

## REGIONAL AND LOCAL MARKETS



## SHOPS AND SHOPPING IN THE EARLY THIRTEENTH CENTURY: THREE TEXTS<sup>1</sup>

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Markets, shops and shopping have always been hallmarks of urban life. Historians who have attempted to investigate the urban context of medieval commerce have traditionally relied for sources on the archival records, such as trading regulations, tax lists, and financial and legal records, produced by towns, institutions, and wealthy households. However, records of this kind are often scarce for the early thirteenth century. One type of source that has not received much attention by historians of urban commerce in the thirteenth century are didactic texts, such as the language manuals used for teaching Latin, and the dictaminal texts that provided models of legal forms and standard letters.<sup>2</sup> In this paper I will focus on three such texts, all of which were published in the nineteenth century, but none of which has drawn the attention of historians of urban trade.

All three texts were written in the early thirteenth century by English authors. The first is a Latin manual written by John of Garland. He was born about 1195, studied at Oxford around 1210-1213, and then went to Paris, where he became a teacher of grammar.<sup>3</sup> About 1218 he wrote a Latin manual for the use of his stu-

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<sup>1</sup> I am very grateful to acknowledge the generous support of the University of Wisconsin-Milwaukee for granting me a sabbatical in 2003-4, and of the American Philosophical Society for a Sabbatical Fellowship in that year, which enabled me to undertake much of the research and writing for this paper.

<sup>2</sup> Alexander Nequam's (or Neckam's) *De nominibus utensilium* has, however, been examined by John Munro for its description of weaving on a horizontal loom. See Munro, "Textiles," in *Medieval Latin: An Introduction and Bibliographical Guide*, ed. Frank A. Mantello and George Rigg (Washington, D.C.: Catholic University of America Press, 1996), 474-84.

<sup>3</sup> Aside from three years of teaching at the newly-founded University of Toulouse (1229-31) and a brief period in England, perhaps teaching the children of noble families (probably between 1232 and 1241), Garland seems to have lived in Paris until his death sometime after 1258, perhaps after 1272. On John of Garland's life and works, see Louis John Paetow, ed., *Morale scolarium of John of Garland (Johannes de Garlandia)*, in *Memoirs of the University of*

dents and called it *Dictionarius*. Garland's work was the first to use that word, but it was not a dictionary in the modern sense. Rather, it was a rambling discourse on daily life, into which Garland crammed as much Latin vocabulary as possible. Garland revised his *Dictionarius* around 1230, and it survives in numerous manuscripts.<sup>4</sup> There is a recent scholarly edition of it, but until now the only translation of this very valuable work has been a useful but imperfect one that was privately printed and is not generally accessible.<sup>5</sup>

The second text is a brief, untitled, and anonymous dictaminal treatise (a treatise on the art of writing letters), which forms part of a manuscript in the British Library, Additional MS 8167, fols. 88r-90v. It was transcribed and printed in 1879 by Georg Waitz, a German scholar, who dated it to the fourteenth century.<sup>6</sup> In fact, however, the entire volume was written in the first half of the thirteenth century, and was acquired by a monk of Westminster Abbey around 1250. Our treatise forms part of a section of this volume (Article 5, fols. 88r-133r) that contains a large, untitled, and anonymous dictaminal and legal collection that seems to have been compiled at Oxford between 1220 and 1240.<sup>7</sup> According to H. G.

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*California*, vol. 4, no. 2 (Berkeley: University of California Press, and London: Cambridge University Press, 1927), 77-153, especially 82-96 and 127-31; and Traugott Lawler, "Garland, John of (b. c. 1195, d. in or after 1258)," *Oxford Dictionary of National Biography* (Oxford University Press, 2004), available online at <http://www.oxforddnb.com/view/article/10385> [seen 30 Jan. 2005].

<sup>4</sup> For a list of more than twenty manuscripts, see *Morale scolarium*, ed. Paetow, 129. Garland's revision of the *Dictionarius* around 1230 is noted by Lawler, *Oxford Dictionary of National Biography*, s.n. "Garland, John of."

<sup>5</sup> For a discussion of the editions of the *Dictionarius* by Hercule Géraud (1837), Baron [Joseph] Kervyn de Lettenhove (1850), Thomas Wright (1857), and August Scheler (1865), see Tony Hunt, *Teaching and Learning Latin in Thirteenth Century England*, 3 vols. (Cambridge: Cambridge University Press, 1991), 1: 191-2 and n.1. For Hunt's own edition of the *Dictionarius* and its vernacular glosses, see Hunt, *Teaching and Learning Latin*, 1: 191-203 (text), and 2: 125-56 (glosses). The sole translation of the *Dictionarius* is Barbara Blatt Rubin, trans., *The "Dictionarius" of John of Garlande and the Author's Commentary* (Lawrence, Kansas: Coronado Press, 1981). Rubin's translation, which appeared a decade before Tony Hunt's edition of the text and its vernacular glosses, was based on the edition published by Thomas Wright in *A Volume of Vocabularies Illustrating the Condition and Manners of our Forefathers*, Vol. 1 of *A Library of National Antiquities* (Liverpool: Joseph Mayer, 1857).

<sup>6</sup> G[eorg] Waitz, "Handschriften in englischen Bibliotheken," *Neues Archiv der Gesellschaft für ältere Deutsche Geschichtskunde* 4 (1879): 339-43.

<sup>7</sup> For a discussion of this manuscript and its date, see the introduction to

Richardson, our text is the earliest known English dictaminal treatise.<sup>8</sup> There are some striking similarities between it and Garland's *Dictionarius*, and I wonder if Garland or, perhaps, someone connected with him at Oxford was its author.

My third text is a set of notes on letter-writing, illustrated by a small collection of model letters. The English antiquary Thomas Hudson Turner published a short and sadly incomplete description of this text in 1847, and included transcripts of three of the form letters that it contained, and a brief reference to a fourth.<sup>9</sup> Turner began his description of the text by noting airily that it came "from a manuscript which has recently fallen under my notice." He provided no other identification of the manuscript whatsoever, other than to state that it dated from the reign of Henry III. Fortunately, I have been able to identify Turner's mystery manuscript, and it turns out to be the same volume of dictaminal and legal materials that contains our second text (British Library, Additional MS 8167). The letters are on folios 97r-98v, and thus also belong to that section of the manuscript that appears to have been compiled at Oxford between 1220 and 1240. Folios 97-98 contain notes on how to write and respond to orders and requests, illustrated by ten model letters between five fictitious earls and various merchants and others. Six of the letters, including the four described by Turner, consist of exchanges between an earl and his vintner, draper, and skinner concerning the order of goods. The remaining four letters consist of a refusal from one unidentified man to another, and orders from an earl to his officer (probably his household steward), to a member of his affinity, and to his knights.<sup>10</sup>

The authors of the three texts used discussions of urban occupations, shops, and shopping to instruct students in Latin vocabulary and the art of writing business letters. Together, these texts provide a rich array of information on trades, crafts, shops and shopping in Paris and England in the early thirteenth century. I have provided a translation of Garland's text, and transcriptions

Appendix II, below.

<sup>8</sup> H. G. Richardson, "An Oxford Teacher of the Fifteenth Century," *Bulletin of the John Rylands Library* 23 (1939): 447-50.

<sup>9</sup> T. H. Turner, "Original Documents," *Archaeological Journal* 4 (1847): 142-4.

<sup>10</sup> David Crouch and I are preparing an edition and translation of a large selection of the documents in BL, Additional MS 8167, fols. 88r-133r.

and translations of the two dictaminal texts, in Appendices I-III below.

My first text, John of Garland's *Dictionarius*, takes us on a walking tour of Paris.<sup>11</sup> Garland lived on the Left Bank, in the *clos de Garlande* (near the present *rue Galande*), from which he took his name, and much of his text consists of descriptions of the various artisans, retail traders, and goods for sale that were to be seen in his own neighborhood in the newly-developing Latin Quarter, and elsewhere in the city.<sup>12</sup> Garland's text is, however, organized by trade and not by topographical logic, since his aim is to provide his students with topical vocabulary rather than a practical guide-book to Paris. He begins by looking at some of the leather and metal trades. "Today," he says, "one of my neighbors carried a pole of shoes for sale: laced shoes with pointed toes, buckled shoes, boots and leggings, and the boots worn by women and monks." Girdlers sell leather belts with iron or copper studs and girdles of woven silk ornamented with silver bars. Saddlers sell both plain and painted saddles, as well as saddle pads, pillions, canvas, curry combs, and stirrups. Shield-makers sell shields covered with cloth, leather, and brass, with painted decorations. John's neighbor William sells all sorts of small domestic commodities: needles and needle-cases, soap, mirrors, razors, whetstones, and fire-irons. Buckle-makers sell buckles, straps, bits, files, and bridles, while lori-mers sell silvered and gilded spurs, and bridles and breast-straps for horses. A peddler hawks knives, sheaths, and styluses. Fur-bishers sell polished swords, sword-belts, and scabbards. Merchants dwelling on the upscale Grand-Pont (which connected the Île-de-la-Cité with the Right Bank) sell halters, breech-girdles, straps, and purses made of deerskin, sheepskin, and pigskin. Glovers sell unlined and fur-lined gloves, and leather mittens; hatters make both hats and caps of various materials.

<sup>11</sup> It is a rambling narrative in some 84 brief paragraphs, which are arranged topically and are designed to teach the Latin vocabulary for things seen and used in everyday life. The following discussion is based on paragraphs 9-46, 50-54, 66-70, and 72 of the text edited by Tony Hunt in *Teaching and Learning Latin*, 1: 191-203.

<sup>12</sup> For the ordinances of the various craft and trade guilds of Paris c. 1268, see Étienne Boileau, *Les Métiers et corporations de la ville de Paris. XIIIe siècle. Le livre des métiers d'Étienne Boileau*, ed. René de Lespinasse and François Bonnardot, *Histoire générale de Paris* (Paris: Imprimerie Nationale, 1879).

The bowyers, who dwell at the Porte St-Lazare, make bows and crossbows of maple, viburnum, and yew, and arrows and bolts of ash. Brooch-makers sell brooches, pendants, and little bells made of base metals; in churches, the bronze bells of the bell-founders toll the hours. Lowly cobblers repair old shoes, while cordwainers make new ones of tawed leather. They sew the leather into footwear using an awl, linen thread, and pig bristles.<sup>13</sup> Skinners sell new pilches (*pellicia*, pelisses: fur cloaks or coats, with the fur outwards) and fur linings (*penulas*, *furraturas*),<sup>14</sup> while other men go about the streets of Paris crying that they will repair them.<sup>15</sup>

Next Garland looks at low-level traders in food and drink, who clearly cater to the student market for which he himself is writing. Cup-menders cry that they will repair cups with bronze and silver wire. They mend mazers and cups made of maple, plane, birch, and aspen. Wine-criers cry wine at various prices and offer samples to taste.<sup>16</sup> Street-sellers with baskets of light pastries, wafers, and

<sup>13</sup> In *Farmer Boy* (rev. edn, New York, etc.: Harper and Row, 1953), Chap.23: 292-5), Laura Ingalls Wilder described the same manner of making shoes in New York state in the 1860s: The cobbler, using his right hand, “pulled a length of linen thread across the wad of black cobbler’s wax in his left palm, and he rolled the thread under his right palm, down the front of his leather apron. Then he pulled it and rolled it again... till the thread was shiny-black and stiff with wax. Then he laid a stiff hog-bristle against each end of it, and he waxed and he rolled ... till the bristles were waxed fast to the thread.” The cobbler then clamped the upper pieces of one boot together in a vise and punched a hole through the edges with his awl. “He ran the two bristles through the hole, one from each side, and ... pulled the thread tight. He bored another hole, ran the two bristles through it, and pulled till the waxed thread sank into the leather. That was one stitch.”

<sup>14</sup> See *Middle English Dictionary* (MED), s.v. “Pilch(e);” Elspeth M. Veale, *The English Fur Trade in the Later Middle Ages*, 2<sup>nd</sup> edn, London Record Society, 38 (2003), 219, s.v. “Furrure,” 221, s.vv. “Pane” and “Pellicium.” A *penula* was a “panel” or “pane” of furs sewn together to make a lining, and a *furrura* or *furratura* was the same. According to Elspeth Veale, in England in the late thirteenth and early fourteenth centuries a *penula* was often larger than a *furrura*, but in the texts discussed in this paper that distinction does not appear.

<sup>15</sup> Cf. *Les Crieries de Paris* (mid thirteenth-century) by Guillaume de la Villeneuve, which reproduces many of the cries of the street-criers of Paris, including those of the repairers of mantles and pilches (“*Il autres crie a grant frizon:/Qui a mantel ne pelicon,/Si le m'aport a rafetier*”). Paris, Bibliothèque nationale, MS fonds français, no. 837, fol. 246; printed in Alfred Franklin, *Dictionnaire des arts, métiers, et professions exercés dans Paris depuis le treizième siècle* (Paris, 1906; rpt. New York: Burt Franklin, 1968), 748-51.

<sup>16</sup> According to Étienne Boileau, the criers of wine in Paris c. 1268 could go into any tavern that sold wine by retail and demand to be the tavern’s

rissoles (fried, spiced balls of fruit or minced meat or marrow) cry their wares at night. Regrators, who buy goods for re-sale, send their servants out into the streets to sell cherries, plums, apples, pears, lettuce, cress, and chervil at premium prices. In their windows they display convenience foods: fine white rolls, quiches, butter cakes, soft and hard cheeses, and also candles, which have large sulphured wicks to make them burn better. The bakers bake bread made of various grains and, frequently, of bran. Pastelers (pie-bakers) make a killing selling to clerks pasties filled with pork, chicken, or eel, and tarts and flans—often dirty—stuffed with soft cheeses and eggs. Fast-food cooks roast poultry on hazelwood spits, but they often sell meat that is raw and badly seasoned to the scholars' servants. The butchers, who hate the scholars, sell them coarse cuts of beef, mutton, and pork, sometimes measled, and lethal *andouilles*, sausages, black puddings, and tripes.<sup>17</sup>

The scene now shifts back to the much grander Grand-Pont, where the money-changers count out Parisian money, sterlings, bezants, and other coins on their boards,<sup>18</sup> and the goldsmiths sit before their furnaces and tables making hanaps (goblets), brooches, and other ornaments. Hanapers decorate vessels with gold and silver fittings, and put feet and rims on hanaps. Greedy drapers sell a range of false woolen cloths, and also defraud their customers by measuring the cloths incorrectly. Some men usurp the office of women by selling linen goods of all kinds: table linens, towels, sheets, shirts, underclothing, wimples, and kerchiefs. Spicers stock spices, wax, wax candles for churches, and medicinal preparations.

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crier for that day or the following day, for a fee of 4d. The crier was responsible for seeing the wine drawn and for ensuring that the measures used were correct. He was to cry the wine and its price in the streets twice daily (once daily during Lent, on Sundays and Fridays, and on certain holidays), carrying a pot of the wine and a cup to allow potential customers to taste a sample. Boileau, *Métiers*, 21-4. A wine-crier is represented in the bottom panel of the early thirteenth-century window of St. Lubinus at Chartres. See Jane Welch Williams, *Bread, Wine, and Money: The Windows of the Trades at Chartres Cathedral* (Chicago and London: University of Chicago Press, 1993), Chap. 4, color plate 2, black-and-white plates 86, 96.

<sup>17</sup> Cf. Garland's *Commentarius*, in Hunt, ed., *Teaching and Learning Latin*, 1: 221, where Garland notes that sausages, black puddings, haggis, and large pasties were food for sturdy rustics.

<sup>18</sup> There are a number of scenes of money-changers in the early thirteenth-century windows of Chartres Cathedral. See Williams, *Bread, Wine, and Money*, Chap. 5, color plate 3, and black-and-white plates 117, 120, 127-31.



The carpenters, who make various things out of wood, include coopers, who make wooden barrels and other vessels, and wheelwrights, who make wheels for carts and wagons.

Garland ends his tour with a look at mostly textile crafts. Fullers, naked and panting, full shaggy woolen cloths in troughs of white clay and hot water, then dry them in the sun and pluck up the nap with teasels. Dyers dye woolen cloths with woad and madder, which leave their nails dyed black, blue, and red. Pretty girls turn up their noses at them unless they pay. Tanners work hard tanning horsehides and oxhides in hollowed logs. They scrape the hides with a knife and turn them frequently in their tanbark solution to disperse the raw stench. Smiths forge horseshoes and tools for garden and farm. Cooks scrub pots and pans and dishes in hot water before their ovens and hearths. Women weavers (possibly working at old-fashioned, warp-weighted, vertical looms), draw their bobbins or shuttles through the warp-threads, pulling the weft-thread from the spool and spindle. They then beat up the weft, turn the spool on the windlass, and resume weaving.<sup>19</sup> Female silk-

<sup>19</sup> See p. 515 and n54 below. The nature of the loom here is unclear. Although the horizontal loom had appeared in Europe in the eleventh century, it is possible that the warp-weighted loom continued in use into the thirteenth century, perhaps especially for domestic weaving by women. Andrew Woodger has argued that the warp-weighted loom also survived in commercial use as the burel (broadcloth) loom until the end of the thirteenth century, when it was decisively superseded by the horizontal broadcloth loom, which had been invented in Flanders in the mid thirteenth century. Andrew Woodger, "The Eclipse of the Burel Weaver: Some Technological Developments in the Thirteenth Century," *Textile History* 12 (1981): 59-76. Compare Garland's description of the women weavers, who are not described either as seated or as using treadles, with the description provided in the late twelfth century by Alexander Nequam (or Neckam) in *De nominibus utensilium*. In the latter, a seated male weaver works at a horizontal loom with treadles for raising the alternate warp threads; Nequam likens him to a rider with his feet in stirrups. Nequam's text is edited in Hunt, *Teaching and Learning Latin*, 1: 177-89 (the passage on weaving is on pp. 184-5), and the description of weaving is translated and discussed by Urban Tigner Holmes, Jr., in *Daily Living in the Twelfth Century, Based on the Observations of Alexander Neckam in London and Paris* (Madison, Wisconsin: University of Wisconsin Press, 1952), 146-50. On the possible continued use of the vertical loom, see also Penelope Walton, "Textiles," in *English Medieval Industries*, ed. John Blair and Nigel Ramsay (London and Rio Grande, Ohio: Hambledon Press, 1991), 318-54, especially pp. 327-9. On weaving technologies and terminology, see John H. Munro, "Textile Technology in the Middle Ages," in *The Dictionary of the Middle Ages*, ed. Joseph R. Strayer et al., vol. 11 (New York: Charles Scribner's Sons, 1988), reprinted in Munro, *Textiles, Town, and Trade: Essays in the Econo-*

weavers stretch out gold threads on pegs or pins and beat up the weft. From their woven silks they make the girdles and head-bands of wealthy women and the stoles of priests. Female wool-combers, in old pilches and filthy veils, sit combing their wool by the fire, near the privy and the bum-wipers. The women who wind silk thread into skeins are promiscuous sluts who sometimes clip the students' purses. After this raunchy warning, Garland concludes his tour of Paris by describing the poultry and game birds that are sold in the new street before the square of Notre-Dame, and the various kinds of fish sold by the fishermen.

Our second text (British Library, Additional MS 8167, fols. 88r-90v) begins by discussing forms of address in writing a letter, then shifts to a discussion of how to write letters to creditors. "Some creditors," the author remarks, "are urban, and some are rural." He then lists some nineteen urban occupations and proceeds to describe them in turn. The vintner, he begins, should have wine of Anjou, Gascony, the Île-de-France, and Auvergne, rosé wine, spiced wines, grape juice, perry, vinegar, cider, and mead. He should serve wine to his customers in gold cups, mazers, and lidded cups.<sup>20</sup> Drapers sell their wares both at fairs and in selds (covered bazaars).<sup>21</sup> A draper should stock a variety of cloths, both cheap and

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*mic History of Late-Medieval England and the Low Countries* (Aldershot, Hampshire: Variorum, 1994), Chap. 1; and Munro, "Textiles," in *Medieval Latin*, ed. Mantello and Rigg, 474-84. On the gender shift in commercial weaving from female to male weavers (perhaps related to the introduction of the horizontal loom), see John Munro, "Medieval Woollens: Textiles, Textile Technology and Industrial Organisation, c. 800-1500," in *The Cambridge History of Western Textiles*, ed. David Jenkins (Cambridge: Cambridge University Press, 2003), 1: 191-7, 217-18, 221-2.

<sup>20</sup> The German Rhenish and Moselle wines, much enjoyed by King John and by Henry III, are not mentioned here; perhaps they were too expensive for tavern use. The sweet wines of the eastern Mediterranean were not imported to England in quantity until the fourteenth century. A. D. Francis, *The Wine Trade* (London: Adam and Charles Black, 1972; New York: Harper and Row, 1973), 7-9, 15. Garland's *Commentarius* (ed. Hunt, in *Teaching and Learning Latin*, 1: 221) notes national preferences in drink: France prefers white wine; Burgundy, red wine; Germany, mead; and England, ale. At Paris, he adds, spiced wines are expensive; cider, perry, and wine flavored with mulberry juice are sold there at Christmas.

<sup>21</sup> Selds emerged at the end of the twelfth century in cities where property values in prime commercial streets were so high that many retail traders could not afford their own shop. Instead, they rented space in a seld and sold their goods from stalls or benches there. The selds were typically located behind

expensive, including English broadcloths, heavy cloths for making hoods, and finer, lighter cloths for making robes for the better-dressed. His range of goods should also include scarlets, burnets, russets,<sup>22</sup> imperials,<sup>23</sup> and habergets, burels<sup>24</sup> made in London or

the street frontages in upscale commercial streets, and enabled traders to enjoy a prime location at an affordable rent. See Derek Keene, "Shops and Shopping in Medieval London," in *Medieval Art, Architecture and Archaeology in London*, ed. Lindy Grant (British Archaeological Association Conference Transactions for the Year 1984, 1990), 38-43; D. M. Palliser, T. R. Slater, and E. Patricia Dennison, "The Topography of Towns 600-1300," in *The Cambridge Urban History of Britain*, Volume 1, 600-1540, ed. David M. Palliser (Cambridge: Cambridge University Press, 2000), 184-5; and Derek Keene, "London from the Post-Roman Period to 1300," in *The Cambridge Urban History of Britain*, 1: 201. For some early references to London selds, see W. O. Hassall, ed., *Cartulary of St. Mary Clerkenwell*, Camden Society, 3rd ser., 71 (1949), nos. 224-5, 256, 273, 327; M. Gibbs, ed., *Early Charters of the Cathedral Church of St. Paul, London*, Camden Society, 3rd ser., 58 (1939), nos. 282, 302-5, 336; Emma Mason *et al.*, eds, *Westminster Abbey Charters, 1066-c. 1214*, London Record Society, 25 (1988), no. 381. For a discussion of selds in other English towns, see D. Clark, "The Shop Within?: An Analysis of the Architectural Evidence for Medieval Shops," *Architectural History* 43 (2000), 83-4, n. 6.

<sup>22</sup> Scarlets, burnets, and russets were well-known types of woollen cloth in the thirteenth century. A list in Anglo-Norman of more than a hundred English towns and their attributes identifies Lincoln with scarlet, Stamford with haberget, Blyth with blanket, Beverley with burnet, and Colchester with russet. Bodleian Library, MS Douce 98, fols. 195-6; printed by C. Bonnier in "List of English Towns in the Fourteenth Century," *English Historical Review* 16 (63) (1901): 501-3, and translated in Harry Rothwell, ed., *English Historical Documents*, Vol. 3, 1189-1327 (London: Eyre and Spottiswoode, 1975), "Some Thirteenth-Century English Places and Their Associations," 881-4. The Bodleian catalogue of Douce manuscripts dates Douce 98 to c. 1320-30; Rothwell, however, follows Eleanora Carus-Wilson in dating this text to the mid thirteenth century. Scarlet was the very finest and most costly woollen, available in a range of colors. See Munro, "Medieval Woollens: Textiles, Textile Technology and Industrial Organisation, c. 800-1500," 212-5. Burnet evidently was a very fine-quality woollen cloth. In 1231 Henry III's tailor was sent to the fair of Bury St. Edmunds to buy ready-made clothing that included a "complete robe of black *burnetta* furred with squirrel." In 1244 four "*burnettos bene tinctos*" and four black *burnetas* were listed among the expensive cloths and furs ordered for the king and queen to wear, respectively, at Whitsun and Christmas. Kay Staniland, "Clothing Provision and the Great Wardrobe in the Mid-Thirteenth Century," *Textile History* 22 (1991), 243, 248. Russets were among the cheaper woollens. See E. M. Carus-Wilson, "The English Cloth Industry in the Late Twelfth and Early Thirteenth Centuries," *Economic History Review* 14 (1944), 32-50 (see especially pp. 33-4); reprinted in Eleanora M. Carus-Wilson, *Medieval Merchant Venturers: Collected Studies* (London: Methuen, 1954), 211-38.

<sup>23</sup> Imperial was an imported silk. According to the *Oxford English Dictionary*

Beauvais, *cordium* and *cordicum*,<sup>25</sup> and *grisetum* (evidently a gray woolen cloth) from Totnes and Cornwall.

Next come sellers of foodstuffs. Our author lists more than two dozen types of fresh sea fish and freshwater fish that fishermen and fishmongers should sell. Butchers sell carcasses and joints, both

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(*OED*), s.v. "Imperial," B. 3, citing Daniel Rock's *Textile Fabrics* (1876): "At the end of the twelfth century there was brought to England from Greece, a sort of precious silk, named Imperial." It evidently was so called because it was originally made in Constantinople. A silk called imperial was listed in an inventory of St. Paul's Cathedral in London in 1245. Lucca was producing a heavy cloth of gold called imperial by 1376, and Florence was still producing it in 1458, although lampas silks, including imperial, evidently had declined in popularity by then. In England, during the period 1325-1462 the Great Wardrobe purchased imperials only between the years 1379-1381 and 1422-1425. Lisa Monnas, "Silk Cloths Purchased for the Great Wardrobe of the Kings of England, 1325-1462," in *Ancient and Medieval Textiles: Studies in Honour of Donald King*, ed. Lisa Monnas and Hero Granger-Taylor, Publications of the Pasold Research Fund (Leeds: W. S. Maney & Son, 1990), 285, 290, 297-9. In 1483, four pieces of "*imperiall with Lukes golde*" were bought for the coronation of Richard III. *The Coronation of Richard III: The Extant Documents*, ed. Anne F. Sutton and P. W. Hammond (Gloucester: Alan Sutton, and New York: St. Martin's Press, 1983), 112, 420. See also *Dictionary of Medieval Latin from British Sources*, s.v. "Imperialis" (5).

<sup>24</sup> Eleanor Carus-Wilson tentatively identified haberget as a woolen cloth with a distinctive diamond-patterned twill weave, woven on a warp-weighted loom, and resembling the texture of a chain-mail hauberk. Haberget was popular between the mid twelfth and mid thirteenth centuries, and evidently ranged in quality from very fine to very coarse because it was worn by both rich and poor. Eleanor Carus-Wilson, "Haberget: A Medieval Textile Conundrum," *Medieval Archaeology* 13 (1969): 148-66 and Plates XV-XXV. Burel was a cheap woolen cloth, often purchased by the king for almsgiving or for servants' clothing. See Carus-Wilson, "English Cloth Industry in the Late Twelfth and Early Thirteenth Centuries," 33-4; Staniland, "Clothing Provision and the Great Wardrobe in the Mid-Thirteenth Century," 243. Andrew Woodger identified burel as a broadcloth woven on a warp-weighted loom ("The Eclipse of the Burel-Weaver," 59-76).

<sup>25</sup> I have been unable to identify *cordium* and *cordicum*. *Cordium* came in white and black, unshorn and shorn (*grossum vel minuatum*), while *cordicum* was striped. The mid thirteenth-century list of English towns and their attributes (Bodleian Library, MS Douce 98, fols. 195-6) mentions "*Corde de Warwick*" (line 55) and "*Corde de Bredeport*" (line 90) as the signature products of Warwick and Bridport. See Bonnier, "List of English Towns," 501-3, and Rothwell, ed., *English Historical Documents*, Vol. 3, 1189-1327, 881-4. However, the *MED* defines "*corde*" simply as "a rope, line, cord, or string," and I have been unable to find any reference to cloths with a corded or ribbed weave. There was a cloth called "*card*," but it seems to have been a type of muslin. See *Dictionary of Medieval Latin from British Sources*, s.v. "*Carda*;" *OED*, s.v. "*Carde*;" *MED*, s.v. "*Carde*" n.(3).

salted and fresh, of beef, pork, goat, and mutton, and also offal, lard, tallow, cowhides and sheepskins. Poulterers sell all kinds of wild birds as well as domestic ones. Bakers offer a variety of fine and coarse breads. Their equipment includes not only an oven, sieve, bolting cloth, and molding-board, but also a dough-brake, which was a mechanical device for kneading large quantities of dough. Pastelers sell pasties, well-spiced and filled with meat, fish, poultry, or game, while flan-makers sell flans made of eggs, bread, and cheese, and waferers sell wafers and little cakes cooked in irons or ovens.

Lastly, our author looks at the metal and leather crafts. A goldsmith's stock should include altar plate, crowns, crosses, candelabra, tableware, and jewelry. Cutlers make various kinds of knives, razors, scissors, and shears. Girdlers sell belts of silk, linen, or leather; some of the girdles are plain, and some are decorated with round or square studs. Glovers offer a variety of lined and unlined gloves, including heavy work gloves; thin gloves for those who do no manual work; large, lined gloves for falconers; and seamless knitted gloves.<sup>26</sup> Cordwainers work in tawed leather made of goatskin or sheepskin, from which they make a wide range of fine footwear. Both the hosier and the cobbler, however, work in cowhides. Cobblers make both leggings and shoes, but hosiers make leggings only and not shoes. Saddlers sell both saddles and shields in various styles. Skinners sell leather garments and fur linings and trimmings made of a wide range of skins and furs, from those of cats, dogs, and sheep, to those of dormice, squirrels, and sables. This treatise then ends abruptly with a description of the wares of the lorimers. They sell horse tack and spurs, in a variety of styles.

Our third text consists of instructions for writing and responding to orders and requests, illustrated by ten model letters. Six of the letters represent exchanges between a fictitious earl and his vintner, draper, and skinner. In the first of these (Letter 2), the earl writes to his vintner to order two tuns of Gascon wine and three of wine of Anjou, at a price of 20s per tun, for a total of £5. He wishes to

<sup>26</sup> Knitted liturgical gloves were used in Europe from the sixth or seventh century. See Irena Turnau, "The Diffusion of Knitting in Medieval Europe," in *Cloth and Clothing in Medieval Europe: Essays in Memory of Professor E. M. Carus-Wilson*, ed. N. B. Harte and K. G. Ponting, Pasold Studies in Textile History, 2 (London: Heinemann Educational Books, for The Pasold Research Fund, 1983), 368-89, especially 375-82.

buy these wines on credit, reminding the vintner of his excellent credit history and promising to pay in full on Palm Sunday. He ends, somewhat haughtily, by hoping that the vintner will behave in such a manner as to deserve his gratitude. The author then suggests a gracious reply for the vintner to send, with variant endings (Letters 3-4), depending on whether or not the customer has a good credit record. In the former case, the vintner recites the earl's request, and the fact that he has always paid his bills, and concludes: "I agree to your present request and shall accommodate you with the five tuns that you have sought, trusting you that on the day named, as is your custom, you will pay your debt to me in full." However, if the customer's account is in arrears, the tradesman is advised to end his letter instead by saying, "I shall accommodate you with the five tuns of wine that you requested, beseeching you anxiously that you will pay me in full your old debt, which is in arrears, equally with this new debt, on the said day."

Next, the earl writes to his woolen-draper in London (Letter 5) to order sixty ells of scarlet cloth, again on credit. He acknowledges this time that his merits are somewhat equivocal, but hopes that the draper will accommodate him and give him the cloth, at the best possible price, until the Sunday after Easter, when he will pay in full. The earl hopes that he may have the cloth on these terms without a pledge, but if a pledge is required, he has sent ten gold rings and ten silver cups. He concludes, as in his previous letter, by trusting that the draper will act in such a way as to deserve his friendship.

The earl then writes a rather obsequious letter to his skinner (Letter 6), to whom he owes money, saying that he needs furs for Easter but does not have the money to pay for them. He implores the skinner to accommodate him with twenty linings of *gris* and the same of *vair* (costly squirrel skins) and of fine-quality lambskins, on credit. If the skinner does not have these in stock, the earl asks him to obtain them elsewhere, promising to pay him on the appointed day. The earl addresses this letter to "his beloved skinner H.," and sends "greetings and the fullest of love." The skinner responds with a very polite letter (Letter 8), addressed to his "beloved friend," saying that, unfortunately, he cannot accommodate the earl. The skinner explains that his own stock has been destroyed in a fire, and no one will lend him the money to make new purchases since he no longer has any collateral. He concludes

by begging “that you do not take it amiss that I have not sent you what you requested, since you know the cause of the impediment.”

The final business letter in this collection is another letter of refusal (Letter 9), this time written by an unidentified man to another man of similar status. The petitioner has evidently asked for some kind of favor or financial assistance, after having previously refused a similar request by the writer of the present letter. The writer’s tone this time is quite cutting, and he angrily reminds the petitioner that one ill turn deserves another: “you disdained to come to my aid. And so, henceforward, if you want to have a friend, you will have to be found [to be] a friend. Farewell.”<sup>27</sup>

The archival records of urban commerce traditionally consulted by economic historians provide crucial quantitative information on such topics as the production and distribution of goods; wages and prices; debt and credit; transaction costs; and the demography and topography of urban trade. The three texts discussed here touch on some of these topics, but their greatest value is in the considerable information that they provide on many complementary subjects. These include valuable descriptions of manufacturing techniques and working conditions; of the raw materials, tools, and other equipment used in the various crafts; of the shops, stalls, and street-furniture used by vendors; of credit practices, and commercial hazards. In a period for which commercial inventories are virtually non-existent, our first two texts provide detailed descriptions of the range of goods made, mended, and sold by urban artisans and retail traders, and make it clear that by the early 1200s many were already highly specialized. In the leather trades, for example, cordwainers made shoes of tawed leather, not tanned hide, hosiers made leather leggings but not shoes, and lorimers made bridles but not belts. In the food and drink trades, vintners sold wine but not ale, bakers baked bread but not wafers; and a variety of fast foods were offered by a similar variety of specialist cooks. In Paris, the goldsmiths, brooch-makers, hanapers, and cup-menders all occupied separate economic niches within the metal trades.

Urban trades and crafts were a new topic for writers and artists in the thirteenth century, and the range of occupations in our texts

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<sup>27</sup> These letters, as well as Letters 1, 7, 10, and 11, will be discussed at length by Martha Carlin and David Crouch in their forthcoming volume on this manuscript.

is echoed by the *arts et métiers* depicted, for the first time, at the beginning of the thirteenth century, in the windows of Chartres and Bourges Cathedrals.<sup>28</sup> Garland’s *Dictionarius* describes some 48 urban trades and crafts whose practitioners were to be seen in the streets and shops of Paris, and our second text discusses nineteen English urban occupations. The windows at Chartres (which survive better than those at Bourges) represent at least 23 trades and crafts. The overlap among the three is extensive. Table 1 lists the three sets of occupations; to facilitate comparison, they have been grouped by material or product. Occupations that dealt in more than one kind of material (*e.g.*, lorimer, saddler, and shield maker) have been categorized under the dominant material of their products.

Table 1 highlights the occupational focuses of the two texts. Both show a considerable interest in the food and drink trades and the leather and skin trades. Garland goes on to describe a variety of workers in metals, textiles, and wood, but the anonymous English text shows little interest in these. Apart from one brief reference by Garland to carpenters, neither text looks at the building trades.

Table 1  
Urban Occupations in Garland’s *Dictionarius*; in BL, Add. MS 8167, fols. 88r-90v; and in the Windows of Chartres Cathedral

Category	Garland’s <i>Dictionarius</i>	Add. MS 8167	Chartres windows <sup>29</sup>
Food and drink	Baker	Baker	Apothecary
	Butcher	Butcher	Baker
	Cook (caterer or household)	Fish-seller	Butcher
	Cook (fast-food)	Flan-maker	Fish-seller
	Fish-seller	Pasteler	Wine-crier
	Pasteler (pie-baker)	Poulterer	Wine-seller
	Pastry-seller	Vintner	

(cont’d)

<sup>28</sup> Williams, *Bread, Wine, and Money*, 1, 8.

<sup>29</sup> These 23 occupations from the windows of Chartres Cathedral are derived from Williams, *Bread, Wine, and Money*, color plate 2, and black-and-white plates 7-9.



Table 1 *cont'd*

Category	<i>Garland's Dictionarius</i>	<i>Add. MS 8167</i>	<i>Chartres windows</i>
Leather and skins	Poulterer (bird-seller) Regrator (huckster) Spicer Wine-crier	Waferer	
	Cobbler Cordwainer Fur-mender Girdler Glover Lorimer Shoe- and boot-seller Skinner Strap-/halter-/ purse-seller Tanner	Cobbler Cordwainer Girdler Glover Hosier Lorimer Skinner	Currier Leather-worker Shoemaker Skinner
Metals	Bell-founder Brooch-maker Buckle-maker Cup-mender Furbisher Goldsmith Hanaper Money-changer Moneyer Peddler of knives, styluses Seller of needles, razors, <i>etc.</i> Smith (blacksmith)	Cutler Goldsmith	Armorer Farrier Money-changer
Stone			Mason Sculptor
Textiles	Draper Dyer Fuller	Draper	Draper Weaver

(*cont'd*)

Table 1 *cont'd*

Category	<i>Garland's Dictionarius</i>	<i>Add. MS 8167</i>	<i>Chartres windows</i>
Wood	Hatter Linen-seller Silk-weaver (female) Weaver (female) Winder (female) Wool-comber (female)  Bowyer Carpenter Cooper Saddler Shield-maker Wheelwright	Saddler	Builder Carpenter Cooper Shield-maker Turner Wheelwright

All three of our didactic texts, however, supply many vivid glimpses of commercial practice that may not be recorded elsewhere, such as details of negotiating techniques, and of the humbler trades that are often poorly represented in more traditional sources. They include descriptions of street-sellers and itinerant repairmen; of the range of footwear and saddles for sale; of the different kinds of leather used for making purses; and of the various woods used for making bows, arrows, drinking-cups, and the skewers used by fast-food cooks for roasting poultry. I have not seen elsewhere a reference to candles with large, sulphured wicks, which presumably were designed to make them easy to light with a spark from a fire-iron; and I would not otherwise have known where in Paris at the end of the reign of Philip Augustus one could buy such necessary items of daily life as a needle, a fire-iron, a whetstone, or a belt for holding up men's drawers. Our sources give us some striking early images of the sights, sounds, and smells of urban commerce; they also supply some rare vignettes of female textile-workers, and may chart a gender-shift in the Parisian linen trade.

Our texts also provide a useful counterbalance to the idyllic images of urban commerce that appear in the encomia that were written by some medieval chroniclers to glorify their cities. Here, instead of the praise and representations of universal prosperity and concord that must have been very gratifying to civic oligarchs,

we get a somewhat more jaundiced view, written by and for those who lived on a student's meager stipend or a scholar's inadequate pay. While they might linger lovingly over the gold and silver plate of the goldsmiths, the elegant woolens of the drapers or the fine furs of the skimmers, they also speak knowingly of down-market vendors and second-hand goods; of retailers who cheat their customers with false measures or adulterated products; and of the exorbitant cost and dubious quality of unhealthy but irresistible convenience foods. (The hot pies and flans described here were among the principal fast-foods of medieval towns. Such foods were avoided by the wealthy but were a staple of poor urban households, which often lacked the means to make a hot meal. The presence of fast-food cooks in towns is thus a gauge of urban poverty, not plenty.)<sup>30</sup> Our third text also reminds us that even aristocratic shoppers needed to ask for credit, and it lays out standard procedures for buying and selling by correspondence, in Latin, and even for writing an angry rejection letter. Together, these three texts, and others like them, can clearly add much to our understanding of shops and shopping in the thirteenth century.

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<sup>30</sup> See Martha Carlin, "Fast Food and Urban Living Standards in Medieval England," in *Food and Eating in Medieval Europe*, ed. Martha Carlin and Joel T. Rosenthal (London and Rio Grande, Ohio: Hambledon Press, 1998), 27-51.

## APPENDICES

*A Note on the Translations in Appendices I-III*

In translating these texts I have drawn heavily on the texts and glosses in Tony Hunt's *Teaching and Learning Latin in Thirteenth-Century England*, 3 vols. (Cambridge: D. S. Brewer, 1991). For John of Garland's *Dictionarius* I have also consulted the only previous translation: Barbara Blatt Rubin's *The Dictionarius of John de Garlande and the Author's Commentary* (Lawrence, Kansas: Coronado Press, 1981), which she based on Thomas Wright's edition in *A Volume of Vocabularies ... from the Tenth Century to the Fifteenth*, in Joseph Mayer (ed.), *A Library of National Antiquities*, vol. 1 ([Liverpool]: privately printed, 1857), 121-38.) I have also checked the editions of the *Dictionarius* in Hercule Géraud, ed., *Paris sous Philippe-le -Bel, Collection de documents inédits sur l'histoire de France* (Paris: Imprimerie de Crapelet, 1837), Appendix II, "Dictionnaire de Jean de Garlande," 580-612; Thomas Wright (described above); and August Scheler, *Lexicographie latine du XIIe et du XIIIe siècle. Trois traités de Jean de Garlande, Alexandre Neckam et Adam du Petit Pont, publiés avec les gloses françaises* (Leipzig: F. A. Brockhaus, 1867), 1-83. In addition to dictionaries of Classical Latin I have also used the *Dictionary of Medieval Latin from British Sources*, ed. R. E. Latham et al. (London: Oxford University Press, for the British Academy, 1975-, in progress); R. E. Latham's *Revised Medieval Latin Word-List from British and Irish Sources* (London: Oxford University Press, for the British Academy, 1965, reprint 1973), the online versions of the *Oxford English Dictionary* (OED) and the *Middle English Dictionary* (MED), and various other medieval word-lists (cited in the notes). I owe deep thanks to Richard Monti and Susan Reynolds for general assistance with the Latin, to Richard Hoffman for kindly supplying me with information on fish terminology, and to David Crouch for assistance with the vocabulary of heraldry and aristocratic correspondence. Any errors that remain are mine alone. A number of the readings given below are very tentative; I would be grateful to receive any corrections or suggestions for amending them.

## APPENDIX I

*Translation of the Description of Shops and Shopping in Paris in John of Garland's Dictionarius*

The following translation is based on paragraphs 9-46, 50-4, 66-70, and 72 of the text edited by Tony Hunt in *Teaching and Learning Latin*, 1: 191-203. To facilitate comparison with Hunt's edition I have included his paragraph numbers below.

1-8. [After a preliminary discussion of parts of the body, Garland abruptly shifts to a description of the goods for sale in Paris.]

9. Today one of our neighbors carried a pole of shoes for sale: laced shoes with pointed toes and buckled shoes, boots (*tibialia*), and leggings (*cruralia*), and the boots (*crepitas*) worn by women and monks.
10. Girdlers have before them white, black, and red [leather] belts, well-studded (*bene membratas*) with iron and copper, and girdles of woven silk, well-barred (*bene stipata*) with silver.<sup>31</sup>
11. Saddlers sell saddles, both bare and painted, and also saddle pads (*panellos*), pillions (*pulvillos*),<sup>32</sup> canvas (*carentivillas*), and pack-saddles (*trussulas*), and stirrups (*strepas*).
12. Shield-makers benefit the citizens of all France (*or, in some MSS, England*); they sell to knights shields covered with cloth, leather, and brass, painted with lions and with *fleurs de lis* (*leonibus et foliis liliorum depicta*).
13. Buckle-makers are enriched by their buckles, straps, and bits; by their files, and their bridles (*loralia*).
14. William, our neighbor, has in the market before him the following goods for sale: needles and needle-cases, soap, mirrors, razors, whetstones, and fire-irons.<sup>33</sup>
15. Lorimers are highly esteemed by noble knights for their silvered and gilded spurs, their resonant poytrels (*pectoralia resonancia*),<sup>34</sup> and their well-made bridles.

<sup>31</sup> Hunt's index of glosses includes *barre* as a gloss for *clavis*, *barrés* as a gloss for *membratas*, and *barré* as a gloss for *stipata* (Hunt, *Teaching and Learning Latin*, 3: 37, 101, 156, 202). A fifteenth-century copy of Garland's *Dictionarius* with English interlinear glosses (British Library, MS Harley 1002, fol. 176v) translates *membratas* here as *ystodyd*, and *stipata* as *ybarryd* (ornamented with metal strips). See *Dictionary of Medieval Latin from British Sources*, s.v. "Membrare" (2), and *MED*, s.v. "Barre" (6). For a fourteenth-century silk girdle ornamented with metal bars and excavated in London, see Geoff Egan and Frances Pritchard, *Medieval Finds from Excavations in London*, 3: *Dress Accessories*, c. 1150-c. 1450 (London: HMSO, 1991), 48, fig. 30.

<sup>32</sup> Cf. *MED*, s.v. "Piln."

<sup>33</sup> *Piricudia vel fusillos*: *fusillos* could also mean spindles, but here it seems to be used as a synonym for *pyricudia* (fire-irons). See Latham, *Revised Medieval Latin Word-List*, s.v. "Pyr," and *MED*, s.v. "Fir" 4(c).

<sup>34</sup> The poytrels (or peytrels) here were breast-straps for horses, since there were as yet no breastplates. Cf. *MED*, s.v. "Poitrel." They were often hung with jingling bells or pendants, which presumably is why Garland calls them "resonant." See the description of the lorimers in Appendix II, below; cf. Holmes, *Daily Living in the Twelfth Century*, 20-1.

16. Today I saw a peddler who had before him table knives and small knives (*cultellos ad mensam, mensaculas et artavos*), sheaths great and small, styluses, and grafting knives.
17. Furbishers of swords pile up pence by selling well-polished swords that have gleaming pommels and hilts and new scabbards.
18. Merchants dwelling on the Grand-Pont sell halters, breech-girdles (drawstring belts for men's drawers), straps, and purses made of deerskin, sheepskin, and pigskin.
19. Glovers bilk the scholars of Paris by selling them unlined gloves, gloves lined with lambskin, rabbit fur, and fox fur, and mittens made of leather.
20. Hatters make hats of felt and peacock feathers, and caps of cotton (*pillea de bombace*), and little caps of wool and fur (*pilleola de lana et pilis*).
21. At the Porte St-Lazare dwell the bowyers, who make crossbows and bows of maple, viburnum, and yew, and bolts and arrows of ash.
22. The brooch-makers have before them large and small brooches (*firma-cula*) made of lead and tin, iron and copper. They also have beautiful pendants (*monilia*)<sup>35</sup> and little ringing bells.
23. There are subtle artificers who make bells of sonorous bronze by which, in churches, the hours of the day are announced by the movement of the clappers and of the pulled ropes.
24. There are lowly cobblers who stitch together old shoes, renewing the patches, the welts, the soles, and the uppers.
25. Cordwainers are those who make footwear of tawed leather. They benefit the city of Paris by saving lasts for shoes and boots<sup>36</sup> and *spatulas* (shoehorns or foot-measures?).<sup>37</sup> They cut the leather, which has been dyed black, with a cobbler's knife, and sew the footwear with an awl and linen thread and a pig bristle.

<sup>35</sup> In Classical Latin, *monilia* in this context would normally have meant necklaces or collars, but Hunt's glosses translate it as *fermals, nuches, anglice broche*.

<sup>36</sup> For *formipedia* (lasts) and *equitibialia* (lasts for boots), see *MED*, s.v. "Lest(e);" cf. *Dictionary of Medieval Latin from British Sources*, s.v. "Formipedia."

<sup>37</sup> The meaning of *spatulas* is unclear; either "shoehorns" or "foot-measures" would perhaps best fit the context, but both Garland's glosses and modern dictionaries of Latin or Middle English translate *spatula* simply as "slice" (a spatula; a flat-bladed utensil used for stirring, mixing, or applying compounds or cleaning wounds). The *MED* also gives a secondary meaning as a surgical tool for cutting or lancing.

26. Skinners grow rich by their pilches (*pellicia*) and skins sewn together to make fur linings (*penulas, furraturas*), some made of lambskin, some of catskin, some of the skins of hares, some of fox skins. Skinners sell delightful pelts of coney and [?eastern] squirrels (*cyrogrillorum*), and of [?western] squirrels (*esperiolorum*), which are smaller than [?eastern] squirrels, according to Isidore [of Seville], and of otters and weasels. But they sell more dearly *vair* and *gris* (*cisinum*), and trimmings (*urlas*) of sable and dormouse (*laerone*).<sup>38</sup>
27. There are some criers of pilches to mend who go about the streets of Paris, and they repair the fur linings (*furraturas*) of surcotes and mantles, partly by stealing (*furando*).<sup>39</sup>
28. Menders of cups cry that they will repair cups with bronze and silver wire. They mend mazers and cups of plane and birch, maple and aspen.
29. Wine-criers cry, with gaping throat, wine that was broached<sup>40</sup> in the taverns, at fourpence, sixpence, eightpence, and twelpence, carrying wine poured from a gallon jug into a hanap for sampling.
30. Street-sellers of light pastries (*nebularum*) and wafers cry out their light pastries and wafers and rissoles (*artocreas*: fried balls of spiced fruit, minced meat, or marrow)<sup>41</sup> at night, selling them from baskets covered

<sup>38</sup> *Cisinum* meant both *vair* and *gris*, which were the choicest squirrel skins. They came from the coldest parts of Northern and Central Europe, especially from Scandinavia and Russia, but also from Poland and Bulgaria. *Vair* was the whole skin of the red squirrel in wintertime, when it had a gray back and white belly, and *gris* was the gray winter back alone. On the terminology of the medieval fur trade, see Veale, *English Fur Trade*, 218-29. Glosses for *urlas* occur in one MS. of the *Dictionarius as hourles* (cf. modern French *ourler*, "to hem," and *ourlet*, "hem"), and in another as *rewers*, probably in the modern sense of "revers" (the turned-back edge of a garment, such as a lapel, displaying the reversed edge). Hunt, ed., *Teaching and Learning Latin*, 2: 130, 153; cf. Veale, *English Fur Trade*, 221, s.v. "Revers."

<sup>39</sup> Garland's play on words here is meant to remind his students not to confuse furs with furtiveness. The text used by Wright and Rubin gives this final clause as *partim furando*, while Hunt's version reads *et eorum partem furando*.

<sup>40</sup> *Vinum attaminatum*. See *Dictionary of Medieval Latin from British Sources*, s.v. "Attaminare;" and *MED*, s.vv. "Attamen" 2; "Brochen" 3(a); cf. modern French *entamer*. For reading it instead as "filtered," see Latham, *Revised Medieval Word-List*, s.v. "Attamino" (2): to bolt (flour); cf. "Tamisium" (sieve).

<sup>41</sup> *Artocreas*, which commonly means meat pies or pasties, here is glossed with variants of *rossole* or *russule*. See *MED*, s.v. "Risheu," fried balls of minced fruit, sugar, and spices, or of minced meat or marrow mixed with egg and spices. Cf. Constance B. Hieatt and Sharon Butler, eds., *Curie On Inglysch: English Culinary Manuscripts of the Fourteenth Century (Including The Forme of Cury)*, Early English Text Society, SS. 8 (1985), 212, s.v. "Ruscheues."

with a white towel, and the baskets are often hung at the windows of clerks as gaming forfeits.

31. Regrators send out their male and female servants into the streets to deceive the clerks, to whom they sell—very dearly—cherries, white and black plums, unripe apples and pears, and lettuce, cress, and chervil.
32. Simnels, quiches, and butter cakes<sup>42</sup> lie in the windows of the regrators, along with soft and hard cheeses, and sulphured candles, which have large wicks to make them burn better.
33. The bakers of Paris knead dough and form loaves, which they bake in an oven that has been wiped clean with a cloth. They sell bread made of wheat, rye, barley, oats, maslin (a mixture of wheat and rye), and, frequently, of bran. The bakers have male and female servants who sift the coarse flour with a fine sieve and mix the yeast into the dough to make the bread rise in the trough. Sometimes they also scrape out the bins with a dough-scraper.<sup>43</sup>
34. Pastelers make a huge profit by selling to clerks pasties of pork, chicken, and eels, seasoned with pepper, and putting out for sale tarts and flans stuffed with soft cheeses and eggs, healthful, but often dirty.
35. Cooks (*i.e.*, fast-food cooks, who sell take-away food) turn and roast geese, pigeons, and capons on hazelwood spits, but often they sell raw meat, badly seasoned with sauces and garlic, to the foolish servants of the scholars. The butchers in their shambles hate them (*i.e.*, the scholars), selling them coarse flesh of beef, mutton, and pork, sometimes measled, brandishing their cleavers and great knives at the scholars. But these slaughterers are slain (*mactantur*) by the angry scholars because of the filthy *andouilles*, sausages, black puddings, and tripes that they assemble (*conveniunt*) for the poor rabble.
36. The money-changers count out money of Paris, sterlings, bezants, and other gleaming coins on their boards on the Grand-Pont, hoping to make a big profit while evading the crime of usury.

<sup>42</sup> *Placente* is glossed as *symeneus*. A simnel was a fine white bread or roll, evidently boiled like a bagel before being baked. *Flamic[i]e*, which the *Dictionary of Medieval Latin from British Sources* defines as flawns or custard tarts, is glossed here as *flamiches*. In modern French cookery, a *flamiche* is a quiche or tart, with a single or double crust. *Ignacie* is glossed as *fouaches*, *anglice perife kakez*. *Fouaces* were cakes made of butter and eggs, according to Alfred Franklin, *Dictionnaire des arts, métiers, et professions exercés dans Paris depuis le treizième siècle* (Paris, 1906; reprint New York: Burt Franklin, 1968), 396. The Middle English adjective *therf* or *tharf* meant unleavened. See *MED*, *s.v.* “Therf.”

<sup>43</sup> *Archas etiam radunt aliquando cum costa pastali*. For dough-scraper (literally, dough-rib), see *MED*, *s.v.* “Rib(he)” n.(3).



37. The moneyers who mint money appear to be rich and yet are not. Although they coin pennies, the pennies are not theirs,<sup>44</sup> but are sent to the Exchange to be exchanged by the money-changers (*a cambi-toribus vel a campsoribus*) hoping to make a profit.
38. The goldsmiths sit before their furnaces and tables on the Grand-Pont, and make hanaps of gold and silver; brooches, pendants (*monilia*), pins, and buttons, and they select jasper, sapphire, and emerald gemstones for rings.
39. The skill (*industria*) of the goldsmiths pounds gold and silver leaf on an iron anvil with delicate little hammers, and encloses precious gems within the cavities<sup>45</sup> of the rings that are worn by barons and gentlewomen.
40. The artificers who are called hanapers decorate vessels with gold and silver fittings and put feet on hanaps and crown them with rims to make them stronger, more durable, more precious, more salable.
41. Drapers, driven by greed, sell false white and black woolen cloths, camelins and blues and imitation burnets, greens, imitation scarlets, striped cloths, and stamforts (or *stanforts*).<sup>46</sup> They defraud buyers by measuring the cloths badly with a short ell and a false thumb (or inch: *police fallaci*).

<sup>44</sup> Here, instead of Hunt's "*Licet denarios monetant, sed non sunt denarii*" (cap. 37), I follow Géraud (p. 594, cap. XXXVI), Wright (p. 128), and Scheler (p. 27, cap. 37) in reading "*sui*" in place of "*sed*."

<sup>45</sup> *anchas*, glossed as *fosses* and *fosces*.

<sup>46</sup> "Pannarii, nimia cupiditate ducti, fallaces vendunt pannos albos et nigros, camelinos, et blodios et burneticos, virides, scarleticos, radiatos et stanford[i]os." Hunt (*Teaching and Learning Latin*, 3: 25) includes glosses for *camelinos* as *camelin* and *camelot* (camlet). Camelin was a woolen fabric mixed with silk or other fibers. See *MED*, s.v. "Camelin." According to the *Dictionary of Medieval Latin from British Sources* it could also be cloth made of (or imitating) camel's hair. Camlet evidently was a similar cloth; in the late fifteenth century it was a "fine fabric, often of mixed silk and wool." Sutton and Hammond, *Coronation of Richard III*, 419. The glosses in Hunt's edition (3: 22, 145) translate *burneticos* simply as *burnet* and *scarleticos* as *escarlez* or *scarlet*. However, the high value of burnets and scarlets, coupled with Garland's emphasis on the drapers' dishonesty, suggests that these "burnet-ish" and "scarlet-ish" cloths were ersatz. On striped cloths, see Walton, "Textiles," 341; and Munro, "Medieval Woollens: Textiles, Textile Technology and Industrial Organisation," 183. On stamforts or *stanforts* (coarse, light cloths with a strong, ungreased worsted warp and a greased woolen weft), see Munro, "Medieval Woollens: The Western European Woollen Industries and Their Struggles for International Markets, c. 1000-1500," in *Cambridge History of Western Textiles*, ed. Jenkins, 229-30.

42. Some men usurp for themselves the trades of women (*officia mulierum*) by selling table linens and towels, linen sheets, shirts and drawers, finely-pleated chemises (*teristra*), rochets (*supara*), stamins (*staminas*: undergarments of linsey-woolsey or coarse worsted) and linens (*telas*), wimples and kerchiefs.<sup>47</sup>
43. Spicers, for the sake of profit, stock comfits and electuaries, roots and herbs, zedoary with ginger, pepper with cumin, cloves with cinnamon, anise with fennel-seed, wax with wax candles for churches, sugar with liquorice.
44. Spicers in the Spicery have preserved ginger and saunders (powdered sandalwood), which is good for cold constitutions; *diapenidion* (an electuary based on barley sugar), which is good for consumptives; and electuaries made of plums and gum tragacanth, which are cooling.<sup>48</sup> Hellebore is good for the digestion.
45. The various carpenters make divers items with a variety of tools, as we see in the coopers, who make vats and iron-hooped tuns, barrels, and costrels, which are bound with strong hoops and with coopers' pegs.
46. The wheelwrights pile up pence by making or selling two-wheeled and four-wheeled carts and wagons, parts of which are the wheel-rims (*canti*: felloes), spokes, hubs, axles, pegs or pins (*caville*), shafts and poles (*limones et themones*), the yokes with the hames.
- 47-49. [After a brief discussion of the work of plow-wrights and millers, and of the military operations, fortifications, and equipment that he saw at Toulouse, Garland continues.]
50. Fullers, naked and panting, full woolen and shaggy cloths in a deep trough, in which is white clay<sup>49</sup> and hot water. After this they dry the cleansed cloths in the sun in clear weather and scrape over them with many sharp teasels so that they will be more salable.

<sup>47</sup> For these terms, see Hunt's glosses and his edition of Garland's *Commentarius*, in *Teaching and Learning Latin*, 1: 215, nn. 67-68. For stamins, see *MED*, s.v. "Stamin," and *OED*, s.vv. "Stamin," "Stammel."

<sup>48</sup> Electuaries were medicines made into a sweetened paste with honey, syrup, or sugar. On these spices and drugs, see Faye Marie Getz, ed., *Healing and Society in Medieval England: A Middle English Translation of the Pharmaceutical Writings of Gilbertus Anglicus* (Madison: University of Wisconsin Press, 1991), 325, s.vv. "Diadragagantum" and "Diapenidion," 328, s.v. "Electuari," and 351, s.v. "Sandris."

<sup>49</sup> *Argilla*: presumably fuller's earth, but glossed in the *Dictionarius* with variations of *arsil* or *argil*, though one manuscript glosses it as "anglice rochestre herthe." See the *Dictionary of Medieval Latin from British Sources*, s.v. "Argilla."

51. Dyers of woolen cloths dye cloths with woad and red madder (*cum gaudone, rubea maiore et sandice*),<sup>50</sup> on account of which they have dyed nails, of which some are black, some blue, some red, and so they are spurned by pretty women, unless they are accepted for the sake of cash.
  52. Tanners work hard tanning horsehides and oxhides in hollow tree-trunks, and they scrape the hides with a knife called a scraper. They turn the hides frequently in their tanbark solution so that the raw stench of the hides will dissipate.
  53. On an anvil, with hammers and tongs and the puffing of bellows, smiths make coulters and plowshares, horseshoes, the iron edge for a spade or shovel, or mattocks or hoes, not forgetting scythes for the meadow grasses and sickles for grains.
  54. In hot water, cooks cleanse cauldrons (*cacabos*) and jugs (*urceos*), pans (*patellas*) and frying-pans (*sartagine*s), basins (*pelves*), ewers (*ydrias*), pots (*ollas*), mortars (*mortaria*), dishes (*scutellas*), platters (*rotundalia*),<sup>51</sup> saucers (*acetabula*), spoons (*coclearia*), bowls (*scaphas*),<sup>52</sup> gridirons (*craticulas*), graters (*micatoria*), [and] meat-hooks (*creagra*), while they stand before their ovens and fireplaces and furnaces.<sup>53</sup>
- 55-65. [Garland next discusses home furnishings and clothing, giving examples from his own dwelling; the proper books and vestments of a priest; church vessels; the duties of a stableboy; and the tools used by women, with a lewd final comment about the latter. He then continues.]
66. Women weavers (*textrices*) lead their bobbin-sticks or shuttles (*ducunt pectines*: “combs”) through the warp-threads with the weft-thread (*per stamina cum trama*), which is drawn from a spool and spindle (*que trahitur a spola et pano*). The woman weaver then beats up the weft-thread with her slay or weaver’s sword (*Ipsa vero textrix percutit tramam cum lama*), turns the spool on the windlass (*involvit spolam in troclea*),<sup>54</sup>

<sup>50</sup> *Sandix* is glossed variously as both woad and madder, and this confusion seems to have been common. See Hunt, *Teaching and Learning Latin*, 3: 142-3; Latham, *Revised Medieval Latin Word-List*, s.v. “Sandix;” and MED, s.vv. “Mader(e),” “Sandix,” “Warance,” “Weld(e),” and “Wod(e).” In Classical Latin, *sandix* meant vermilion or a color like it.

<sup>51</sup> See MED, s.v. “Plater.”

<sup>52</sup> Glossed as gates; cf. Garland’s *Commentarius*, where *scapha* or *gate* is described as a wooden bowl in which feet are washed (in Hunt, *Teaching and Learning Latin*, 1: Texts, 219); and MED, s.vv. “Bolle” n.(2); “Gate” n.(3).

<sup>53</sup> *Fornaces*: in a culinary context, a *fornax* can be an oven, a stove (for barbecue-style countertop cooking), or a built-in cauldron for boiling. Cf. MED, s.v. “Furnais(e).”

<sup>54</sup> This phrase is puzzling. A *troclea* was a winch or windlass: see Hunt, *Teaching and Learning Latin*, 3: *Indexes*, 170; and the online *Anglo-Norman*

and begins [weaving] the web by the pulling (?or guidance) of the threads and the balls of thread (*et telam orditur ductione filorum et globorum*).<sup>55</sup>

67. Women who weave silk stretch out gold threads through the use of pegs or pins (*cavillarum*), and beat up the weft with a flax-batten. From their woven silks they make the girdles and head-bands (*crinalia*) of wealthy women and the stoles of priests.
68. Kembsters (*pextrices*: female wool-combers) sit by the fire, near the privy and the bum-wipers (*prope cloacam et prope menperia*), in old pilches (*pellicis veteribus*) and filthy veils, while they comb (*carpunt*) coarse wool that they yank through their iron-toothed combs.
69. Windsters (*devacuatrices*) are women who wind off the silk threads [into skeins],<sup>56</sup> [and these] women are gold-clippers (*mulieres aurisece*).<sup>57</sup> They clean out and suck dry entire bodies by frequent copulation,<sup>58</sup> while sometimes they clean out and cut off the purses (*devacuant et secant marsupia*) of the scholars of Paris.
70. In the new street before the square of Notre-Dame birds can be found for sale, namely, geese, roosters and hens, capons, ducks, partridges and pheasants, larks, sparrows, plovers, herons, cranes and swans, peacocks, turtledoves, and thrushes.
71. [After a brief paragraph on bird-catching, Garland concludes his description of urban trades and crafts with a look at the fish-sellers.]
72. Fishermen sell salmon, trout, lampreys, cod, plaice, [and] eels, together with pike, roach, tench (*stincti*), ray, herring, [and] mullet. The same fishermen catch perch, gudgeon, and sprats (or other small

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*Dictionary* (www.anglo-norman.net/ [seen 21 June 2006]), s.v. “tramel.” A passage in the commentary to Garland’s *Dictionarius* edited by Thomas Wright (*Volume of Vocabularies*, 1: 135) defines *troclea* as the “wheel” of a female weaver: “Troclea est rota textricis, et dicitur Gallice *trameor*.” Perhaps the *troclea* turns the cloth-beam to wind up the length of woven cloth, and the *spola* here is a handle or crank that turns the *troclea*.

<sup>55</sup> The glosses in Hunt (3: 76) translate various forms of both *globus* and *glomus* as variations of *lussel* or *lusseu*, meaning a “clew” (ball of yarn or thread). Cf. *MED*, s.vv. “Cleue,” “Clouchin,” “Clowchyn”; Wright, ed., *Volume of Vocabularies*, 1: 269.

<sup>56</sup> Cf. modern French *dévider*.

<sup>57</sup> Perhaps a pun on *aurisericum*, cloth of gold.

<sup>58</sup> “... devacuant et secant tota corpora frequenti coitu”: I am grateful to Richard Monti for his suggestion that there are probably extra levels of word-play here in slang uses, in a sexual context, of *devacuare* and *secare*, perhaps punning on Latin *secare/siccare* and French *sécher*.

fish: *gamaros*)<sup>59</sup> with hooks and nets, and porpoises (?or sharks: *canes marini*) are taken from the sea.<sup>60</sup>

73-84. [Garland concludes with discussions of domestic and wild beasts, garden plants, trees, house-construction, ships, instruments of martyrdom, musicians and their instruments, prostitutes and dancing-girls tormented by serpents (as punishment for their sins), Paradise, and the Last Judgment.]

## APPENDIX II

Transcription and translation of British Library, Additional. MS 8167, fols. 88r-90v. This transcription is based on that printed by G[eorg] Waitz in "Handschriften in englischen Bibliotheken," *Neues Archiv der Gesellschaft für altere Deutsche Geschichtskunde* 4 (1879): 339-43. I have re-checked the manuscript and made a number of corrections to Waitz's transcript. I have silently modernized the punctuation, use of "u" and "v," and capitalization, but have used italics to show expanded abbreviations.

Waitz mistakenly identified this treatise as having been written in a fourteenth-century hand. In fact, the entire volume, which contains a collection of dictaminal and legal materials, evidently was written in the first half of the thirteenth century. A note on fol. 2r (a front fly-leaf) records that it was acquired for Westminster Abbey by William de Hasele. Hasele, who died as sub-prior of Westminster before May 1283, had probably obtained the volume before 1250, since additional notes on fol. 2r record a dispute during the abbacy of Richard de Crokele (or Crokesle) in 1250, and national events of 1258, together with Crokele's death at Winchester in 1258 on the feast of St. Kenelm the Martyr (17 July). Article 5 in the

<sup>59</sup> *Gamaros*: the glosses here read *espinoches*, *espinocles*, and *esperling* (one MS. also gives "gamerus gallice vocatur tenche"). None glosses *gamaros* as lobsters (cf. Classical Latin *cammarus*), and some kind of fish would indeed make better sense here than lobsters, since the *gamaros* are listed with other fish caught with hooks and nets. The *MED* identifies *sperling(e)* as a "fish of the family *Clupeidae*, esp. the sprat (*Clupea sprattus*); ... also, the pilchard (*Sardinia pilchardus*); also, any small fish of the genus *Merlangus*, such as the whiting (*Merlangus merlangus*), or of the family *Salmonidae*, such as the grayling (*Thymallus thymallus*), or perh. the European smelt (*Osmerus eperlanus*)."

<sup>60</sup> In the editions of Hunt and Scheler (p. 35, cap. 72), the last clause reads: "quia canes marini ab equore devehuntur." Here I am following the editions of Géraud (p. 608, cap. LXX) and Wright (p. 135), which begin this clause with "et" instead of "quia." The *Oxford Latin Dictionary* defines *canis marinus* as shark or dogfish (a small inshore shark), and the *Dictionary of Medieval Latin from British Sources* as seal or possibly dogfish, but Richard Hoffman has suggested (pers. comm.) that here it may instead mean porpoise, which was the meaning used by Albertus Magnus in *De animalibus* and, in the sixteenth century, by Conrad von Gessner in *Historia animalium*.

volume (fols. 88r-133r), a miscellaneous dictaminal and legal collection, was probably compiled at Oxford between 1220 and 1240, and this treatise is the earliest known English dictaminal treatise.<sup>61</sup> For further discussion of this volume and its contents, see H. G. Richardson, "An Oxford Teacher of the Fifteenth Century," *Bulletin of the John Rylands Library* 23 (2) (1939): 3-24.

### *Transcription*

[fol. 88r] *Personarum quedam sunt ecclesiastice, quedam seculares, et tam harum quam illarum quedam sunt sumperiores [sic], quedam inferiores, quedam infime. Superiores sunt vero dominus papa, archiepiscopi, episcopi, abbates, priores. Inferiores sunt vero archidiaconi, decani, officiales, parsones, vicarii. Infime sunt presbiteri parochiani, summonitores, et simplices clerici. Superiores seculares, imperatores, reges, comites, duces, barones; inferiores sunt justiciarii, vicecomites, constabularii, forestarii, viredarii, miles, burgenses, libere tenentes. Infime sunt bedelli, rustici, sutores et omnes officarii, sive ministri sive ministrelli, tam urbani quam rurales. Si superior persona scribat inferiori, superior debet preponi per nominativum casum, inferior postponi per dativum casum. Si inferior persona scribat superiori, superior debet preponi per dativum casum, inferior postponi per nominativum casum. Si autem par scribat pari, ut miles militi, burgensis burgensi, uterlibet potest preponi alii, set causa benivolencie captande, in literis petitoriis solet ille cui scribitur preponi per dativum casum. In omni petitione facta superiori vel pari debet petitus pluraliter designari.*

De literis vero creditoriiis [corrected in MS from creditores] primo dicere proponemus, quod creditorum quedam [recte quidam] sunt urbani, quedam

<sup>61</sup> For the dating of the treatise and of Additional MS 8167, and the latter's acquisition by Hasele and presentation to Westminster Abbey, see Richardson, "An Oxford Teacher," 447-50; and H. G. Richardson and G. O. Sayles, "Early Coronation Records," *Bulletin of the Institute of Historical Research* 13 (1936): 135. According to the British Library's online catalogue, a mortgage on fol. 95r (line 5), dated 30 years after Henry III's coronation, "is either a scribal error or indicates that most of art. 5 was written after 1246." Richardson believed that this date was "a later modification" ("An Oxford Teacher," 448, n.2). However, in the manuscript the year is given as 30 years from the birth (*a carnacione*) of Henry III (1 October 1207), not his coronation (*a coronacione*, 28 October 1216).

Richardson noted two later versions of both this treatise and of our third text in two Cambridge manuscripts: Gonville and Caius College, MS 205, pp. 2 55-64 (1270s), and Corpus Christi College, MS 297, fols. 135v-138r (beginning of the fourteenth century?). Richardson, "An Oxford Teacher," 447, 449-50. I have checked both manuscripts. Neither seems to derive directly from Additional MS 8167, and the Corpus Christi College manuscript (hereafter CCC 297) does not appear to derive directly from the manuscript in Gonville and Caius College (hereafter G & C 205/111).

[*recte* quidam] rurales. Urbani vero vinetarius, pannarius sive drapparius, piscator, carnifex, auceps, pistor, pastillarius, flaonarius, aurifaber, zonarius, cerotecarius, cellarius, alutarius, cordevanarius, corvesarius, husuarius sive ocrearius, loremaris, pelliparius et consimiles. Et de unoquoque istorum suo loco dicemus.

Vinetarius vinum habeat andegavense, gasconense, francense, averenense, vinum raspatum, zeduarizatum, saxifragiatum, pigmentum, claretum, mustum, piretum, acetum, siseram, medum sive ydromellum. Item vinitarius vendat vinum per modios, per dolea [*corrected in MS from doleos*] sive tonellos, per pipas, per sextaria, per dimidium sextarium, per lagenas sive galones, per potellos sive floxeos [*sic*], per quartas, per pintas, *scilicet* dimidias quartas. Iterum vinitarius habeat in cellare suo utres, cados, infusoria sive intonellaria, clepsedres sive dusellos, costrellos, alvealos [*added in different hand in margin: pulanos*], tabulum [*?recte terebellum: gimlet or auger*]<sup>62</sup> sive penetralium sive persorium. Item habeat [fol. 88v] ciphos aureos sive de murra vel de macera, cuppos cum cooperculis cuppatos.

Pannarius in celda sua vel ad nundinas habeat telas varias et multimodas de vili precio sive de vili foro, et habeat telas de foro cari [*sic; added in different hand in margin: vel magni*]. Item habeat telas angligenas latas habentes latitudinem duarum ulnarum, vel minus vel pauloplus [*sic*], etiam cum lisuris, telas densiores vel spissiores ad capatium faciendum, vel magis tenues sive minus spisses [*recte spissas*] et melius vestientes [*sic*] ad robas faciendas. Item habeat scarletam nigram, albam vel virede coloratam; burnetam nigram vel sanguineam; burnetam coloratam violetam, rugetam, persum, bluetam, wagetam, plucatam; russetum nigrum vel album. Item [habeat] russetum de Laycestre vel de Oxonia. Item habeat grossum russetum vel minuendum, burellum London' vel burellum de Beaveis, imperiale russetum, imperiale bluetum, haubergentum album de Stanford', haubergentum russetum, haubergentum tinctum in viride, vel in burnetam, vel in bluetum, vel in nigrum, vel in rubeum. Item habeat album cordium, [*added above line: nigrum,*] grossum vel minuendum, cordicium radiatum. Item habeat grisetum de Totenais, de Cornubia.

Piscator, qui hamo vel reti vel lancea, sive piscarius, qui vendit pisces, habeat pisces marinos vel aque dulcis, vel limosos sive platias, et balenas sive tecefocas [*corrected in MS from tecesfocas; recte cetefocas*], sturgiones, cungras, pectines sive plaiceos, lupos aquaticos sive luceos, murenas sive lampredas, murenulas sive lampredulas, mecaros sive makerellos, salmones, conchilia [*glossed above the word as wolk*], sperlingos, bremnas [*recte bremias*], radeas, rocheos, merlingos, tencas, hadoccos, anguillas, gugiones, celluras [*?recte siluros*] sive minusas, lochias, caridones [*recte capitones*],<sup>63</sup> verrones.

<sup>62</sup> The later of the two Cambridge manuscripts (CCC 297, p. 317) gives "te-rebellum" here.

<sup>63</sup> Both later manuscripts (G & C 205/111, p. 261, and CCC 297, p. 319)

Macerarius habeat salsas carnes *et* recentes, bovinas, caprinas, porcinas, agninas, edulinas, vitulinas, porcellinas; item habeat bacones, perrias [*recte* pernas], sive petafulsus [*recte* petasiculos *or* petasunculos].<sup>64</sup> Item habeat carcosia boum, ovium, arietum, sive multonum. Item habeat bacones ustos, scaturizatos. Item habeat porchetum pudratum vel in succedio positum. Item habeat lardum, saimum, unctum porcinum, [*added in different hand in margin: et se-pum*] ovinum. Item habeat viscera porcorum vel boum vel ovium, *et* tripas boum vel ovium. Item habeat corea bovina et pelles ovinas. Item habeat secures quibus [boves] excubere [*recte* excerebret], et carnes porcorum dividant [*recte* dividat], *et* clunacula, attavos [*recte* artavos], unde porcos, oves *et* boves evicerant [*recte* evicerat] *et* excoreant [*recte* excoreat].<sup>65</sup>

[fol. 89r] Auceps sive aucuparius habeat aves silvestres *et* agrestes *et* domesticas, marinos vel ripeos. Item habeat ardeas sive airones, cigonios, perdices [*corrected in MS from perdicas*], geturnices [*recte* coturnices], castrimargios, wodecok, pluvianos, grues sive cignes [*recte* cignos] sive cleres [*recte* olores],<sup>66</sup> malardos, mergites, pavones, anderes [*recte* anseres *or* anceres], aucas domesticas *et* alias, *scilicet* aucas albas, bisas, auculas, capones, gallos, gallinas, pullos, columbas, turtura, malvicia. Item capit volucres in visco vel tendiculis vel laqueis vel reti stante vel pendente, ut omnes volucres *et* campestres ut nisi [*sic*] *et* alias minutas [*sic*] capi possint, ut domiciliarios sive scingudarios [*sic*].<sup>67</sup>

Pistor habeat panem azimum *et* panem furvum *et* panem triticeum, ordeaceum, sigilinum, avenatum. Item habeat placencia, libia, liba, infungia, panem album, panem furmenteum [*?recte* fermentum], panem bultatum, tribratum [*recte* cribratum], saclatum sive temesatum, *et* libia piperata, cokettos. Item

give “capitones” here.

<sup>64</sup> CCC 297, p. 318, reads “pernas sive petasunculos” here.

<sup>65</sup> This sentence is clearly defective. Clearer versions can be found in the two Cambridge manuscripts. G & C 205/111, p. 259, reads: “Item habeat secures quibus boves excerebrat, *et* clunacula quibus carnes porcinas dividat.” CCC 297, p. 318, reads: “Item habeat macerarius secures quibus boves excerebret *et* porcos *et* carnes dividat.”

<sup>66</sup> CCC 297, p. 318, reads “olores” (swans) here.

<sup>67</sup> This last sentence seems corrupt. A much fuller version is given in the earlier of the two Cambridge manuscripts, G & C 205/111, p. 259: “Item volucres vel volatilia capit visco, tendiculis, laqueis, panteris, vel rethi pendente, vel castrimarginario rethe, vel rethe stante vel jacente. Item habeat recia [*sic*] unde capiat in rama nisos sive spervarios, ancipitres. Et tumberellos ut passerres *et* alias aves minutas domiciliaria *et* severundalia capi possit [*recte* possunt].” CCC 297, p. 318, has a version of this passage that combines elements from both of the other texts and introduces new ones: “Item volucres capit visco, vel tendiculis, laqueis, panteris, vel reti pendente, vel stante, vel castrimagiarum; *et* omnes volucres silvestres *et* campestres, ut nisos sive spervarios, vel trappis ut perdices, vel *etiam* reti quo anglice dicitur lof, vel cum tumberello ut passerres *et* alias aves minutas ut domiciliaria, sive severundaria.”



*habeat pistrinum, furnum, sive clibanum, confractorem. Item habeat polentridium, rotabulum, item ceotelatam* [*?recte cribelatam*] *farinam, florem frumenti. Item* [*habeat panem*]<sup>68</sup> *coctum in clibano vel in fornace vel in saritagine vel in cratela.*

Pastillarius *habeat* pastillos de carnibus, de piscibus, bene piperatos. Item *habeat* de farina [*recte ferina*] sive venacionis vel carne domestica vel de feris vel de volucris sive de volatilibus. De feris vero *cerve* vel de cerva, caprea, vel dama, leporis lardo, avibus marinis vel silvestribus [*corrected in MS from silvestrisbus*] vel domesticis, *que superius enumerantur. Iterum* flaonarius *habeat* opacos, artocopos, flaones de ovis, pane et caseo compositas.

Wafarius *habeat* wafas vel lagana in ferris vel in furnis decoctas.

Aurifaber *habeat* opus tam ductile quam fusile. Operatur enim in metallis et in lapidibus. Metallum vero ductile vel fusile est, *sed* lapis scruptilis [*recte scriptilis*] tantum. Operatur siquando in auro, in argento, cupro, [*added in different hand in margin: vel trifurat*]<sup>69</sup> stagno, auritallo [*recte auricalco*]. Item *habeat* opus concavum vel solidum, planum vel planatum, inpressum vel insculptum. Item faciet calices, platenas, [*added in different hand above line: ollas*] iustas, coronas, pelves, ampollas, fioles, filateria, cruces aureas vel argenteas, [*fol. 89v*] vel de ligno brateis sive laminis auri vel argento cooperato; candelabrum, coclearea. Item *habeat* ciphos de macera cum pede aureo vel argenteo, et superius aureo vel argenteo circumdatos. Item *habeat* cupas cum cooperculis et ciphos planos. Item *habeat* crateres vel crateras cum trifuris vel planos vel sculptos, scutellas, parapsides, salsaria et salleria. Item faciat anulos, firmacula, monilia, catenas, membra zonarum. Item *habeat* folliculos, forcipes, inclinum [*?recte incudem, an anvil*],<sup>70</sup> malleos, et totum ad metallum purgandum, et mola [*recte molam*] ad aciem ferro conferendam, pedem etiam leporis et corte [*?recte corium gremiale, leather apron*] ad gramina [*?recte grana*] metallorum colligendum [*recte colligenda*] et expurgendum [*recte extergenda*].<sup>71</sup> *Habeat etiam* vasa varia et minuta, aurifragium, filum argenteum, tabellam oblitam ad flosculos protrahendos.

<sup>68</sup> Both of the Cambridge manuscripts (G & C 205/111, p. 260, and CCC 297, p. 319) supply “habeat panem” here.

<sup>69</sup> Cf. Latham, *Revised Medieval Latin Word-List*, s.v. “Tri/folium, -/fura.”

<sup>70</sup> G & C 205/111, p. 261, has “incudem” (glossed as “anveld”) here.

<sup>71</sup> Where Additional MS 8167 reads “corte ad gramina metallorum colligendum et expurgendum,” the two Cambridge manuscripts (G & C 205/111, p. 261, and CCC 297, p. 319) read, respectively, “corium gremiale ad grana colligenda,” and “corium gremiale ad gramina metallorum colligenda et extergenda.” For the translation “leather apron,” see the *Dictionary of Medieval Latin from British Sources*, s.v. “gremialis,” 3. Compare this description of the goldsmith with that of Alexander Nequam in *De nominibus utensilium* (in Hunt, *Teaching and Learning Latin*, 1: 189; translated in Holmes, *Daily Living in the Twelfth Century*, 142). In Nequam’s text, the goldsmith is advised to have a hare’s foot with which he can polish gold or silver and also collect the small particles of metals, lest they be lost in his leather apron.

Cutellarius faciat varios cultellos, clunacula venatorum, artavos scriptorum vel dolatorum. Habeat mensacula, sive cultellos ad zonam pendentes, cultellos *etiam* planos. Item faciat novaculas sive rasoria, forfices, cesuras, *et cetera*.

Zonarius habeat zonas de cerico, lino, *vel* de coreo, *scilicet* nigro, rubeo *vel* albo, plusculas de ferro, cupro. Item habeat planas zonas *vel* barratas sive membratas, membris rotundis *vel* quadratis.

Cerotecarius habeat cerotecas grossas, messoribus *et* fossoribus aptas, minutas ad opus non laborancium, opere *scilicet* manuali, servili, ad cardanos *et* spinas trahendos *vel* colligendos. Item habeat cerotecas duplices *et* singulas, pilosas *vel* planas. Habeat cerotecas magnas *et* duplices ad opus falconarii. Item, [habeat]<sup>72</sup> cerotecas laneas, *et* inconsutiles desuper, *et* totum contextas.

Allutarius habeat allutam veram de pellibus caprinis, de pellibus ovinis. Habeat estivalia, crepidas sive botas, largas, [fol. 90r] tentone munitas ad opus hominum, *vel* stricas [*recte* strictas] ad opus feminarum. Item habeat sotulares pecatos [*recte* picatos], *vel* sotulares *cum* medullis corrigiis laqueatos. Item habeat sotulares *cum* colariis ligulis ad opus militum.

Husurarius [*sic*] *et* sutor in coreis bovinis operantur. Sutor quidem ocreas sive husas faciat *et* sotulares pariter varios *et* multimodos [*corrected in MS from multimodas*] ut allutarius, *sed* husarios [*recte* husarius] tantum faciet ocreas *et* non sotulares.

Sellarius cellas habeat diversas *et* varias, ad opus monachi *cum* articulis [*recte* arculis]<sup>73</sup> divisis *et* latis non coloratis, insculptas ad opus militum, domine, armig[er]i [*in MS, armigi*], *et* parsons *et* presbiteri, ad equum, ad palefridum, ad sumentorium. Item habeat singulas *et* cellas verniculatas [*recte* vermiculatas], albas, *vel* auro *vel* cinoplo coloratas [*corrected in MS from coloratas*], flosculis, leoniculis *vel* alicuius hystoria depictis [*recte* depictas] *vel* protractas. Item, habeat scuta colorata *vel* non colorata, alba, nigra, flosculis de flagella [*recte* glagello]<sup>74</sup> *vel* aliis leoniculis depicta, rubeo *vel* cinoplo, viridi, *vel* auro, azuri. Item habeat scuta listata flosculis, avibus, bestiunculis, quatuernata, moncellata, lambata rosis.

<sup>72</sup> Both Cambridge manuscripts (G & C 205/111, p. 262, and CCC 297, p. 320) have “habeat” here.

<sup>73</sup> This phrase is murky. Of the two later versions of this text (G & C 205/111, p. 263, and CCC 297, p. 320), the former gives it as “cum articulis dimissis *et* latis,” while the latter has “cum arculis dimissis *et* latis.” “Arculis” (saddle-bows) fits the sense of this passage better than “articulis.” However, while “divisis” (separate?) seems awkward, “dimissis” seems worse than awkward here.

<sup>74</sup> There is no ablative noun “flagella,” and both of the Cambridge manuscripts (G & C 205/111, p. 263, and CCC 297, p. 321) read “glagello” here. For its translation as *fleur de lis*, see the *Dictionary of Medieval Latin from British Sources*, s.v. “gladiolus,” 3.

Pelliparius habeat pellicia, penulas, fururas ex pellibus agninis vel foleis [recte follibus] ex griso, experiolis, sorellis; ex cuniculis, laironibus, edulline [sic]; ex pellibus ovinis, hispidis et pilosis; ex grossis vel minutis sive crispis; ex catis sive ex pellibus catenis, grossas [recte grossis] vel super rasas [recte rasis]. Item habeat penulas albas, nigras, et habeat urlas de sablino matrice, ex fibro, ex wlpecula [sic for vulpecula] vel roserella, vel ex lutro, et cetera.

Lorimarius habeat lorenas, scilicet frena, cingula, cum duplici coreo. Item, sint lorene in freno, in pectorali et strepis sive scancilibus, quedam de minutis clavis, quedam de clavis latis, rotundis, cum scutis, scutellulis pendentibus ferreis vel cupreis deauratis, quedam cum campanellis vel anulis. Item intelligendum est de strepis et de pectoralibus. Strepas habeat latas sub pede ad opus militum, cum virga gracili ad opus monachi, et rotundas, strepas quadratas, strictas et latas secundum varietatem equorum et equietaturum. Item habeat calcaria ad opus militum de- [fol. 90v] aurata, vel calcaria cum virga gracili et rotunda vel quadrata.

### Translation

Of persons some are ecclesiastics and some are seculars, and of both the former and the latter some are superior, others inferior, some the lowest. The superiors are the lord pope, the archbishops, bishops, abbots, and priors. The inferiors are the archdeacons, deacons, officials, parsons, and vicars. The lowest are parish priests, summoners, and simple clerks. The superior seculars are emperors, kings, counts, dukes, and barons; the inferiors are justiciars, sheriffs, constables, foresters, verderers, knights, burgesses, and freeholders. The lowest are beadles, serfs, cobblers and all workmen (*officiarii*), either officers or servants (*tam ministri sive ministrilli*), urban or rural. If a superior person write to an inferior, the superior should be put first in the nominative case, the inferior put after in the dative case. If an inferior person write to a superior, the superior should be put first in the dative case, the inferior put after in the nominative case. If, however, an equal write to an equal, as a knight to a knight or a burgess to a burgess, either may be put before the other, but in order to obtain good will (*causa benivolencie captande*), in a letter of petition, he to whom it is written is generally put first in the dative case. In every petition made to a superior or an equal, the one being petitioned (*petitus*) should be designated in the plural [e.g., as *vos* instead of *tu*].

I propose to speak first of letters to creditors, because some creditors are urban, and some are rural. Urban [are] the vintner, draper (*pannarius sive drapparius*), fisherman (*piscator*) or fishmonger (*piscarius*), butcher, poulterer (*auceps*), baker, pasteler (pie-baker), flan-maker, goldsmith, girdler, glover, saddler, cordwainer (*alutarius, cordevanarius, corvesarius*), hosier (*husuarius sive ocrearius*), lorimer, skinner, and similar folk. And of each of these in his place I shall speak.

The vintner should have wine of Anjou, Gascony, the île-de-France, and Auvergne; sweet or rosé wine (*vinum raspatum*);<sup>75</sup> wine flavored with zedoary and with saxifrage; piment and claré (red and white spiced wines); grape juice (*mustum*); perry; vinegar; cider; and mead (*medum sive ydromellum*). And let the vintner sell wine by measures (*modios*), by barrels or tuns, by pipes, by sesters, by the half-sester, by gallons, by pottles or flasks (half-gallons), by quarts or pints, that is, half-quarts. Again, let the vintner have in his cellar bottles (*utres*), casks, funnels (*infusoria sive intonellaria*), spigots or taps (*clepsedres sive dusellos*), costrels, troughs (*alvealos*), slides for lowering casks (*pulanos*), and an auger or gimlet or wimble ([*terebellum*] *sive penetratium sive persorium*). Also let him have cups of gold, or of maple or mazer (*de murra vel de macera*), and cups with lids.

Let a draper have, in his seld or at fairs, cloths of various sorts, both cheap (*de vili precio sive de vili foro*) and expensive. Let him have English broadcloths, having a width of two ells, more or less, including the selvages; heavier or thicker cloths for making a hood (*capatium*), or finer, lighter, dressier (?or better-quality: *melius vestientes*) cloths for making robes (suits of clothing). Let him have scarlet [that is] black, white, or dyed with green; black or sanguine burnet; burnet dyed violet, red, perse (dark blue), bluet (a shade of blue), wachet (*wagetam*: light blue),<sup>76</sup> [or] plunket (*plucatum*: a light or grayish blue);<sup>77</sup> black or white russet, and russet of Leicester or of Oxford. Let him have unshorn or shorn russet (*grossum russetum vel minuetum*),<sup>78</sup> London burel or burel of Beauvais, russet imperial, blue imperial, white haberget of Stamford, russet haberget, [and] haberget dyed in green, brown, blue, black, or red. Let him have white, [black,] unshorn or shorn (*grossum vel minuetum*) *cordium*, and striped (*radiatum*) *cordicium*. And let him have gray cloth (*griseturum*) of Totnes [and] of Cornwall.

Let a fisherman, who [fishes] with a hook, a net or a lance, or a fishmonger, who sells fish, have sea fish and freshwater fish, mudfish (*limosos*) or flatfish (*platias*), and whales (*balenas sive cetefocas*), sturgeons, congers, plaice, pike, lampreys, lamperns, mackerels, salmons, cockles (?or whelks), sprats, breams, rays (*radeas*), roach, whiting (*merlingos*), tench, haddock, eels,

<sup>75</sup> See *MED*, s.v. “Raspise” (1440-75). Latham, however, defines *vinum raspatum* as “wine freshened after it has gone stale” (*Revised Medieval Latin Word-List*, s.v. “Raspatum,” c. 1210).

<sup>76</sup> See *MED*, s.v. “Wachet.”

<sup>77</sup> See *MED*, s.v. “Plunket.”

<sup>78</sup> This text describes both russet cloth and *cordium* as “grossum vel minuetum,” and cat skins that are “grossas vel super rasas.” This suggests a contrast between cloth or skins that are shaggy or unshorn and those that are shorn. A similar contrast is drawn between sheepskins with long-haired fleece (“grossis”) and those with short or curly hair (“minutis sive crispis”), and between gloves that are “grossas” (heavy or rough) and “minutas” (fine or thin).

gudgeons (*gugiones*, *celluras* [recte *siluros*] sive *minusas*),<sup>79</sup> loach, *capitones* (bullhead, miller's thumb, or gurnard),<sup>80</sup> and minnows (*verrones*).

Let the butcher have salt meat and fresh, of cattle, goats, pigs, lambs, kids (*edulinas*), calves, or piglets; also let him have bacons, hams (reading *pernas* in place of *perrias*), or fore-quarters of pork (reading *petasunculos* instead of *petafulsus*).<sup>81</sup> Item, let him have carcasses of oxen, sheep, goats, or muttuns. Item, let him have scorched and scalded bacons (*bacones ustos*, *scaturizatos*).<sup>82</sup> Item, let him have salted or pickled pork. Item, let him have lard (*lardum*, *saimum*, *unctum porcinum*) and sheep's tallow.<sup>83</sup> Item, let him have the entrails of pigs, oxen or sheep, and the tripes of oxen or sheep. Item, let him have cowhides and sheepskins. Item, let him have axes with which to brain [oxen] and divide up the flesh of pigs, and knives (*clunacula*, *a[r]taves*) with which to gut and skin pigs, sheep, and oxen.

Let the poulterer have birds of the forests and fields and domestic birds, seabirds and riverbirds. Item, let him have herons (*ardeas* sive *airones*), storks (*cigonios*), partridges (*perdices*), quail (*coturnices*), woodcocks (*castrimargios*, *wodecok*), plovers (*pluvianos*), cranes (*grues*) or swans (*cignos* sive *olores*), mallards, aquatic birds (*mergites*), peacocks, domestic geese (*anser*es [for *anderes*], *aucas domesticas*) and others, namely, white geese, gray geese, goslings, capons, cocks, hens, chickens, pigeons, doves, and thrushes (*malvicia*). Item, he takes birds in lime or with snares (*in visco vel tendiculis vel laqueis*) or with a standing or hanging net, so that all birds [of the forests] and fields, such as hawks, can be taken, [and he also takes] other

<sup>79</sup> See *MED*, s.v. "Menuse."

<sup>80</sup> The *Dictionary of Medieval Latin from British Sources* defines "capito" as a "kind of fish," and cites glossings as bullhead, "caboché," and gurnard. Alexander Nequam (or Neckam) included the *capito* among a list of fish in *De nominibus utensilium*; one manuscript of 1250-1300 glosses this as "caboché" while two manuscripts of the thirteenth-fourteenth centuries gloss it, respectively, as "caboché vel gurnard" and as "cabogé." Hunt, *Teaching and Learning Latin*, 2: 66. See *OED*, s.vv. "bullhead" and "caboché," for fifteenth-century references to *capito* as a "bulhede," and to "caboché" as a fish (bullhead or miller's thumb). The *OED* defines miller's thumb as "[a]ny of various fresh-water sculpins of the genus *Cottus*, esp. the European bullhead, *C. gobio*; (also) a marine sculpin (*rare*);" and identifies gurnards as marine fish of the genus *Trigla* or family *Triglidae*, which have a large, spiny head.

<sup>81</sup> These last two terms may instead represent a flitch and a half-flitch of bacon: a fifteenth-century Latin-English word-list printed by Thomas Wright (*Volume of Vocabularies* 1: 242) includes "*Hec perra*, a flyk," and "*Hec petasiculus*, half a flyk."

<sup>82</sup> See *Dictionary of Medieval Latin from British Sources*, s.v. "Excaturizatio." The hog carcasses have been scorched or scalded to loosen the hair so that it can be scraped off.

<sup>83</sup> For *saimum* cf. *MED*, s.v. "Seim(e)."

small birds, such as those that live in eaves or shingles (*ut domiciliarios sive scingudarios*).<sup>84</sup>

Let the baker have leavened bread (*panem azimum*)<sup>85</sup> and black bread (*panem furvum*); and wheaten, barley, rye and oat bread. Item, let him have fine white bread (*placencia, libia, liba, infungia, panem album*),<sup>86</sup> sourdough bread (*panem fermentum*),<sup>87</sup> bolted or sieved [*?flour*] (*panem [?recte florem] bullatum, cribratum, saclatum, sive temesatum*), fine spice-bread (*libia piperata*) and cocket-bread.<sup>88</sup> Item, let him have a bakehouse, oven (*furnum sive clibanum*), and dough-brake (*confractorem*).<sup>89</sup> Item, let him have a bolting cloth or sieve (*polentridium*) [and] a molding board (*rotabulum*); item, sieved (*c[ri]b[el]atam*) meal, wheat flour. Item, [let him have bread] cooked in an oven (*in clibano vel in fornace*) or in a pan (*saritagine*) or on a griddle (*in cratela*).

Let the pasteler have pasties of meats and fish, well spiced. Item, let him have [pasties] of game (*de ferina sive venacionibus*) or of domestic meat, of game-birds or domestic birds (*vel de feris vel de volucris sive de volati-*

<sup>84</sup> This last sentence appears to be corrupt. Compare it with the fuller versions in the two Cambridge manuscripts, quoted in n.67 above. A vernacular gloss to Alexander Nequam's *De nominibus utensilium* (in Hunt, *Teaching and Learning Latin*, 2: 84) translates *domiciliarum* as *severunder*; cf. Latham, *Revised Medieval Latin Word-List*, s.v. "severunda" (eaves or cornice), and Old French *sevrunde* (eaves with downspouts).

<sup>85</sup> *Azimus* was leaven; see Hunt's glosses in *Teaching and Learning Latin*, 3: 17, 289; cf. Classical Latin *acrozymus* ("slightly leavened").

<sup>86</sup> *Placenta* were simnels (fine white rolls, twice-baked or perhaps boiled first and then baked, like modern bagels) and *libum* or *liba* was wastel bread (the finest white bread). See Hunt's glosses for *liba*, -um; *placenta(s)*, -e(s), -um (*Teaching and Learning Latin*, 3: 92, 126, 341, 363); and *MED*, s.vv. "Simenel" and "Wastel," the latter quoting John Mirfield's *Sinonoma Bartholomei* (ante-1400): "Placenta est panis factus de pasca [*?read: pasta*] azima, i. wastel." A Latin word-list with interlineal English glosses in British Library, MS Lansdowne 560, fol. 47r-v (late fourteenth-early fifteenth century) also glosses *libum* as *wastel*. *Infungia* was unleavened bread, here apparently also made from fine white flour. See Holmes, *Daily Living in the Twelfth Century*, 284, n.48, and *Dictionary of Medieval Latin from British Sources*, s.v. "Infungia," where it is defined as cocket bread (described by Adam of Petit-Pont in *De utensilibus* as a sourdough bread, made without leaven).

<sup>87</sup> Cf. *MED*, s.vv. "Ferment" and "Sour-dough."

<sup>88</sup> See n.86, above; cf. *MED*, s.v. "Coket" (n.2): bread made of fine flour, second only to wastel bread.

<sup>89</sup> CCC 297, p. 319, elaborates on this term: "*confractorem, sive braccam, sive pincam, scilicet brake*." A dough-brake was a mechanical device used by bakers for kneading dough. See *OED*, s.v. "brake" (n.3), which quotes the *Promptorium Parvulorum* (c. 1440): "Bray or brakene, baxteris instrument, *pinsa*." Latham's *Revised Medieval Latin Word-List*, s.v. "*pinsa*," took this instead to mean a kneading trough or board.

*libus*); of game, that is, of the hind (*cerve*, *vel de cervia*: female red deer), roe (*caprea*: female roe deer) or doe (*dama*: female fallow deer); of the fat flesh of the hare (*leporis lardo*); of sea birds, forest birds or domestic birds, which are enumerated above. On the other hand, let the flan-maker have flans (*opacos*, *artocopos*, *flaones*) made of eggs, bread and cheese.

Let the waferer have wafers or little cakes (*wafras vel lagana*) cooked in irons or ovens.<sup>90</sup>

Let the goldsmith have stock (*opus*) both ductile (hammered) and fusile (molten or cast), for he works in metals and in stones. Metal is ductile or fusile, but stone is only carvable or engravable (*scriptilis*). At times he works in gold, silver, [or] copper, [or ornaments: *vel trifurat*] in tin [or] brass. Item, let him have hollow and solid work, smooth (*planum vel planatum*) or engraved (*inpressum vel insculptum*). Item, let him have chalices (*calices*), plate, [pots (*ollas*)], flagons (*iustas*), crowns, basins, cruets for consecrated oil (*ampollas*, *fioles*), reliquaries (*filatria*), crosses of gold or silver, or of wood covered with thin sheets or plates of gold or silver; a candelabrum; [and] spoons. Item, let him have cups of mazer with a foot of gold or silver, and bound above with gold or silver. Item, let him have cups with covers and plain cups. Item, let him have bowls (*crateres vel crateras*) with decorations (*trifuris*), either smooth or engraved; dishes and platters (*scutellas*, *parapsides*);<sup>91</sup> saucers and salt-cellars. Item, let him make rings, brooches, pendants (?or necklaces, *monilia*), chains, and girdle-studs (*membra zonarum*). Item, let him have little bellows (*folliculos*), tongs, an anvil (reading *incudem* in place of *inclinum*), hammers and everything for cleansing metal, and a grindstone (or whetstone: *molam*) for putting a sharp edge onto iron, and a hare's foot and a leather apron (reading *corium gremiale* for *corte*) for collecting and wiping up (*extergenda*, instead of *expurgendum*) grains (*grana*, instead of *gramina*) of metals. Let him also have various small vessels, gold fringe (*aurifragium*, orphrey), silver wire, [and] a painted tray for displaying the choicest items (*tabellam oblitam ad flosculos protrahendos*).

Let the cutler make various knives, huntsmen's daggers,<sup>92</sup> the knives of scribes (*i.e.*, penknives) or of those who chip or chop [food or wood?] (*dola-*

<sup>90</sup> Cf. the glosses in Hunt (3: 88) that translate *lagana* or *laganum* as *cake*, *crampecake*, *pannecake*, *turtel*, etc. The *Dictionary of Medieval Latin from British Sources* defines "laganum" as "unleavened cake cooked in oil, pancake, fritter."

<sup>91</sup> *Scutella* (French *esquele*) meant dish or bowl, while *parapsides* were "doubblers" (dishes or plates) or platters. See the glosses for *parapsides*, *parapsis* and *scutella(s)* in Hunt, 2: 118, 146-7; see also *Dictionary of Medieval Latin from British Sources*, s.v. "Paropsis," and *MED*, s.vv. "Dish," "Doubler," "Plater," "Scutel." Cf. the word-lists in *English Glosses from British Library Additional Manuscript 37075*, ed. Ross and Brooks, fol. 322b ("scutella, plater/ periaopsis, dubler"); British Library, MS Lansdowne 560, fol. 47r ("parapcid' dobler"); and British Library, MS Royal 17 A. III, fol. 31v ("haec scutella a plater/haec parapsis idem").

<sup>92</sup> On *clunacula* (daggers), see Hunt, *Teaching and Learning Latin*, 2: 44 and n.62.

*torum*).<sup>93</sup> Let him have table knives, or knives for hanging at the girdle, and plain knives. Item, let him make razors, scissors (*forfices*), shears, etc.

Let the girdler have girdles of silk, linen, or leather, namely, black, red, or white, with iron or copper studs (*membris*). Item, let him have smooth or barred or studded girdles, with round or square studs (*planas zonas vel bar-ratas sive membratas, membris rotundis vel quadratis*).

Let the glover have heavy or rough (*grossas*) gloves, suitable for harvesters and dykers; fine or thin ones (*minutas*) for the use of those who do not labor at manual, servile work, pulling or gathering teasels or thistles (*cardanos*, instead of *cardones*) and thorns. Item, let him have lined and unlined gloves, shaggy (*pilosas*) or smooth (*planas*). Let him have large, lined gloves for the use of the falconer. Item, [let him have] woolen gloves, and seamless, moreover, and entirely knitted (*et inconsutiles desuper et totum contextas*).

Let the cordwainer have true tawed leather of goatskins [and] sheepskins. Let him have boots (*estivalia, crepidas, sive botas*), roomy [and] padded with felt (*largas, tentone munitas*) for the use of men, or tight (*stric[t]as*) for the use of women. Item, let him have pointed (?or pricked) shoes (*sotulares p[er]foratos*) or shoes laced up the middle with thongs (*sotulares cum medullis corrigiis laqueatos*). Item, let him have shoes with strapped (?or drawstring) collars (*colariis ligulis*) for the use of knights.<sup>94</sup>

The hosier (or leggings-maker, *husurarius*) and cobbler (*sutor*) work in cowhides. Let the cobbler make leggings (*ocreas sive husas*) and shoes equally varied and of as many fashions as the cordwainer, but the hosier shall only make leggings and not shoes.

Let the saddler have diverse and various saddles: for the use of the monk, with the separate and broad saddle-bows (*cum articulis [recte arculis] divisis et latis*) uncolored; tooled (*insculptas*) for the use of knights, of the lady, the squire, the parson and the priest; for horse, palfrey, [and] sumpter. Item, let him have girths (*singulas*) and saddles, red (*vermiculatas*),

<sup>93</sup> Chipping knives were used to chip or pare burnt crusts from loaves; chopping and paring knives would also have been useful in various types of food preparation. Cf. Latham, *Revised Medieval Latin Word-List*, s.v. “Dol-atura;” *MED*, s.v. “Chippen” v.(1).

<sup>94</sup> In the fourteenth century, at least, “piked” shoes were those with long, pointed toes or “peaks.” However, *picare* could also mean “to prick” (cf. modern French *piquer* and *piqûre*), suggesting shoes with pricked or openwork ornamentation. See *MED*, s.v. “Pike” 5(a); Latham, *Revised Medieval Latin Word List*, s.v. “Pica” (4). For a survey of medieval shoes and footed hose, shoe-making, and cobbling in London, see Francis Grew and Margrethe de Neergaard, *Medieval Finds from Excavations in London, 2: Shoes and Pattens* (London: The Stationery Office, 1988, especially 2-3, 9-21, 44-59, 79-81, 113-6, 119-22. Pages 16-20 include drawings and photographs of early-mid thirteenth-century shoes and boots with side-lacing, drawstring-lacing, and openwork, and with rounded and pointed toes.



white, or colored with gold or red (*sinoplo*), painted or drawn with little flowers, lioncels (*leoniculis*: little lions, not lion cubs), or with a device of some kind (*vel alicuius hystoria*). Item, let him have shields, painted or unpainted, white [or] black, painted with little *fleurs de lis* (*flosculis de glagello*) or more lioncels in red (*rubeo vel cinoplo*), green, gold, [or] azure. Item, let him have shields bordered (*listata*) with little flowers, birds, [or] tiny beasts; quartered (*quaternata*); strewn (*moncellata*: literally, “heaped”) [or] decorated (*lambata*) with roses.<sup>95</sup>

Let the skinner have pilches [and] fur linings (*pellicia*, *penulas*, *fururas*) of lambskins, of the bellies (*?foleis*; *recte follibus*) from the gray [winter coat of] squirrels (*de griso*, *experiolis*, *sorellis*),<sup>96</sup> of coneys,<sup>97</sup> of dormice or martens (*laironibus*),<sup>98</sup> of kid (*edulline*),<sup>99</sup> of sheepskins, rough and hairy, from long-haired or short-haired or curly-haired [sheep], of catskins (*ex catis sive ex pellibus catenis*), shaggy or shorn (*grossas vel super raras*). Item, let him have fur linings, white [and] black, and let him have revers of sable-belly (*urlas de sablino matrice*), of beaver (*ex fibro*), of the little fox or weasel (*roserella*), or of otter (*lutro*), etc.

Let the lorimer have items made of straps (*lorenas*), namely bridles, and girths with a leather lining. Item, let there be straps for the bridle, the poutrel (*pectoralis*) and the stirrups (*strepis sive scancilibus*), some with narrow bands, some with broad bands, with round dangling shields (*scutis*, *scutellulis*) of gilded iron or copper; some with little bells or rings. Item, one should know about stirrups and poutrels. Let him have stirrups that are broad under the foot for the use of knights; with a slim stirrup-iron (*?vinga gracili*) for the use of the monk; and round stirrups, square stirrups, narrow and broad ones, according to the variety of horses and riders. Item, let him

<sup>95</sup> On the terminology of heraldry in this period, see Gerard J. Brault, *Early Blazon: Heraldic Terminology in the Twelfth and Thirteenth Centuries with Special Reference to Arthurian Literature* (Oxford: Clarendon Press, 1972). I am grateful to David Crouch for this reference.

<sup>96</sup> According to Veale (*English Fur Trade*, 219, s.vv. “Escureus” and “Gris,” 223-4, 228), medieval furriers distinguished between *gris*, which was the fine-quality gray winter back of red squirrels from the coldest parts of Northern and Central Europe, and variants of the Latin word *sciurus* (squirrel), which “were applied to squirrel skins from parts of Southern and Central Europe, usually of little value to the skinner.” Cf. Latham, *Revised Medieval Latin Word-List*, s.vv. “Experiolus,” “Griseum,” “Scurellus.”

<sup>97</sup> The coney (rabbit) skins may have been imported, since rabbits were not introduced into the English mainland until the early thirteenth century (ante-1235), around the time of the composition of this treatise. Cf. Veale, *English Fur Trade*, 209-14.

<sup>98</sup> Cf. Veale, *English Fur Trade*, 220, s.v. “Leron”; *Dictionary of Medieval Latin from British Sources*, s.v. “Laëro.”

<sup>99</sup> Cf. Classical Latin *haedulus*, a little kid.

have gilded spurs for the use of knights, or spurs with a slender shank (*virga*), both round and square.

### APPENDIX III

Notes on how to write and reply to a letter of request, together with ten sample letters, from British Library, Additional MS 8167, fols. 97r-98v (discussed in the introduction to Appendix II, above). The punctuation, capitalization, and use of “u” and “v” have been modernized; expanded abbreviations are shown in italics.

fol. 97r (mid-page)

(1)

An earl of Gloucester orders wine and ale

*Precepçiones et proibiciones sic debent fieri. Primo debet preponi salutacio, secundo [expunged by underscore: narracio] precepçio vel proibicio, tercio narracio, quarto conclusio, hoc modo.*

A. Comes glovernie C. fideli suo salutem. Precipio tibi ut visis literis istis omni occasione et dilacione postpositis mihi mitti facias per latorem presencium duos cados vini albi et duas floscas vini castanei et unum doleum servisie defecate. Sciturus quod ego et commitissa mea fleubotomati sumus apud .N. Tantum ergo facias ne nos in iram commoveas propter tuam negligenciam. Vale.

(1)

Translation

*Orders and refusals ought to be done thus. First should come the greeting; secondly, the order or refusal; thirdly, the explanation; fourthly, the conclusion, in this manner.*

A., Earl of Gloucester, to his faithful C. [*perhaps A.'s household steward*], greetings. I order you that, when you have seen these letters, having put aside every argument (*occasione*) and delay, you have sent to me by the bearer of these presents two barrels of white wine and two flasks of chestnut wine and one tun of filtered ale. You shall know that I and my countess are having our blood let at N. Therefore may you act in such a way that you do not move us to anger by your negligence. Farewell.

(2)

An earl orders his vintner, to whom he is in debt, to send him some wine

*Comes mandat creditori suo ut mittat sibi vinum.*

A. comes Glovernie dilecto sibi A. vinetario de C. salutem et dilectionem. Quum quicquid vobis de vino credito [corrected in MS from creditorio] multociens debuimus, ad diem vestrum semper plenarie  
fol. 97v persolvemus, et nichil est in re- [fol. 97v] ratio, audacius in hoc stanti negocio confugimus attentius rogantes quatinus v. dolea vini, scilicet duo gasconiensis et tria andegavense [recte andegavensis], quodlibet ad precium .xx. solidorum usque ad Pasca floridum nobis acomodetis. Scituri quod denarios vestros ad diem nominatum omni occasione [in MS, "a'ccasione"] et dilacione remota persolvemus. Tantum ergo facientes [recte faciatis] ut vobis ad gratiarum teneamur acciones. Valete.

(2)

Translation

*An earl orders his creditor to send him some wine*

A., earl of Gloucester, to his beloved A., vintner of C., greetings and love. Whereas we have often owed you something for wine on credit, we have always paid in full on your day, and nothing is in arrears, the more boldly in this present business we have turned to you, anxiously asking that you accommodate us with five tuns of wine, namely, two of Gascon and three of Angevin, at a price of 20s apiece, until Palm Sunday. You will know that we shall pay your money on the day named without any argument or delay; therefore, may you act only in such a manner that we shall be bound to you in gratitude. Farewell.

(3)

Response to the preceding letter

*Responsio ad literas predictas.*

Dileccio domino suo et amico W. Comiti de S., suus A. vinetarius salutem. Litera [recte literas] vestras nuper accepi petitorias quatinus .v. dolea vini gasconensi [recte gasconiensis] et tria andegavense [recte andegavensis], quodlibet ad precium .xx. solidorum, usque ad pasca floridum vobis acomodarem. Quum quicquid mihi debuistis optime persoluistis precibus vestris ad presens adquiesco et .v. dolea vero

petistis vobis acomodo, de vobis confidens quod ad diem nominatum iuxta consuetudinem vestram mihi debitum meum persolvētis [*corrected in MS from persolvistis*].

(3)

Translation

*Response to the abovesaid letter*

To his beloved lord and friend, W., Earl of S., A. his vintner sends greetings. I have lately received your letters asking that I accommodate you with five tuns of Gascon wine and three of Angevin, at a price of 20s. each, until Pasca Floridum (Palm Sunday). Since whatever you have owed me you have paid in the best manner, I agree to your present request and shall accommodate you with the five tuns that you have sought, confident of you that on the day named, according to your custom, you will pay your debt to me in full.

(4)

How the vintner should respond if the earl  
does not repay his debts

*Si non soluit bene quod debuit tunc dicat sic*

Tantum de libertate vestra confidens presumens preces vestras ad effectum mancipare, vobis .v. dolea vini petita acomodo, rogans attentius quatinus de antiquo debito quod super est in reragio pariter cum hoc novo debito ad dictum diem mihi persolvatis. Valete.

(4)

Translation

*If he has not paid well what he has owed, then let him say thus*

Trusting only in your generosity, being so bold as to put your wishes in effect, I shall accommodate you with the five tuns of wine you requested, beseeching you anxiously that you pay me in full your old debt, which is in arrears, equally with this new debt, on the said day. Farewell.

(5)

An earl sends an order to his draper, to whom he is in debt

*Comes mandat pannario creditori suo*

B. comes glovernie dilecto sibi A. pannario London' salutem et dilectionis affectum. Quamvis merita nostra non exigant (vel non pre-

cesserint) *tamen de libertate vestra confidimus* (ad vos in hoc instanti negocio *confugimus*), rogans attentius quatinus .xx. ulnas de scarleta rubea *et totidem de perso et totidem de minueto ad rationabile forum vel precium prout sustinere poteritis usque ad clausum pasca, absque pignore si vobis placuerit, mihi acomodetis (vel, super .x. anulos aureos et .x. ciphos argenteos quos vobis transmittimus). Sciatis enim pro vero quod ad diem prefixum, omni occasione remota, vobis bene persolvemus. Tantum ergo faciatis ut vobis tanquam familiari et creditori nostro grates et honores cum denariis vestris referamus. Valete.*

(5)

Translation

*An earl sends an order to his draper, to whom he is in debt*

B., Earl of Gloucester, to his beloved A., draper of London, greetings and love. Although our merits are not compelling (*or, have not been outstanding*), nevertheless we have relied on your generosity (*[or,] we have turned to you in this present business*), asking anxiously that you accommodate me with 20 ells of red scarlet, and the same of perse (dark blue) [scarlet], and the same of shorn (*minueto*) [scarlet], at the most reasonable cost or price that you can manage, until the Sunday after Easter, without a pledge, if you please (*or, upon the ten gold rings and ten silver cups that we send you*). For you know it for a fact that we shall pay you well on the appointed day, without any delay. Therefore, may you act only in such a manner that we shall return our thanks and respect to you, as our friend as much as our creditor, along with your money. Farewell.

(6)

An earl sends an order to his skinner, to whom he is in debt

*Comes mandat creditori suo pellipario*

fol. 98r Comes dilecto sibi H. pellipario salutem. *et amoris integritatem. Penulis et fururis ad hoc instans pasca quamplurimum indigeo sed denarios ad illas comparandas non habeo. Quare vos imploro quatinus .xx. penulas de griso et totidem ex variis, de agnelino minuto et crispo, de propria selda vestra mihi acomodetis vel aliunde, ad credenciam. Habere faciatis de propriis, [?vel,] ratum habentes de alienis manibus capientes et denarios vestros ad diem prenominationum omni occasione remota de manibus meis vel R. senescalli mei recipietis. Valete.*

(6)

## Translation

*An earl sends an order to his skinner, to whom he is in debt*

The Earl to his beloved skinner H., greetings and the fullest of love. I am sorely lacking in fur linings at this present Easter; but I do not have the money to pay for them. Wherefore I implore you that you accommodate me with 20 linings of *gris*, and the same of *vair* [and] of lambskin with fine and curly [fleece], from your own seld or from elsewhere, on credit (*ad credenciam*). Let you arrange to have [them] from your own stock (*de propriis*), [?or], having this authorization (?*habentes ratum*), taking [them] from the hands of others, and you will receive your money on the aforesaid day, without any dispute, from my own hands or those of R., my steward. Farewell.

(7)

The manner in which one should write a positive or negative response to a request

*In literis responsalibus ad petitionem notandam quod aud [sic] comodat aud [sic] expresse negat aud [sic] se excusat. In literis autem talibus visi tres partes ad minus sunt. Primo debet salutare respondens; secundo ostendere quid petatum sit; tercio qualiter velit parere vel qualiter debeat negare vel excusare; quarto si placet poterit concludere. Item qui vult [sic, for vult] parere [corrected in MS from paretre] petit, potest ostendere per vero vel per aud [sic] suam impotenciam excusare. Inde per quare vel per quapropter potest procedere ad excusacionem.*

(7)

## Translation

In letters of response to a request, note that either one agrees or expressly denies or excuses oneself. Moreover, in such letters there are at least three parts. Firstly, the respondent should send greetings; secondly, he should describe what is sought; thirdly, he should [say] in what way he wishes to agree, or for what reason he must refuse or excuse [himself]; fourthly, if he pleases, he can conclude. Item, he who wishes to agree to requests can show [this] by “*vero*,” or excuse his inability [to agree] by “*aud*” [sic]. Then, by “*quare*” or “*quapropter*” he can proceed to his excuse.

(8)

Letter of refusal from a skinner ruined by fire

*Dilecto amico et cetera. Literas vestras nuper accepi in quibus me petistis ut ego vobis penulas et fururas perquirerem, quod libenter fecissem, sed ignis nuper superveniens [corrected in MS. from superveniens nuper] totam pecuniam meam redegit in cinerem. Unde vobis mittere non potui quod non habui nec creditores inveni qui aliquid mihi crederent post incendium. Dubitaverunt enim perdere totum quod mihi acomodarent. Precor igitur ne moleste feratis quod petita vobis non misi cum sciatis causam inpedimenti [sic]. Valete.*

(8)

Translation

To my beloved friend, etc. I have lately received your letter in which you requested that I purchase for you fur linings (*penulas et fururas*), which I would freely have done, had not a fire recently occurring reduced my wealth to ashes. Wherefore I could not send you that which I did not have, nor have I found creditors who would lend me anything after the fire, for they feared to lose everything that they lent me. I pray, therefore, that you do not take it amiss that I have not sent what you requested, since you know the cause of the impediment. Farewell.

(9)

Another letter of the same type

*Adhuc de huiusmodi literis dicemus*

*A. B. salutem. Obsequium aliud exigit, et subtraccio exigit subtraccionem. Pecii nuper ut mihi succureres de tignis et trabibus quorum copia penes te est. Tu autem surdas aures petitioni mee prebuisti et ideo non mireris [corrected in MS from mirereis] si preces tuas presentes audire recusem. Nolo enim ([?vel] velle debeo) tibi de meo succurere, quoniam [?quando] de rebus vestris unum pecii dedignatus fuisti mihi subvenire. Et ideo ut de cetero amicum habeas, amicum [recte amicus] inveniariis. Valete.*

(9)

Translation

*Again we speak of letters of the same type*

A. to B., greetings. One consent demands another, and a refusal demands a refusal. Lately I asked you to help me out with some lumber and beams, of which you have plenty at your place. But

you turned deaf ears to my petition, and therefore you will not wonder if I refuse to hear your own present prayers. For I do not wish ([or,] *ought I to wish*) to aid you from my [stock] (*de meo*), since, [when] I sought one thing of yours, you disdained to come to my aid. And so, henceforward, if you want to have a friend, you will have to be found [to be] a friend. Farewell.

(10)

An earl sends an order to his client (member of his affinity)

*Comes clienti suo precipit sic*

fol. 98v D. comes cestrie dilecto et fideli suo A. salutem. De fidelitate tua quamplurimum confisi, tibi mandantes (precipimus), preces preceptis adiungentes, ut pro amore nostro et fide quam nobis debes .C. solidos facias nos habere ad unum equum emendum. Sciturus quod palefridus noster mortuus est et non habemus equum cui possimus confidere. Quare tantum facias ne negocium nostrum admittatur pro defectu equitature. Vale [or Valet].

(10)

Translation

*An earl sends an order to his client, thus*

D., Earl of Chester, to his beloved and faithful A., greetings. I have put my highest trust in your loyalty, ordering you ([or,] *we have commanded*), adding prayers to commands, that, for the sake of our love and the faith that you owe us, you provide us with 100 shillings to buy a horse. You shall know that our palfrey is dead, and we do not have a horse in which we can trust. Wherefore may you act in such a way that our business be not hindered for lack of a horse. Farewell.

(11)

An earl orders his knights to equip with horses and arms

*Comes militibus ut muniantur equis et armis*

R. Comes Cestrie omnibus militibus suis salutem. De dilectione vestra quamplurimum confisi, vobis mandantes (precipimus; attentissime petimus) quatinus pro amore nostro parati sitis cum equis et armis in die tali coram nobis ubicumque fuerimus. Sciturus [recte scituri] quod dominus Rex nos sicut alios fecit summoniri et cum eo transfretaremus cum totis viribus nostris sicut amorem suum desi-



deramus. *Quare tantum faciatis ut domino regi placere poterimus et fideliter servire in necessitatibus* [corrected in MS. from necessitabibus]. *Valete.*

(11)

Translation

*An earl orders his knights to equip with horses and arms*

R., Earl of Chester, to all his knights, greetings. I have put my highest trust in your love, ordering you ([or,] *we have ordered, we have most anxiously besought*) that, for the sake of our love, you be prepared with horses and arms on such a day before us wherever we shall be. You shall know that the lord king has caused us, like others, to be summoned to take ship with him with all our men, as we desired his love. Wherefore may you act in such a way that we shall be able to please the king and faithfully serve him in his necessities. Farewell.

## MOVABLE/IMMOVABLE, WHAT'S IN A NAME?—THE CASE OF LATE MEDIEVAL GHENT

Martha Howell

The terms “movable” and “immovable” wealth, categories bequeathed to Europeans by Roman law, arrived in the North of the continent during the high Middle Ages where they conveniently served to distinguish assets that were, quite literally, “immovable” from those that were not. The words had more than descriptive value, however, for they were quickly conflated with terms that had long been used in the region to separate patrimonial from personal property. The categories did not, however, precisely overlap, and the confusion that resulted produced a messy legal record. Throughout the late Middle Ages, authorities frequently were called upon to resolve disputes about the movable or immovable status of particular goods or about their patrimonial status, questions which arose most often during commercial dealings, in marriage, and at death—all situations in which property was being transferred. Nowhere was the record messier than in cities, for in these commercial centers property was regularly in circulation.

The Flemish city of Ghent, one of northern Europe's most important commercial and industrial centers of the late Middle Ages, has preserved a rich collection of documents tracing this story. Its twists and turns reveal a great deal about how uncomfortably and incompletely the terms of market exchange took form in Europe, even among people like Gentenaren who lived almost entirely by trade. It also helps expose what is too often suppressed in our histories of the western market economy: the hard political, social and cultural work that went into its making and the unpredictability of its final shape.

### *Movables and Immovables in Northern European Society and Law*

Although the terms “movables” and “immovables” (in Latin, *mobilia* and *immobilia*) were imports, northern Europeans of the Middle

Ages had no difficulty defining an immovable. For them, any good given that label was land itself or it was so bound to land as to be inseparable from it. Land is, of course, quite literally immovable, for unlike a dress, chest, or plow, land cannot be transported, hidden, or misplaced. It does not depreciate in the normal sense of the term.<sup>1</sup> Land's importance in the medieval economy heightened its assumed immobility. The medieval economy was an agrarian economy; even in the very latest years of the Middle Ages some 85 per cent of what we would call Gross National Product was composed of agricultural goods. Land's perpetual productivity sealed its status as the premier—virtually the sole—immovable, for that quality made it the fundament of the social order. Thanks to land's relatively stable value through time, rights to land defined both the aristocracy who controlled it and the peasants who worked it, providing each a social identity and assuring class continuity from generation to generation.

In contrast, movables were an analytically distinct category of property. Clothing, jewels, foodstuffs, furniture, coin, and equipment were, after all, literally movable. Even grain or animals, which were closely tied to the land, were also separable from it, and as such they were readily labeled “movable.” In addition, movables did not hold value as land did, for they were subject to depreciation, destruction, theft, or just plain loss, as land never was.

Easily understood in ordinary discourse, the distinction between “movable” and “immovable” wealth was also easily incorporated into northern property law. Throughout much of northern Europe, each of the many versions of customary law made a distinction between

<sup>1</sup> The category of immovables was, in law, capacious, but land was the fundament. Jean Brissaud, *A History of French Private Law*, trans. of 2nd Fr. ed. (Boston: Little & Brown, 1912), provides a summary of the types of property included in the category in the Middle Ages: the land and everything which is an integral part of the soil, buildings, crops growing on branches or roots; the movables which adhere to the immovables in the quality of accessories or appendages of the latter (but only on principle, if there was a physical connection); rights over the land which are like the ownership because of their duration (servitude, quit-rent, and rents) and rights which, according to the feudal conception, were connected with the land itself (right of administering justice or tolls, for example); rights like established rents and salable offices which had movables as their object but which were immovable or feudal in their origin (270-2). On the immovability of land, also see Philippe Godding, *Le droit privé dans les Pays-Bas méridionaux du 12<sup>e</sup> au 18<sup>e</sup> siècle*, 2d ed. (Brussels: Académie Royale de Belgique, 1987), 142.

the two kinds of property and the rights attaching to them. That difference did not, however, derive directly from their movable status. Instead, the Latin terms “movables” and “immovables,” along with their equivalents in French, Dutch, or German (*meubles/immeubles* in French, *meublen/immeublen* in Dutch, and *bewegliche Güter/unbewegliche Güter* in German) were conflated with concepts deeply rooted in these cultures and expressed in a vocabulary that long predated the imported Latin terms. In French speaking regions, people traditionally spoke of *cateux* and *heritages* (*héritages* in modern French), not *meubles* or *immeubles*. In Dutch speaking regions people spoke of *cateylen* and *erve*, and in German-speaking regions of *Fahrnis* and *Erbgüter*.<sup>2</sup> There are no precise equivalents to these terms in medieval English law, but the English words “chattels” on the one hand, and “patrimony” on the other capture their sense, for *cateux*, *catheylen*, and *Fahrnis* were what we think of as chattels or personal, private property while *heritage*, *erve*, and *Erbgüter* were, in fact, treated as patrimony.

The distinction drawn in northern property law between chattels and patrimony was not, however, the same as the common-sense

<sup>2</sup> For a fuller discussion, see Godding, *Le droit privé*, esp. 142; and Dirk Hierbaut, *Over lenen en families: een studie over the vroegste geschiedenis van het zakelijk leenrecht in het graafschap Vlaanderen (ca. 1000-1350)* (Brussels: Palais der Academiën, 2000). As Hierbaut explains, the distinction between “movable” and “immovable” does not, in fact, perfectly accord with customary law’s distinction between *cateyl* and *erve*: “an *erve* is a good that is both permanently existing and productive ... [but] an important difference between Roman and customary law is...that the distinction movable-immovable in Roman law has relevance only with respect to tangible (corporeal or material [“lichamelijke”]) property. For customary law it makes no difference whether a good is tangible (“lichamelijk”) or not. So long as a good has permanent existence and is productive, it is *erve* and thus usually immovable. The terms movable and immovable in the acts of practices of the thirteenth century thus have no sense in Roman law. They are only substitutes for the concepts of *cateyl* and *erve*” (22-3).

Anne-Marie Patault, *Introduction historique au droit des biens* (Paris: Presses Universitaires de France, 1989) also has a useful discussion of the way these terms were transferred from Roman law to customary in the French-speaking regions: “Au haut Moyen Âge, les mots *proprietas*, *dominium* sont toujours utilisés par des scribes qui reproduisent mécaniquement un vocabulaire romain desséché; nombreux sont les textes qui mentionnent ‘la propriété’ mais dès le XIII<sup>e</sup> siècle les juristes romanisants ... généralisent les termes romains, *proprietas*, *dominium*, pour désigner une technique polymorphe d’appropriation qui n’a aucun point commun avec la propriété romaine, si ce n’est le nom” (19).

notion of the difference between a movable good and an immovable. The key distinction in customary law was between goods that *produced* income (*heritages*, *erve*, or *Erbgüter*) and those that *were* income (*cateux*, *cateylen*, or *Fahrnis*). Goods that produced income were thought to have perpetual lives, yielding fruit or income from one generation to the next; in contrast, the fruit or income of these properties had no productive capacity. In his famous customal of the late thirteenth century, Beaumanoir perfectly expressed this logic. “Héritages” were goods that “ne peuvent être mus,” that produced revenues that “valent par années,” and that were perpetual because an “héritage ne peut faillir.”<sup>3</sup>

According to the logic of these northern European customs, a good with perpetual productive capacity was not subject to individual ownership, not fully available to a single person during his or her lifetime precisely because its productive life far exceeded that of any individual. It was thus intended to serve generations, not individuals. Any possessor of such a property, even someone holding the property as *allodium* (that is, independently of a lord or lessor), was nothing more than a possessor, and as such always had to take account of the interests of relatives by blood or marriage, those born or not-yet-born.<sup>4</sup> Such assets were patrimony, not “property” in the sense we understand it. In contrast, goods that were deemed to be *cateux*, *cateylen*, or *Fahrnis* were under the

<sup>3</sup> Philippe de Beaumanoir, *Coutumes de Beauvaisis*, ed. Amédée Salmon, 2 vols. (1899-1900; reprint Paris: A. et J. Picard, 1970), nos. 672-8; cited in P. Ourliac and J. L. Gazzangia, *Histoire du droit privé français de l'an mil au code civil* (Paris: A. Michel, 1985), 233.

<sup>4</sup> On this point, see Hierbaut, *Over lenen en families*, 23, and Patault, *Droit des biens*, 19: “Mais le mot désigne alors non plus la maîtrise corporelle de la matière, mais seulement la jouissance de ses utilités. Il n'évoque plus l'orgueilleuse puissance solitaire du propriétaire romain, étrangère aux rapports juridiques entre les hommes. Il est seulement maîtrise partiaire enserrée dans la solidarité des rapports avec les autres et légitimée par le consensus du groupe. La ‘propriété’ n'est plus la souveraineté, elle est seulement, et pragmatiquement, la possibilité légitime de tirer un profit de la terre. Elle ne se confond plus avec la matière, elle n'est que l'exploitation de la matière. La pratique l'appelle ‘saisine,’ mais dès le XIII<sup>e</sup> siècle les jurists romanisants effaceront ce terme du vocabulaire de la propriété et généraliseront les termes romains, *proprietas*, *dominium*, pour désigner une technique polymorphe d'appropriation qui n'a aucun point commun avec la propriété romaine, si ce n'est le nom” (19). Also see Philippe Godding, *Le droit privé dans les Pays-Bas méridionaux du 12<sup>e</sup> au 18<sup>e</sup> siècle*, 2nd ed. (Bruxelles: Palais des Académies, 1991), esp. sections 190-2: 141-3.

individual possessor's full control.<sup>5</sup> They followed no necessary route of transmission and were thought to change ownership simply with their physical transfer from one holder to another.

Although the movable/immovable distinction could not, then, be neatly equated with the chattel/patrimony distinction, the two sets of terms were treated as rough equivalents for much of the late Middle Ages. The conflation functioned so well because land, as both the premier immovable and the principal patrimonial asset in the medieval economy, almost perfectly served as the middle term linking patrimony to immobility. To be sure, there were occasions when the equation broke down. Buildings, mills, granaries, crops, fish—all such goods could arguably be considered immovable, as integral parts of the land, or they could with equal justice be called movable, as items separable from the land. Each region, each set of customs, resolved these issues on an *ad hoc* basis, and, inevitably, the result was diversity.<sup>6</sup> Other goods that bore no “immovable” qualities whatsoever might nevertheless have patrimonial uses. Jewels, for example, were hoarded from one generation to the next and efficiently served to store wealth and preserve status across time. Were they not then “patrimonial” in some sense? As we shall see, these confusions were one of the major sources of instabilities in the legal records that survive from the age, for disputes about such matters regularly drove people to court or forced judicial authorities to issue clarifications about definition and categorization.

In cities, such problems of definition became acute, for there land played so a minor role in economic and social life that it could not provide the necessary fundament to the immovable/patrimonial equation. Rather, movables were the principal source of wealth in urban economies, and they changed hands rapidly in these commercial societies. The imported luxuries that flooded aristocratic Europe after the Crusades had begun were the first to

<sup>5</sup> Patault, *Droit des biens*, provides a full discussion of this logic. As she explains, “La circulation est au meuble ce que la productivité est à la ‘l'immeuble’: le fondement de son utilité sociale” (291). As a result, “depuis le Moyen Age jusqu’à la Révolution, le meuble a été la seule véritable assise de la liberté de disposition” (283). On this see in addition Beaumanior, *Coutumes de Beauvaisis*, no. 622.

<sup>6</sup> See, for these and other examples from the southern Low Countries, Godding, *Le droit privé*, 2nd ed., section 195: 145. For Germany, see Hans Planitz, *Deutsche Rechtsgeschichte* (Graz-Köln: Böhlau, 1971).

disrupt medieval Europeans' easy assumption that "real" wealth was the same as land. Then, and of more profound importance for city people, came the raw materials, manufacturing equipment, and inventories that constituted the productive basis of urban economies. Along with all of these movables arrived financial paper of all kinds, land rents that had been generated by loans, and eventually even the bureaucratic offices that sovereigns handed out to the hordes of eager bidders of early modern Europe, all of which would sit very uneasily on the "movable/immovable = chattel/patrimony" equation. The value of all such goods, although relatively small in the context of the entire European economy, dominated the urban.

Although all historians of the northern city have energetically taken account of these economic developments and their effects on political, social and cultural life, only legal historians have fully acknowledged that such a fundamental socioeconomic transformation could have occurred only with a comparable upheaval in property law. Being regularly confronted with the unstable and complex meanings attaching to the categories "movable" and "immovable" in law, they have often commented that property law was in motion in this age, and many of them have gone further, sensing the socioeconomic importance of this story and implicitly calling upon their colleagues to pursue it. In particular, they have pointed out that the moments of greatest tension—and hence of instability in law—occurred at marriage and death, for these were moments of massive property transfers.<sup>7</sup>

As we shall see, in most customary legal regimes of the North, the use to which movables and immovables could be put was determined by their relationship not just to chattels and patrimony but also, via chattels and patrimony, to the marital property fund. That fund was made of two categories of property. The first was jointly owned by husband and wife together; the second was explicitly reserved for the "line," that is, for children born of the marriage or, in their absence, collateral or ascendant lineal kin. In Ghent, where this paper focuses, goods considered joint were called "partible" (*deelbaar*) because, being joint to husband and wife, they were equally divisible between them at death. Thus, the surviving spouse got one-half of all partible goods and the heirs of the

<sup>7</sup> See in particular Godding, *Le doit privé*, 142-3.

deceased got the other half. The lineal goods of the deceased, in contrast, went entirely to heirs.<sup>8</sup> Thus, as we shall see, the struggles regarding the definition of movable and immovable and their relationship to chattels and patrimony were, in Ghent, waged in terms of the partible/impartible divide.

In the end, we shall also see, the terms survived—both those indigenous to the North and the imported Latin words, but their meanings and relationships in law changed. By the dawn of the early modern period, an immovable good would no longer necessarily be patrimonial; a movable might acquire that status; a good once labeled movable might at another moment in its economic life be labeled immovable. In this way, Gentenaren took a giant step towards the “commodification of all” that is the tendency of what we call capitalism but at the same time, they learned new ways to resist commodification. To accomplish these apparently incommensurate ends, Gentenaren had to rewrite property law so as to free their assets to the market but at the same time select some of them for the benefit of the family and its descendants. By tracing their tortured route, we can learn a lot about their understanding of property, their sense of the link between property and social identity, and their commitment to values beyond those of the market. In the process, we are granted a rare look at the birth pangs of what we call the market society.

### *Tracking Movables in Ghent*

A version of the transformation that took place in Ghent was played out everywhere in northern Europe, but each story is particular to the legal jurisdiction in which it occurred, for customary law is by definition local and particular. Ghent is an ideal setting for such a study, not just because it has preserved the necessary sources. It was the second largest northern city of the fourteenth and much of the fifteenth century. Until the end of the Middle Ages when Antwerp, then Amsterdam and still later London displaced it, Ghent was also northern Europe's leading center of

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<sup>8</sup> The surviving spouse had rights to half the income of this property for life. See below for a fuller discussion of Ghent's customary marital property law.



commercially oriented industry. Although almost entirely devoted to production for export and to trade itself, Ghent nevertheless honored the system of private property law traditional in this region of the North, carefully distinguishing movables from immovables and roughly equating the former with chattels (*cateylen* in the Dutch language of Ghent) and the latter with patrimony (*erve*).

Ghent has left rich sources for tracing the long history of this custom. Most of the accessible documents are normative in character, ranging from occasional proclamations to rulings to formal statements of customary practices, and in their preponderance dating from the late thirteenth century to the first homologized custom of 1563. Similar records survive from later years as well, of course, but after 1563 the history of such texts is no longer Ghent's alone, for the later records belong to a larger story of legal change driven by the ducal court and by legal theory explicitly drawn from Roman law as earlier custom was not. Another set of documents is less normative in character, for these consist of litigation records of various kinds, ranging from judgments handed down as a result of disputes to summaries of hearings in court.

Four principal normative texts are a basis of this study, although they are supplemented by occasional proclamations, charters and similar texts.

1. The *Grande Charte* of 1297 (abbreviated here as GC), a privilege granted by the Count of Flanders to what was already his most important industrial center;
2. A text prepared by Ghent's aldermen (*scepenen*), which exists in three manuscript versions, summarizing the customary rules of succession in Ghent and dating from the early sixteenth century (abbreviated here as SC);
3. A draft of the city's entire custom, prepared by the aldermen in 1546 (abbreviated here as DC);
4. The 1563 homologized custom, a redraft of the 1546 custom which finally earned ducal approval (abbreviated here as HC).

Alongside these normative texts two principal forms of "records of practice" survive: a selection of judgments or *vonnissen* rendered

by the aldermen of the *Gedele* who were charged to adjudicate many matters of property law and finance; and a selection of binding legal opinions or *turben* delivered to the aldermen at the request of one of the parties to a suit and issued by a board of experts.<sup>9</sup>

*The First Order of Business in Ghent: Getting the Definition Right*

The terms “movables” and “immovables” appear in the earliest records we have, almost always in phrases that equated them with chattels (*cateylen*), on the one hand, or patrimony (*erve*) on the other. Certain goods posed few problems. Clothing and stored provisions, domesticated animals, household or commercial goods such as furniture, utensils, inventories, raw materials, and hand tools, all these were undisputedly movable and chattel-like.<sup>10</sup> Other assets, however, were much less easily classified.<sup>11</sup>

Products of the land posed special problems because, being quintessentially “of” the land and so recognized in custom, they were nevertheless physically separable from the land and, moreover, marketable. Law did not easily accept this logic, however, for it ex-

<sup>9</sup> A. Normative texts: (a) “Grande Charte des Gantois” (8 April 1297, n.s.) in A. E. Gheldolf, ed., *Coutumes des pays et comté de Flandre, I: Coutumes de la ville de Gand* [hereafter *Coutumes*, 1] (Brussels: Gobbaerts, 1868), 1: 426-95; (b) “Costumen gheusseert ende onderhauden binnen der stede von Ghendt in materie van successien ende verdeelen” [approx. mid-16th century], in E. M. Meijers, *Het ligurische erfrecht in de Nederlanden*, 3, *Het Oost-Vlaamsche Erfrecht* [hereafter *OVE*] (Haarlem: Tjeenk Willink, 1936), Bijlage 3: 104-13; (c) “Cahier primitif de la coutume de Gand” (1546), in *Coutumes*, 1: 169-385; (d) “Coutume homologuée de la ville de Gand,” in *Coutumes* 1: 1-172.

B. Records of litigation or official inquiry: (a) *Registers van Gedele* (a.k.a. *Weezenboeken*): beginning in 1349, running continuously (selectively published in *Coutumes* 1 and in Meijers, *OVE*, Bijlage 1: 3-77; (b) *Turben* (opinions having the status of law) appended to one of manuscripts listed in A-b above: published in Meijers, *OVE*, Bijlage 2: 77-104.

These texts are supplemented by other documents edited in *Coutumes*, 1 (and cited separately). Three secondary studies using the same sources constitute another basis of this study: Meijers, *OVE*, which provides a useful guide to archival material concerning inheritance and a discussion of selected texts from that archive; Mariane Danneel, *Weduwen en Wezen in het laat-middeleeuwse Gent* (Leuven-Apeldoorn: Garant, 1995), and Godding’s *Le droit privé*, which is the authoritative guide to private law in the pre-modern southern Low Countries.

pressed a social logic that could not easily imagine such goods as commodities, things to be bought and sold like cloth or cooking utensils, converted into cash, perhaps lost in market speculation. The surviving records from Ghent trace these disturbances in astonishing detail, giving eloquent witness to the importance attached to such items as crops still in the ground, fish in ponds, peat that was being mined from the land, or trees that were cut for lumber. Some of the court cases detailing the disputes seem trivial when read in isolation, and many of the amendments to published custom or the court rulings appear to be nothing more than clarifications of law. In fact, however, the whole is the sum of many parts, and the whole is a story of significant struggle and change.

A few examples illustrate both the apparent triviality of the disputes and their real import. In Ghent, as in many other places,

<sup>10</sup> In the discussion that follows, I have focused exclusively on the question of “movability,” for all movable goods were not only automatically labeled chattels in Ghent, they were also automatically considered partible, or were so in matters of marital property relations and inheritance. In the same matters, some immovables or *erve* could also be considered partible. Because many of the normative texts we have and almost all of the available court records focus exclusively on marital property and inheritance law, the documents themselves frequently use only the term partible to refer to movables and deploy terms like “partible patrimony (*erve*)” or “partible immovables” to describe the situations when an immovable is treated as though it were movable. This does not mean, however, that the movable/immovable divide had been suppressed by the partible/impartible divide, for the first order of business, always, was deciding whether a good was movable or immovable. Partibility came afterwards, and applied only in the supremely important—but not exclusively important—business of marriage and inheritance.

<sup>11</sup> One of the few cases appearing to question this norm concerned a “bedde” (a bed) that was deemed partible because it was “feathered” (“een bedde daer plumen inne waren”). See Meijers, *OVE*, Bijlage 1: 12 (*Vonnis* of 28 August 1358, #12). Presumably the question had arisen because the bedstead itself was built-in, and arguably could be treated as part of the house itself; although in Ghent houses too were movable, it may be that the case had come to court because some of the parties to the dispute thought the bedstead and dwelling should be governed by urban customs elsewhere, for in most of the region houses and similar structures were normally treated as immovables.

Tools for a trade were also usually considered movables, but, to give just one example, in the small city of Uccle near Brussels, cauldrons used in enameling were immovable. Mills in the southern Low Countries were also variously categorized, depending on whether they could be transported or not and whether they were built on land held in fief, and so on. For these examples, see Godding, *Le droit privé*, 2d ed., 145.

a seeded crop, one already in the ground but not yet ready for harvest, was customarily considered part of the land, which was undisputedly immovable. But according to a *vonnis* rendered by the aldermen in 1350, the surviving spouse of a marriage, in recognition of his or her rights to half of all movables in the estate, was to be compensated for the money that had been spent in preparing the ground and sowing the seed, presumably since that cost was assumed to have been borne by the couple together, out of their joint movable property. Having paid 50 per cent of planting, the reasoning must have been, the surviving spouse could be dispossessed of the eventual crop only after having been repaid his or her costs.<sup>12</sup> That ruling assumed, however, that the crops were not ready for harvest. When the crop was closer to harvest the situation was muddled. A *vonnis* of 1371 decreed that “winter” crops in the ground were immovable, but only if the death of the landowner had occurred before mid-March.<sup>13</sup> Accordingly, if one of the spouses were to have died on 31 March, the land alone would go to his or her direct heirs in its entirety, and the survivor would have rights to half the crop in the ground, implicitly on the theory that the a crop so close to harvest at the time of death was movable. If, however, the death were to have occurred on 1 March, the heirs would acquire both the land and the crop on the grounds that the seed had then not yet produced a recognizably “harvest-able” crop. According to the same ruling, summer crops became movable after mid-May, a position reiterated in a *vonnis* of 1415.<sup>14</sup>

Fruit trees caused as much confusion. Apple trees (*appelboomen*) more than “knee high,” for example, were specifically labeled movable in the early sixteenth-century listing of customary rules cited above, a statement seeming to confirm a *vonnis* from 1367 (here the term is *bogarde* or orchard).<sup>15</sup> A *turbe* of 1525 seems, however, to have revised this norm, for there all “fruit trees”

<sup>12</sup> Meijers, *OVE*, Bijlage 1: 3-4 (*vonnis* of 26 July 1350, #2). Also see Meijers, *OVE*, Bijlage 1: 72 (*vonnis* of 13 February 1370 (n.s.?), #14): seeded corn on a fief is movable even if the fief is not.

<sup>13</sup> In Meijers, *OVE*, Bijlage 1: 21-3 (*vonnis* of 10 December 1371, #24). “Winter” crops or “winter fruit” were those planted in fall for spring harvest.

<sup>14</sup> *Coutumes*, 1: 588-90. These are crops sown in early spring for summer harvest.

<sup>15</sup> *Vonnis* of 16 June 1367, in Meijers, *OVE*, Bijlage 1: 21 (#23).

(*fruitboomen*) were deemed movables, without qualification regarding height.<sup>16</sup> The homologized custom of 1563 repeated the same blanket convention, adding that if the trees were located on a fief, along with its principal dwelling and major “shade” trees, they were nevertheless divisible as movables (here they were called *fruytboomen*).<sup>17</sup> Although clear at one level—apple or fruit trees are movables—these texts are ambiguous at another, for it is not clear whether they had to have reached a certain growth. Nor is it obvious just what kind of trees were at issue. Were “apple trees,” “fruit trees” and “orchards” the same things in the eyes of litigants and the court alike? Nothing in the available sources directly tells us, but it is not unreasonable to suspect that the instability of terminology and the frequency with which fruit-bearing trees appear in our sources are the faint traces of debate about definition. When we turn from “fruit trees” to “trees” more generally, our suspicions are further aroused, for the texts are replete with signs of quarrels, indecision, and changes of direction. Some texts flatly labeled trees movable, but others implied that only certain trees, of certain heights or age, or in certain locations were movable.<sup>18</sup>

<sup>16</sup> *Turbe* of September 1525, in Meijers, *OVE*, Bijlage 2: 79 (#1).

<sup>17</sup> HC, Articles XXV-4 and 34.

<sup>18</sup> *Vonnis* of 12 October 1367, in Meijers, *OVE*, Bijlage 1: 21, #24; *vonnissen* of 1399 and 1415 in *Coutumes*, 1: 564-9 and 588-90; DC of 1546, article V-3; HC of 1563, XX-3 and *passim*.

A *vonnis* of 1363 decreed bushes (*bosch*) movable if “one customarily cut them,” and another of 1367 confirmed that willows (*wulghen*) were movable, both texts suggesting by their very existence that litigants had contested the principle and were seeking exceptions (*vonnis* of 29 June 1363, in Meijers, *OVE*, Bijlage 1: 16, #17; *vonnis* of 12 May 1367, in Meijers, *OVE*, Bijlage 1: 20-1, #22).

The sixteenth century SC introduced more vocabulary, this time leaving little doubt that the category “trees” was unstable. Article 17 of that text flatly declared “upgaende boomen, drooghe often groene” (grown trees, dry or green) movable, whether on fief or free land (“leen of erve”), whether inside the city or outside it (“binnen der stede often buiten”). Article 20 declared *tronckeycken* (oaken stumps) movable if the *trijshoudt* (branches or twigs) were older than seven years (the branches themselves were also movable, the authors of the document took pains to remark). *Dornehagen* (hedges of pine evergreens), however, were movable after three years (article 21), while in article 22 it was explained that *elshaghen* (hedges of alders) had to wait five years. A *turbe* of 1531 seemed, however, to overturn the earlier statement regarding *tronckeycken*; here they were declared movable, even if located on a fief, and no age limit was indicated (*turbe* of 17 May 1531, in Meijers, *OVE*,

If we reflect on the role these goods played in the economy of the day, contemporaries' evident concern with trees and crops, even fish and peat, becomes comprehensible. In this age seed yields were only about 4:1 or 5:1, crop yields seldom exceeded 5 bushels per acre (today they are easily 10-20 times that amount), and foodstuffs were relatively so expensive that a family's subsistence diet took up a significant portion of the daily wage of an adult male unskilled worker, and in some years took all of it.<sup>19</sup> Under those conditions, any surviving spouse, no matter how rich, would have hardly been indifferent to the decision taken about a crop's movability (in which case he or she got half of it as his or her own), and the heirs of the land would have been as eager to have a decision counting it immovable (in which case they got it all, and had to share only half its income during the life of the surviving spouse). Wood, whether used for its fruit, fuel, furniture or construction, was even more valuable than a crop in the ground itself. This was, let us remember, a part of Europe where most woodland had long ago been decimated, where lords valued their privileged access to forests above most other rights, where Baltic lumber was not yet imported at the rate it would later be (and in any case was used principally

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Bijlage 2: 99-100, #37). A slightly earlier *turbe* of 1525 had provided the same ruling, but that text also introduced entirely new terms: *hauten* (wood) was movable, even if on a fief, but the shade trees (*schauboomen*) were not, and *slachoudt* (cut wood) was movable so long as the *schueten* (shoots or limbs) were at least three years old (*turbe* of September 1525, in Meijers, *OVE*, Bilage 2: 79, #1).

The DC of 1546 declared that "boomen" (trees) were movable, excepting only the *schauboomen* (shade trees) on a fief. The HC of 1563 significantly elaborated this ruling: the movable or partible account included only those *boomen* whose trunks were wider than two hands and higher than the chest, along with *troncken*, again excluding the shade trees on fiefs. Article XXV-32 again named *slachoudt* (cut wood) movable, confirming the minimum age of three years, and the next article (XXV-33) reiterated that *doornehagen* were movable if three years old, but thought it necessary to elaborate, adding that the *rys*, *haer* of *wae*y (twigs, sprigs, or branches) were included in that ruling.

<sup>19</sup> For measures of subsistence wages in the fourteenth and fifteenth centuries, see Jean-Pierre Sosson, *Les travaux publics de la ville de Bruges, XIV<sup>e</sup>-XV<sup>e</sup> siècles: les matériaux, les hommes*, Collection Pro Civitate, 48 (Brussels: Crédit Communal de Belgique, 1977), 230-1 and 308-9. Only master artisans in the building trades had incomes high enough to avoid risk of famine; day workers and journeymen regularly skirted disaster and sometimes met it. For the sixteenth century, see Johan Dambruyne, *Corporatieve middengroepen: aspiraties, relaties en transformaties in de 16de-eeuwse Gentse ambachtswereld* (Ghent: Academia Press, 2002), and the sources he cites.

in shipbuilding and other major projects), and where peat was the sole readily available fuel substitute. People, even rich people, hoarded then wood carefully and used it sparingly; so cherished was this item that some people made special bequests of it in their wills.<sup>20</sup>

Similar struggles plagued Ghent's neighbors and the decisions taken in Ghent regarding crops, trees, fish and the like resembled, even if they did not duplicate, those taken elsewhere. Gentenaren deviated dramatically from regional norms, however, in their treatment of houses and, especially, of land. All the records we have from Ghent, even the earliest, treat houses and similar structures as movable assets. The surviving texts, whether normative or practical, are unambiguous, even dully repetitive. A *vonnis* of 1350, another of 1359, a third in 1399 and a fourth in 1415 all routinely included *huusen* ("houses") in their lists of movables or chattels.<sup>21</sup> A *turbe* of 1529 flatly repeated the principle, while the SC of the early sixteenth century elaborated further: article 16 intoned that "all houses or parts of houses" were movable, a ruling repeated in the subsequent article as well.<sup>22</sup> The DC of 1546 spoke even more aggressively: houses in Ghent are, according to the custom, "partible and considered chattels and movable property."<sup>23</sup> The HC of 1563 repeated that clause almost verbatim.<sup>24</sup>

<sup>20</sup> See, for example, the dispute between a rich widow and her deceased husband's heirs over household goods and the trees/lumber supplies on the land he had left (*vonnis* of 12 May 1367, in Meijers, *OVE*, Bijlage 1, 20-1, #22).

<sup>21</sup> *Vonnis* of 18 February 1350 (ns), in Meijers, *OVE*, Bijlage 1: 3, #4; *vonnis* of 8 April 1359, in Meijers, *OVE*, Bijlage 1: 14, #14; *vonnis* of 1399, in *Coutumes*, 1: 564; *vonnis* of 1415, in *Coutumes*, 1: 588-90.

<sup>22</sup> *Turbe* of 5 June 1529, in Meijers, *OVE*, Bijlage 2, 87-8, #17; SC, article 17: "huusen, schuren, stallen ende andere edificien, leeninghen ende latinghen, staende often wesende up leenen oft erven binnen der stede often buuten es gherekent often ghehauden muelbe (*sic*)."

<sup>23</sup> Article X-25; repeated in VI-19 of the HC of 1563; also see article XXI-31 of DC 1546, where houses in the city are once again specifically labeled partible.

<sup>24</sup> The only area of instability or uncertainty concerned houses located on land held in fief. While many of the available texts labeled them movable, as did article 17 of the early sixteenth-century SC cited above, others introduced qualifications. A *vonnis* of 1411-1412, for example, exempted houses on fiefs held of the Duke of Burgundy, ruling that their status was determined by the feudal court with specific jurisdiction (*vonnis* of 1411-1412, in *Coutumes*, 1: 582-4). A *turbe* of 1525 exempted the *beste vuurst* (best residence) on a fief,

Ghent was not entirely alone in labeling houses movables, for some other areas of the North did so as well, Lille, Antwerp, several cities in West Flanders and some in Germany among them.<sup>25</sup> But Ghent stands alone, as far as we know, in labeling most land movable. The story of how Ghent came to this decision is long and complicated. It originated in the awkward situation produced when a house and its tenure was being transferred at the end of a marriage. The house, being movable, was to be divided between the survivor of the marriage and the deceased's lineal heirs (as a partible good), while the land, which was traditionally considered patrimonial and thus impartible, was to be passed directly to heirs. The result was confusion: the owner of the land was not the full owner of the house that stood on it, and the occupant of the house (typically the surviving spouse) was unlikely to hold the land rights. At some point during the fourteenth century, Ghent's aldermen decided to treat these "packages" as movable if the land was encumbered by rental payments. The theory here was that the rental payments had been assumed in order to acquire land for building the house. Later even those conditions were dropped, and all land in the jurisdiction of Ghent, whether or not it paid rent and whether or not it was built, was considered movable. This left only land outside Ghent or land held in fief as potentially patrimonial property.<sup>26</sup>

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and the DC of 1546 provided that a house in the countryside, although movable, could be kept whole by the landowner if she or she compensated the half-owner(s) for their share of its value (*turbe* of September 1525, in Meijers, *OVE*, Bijlage 2: 79, #1; DC of 1546, article XXI-36; repeated in HC of 1563, article XXV-35).

<sup>25</sup> For West Flanders, see Meijers, *OVE*, 33, n.4 and more generally for the Low Countries, Godding, *Le droit privé*, 2d ed., 143-4. For Germany, see Ashaver von Brandt, "Mittelalterliche Bürgertestamente: Neuerschlossene Quellen zur Geschichte der materiellen und geistigen Kultur," *Sitzungsberichte der Heidelberger Akademie der Wissenschaft, philosophisch-historische Klasse* 5-32 (Heidelberg: Carl Winter, 1973).

<sup>26</sup> Meijers's *OVE* traces this story. The transition is documented as early as the fourteenth century, when a *vonnis* of 1353 declared that "*erve* within Ghent on which rent was being paid were partible; others from 1371 and 1450 repeated the judgment (*vonnis* of 22 June 1353, in Meijers, *OVE*, Bijlage 1: 4-7, #4; *vonnis* of 10 December 1371, in Meijers, *OVE*, Bijlage 1: 21-3, #24; *vonnis* of 1450 in *Coutumes* 1: 628; *vonnis* of 22 November 1363, in Meijers, *OVE*, Bijlage 1: 17-18, #19). The sixteenth-century SC confirms this reading. Following article 24, which explained that all unbuilt *erve* in Ghent held of lordships [paying traditional *landcijns*] were patrimonial, came article



Debt obligations were, however, a considerably more complicated matter than either land or houses, and it was this category of asset (or liability if one was the borrower rather than the creditor) that provided Gentenaren a way to both serve the market and preserve wealth for heirs. Like all other known regions of customary law, Ghent assiduously preserved a key feature of the traditional law of patrimony: perpetual “rents,” what Gentenaren called *erfrenten*, retained patrimonial capacity, even if the rents were paid on land that was itself considered movable and partible. Like the history of land and its legal status in Ghent, the story of rents and other forms of indebtedness is a complex one, and its details beyond the scope of this essay.

Its general shape is, however, evident. In Ghent, as in all regions of customary law, most debts were thought to be personal obligations, and thus to attach to the movable goods of the individual who incurred the debt, for that was the only property in his or her possession that was truly personal. A French adage of

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25, which deemed movable all patrimonial property (*erve*) in Ghent that paid *landcijns*, implying by the contrast with article 24 that built land paying *landcijns* was intended.

Danneel cites two cases appearing to indicate that if a house with land paying rent had been acquired before marriage or inherited during marriage, the land portion was treated as heritable and only the house entered the community of goods (Danneel, *Weduwen en wezen*, 268, n. 81). Meijers argues that it does not, and the cases he cites, as well as the normative texts, seem to support him. I have been able to check only one of her cases (*Gedele* 330, #39, fols. 133-4, 13 April 1491). There we indeed find an *eervachtigheden* (patrimonial property) consisting of land and a house, and the aldermen did indeed determine that the land held side, while the house itself was partible. This land was, however, not in the jurisdiction of Ghent, but in Deestinghem, and according to Ghent’s custom as then expressed such land would indeed have “held side.”

Whatever the confusions of the fifteenth century, the circle had closed by the sixteenth. All land in Ghent, whether actually encumbered or not, whether actually built or not, was chattel property and therefore partible. The ruling is first visible in a *turbe* of 1529 in which “all land within the jurisdiction of Ghent” was deemed *cateyl* (*turbe* of 1529, in Meijers, *OVE*, Bijlage 2: 91-2, #22). Section XXI-27 of the 1546 DC was equally precise: “Land ‘holds side’ *except* [my emphasis] land that is within the city, which is movable.” The 1563 HC extended the reach to the suburbs of Ghent: “land holds the side from which it came, along with the usufruct attaching to it, *except* [my emphasis] the land inside the city and outer fortifications of the city [which] is partible [movable] ... .” [HC, article XXV-29]. No mention here of *landcijns*, none of houses. Land, whether or not encumbered or built, was movable if it was in the jurisdiction of Ghent.

the day expressed the concept succinctly: “meubles sont sièges des dettes.”<sup>27</sup> The notion that debts were personal and thus payable out of personal—movable—property alone had important implications for economic life. Debts “owned” by lenders (what we might call “collectables,” “accounts receivable,” “debt payments due,” and the like) could easily be bought and sold, allowing lenders to trade future income for present cash. For example, a lender who was due 100 pounds but who needed the funds immediately could sell that debt to a third person, who would then collect the amount due from the borrower. Lenders had other advantages as well because they could claim all the borrower’s movables in case of default and did not have to rely on a single asset for their security. The *Jaarregisters* of Ghent’s aldermen of the “Keure” contain eloquent testimony to the ubiquity of such unsecured debt.<sup>28</sup> During the month of December 1400 alone, for example, Gentenaren registered 114 transactions with the aldermen. Fifty-nine of the entries—over half—recorded debt obligations of unspecified origin

<sup>27</sup> Cited in Patault, *Droit des biens*, 282. The central fundament of the basic rule was preserved in all the normative statements issued by aldermen and in all the rulings issued by municipal courts. A *vonnis* of 1350 flatly declared, for example, that debts were to be charged against the movable account of a marriage (*vonnis* of 15 August 1350, in Meijers, *OVE*, Bijlage 1: 4, #3). Another of 1371 was similar: all “huutsculden, insculden, baten ende comer” (“payments or receipts on debts, income and expenses”) were movable (*vonnis* of 10 December 1371 in Meijers, *OVE*, Bijlage 1: 21-3, #24). Article 2 of the early sixteenth century SC confirmed the rule, specifically naming all “schulden van baten ende van commerce” (“all obligations arising from income and expenses”), while article 32 of the same text mentioned “all debts” and article 26 broadly included all “besproken blat” (“encumbered revenue”). A *turbe* of 1531 listed all “contracten [ende] obligatiën.” (“contracts and obligations”) (*turbe* of 12 July 1531, in Meijers, *OVE*, Bijlage 2: 100, #3). The DC of 1546 continued the litany; the HC of 1563 repeated the sentiment.

<sup>28</sup> From the fourteenth century forward, civil (private) matters were dealt with by two separate groups of aldermen (*scepenen*), the “Keure” and the “Gedele.” The former dealt with matters of property transactions, debts, etc., the latter largely with inheritance and what were called “zonen” or compensation payments for personal (and physical) injury. The annual registers of the Keure (the *Jaarregisters van de Keure*, series 301) were the transcriptions of agreements (of a financial nature) voluntarily brought to the aldermen for registration. For a fuller study of this source, see Philippe Lardinois, “Diplomatische studie van de akten van vrijwillige rechtspraak te Gent van de XIIIe tot de XVe eeuw,” Licenciaat, U. Ghent (1975-6). A summary of the thesis was published in *Hand. Maatsch. Geschiedenis Gent* 31 (1977): 65-75.

and without specific security, just as custom imagined.<sup>29</sup> Another fifteen of the 114 did specify how the debt had originated, but they did not imply that the object purchased with the money lent was specific security for the loan.

Although this evidence seems to insist that secured debts were unknown to medieval custom, the contrary is in fact the case. The techniques for securing long-term debt developed slowly and hesitatingly, however, for medieval people faced opposition both from spiritual authorities and customary secular law. The problem for the church was usury, for payments on a secured loan looked suspiciously like interest charges unless they totaled no more than the precise amount of the loan—a deal no long-term lender could accept.<sup>30</sup> The problem in secular custom involved patrimonial rights. Only an immovable good could properly secure a loan, for only such an asset would hold value and generate income to service the loan. Such assets were, however, the source of patrimonial wealth—wealth due heirs—and in the medieval imagination those heirs were due their property free of debt. No individual, it was thought, could encumber his or her heirs. Accordingly, the only obligations that could attach to or pass with patrimonial assets were those integral to its use, and such obligations were generally understood to be permanent and of a tenurial nature. The old medieval *cens* (*census* in Latin) and *aides*, the dues or honorific payments to lords that traditionally were exacted from all users of non-allodial land, were prototypical.<sup>31</sup>

<sup>29</sup> This material is all taken from the inventories and case summaries of the *Jaarregisters* published by the municipal archive of Ghent: *Regesten op de Jaarregisters van de Keure* [Inventarissen en Indices gepubliceerd door het Archief, Stad Gent], ed. J. Boon (Ghent: Stad Gent, 1969) covers 1353-54 and 1357-58; *Regesten op de Jaarregisters van de Keure*, ed. J. Boon (Ghent: Stad Gent, 1968) covers 1339-40, 1343-44, 1345-46, and 1349-50; the three volumes of *Regesten op de Jaarregisters van de Keure* from 1967, 1970, and 1972 [no named editor] cover 1400-01] [hereafter *RJR*].

<sup>30</sup> John H. Munro's "The Medieval Origins of the Financial Revolution: Usury, Rentes, and Negotiability," *The International History Review* 25 (3) (2003): 505-62, provides a nuanced discussion of usury laws and their effects on financial markets. His references are extensive, but also see Joel Kaye, "Changing Definitions of Money, Nature, and Equality (c.1140-1270) and Their Place within Thomas Aquinas' Questions on Usury," *Credito e usura fra teologia, diritto e amministrazione. Linguaggi a confronto (sec. XII-XIV)* (CNRS, École française de Rome, Università di Trento, forthcoming).

<sup>31</sup> The history of debt in medieval Europe with respect to immovables is ex-

It was precisely the *census* or *cens*, however, which provided the necessary structure for secured debt because it was early and easily conflated with what was called a *rente foncière* or *bail à rente*. Originally considered a kind of perpetual lease of land in exchange for a perpetual rent (thus, *bail à rente*), this instrument could also be seen as a sale of land in exchange for a perpetual rent (*rente foncière*). In either case no loan was involved—thus, no usury. The critical shift, however, was to what were called *rentes à prix d'argent* or *rentes constituées*. In this case, money was given in exchange for rent payments in perpetuity, the money being used by the debtor either to purchase the asset securing the “debt” or, more commonly as time went on, to invest elsewhere. In the latter case, the “debt” was secured by an asset that the debtor already owned. Although this device had all the earmarks of a secured debt, medieval people managed to conceptualize it as a sale (of money) in return for a perpetual rent, thus aligning it with the *rente foncière* or old *census*—and avoiding both usury prohibitions and disgruntled heirs.

About a third of the entries in the indexed volumes of the *Jaarregisters* concern such debts. For example, in exchange for an unnamed amount of money, Jan Sersanders issued a rent (*erfelijke rente*) to Jan van Maelgavere of 2 shillings *gros tournois* per year, secured by a house and tenement (*erf*). The property was already encumbered with a rent of 2 shillings *gros tournois*, payable to a third party, so Sersander’s ability to borrow against it a second time indicates that the property produced at least 4 shillings of income a year.<sup>32</sup>

All such rents were treated as immovable patrimony and thus as impartibles. A *vonnis* of 1352-1353, for example, clearly declared “eerve, eeveliike rente” impartible; again in 1372 the same language appears.<sup>33</sup> The rule is invariable, and is repeated with casual assurance throughout the period studied. If the perpetual

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tremely complex and hard to document in its specifics for a particular locality. The fullest study of rents, as they had evolved by the end of the Middle Ages and developed in sixteenth-century France (Paris above all), is Bernard Schnapper, *Les rentes au XVI<sup>e</sup> siècle: histoire d'un instrument de crédit* (Paris: S.E.V.P.E.N., 1957). Also see Godding, *Le droit privé* and Munro, “The Medieval Origins.”

<sup>32</sup> *RJR*, #510, fol. 24v/1.

<sup>33</sup> *Vonnis* of 22 June 1353, in both *Coutume*, 1: 529-40, and Meijers, *OVE*, Bijlage 1: 4-7, #4; *vonnis* of 12 November 1372, in Meijers, *OVE*, Bijlage 1: 23-9, #25.

rent was repurchaseable by the borrower, however, the situation was more complicated in secular law. These *losrenten*, as they were called in Ghent, were structured just like *erfrenten* but the borrower could repay the obligation, whenever desired, at some amount that had been fixed in the original loan agreement. More than any other financial instrument of the age, these most resemble our secured loans—and least resemble the old tenurial rent. Because they were detachable from the asset (when redeemed), these debts could logically be considered movable, and that is what several early sixteenth-century texts provided.<sup>34</sup> Other texts, however, offered a different interpretation. A *turbe* of 1528 declared all *besette renten* (secured rents) immovable except *lijfrenten*, thereby implying that secured *losrenten* were immovable.<sup>35</sup> Article 27 of the early sixteenth-century SC repeated the same rule, as did a *turbe* of 1530.<sup>36</sup> The DC of 1546 as well as the HC of 1583 were clearer still: all “realized” *losrenten* were treated as immovables, even if the security was a “movable” house, for under such conditions the rent attached to the real property and followed it.<sup>37</sup> By the sixteenth century, then, redeemable rents, even if secured by an asset undisputedly movable such as a house, were considered patrimonial and, as such, immovable.<sup>38</sup>

<sup>34</sup> A *turbe* of 5 June 1529, in Meijers, *OVE*, Bijlage 2: 87-8, #17, specified that they were movable (common) unless purchased with the proceeds of the sale of an immovable *erue*. Another of 10 December 1529, in Meijers, *OVE*, Bijlage 2: 92, #23, treated *losrenten* as movables in that they were part of common account. Again, see further in this text for a discussion of this relationship. This judgment, however, contradicted another *turbe* (of 9 September 1528, in Meijers, *OVE*, Bijlage 2: 83-4, #9, where *besette* (secured) *losrenten* were treated as immovables. The difference may lie in the term “besette.” See note 40 below for an explanation of this term.

<sup>35</sup> *Turbe* of 9 September 1528, in Meijers, *OVE*, Bijlage 2: 83-4, #9.

<sup>36</sup> *Turbe* of 10 October 1530, in Meijers, *OVE*, Bijlage 2: 96, #31.

<sup>37</sup> The term “realized” rents first appears in sixteenth-century texts, as an explicit reference to a process of formal “registration” (which could have been oral) of a secured obligation. Once “realized,” a debt was pursuable in court and the security underlying it attachable. I am grateful to Prof. Dr. Philippe Godding for this explanation. The clause is found in DC XXI-18 and in HC XXV-8 (the term appears elsewhere in these texts as well; see, for example, XXV-40 of the HC).

<sup>38</sup> In what might seem a gross contradiction, however, the income received by the lender of the funds was treated as a movable (HC, article XXV-27). The logic is, however, clear. *Losrenten*, being secured by immovables, had to stay attached to that immovable if the creditor was to be properly secured.

Clearly, Gentenaren, like others of their age, conceptualized perpetual rents as a different kind of debt, not in fact as “debt” per se but as a quasi-tenurial arrangement. As such these assets lodged, ultimately, with the family line and were not freely available to the market.<sup>39</sup> The individuals paying the rents (the borrowers) also treated their payments as patrimonial in that they passed to heirs along with the property securing the rent. Oddly, however, this meant that a rent secured by a house and building lot was divided between heirs and the successor to a portion of the house. The rent attached to the land went to the heir of the land; half the rent went with half the house to the heir, and the other half went to the surviving spouse.

By the late Middle Ages a new form of the *rente constituée* was at least as common, and its appearance further disturbed traditional norms. This was the annuity or, in French, *rente viagère* (*lijfrent* in Dutch). Although structured exactly like the *rente constituée*, the annuity was not perpetual but was due only for the life of the creditor (or the group of creditors, since such annuities were typically written on several lives—husband and wife, or sometimes the entire nuclear family). The obligation to pay rent ceased when the creditor(s) died; then the borrower would own the pledged property free and clear. In this case, the connection between the financial instrument and its security was, in effect, temporary, and annuities themselves had short lives—or in any case non-perpetual lives. Annuities were, thus, movables, and belonged in the partible accounts of Gentenaren.<sup>40</sup>

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While the income from the rent could float free of the property and be considered “personal” to the lender, the capital tied up in debt had to be attached specifically to the asset generating the debt; in that way the creditor was still secured, even if the property was sold to a third party or passed on to heirs.

<sup>39</sup> This was a fraught issue everywhere in Europe. For a discussion of the wide variety of solutions, and the patterns of resolution in customary law, see Schnapper, *Les rentes*, 244-60.

<sup>40</sup> *Vonnis* of 14 August 1355, in Meijers, *OVE*, Bijlage 1: 8, #6 (here it was explained that the rent had been purchased with common property during the marriage so the income was, naturally, common as well). A *vonnis* of 1 April 1359, in Meijers, *OVE*, Bijlage 1: 12-13, #13, specified that even if the rental payment was secured by immovables that belonged to one spouse alone the obligation to service the annuity was movable; *vonnis* of 10 December 1371 in Meijers, *OVE*, Bijlage 1: 21-3, #24, explained that the annuity payments received were movables if both they had been acquired with common

*The Import of Change*

This legal history can seem a linear story in which Gentenaren gradually allowed the imperatives of commerce to trump the weight of medieval tradition. There is no doubt that the category of movables and thus of partibles was dramatically increased as the Middle Ages came to a close. We can also understand why Gentenaren would have wanted to make such adjustments to law. Being dependent on industry and trade for their livelihoods and social position, we might reason, Gentenaren would have been easily inclined to treat all goods as movables, since movables alone could be freely released to the market. If, however, we study the entire three centuries of change, if we look not just at the situations where property was freed but also at those where it was not, and if we also observe what Gentenaren actually did with wealth that was considered immovable—we can no longer tell Ghent's story as the triumph of commerce over medieval legal tradition. Rather, we come to see that the imperatives of commerce were in constant tension with older and more deeply seated notions imbedded in the very concept of patrimony: property rights were the basis of social order, the mechanism by which people were connected to each other through time and space and, not incidentally, the means for establishing hierarchies among them. Hence, even if Gentenaren accepted that all wealth had to be released to the market, they were also convinced that the market alone could not be permitted to allocate property rights. Instead, they believed, property rights should ultimately be conferred by kinship status, and by that mechanism both gender and class hierarchies could be constructed and preserved.

To achieve these apparently incommensurate goals, Gentenaren manipulated the partible/impartible divide at the heart of their marital property law. As we have seen, in Ghent's custom movable

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(movable) property. A *turbe* of 9 September 1528, in Meijers, *OVE*, Bijlage 2: 83-4, #9, went on to specify that they were partible even if secured by *erve* ("besetten"). These rules were repeated in the SC of the early sixteenth century (article 26) and in the DC of 1546 (XXI-20) as well as the HC of 1563 (XXV-22). Thus, the annuity payments received by the purchaser during life were counted as movables, as were the payments made by the borrower, and the cash received by the borrower when the loan was first made went into the borrowers' movable account.

goods were not only equated with chattels, they were automatically considered partible. All partible goods belonged to what Gentenaren called the community of goods or the community (common) fund that was created when a woman and man married.<sup>41</sup> Community goods were the joint property of both spouses, and at the death of either spouse, the survivor (or the lineal heirs of the survivor) had a full claim to 50 per cent of those assets, no matter their composition. Although the fund was technically jointly owned, during the marriage it was in fact entirely managed—and effectively owned—by the husband. As head of household he could buy, sell, exchange, alienate, or encumber the assets however he wished, without asking permission of his wife or her particular heirs.<sup>42</sup> It was only when he died that the woman acquired her rights, but even then she assumed ownership only of 50 per cent of the assets; the other half passed to the deceased husband's lineal heirs. Even if those heirs were minor children born of the marriage and the widow managed the assets on their behalf, she did so only as trustee and under the supervision of adult relatives of the deceased husband. The reverse was also true; if the wife died first, the 50 per cent of the community account that ultimately belonged to her passed to her lineal heirs, preferentially to her children; the survivor of her marriage, even if he was the father of those children, did not have full authority over that portion of the community account. The surviving spouse of the marriage did, however, have lifetime rights to half the income from the portion of the community account (thus 50 per cent of the income from 50 per cent of the community account) that had passed to heirs of the deceased, but those rights expired at the death of the survivor.

It was thus a supremely important matter to decide whether a good belonged in the community account. Although goods labeled “community” were by definition the equivalent of partible goods,

<sup>41</sup> Legal historians argue that the community property account central to marital property law in this region of Europe was a residue of old systems in which the entire family constituted the community. For this argument, see P. Ourliac and J. de Malafosse, *Histoire du droit privé*, 3, *Le droit familial* (Paris: Presses Universitaires de France, 1968). For examples of non-marital communities, see Jean Hilaire, “Vie en commun: famille et esprit communautaire,” *Nouvelle revue historique de droit français et étranger*, 4<sup>th</sup> ser., 51 (1973): 8-53.

<sup>42</sup> See article XXI-7 of the DC, which was especially clear on this principle. The clause was repeated, almost verbatim, in HC of 1563, article XX-23.



neither was contained by the terms “chattel” or “movable.” To be sure, all goods traditional law had considered movable or chattel were automatically labeled partible—furniture, cash, unsecured debts, raw materials, inventories, accounts receivable, clothing, jewelry, arms, kitchenware, household provisions, and animals.<sup>43</sup> And, we have seen, by the 1500s the category of movable chattel had been radically expanded, leaving perpetual rents and land outside Ghent as the only significant outliers. Another feature of custom expanded the partible account still further. Any good acquired after marriage, unless acquired by inheritance or gift promised before marriage, was added to the community account. This could—and did—include land both inside and outside Ghent and perpetual rents, as well as all goods considered movable chattel, for the implied assumption was these assets had been acquired with funds earned during marriage or obtained by sale of other goods in the community account.

But there remained a potentially significant category of wealth that would not enter the community account. In the language of Ghent’s custom, these were impartibles. In contrast to partible goods that entered the community account and were under full control of the husband during marriage, impartibles were individually owned during marriage, and they were the residual property of lineal heirs of the spouse who possessed them. During marriage, the husband could manage his wife’s impartible goods, but he

<sup>43</sup> Various clauses of the HC of 1563 laboriously detailed the items included: article XXV-4, for example, listed “houses, trees grown to the width of a man’s hand span and chest high, logs, chattels, leases and mortgages, minted and unminted coin, jewels and baubles, household furnishings, weapons, bows, stocks of munitions, horses and harnesses, peat and stone that has been mined ... excepting the shade trees and best residence on a fief that are expected to follow the fief”; article XXV-6 listed houses or parts of houses in addition to all movables acquired during marriage; article XXV-22 listed annuities (*lijfrenten*) XXV-24 listed income due from leases but not yet paid; XXV-27 included the income from repurchaseable rents (*losrenten*); XXV-28 specified non-hypothecated (“onbesette”) rents, no matter if they had been purchased with impartibles that “held side”; XXV-30 included windmills on fiefs, excepting the parts that were not physically movable; windmills on simple *erve*, however, were movable in their entirety; XXV-31 provided that watermills were movable just like houses and trees, even if on a fief but in that case the “stoel metten legghere” [chair with mill-stone] went with the fief; subsequent articles XXV-32-38 provided detailed instructions about trees and fish, while XXV-39 declared all “personal debts arising from expenses” partible.

could not sell, encumber, or otherwise alienate these goods without her explicit consent.<sup>44</sup> At death, the impartibles of the deceased passed to lineal heirs, and the surviving spouse had only lifetime rights to half the income produced by the assets; his or her heirs did not assume those rights at the survivor's death.

Because all movables were by definition partible, all impartibles were necessarily immovables but only certain immovables acquired this status, for, as we have seen, immovables acquired during marriage with common funds, as well as land within Ghent's jurisdiction, were considered partible. This left land outside Ghent's jurisdiction; as explained in article XXV-29 of the HC, it "held side."<sup>45</sup> Other articles in that text included rents that had been secured before marriage as well as land and secured rents acquired by gift or inheritance during marriage.<sup>46</sup> In sum, by 1563 at the latest, only land outside Ghent and perpetual rents (including redeemable rents) remained impartible and then *if and only if* the property had been acquired or pledged before marriage *or if* given specifically to one of the spouses by a third party (even during marriage). When overlaid on the old movable/immovable divide, the partible/impartible binary provided Gentenaren a way to limit the free circulation of wealth and direct it where they wanted it to go.

Customary marital property law was Gentenaren's chief tool in their larger social project because it, almost alone, governed all marital property relations, succession, and inheritance in this city. Published law after published law proclaimed this principle, and court case after court case reflected its precepts. Thus Gentenaren were denied the right to issue wills privileging a spouse more than custom would have allowed, and they were forbidden to write marriage contracts instituting terms in violation of custom. Only in 1563 was the latter prohibition overturned.<sup>47</sup> Ghent was, thus, a

<sup>44</sup> See, for example, article 4 of SC. A *turbe* of 12 July 1531, in Meijers, *OVE*, Bijlage 2: 100-1, #39, went further, specifying that a husband could not "encumber, alienate or sell" "errgront, erfachticheid often erfvelicke rente" without his wife's permission.

<sup>45</sup> Article XXV-8.

<sup>46</sup> Articles XXV-40 and XXV-55.

<sup>47</sup> *Vonnis* of 1352-3, pp. 529-40. Also see *vonnis* of 22 June 1353, in Meijers, *OVE*, Bijlage 1: 4-7, #4; SC, article 6 and DC, articles XXI-2 and 11 repeated the rules. Article XX-20 of the HC, however, flatly overruled these proscriptions.

relative latecomer to the marriage contract, and its citizens resorted to such legal mechanism only in rare circumstances.<sup>48</sup>

In sum, all the presently available evidence depicts people who almost always married under the terms of custom and fought their battles in court over its terms.<sup>49</sup> If they did not—and a few evidently did not—they were careful to make a public record of their decision and often to specially register their heirs' consent to the new terms. This does not mean that custom perfectly satisfied the needs of all but a few Gentenaren. On the contrary. The entire

<sup>48</sup> While all the evidence suggests that Gentenaren did not regularly issue marriage contracts, but instead allowed custom to govern marital property relations and succession, some people not only chose to overwrite custom, they also got away with it, all the assertions of published law notwithstanding. It is impossible to know how many of these instances there were, for the only records we have of such contracts are buried in the hundreds of manuscript volumes of *Jaarregisters van de Keure* housed in Ghent's municipal archive, the registers in which private agreements of sales, loans, debt settlements and the like were recorded. Indices have been published for only seven years of the medieval centuries (1339-40, 1343-4, 1345-6, 1349-50, 1353-4, 1357-8, and 1400-01), and these provide our only systematic guide to the frequency and nature of such contracts. To judge from these documents alone, however, the marriage contract was rarely used in medieval Ghent. Of the 1,427 entries in the *Jaarregisters* indexed for the six years 1339-40, 1343-4, 1345-6, 1349-50, 1353-4, and 1357-8, only ten marriage contracts are mentioned, two of which the aldermen later crossed out as inoperative. Among the 1,580 entries for the single year 1400-1401, there are only two. Thanks to David Nicholas's research for his *Domestic Life in a Medieval City* (Lincoln, Neb.: Univ. of Nebraska Press, 1985) we know, in addition, of some 16 additional marriage contracts issued between 1345 and 1390 and also registered in the *Jaarregisters van de Keure*. Altogether then, we have 26 marriage contracts for a period of about 60 years. Fifteen of the 26 appear to violate terms of custom, but 6 of those elaborately detail the consents obtained from heirs whose interests were at stake in the changes, leaving only 19 in 60 years that appear to have violated custom's norms.

<sup>49</sup> It is also possible that marriage contracts were registered elsewhere than in the *Jaarregisters* and were simply not mentioned in the published inventory, but that seems unlikely given the care with which the archive has otherwise been catalogued. Some are referenced in the voluminous *Weezenboec[en]* where inheritance arrangements were registered, for many of these entries concern the settlement of orphans' estates or the terms of wills, and in those texts it is possible to find occasional discussion of a prior marriage contract that set forth the terms of the inheritance. But most of those texts assume custom's rules. It is also possible that Gentenaren simply did not register such contracts, but that too seems unlikely given the solicitude they showed in registering financial agreements of considerably less importance and given as well the risks that a disgruntled heir or spouse would challenge a marriage contract that violated published law and had not been publicly registered.

legal record from Ghent—the editions of custom, the court disputes, and even the rare marriage contracts issued to override or supplement custom—speak eloquently about the social tensions embedded in the property relations constructed by marriage in this age, tensions which had their source in the conflict between the interests of the nuclear family on the one hand (“le ménage”) and those of the “line” on the other (“le lignage”). This was, however, but an expression, the exposed surface, of a deeper conflict in the cultural, social, and economic meaning of property. After all, the motor of the struggle between the “ménage” and the “lignage” could not simply have been “tension” between the conjugal unit and the wider kin group, although that is its structural precondition, because such tension is endemic to all societies where women marry out of the line and carry patrimonial property with them.<sup>50</sup>

The evidence from Ghent allows us to go deeper. The power that energized this structural tension there (and I would venture everywhere in commercialized Europe during the age) was the change in the nature of wealth and the proliferation of its meanings, in all senses of the word—economic, legal, social, and cultural—as movable wealth exploded in quantity and kind. With this explosion, the traditional axes by which property relations had been organized—the distinction between patrimony and chattels, between family or kin interests on the one hand and individual interests on the other—was disturbed, and these axes were thus the ground on which this story of “lignage” *vs.* “ménage” was played out.

### *Wealth as Capital; Capital as Patrimony*

This legal record reveals that Ghent did not steadily progress towards what is called a classic market economy, a world of easily fungible property subjected to a logic of profit and price. Rather,

<sup>50</sup> For a structural analysis of these exogamous marriages and the social tensions they produce, see Jack Goody, *Production and Reproduction: A Comparative Study of the Domestic Domain* (New York: Cambridge Univ. Press, 1976) and his *Development of the Family and Marriage in Europe* (New York: Cambridge Univ. Press, 1983). The basic text for this approach is Claude Lévi-Strauss, *The Elementary Structures of Kinship*, trans. J. H. Bell *et al.* (Boston: Beacon Press, 1969).

Gentenaren deviated from that course by finding new ways to sequester wealth, in implicit refusal of such imperatives. In doing so, Gentenaren were enacting a sociocultural logic peculiar to their age. To understand their behavior and its historical significance, we must understand the assumptions about property that informed it.

For them, property, or what they typically called “goods” (*goeden*), was constitutive of the self. Goods had cultural and thus social significance that did not just exceed their potential market value, but frequently trumped it. These assumptions about property’s meaning were the fundamentals of a venerable and deeply rooted economic culture in which land had almost iconic status. For centuries, land had been not only the principal form of capital, it was also, in the legal and cultural imagination, the only one. Land was also the basis of the medieval social order. Peasants were not people who “farmed land” but a social class constituted by their rights to work and inherit the land and to pass those rights to heirs. They did not “do” peasantry; they *were* peasants. Similarly, aristocrats claimed noble or high gentry status because they lived from what other people produced for them—from the land—not simply because they were rich.

Ghent’s traditional custom, with its clear distinction between movables and immovables, its easy elision of immovables and patrimony and its implicit equation of both with land, was the legal expression of this cultural logic. Thus, although Gentenaren manipulated law so that they could easily buy and sell, alienate and encumber most of their property at will, they did not abandon their culture’s insistence that property—concrete forms of property—constituted an individual socially. They also eagerly acquired and hoarded land outside Ghent, often even abandoning more profitable opportunities in commerce in order to become land “barons.” While these decisions had a kind of economic rationality, land being a considerably less risky investment than many commercial ventures, the principal rewards of land-owning, at least for urbanites, were not economic but social. Land was the premier vehicle of social promotion in this age. Thus, even as urbanites helped commodify land, they intensified its sociocultural value, for land could powerfully evoke the old equation between property and status.<sup>51</sup> Rents were a close second as status-builders

<sup>51</sup> The literature treating this process is rich. For a general summary, with

and were considerably easier to acquire. Many rents were actually paid in kind, not coin, a practice that had practical advantages for bourgeois purchasers because it guaranteed them food supplies, but it also had cultural import, for it materially expressed the ideological link between rents and land.<sup>52</sup>

For people such as Gentenaren, luxury movables such as jewelry and clothing participated in the same logic. Cloth and clothing played a particularly complex role, however, because although they were traditionally powerful markers of status and social identity, they were also the preeminent commodities of the age. Their increasing abundance, the proliferation of variety, and their easy circulation steadily eroded the old equation between the self and the self's vestments.<sup>53</sup> Urbanites like those in Ghent played a major

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useful references, see Fernand Braudel's magisterial *The Wheels of Commerce*, vol. 2 of *Civilization and Capitalism, 15th-18th Century* (Berkeley and Los Angeles: Univ. of California Press, 1982), 249-51 and *passim*.

<sup>52</sup> Schnapper, *Les rentes*, provides details about the history of these two credit instruments in the Parisian region, and presents data showing the extent to which rental payments were made in kind (see in particular pp. 80-3). The *Jaarregisters van de Keure* in Ghent provide scattered information confirming the same pattern. Although it seems that most rents in Ghent were expressed (if not paid) in monies of account (the pound *groot*, the pound *parisis*, or the *gros tournois*); they were of course paid in coin or kind. A few entries suggest the mix: for example, *RJR*, #576, fol. 28/6 ("... tot het betalen van 2 last torven [turf] op 4 schilden ..."); 36, fol. 25v/5; *RJR*, #606, fol. 30v/5 ("... een erfrente van 4 *lb.* 15s. *par.* + 4 6/8 kapoenen ..."); *RJR*, #620 fol. 91v/2 ("... tot het betalen van 7 zakken en 7 mud tiendekoren [Aalsterse maat]...").

The so-called "Orphans' Books" or *Weezenboecen* from Ghent provide more concrete evidence of Gentenaren's commitment to land. These registers contained records of estate settlements and similar agreements, including the accounts registered on behalf of children who had lost a parent, for at that moment, as we have seen, the marital property fund was distributed among the survivor and heirs of the marriage. Thus, any so-called orphan standing to inherit any significant amount of property would have been registered here, and the properties to which he or she was heir would be listed, at least in summary form. For the four years from 1349/50 to 1352/53, 239 such accounts were registered, of which 79 listed only movables (excluding all real estate) among the assets to be distributed. About one-third held real estate Ghent, although only about 5 per cent of the accounts listed significant holdings.

<sup>53</sup> The history of clothing and consumption has in recent years been given serious attention. Building on an older literature treating costume or dress on the one hand and sumptuary legislation on the other, sociocultural historians and cultural studies scholars have taken up the more subtle questions regarding the relationship of clothing and consumption to the creation of the early modern individual. Important literature (with useful guides to bibliogra-

role in this disruption, for they were both producers and purveyors of these goods. At the same time, urbanities were also prodigious purchasers of such luxuries and it is in that capacity that they most clearly displayed their attachment to more traditional ideas of property's meaning. In that role, they were not so much consumers as obsessive acquirers, for they collected, hoarded, and displayed their possessions as though they were the material embodiments of an imagined self.<sup>54</sup>

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phy) includes John Brewer and Roy Porter, *Consumption and the World of Goods* (New York: Routledge, 1993); Alan Hunt, *Governance of the Consuming Passions: A History of Sumptuary Law* (New York: St. Martin's Press, 1996); Anne Jones and Peter Stallybrass, *Renaissance Clothing and the Materials of Memory* (New York: Cambridge University Press, 2000).

Also see Sarah-Grace Heller, "Anxiety, Hierarchy and Appearance in Thirteenth-Century Sumptuary Laws and *The Romance of the Rose*," *French Historical Studies* 27-2 (2004): 311-48, for a useful discussion of the royal French sumptuary legislation and its confused textual and bibliographic history; for Italy see Diane Owen Hughes, "Regulating Women's Fashion," in Christiane Klapisch-Zuber ed., *Silences of the Middle Ages*, Vol. 2 of *A history of Women in the West* (Cambridge, Mass.: Belknap Press of Harvard University Press, 1992) and Catherine Kovesi Killerby, *Sumptuary Law in Italy* (Oxford: Clarendon Press, 2002); for Germany, see Neithard Bulst, "Zum Problem städtischer und territorialer Kleider-, Aufwands-, und Luxusgesetzgebung in Deutschland (13.—Mitte 16. Jahrhundert)," in André Gouron and Albert Rigaudière, eds., *Renaissance du pouvoir législatif et genèse de l'état* (Montpellier: Socapress, 1988) and Kent Roberts Greenfield, "Sumptuary Law in Nürnberg: A Study in Paternal Government," *Johns Hopkins Studies in Historical-Political Sciences* 36 (2) (1918): 1-139; for England, Claire Sponsler, "Narrating the Social Order: Medieval Clothing Laws," *Clio* 21 (3) (1992): 265-82.

I know of no full study of such legislation in the late medieval southern Low Countries, and of no source collections containing such legislation.

<sup>54</sup> The relative importance of movables, including luxury movables, in the asset structure of urbanities is well understood, but many historians have argued, following Sombart and others, that such goods had their most comfortable home in the early modern court, among nobles, and they have pointed out that sobriety of dress came to mark the bourgeoisie of certain areas (Amsterdam, for example). See Werner Sombart, *Luxury and Capitalism*, trans. Philip Siegelman (Ann Arbor, Mich.: Univ. of Michigan Press, 1967); Norbert Elias's *The Civilizing Process*, trans. Edmund Jephcott (New York: Blackwell, 1982, c. 1978) locates such consumption in a larger process of "civilizing."

Braudel returns to this issue (*The Wheels of Commerce*, 488-91). Although Braudel generally assents to the argument that luxury goods were the special obsession of the courtly aristocracy, he acknowledges that in some cities, in certain periods, urbanites were just as avid consumers of these products. Certainly this was the case in the rich cities of the late medieval southern Low Countries, surely influenced by the sumptuous court of the Duke of Burgundy

City people enacted another aspect of this sociocultural logic by exchanging their goods on non-market terms. Rather than buying and trading these goods in response to price and profit, they often used them as gifts, thereby seeking to fix them in social place, clearly attach them to another person.<sup>55</sup> The resistance to a market logic implicit in these actions was more than an earlier version of the hesitation we exhibit today when we collect family heirlooms and make gifts of them, when we keep unprofitable family farms rather than sell them to shopping-center developers for easy gains, or when we participate in what anthropologists have called distinct “realms of value” where such goods as antiques or artworks circulate, far outside the arena where interchangeable commodities are traded. But our passion for the uncommodifiable is not theirs. Rather than investing ourselves in particular possessions, we lust for many things, not for this or that precise thing except for brief moments, in rarified settings, or in occasional instances of senti-

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that resided in these cities, and the pattern continued there after the Dutch Revolt. And even the subdued garments of the Amsterdam patriciate were extraordinarily costly, it should be remembered, for their black woolens and velvets and their starched collars were unmistakable marks of luxury—and, not incidentally, the dress of the contemporaneous Hapsburg court. Braudel is certainly correct, however, to point out that dress—sober or fancy—was a contested site in the cultural history of the early modern bourgeoisie, and that the relationship between class and dress was unstable, if nevertheless highly significant.

<sup>55</sup> The rich sociocultural history of the gift in late medieval and early modern Europe is treated in Natalie Zemon Davis, *The Gift in Sixteenth-Century France* (Madison, Wis.: Univ. of Wisconsin Press, 2000) and Valentin Groebler, *Liquid Assests, Dangerous Gifts: Presents and Politics at the End of the Middle Ages*, trans. Pamela E. Selwyn (Philadelphia: Univ. of Pennsylvania Press, 2002). My own “Fixing Movables: Gifts by Testament in Late Medieval Douai,” *Past and Present* 150 (1996): 3–45, explores gifting practices via testament in the southern Low Countries.

Much of the historical literature on gifts in this period considers them more exclusively in terms of their political significance, particularly their role in state building. See in this regard, W. Paravicini, “Introduction,” in W. Paravicini, ed., *Invitations au mariage: pratique sociale, abus de pouvoir, intérêt de l’État à la cour des ducs de Bourgogne 1399–1489* (Stuttgart: Jan Thorbecke, 2001); Maurice Arnould, “L’origine historique des pots-de-vin,” *Bulletin de la Classe des Lettres et des Sciences Morales et Politiques*, 5<sup>th</sup> ser., 62 (1976): 216–67; Alain Guery, “Le roi dépensier: le don, la contrainte, et l’origine du système financier de la monarchie française d’Ancien Régime,” *Annales. Economies, Sociétés, Civilisations* 34 (1984): 1241–64; Marc Boone, “Dons et pots-de-vin, aspects de la sociabilité urbaine au bas Moyen Age,” *Revue du Nord* 70 (278) (1988): 471–87.



mentality. For us, the sphere of the non-commodifiable good is small indeed; today even babies, embryos, and body parts threaten to escape that tiny realm. While Gentenaren surely did not regard the easy fungibility of land, rents, family homes or even clothing with the same horror many of us view the selling of kidneys mined from the living, they, like all Europeans of their day, behaved as though goods could not be infinitely abstracted by money and thus rendered essentially identical.

It was in this sociocultural context that Gentenaren adjusted law around the movable/immovable divide. Although the legal evidence reviewed here reflects this larger context only indirectly, it directly illustrates another aspect of this story. This is what other historians have called the “future-oriented” attitudes displayed when elites chose to buy assets such as land and rents rather than invest in commerce, industry, or agricultural improvements.<sup>56</sup> The practices are well known to social historians, for they helped created the early modern “non-commercial” bourgeoisie—the elites of cities, courts and country manors in early modern Europe who lived from rents and office rather than pursuing the entrepreneurial activities that had made their predecessors rich. And, as scholars have also pointed out, this class prospered because such assets were transferred from generation to generation, thus solidifying—and rigidifying—a social hierarchy based on inheritance.<sup>57</sup> In Ghent, this social process was managed via the impartible account where rents

<sup>56</sup> For a discussion of this social process and its implications for the development of capitalism, see Ralph E. Giesey, “Rules of Inheritance and Strategies of Mobility in Prerevolutionary France,” *American Historical Review* 82 (2) (April 1977): 271-89.

<sup>57</sup> Historians have referred to these practices as “the treason of the bourgeoisie,” thereby signaling urbanites’ abandonment of the commerce that had given them birth. Henri Pirenne’s “Stages in the Social History of Capitalism,” *American Historical Review* 19 (1914): 494-515, was an early statement of this position, a point of view elaborated by such scholars as Friedrich Lütge, *Deutsche Sozial- und Wirtschaftsgeschichte* (Berlin: Springer, 1952). For the Low Countries in particular, see Hugo Soly, “The ‘Betrayal’ of the Sixteenth-Century Bourgeoisie: A Myth? Some Considerations of the Behaviour Pattern of the Merchants of Antwerp in the Sixteenth Century,” *Acta Historiae Neerlandicae* 8 (1975): 31-9; and Marc Boone, “La terre, les hommes et les villes. Quelques considérations autour du thème de l’urbanisation des propriétaires terriens,” in *Actes du 17e Colloque International, Spa 16-19 mai 1994, “La ville et la transmission des valeurs culturelles bas moyen âge et aux temps modernes,” Gemeentekrediet van België, historische reeks in-8°, nr. 96* (Brussels: Crédit Communal de Belgique, 1996), 153-73.

and land outside Ghent were carefully sheltered. There, as elsewhere, the law's focus on the *source* of the particular assets eligible for impartible status was key to the social process: if these properties had come to the marriage by gift or inheritance they acquired patrimonial status; if purchased during marriage, they did not. Eligible property thus acquired its impartible status only in the second generation (since most gifts were made from one generation to the next and all inheritances flowed in that way). Once "in the family," however—once passed from father or mother to child—such property could be repeatedly transferred from generation to generation, endlessly guaranteeing class status. It could even enhance class status, for the older the property, the more powerfully it established social rank. Any Gentenar seeking to preserve or create a stable social lineage was thus well advised, indeed compelled, to collect rents and rural properties and compelled to pass them as gifts or inheritances. In this way, Ghent's custom both inscribed the practices of an emergent *rentier* class and helped to create it.

Thus, Gentenaren were not capitalists *manqués*. While they understood and accommodated commerce, they also stubbornly refused the social implications of unbridled commoditization. They were not alone, as many historians have noted. While these patterns of investment and inheritance have been most obsessively studied in early modern France, they were not confined there. Propertied urbanites in Germany, Italy, England, and in the Low Countries, did the same.<sup>58</sup> Almost next door to Ghent, in Douai, the pattern

<sup>58</sup> Case studies such as Michel Mollat's *Jacques Coeur ou l'esprit d'entreprise au XV<sup>e</sup> siècle* (Paris: Aubier, 1988) or Robert Forster's *Merchants, Landlords, Magistrates: The Dupont Family in Eighteenth-Century France* (Baltimore: Johns Hopkins Univ. Press, 1980) give particularly rich texture to this social history, and sociologically inspired research confirms the patterns. See, for a illustrative evidence, Robert S. Duplessis, *Lille and the Dutch Revolt* (New York: Cambridge Univ. Press, 1991); Barbara Diefendorf, *Paris City Councillors* (Princeton: Princeton Univ. Press, 1983); Sylvia Thrupp, *The Merchant Class of Medieval London* (Chicago: Univ. of Chicago Press, 1948); Albert Rigaudière, *L'assiette de l'impôt à la fin du XIV<sup>e</sup> siècle. Le livre d'estimes des consuls de Saint-Flour—les années 1380-1385* (Paris: Presses universitaires de France, 1977); P. Wolff, *Commerce et marchands de Toulouse (vers 1350-vers 1450)*, (Paris: Plon, 1954); R. Fédou, *Les hommes de loi lyonnais à la fin du Moyen Age* (Paris: Les belles lettres, 1964). George Huppert, *Les bourgeois gentilshommes; an essay on the definition of elites in Renaissance France* (Chicago: Univ. of Chicago Press, 1977) surveys and summarizes the literature on France, with references to

is especially clear, thanks to the rich trove of marriage contracts left by its citizenry. So “uncommercial” did such behavior seem to Fernand Braudel that he declined to label these people bourgeois, even “non-commercial” bourgeois; instead he wanted to call them “honorable hommes” or even “gentry.” As he pointed out, these people were not distinguished by their entrepreneurial relationship to capital, but by their way of life, and their way of life was based on distinctive investment and inheritance practices, not on commerce and industry.

Although these economic practices undoubtedly had a “stifling” effect on capitalistic development as some scholars have charged, because they immobilized assets that might have been more productively employed, it cannot be said that these choices represented an irrational retreat into the past.<sup>59</sup> Rather, they were the solution to the problem of how to accommodate trade while assuring social order. And by “social order” people meant social privilege and class continuity. Hence they sought, and found, a way to let wealth circulate, but also to allow the most culturally significant goods to descend to lineal heirs. In this way, the market could flourish but hierarchy would be shored up, risks of social derogation minimized, and the newcomers more easily kept out.

The evidence from Ghent not only illustrates this social history, it suggests that there was still more to this story. It links these social changes to a redefinition of property itself, giving people like the Gentenaren who stood at the center of this ideological upheaval an important role in the history of capitalism. The confusion about terminology that plagues the city’s legal sources, it is clear, was not just about words, not even fundamentally about law. It is the record of a sociocultural revolution essential to the future development of Europe’s capitalist market society. By its end, the revolution had emptied the term “immovable” of legal meaning, broken the venerable equation between land and patrimony, redefined property or what Gentenaren simply called “goods” as capital, and assigned new patrimonial status to a selected array of capital assets. A lot, it seems, was in a name.

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other countries.

<sup>59</sup> Giesey, “Rules of Inheritance,” summarizes the arguments in this vein.

## CULTIVATION AND CONSUMPTION: MEDIEVAL LÜBECK'S GARDENS

Charlotte Masemann

Garden production of food and other crops in medieval Lübeck took place on land located outside the city walls, in a broad belt around the city. Produce grown there was presumably sold and consumed within the city, although direct evidence on this point is somewhat lacking.<sup>1</sup> Analysis of the evidence of this garden production reveals the types of crops grown in the gardens, some information on the size and value of the gardens, the location of the gardens and in some cases the identity of the owner or tenant. It also reveals a high degree of involvement of citizens of the city of Lübeck in the life of these gardens and a corresponding closeness in the urban-rural relationship. Archaeological evidence for the consumption of the produce grown outside the city underlines the importance of the urban-rural relationship. Much of the evidence for consumption of garden produce is derived from the ambitious archaeological program undertaken since the Second World War by the city of Lübeck. Archaeological material provides good evidence for consumption. Documentary evidence rarely identifies a plant to the species level; written sources are also generally quiet about food sources that are gathered rather than grown. Archaeological sources lack information on production, such as where and on whose land the plant was grown. A comparative approach to both kinds of evidence provides the fullest possible picture. The case of Lübeck's urban gardens reveals a closeness in the urban-rural relationship.

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<sup>1</sup> Regulations concerning hawkers of fruit in the marketplace only appear beginning in the seventeenth century. Archiv der Hansestadt Lübeck (subsequently *AHL*), ASA Interna Markt 9/1 and 9/2 deal with apple-sellers (1614) and the sale of garden produce in the market (1669), respectively. In July 1465 a sea captain complained that his shipload of apples had been held up in Wisby, demonstrating that there was some longer-distance trade in this crop (Carl Wehrmann and Paul Hasse, eds., *Lübeckisches Urkundenbuch* (subsequently *LUB*) (vol. 10), Verein für Lübeckische Geschichte und Alterthumskunde, 10 (Lübeck: Edmund Schmiersahl Nachf., 1898), 10: 631.

Lübeck, located on a peninsula where the rivers Wakenitz and Trave meet, just south of the Baltic coast in what is now Schleswig-Holstein, was founded in the second half of the twelfth century. In 1300 the population of Lübeck was about 15,000 and by the beginning of the fifteenth century it numbered around 25,000.<sup>2</sup> There were signs that the city was finding it difficult to contain all its inhabitants within its walls. A document from 1465 expressly forbids people from living in houses outside the city walls.<sup>3</sup> The pressure of population, combined with this regulation and others like it, meant that by the sixteenth century many of the large blocks of land within the city were being subdivided. The small houses built between and behind the larger houses belonging to the wealthier members of the city were rented out to those with fewer financial resources.<sup>4</sup> Passages were often constructed through these large houses in order to provide access to an alleyway, or *Gang*, with many small houses built on either side. Many of these *Gänge* survive into the present day.<sup>5</sup> While the houses and their inhabitants have been closely researched, the land that was not built up, both within and just outside the city, has remained largely unexamined.

Although the city discouraged people from living right up against the city walls,<sup>6</sup> its area and influence extended beyond those walls. The original area of city was the peninsula and the strip of land called Horegenbeke in front of the Burgtor, the gate at the northern end of the peninsula. In the fourteenth century Lübeck secured its area, called the *Landwehr*, with a large ditch, which, combined with natural rivers and streams, provided a barrier to access to the *Landwehr*.<sup>7</sup> Many little villages started out as property of the city in 1262, but most were alienated into private hands and

<sup>2</sup> Erich Hoffmann, "Lübeck im Hoch- und Spätmittelalter: Die große Zeit Lübecks," in Antjekathrin Graßmann, ed., *Lübeckische Geschichte* (Lübeck: Schmidt Römhild, 1988), 306.

<sup>3</sup> *LUB*, 10: 651.

<sup>4</sup> Margrit Christensen-Streckebach and Michael Scheftel, "Kleinhausbebauung in Lübeck im 16. Jahrhundert. Zusammenhänge zwischen Eigentumsentwicklung und Baustruktur," *Zeitschrift des Vereins für lübeckische Geschichte und Altertumskunde* 63 (1983): 168-169.

<sup>5</sup> Rainer Andresen, *Lübeck. Geschichte der Wohngänge* (Lübeck: Verlag Lübecker Rundschau, 1985), vol. 5.

<sup>6</sup> A document from 1465 expressly forbids people from living in houses outside the city walls. *LUB*, 10: 651.

<sup>7</sup> Hoffmann, "Lübeck," 302.

became holdings (*Güter*).<sup>8</sup> Many of these holdings were owned by citizens of Lübeck who looked on the purchase of land as a secure investment; the land was cultivated by the people who lived in the villages. The influence of Lübeck was therefore extensive in the area of the *Landwehr* and beyond.<sup>9</sup>

The picture of Lübeck's gardens is partially derived from records of land transactions preserved in a collection of documents, the *Lübeckische Urkundenbücher* (*LUB*),<sup>10</sup> dating from 1270 to 1470.<sup>11</sup> The

<sup>8</sup> Julius Hartwig, "Die Rechtsverhältnisse des ländlichen Grundbesitzes im Gebiet der freien und Hansestadt Lübeck," *Zeitschrift des Vereins für lübeckische Geschichte und Alterthumskunde* 9 (1) (1908): 209-212.

<sup>9</sup> Hartwig, "Die Rechtsverhältnisse," 278.

<sup>10</sup> Carl Wehrmann, ed., *Lübeckisches Urkundenbuch* (Vol. 1), Verein für Lübeckische Geschichte und Alterthumskunde, 1 (Lübeck: Friedrich Aschenfeldt, 1843); Carl Wehrmann, ed., *Lübeckisches Urkundenbuch* (vol. 2.1), Verein für Lübeckische Geschichte und Alterthumskunde, vol. 2.1 (Lübeck: Friedrich Aschenfeldt, 1858); Carl Wehrmann, ed., *Lübeckisches Urkundenbuch* (vol. 2.2), Verein für Lübeckische Geschichte und Alterthumskunde, 2.2 (Lübeck: Friedrich Aschenfeldt, 1858); Carl Wehrmann, ed., *Lübeckisches Urkundenbuch* (vol. 3), Verein für Lübeckische Geschichte und Alterthumskunde, 3 (Lübeck: Ferdinand Grautoff, 1871); Carl Wehrmann, ed., *Lübeckisches Urkundenbuch* (vol. 4), Verein für Lübeckische Geschichte und Alterthumskunde, 4 (Lübeck: Ferdinand Grautoff, 1873); Carl Wehrmann, ed., *Lübeckisches Urkundenbuch* (vol. 5), Verein für Lübeckische Geschichte und Alterthumskunde, 5 (Lübeck: Ferdinand Grautoff, 1877); Carl Wehrmann, ed., *Lübeckisches Urkundenbuch* (vol. 6), Verein für Lübeckische Geschichte und Alterthumskunde, 6 (Lübeck: Ferdinand Grautoff, 1881); Carl Wehrmann, ed., *Lübeckisches Urkundenbuch* (vol. 7), Verein für Lübeckische Geschichte und Alterthumskunde, 7 (Lübeck: Ferdinand Grautoff, 1885); Carl Wehrmann, ed., *Lübeckisches Urkundenbuch* (vol. 8), Verein für Lübeckische Geschichte und Alterthumskunde, 8 (Lübeck: Edmund Schmersahl, 1889); Carl Wehrmann, ed., *Lübeckisches Urkundenbuch* (vol. 9), Verein für Lübeckische Geschichte und Alterthumskunde, 9 (Lübeck: Edmund Schmersahl, 1893); Carl Wehrmann and Paul Hasse, eds., *Lübeckisches Urkundenbuch* (vol. 10), Verein für Lübeckische Geschichte und Alterthumskunde, 10 (Lübeck: Edmund Schmersahl Nachf., 1898); Paul Hasse, ed., *Lübeckisches Urkundenbuch* (vol. 11), Verein für Lübeckische Geschichte und Alterthumskunde, 11 (Lübeck: Lübeck & Nöhring, 1905); Friedrich Techen, *Wort- und Sachregister zu Band 1-11, Lübeckisches Urkundenbuch*, Verein für Lübeckische Geschichte und Alterthumskunde (Lübeck: Verlag des Vereins für Lübeckische Geschichte und Alterthumskunde, 1932).

<sup>11</sup> Many of the documents preserved in the *LUB* are derived from the *Oberstadtbücher* and the *Niederstadtbücher*. The *Oberstadtbuch* was a record of transactions of movements of property, mortgages and rents within and, to some extent, outside the city of Lübeck. H. Bickelmann, "Oberstadtbücher," *Kanzlei Findbuch* (Lübeck: Archiv der Hansestadt Lübeck, n.d.), 9. By far the most common source of these documents is the *Niederstadtbuch*, a record of all sorts of transactions between citizens of Lübeck. While it began as a record of debt

*Wette Gartenbücher*, a series of payment records on land owned by the city and rented out as gardens, provides information on the extent of the gardens near the city walls.<sup>12</sup> Regulations governing the gardeners' guild cover such topics as cropping, land use and crop processing.<sup>13</sup>

Records of land transactions preserved in the *LUB* show that the city of Lübeck, its ecclesiastical institutions, and its citizens were highly involved in land transactions outside the city walls. Those who cultivated the land grew a variety of crops, with hops being the most common. These records rarely state the size of the garden in absolute terms. Payment was usually in money, rather than in kind; in a few cases, the crop itself was mortgaged. These records show that the gardens of Lübeck were subject to a wide range of land transactions.

Of the gardens portrayed in the *LUB*, more than a third were rented out, with almost a further third being the subject of purchase or mortgage agreements. The remainder were involved in gifts, inheritances, and explanations of more complicated ownership arrangements. Rental, purchase and mortgage agreements reveal the prices attached to the land, but in only two cases provide information on price per unit. Some transactions involve multiple units, but since the area of these units remains unknown, the value of the land remains elusive.

Many different terms in both Latin and Middle Low German are used to describe the parcels of land in these documents.<sup>14</sup> These

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relationships, its character changed over time. The difference in function between the *Niederstadtbuch* and the *Oberstadtbuch* was not hard and fast; the repurchase of a rent appears in the former, but it could just as easily have been recorded in the latter. Results of conflicts between citizens and council judgements about them also appear in the *Niederstadtbuch*. Its scope expanded to include legal proceedings of all kinds; these were submitted to the city council on a public and volunteer basis. Jürgen Reetz, "Über das Lübecker Niederstadtbuch," *Zeitschrift des Vereins für lübeckische Geschichte und Altertums-kunde* 35 (1955): 48.

<sup>12</sup> *AHL* HS 288, *AHL* HS 289, *AHL* HS 290. They cover the years 1348-1384, 1384-1430, and 1431-1544.

<sup>13</sup> *LUB*, 3: 771. Undated. A version also appears in *Das Grosse Wettebuch*, dated to 1527. Correspondence concerning the existence of the gardeners' guild from 1677 remarks that the guild is at least 300 years old and claims that its *Willkür* was written down in the so-called *Aeltestes Wettebuch*, kept from 1321. That book was lost sometime after the end of the nineteenth century. *AHL* ASA Interna, Ämter, Gärtner 1/3.

<sup>14</sup> The *Nieder-* and *Oberstadtbücher*, the tithe records, and the *Wette* garden

terms can be useful in assessing the crops grown on the land, and suggest that hops were grown, perhaps not exclusively, on most of the parcels of land under consideration. Cabbage gardens and orchards also appear in these records. The pieces of land were clustered around the walls of the city, and in outlying villages.

Many different people appeared in these transactions, most of whom were men. Further work on the identities of these men and women would enable more comment on their socio-economic status. This body of evidence shows that the urban elites of Lübeck, as well as people who appear to be have been ordinary citizens, were involved in transactions on parcels of land located outside the city walls but quite nearby. The identity of the cultivators of the land is rarely apparent. These cultivators grew hops, fruit in orchards, berries, cabbages, and perhaps other vegetables alongside the cabbages, on pieces of land of largely unknown size.

The *LUB* also preserves documents that provide a snapshot of the land that was tithed just outside the Mühlentor, the gate at the southern end of the city. The tithe records for the years 1428, 1444, and for an unspecified year after 1451 appear here.<sup>15</sup> The tithes were paid in alternate years to the bishop of the city, and the provost (*prepositus*), as is explained in the preamble to each set of records.<sup>16</sup> The number of tithes paid from this area was not large in any given year. In 1428, 13 tithes were assessed; in 1444, 12 tithes were assessed, and in the records for a year after 1451, 15 tithes were assessed.

These records list the amount for which each garden was assessed, as well as discussing conflicts over past assessments. They

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books describe the land they refer to in a number of ways. In most of these cases, the terminology provides information on land use. In the *Nieder- and Oberstadtbücher*, words used to describe hop gardens are *curia humulorum*, *curia humuli*, *ortus humulorum*, *ortus humuli*, *ortus humelarium*, *ortus humularii*, *foveas humulorum*, *pecia seu frusta humulorum*, *hoppenland*, *hoppenstucke*, *hoppengarden*, *stucke hoppenlandes*, and *hoppenhof*. All of these terms can be translated as hop garden. The words used for orchard are *pomerium* and *bomgarden*; *kolhove* or *kolhave* is used to denote land for growing cabbages. The words *ortus* or *gharden*, with no descriptors, are used as well.

<sup>15</sup> *LUB* 7: 283 (1428); 8: 271 (1444); 9: 73 (after 1451).

<sup>16</sup> The preamble to the records from 1444 reads: "Registrum redditum tam de ortis humulorum, caulium et blekhoue, quam aliorum reddituum et decimarum extra portam molendinorum prouenencium et vno anno domino episcopo et altero anno preposito ecclesie Lubicensis debitorum, renouatum seu rescriptum." *LUB*, 8: 271.



usually indicate land use, as well as the identity of the person paying the tithes, the owner, if different from the payer, and often the previous owner or payer. The location of the garden in relation to the gardens of others and to local landmarks also appears. The tithe records usually provide the amount at which the land was tithed. Because of details about ownership, crop and location, it is in many cases possible to establish when the same garden has been tithed in two or more of the documents. Both tithe and land transaction records indicate that fruit, cabbages and hops were grown in gardens around Lübeck on land owned, rented or mortgaged by its citizens.

The almost 200 years' worth of records contained in the *Wette* garden books provide some useful information on production gardens in Lübeck. They confirm the impression given in other written records that there were many gardens just outside the city walls. Whereas the records in the *Niederstadtbücher* and the *Oberstadtbücher* deal mainly with transactions between individuals, and the tithe records are concerned with payments to ecclesiastical authorities, the *Wette* garden books tell us of the gardens on which rent was paid to the city. Most of these gardens were located outside the city walls to the west and south of the city. Payments on approximately 500 pieces of land are recorded in the first book, while the second and third contain records of about 250 and about 300, respectively. These gardens must have been a significant source of revenue for the city. Analysis of the records concerning the Solte-wisch, an area of land outside the Holsten wall, on the west side of the city, reveals that while there was a great range in amount of rent paid, from four *schillinge* to 96 *schillinge*, the amount paid for an individual area remained almost constant over almost 200 years. When both the amount of rent and the area was recorded, four *schillinge* per piece was the usual amount. Most payers were men, with some women appearing as well. Most people's occupations were not given.

The *Wette* garden books provide a good general picture of a ring of gardens around the city, but none of the entries contains detailed information about crops. The title page of the second book, however, states that it covers hop gardens and gardens (*hoppen höve und garden*).<sup>17</sup> A leaf inserted into the second garden book

<sup>17</sup> *AHL* HS 289, Ar.

backs up this assertion, since it is labeled “Van den Hoppenlande” and concerns the four pieces of hop land and a *hof* owned by Tileke Warendorp, the proceeds of which she wishes to go to a brotherhood after her death.<sup>18</sup> This emphasis on hops tallies well with the information gleaned from other documentary sources.

While the documents that provide the bulk of data for this analysis indicate that hops dominated garden production in Lübeck, the regulations of the gardeners’ guild, known as the *Willkür der Gärtner*, amplify the list of crops.<sup>19</sup> These regulations cover many aspects of the life of the guild and its members, including admission of new members, sale of produce, cultivation of produce, land management, fencing, wages, and transportation, among others. The *Willkür* provides a very important link between evidence for production (tithe records, and records of land transactions involving gardens) and consumption (archaeological data). The document is a prescriptive one, and it gives rules of behavior for the gardeners of Lübeck, although the definition of a gardener never appears. Some of its regulations refer specifically to certain produce. For example, it did not allow people to sell produce on the area at their gardens, other than cress and sage.<sup>20</sup> Possibly the authorities wanted to avoid a situation in which large-scale food marketing was taking place outside of the central marketplace, where it could be more closely regulated. However, it also stated that turnips, carrots, *krickelmoren*,<sup>21</sup> red cabbage and green vegetables should be sold *bi*

<sup>18</sup> AHL HS 289, loose leaf between fols. 7v and 8r.

<sup>19</sup> LUB, 3: 771. Undated.

<sup>20</sup> The words used in the document are *kerszen* and *saluyen*. Lübben translates *kerszen* as *Kresse*, or nasturtium (August Lübben, completed by Christoph Walther, *Mittelniederdeutsches Handwörterbuch* (Norden and Leipzig: Diedr. Soltau’s Verlag, 1888), 2: 54). *Nasturtium officinale*, or *Rorippa nasturtium-aquaticum*, is the hairless creeping perennial known as water cress, which grows in shallow fresh water and mud (David McClintock and R. S. R. Fitter, *The Pocket Guide to Wildflowers* (London: Reprint Society, 1955), 20-1). Lübben does not provide a definition for *saluyen*, nor do others, such as C. Schumann, “Beiträge zur lübeckischen Volkskunde. Pflanzennamen,” *Mitteilungen des Vereins für Lübeckische Geschichte und Altertumskunde* 5.4 (1891): 59-63; 78-80; 90-4. I am assuming that it refers to *Salbei*, or sage.

<sup>21</sup> The document also lists a vegetable called *krickelmoren*, which would seem to mean something like crooked carrots, but I have not been able to identify this vegetable more closely. It could be the wild parsnip, which appears in the archaeological record of Lübeck. Körber-Grohne notes that the names of both these vegetables were often used interchangeably in the Middle Ages, for

*sik*, which one would presume to mean from one's house. This suggests that the gardeners lived within the city walls, and were permitted to sell two types of vegetables at their gardens, a greater number from their houses, and also could sell from a stall in the market. It is unclear whether one individual would be engaged in all three activities. Gardeners were not permitted to sell seed if it would be of use to the guild, and were not allowed to plant onion seed at all. No reason for this last stipulation appears. These regulations also make it clear that some gardeners were involved in some processing of their produce. One section of the regulations deals with the smoking of garlic. Garlic was to be smoked for nine days, and could not be brought out of the house without being inspected by one of the masters of the guild.

The document is interesting not only in that it tells us how various vegetables were treated, but also in that it adds to the list of plants we know were cultivated in and around Lübeck. The vegetables listed here may be the ones grown in the so-called cabbage gardens. These are onions (*cypollen*), garlic (*knuflok*), turnips (*roven*), carrots (*moren*), red cabbage (*roden kol*), and green vegetables (*groene warmoos*).<sup>22</sup>

This document is important in another sense, because it provides a link between sources on production, such as the ones being examined in this chapter, and the archaeological evidence for consumption. It is one of the very few early documents that proves that people in Lübeck sold produce to other people in Lübeck. It is one of the very few early documents that proves that people in Lübeck sold produce to other people in Lübeck. This document forbade anyone to have more than one stall in the market during Christmas and at Easter, and thus shows us that gardeners cultivating produce outside the city brought it into the city for the purposes of commerce.

All of the records examined here demonstrate that there were plots of land called gardens by the people who kept records. The gardens that appear in these records are located just outside the walls of the city and in the villages of the surrounding *Landwehr*.

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example in the *Physica* of Hildegard of Bingen. Udelgard Körber-Grohne, *Nutzpflanzen in Deutschland. Kulturgeschichte und Biologie* (Stuttgart: Theiss Verlag, 1994), 225.

<sup>22</sup> LUB, 3: 771.

Citizens of Lübeck, men and women, members of the city elite and artisans, were engaged in paying tithes on them, paying rents from them to the city, and engaging in various other transactions involving them. They ranged in size from small to large; an absolute determination of size is not possible. The primary crop of these gardens was hops; these records also mention apples, cabbages and berries. Tithe records show that items grown in gardens changed over time, and that some gardens went out of production and became bleaching grounds. The *Wette* garden books show that the average income paid to the city from gardens outside the city walls remained fairly constant throughout the approximately 200-year period covered by these records.

Questions regularly asked by agrarian historians will generally go unanswered by the available documents concerning Lübeck gardens. Little quantitative material is available, and no records that allow us to calculate the productivity of these gardens or to assess if crop rotation took place. Hops and fruit trees obviously do not lend themselves well to such farming systems. The tithe records show that land use did change over time; the reasons behind these changes are not clear, but could have been made based on analysis of prices. Figures for hop and cabbage prices during the fifteenth century are unfortunately not available. The documents also do not specify cultivation techniques; one must assume again that hard work with a shovel and hoe was the primary method of cultivation. While records concerning gardens in Lübeck do not address well the use of technology, crop rotations or yields of these parcels of land, they do reveal that plots of largely unknown size, often called gardens, existed outside the city walls and were cultivated for both industrial and food crops. They appear to have been a normal part of the life of the city and its inhabitants.

While the *Wette* garden books, the tithe records, and records involving land transactions provide much useful information, they deal almost exclusively with issues of production. For information on consumption, archaeological evidence is an excellent source.

Much of the evidence for consumption of garden produce in Lübeck is derived from archaeological evidence. Documentary evidence rarely identifies a plant to the species level; written sources are also generally quiet about food sources that are gathered rather than grown. Archaeological sources lack information on production, such as where and on whose land the plant was grown.

Thus a comparative approach to both kinds of evidence provides the fullest possible picture.

In the case of Lübeck, most of the botanical finds come from cesspits and wells. Cesspits in particular provide evidence for consumption, since they are collecting points for both human and kitchen waste.<sup>23</sup> Although preservation condition in cesspits are usually good, the plant material found there can be damaged by mastication, processing as foodstuffs (e.g., milling of grain) and the action of the human digestive system. Fruit stones are usually very well-preserved in cesspits, and can give insight into changes in the species consumed over centuries, as well as giving an indication of when new species were introduced into the diet. These new species can either be imported fruits, or fruit newly going into local cultivation.<sup>24</sup>

An awareness of what is likely to survive in the damp conditions of a filled-in well or cesspit is necessary to a meaningful analysis of these plant remains. Pollen grains, seed, wood, and fruit-stones are the most resilient to rot, and are therefore most likely to survive. Root, stem and leaf fragments are much less likely to survive, although some interesting work has been done on identification of waterlogged specimens.<sup>25</sup> Grains, legumes, and leaf and root vegetables are rarely well-preserved.<sup>26</sup> The material recovered in Lübeck is almost entirely made up of seeds and fruit-stones. It would be incorrect to assume, however, that these seeds give an accurate representation of all the plants grown in these areas. Although no plant remains of the genus *Allium*, to which belong onions, leeks and garlic, were found, the *Willkür* states that these were grown in Lübeck. Thus comparison of lists of plants found in digs and lists of plants mentioned in contemporary documents could prove very illuminating.

<sup>23</sup> Karl-Heinz Knörzer, "Aussagemöglichkeiten von paläoethnobotanischen Latrinenuntersuchungen," in W. van Zeist and W. A. Casparie, eds., *Plants and Ancient Man. Studies in Palaeoethnobotany* (Rotterdam, Boston: A. A. Balkema, 1984), 331-8.

<sup>24</sup> Knörzer, "Aussagemöglichkeiten," 331.

<sup>25</sup> P. R. Tomlinson, "Vegetative Plant Remains from Waterlogged Deposits Identified at York," in Jane M. Renfrew, ed., *New Light on Early Farming. Recent Developments in Palaeoethnobotany* (Edinburgh: Edinburgh University Press, 1991), 109.

<sup>26</sup> Knörzer, "Aussagemöglichkeiten," 333-6.

Another consideration to keep in mind when examining the results of palaeobotanical analysis is the use of the plant, and their relative number of seeds. The seeds of plants that are used for those seeds (hazel or poppy, for example) will survive in greater numbers than the seeds of plants used for their leaves or roots, like cabbage or carrots. Similarly, seeds of fruits that have their seeds embedded in them and are therefore part of the package will also make their way into cesspits at a greater rate; examples of such fruits are strawberries (*Fragaria vesca*), cherries (*Prunus avium*), and damsons (*Prunus insititia*). Another consideration is the number of seeds produced by each fruit. A single cherry produces one stone, while a single fig can produce thousands of seeds.

It is clear, therefore, that direct correlations between botanical macro-remains and the type and number of plants consumed in the area cannot be established through excavation. One must always keep in mind the plant remains that may have been excreted or thrown into the cesspit, but which rotted or sprouted; the plants which were used before they set seed; and the plants which produce many seeds per fruit. Despite these caveats, results of palaeobotanical work can be very informative, particularly when they are used in conjunction with documentary sources.

Excavations in Lübeck have taken place in a range of sites located in areas of differing socio-economic status within the cities. The data derived from these excavations therefore permit commentary on the types of plants found, as well as analysis of change over time. The data also enable comparison of plant consumption by three socio-economic groups: artisan, ecclesiastical, and merchant/seafarer.

A detailed look at species found in Lübeck reveals the diversity of plants grown and consumed in, and presumably, outside the city. A closer look at the distribution of these species may shed more light on the effects of social class on food consumption in the city. The following sites are of particular importance, either because they contained numerous species or an unusual combination of species: St. Johanniskloster, Hundestrasse, and Alfstrasse/Schüsselbuden.<sup>27</sup> These three sites contained the highest number of species. Each of the three also represents a different socio-economic category: ecclesiastical, artisanal and mercantile, respectively. Throughout the Mid-

<sup>27</sup> See Tables 1 and 2 for more details.

dle Ages, Lübeck's inhabitants seem to have lived mainly with their own kind. Merchants and seafarers lived on the western half of the peninsula, nearer the harbor. The bishop and chapter occupied the southern end of the peninsula, while the artisans resided in the eastern area, with some members living in the southeastern area towards the Trave.<sup>28</sup>

*St. Johanniskloster*

St. Johanniskloster was located on the eastern side of the peninsula and occupied about two hectares. The monastery was founded in the years after 1173; it began as a Benedictine house, but the Benedictine monks were replaced by Cistercians in 1256 as a result, apparently, of poor discipline.<sup>29</sup> The monastery was dissolved in 1574. The botanically-analyzed samples date from the beginning of the thirteenth century, during the so-called second settlement period (*Siedlungsperiode* II). The excavation took place between 1979 and 1983, as a result of a planned extension of a nearby building.<sup>30</sup> The results indicate that use of the site intensified during the first third of the thirteenth century.<sup>31</sup> A new well was built during this period. It has been dendrochronologically dated to around 1211. The monks also built a water channel, carrying water from the Wakenitz for workshops, washing and garden; the channel was two meters deep and roofed over. Gläser notes that a layer of humusy-peaty soil, dating to this period, was found towards the southern end of the area. Because the soil had the smell and texture of garden soil and contained a number of holes from stakes, he postulated that a garden was cultivated there.<sup>32</sup> The botanical evidence seems to support this conclusion.

<sup>28</sup> Rolf Hammel, "Räumliche Entwicklung und Berufstopographie Lübecks bis zum Ende des 14. Jahrhunderts," in Graßmann, *Lübeckische Geschichte*, 64-70.

<sup>29</sup> Manfred Gläser, "Archäologische und baugeschichtliche Untersuchungen im St. Johanniskloster zu Lübeck," *Lübecker Schriften zur Archäologie und Kulturgeschichte* 16 (1989): 11.

<sup>30</sup> Gläser, "Archäologische," 10.

<sup>31</sup> Manfred Gläser, "Die Ausgrabungen auf dem Gelände des ehemaligen St. Johannisklosters in Lübeck," *Lübecker Schriften zur Archäologie und Kulturgeschichte* 17 (1988): 118.

<sup>32</sup> Gläser, "Archäologische," 17.

Eighteen species of edible, possibly cultivated plants appear in the data from St. Johanniskloster. Hops are the only beer-brewing plant. Hemp and flax are both found, as are the vegetables *Brassica oleracea/napus*, *B. nigra/rapa*, carrot (*Daucus carota*), wild parsnip (*Pastinaca sativa*) and celery (*Apium graveolens*). Parsley (*Petroselinum crispum*) and hazelnut (*Corylus avellana*) also appear. Fruits are well-represented, with a total of seven species. Most, if not all, of these fruits are those that could be either cultivated or gathered, such as raspberry (*Rubus idaeus*), elderberry (*Sambucus nigra*) and wood strawberry (*Fragaria vesca*), to choose those with the highest seed count. This range of finds, dating from the thirteenth century, gives the impression of a diet that was based on local crops with not much variation of vegetable matter. No exotic fruits or spices appear. Alsleben finds it surprising that herbs such as fennel, dill, coriander and caraway do not appear in the botanical finds from St. Johanniskloster.<sup>33</sup> This does not tally with the stereotypical image of the monastery garden as described in some literature.<sup>34</sup> It is also in contrast with the gold and silver cutlery found on the same site dating from the same period.<sup>35</sup> No documentary record of the cultivation of this garden in the monastery has been preserved; such a record would provide a valuable source with which to contrast the archaeological plant remains from this site. The clergy in the thirteenth century do not appear to have eaten more luxuriously than their artisan brethren residing in Hundestrass in the same period; indeed that evidence shows a wider range of species.

### *Hundestrass*

Finds from Hundestrass, in the artisans' quarter, are rich and occur over a relatively long span. They have been dated to five different periods: thirteenth century; before or around 1300, fourteenth century; fourteenth to fifteenth century; and before 1615. Twenty-one species, derived from six samples, appear in the botani-

<sup>33</sup> Almuth Alsleben, "Archäobotanische Untersuchungen in der Hansestadt Lübeck. Landschaftsentwicklung im städtischen Umfeld und Nahrungswirtschaft während des Mittelalters bis in die frühe Neuzeit," *Offa* 48 (1991): 357.

<sup>34</sup> See, for example, Sylvia Landsberg's discussion of the monastery garden in *The Medieval Garden* (London: British Museum Press, n.d.), 34-44.

<sup>35</sup> Alsleben, "Archäobotanische," 360.



cal record from Hundestrassse in the thirteenth century. The number of individual items found is also high, numbering 1067. The material from this period, particularly from samples 781 and 832, both rich in organic matter, was quite well-preserved. As in the previous site, hops, flax and two types of *Brassica* appear. The oil seeds gold of pleasure (*Camelina sativa*) and poppy (*Papaver somniferum*) are added. There are no vegetables, but the legumes pea (*Pisum sativum*) and broad bean (*Vicia faba*) are preserved. Caraway (*Carum carvi*) and either fennel (*Foeniculum vulgare*) or dill (*Anethum graveolens*) were found. Hazelnuts (*Corylus avellana*) also appear. The range of fruit is wider than at St. Johanniskloster, with some of the same possibly wild species appearing, such as raspberry, strawberry and blueberry. Additions are blackberry, pear, apple, and sweet cherry. While it is likely that blackberries were gathered from the wild, or grew at the edges of the garden, the other three species were likely cultivated on trees on site. Grape seeds, perhaps from imported raisins, perhaps grown locally, appear as well, along with figs, an unequivocally imported fruit.

A slightly later sample, deriving from a fecal layer, was dated to before or around 1300. Fourteen species appeared here, with a total of 322 items. One hop fragment was found. Species not represented in the material from the earlier period are the sloe (*Prunus spinosa*), the European plum (*P. domestica*) and dill (*Anethum graveolens*). European plum is not found from any other period in Hundestrassse. One find of hops appears, and none of any vegetable. The only oilseed crop is the poppy. Nine of the species are fruit; as in the other periods, hazelnut appears as well.

Thirty-two species were identified from the fourteenth century, from a total of 23 samples, most of which were derived from one cesspit at Hundestrassse 9. Many of the finds are similar to those of the previous two periods. However, legumes are represented in the fourteenth century only by a lone lentil. Parsley and celery appear, as do coriander and positively identified dill. New among fruits are elderberry (*Sambucus nigra*), lingonberry (*Vaccinium cf. vitis-idaea*), sour cherry (*P. cerasus*), damson plum (*P. insititia*) and mulberry (*Morus nigra*). Numbers among other fruit finds are generally higher than for the previous periods. For example, 431 fig seeds were found, as opposed to 76 for the thirteenth century and 200 circa 1300, while the numbers for strawberry are 910, whereas previously these had been 523 and 28. These larger numbers may be

a result of the large number of samples taken from a cesspit that provided excellent preservation conditions.

The smallest number of species derives from one sample, from a humus layer, dated to the fourteenth to fifteenth centuries. They number three, and one item from each species was identified. One linseed, one poppyseed, and one stone from a damson plum appear here.

Our last evidence comes from one sample taken from Hundestrasse 17; it is dated to before 1615 and contained fifteen species. No species were found that had not been unearthed in earlier samples. No hops appear here. The only vegetable to appear is the brassica; representing herbs are fennel and coriander. Fruits are much better-represented, with raspberry, blackberry, sweet and sour cherry, apple, pear, blueberry and fig. It is quite possible that this narrowing of species says more about preservation conditions than it does about changes in cultivation or consumption in this area; hard fruit seeds are more likely to survive worse conditions than are thinner-walled herb and vegetable seeds. Van Haaster states that the sample came from a cultural layer from the fifth period of building on the site, but does not provide more details about conditions favorable or unfavorable to preservation.<sup>36</sup> At any rate, unlike the material from the thirteenth and fourteenth centuries, it does not appear to have derived from fecal material or a cesspit. Another reason for the smaller number of species may be that the material dated to before 1615 comes from one sample, whereas the material with the larger number of species from the thirteenth and fourteenth centuries is derived from six and 23 samples respectively.

It is not surprising that Hundestrasse provided more species than St. Johanniskloster, since many more samples, over a longer time span, make up the evidence here. The difference in the number of species between the thirteenth-century samples from each is three, and shows that plant material consumed and cultivated in these two gardens was similar. The one surprise consists of the fact that fig seeds were found on the artisan site and not the ecclesiasti-

<sup>36</sup> Doris Mührenberg, "Archäologische und baugeschichtliche Untersuchungen im Handwerkerviertel zu Lübeck Befunde Hundestrasse 9-17. Mit einem botanischen Beitrag zu den spätmittelalterlichen und frühneuzeitlichen Pflanzenresten von Henk van Haaster," *Lübecker Schriften zur Archäologie und Kulturgeschichte* 16 (1989): 271.

cal, which runs contrary to the assumption that the clergy had a higher standard of living than artisans. Indeed, Hundestrasse 9 was a foundation in which poor people lived, from 1358 to the eighteenth century; Wilhelm von Warendorp left the house in his will to the poor in 1358.<sup>37</sup> The richness of the finds seems to attest, however, to a high standard of living.<sup>38</sup> These finds may have been deposited earlier in the century, or may show that a diet rich in fruit and vegetables was accessible to all socio-economic strata. An examination of the documentary evidence, conducted below, will show that those who owned these properties were not necessarily from an impecunious social order.

The general excavations undertaken at Hundestrasse 9-17 can be helpful in assessing who lived and worked on these lots. Doris Mührenberg drew the following conclusions from the excavations.<sup>39</sup> First, she notes that the land was increasingly divided and built up over time. The first building went up in the first half of the thirteenth century, and a fence divided the land into two parcels. At the end of the thirteenth century a house with three wings was built on the lots later numbered 13-17. In the west wing the archaeologists found a pit containing many bones and half-finished combs. She therefore concludes that a boneworker who specialized in combs lived and worked here. Timo Wobes, a butcher, lived in 15/17 in 1293.<sup>40</sup> By the end of the fourteenth century, a house made of stone had been built on each piece of land, facing onto the street. Barrels, of the type used by leather workers, date to this period, and Mührenberg suggests that a shoemaker worked here. Stephan states that Nicholas Cuper, a rosarymaker, lived in Hundestrasse 13 in 1401.<sup>41</sup> In the fifteenth to sixteenth centuries wings reaching back into the lot were built out from the houses. The lots were divided from one another with brick walls. Evidence from number 15 suggests the activities of a smith. Material from number

<sup>37</sup> Hans-Georg Stephan, "Archäologische Ausgrabungen im Handwerker-viertel der Hansestadt Lübeck (Hundestrasse 9-17)—ein Vorbericht," *Lübecker Schriften zur Archäologie und Kulturgeschichte* 1 (1978): 78.

<sup>38</sup> Van Haaster in Mührenberg, "Archäologische," 278.

<sup>39</sup> Doris Mührenberg, "Der Markt zu Lübeck. Ergebnisse archäologischer Untersuchungen," *Lübecker Schriften zur Archäologie und Kulturgeschichte* 23 (1993): 98-101.

<sup>40</sup> Stephan, "Archäologische," 78.

<sup>41</sup> Stephan, "Archäologische," 78.

17 from the seventeenth century suggests a textile worker lived and worked here.

Hammel's study of the *Oberstadtbuchregesten* reveals much about the ownership and residence of houses in Lübeck from 1284 from 1600, the period in which they were kept.<sup>42</sup> His examination of Hundestrasse adds to our understanding of its social composition. Hundestrasse was divided into an eastern and a western part by the cross street Rosengarten-Tünkenhagen.<sup>43</sup> During the first half of the fourteenth century, the eastern half was characterized by a concentration of leatherworkers, while the western half contained owners of more mixed professions, such as two bakers, eight butchers, two chandlers, a rosary-maker and a carpenter.<sup>44</sup> Ownership by council families was lower here than on any other street he studied.<sup>45</sup> The intellectual occupations were represented by two *magistri*, both of whom lived in the western half of the street. In the second half of the century, the dominance of the leatherworkers in the eastern half continued, but their numbers were reduced to 11 from 21.<sup>46</sup> In the western half, the number of houses owned by artisans went from 25 to 15, while the number owned by council families went from 10 to 15. The artisans who remained as owners on the street belonged to the occupations of apothecary, butcher, rosary-maker, goldsmith, carpenter, and smith, among others.<sup>47</sup> Hammel has developed and analyzed a list of owners of Hundestrasse 9-17.<sup>48</sup> He classifies all owners during the second half of the fourteenth century as belonging to what he terms social level III, except for the owner of number 11, who belonged to social level I.<sup>49</sup> According to Hammel, social level I consisted of merchants and other people of status, while social level III was made up of the artisanal middle class, especially those from guilds of about 1350 masters. It also

<sup>42</sup> Rolf Hammel, "Hauseigentum im spätmittelalterlichen Lübeck. Methoden zur sozial- und wirtschaftsgeschichtlichen Auswertung der Lübecker Oberstadtbuchregesten," *Lübecker Schriften zur Archäologie und Kulturgeschichte* 10 (1987): 85-300.

<sup>43</sup> Hammel, "Hauseigentum," 209.

<sup>44</sup> Hammel, "Hauseigentum," 212.

<sup>45</sup> Hammel, "Hauseigentum," 211. These streets were: Schlüsselbuden, Fischstraße, Holstenstraße, Braunstraße, An der Untertrave 96-114/115.

<sup>46</sup> Hammel, "Hauseigentum," 212, 213.

<sup>47</sup> Hammel, "Hauseigentum," 213.

<sup>48</sup> Hammel, "Hauseigentum," 276.

<sup>49</sup> Hammel, *Abbildung*, 77, 389.

included some trades with no guild, such as porters.<sup>50</sup> This is consistent with his characterization of the street as mainly made up of members of social level three, with some representation from council families.<sup>51</sup>

The archaeological evidence presented by Mührenberg and van Haaster and the documentary evidence by Hammel are quite consistent with one another. Each confirms the other's assessment of when the lots began to be built up. The butcher, who owned the house in the first half of the fourteenth century, may have made combs from the bones left over from his trade, or may have leased premises and supplied bones to a specialist. While the guesses of occupation made by Mührenberg do not correspond well to those of the owners in Hammel's work, we must keep in mind that those who owned the houses did not necessarily live in them. Mührenberg's guesses are, moreover, guesses; her supposition that a leather-worker plied his trade at this end of the street does not seem to be borne out by Hammel's findings.

Both Mührenberg and Hammel suggest that those who resided in Hundestrasse were artisans and mainly belonged to the artisanal middle class. If that supposition is true, the botanical evidence allows us to suggest that the residents of Hundestrasse 9-17 enjoyed a varied diet of fruit, herbs and vegetables, most of which were indigenous and some of which appear to have been collected from surrounding wild spaces. They also enjoyed the fig, an imported fruit. The inexactitude of both documentary and archaeological evidence does not allow us to conclude who, and of what occupation, consumed what.

### *Alfstrasse/Schüsselbuden*

We now cross from the eastern side of the city to the western, the so-called merchant-seafarer section. Schüsselbuden is the street on the western side of the market, facing it, while Alfstrasse runs east-west from the market down to the Trave. Alfstrasse/Schüsselbuden provides rich botanical evidence from the thirteenth, fifteenth and sixteenth centuries. The earliest samples are derived

<sup>50</sup> Hammel, "Hauseigentum," 130.

<sup>51</sup> Hammel, "Hauseigentum," 218.

from a rubbish pit, while the later samples are taken from two wells. Alsleben, who performed the botanical analysis, is not specific about their exact location in relation to the modern house numbers.<sup>52</sup>

Twenty-eight species are attested from the thirteenth century, from a total of four samples. Hops, sweet gale and cannabis all appear. Vegetables are represented by the brassicas and white mustard, legumes by broad bean and another lone lentil. The oil seeds are gold of pleasure and linseed. The one herb is fennel. The almost ubiquitous hazel comes as no surprise. Fifteen fruit species appear here, including the wild, and assumed gathered, raspberry, blackberry, strawberry, elder, and sloe. Among the cultivated fruits are apple, pear, grape, sweet cherry and damson plum, both a generic variety and type C.<sup>53</sup> One fig seed makes an appearance.

Two species that have not been seen before in Hundestrasse or St. Johanniskloster were found here. The first is hawthorn (*Crataegus oxyacanthus*), found on few other sites. It appears for all periods for this site, arguing that a hawthorn tree grew on the property. The second is walnut (*Juglans regia*), found only at Alfstrasse/Schüsselbuden, the tower of the Heiligen-Geist-Hospital, and Engelsgrube. The largest numbers are found at the probable site of a bakery in Engelsgrube.

Four samples taken from a well and dating to the fifteenth century offer the largest number of species preserved at any one

<sup>52</sup> Alsleben, "Archäobotanische," 333.

<sup>53</sup> The damson plum (*P. insititia*) originated in the East as offspring of the sloe (*Prunus spinosa*) and the cherry plum (*Prunus cerasifera*). The European plum developed in the same way, and together they form a varied group of plums. Helmut Kroll, "Mittelalterlich-frühneuzeitliche Steinobst aus Lübeck," *Lübecker Schriften zur Archäologie und Kulturgeschichte* 3 (1980): 167. This variation has led Behre to develop a classification system for the damson plum, based on shape, surface features, measurement and indices, and using his finds from Haithabu and Alt Lübeck as samples. Karl-Ernst Behre, "Formenkreise von *Prunus domestica* L. von der Wikingerzeit bis in die frühe Neuzeit nach Fruchtsteinen aus Haithabu und Alt-Schleswig," *Berichte der deutschen botanischen Gesellschaft* 91 (1978): 161-79. His original system contained four classifications, from A to D. Kroll, noticing a great deal of variation in the C-type among the examples he was finding at Lübeck, extended the system to six types, A to F. This classification system enables palaeobotanists to distinguish minutely between types. Kroll, "Mittelalterlich- frühneuzeitliche," 168.

site, namely 46. Many of the species dating from the thirteenth century also appear here. New to this site are poppy, carrot, wild parsnip (these last two seen in St. Johanniskloster in the thirteenth century and not at all in Hundestrasse), parsley, dill, caraway, and coriander. The brassicas appear again, but there are no legumes. Once more, hazel appears. The site contains a very wide range of fruit species (25), of both wild and cultivated types. Many of these are common to other sites, such as blackberry, raspberry, strawberry, sloe, blueberry, and sweet cherry. European dewberry we have not seen since St. Johanniskloster. Pear species, apple species and the damson plum variants B, C, E and F were found here as well. Fig, with the highest seed count of any site (497), and grape are represented, as are the more unusual walnut and mulberry. On this site we have the first appearance of what may be quince (*Cydonia* sp.).

The last site to be examined offers somewhat less diversity of species, but presents some hitherto unseen in Lübeck. This site also offers large preserved numbers of individual species. Hops, cannabis, the brassicas, poppy, caraway, coriander and fennel come as no surprise. Some of the spices preserved on this site are, however, unique to it. Grains of paradise (*Alpinum melegueta*), black pepper (*Piper nigrum*) and cardamom (*Elleteria cardamomum*) are all tropical spices that must have been imported.<sup>54</sup> Dyer's camomile (*Anthemis tinctoria*) is seen here for the first time since St. Johanniskloster.

Many of the fruit species preserved here, which number 27, echo those preserved elsewhere. In some cases the number of preserved finds is unusually high. Some examples are sloe (411), sweet cherry (2079), and grape (1342). These numbers are many times higher than the next-highest find from other sites. All variants of damson plum appear here; the largest finds are of the variants B, C and F, which Kroll points out are probably local, since they are the variants least suited to drying.<sup>55</sup> A second quince find appears on this site. Two species of fruit preserved nowhere else appear here. They are the peach (*Prunus persica*) and the medlar (*Mespilus germanica*), the former likely imported, the latter a rarely consumed local fruit.

<sup>54</sup> A document from 26 July 1467 reports the arrest of a spice merchant from Nymwegen. His wife was petitioning the council in order to have his wares released to her. *LUB*, 11: 266. Unfortunately, none of the spices were named.

<sup>55</sup> Kroll, "Mittelalterlich-frühneuzeitliche," 168-9.

In general, the botanical evidence from Alfstrasse/Schüsselbuden contains a good diversity of preserved species. Much of this diversity is exhibited in the fruit finds. Both a wider diversity of indigenous fruits, and some non-indigenous introductions contribute to this picture. The picture presented by the finds from the thirteenth century does not differ markedly from that we derive from the finds for the same century at Hundestrasse and St. Johanniskloster. Certainly some species that were found in Alfstrasse/Schüsselbuden did not appear in the other two sites for the same century, such as lentil, fennel, sloe, hawthorn, pear and walnut. However, the situation is reversed in the case of carrot (found in St. Johanniskloster) and pea (Hundestrasse). The appearance of the walnut, which was perhaps imported, may suggest access to more expensive foodstuffs; figs, also imported, were consumed at both Hundestrasse and Alfstrasse/Schüsselbuden. More fruit species are preserved at the latter site than at the other two; all but two are species that one may assume grew in Lübeck. These differences do not seem illustrative of a significantly higher standard of living, as measured in food consumption, in Alfstrasse/Schüsselbuden in the thirteenth century.

Evidence from the later two centuries at Alfstrasse/Schüsselbuden offers much more support for such a claim. Both these sets of samples offer a greater diversity of species than the roughly -comparable, in terms of date, samples from Hundestrasse. Part of this disparity may be explained by the superior preservation conditions offered for this period in Alfstrasse/Schüsselbuden.<sup>56</sup> However, when we examine the samples taken from similar preservation conditions in Hundestrasse, we note that a lower number of species was preserved. This may be attributable to the earlier time period (fourteenth century) and also to the different socio-economic conditions.

Even more telling than this greater diversity of species is the presence of those hitherto unattested in Lübeck. These species are all exotic and quite probably imported. The first, quince, appears in the fifteenth century; by the sixteenth, the number has risen to five, and six if we count the quince finds also attested for this century. This evidence suggests that the range of foods available in

<sup>56</sup> The Alfstrasse/Schüsselbuden samples were taken from a well and were high in organic content; those from Hundestrasse were less numerous (one per period) and derived from soil less favourable to preservation.



Lübeck was changing as exotic foods made their way north (this does not explain why figs were accessible in the artisanal quarter as early as the thirteenth century) and that the wealthier members of society had access to them first. The large number of finds for this century may also suggest commercial activity in that very site dealing in foodstuffs, since the ordinary consumption of a household might not produce quite so many fruit stones. The position of the lot, on the corner of Alfstrasse, which ran straight down to the harbor, makes this hypothesis perfectly possible.

Unfortunately, Hammel's study of house ownership is not as useful for this site as it was for Hundestrasse. His study took in the houses along Schüsselbuden, but did not extend down Alfstrasse, and he focused on the fourteenth century, a period not covered by the archaeological evidence presented here. Some of his general remarks on the socio-economic nature of Schüsselbuden may be illuminating, however.

Schüsselbuden faced onto the market. Permanent market stalls were built in front of the houses and separated from them by a large passage. In the early fourteenth century, there was a preponderance of owners from council families. By the second half of that century, the balance had shifted, with more than half of the owners being artisans. No one profession was dominant.<sup>57</sup> These artisans were concentrated at the south end of the street, south of number 16.<sup>58</sup> The house at the corner of Alfstrasse was number 6. Hammel is doubtful whether the owners necessarily pursued their occupations from these buildings; he is able to say definitively that the goldsmith in number 12 did not, since goldsmiths were restricted to the 12 stalls underneath the arcade of the *Rathaus*.<sup>59</sup> Hammel also notes that merchants were concentrated in the northern end of the street, and that the two corner lots at Mengstrasse and Alfstrasse were conveniently oriented both to the Marienkirche (the church of the merchants) and to the harbor.<sup>60</sup> His map for 1350 to 1399 shows a tinsmith at Schüsselbuden 8, and also a tanner. Both these professions are derived from the last names of the owner.<sup>61</sup>

<sup>57</sup> Hammel, "Hauseigentum," 197.

<sup>58</sup> Hammel, "Hauseigentum," 198.

<sup>59</sup> Hammel, "Hauseigentum," 197.

<sup>60</sup> Hammel, "Hauseigentum," 198.

<sup>61</sup> Hammel, "Hauseigentum," diagram 73.

No occupation names appear in the map for 1284 to 1349. Hammel's work certainly does not preclude the presence of a relatively wealthy merchant on this corner lot, but it does not confirm it either. Dumitrache and Remann refer to imported material found on the site that suggests the presence of a wealthy merchant; this includes glazed ceramics in Dutch, Danish and English styles. Unfortunately, because they do not discuss this evidence in detail, it remains suggestive.<sup>62</sup>

This closer look at the evidence from sites in three different socio-economic areas of the city is revealing. It shows that a wide range of fruits and vegetables were consumed on all three sites. Little disparity exists in the evidence from the thirteenth century on all three sites, suggesting that the standard of living at that time was fairly consistent across social levels. The St. Johanniskloster site does not present later evidence. Some of the evidence from St. Johanniskloster and Hundestrasse was slightly surprising. Archaeologists found very little herb evidence in an area thought to be a monastery garden; one would expect herbs to be plentiful in this area, in light of documentary evidence from other sites. This anomaly may be due to preservation conditions or the fact that the leaves of many herbs dried and used, rather than their seeds. The monastery gardeners therefore would have had an incentive to see that their leafy herbs did not go to seed.

Evidence from Hundestrasse also presents something of a puzzle. Material found from the thirteenth century to before 1615 shows a consistently wide range of plant material, including fig seeds that must have been imported. This appears on a site that was known to be the home of a poorhouse. This evidence suggests that the poor may have been eating rather better than one assumes. Documentary evidence shows that the residents of Hundestrasse were primarily middle-class artisans; the archaeological evidence suggests that this class of person ate a varied diet of locally available produce.

Material from Alfstrasse/Schüsselbuden dating from the thirteenth century does not differ markedly from that found in the other two sites. The real difference appears in the evidence from

<sup>62</sup> Marianne Dumitrache and Monika Remann, "Besiedlungsgeschichte im Lübecker 'Kaufleuteviertel'," *Lübecker Schriften zur Archäologie und Kulturgeschichte* 17 (1988): 112.

the sixteenth century; this is the only site in Lübeck containing significant numbers of exotic spices such as pepper and coriander. This evidence suggests a high standard of living for the residents, as well as the possibility that the site was used by an importer of spices.

The botanical evidence derived from the archaeological digs in Lübeck records a wide variety of plants. The useful plants preserved there range from fruits, both wild and cultivated, nuts, vegetables, herbs, spices, and those used for flavoring beer, for fibre, and for oil. Some of these plants, such as hops and raspberries, are found throughout the city, in ecclesiastical, merchant, and artisanal sites. Others are found only in a very few places during a very short time period, such as the peppercorns found only in the merchants' area. In many cases, the evidence provided by plant remains is the only proof that exists that certain types of plants were grown or consumed within the city. This is one of the great boons offered to the historian by the archaeological evidence; it can throw open a window and show a much wider range than appears in the documentary evidence.

The case of Lübeck also reveals how this archaeological evidence can confirm what is known from the documents. Several of the plants found in the archaeological record, such as apples, hops, and cabbages, also appear in the documents. This evidence suggests that produce grown outside the city was consumed within it, and that rural growers supplied the urban market. This was an important aspect of the urban-rural relationship. In most cases, archaeology makes the identification more specific, since medieval documents name plants according to the custom of the day, and not according to the Linnean system of genus and species used by the palaeobotanist. In one case, however, in Lübeck, it worked the other way. *Allium* pollen could be identified, but its species could not. Both onions and garlic were named in a document, thus adding to the picture provided by the pollen analysis.<sup>63</sup> The evidence from Lübeck shows not only what people of different economic and social status were consuming, but also how well documentary and archaeological evidence combine to provide a more complete picture than either can individually.

<sup>63</sup> LUB, 3: 771.

The picture that emerges of the role of Lübeck's gardens in the life of the city appears consistent with other research on the urban-rural relationship in the Hanse and beyond. Many of Lübeck's wealthier citizens owned land around the city, and some indeed owned whole villages.<sup>64</sup> Citizens of Lübeck were also highly involved in gardens outside the city. Ownership or renting of land outside the city was of course an economic link, but it also had important effects on territorial politics. Many cities, Lübeck included, encouraged this sort of economic relationship so as to tighten the city's hold on the area around it.<sup>65</sup>

Franz Irsigler has argued convincingly that cultivators in the area around Cologne in the Middle Ages made choices based on demands from the urban markets. Irsigler notes that increasing cultivation of cash crops such as woad and hops formed part of the phenomenon of response to demand from urban markets around Cologne.<sup>66</sup> He also indicates that the cultivation of gardens outside the city was strongly linked to the city itself: "Der breite Gürtel von Gartenland, der sich um die mittelalterlichen Städte des Rheinlandes ausbildete, wurde von der Stadt aus bewirtschaftet."<sup>67</sup>

The crop that illustrates this point best in Lübeck is the hop. Hops appear in significant numbers in both documentary and archaeological evidence. As we have seen, a significant proportion of the gardens around the city grew hops, presumably because there was a market for them within the city. Hops grown around Lübeck were sold within the city, and were either used for brewing there or for export.<sup>68</sup> Hops were unequivocally a cash crop; the possibility is slight that they were consumed only by their growers.

<sup>64</sup> Fritze has made similar observations (Konrad Fritze, *Bürger und Bauern zur Hansezeit. Studien zu den Stadt-Land-Beziehungen an der südwestlichen Ostseeküste vom 13. bis zum 18. Jahrhundert* (Weimar: Verlag Hermann Böhlaus Nachfolger, 1976), 85, 87).

<sup>65</sup> Fritze, *Bürger*, 68.

<sup>66</sup> Franz Irsigler, "Die Gestaltung der Kulturlandschaft am Niederrhein unter dem Einfluß städtischer Wirtschaft," in Hermann Kellenbenz, ed., *Wirtschaftsentwicklung und Umweltbeeinflussung (14.-20. Jahrhundert)* (Wiesbaden: Franz Steiner Verlag, 1982), 181.

<sup>67</sup> "The broad belt of gardens that formed around the medieval cities of the Rhine was cultivated from the city outwards" (author's translation) (Irsigler, "Die Gestaltung," 186).

<sup>68</sup> Wilhelm Stieda, "Studien zur Gewerbegegeschichte Lübecks. 3. Hopfenbau," *Mitteilungen des Vereins für Lübeckische Geschichte und Altertumskunde* 3 (1-2) (1887): 6-7

Historians of agriculture consider horticulture as a more intensive form of cultivation.<sup>69</sup> Cultivators of gardens usually manured them more thoroughly and cultivated them by hand rather than with a plough. This was especially true of hop gardens, since the perennial plantings made ploughing impossible and hops are very heavy feeders. Seen in this light, the presence of many gardens just outside the walls of Lübeck can be interpreted as part of an island of intensification that spread out beyond the city, a model first suggested by F. K. Riemann. Riemann argued that in thickly populated areas and those dominated by large towns and cities, agriculture is carried on more intensively as a result of the influence of those urban agglomerations.<sup>70</sup> This idea has influenced the work of many agrarian historians and continues to have relevance.<sup>71</sup> It is unclear how far this island extended; the ratio of land used for intensive cultivation, or gardens, to the land used for field crops is also unknown. The gardens of Lübeck seem therefore to fit into a pattern seen in other medieval cities in which they were an important part of the city-country relationship. Many of their owners came from the city, they supplied produce for consumers within the city from a range of socio-economic levels, and they formed a ring of intensive cultivation around the city.

<sup>69</sup> Joan Thirsk, *Alternative Agriculture: A History from the Black Death to the Present Day* (Oxford and New York: Oxford University Press, 1997), 17. Irsigler notes that 1,000 gardeners could occupy themselves on land cultivated by 100 farmers (Irsigler, "Die Gestaltung," 194).

<sup>70</sup> F. K. Riemann, *Ackerbau und Viehhaltung in vorindustriellen Deutschland* (Kitzingen-Main: Holzner, 1953), 29.

<sup>71</sup> B. H. Slicher van Bath, *The Agrarian History of Western Europe, A.D. 500-1850*, trans. Olive Ordish (London: Edward Arnold, 1966), 15-6; Edith Ennen, "Wechselwirkungen mittelalterlicher Agrarwirtschaft und Stadtwirtschaft, aufgezeigt am Beispiel Kölns," in *Cultus et Cognition. Festschrift A. Gieysztor* (Warsaw: Państwowe Wydawnictwo Naukowe, 1976), 140-1; Adriaan Verhulst, "Bronnen en problemen betr. de Vlaamse landbouw in de late middeleeuwen," *Ceres en Clio, Zeven Variaties op het Thema Landbouwgeschiedenis* (Wageningen: Veenman, 1964), 205-12.

Table 1  
Details of Excavations in Hundestraße, St. Johanniskloster, and Alfstraße/Schüsselbuden

<i>Location</i>	<i>Dig number</i>	<i>Sample number</i>	<i>Type of find</i>	<i>Date (in centuries)</i>	<i>Listed in Table 2 under the heading</i>	<i>Source</i>
Hundestraße 9-17	HL 1	73	sand and bits of wood	13	Hundestr. 13	Van Haaster in Mührenberg 1989
		79	sand and bits of wood	13	Hundestr. 13	
		796	contains fecal material	s. 13 in.	Hundestr. 13	
		781	cesspit	13	Hundestr. 13	
		832	fecal pit	13	Hundestr. 13	
		853	cesspit	s. 13 ex.	Hundestr. 13	
		12	sand and charcoal	c. 1300	no column; no finds	
		934	fecal layer	before or around 1300	Hundestr. before or around 1300	

(*cont'd*)

Table 1 cont'd

<i>Location</i>	<i>Dig number</i>	<i>Sample number</i>	<i>Type of find</i>	<i>Date (in centuries)</i>	<i>Listed in Table 2 under the heading</i>	<i>Source</i>
		936	cesspit	14	Hundestr. 14	
		1170	fecal pit	14	Hundestr. 14	
		177	humus layer	ss. 14-15	Hundestr. 14-15	
		270/1-18	cesspit	14	Hundestr. 14	
		1372	same cesspit	14	Hundestr. 14	
		1373	same cesspit	14	Hundestr. 14	
		1375	same cesspit	14	Hundestr. 14	
		1302	cultural layer	before 1615	Hundestr. before 1615	
St. Johannis-kloster	HL 31	***	anthropogenic	13	St. Johannis-kloster, 13	Alsleben 1991
Alfstraße/Schüßelbuden	HL 70	4088	rubbish pit	before 1225	Alfstrasse, 13	Alsleben 1991
		4089	rubbish pit	before 1225	Alfstrasse, 13	

(cont'd)

Table 1 cont'd

Location	Dig number	Sample number	Type of find	Date (in centuries)	Listed in Table 2 under the heading	Source
		4092	rubbish pit	before 1225	Alfstrasse, 13	
		3006	rubbish pit	before 1225	Alfstrasse, 13	

Table 2  
Plant Macroremains Found in Excavations in Hundestraße, St. Johanniskloster, and  
Alfstrasse/Schüßelbuden  
(see Table 1 for sources)

Excavation		St. Johanniskloster	Hundestr. 9-17	Hundestr. 9-17	Hundestr. 9-17	Hundestr. 9-17	Hundestr. 9-17	Alfstr.	Alfstr.
Date (century)		13	before or around 1300	14	14-15	before 1615	13	15 ff.	16 ff.
BEER-FLAVOURING PLANTS									
Humulus lupulus	Hops	36	155	1	58		50	1	15
Myrica gale, fruit	Sweet gale			2			5		

(cont'd)



Table 2 *cont'd*

Excavation	St. <i>Johannis-</i> <i>kloster</i>	<i>Hundestr.</i> 9-17	<i>Hundestr.</i> 9-17 <i>before or</i> <i>around</i> 1300	<i>Hundestr.</i> 9-17	<i>Hundestr.</i> 9-17	<i>Hundestr.</i> 9-17	<i>Alfstr.</i>	<i>Alfstr.</i>	<i>Alfstr.</i>
<i>Date (century)</i>	13	13		14	14-15	<i>before</i> 1615	13	15 ff.	16 ff.
OIL PLANTS									
<i>Camelina sativa</i>		1						1	
<i>Camelina sativa</i> , seed				1			1	1	
<i>Camelina sativa</i> , pod							1	1	
<i>Cannabis sativa</i>	1			7			7	3	27
<i>Linum usitatissimum</i>	12	65		17	1	1		20	
<i>Linum usitatissimum</i> , seed									
<i>Linum usitatissimum</i> , capsule		3					1	1	
<i>Papaver somniferum</i>		12	4	166	1			71	1
VEGETABLES									
<i>Apium graveolens</i>	5			1					

(*cont'd*)

Table 2 *cont'd*

<i>Excavation</i>	<i>St. Johannis-kloster</i>	<i>Hundestr. 9-17</i>	<i>Hundestr. 9-17</i>	<i>Hundestr. 9-17</i>	<i>Hundestr. 9-17</i>	<i>Hundestr. 9-17</i>	<i>Hundestr. 9-17</i>	<i>Alfstr.</i>	<i>Alfstr.</i>
<i>Date (century)</i>	13	13	before or around 1300	14	14-15	before 1615	13	15 ff.	16 ff.
<i>cf. Beta</i> sp., blossom									
<i>Brassica/sinapis</i>									
<i>Brassica nigra/rapa</i>	6	31 (nigra) and 30 (rapa)		41 (nigra), 27 (rapa)		12	9	26	12
<i>Brassica oleracea/napus</i>	15	or 30		or 27		or 12	1	16	5
<i>Daucus carota</i>	1							2	
<i>Pastinaca sativa</i>	2							1	
<i>Sinapis cf. alba</i> , carbonized		4					1		
LEGUMES									
<i>Lens culinaris</i>				1					
<i>Pisum sativum</i>		4							

(*cont'd*)

Table 2 *cont'd*

Excavation	St. Johannis- kloster	Hundestr. 9-17	Hundestr. 9-17 before or around 1300	Hundestr. 9-17	Hundestr. 9-17	Hundestr. 9-17	Alfstr.	Alfstr.	Alfstr.
Date (century)	13	13		14	14-15	before 1615	13	15 ff.	16 ff.
<i>Pisum sativum</i> , carbonized							1		
<i>Vicia faba</i>		3							
HERBS AND SPICES									
<i>Aframomum</i> <i>melegueta</i>									3
<i>Anethum graveolens</i>			4	1				1	
<i>Carum carvi</i>		4						16	7
<i>Coriandrum sativum</i>				1		13		4	15
<i>Elleteria</i> <i>cardamomum</i>									3
<i>Foeniculum</i> / <i>Anethum</i>		4		2				14	
<i>Foeniculum vulgare</i>						1	2	38	35
<i>Petroselinum</i> sp.									
<i>Petroselinum</i> <i>crispum</i>	1			3				1	

(*cont'd*)

Table 2 *cont'd*

<i>Excavation</i>	<i>St. Johannis- kloster</i>	<i>Hundestr. 9-17</i>	<i>Hundestr. 9-17</i>	<i>Hundestr. 9-17</i>	<i>Hundestr. 9-17</i>	<i>Hundestr. 9-17</i>	<i>Alfstr. 13</i>	<i>Alfstr. 15 ff.</i>	<i>Alfstr. 16 ff.</i>
<i>Date (century)</i>	13	13	<i>before or around 1300</i>	14	14-15	<i>before 1615</i>	13	15 ff.	16 ff.
<i>Piper nigrum</i>									4
<i>Anthemis tinctoria</i>	1								1
FRUITS									
<i>Crataegus oxyacantha</i>							1	1	1
<i>Cydonia</i> sp.								3	3
<i>Ficus carica</i>		76	200	431		105	1	497	259
<i>Fragaria vesca</i>	4	523	28	910		345	70	652	201
<i>Malus domestica</i>		91	9	72		80			
<i>Malus</i> sp.							1	12	210
<i>Mespilus germanica</i>									3
<i>Morus nigra</i>				10				1	3
<i>Prunus avium</i>		8	11	14		42	1	42	2079
<i>Prunus cerasus</i>	1			2		3		6	389

(*cont'd*)

Table 2 cont'd

Excavation	St. Johannis- kloster	Hundestr. 9-17	Hundestr. 9-17 before or around 1300	Hundestr. 9-17	Hundestr. 9-17	Hundestr. 9-17	Alfstr.	Alfstr.	Alfstr.
Date (century)	13	13	before or around 1300	14	14-15	before 1615	13	15 ff.	16 ff.
<i>Prunus domestica</i>			4					1	6
<i>Prunus insititia</i>	1			10	1		1		24
<i>Prunus insititia</i> , A							1		4
<i>Prunus insititia</i> , B								5	73
<i>Prunus insititia</i> , C								1	54
<i>Prunus insititia</i> , D									5
<i>Prunus insititia</i> , E								1	11
<i>Prunus insititia</i> , F								1	15
cf. <i>Prunus padus</i>									
<i>Prunus persica</i>									1
<i>Prunus</i> sp.								1	
<i>Prunus spinosa</i>			4	2			1	1	411
<i>Pyrus communis</i>		4	11	18		45			

(cont'd)

Table 2 *cont'd*

<i>Excavation</i>	<i>St. Johannis-kloster</i>	<i>Hundestr. 9-17</i>	<i>Hundestr. 9-17</i>	<i>Hundestr. 9-17</i>	<i>Hundestr. 9-17</i>	<i>Hundestr. 9-17</i>	<i>Hundestr. 9-17</i>	<i>Hundestr. 9-17</i>	<i>Hundestr. 9-17</i>	<i>Alfstr.</i>	<i>Alfstr.</i>
<i>Date (century)</i>	13	13	<i>before or around 1300</i>	14	14-15	<i>before 1615</i>	13	15 ff.	16 ff.		
<i>Pyrus</i> sp.											
<i>Pyrus/Malus</i>				2				72	607		
<i>Ribes</i> sp.				1							
<i>Rubus caesius</i>	3							3	10		
<i>Rubus fruticosus</i> agg.		16	24	36			13	4	14	131	
<i>Rubus idaeus</i>	12	70	21	70			12	105	15	28	
<i>Rubus</i> sp.											
<i>Sambucus nigra</i>	33			4				1	1		
<i>Vaccinium cf. uliginosum</i>									3		
<i>Vaccinium cf. vitis-idaea</i>				5					5	1	
<i>Vaccinium myrtillus</i>	1	6		19			45	19	17	7	
<i>Vitis vinifera</i>		3	2	2			42	1	26	1342	

(*cont'd*)

Table 2 cont'd

Excavation		St. Johannis- kloster	Hundestr. 9-17	Hundestr. 9-17	Hundestr. 9-17	Hundestr. 9-17	Hundestr. 9-17	Alfstr. Alfstr.	Alfstr. Alfstr.
Date (century)		13	13	14	14-15	before 1615	13	15 ff.	16 ff.
NUTS									
Corylus avellana	Hazel	4	16	1	22		1	1	9
Juglans regia	Walnut						1	1	2

