be mánsworum 7 liblacum). Ða ðe mansweriað 7 liblac (liblat) wyrcað, beon hi a fram ælcum Godes dæle aworpene, buton hi to rihtre dædbote gecirran þe geornor.[26]

Perjurers and those who *wyrcað liblac*, 'engage in or practice *liblac*', are punished with excommunication, Church law's equivalent of the death penalty. For this passage *Quadripartitus* construed the accusative singular neuter Latin loan word *liblatum* for OE *lybblac* (*liblac*), again apparently for want of a better word.

> Eadmund, *London Synod*, *Quadripartitus* (*I Em Q*)
> [6] Qui falsum iurabunt uel liblatum facient, sint in eternum a Dei consortio segregati, nisi ad dignam satisfactionem per omnia reuertantur.[27]

Modern translations of *II As 6* and *I Em 6* render the OE word *lybblac* as 'magic' or 'sorcery', although Liebermann admits that '"Gift" ist hier mitgemeint' in his notes to *II As 6*.[28] The Latin *Quadripartitus* translations of *lybblac* in *II As Q 6* and *I Em Q 6* ignore the obvious choices *maleficus* (*maleficium*) and *veneficus* (*veneficium*) and use new formations. Only manuscript T of *II As 6 Q* has *maleficis* instead of *liblacis* - which is interesting, because it shows us that the copyist hesitated, and, apparently rejecting the Latin new formation, chose a more current Latin word.[29] Liebermann suspects that OE *lybblac* was 'nicht verstanden' by the *Quadripartitus* translator, but the problem is probably more complex.[30] By inventing the Latin loan words *liblacus* and *liblatum* the *Quadripartitus* translator indicated that the words *maleficus* (*maleficium*) and *veneficus* (*veneficium*) were not felt to be completely synonymous with *lybblac*, and that it was difficult to find a Latin equivalent. As a consequence we cannot be certain whether the OE word *lybblac* means 'poison' or 'magic' or both in these laws. Cf. table 1, column 4, rows 1-5.

ELEVENTH-CENTURY OLD ENGLISH LAW

We can also look at the problem from a different angle, and try to determine the meaning of the words *maleficus* (*maleficium*) and *veneficus* (*veneficium*) in some of the other Old English laws with Latin translations.[31] *Veneficus* seems to be used as a translation of OE *morðwyrhta* or *morðorwyrhta*, a word that means 'secret murderer', that is, someone who contrives to kill another person by secret means, such as witchcraft, magic or

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[26] Eadmund, *London Synod* (I Em), '6. (Über Meineidige und Zaubereien) Die, welche falsch schwören und Zauberei üben, sie seien immerfort von jedem Antheil an Gott[es Kirche] verstossen, es sei denn, sie bekehren sich zu gesetzlicher Kirchenbusse (um so eifriger)' (Liebermann, *Gesetze der Angelsachsen*, vol. 1, pp. 186-187). Whitelock translates: '[6] Those who commit perjury and practice sorcery are ever to be cast out from any share in (the church of) God, unless they the more eagerly turn to the true penance' (Whitelock, *Council and Synods*, vol. 1.1, p. 63). See also: table 1.

[27] Liebermann, *Gesetze der Angelsachsen*, vol. 1, p. 187; Eadmund, *London Synod* (*I Em Q*), '6. Those who swear falsely and make *liblatum* will in eternity be separated from the community of God, unless they set everything right through suitable reparation.' On *liblatum*, see also: note 30.

[28] Cf. Liebermann, *Gesetze der Angelsachsen*, vol. 3, p. 103. In his *Wörterbuch* Liebermann only gives the meaning 'Zauberei' (Liebermann, *Gesetze der Angelsachsen*, vol. 2.1, p. 137).

[29] Liebermann, *Gesetze der Angelsachsen*, vol. 1, p. 153.

[30] Cf. Liebermann, *Gesetze der Angelsachsen*, vol. 3, p. 126. On p. 103 Liebermann comments: 'Q wusste die Bedeutung nicht, auch I Em 6' (Liebermann, *Gesetze der Angelsachsen*, vol. 3, p. 103). Elsewhere Liebermann says that the word *liblatum* was 'unübersetzt' in II As 6 Q (Liebermann, *Gesetze der Angelsachsen*, vol. 2.1, p. 137). There seem to be two new Latin loan words derived from the OE word *lybblac* in the *Quadripartitus* versions of these laws: *liblacus*, 'a person who engages in *lybblac*' and the neuter substantive *liblatum*, which is equivalent to OE *lybblac*. Latham lists the Latin form *liblacum*, 'sorcery' and dates it to c. 1115 (Ronald Edward Latham, *Revised Medieval Latin Word-List from British and Irish Sources*, rev. ed. (London, 1965), p. 276).

[31] Note that the word *venenum*, 'poison', is not used in pre-conquest law. See also: note 39.

poisoning.[32] We find the word *morðwyrhta* in four variant versions of a law that punishes magicians, perjurers, murderers and prostitutes, cf. table 1, column 5, rows 6-14. The oldest article is in the second *Alfred 7 Guthrum* treaty (*EGu*; c. 1005-1006):

> Eadward, *Alfred 7 Guþrum* (*EGu*; c. 1005-1006)
> [11] Gif wiccan oðde wigleras, mansworan oðde morðwyrhtan oðde fule, afylede, æbære horcwenan ahwar on lande wurðan agytene, ðonne fyse hi man of earde 7 clænsie þa ðeode [W þeode], oðde on earde forfare hy mid ealle, buton hig geswican 7 þe deoppor gebetan.[33]

EGu 11 punishes *wiccan oðde wigleras, mansworan oðde morðwyrhtan oðde fule, afylede, æbære horcwenan*, 'wizards/witches or diviners, perjurers or secret murderers, or dirty, depraved, public prostitutes', with exile or the death penalty. The three early eleventh-century variant versions - in Aethelred's *Ad Eanham* (*VI Atr*), *Cnut 1018* and *Cnut 1020-1021* - have slightly different lists of 'criminals'.[34] The Latin versions all translate OE *morðwyrhta* as *veneficus* except the twelfth-century *Instituta Cnuti* which has *maleficus*.[35] The ambiguous words *veneficus* and *maleficus* are apparently both associated with 'secret murder'. Two of the Latin texts add an explanation of the word *veneficus* that confirms its association with murder: *mortem facientes* and *murdri operarii*, 'those who commit murder'. Secret practices and secret murder can be associated with both 'magic' and 'poisoning', but no specific word for 'poisoning' is used in these laws. Again, despite usage of the words *veneficus* and *maleficus* in the Latin versions of these laws it is not clear whether these laws are concerned with magic or poisoning or both.

Article 5.1 in *Cnut 1020-1021* (*II Cn*) is clearer about the meaning of the words *veneficus* and *maleficus*. It contains a prohibition of various kinds of *hæðenscip* or 'paganism', and its Latin versions use the words *veneficium* and *maleficium* as equivalents of the word *wiccecræft*.

> Cnut 1020-1021 (*II Cn*)
> [5] And [we] forbeodað eornostlice ælcne hæðenscipe.
> [5.1] Hæðenscipe byð þæt man deofolgyld [idola] weorðige, þæt is þæt man weorðige hæðene godas 7 sunnan oðde monan, fyr oðde flod, wæterwyllas oðde stanas oðde æniges cynnes wudutreowa, oððon wiccecræft lufige oððon morðweorc gefremme on ænige wisan, oððon on blote oððon fyrhte, oððon swylcra gedwimera ænig þingc dreoge.[36]

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[32] Cf. Bosworth & Toller, *Anglo-Saxon Dictionary*, p. 699: 'morþ-wyrhta, an; *m.* One who causes death (by witchcraft or poison)', that is, 'secret murder', and 'morþ-weorc, es; *n. An act which causes death* (*by witchcraft* or *poison*)'. The words *morðwyrhta* and *morðweorc* remind us of the word *morðdæd*, 'secret murder', that we came across in Aethelstan's *Grately Code*. The exact difference between these two words is not clear; perhaps the former denotes 'intention' and the latter the 'deed'.

[33] Eadward, *Alfred 7 Guþrum*, '[11] Wenn Zauberer oder Wahrsager, Meineidige oder heimliche Mordstifter oder schmutzige, verderbte, offenbare Hurenweiber irgendwo im Lande betroffen werden, dann jage man sie ausser Landes und säubere das Volk, oder man vernichte sie gänzlich im Lande, es sei denn, sie lassen [vom bösen] ab und büssen um so tiefer' Liebermann, *Gesetze der Angelsachsen*, [1935], vol. 1, pp. 134-135). Whitelock translates: '[11] If wizards or sorcerers, perjurers, or murderers or foul, polluted, manifest whores are caught anywhere in the land, they are then to be driven from this country and the nation is to be purified, or they are to be completely destroyed in this country, unless they desist and atone very deeply' (Whitelock 1981, vol. 1.1, p. 312). Cf. also Attenborough 1922, p. 109, p. 202.
Liebermann dated *EGu* to '921-938?', and Wormald redated the text to 1005-1006, because Whitelock demonstrated that it was probably written by archbishop Wulfstan (†1023), cf. Wormald, *Making of English Law*, p. 114, Dorothy Whitelock, 'Wulfstan and the so-called Laws of Edward and Guthrum', *English Historical Review* 56 (1941), pp. 1-21 and Dorothy Whitelock, 'Wulfstan and the Laws of Cnut', *English Historical Review* 63 (1948), pp. 433-452.

[34] Æthelred, *Ad Eanham* (*VI Atr*; 1008-1011) article 7 (Liebermann, *Gesetze der Angelsachsen*, vol. 1, pp. 248-249), Cnut 1018, article 7 (Liebermann, *Gesetze der Angelsachsen*, vol. 1, pp. 310-311; A.G. Kennedy, 'Cnut's Law Code of 1018', *Anglo-Saxon England* 11 (1983), pp. 57-81 at p. 74) and Cnut II (*II Cn*; 1020-1021), article 4a (Liebermann, *Gesetze der Angelsachsen*, vol. 1, pp. 310-311). Wormald redated II Cnut to 1020-1021 instead of 1027-1034 (cf. Wormald, *Making of English Law*, p. 431, table 6.1). These laws, too, were probably all written by bishop Wulfstan (†1023), cf. Whitelock 'Wulfstan and the Laws of Cnut', Kennedy, 'Cnut's Law Code of 1018', and Wormald, *Making of English Law*. Cf. table 1.

[35] There is one Latin version of Aethelred's *Ad Eanham* (in *Quadripartitus*), and there are three Latin versions of *Cnut 1018* and *Cnut 1020-1021* (in *Quadripartitus*, the twelfth-century *Instituta Cnuti* and *Consiliatio Cnuti*). See also: Wormald, *Making of English Law*, pp. 350-351.

[36] Liebermann, *Gesetze der Angelsachsen*, vol.1, p. 312, Whitelock, *Councils and Synods*, vol. 1.1, p. 489; 'Cnut II, 5.1. Heidenthum ist, dass man Götzen verehrt, nämlich dass man heidnische Götter verehrt und Sonne oder Mond, Feuer oder Fluth, Wasserquellen oder Steine oder Waldbäume irgend welcher Art, oder Hexenkunst pflegt oder heimliche Mordstiftung

The early eleventh-century *Quadripartitus* version of *II Cn 5.1* translates *wiccecræft lufige*, 'delights in (practices) witchcraft', as *wicceancreft diligat*, again creating a loan word (or, alternatively, leaving OE *wiccecræft* untranslated). The younger twelfth-century Latin versions of *II Cn 5.1* in *Instituta Cnuti* and *Consiliatio Cnuti* render *wiccecræft lufige* as *maleficia exercere* and *ueneficium diligat*, thus indicating that *maleficium* and *veneficium* were both still associated with 'magic' in the twelfth century.[37] Cf. table 1, rows 15-18.

CONCLUSION

As we can see in table 1, the Latin words *maleficium* (*maleficus*) and *veneficium* (*veneficus*) have a broad spectrum of meaning that ranges from 'magic' and 'witchcraft' to 'secret murder(er)' (*morðdæd*, *morðwyrhta*) in Old English law. *Maleficus* is occasionally used in connection with *lybblac*. The question now remains whether *maleficium* and *veneficium* (still) also denote 'poisoning' in Old English law, or, to put it differently, whether *wiccecræft*, *morðdæd*, *morðwyrhta* and especially *lybblac* have anything to do with poisoning. In Aethelstan and Edward's laws we find the word *lybblac* in lists of crimes that include witchcraft, perjury and *morðdæd* - all crimes that have to do with underhanded, devious or deceitful ways of injuring, slandering or killing another person.[38] The same goes for the crimes involving magicians, perjurers and *morðwyrhtan* in the four versions of *EGu 11*. The common denominator between all these crimes is their devious, secretive and life-threatening nature. Qualities that fit both poisoning and magic. It is therefore probable that the laws discussed above also (implicitly) punish poisoning, especially the laws that condemn *lybblac* in Aethelstan and Edward's codes. Further research of attestations of the words *lybblac*, *veneficium* and *maleficium* in non-legal Old English and early medieval Anglo-Latin texts is necessary in order to more accurately be able to determine their meaning, and possible regional differences and shifts in meaning that took place in the course of the Old English period.

This short search for Old English laws on poisoning does not seem to have uncovered any laws that clearly punish poisoning. Alfred seems to have missed his chance of including a general law on poisoning in his *Domboc*. Compared to the other Old Germanic law codes, it seems strange that Old English law does not have its own law on poisoning and that it seems to be so preoccupied with 'magic'. This, of course, does not mean that poisoning was condoned. It was probably punished under the laws on injuries. However, the lack of a simple, general law on poisoning is a strange omission in pre-conquest Old English law.[39]

übt auf irgend welche Weise, entweder in Opferdienst oder Zukunftschauen, oder irgend etwas von solcherlei Trugbildern vollzieht' (Liebermann, *Gesetze der Angelsachsen*, vol. 1, p. 313). Whitelock translates: '[5.1] It is heathen practice if one worships idols, namely if one worships heathen gods and the sun or the moon, fire or flood, wells or stones or any kind of forest trees, or if one practises witchcraft or encompasses death by any means, either by sacrifice or divination, or takes any part in such delusions' (Whitelock, *Councils and Synods*, vol. 1.1, p. 489). Articles 6 ff. in *II Cn* contain more lists of criminals and sinners. There are three Latin translations: *Quadripartitus*, *Instituta Cnuti* and *Consiliatio Cnuti*.

[37] One of the *Quadripartitus* manuscripts adds the explanatory note: *incantationis artem*, 'the art of incantation' (Liebermann, *Gesetze der Angelsachsen*, vol. 1, p. 313 plus note 7).

[38] In Old Germanic law 'secret murder' is usually a more serious crime than openly committed murder.

[39] The first English law on poisoning I found is article 36 of the *Leis Willelme*, a post-Conquest code written in French and Latin. It is reminiscent of the *Lex Cornelia de Sicariis et Veneficis*, the Roman law on poisoning: 36. *gi home enpuissuned altre, seit occis u permanablement eissilled; 36. De ueneficio. Si quis alterum ueneno occiderit, aut occidatur aut in exilium perpetuum agatur;* '36. Wenn jemand einen anderen vergiftet, werde er getödtet oder dauernd verbannt' (Liebermann, *Gesetze der Angelsachsen*, vol. 1, p. 514). See also: Wormald, *Making of English Law*, pp. 407-409.

Table 1: Old English laws on perjury, magic, *lybblac*, secret murder, prostitution and idol worship

	Old English law	**perjury**	**witchcraft, soothsaying, incantation, sorcery, necromancy**	**lybblac**	**secret murder(er)**	**prostitution**	**idol worship**
1	Aethelstan *II As* art. 6		*wiccecræftum*	*liblacum*	*morðdædum*		
2	*II As Q* art. 6		sortilegis	liblacis	mortem dantibus		
3	*II As Q* art. 6 (*MS T*)[40]			maleficis			
4	Eadmund *I Em* art. 6	*mansweriað wyrcað*		*liblac wyrcað* *liblat wyrcað*			
5	*I Em Q* art. 6[41]	falsum iurabunt		liblatum facient			
6	Eadward & Guthrun *EGu* art.11	*mansworan*			*morðwyrhtan*	horcwenan	
7	*EGu Q* art.11[42]	periuri	sortilege, incantatrices[43]		uenefici (uel mortem facientes)	meretrices	
8	Aethelred *VI Atr* art. 7	*mansworan*	*wiccan, wigeleras, scincræftcan*		*morðwyrhtan*	horcwenan	
9	*VI Atr* art. Latin version[44]		incantatores, magos, phithonicos		ueneficos		idolorum cultores
10	Cnut 1018 (D) art. 7[45]		*wiccan, wigleras*		*morðwyrhtan*	horcwenan	
11	Cnut 1020-1021 *II Cn* art. 4a		*wiccean, wigleras*		*morðwyrhtan*	horcwenan	
12	*II Cn Q* art. 4a		sage, incantratrices		ueneficę (aut murdri operarii)	meretrices	
13	*In.Cn* art. 4a		incantatores, incantatrices		malefici	meretrices	
14	*Cons. Cn* art. 4a[46]		magi		venefici, latrones-homicide	meretrices	
15	Cnut 1020-1021 *II Cn* art. 5.1 [*hæðenscip*]		*wiccecræft lufige*		*morðweorc gefremme*		ænig þinge dreoge
16	Cnut 1020-1021 *II Cn Q* art. 5.1		wicceancreft (incantationis artem) diligat		murdri opus sectetur		sacrificio (…)
17	*In.Cn* art. 5.1		maleficia exercere		morthrum amare		
18	*Cons. Cn* art. 5.1[47]		veneficium diligat		homicidium furtiuum efficat		

In.Cn = Instituta Cnuti;
Cons Cn = Consiliatio Cnuti

[40] Liebermann, *Gesetze der Angelsachsen*, vol.1, pp. 152-153. The word *maleficis* is in the text heading.
[41] Liebermann, *Gesetze der Angelsachsen*, vol.1, pp. 186-187.
[42] Liebermann, *Gesetze der Angelsachsen*, vol.1, pp. 134-135.
[43] Note that *incantratrices*, 'female enchanters', are mentioned in three of the Latin versions (EGu 11 Q, II Cn 4a Q, In.Cn 4a), but that there is no reference to *women* in the Old English texts.
[44] Liebermann, *Gesetze der Angelsachsen*, vol.1, pp. 248-249. The Latin version is in the same manuscript.
[45] Liebermann, *Gesetze der Angelsachsen*, vol.1, pp. 310-311 and Kennedy, 'Cnut's Law Code of 1918', p. 74.
[46] Liebermann, *Gesetze der Angelsachsen*, vol.1, pp. 310-311.
[47] Liebermann, *Gesetze der Angelsachsen*, vol.1, pp. 312-313.