

Fear and Loathing?

Suicide and the treatment of the corpse in early modern Austria and Sweden

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When analyzing the question of how early modern women and men lived their lives, and the problems but also joys they experienced, it is evident that most questions concerning the past are not restricted to one certain spatial or temporal setting. This is most certainly true when investigating the topic of suicide. After all, women and men have decided to end their lives in different places and at different times throughout history. Yet attitudes towards suicide and perceptions of self-inflicted death vary over time, with local or regional differences depending on the cultural context.

Unlike today, where suicide is exempt from judicial consequences in the Western world, early modern society regarded this act primarily as felony, and a sinful deed and crime against God, nature and society. There existed great regional variation in the ritual treatment and punishment of suicide. Across Europe in this period, different popular beliefs and customs depicted suicide as an abhorrent and polluting act, influencing the forms of punishment that were included in the secular legislation.¹ In general, the legal foundations differed with regard to their spatial and temporal context. Moreover, they often provided a certain scope for discretion. As a consequence, a variety of legal procedures and sanctions existed in parallel.²

Committing suicide was more than a serious offence against the secular laws: it evoked strong feelings and sometimes even repugnance in the communities in which it occurred. Thus, when looking at how suicides were handled in practice, a broad variety of responses become visible, revealing ambiguities and conflicting attitudes surrounding its treatment.

The main focus of this article concerns one practical aspect of the punishment of suicides: the touching, moving, and storage of the suicide's corpse. The article begins with a brief overview of the secular legal background and administrative procedures that were developed in order to deal with suicide in early modern Austria and Sweden, with an emphasis on provisions relating to the treatment of the corpse. In this regard, the regulations in both Sweden and Austria contained only sparse directives, thus leaving a grey area that had to be filled with local and practical measures that were, to an extent, open to interpretation. Not only did the issue of

touching the suicide's corpse occasionally raise procedural questions and confusion in the lower courts, it also appears to have been related to common, yet not entirely shared, beliefs of the fouling and polluting impact of suicide and the ritualistic needs to punish it. The final part of the article discusses the treatment of the suicide's corpse on the practical level in early modern Sweden and Austria. Based on empirical evidence, the focus lies on the ways in which both the authorities and local communities dealt with corpses, and how these practices were related to the different contemporary beliefs on suicide. By applying a comparative approach to the question of how the corpses of suicides were treated in different parts of early modern Europe interesting similarities and differences can be identified.

1. Judicial structure and sources

In rural Sweden suspected suicides were investigated by the lower courts, the so-called *häradsrätt* or *häradssting*, which also reached a preliminary verdict.³ In Swedish towns suicides were examined in a similar fashion in the respective lower courts called *rådhusrätt* (Town Court) and *kämnärsrätt* (from *kämmär* meaning a treasurer). Until 1720 this verdict had to be revised and approved by the competent Court of Appeal (*hovrätt*); in the majority of cases presented in this article this occurred in the Svea *hovrätt* in Stockholm, founded in 1614. Since 1720, the ruling of the lower court served as the final judgment in cases in which it adjudicated. Like other offences and disputes that fell under secular law, suicides were documented in the lower court protocol, the so-called *dombok* (judgement book). Transcripts of these judgement books were then sent to the Courts of Appeal for revision that was usually conducted by means of a written procedure.⁴ These judgement books contain information about where and when the court convened, as well as the names of the local peasants who served as jury members (*nämndemän*), accompanied by a summary of the oral testimonies and statements that were presented before the court. Suicide cases usually extend over several pages comprising detailed descriptions of the day of the death and witness statements on the past life and behaviour of the accused.

Like in other inquests into serious and exceptional felonies, numerous household members, neighbours, friends, priests and villagers were summoned and questioned in the trial. Though edited and shortened, the records nonetheless included the most important pieces of evidence as the respective Court of Appeal revised and checked their legality. The letters detailing the sentence from the Court of Appeal to the provincial governors also contain a summary of each case; thus, the narrative, as well as the grounds and evidence for the verdict, were further condensed and edited.

In the Austrian archduchy two levels of jurisdiction were in operation. Low justice was administered by the patrimonial courts, the *Grundherrschaft*, generally in *causae minores*, (e.g., petty theft or insults), offences that were settled by limited fines, brief incarceration and / or light corporal punishment.⁵ High justice, on the other hand, was exercised by the criminal courts, the so-called *Landgericht*.⁶ The *Landgerichte* were in charge of *causae maiores*, i.e., the capital crimes listed in the territorial penal codes, and had the authority to impose aggravated corporal punishment and the death penalty. With regard to suicide the jurisdiction was shared between the *Grundherrschaft* and the *Landgericht*: non-premeditated suicides fell under the remit of the *Grundherrschaft*, whilst premeditated suicides were dealt with by the *Landgericht* under high justice.

Not surprisingly, this arrangement created confusion at the level of implementation. The Austrian source material contains several examples where *Grundherrschaft* and *Landgericht* disagreed about their respective rights and duties, and more fundamentally over the question of jurisdiction. Generally, local authorities had to report all cases of suicide to the higher authority of the *Landgericht*. However, a thorough investigation by the *Landgericht* was only required in cases where there was reasonable suspicion of premeditated suicide. In this way, the local authorities maintained influence over whether an investigation was opened or a silent burial was authorized, perhaps without further investigation.

Unlike in Sweden, where all deaths classified as suicide were documented in the judgement books, it is first and foremost suspected premeditated suicides that appear in the Austrian archives. Compared to the Swedish material, the documentation of suicide cases in Austrian archives is also more fragmented and heterogeneous. Sometimes these form only a short note, stating only that a suicide had taken place. But at times, especially in cases where the patrimonial court and *Landgericht* held conflicting views regarding a case, lengthy documentation of dozens of pages were produced, containing detailed reports, interrogation protocols, letters, and specification of costs. It is these cases that elucidate the aftermath of self-killings, and highlight the potential for conflicts and frictions between the different parties that were involved in a suicide case, such as family members, secular

and ecclesiastical authorities, neighbours, other parish members, and executioners. The historical tradition of these archival records reminds us why these documents survived in the first place, and alludes to additional records that may have been lost. Moreover, it can account for differences both in the quality and quantity of the source material, explaining why suicide cases are more difficult to find in the Austrian archives. Thus, the sample from the Austrian Archduchy is considerably smaller than the Swedish sample.

The empirical basis of this article consists of approximately 450 suicide cases that were investigated in the late seventeenth and early eighteenth century within the Archduchy of Austria and the Swedish Empire, then encompassing the region that is now Finland. The women and men in these sources thus came from different parts of early modern Europe, inhabiting different cultures, speaking different languages and belonging to diverse faiths. The majority of the cases from the Swedish records were examined between 1640 and 1735 in the lower courts of the provinces, both rural and urban, under the jurisdiction of Svea Court of Appeal.⁷ The Swedish material includes around 300 cases that were examined in the lower courts of Middle-Sweden and the southern parts of the Swedish Norrland, including the Upplands, Kopparbergs, Västernorrlands, Västmanlands and Örebro Counties. From the Finnish and eastern regions of the Empire between 1640 and 1700, 58 cases have been identified, mainly from the rural lower court records of Southwestern Finland, Northern Ostrobothnia, Karelia around Vyborg and Kexholm Province.⁸ In addition, approximately 30 further cases were described in the precedent or *exempla* collection that was compiled from decisions made in the Svea Court of Appeal during the late seventeenth century.⁹ The Austrian material consists of approximately 85 cases derived from the court records of the Archduchy Austria, both above and below the river Enns, between 1644 and 1792.¹⁰ Although this material does not represent a continuous series, the cases provide a qualitative sample of suicides and their treatment in this period.¹¹

The regional focus of this study thus reflects the economic, cultural and demographic diversity of early modern Europe. The counties in Middle-Sweden and Southwestern Finland were more densely populated, maintaining a closer relationship with the capital and important towns, while areas such as Northern Ostrobothnia and Kexholm were peripheral and forest-dominated regions. The culture and economy of Karelia and Kexholm in the easternmost Empire also differed from western areas due to sparse population, the influence of Eastern Orthodoxy, and labour-intensive farming methods, such as burn-beating.¹² Thus, though the Swedish Empire was unified under the same legal and administrative system, sharing many common religious and cultural features, the beliefs and practices relating to the treatment of the suicide's corpse were far from homogenous.

The same is true for the Austrian Archduchy, though compared to the Nordic regions, the Austrian Archduchy was densely populated; distances between settlements were relatively short as were those between the patrimonial courts, criminal courts and their respective administrative centers in Linz (for Austria below the river Enns) and Vienna, the seat of the sovereign. However, though smaller in geographical extent, the Archduchy was considerably less centralized than the Swedish kingdom and defined by local characteristics. Hence, conditions varied considerably both between and within the two areas in this article.

The study of peasant communities and their practices and beliefs presents several difficulties for the early modern historian, not least because these are often recorded in second-hand accounts and bureaucratic texts generated by and for institutions. A central problem concerns the identification of the voices of the common folk in legal documents, unless these are marked as clear citations in the narrative. Nonetheless, the rich witness statements in the court records include a great deal of information and clues about the thoughts, actions and practices of these communities.

Often incidental and brief details that appear irrelevant to the legal decision offer the most fruitful information on cultural practices and beliefs. The interpretation of these records requires close reading and an understanding of the context, with a focus on elements that seem anomalous.¹³ One should also remember that in cases of suicide, the accused could no longer be interrogated, nor defend his or her action. It is the thoughts and perceptions of others, perhaps pursuing their own interest, that were documented in the course of the investigation. Thus the witness' statements give an account of what was plausible and imaginable in early modern peasant society.

2. The crime of suicide in early modern legislation

Regarded as both a crime and a sin, suicide was examined and sentenced by secular courts according to the provisions in secular penal codes. In general, the basis of the criminalization of suicides lies in early ecclesiastical regulations as well as Roman and Canon laws that denied Christian burials to suicide corpses.¹⁴ Yet, the mere burial prohibition by the Church does not explain the wide variety of practices and rituals, many involving desecration, relating to suicides in medieval and early modern secular laws.¹⁵ In theory, the priests and the ecclesiastical courts were supposed to leave cases in the hands of the secular authorities – a principle clearly stipulated, for example, in the Swedish Church Law of 1686.¹⁶ Condemnation of suicide continued well into the nineteenth century and attitudes changed slowly. In Austria

suicide was formally criminalized until 1850,¹⁷ in Sweden until 1864,¹⁸ and in Finland until the Criminal Code of 1889 came into effect in the 1890s.¹⁹ This section provides a short survey of the secular legislation in both regions, concentrating on by whom and how the corpse should be handled.

According to the Swedish penal code *Kristofers landslag* or King Christopher's Law (1442 [1608])²⁰ those who took their own lives should be burnt at the stake in the woods. People who committed suicide out of an infirmity of mind, however, were to be buried outside the cemetery. In either case the heirs inherited the property of the deceased.²¹ However, even though this penal code was theoretically effective until 1736, several resolutions and Court of Appeal precedents at the end of the seventeenth and the beginning of the eighteenth century altered and supplemented these regulations. According to these rules premeditated suicides should no longer be burned but buried in the woods by the executioner,²² and those who committed suicide due to insanity should be buried in the cemetery in a secluded place in silence, i.e., without the usual ceremonies.²³ In practice, these forms of punishments had already been passed and implemented by the authorities since the 1660s; the Svea Court of Appeal quite high-handedly made alterations to the sanctions ordained in King Christopher's Law, dating from the Middle Ages.²⁴ Consequently, when the new penal code of 1734²⁵ stipulated that premeditated suicides no longer should be cremated but buried in the woods by the executioner,²⁶ it merely confirmed customs that had been practiced for decades. Regarding the treatment of those who committed suicide due to an infirmity of mind, the code only mentioned that they may be handled and buried by someone other than the executioner.²⁷ Although not explicitly stated in the law, one can assume that in this case – in accordance with common practice – a remote spot at the cemetery should serve as the last resting place.²⁸ Moreover, the code of 1734 penalized non-assistance of a person committing suicide.²⁹

The short entry concerning suicide in the fourth section of King Christopher's Law does not include any information concerning the touching, moving, and storage of the suicide's corpse. By using a passive voice the text does not reveal by whom or how the body should be carried to the woods and be burned at the stake or later buried there, or how the burial of the "insane" suicides should be conducted. Moreover, it does not contain any clues as to what should happen to the corpse before the final verdict was returned. Some of the abovementioned resolutions illuminate these questions. For instance, in 1700 it was explicitly stated that those who took their own lives while of sound mind were buried by the executioner.³⁰ The corpses of those acting *non compos mentis* were allowed to be handled by their relatives and "honourable" people after the court examination and decision.³¹

If it was deemed impossible to determine if someone had taken his or her life *compos mentis* or *non compos mentis*, the judge was instructed to render sentence in favour of the defendant and grant a funeral in silence at the cemetery.³² Similarly, the jurisdictional guidelines instructed that in obscure cases it was better to free a guilty one than to punish an innocent.³³ This practice and legal custom was followed relatively often in cases where the courts were unable to determine whether the death had been self-inflicted, accidental or caused by someone else; thus, many possible suicides were granted Christian burials due to lack of evidence.³⁴ Also in cases of suicide by under-aged persons the relatives were allowed to bury the corpse in the cemetery at a secluded spot in silence.³⁵

However, authorities were of course also aware of the risk that “undeserving” persons would end up in the cemetery. In uncertain cases it was up to the opinion of the judge, and ultimately the Court of Appeal jurists, to determine the last resting place.³⁶ It was emphasized that the burial of the “insane” suicides should take place in silence thus distinguishing it from a regular funeral: no procession should be allowed, only those necessary should attend; all ceremonies, bell ringing, carriages and sermons were banned under the threat of a relatively high fine of 200 *daler silvermynt* or, for those who could not pay the fine, fourteen days under arrest. Priests who dared to carry out or attend such interdicted funeral risked suspension from office for half a year.³⁷ As indicated, for example, in the discussions of the law commissions compiling and revising the Code of 1734, it was crucial not to allow even the *non compos mentis* suicides the same respect and procession granted to the “good Christians”.³⁸

For those who touched a suicide several directives were given, probably in order to deter concealment. Still, if someone cut down a hanged but still alive person (hanging, it appears, was assumed as the standard method of suicide), the helper should remain “*saklös*”, i.e., free from punishment and blame.³⁹ In 1695 it was decided that even if the hanged had already passed away, the person who had cut the rope could remain free of blame and punishment when a funeral in silence was allowed.⁴⁰ Yet a harsher treatment is administered in the following resolution and precedent from 1710: if the suicide had already been buried in the churchyard and could not be excavated again by the executioner without causing vexation, the one who had cut the suicide’s rope and summoned the clergy to the funeral should be punished with prison, running the gauntlet or whipping. According to an ordinance passed in 1698 this equaled participation in a serious crime, by attempting to hide the suicide.⁴¹ Although the formulation is not that clear one can assume that the helper was only punished when he or she tried to conceal the suicide in a premeditated fashion.

The later regulations and decrees show that the provisions in King Christopher’s Law were insufficient; these supplements and ordinances refer to the problems and questions that the lower courts faced when confronted with suicide. Yet many questions of practical relevance were and could not be regulated generally but, as the empirical material shows, were decided individually, case by case.

The distinction between premeditated suicide and suicide committed out of an infirmity of mind was common throughout early modern Europe.⁴² It can also be observed in the three penal codes that were effective in the Austrian archduchies from the mid-seventeenth century to the late eighteenth century. In general, the provisions concerning suicide are almost identical in the so-called *Ferdinanda*⁴³ (1656) which applied to Austria below the river Enns and the *Leopoldina*⁴⁴ (1675) which applied to Austria above the river Enns. The code referred to as *Theresiana*⁴⁵ (1768), in effect from 1770 until 1787, superseded both territorial penal codes in the eighteenth century, and differed only slightly but in one important aspect: in all three codes it was stated that only those who killed themselves “out of malice will and godless despair” should receive severe punishment. In cases of premeditated suicide both the *Ferdinanda* and the *Leopoldina*, yet not the *Theresiana*, demanded forfeiture, through the confiscation of the suicide victim’s goods.⁴⁶ However, suicide committed out of an infirmity of mind, melancholia and illness was not to be punished by the criminal courts (*Landgerichte*). These people should be granted a silent funeral in consecrated ground, without any ceremonial rites and in a secluded part of the cemetery.⁴⁷

Compared to the King Christopher’s Law in the Swedish Empire, the penal codes in force in Austria during this period contained detailed provisions concerning by whom and how the dead body should be treated. Premeditated suicides had to be interred⁴⁸ by the executioner within three days at the latest. The body of the suicide should be dragged out of the house, put on the executioner’s cart like brutes and be buried at the place of public execution.⁴⁹ Additional post-mortem punishment, like burning on the stakes or putting the body on the breaking wheel, was possible in cases where major offenders tried to flee their punishment by committing suicide while under arrest.⁵⁰ However, as mentioned above, this applied only to those, who out of fear for punishment ended their lives, with malice aforethought and prior volition. Those who killed themselves out of an infirmity of mind, melancholia and illness should be buried by “honourable” people in consecrated ground, yet without any pomp (“*Gepränge*”), nor at any prominent spot of the cemetery.⁵¹ Like in the Swedish kingdom, uncertain cases should be judged in favour of the defendant.⁵²

An intriguing section of the law stipulates that – if possible – the body of pregnant women, who committed suicide with premeditation, should be “opened” in order to either save the child’s life or at least enable the child a Christian burial apart from the mother.⁵³ Unlike the Swedish code the Austrian penal codes also contained a section that obliged all barber surgeons, surgeons “and the like people” to rush to aid in the case of suicide. This was not only an obligation subpoena but the section explicitly stated that such intervention would not diminish a person’s honour.⁵⁴

When the central points of the legislation in both territories are considered, it is evident that the recognition of two kinds of suicide, *compos mentis* and *non compos mentis*, opened a wide scope for construction, interpretation and negotiation in the courtrooms. In order to render the appropriate sentence, suicide investigations in Austria and Sweden sought to determine the circumstances and background of the deed by investigating the deceased’s mental state and intention. Thus, self-killing was not considered a severe felony in every case; instead under certain circumstances it could be regarded as more understandable, unintentional and as an indicator of a mental illness.

Punishments for the “insane” that included more humane burial and less degrading treatment of the corpse clearly indicate that those regarded as mentally ill were considered legally and morally less responsible for their actions. Nevertheless some kind of stigma was also attached to the suicides of the “insane” as silent burials can be regarded as milder forms of punishment, whether inside or outside the cemetery. Like in the case of some other crimes, such as murder and arson, lunacy or insanity served as a mitigating factor in Sweden. The person’s ability to reason and possess intention was a key element in determining the correct form of punishment. Still, insanity did not fully exempt the accused from legal culpability, as the person was rarely pardoned and left completely unpunished. Instead of declaring the sentenced innocent or punishing him with the heaviest penalties ordained in the law, the courts tended to impose more lenient forms of punishment on the insane.⁵⁵

With regard to the treatment of the body, the provisions in the Austrian laws are more concrete and detailed. Legal norms, however, say little about the treatment of suicide in practice, but they can help to identify the consequences that the authorities envisioned for suicide. In addition, knowledge about legal norms and administrative procedure help to contextualize the documents produced in the course of a suicide case. Based on this background, the following section outlines the ways in which the treatment and handling of the suicide’s corpse was conducted in practice, and how these customs were affected by the cultural beliefs related to suicide.

3. Handling the suicide’s corpse: taboo, prohibition and its disregard

In 1683, a peculiar case was brought to court in the winter hearing at Liminka, a small parish in the periphery of Northern Ostrobothnia. The local jury members shared the community’s distress over the corpse of an old maidservant, Lisa Sigfredzdotter, who had hanged herself in her sauna six years before. To the parish’s abhorrence, the corpse still hung in the location as, for unknown reasons, no final resolution had been received from the Åbo Court of Appeal, and it was deemed impossible for any ‘honourable’ person to handle her or take her down.⁵⁶ As discussed above, no explicit statement on the matter was made in the section on suicide in King Christopher’s Law, nor was it mentioned in treatments or other statutes and ordinances in effect at the time; no written guidelines existed on the ways in which the corpse should be handled or stored before the lower court investigation and the ultimate Court of Appeal sentence and its execution. Though the Court of Appeal decisions and executions of punishments usually did not take that long especially in the central areas or even in the Swedish peripheries, Lisa’s case, like dozens of other suicide cases around the Swedish Empire, show that the corpses of suicides were often shunned, and not moved, or even touched, willingly.

As the majority of the Swedish cases indicate, leaving the corpse untouched in its finding place was an established practice during the seventeenth and early eighteenth century. Those who had died through drowning were usually left in the waterfront or dragged to the shore, but only with the help of ropes or other instruments.⁵⁷ Suicides who had hanged themselves were left untouched, almost without exception, to wait for the sentence, at least if the person had shown no sign of life.⁵⁸ As one can imagine, this custom could cause many practical problems, especially if the suicide had occurred at home, in an important house across the yard or by jumping into the well.⁵⁹ As the case in Liminka shows, the corpses were sometimes left in their finding places for long periods of time. In the peripheries, the execution of the sentence could take months during which the corpse could start to decompose or even be eaten by animals.⁶⁰ On occasion the witnesses mention that they covered the corpse with twigs, branches or clothes in the location.⁶¹

In Austria the situation was different, although not completely dissimilar: like in Sweden, the penal codes did not state what should happen to the body until the final decision was made. However, it was stated, as mentioned above, that the investigation should conclude within three days at the most. Thus, compared to the Swedish Empire, where it took usually weeks or months, and in a few cases even years depending on the distance to the nearest Court of Appeal and other circumstances until the final verdict was in,

suicide cases were settled relatively swiftly in the Austrian Archduchy. The requirement to settle the case within three days was not entirely unrealistic: the small-scale jurisdictional structure of the Austrian Archduchy, where the patrimonial and criminal courts existed in close proximity, encouraged fast, often verbal, communication. The cases indicate that in many instances the corpse was indeed buried within three days,⁶² although the financial aftermath could linger on for years, in discrepancies regarding the payment of open bills and lengthy probate proceedings. When Eva Gräbmerin, a small holder (*Kleinhäuslerin*) in Schalchham, a settlement in the province that is now Upper Austria, was found dead by her husband on July 20th 1726, the next day the local administrator reported verbally to the administrator of the criminal court in Puchheim that the woman had hanged herself in despair (*verzweifelter weis*). The disposal of the corpse was arranged and a specification of costs by the executioner confirms that Eva Gräbmerin was interred on July 23rd 1726. However, it was not until August 1732 that all financial aspects regarding her death were settled between the patrimonial court and the criminal court.⁶³

The material from the Austrian Archduchy shows that it was not uncommon for corpses to remain unburied for longer periods, causing loathing and disgust.⁶⁴ This was the case when *Grundherrschaft* and *Landgericht* disagreed upon the question of jurisdiction or when the recovery of the expenses seemed unlikely. For instance, according to a letter by the mayor and council of the city of Freistadt, the administrator of the *Landgericht* Freistadt refused to arrange for the burial of a young female suicide in 1646. He was said to have stated quite bluntly "... and if swine and dogs should eat her" he would not take care of her body until the costs were paid in advance by the city.⁶⁵ As this case suggests, if the suicide was not local, the chance that the corpse would be neglected and left in the place of death increased, since the deceased came from outside the village or city and lacked friends or family in the local area, who cared about his or her last resting place.

While the laws in Austria also did not explicitly state where the corpse should be stored until the final decision was made, the material indicates that, like in Sweden, in most cases the body was not touched until either "honourable people" or the executioner were allowed to handle it. Although not mentioned in the penal codes, it appears to have been common that local men were hired to watch the corpse until the disposal could take place.⁶⁶ In the case of Eva Gräbmerin noted earlier a list of costs included eight watch-men and two assistants of the administrator in the criminal court (*Landgerichtsdienner*) who were compensated for their service of watching over the corpse for two days and nights.⁶⁷ Occasionally, both in Austria and Sweden suicides were buried in a provisional place until the final decision was reached.⁶⁸ This practice seems to have been used especially

during the warm seasons when authorities and community members complained about the odour and when no fast resolution of the matter was in sight.

There are many possible reasons for the often apparent unwillingness to touch the corpse of a suicide. On the one hand it is plausible that touching and moving the corpse was avoided and in practice forbidden purely for reasons related to the investigation of the death. This was especially relevant in suicides committed by guns, bladed weapons or poison that might easily implicate anyone who touched the body in a possible case of murder. Usually these suspicions could be ruled out by hearing several eyewitnesses but in some cases it was necessary to send jury members (in Sweden), barber-surgeons (in Austria) or other trusted men to examine the corpse in detail.⁶⁹ This explains why the touching and moving of the corpse was obviously one of the questions that was posed during the interrogation of witnesses.

In addition, it was important to make sure that no one had attempted to conceal the suicide; as mentioned earlier, covering up a suicide could be regarded and punished as participation in felonies in Sweden at least after the ordinance of 1698.⁷⁰ Probably for the same reason, in the few cases where someone had cut down or moved the corpse before the court examination, those who touched the body explained their actions in a very apologetic manner, pleading their simple-mindedness, ignorance, young age or good intentions.⁷¹ As there were no clear guidelines on the matter in Sweden before the precedents of 1695 and the ordinance of 1698, legal praxis varied case by case; sometimes the touchers and possible concealers were only scolded by the lower courts while occasionally further advice and appropriate punishments were sought from the Court of Appeal.⁷² Similarly, in Austria the only accepted reason to touch the body before representatives of the authorities inspected it was when "signs of life" justified an intervention in order to save the person's life.⁷³ These issues were discussed by the Swedish law commissions preparing the Code of 1734, and the conclusion in the finished Code was that finders were not only ordained to attempt to rescue the person on pain of punishment but also allowed to move and store the corpse.⁷⁴

On the other hand, the interference with the criminal investigation does not explain the often outright avoidance, disgust and contempt directed at the suicide's corpse. The concept of suicide was rigorously condemned at every level of society and as such a strong taboo surrounding the act roused fear and dread as well as aversion in local communities. Both the Church and the Crown instructed that suicide was one of the most serious sins and crimes. By knowingly and intentionally ending one's life the person not only breached the fifth commandment and God's greater plan; it also demonstrated that he had lost his faith and trust in God's mercy and fallen into despair. Moreover, suicide was, like

other types of exceptional, unnatural and incomprehensible felonies, associated with supernatural forces and diabolical temptations in popular beliefs, elite views and authorities' teachings.⁷⁵

As an act that was deemed to violate the natural order of things ordained by God, suicide presented a threat to the entire community. Crimes and sins stirred up God's wrath and vengeance that could manifest itself in storms, famines, frosts, wars, epidemics and other negative events. Penalties and penance were required to restore order, and punishing the perpetrators served as communal atonement. Fear and belief of natural calamities stemming from a breach of the Godly order was prevalent among the early modern communities. In seventeenth-century Sweden, this belief was not considered superstitious as the authorities reinforced the image of a vengeful and punitive God. Unpunished suicides and burials of infamous sinners in the cemetery provoked God's anger; even the Reformation did not change the popular perception that a Christian burial in these cases fouled and profaned the churchyard.⁷⁶

Although after the Reformation cemeteries were no longer consecrated in the Lutheran Swedish Empire,⁷⁷ they were still regarded as special, hallowed places, similar to their status in the Catholic Church.⁷⁸ These beliefs were manifested, for example, in early modern Germany in several 'cemetery revolts' where people prevented the burial of suicides in the churchyard or even dug corpses up and desecrated them.⁷⁹ In the Archduchy Austria the sources record several occasions in which the local populace opposed the interment of suicides in the cemetery. Sometimes protesters assembled and prevented the transport of *non compos mentis* suicides into the cemetery, despite the authorities having granted them a burial in silence. In other cases the documents show that the authorities regarded a burial in silence as the adequate verdict but anticipated resistance from members of the parish nonetheless.⁸⁰ These conflicts demonstrate that the authorities and their subjects did not always share the same views regarding a suicide's last resting place, whilst local communities would, under certain circumstances, take matters into their own hands. Alexander Kästner noted that such revolts were rather rare occurrences compared to the number of burials without any incident.⁸¹ Yet, these tumults make clear that the criminalization and punishment of suicide was not only imposed by the authorities, but was also to an extent supported and even demanded by the population.⁸² In the Swedish Empire, it seems, such incidents were rather rare. A solitary example often cited in the secondary literature is the case of a renowned priest who in 1663 was discharged from his office in Stockholm because he had buried his hanged maidservant in the cemetery; the executioner accused him of interfering with his work while the locals were concerned over the profanation of the churchyard.⁸³

The terror that suicide instilled in the community and the aversion to touching the corpse is aptly described in a case examined in Vyborg in 1670. To her great horror, the bailiff's maid had found a young farmhand, Lars Karialain, lying naked and covered in blood, having cut himself in the throat. The bailiff complained how the corpse that had been left in his yard had produced fright and hindrance, and wished to have it removed as soon as possible. As there was no executioner nearby who could move the corpse, the bailiff asked permission from the court to take Lars's corpse away for he had succeeded in finding someone who had the courage to do so.⁸⁴

It could be interpreted that this persistent need for an executioner shows that, like elsewhere in medieval and early modern Europe, the picking up, cutting down, or transportation of premeditated suicides' corpses were shameful and abhorrent tasks that had to be ritualized.⁸⁵ Degrading treatment that resonated with bestial symbolism, as well as exposure to the widest possible public contempt, was common throughout early modern Europe. Dragging of the corpse was an essential part of the punishment in many regions.⁸⁶ Though Swedish sources on the practices related to the execution of suicide punishments are very scarce, it appears that a horse was used to drag the corpse into the forest where the burning or later burial took place. For example, in Ludvika in 1698 the executioner borrowed a horse from a local peasant to take a hanged woman's corpse to the woods; representatively, the owner did not want his animal back afterwards.⁸⁷

Like in the case of other serious felonies, the treatment and handling of the delinquents' corpses belonged to the executioner and was an integrated part of the punishment ritual both in Austria and Sweden.⁸⁸ Though King Christopher's Law did not include information on who would take care of the corpse of a "sane" suicide, it was common knowledge and a long-held custom that the hangman took care of shameful burials and burnings at the stake,⁸⁹ and received a separate fee for performing each part of the punishment.⁹⁰ The late seventeenth-century and early eighteenth-century precedents and resolutions supplementing the medieval law, as well as the Code of 1734, explicitly stated that the executioner should take care of the corpses of "sane" suicides.⁹¹ In practice, the executioners usually buried the corpses in the local place of execution or in another secluded site in the common forests where the remains of executed criminals were customarily buried.⁹²

A little information has survived on how the burial of those regarded as "insane" suicides was conducted in Sweden. As several cases and precedents indicate, the relatives of the deceased could take care of the corpse and bury it somewhere outside the churchyard. Yet, as noted earlier, legal praxis varied and the Swedish Courts had already passed sentences of silent burials within cemeteries many decades before the Code of 1734.⁹³ The Svea Court of Appeal in particular

moderated sentences (*leuteration*), but nonetheless made clear that the burials had to be conducted without ceremony or priests and on the north-side or other distant location of the churchyard reserved for those of ill repute.⁹⁴

As outlined above, the penal codes in the Austrian Archduchy left the handling of premeditated suicides to the executioner and the treatment of *non compos mentis* suicides to “honourable” people. With regard to the question of how the disposal of the body by the executioner⁹⁵ was conducted in practice the sources paint a heterogenous picture: dragging of the corpse and the usage of some sort of cart is mentioned in a number of cases.⁹⁶ Besides the place of execution, swamps⁹⁷ and other remote and unfriendly places are also noted as sites for the disposal of suicide corpses. In some cases the executioner buried the suicide on his or her own property.⁹⁸ The burial of *non compos mentis* suicide seems to have been carried out as described in the penal codes, i.e., by “honourable” people, without any sermons and in a secluded part of the cemetery.

The source material shows, however, that many other options were available besides the procedures stated in the laws. For instance, both in Austria and Sweden the authorities could grant that premeditated suicides were allowed to be taken care of and buried outside the cemetery by family members or other “honourable” people, instead of the executioner.⁹⁹ It seems plausible that if the corpses were moved for one reason or another, or when the relatives and friends buried suicides, they were not handled or at least not supposed to be treated in the same way as natural deaths. It was important for the authorities that the suicide’s body did not receive the same respect as the corpse of a good Christian; a clear distinction between accepted and wrong behaviour needed to be made not only to placate God but also to send a message to the living. The sources include details of the actions taken before the court investigation and sentence, and the most common practice was to leave the corpse untouched in the location where it was found; the witnesses rarely report touching, undressing or washing the corpse, or in the rare cases when the corpse was put into a coffin, how it was conducted.¹⁰⁰ This practice could be explained partly by popular beliefs that were prevalent in pre-modern societies about the haunting of people who had died by their own hand or otherwise unnaturally. Swedish and Finnish folk tales recorded later of suicides’ burials contain references to various rituals that were performed in order to prevent the deceased from returning to disturb the living. For example, it was believed that it was more difficult for the restless soul to return home if the suicide’s belongings were buried with the body, and if the transport and burial took place after dark.¹⁰¹

The taboo surrounding touch could have been related to the central principle of superstition: the fear of contagion. Beliefs and anxieties related to contagion and transmission

of features were essential elements of popular religion.¹⁰² Since it was believed that supernatural forces and the devil could be involved in suicide, it is possible that touching was shunned in order to avoid contagion of evil powers.¹⁰³ Moreover, the later folk stories show that touching was also avoided to prevent the curse from remaining in the household.¹⁰⁴ The belief in the “contagion” of suicide itself can also be detected in the seventeenth-century Swedish material; in some cases previous suicides in the household were used to explain the one under investigation.¹⁰⁵

Besides these beliefs that were influenced by Catholicism and Lutheran Orthodoxy, it seems plausible that older popular customs relating to the punishment and polluting effects of suicide also persisted in Sweden. For example, the forms of punishments and ritual desecration applied in Europe more widely and in the British Isles retained both medieval and pagan elements.¹⁰⁶ In addition to the sanctions stated in secular legislation, there appear to have been popular customs and rituals to govern the disposal of the suicide’s corpse. For example, in Hedemora in 1692 the Town Court referred to a local custom when instructing the executioner to bury a hanged soldier’s corpse in the nearby marsh and while doing so, impale and pin him down.¹⁰⁷ In the easternmost part of the Swedish Empire, Kexholm, in 1663, the parents of a woman who hanged herself buried her in the swamps.¹⁰⁸ Arbitrary burials in swamps as well as other private solutions without official permission were usually suppressed by the authorities.¹⁰⁹ For example, when a woman in 1686 hired a “Lapp” to bury her husband who had been sentenced to be buried by the executioner, the “Lapp” was punished with eight days in prison. Possible consequences for the wife, however, were not mentioned.¹¹⁰

Nonetheless, as these many examples show, people still occasionally touched and moved the corpses of suicides. For example, some relatives buried corpses of their loved ones secretly, probably in order to avoid the shameful punishments. Though the material is comprised mostly of cases that were prosecuted in the secular courts, there were probably more cover-ups and concealments than the authorities detected. Also, as noted, attempts to rescue the life of a suicide were not uncommon; in critical situations the touching and moving prohibitions and possible taboos were naturally forgotten. These presumably spontaneous responses which occurred both in Austria and Sweden show that the cultural beliefs that associated suicide with disgrace, diabolic forces, and ill fortune did not prevent people from showing compassion and offering aid. Like in the case of any other belief or practice, the opinions about the treatment of suicide’s corpse were not completely unanimous; for some, the act was obviously not as abhorrent or diabolic as for others.

Thus, as some touched and moved the corpse, the belief in its contaminating power was not entirely shared. Also chapters

(*domkapitel*) and renowned persons, such as priests and bishops, occasionally showed mercy by interceding for burials especially in the case of “insane” suicides.¹¹¹ In addition, in some cases the corpses were touched and washed regardless of the prevalent custom.

In this regard, the case of Anna Olofsdotter might serve as an illustrative example.¹¹² In May 1713 the 60-year-old woman went into the woods and stabbed herself in the throat. When the injured woman was found a little while later by her daughter-in-law and the neighbour, Hans Pärsson, she first refused their help and tried to send them away. According to the judgment book she feared that the farm would become tainted with misfortune, if she returned home. Not until Hans Pärsson assured her that this would not be the case did she finally accompany them.

Anna was apparently well aware of the “dangers” to which she exposed relatives and friends by committing suicide, and it appears that she chose the seclusion of the woods to shield them from harm. Her fears, however, were not shared by her daughter-in-law and neighbour who convinced her to follow them home. Before she died of her self-inflicted injuries several days later she was visited by the priest, repented her acts and received Holy Communion. When Anna Olofsdotter finally passed away, her daughter-in-law sent for two women to wash and wrap her in cloths, which they performed without any concerns even though the case had not yet been heard before court and no verdict had been passed. The conclusion of the *häradsrätt*, which was later confirmed by the Court of Appeal, was that Anna Olofsdotter should be buried by her relatives in silence in a secluded area of the cemetery. The wish of her son, who had asked for permission to bury his mother with songs and knell was thus only partially fulfilled.

4. Conclusion

As we have seen, the touching, moving, and storage of the suicide’s corpse was a question of concern for common people and authorities in both of these regions. The respective penal codes in force contained only vague specifications, thus leaving room for a wide range of possible responses. The relative rarity of suicides that were easily classified, as well as ambiguities in written legislation ensured that cases were treated on an individual basis, especially in outlying regions. In Sweden, in particular, legal praxis in the lower courts remained relatively inconsistent throughout the seventeenth century. Though the Courts of Appeal attempted to streamline and standardize practices and types of punishment, the treatment of suicides’ cadavers before and after the trial depended on the interpretation of circumstantial evidence case by case.

In Austria and Sweden the most important distinction in the treatment of the suicides’ corpses concerned the mental state of the suicide. The long tradition of distinguishing the criminal responsibility of a mentally sane person from that of an insane delinquent did not, however, absolve the suicide’s corpse from punishment. In the older, medieval Swedish legislation, the secular law includes the sentence of burial outside the churchyard. Only the later Code of 1734 resembles the Austrian codes that allow silent burials inside the cemetery. Thus, the practice became more lenient in the case of insane suicides whose milder form of punishment was, nonetheless, ordained in the secular legislation.

Clearly, the practical treatment of suicides was not only a matter dictated by the law and legal authorities. Popular as well as Christian beliefs of the polluting effects of suicide influenced the ways in which the communities treated the corpses. Though the material shows individual variation, the touching and moving prohibition and avoidance of the corpses can be traced throughout early modern Sweden and Austria. Yet the range of practices as well as the discussions and decrees on the matter imply that the issue was not clear and views on suicide corpses were not unanimous.

In conclusion, the absence of conclusive regulations does not imply indifference towards the treatment of suicides’ corpses. On the contrary, as the legal evidence indicates, the handling of the suicide’s body was a highly sensitive and complex matter, both for the authorities and for the communities in which suicides occurred. After all, in cases of suicide in practice, questions of punishment, local custom, and popular beliefs collided with responses that included compassion, grief and care for those who sought to end their own lives.

Annotations

- 1 E.g., Michael MacDonald, Terence R. Murphy: *Sleepless Souls – Suicide in Early Modern England*, Oxford: Oxford University Press 1990, p. 18–20, 42–43.
- 2 Cf. Alexander Kästner, Lemma “Selbsttötung”, in *Zyklus der Neuzeit*, Stuttgart/Weimar 2010, vol. 11, col. 1072–1075.
- 3 For further discussion of the judicial structure in Austria and Sweden see Evelyne Luef: *Punishment Post Mortem – The Crime of Suicide in Early Modern Austria and Sweden*, in Albrecht Classen, Connie Scarborough (eds.): *Crime and Punishment in the Middle Ages and Early Modern Time – Mental-Historical Investigations of Basic Human Problems and Social Responses*, Berlin and New York: De Gruyter 2012, p. 555–576.
- 4 Most of the Swedish cases in the material have been collected from the *renoverade domböcker* preserved in Riksarkivet in Stockholm or in Kansallisarkisto / National Archives of Finland in Helsinki instead of the original *koncept domböcker*.

- 5 In rural areas held by the noble or clerical manorial lords, in market towns and cities by the city council, who exercised jurisdiction over their subjects.
- 6 These “land courts” too were held by either noble or clerical lords – then called “freie Landgerichte” (“free land courts”) – or termed “landesfürstliches Landgericht” when the Landgericht was subordinated directly to the sovereign (Landesfürst or Landesfürstin). Depending on the kind of Landgericht (“freies” or “landesfürstliches Landgericht”), the province and the crime in question, they were in turn subordinated to higher ranking administrative and judicial authorities. See, for instance, Andrea Griesebner and Susanne Hehenberger: *Entscheidung über Leib und Leben – Rechtsgutachter in frühneuzeitlichen Malefizprozessen im Erzherzogtum Österreich*, in Alexander Kästner, Sylvia Kesper-Biermann (ed.): *Experten und Expertenwissen in der Strafjustiz von der Frühen Neuzeit bis zur Moderne*, Leipzig: Meine Verlag 2008, p. 17–31.
- 7 Svea Court of Appeal revised and confirmed the suicide sentences passed by the lower courts under its jurisdiction. The material usually encompasses both the lower court record and the sentence letter sent by Svea Court of Appeal in each case; when one has not been preserved or it has been impossible to locate or retrieve, only the other record has been used.
- 8 Lower court records of the areas have not been systematically scrutinized for this study; instead, sentenced suicide cases have been traced with the aid of card indexes containing the sentence letters sent by Svea Court of Appeal to the county governors and of the renovated rural lower court records of the Finnish areas. The first (Landsarkivet i Uppsala (ULA): Kortregister över Svea Hovrätts brev till länsstyrelserna (KSHB), Svea hovrätts kriminaldomar: Upplands län, Gävleborgs län, Kopparbergs län, Västmanlands län, Örebro län) enables the identification of the sentence letters in their respective county archives and cases from the rural and town court records. The second (Kansallisarkisto/National Archives of Finland (NA): Tuomiokirjakortisto) encompasses information on the cases examined in the rural lower courts of specific areas. Thus, as there are no indexes for the town court records of the Finnish areas to aid the search, the material includes only a few cases examined in the Finnish towns. The material of Turku/Åbo Court of Appeal under whose jurisdiction most of the Finnish areas belonged for the most part has not survived, and thus cannot be used as an aid to locate criminal cases from the lower court records.
- 9 Riksarkivet (RA): Riksarkivets ämnesamlingar Juridika I: Becchius-Palmcrantz samlingar (BP), Vol. 5.
- 10 In contrast to the situation in Sweden, no indices exist for locating suicide cases in the archives of the provinces of today’s Upper Austria and Lower Austria. The suicide cases found in the archives so far were located by going through the individual registers of the great number of criminal courts that existed in early modern Austria.
- 11 Though the card-indexes were collected systematically and represent the Swedish records and letters relatively well, statistical research on certain crimes or phenomena is not reliable due to the fragmented nature of the indexes and the incoherence of sources. See Kansallisarkisto: Kansallisarkiston luettelot 220: 1–2: Tuomiokirjakortisto, Helsinki; NA/National Archives of Finland: Tuomiokirjakortisto; ULA: KSHB, Svea hovrätts kriminaldomar.
- 12 Regarding the special characteristics of the eastern regions in the 17th century, see e.g., Erkki Kuujo: *Raja-Karjala Ruotsin vallan aikana*, Helsinki: Otava 1963.
- 13 Cf. Carlo Ginzburg: *Cheese and the Worms – The Cosmos of a Sixteenth-century Miller*, London: Routledge & Kegan 1980; Carlo Ginzburg: *Night Battles – Witchcraft & Agrarian Cults in the Sixteenth & Seventeenth Centuries*, London: Routledge & Kegan 1983; Giovanni Levi: *Inheriting Power – The Story of an Exorcist*, Chicago: University of Chicago Press 1988.
- 14 E.g. Alexander Murray: *Suicide in the Middle Ages, Vol. II. The Curse on Self-Murder*, Oxford: Oxford University Press 2000, p. 98–117, 154–188.
- 15 MacDonald & Murphy 1990, p. 18–20.
- 16 Church Law 1686 in Lahja-Irene Hellemaa & Anja Jussila & Matti Parvio (ed.): *Kirko-laki ja ordningi 1686*, Helsinki: SKS, Suomalaisen Kirjallisuuden Seuran toimituksia 444, 1986, p. 78.
- 17 Suicide was formally decriminalized in Austria in the so called *Milderungspatent*, i.e., Imperial Patent from January 17th 1850/ Kaiserliches Patent vom 17. Jänner 1850, Reichsgesetzblatt Nr. 24/1850.
- 18 Ilkka Henrik Mäkinen: *The Decriminalization of Suicide in Sweden*. Paper 3, in Ilkka Henrik Mäkinen: *On Suicide in European Countries – Some Theoretical, Legal and Historical Views on Suicide Mortality and Its Concomitants*, Stockholm: Almqvist & Wiksell International, Acta Universitatis Stockholmiensis, Stockholm Studies in Sociology. N.S. 5. 1997.
- 19 E.g., Jussi Pajujoja: *Itsemurhat ja laki*, in Kalle Achté, Olavi Lindfors, Jouko Lönnqvist, Markku Salokari (ed.): *Suomalainen itsemurha*, Helsinki: Psykiatrian tutkimussäätiön kirjasarja 3, 1997, p. 127–139.
- 20 Kristofers landslag (1608) [1726]: Petter Abrahamsson (Ed.): *Swerikes rijkes lands-lag, som af rijksens råd blef öfversedd och förbättrat: och af k. Christofer, Swerikes, Danmarks, Norikes, Wendes och Götha konung, palatz-grefwe widh Reen, och hertigh af Beijeren, årom efter C. B. 1442. stadfäst: så ock af menige Swerikes rijkes ständer samtyckt, gillat och wedertagen, efter then stormächtige, höghborne furstes och herres, herr Carls then nijondes, Swerikes, Göthes, Wendes, finnars, carelers, lappars i norlanden, the cajaners, och esters i Lifland &c. konungs, nådige befallning, åhr 1608. af trycket vtgången*, Stockholm: af directuren Johan Henrich Werner med egen bekostnad, 1726, Högmålsbalken, section 4. Instituted by union king Christopher of Bavaria in 1442 this code was expanded by an appendix containing extracts from the five books of Moses, and confirmed, re-published and printed by the Swedish king Karl IX in 1608.
- 21 Kristofers landslag (1608) [1726], Högmålsbalken section 4.
- 22 Svea Court of Appeal resolutions from August 2nd 1700 and April 16th 1701, in Abrahamsson 1726, p. 726–727.

- 23 Svea Court of Appeal resolutions from July 11th and July 18th 1695, October 23rd 1700 and April 16th 1701, in Abrahamsson 1726, p. 727.
- 24 Svea Court of Appeal had already begun to pass sentences of forest burials in the 1660s, e.g. RA: Riksarkivets ämnesamlingar Juridika I: BP, Vol 5., p. 1–11. Well-regarded, pious, but insane, members of the community who had killed themselves were allowed to be buried inside the churchyard, in addition to the less honorable locations already in the 1660s, e.g., RA: Riksarkivets ämnesamlingar Juridika I: BP, Vol 5., p. 29–36.
- 25 Sweriges Rikes Lag (1734) [1984]: Sweriges Rikes Lag. Gillad och antagen på riksdagen år 1734. Till 250-årsdagen av lagens tillkomst efter den första i antikva tryckta upplagen av år 1780. Med inledning av Stig Jägerskiöld. Utgiven i facsimile 1984. Skrifter utgivna av Institutet för rättshistorisk forskning grundat av Gustav och Carin Olin. Serien 1, Rättshistoriskt bibliotek, Stockholm: Institutet för rättshistorisk forskning 1984. This Code was effective from September 1736 until the new criminal law of 1864 came into force.
- 26 Sweriges Rikes Lag 1734 [1984], Missgiernings Balk, Cap. 13., § 1.
- 27 Sweriges Rikes Lag 1734 [1984], Missgiernings Balk, Cap. 13., § 1.
- 28 Also discussed in Hilding Pleijel: Jordfästning I stillhet – från samhällsstraff till privatceremoni: en samhällshistorisk studie, Lund: Samlingar och studier till Svenska kyrkans historia 45, 1983.
- 29 Sweriges Rikes Lag 1734 [1984], Missgiernings Balk, Cap. 13., § 2.
- 30 Svea Court of Appeal resolutions from August 2nd 1700 and April 16th 1701, in Abrahamsson 1726, p. 726–727.
- 31 Svea Court of Appeal resolutions from July 11th and July 18th 1695, October 23rd 1700 and April 16th 1701, in Abrahamsson 1726, p. 727.
- 32 Royal letter to the Åbo Court of Appeal November 11th 1695, in Abrahamsson 1726, p. 727.
- 33 Olavus Petri: Tuomarinohjeet 1545, Helsinki: Lakimiesliiton kustannus 1987, p. 77, 87, 99.
- 34 ULA: KSHB, Svea hovrätts kriminaldomar. See also Bodil E.B. Persson: Drunknad eller dränkt? – Plötsliga oväntade dödsfall i Skåne 1704–1718, in Birgitta Odén, Bodil E.B. Persson, Yvonne Maria Werner (Ed.): Den frivilliga döden – samhällets hantering av självmord i historiskt perspektiv, Stockholm: Cura i samarbete med Forskningsrådsnämnden 1998, p. 101–208.
- 35 Svea Court of Appeal resolution August 27th 1695, in Abrahamsson 1726, p. 727.
- 36 Royal letter to the consistory in Stockholm September 9th 1724, in Abrahamsson 1726, p. 727.
- 37 Royal ordinance October 27th 1725, in Abrahamsson 1726, p. 727.
- 38 Lagkommissionens protokoll 1694–1711, in Wilhelm Sjögren (ed.): Förarbetena till Sveriges Rikes Lag 1686–1736, vol. II, Uppsala: Almqvist & Wiksell 1901, p. 148–149 (5.10.1699).
- 39 Svea Court of Appeal resolution September 7th 1695, in Abrahamsson 1726, p. 727.
- 40 Svea Court of Appeal resolution May 6th 1695, in Abrahamsson 1726, p. 727.
- 41 Letter from the Royal Council to Svea Court of Appeal June 16th 1710, in Abrahamsson 1726, p. 727–728. Ordinance from July 29th 1698/Förordningen af den 29. Julij 1698: 'Rådzbane eller wållande til en missgerning', in Johan Schmedeman (Ed.): Kongliga Stadgar, Förordningar, Bref och Resolutioner ifrån Åhr 1528 intil 1701 angående Justitiae och Executions Åhrender, Stockholm: 1706, p. 1516–1517.
- 42 E.g., MacDonald, Murphy 1990, p. 15–16; Georges Minois: History of Suicide – Voluntary Death in Western Culture, Baltimore: The John Hopkins University Press 1999, p. 34–37; Murray 2000, p. 32–53, 445–448. However, Vera Lind shows that the laws in the duchies of Schleswig and Holstein did not make this differentiation. See Vera Lind: Selbstmord in der Frühen Neuzeit – Diskurs, Lebenswelt und kultureller Wandel, Göttingen: Vandenhoeck & Ruprecht 1999, p. 340–345.
- 43 *Ferdinanda* (1656): Land-Gerichts-Ordnung. Deß Erz-Herzogthumbs Oesterreich unter der Ennß, in Codex Austriaeus, vol. 1, Vienna: Voigt 1704, p. 659–729.
- 44 *Leopoldina* (1675): Des Ihro Römisch-Kayserlich-und Königlich-Catholischen Majestät Leopoldi Ertzherzogens zu Osterreich Unsers Allergnädigest gemachte Satzungen, Wie auch unterschiedliche in diesem Land eingeführte Ordnungen, Sammt einem ausführlichen Register über alle hierin vorkommende Materien zu gelegentlichem Gebrauch deren hierländigen Gerichts-Persohnen beygerucket worden, Linz: Feichtinger 1736.
- 45 In the eighteenth century both territorial penal codes were superseded by the code referred to as Theresiana (1768), named after Holy Roman Empress consort and archduchess Maria Theresia, and in effect from 1770 until 1787. Constitutio Criminalis Theresiana. Peinliche Gerichtsordnung. Vollständiger Nachdruck der Trattnerschen Erstaussgabe, Wien 1769 (Graz: Akademische Druck- und Verlagsanstalt 1993).
- 46 See *Ferdinanda* (1656) article 69 § 3, *Leopoldina* (1675) part 3 article 11 § 3. Lieven Vandekerckhove: On Punishment – The Confrontation of Suicide in Old-Europe. [Van straffen gesproken, De bestraffing van zelfdoding in het oude Europa, 1985], Leuven: Leuven University Press, Samenleving Criminaliteit & Strafrechtspleging 19, 2000 and MacDonald and Murphy 1990, amongst others have shown that confiscation was an important element in the punishment of suicides in western Europe. However, studies conducted by Lind 1999, p. 340–347, David Lederer: Madness, Religion and the State in Early Modern Europe – A Bavarian Beacon. New Studies in European History, Cambridge, New York, Melbourne, et al.: Cambridge University Press 2006, p. 251 and Alexander Kästner: Tödliche Geschichte(n). Selbsttötungen in Kursachsen im Spannungsfeld von Normen und Praktiken (1547–1815),

Konstanz: UVK 2012, p.164–165 show that confiscation was a rather rare occurrence in early modern central Europe. Even though it is not yet clear to what extent forfeiture was used in early modern Austria, the source material contains evidence that this provision was in fact implemented in practice. Unlike the earlier codes, the Theresiana stipulated confiscation only in cases when suicides had committed a crime prior to the self-killing that was punished with forfeiture. Hence, forfeiture as a punishment applied no longer to the act of self-killing but to the earlier crime. See *Theresiana* (1768), article 93 §7.

- 47 *Ferdinandea* (1656) article 69 § 7, *Leopoldina* (1675) part 3 article 11 § 7.
- 48 Here the highly pejoratively term “vertilgen” is used.
- 49 *Ferdinandea* (1656) article 69 § 1, and almost verbatim *Leopoldina* (1675) part 3 article 11 § 1: “... daß er [der Scharfrichter, E.L.] deß Verzweiffelten Cörper auß dem Hauß schlaipffe/ oder herab lasse/ wie es nur ohne Schaden zum fügichsten beschehen kan/ hernacher wie ein Vieh auff den Karren lege/ und unter das Hochgericht vergrabe/...”
- 50 *Ferdinandea* (1656) article 69 § 2, *Leopoldina* (1675) part 3 article 11 § 2.
- 51 *Ferdinandea* (1656) article 69 § 7, *Leopoldina* (1675) part 3 article 11 § 7.: “Dises alles aber ist nur von den Jenigen zuverstehen/ welche sich/ wie gemeldt/ entweder aus Forcht der Straff/ oder bösen Vorsatz und Willen/ entleibt haben/ dann wer sich aus Gebrechen seiner Vernunft/ all zu grosser Melancholey, und Kranckheit/ umb das Leben bringt/ mit demselben soll das Landtgericht nichts zuthuen/ weniger Jemand seine Güeter einzuziehen haben/ sonder er mag durch ehrliche Leuth bestättet/ und Christlicher Ordnung nach/ auff ein geweyhtes Erdreich/ doch ins gemain/ nicht mit Gepräg/ noch an vornembe Oerther/ begraben/ und es sowol der Güeter halber/ als sonsten in allen Fällen mit ihm gehalten werden/ als wann er eines natürlichen Todts verschiden wäre.”
- 52 *Ferdinandea* (1656) article 69 § 9, *Leopoldina* (1675) part 3 article 11 § 9.
- 53 *Ferdinandea* (1656) article 69 § 11, *Leopoldina* (1675) part 3 article 11 § 11.
- 54 *Ferdinandea* (1656) article 69 § 12, *Leopoldina* (1675) part 3 article 11 § 12.
- 55 In many cases, the relatives and heirs of the insane person were responsible for their fines. For example, an arson or murder committed by a person who was considered ‘fully’ lunatic was partly considered accidental and, instead of a death sentence, the sentenced was punished by fines. *Kristofers landslag 1442*, Draapmedvadha, XV. Criminal responsibility of the insane in early modern Sweden, see e.g. Olli Matikainen: Mielenvikaisuus ja henkirikos Ruotsi-Suomessa 1800–luvun alkuun saakka, in Katri Komulainen, Hannu Rätty, Jussi Silvonen (Ed.): Hulluudesta itsehallintaan – uuden historian näkökulmia psyykkisiin ilmiöihin ja ammattikäytäntöihin, Joensuu: Joensuun yliopisto, Yhteiskunta- ja aluetieteiden tiedekunta, Psykologian tutkimuksia n:o 25, 2006, p. 34–51; Henrik Munktel: Till frågan om brott och tillräknelighet i svensk rättsutveckling, in Uppsala Universitets årsskrift 1940: 5, Två straffrättshistoriska studier, Uppsala: Uppsala Universitet 1940, p. 5–39; Jussi Pajujoja: Väki-valta ja mielentila – oikeus-sosiologinen tutkimus syyntakeisuussäännöksistä ja mielentilatutkimuksista, Helsinki: Suomalaisen lakimiesyhdistyksen julkaisuja, A-sarja, No. 201, 1995, p. 19–23; Torsten Sondén: De sinnessjukas straffrättsliga ställning i Sverige – en översikt, Copenhagen: Supplementhefte til Nordisk tidsskrift for strafferet 1931, p. 17–41.
- 56 National Archives of Finland (NA): Renovoidut tuomiokirjat / renovated court records (RT), Northern Ostrobothnia / Pohjois-Pohjanmaa KO a 3: fol. 163–164, Liminka 9.–12.2.1683.
- 57 E.g., NA: RT, Lower-Satakunta / Ala-Satakunta KO a 1a: fol. 440–443^v, Eurajoki 17.–18.9.1683; Landsarkivet i Uppsala (ULA): Faluns rådhusrätt och mag. A I a: 14, Falun 25.3.1684; NA: RT, Northern Ostrobothnia KO a 7: fol. 256–259, Kalajoki 12.3.1687; ULA: Koppabergets läns häradsrättsarkiv Serie X, A I: 2, fol. 74–76^v, Torsång 16.7.1691; ULA: Koppabergets läns häradsrättsarkiv Serie IV, A I: 6, fol. 35–35^v, Bjursås 5.7.1693; ULA: Koppabergets läns häradsrättsarkiv: Serie VII, A I: 2, Hedemora 8.8.1698.
- 58 E.g., cases presented in the sentence letters sent by Svea Court of Appeal to the county governors. The letters, as well as most of the lower court records about suicides committed by hanging, usually mention that the corpse remains in the location.
- 59 E.g., NA: Jääski, Lappee, Ranta ja Äyräpää KO a 6: fol. 54–57, Ruokolahti 13.–14.6.1664; NA: Jääski, Lappee, Ranta ja Äyräpää KO a 11: fol. 8–16, Viipuri 28.–29.1.1670; NA: Kexholm / Käkisalmi KO a 4: fol. 357–359, Rautu 31.7.1682. Forskningsarkivet Umeå universitetsbibliotek (FOARK UmU): Skrivelser från Svea hovrätt till Gävleborgs Läns Landskansli 1635–1736, Serie DIIa: 8, Nordingrån 22.4.1691; Serie DIIa: 11, Själevad 31.3.1701.
- 60 E.g., NA: Kexholm / Käkisalmi KO a 4: fol. 137–137^v, Kitee 27.–29.8.1683; ULA: Uppsala länsstyrelse: Landskansliet D II: 21, Svea Hovrätt till Ludvika 18.5. & 27.5.1698.
- 61 E.g., RA: Svea Hovrätts arkiv (SHA), Gävleborgs län 27a: fol. 436–441, Järvsjö 21.7.1679; ULA: Koppabergets läns häradsrättsarkiv (KLHA) Serie X, A I: 2, fol. 74–76^v, Torsång 16.7.1691.
- 62 E.g., the case of Thomas Auer, Niederösterreichisches Landesarchiv (NÖLA), KGA Krems, HS 102 Verhörs-Protokoll über Kriminal- u. Zivilsachen der Hft. Pöggstall 1686–1741, fol. 31^v–33^v.
- 63 Oberösterreichisches Landesarchiv (OÖLA), HA Puchheim, Schachtel 49 Bd. 67 Nr. 72.
- 64 E.g., OÖLA, HA Freistadt, Schachtel 12, fasc. 16 nr. 15 concerning a drowned person in 1655.
- 65 OÖLA, HA Freistadt, Schachtel 12, fasc. 33 nr. 12.
- 66 This practice was common also in other parts of the Holy Roman Empire, cf. Kästner 2012, p. 241.
- 67 OÖLA, HA Puchheim, Schachtel 49 Bd. 67 Nr. 72.

- 68 For Sweden see RA: SHA, Jämtlands län 47b: fol. 974^v–977, Sveg 27.8.1696 (nearby the finding location), FOARK UmU Serie DIIa:12, Tuna 15.11.1704 (in the northern side of the churchyard which was subsequently criticized by the hovrätt). For Austria see e.g., the case of Stephan Pühringer, OÖLA, HA Ebenzweier, Schachtel 2, 1686.
- 69 In Sweden, where doctors, barbers and other medical experts were a rarity even in towns, the inquest was based on the local peasants' and officials' visual inspection. E.g., NA: Vehmaa & Ala-Satakunta KO a 7: fol. 414–417, Eura 17.–18.10.1664; ULA: Trögds häradsrätts arkiv. A I: 1: fol. 219^v–220^v, Trögds 14.7.1684; NA: Kexholm KO a 20: fol. 122^v–127^v, Sakkola, Rautu ja Pyhäjärvi 14.8.1699; NA: Vehmaa & Ala-Satakunta II KO a 14: fol. 384–406, Vehmaa & Lokalahti 12.–13.3.1700.
- 70 Kongl. Råd. Bref til Svea Hof-R. June 16th 1710, in Abrahamsson 1726, p. 727–728. Förordningen af den 29. Julij 1698: 'Rådzbane eller wällande til en missgerning', in Schmedeman 1706, p. 1516–1517. This case as a precedent is also noted in RA: Svea Hovrätts arkiv, Huvudarkivet. D III a: 1, Register med extrakt över kungliga brev och rescript i justitie- och exekutionsärenden, upplagd 1706 av Johan B. Retzius, n.p. Sielfspillingz nedertagen, 1710.
- 71 E.g., RA: SHA, Kopparberg 23a: fol. 314^v–323, Hedemora rr 18.–20.7.1687; RA: Svea Hovrätt, Huvudarkivet B III b 1: 2, fol. 109–111, Grimsten 6.5.1695; ULA: Kopparbergs läns häradsrättsarkiv Serie X, A I: 7, fol. 206–208, Tuna 19.10.1697.
- 72 E.g., NA: Kexholm KO a 3: fol. 1128^v–1129, Rautu 14.–15.7.1663; NA: Kymenkartano län KO a 2: fol. 269^v, Elimäki 26.–27.9.1670; NA: Kymenkartano län KO a 2: fol. 320^v–321, Vehkalahti ja Valkeala 8.–9.1.1672; RA: SHA, Kopparberg 23a: fol. 314^v–323, Hedemora rr 18.–20.7.1687; NA: Jääski, Rantaja Äyräpää II KO a 4: fol. 151–152, Jääski 14.–17.2.1688; RA: Svea Hovrätt, Huvudarkivet B III b 1: 2, fol. 109–111, Grimsten 6.5.1695; NA: Ylä-Satakunta KO a 17: fol. 529–531^v, Huittinen 27.3.1697; ULA: KLHA Serie X, A I: 7, fol. 206–208, Tuna 19.10.1697. Also, in a case from 1616, the friends of the suicide had moved and washed the corpse; they were scolded by the Court for treating the deceased with the same respect as an ordinary deceased, noted in Arne Jarrick: *Hamlets fråga – En svensk självmords-historia*, Stockholm: Nordsteds, p. 99–100.
- 73 For Sweden see e.g., RA: SHA, Kopparberg 23a: fol. 314^v–323, Hedemora rr 18.–20.7.1687; RA: Svea Hovrätt, Huvudarkivet B III b 1: 2, fol. 109–111, Grimsten 6.5.1695; NA: Ylä-Satakunta KO a 17: fol. 529–531^v, Huittinen 27.3.1697. For Austria see e.g., OÖLA, HA Puchheim, Schachtel 49 Bd. 67 Nr. 72 and OÖLA, HA Oberwallsee-Eschlberg, Schachtel 27, 1758.
- 74 Lagkommissionens protokoll 1694–1711, in Wilhelm Sjögren (ed.): *Förarbetena till Sveriges Rikes Lag 1686–1736*, vol. II, Uppsala: Almqvist & Wiksell 1901, p. 41–42, 148–149, 313; *Sveriges Rikes Lag 1734*, Missgiernings Balk, Cap. 13., § 1–3.
- 75 Arne Jansson: *From Swords to Sorrow – Homicide and suicide in early modern Stockholm*, Stockholm: Acta universitatis stockholmiensis, Stockholm studies in economic history 30, 1998, p. 64; Arne Jansson: *Suicidal Murders in Stockholm*, in Jeffrey R. Watt (ed.): *From Sin to Insanity – Suicide in Early Modern Europe*, New York: Cornell University Press 2004, p. 92; David Lederer: *The Dishonorable Dead – Elite and Popular Perceptions of Suicide in Early Modern Germany*, in Sibylle Backmann, Hans-Jörg Künast, Ann B. Tlusty, Sabine Ullmann (ed.): *Das Konzept der Ehre in der Frühen Neuzeit*, Augsburg 1997, p. 351–353.
- 76 E.g., Jansson 2004, p. 90–91; Sven Kjällström – Guds och Sveriges lag under reformationstiden, Lund: Bibliotheca Theologiae Practicae 6, 1957, p. 40–52, 68–100; Ann-Sofie Ohlander: *Suicide in Sweden – A Social History*, in John Rogers (ed.): *Death – the Public and Private Spheres*, Uppsala: Uppsala Universitet, Historiska Institutionen, Meddelande från familjehistoriska projektet no. 6, 1986, p. 40–41; Kustaa H.J. Vilkkuna: *Jumala elä rankaise minua – Yksilöllisen subjektin synty*, in Heikki Roiko-Jokela (ed.): *Siperiasta siirtoväkeen – Murrosaijoja ja käännekohtia Suomen historiassa*, Jyväskylä 1996, p. 71–93. The importance of excluding certain criminals and sinners from the Christian burial and holy ground, see e.g. Rudolf B. Hall: *Rudbeckii kyrkdisciplin och visa av dess förebilder*, Lund: Föreningen för svensk undervisnings-historia, Årsböcker i svensk undervisningshistoria serievolym 23 (1928), årsvolym: 1, 1928, p. 71–76.
- 77 Sven Baelter: *Historiska Anmärkingar om Kyrkoceremonierna, så wäl wid den offentliga Gudstjensten, som andra tilfällen hos de första Christna, och in Swea Rike; i synnerhet efter Reformationen til närwarande tid*. Andra uplagan, Stockholm: Tryckt hos Peter Heßelberg. På egen bekostnad 1783, p. 600.
- 78 See e.g., Yvonne Maria Werner: *Själv mord i det stora nordiska krigets skugga – En analys av självspillingsmålen vid Göta hovrätt 1695–1718*, in Birgitta Odén, Bodil E.B. Persson, Yvonne Maria Werner (ed.): *Den frivilliga döden – samhällets hantering av självmord i historiskt perspektiv*, Stockholm: Cura i samarbete med Forskningsrådsnämnden 1998, p. 31–99, 35 note 43 and Göran Malmstedt: *Bondetro och kyrkoro – Religiös mentalitet i stormaktstidens Sverige*, Lund: Nordic Academic Press 2002, p. 147, 151.
- 79 Lederer 1997, p. 358–359; Lind 1999, p. 457–462; David Lederer: *Aufbruch auf dem Friedhof: Pfarrer, Gemeinde und Selbstmord im frühneuzeitlichen Bayern*, in Gabriela Signori (ed.): *Trauer, Verzweigung und Anfechtung – Selbstmord und Selbstmordversuche in mittelalterlichen und frühneuzeitlichen Gesellschaften*, Forum Psychohistorie 3, Tübingen: Edition Diskord 1994, p. 189–209.
- 80 E.g., OÖLA, HA Puchheim, Schachtel 43 Bund 60 Nr. 29; OÖLA, HA Ebenzweier, Schachtel 2 the cases of Stephan Pühringer (1686), Franz Kemptner (1769) and Andreas Kirchamber (1725); OÖLA, HA Steyr, Schachtel 55 Nr. 15 Thomas Engl (1750).
- 81 Kästner, *Tödliche Geschichte(n)* 2012, p. 270–271.
- 82 Michael MacDonald and Terence R. Murphy, for instance, state for eighteenth-century England a growing divergency in the perception of suicide between "common people" and the educated upper classes. See Michael MacDonald and Terence R. Murphy: *Die Säkularisierung des Selbstmords – Literaten, Rechtsgelehrte und religiöse Fanatiker im frühneuzeitlichen England*, in Gabriela Signori (ed.): *Trauer, Verzweigung und*

- Anfechtung – Selbstmord und Selbstmordversuche in mittelalterlichen und frühneuzeitlichen Gesellschaften, *Forum Psychohistorie* 3, Tübingen: Edition Diskord 1994, p. 233–281.
- 83 Case presented in Jansson 2004, p. 90–91; Ohlander 1986, p. 40–41; Persson 1998, p. 103.
- 84 ‘...fördenskull Rätten wille tillåta att någon annan, som kunde sigh där till bruka låtha, motta honom afföra, efftersom han och weet een som sigh dedh oppå taga will.’ NA: Jääski, Lappee, Ranta ja Äyräpää KO a 11: fol. 8–16, Viipuri 28.–29.1.1670.
- 85 Cf. Alexander Murray: *Suicide in the Middle Ages Vol. 2: The curse on self-murder*, Oxford: Oxford University Press, p. 18–37; Vandekerckhove 2000, p. 43–53.
- 86 Vandekerckhove 2000, p. 47–53.
- 87 ULA: Uppsala länsstyrelse: Landskansliet D II: 21, Svea Hovrätt till Ludvika 18.5.1698 & attachment 27.5.1698.
- 88 There are a few cases where people who have moved the corpses of suicides have been explicitly accused of meddling with the executioner’s tasks. E.g., Jarrick 2000, p. 99–100; Ohlander 1986, p. 40–41.
- 89 As mentioned earlier, the Svea Court of Appeal started to pass sentences of forest burials in the 1660s; nonetheless, burning at the stake still served as punishment for the most aggravated cases, e.g., RA: Riksarkivets ämnesamlingar Juridika I: BP, Vol 5., 2; ULA: KLA, D II: 5, Svea Hovrätt till Tuna 12.6.1665; ULA: KLA, D II:5, Kopparberg gruve 18.9.1666.
- 90 About the executioner’s tasks, see e.g., Hannele Klemettilä: *Keskiajan pyövelit*, Jyväskylä: Atena 2004; Murray 2000, p. 18–23, *passim*.
- 91 RA: Riksarkivets ämnesamlingar Juridika I: BP, Vol 5., 1–19; Svea Court of Appeal resolutions from August 2nd 1700 and April 16th 1701, in Abrahamsson 1726, p. 726–727; *Sveriges Rikes Lag* 1734, *Missgiernings Balk*, Cap. 13., § 1.
- 92 ULA: KSHB. Svea hovrätts kriminaldomar. E.g. ULA: Uppsala länsstyrelsens arkiv, Landskansliet D II d: 14, Sotholm 9th Aug 1687; ULA: KLA D II: 16, Garpenberg 28th Jan 1691.
- 93 E.g., ULA: KLA, D II: 11, Svea Hovrätt till Falun 9.4.1684; ULA: Örebro länsstyrelse: Landskansliet D I qa: 3, Svea Hovrätt till Nora 5.11.1684.
- 94 This practice of ‘leuteration’ can be traced from the precedents and the sentence letters of Svea Court of Appeal from the 1660s. Besides serving as the burial site for insane suicides, the inferior spots often located in the northern part of the churchyard were also reserved for other criminals, ill-reputed Christians, and people who had died in great sin. See e.g. Pleijel 1983.
- 95 When no executioner was available, this task was occasionally assigned to the skinner. However, since the executioner was paid per act that was performed, it was in his own economic interest to maintain his exclusive right to take care of premeditated suicides.
- 96 E.g., in the case of Thomas Auer, NÖLA, KGA Krems, HS 102 Verhörs-Protokoll über Kriminal- u. Zivilsachen der Hft. Pöggstall 1686–1741, fol. 31^v–33^v.
- 97 E.g., NÖLA, KGA Krems, HS 102 Verhörs-Protokoll über Kriminal- u. Zivilsachen der Hft. Pöggstall 1686–1741, fol. 31^v–33^v.
- 98 E.g., NÖLA, KGA Krems, HS 102 Verhörs-Protokoll über Kriminal- u. Zivilsachen der Hft. Pöggstall 1686–1741, fol. 34^r–35^r.
- 99 Cf. e.g., FOARK UmU, Serie A1a:5 fol. 472–488, Nätra 17.7.1690; OÖLA, HA Oberwallsee-Eschlberg, Schachtel 27, 1719.
- 100 E.g., Jarrick 2000, p. 99–100; RA: SHA, Kopparbergs län 23a: fol. 314^v–323, Hedemora 18.–20.7.1687.
- 101 Kalle Achté, Jouko Lönnqvist, Juha Pentikäinen: *Vanha suomalainen kuolemankulttuuri*, in Jan-Erik Ruth, Pirkko Heiskanen (ed.): *Kuolema elämän keskellä*, Helsinki: Otava 1985, p. 68–70; Jansson 1998, p. 64–65; Jansson 2004, p. 92–94; Toivo Nygård: *Itsemurha suomalaisessa yhteiskunnassa*, Jyväskylä: Jyväskylän yliopisto, *Studia historica Jyväskyläläisiä* 50, 1998, p. 132–139.
- 102 Mary Douglas: *Puhtaus ja vaara –Ritualistisen rajanvedon analyysi*, [Purity and Danger – An analysis of the concepts of pollution and taboo, 1966], (trans. Virpi Blom & Kaarina Hazard), Tampere: Vastapaino 2000, p. 71, *passim*.
- 103 Jansson 2004, p. 92; Nygård 1994, p. 133–134.
- 104 E.g., Achté & Lönnqvist & Pentikäinen 1985, p. 69.
- 105 ULA: KLHA Serie III A I: 8, fol. 6–7, Tuna 23.3.1664; RA: SHA, Stockholms län, 5: fol. 177^v–178^v, Fährerntuna 3.10.1695.
- 106 E.g., Lederer 1997, p. 350; MacDonald & Murphy 1990, p. 18–20, 44; Murray 2000, p. 448–451.
- 107 ULA: KLHA Serie VII, A I: 1, Hedemora 6.–7.10.1692. Sentence was to ‘effter brukelig sedwanna må af Bödelen uthtagas, och i nästa Kiäre nedgrafwa med pähla igenom slagen.’
- 108 NA: Kexholm KO a 3: fol. 1128^v–1129, Rautu 14.–15.7.1663.
- 109 E.g., NA: Kymenkartano län KO a 2: fol. 320^v–321, Vehkalahti ja Valkeala 8.–9.1.1672;
- 110 HLA, *Skrivelser från hovrätten Serie DIIa:7 fol. 424^{r+v}*.
- 111 E.g., ULA: Uppsala domkapitels arkiv, A I: 2, 16.8.1640; ULA: Uppsala domkapitels arkiv, A I: 2, 26.10.1642; ULA: Uppsala domkapitels arkiv, protokoll A I: 4, 7.1.1654; ULA: Uppsala domkapitels arkiv, A I: 8, 23.2.1676; ULA: Uppsala domkapitels arkiv, A I: 8, 5.9.1677.
- 112 FOARK UmU, Södra Ång. A I a:11 fol. 369–382, Nora 18.5.1713.