

## ИСТОРИОГРАФИЯ, ИСТОЧНИКОВЕДЕНИЕ И МЕТОДЫ ИСТОРИЧЕСКОГО ИССЛЕДОВАНИЯ

### Town Book *Niederstatbuch* as a Source for Medieval Lübeck Society

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The article is devoted to a town book known as *Niederstadtbuch*. The main attention is paid to the draft version (the so-called *Urschrift*) of the manuscript of this source, which is stored in the Scientific Library of Tomsk State University. The source, mainly, contains information about loans. The Latin name of the book was “*liber debitorum*”. One of the issues which the article focuses on is proofreading. First of all, the text bears corrections which were of a semantic nature. Of particular importance was the study of the strikethrough positions. Their number is 61 crossed out positions. In the course of the research was established the logic of the records’ creation. The creditor personally applied for registration of the record in the office. Cases in which it was stated that the debtor’s record was made in the absence of the creditor could most likely be considered an exception to the rule. Most likely, the creditor either initiated the cancellation of the record itself or through its authorized representative. The debtor may also have initiated cancellation, as evidenced by the reference to its being held liable for

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it. In addition, several hands of scribes were found, including one based on a clean version, the so-called *Reinschrift* from the Lübeck archive. The first secretary was Theodore. In most cases, he certified the entries in the book, but in some cases, his hand was also used to write the main text. The second secretary was Johann Lebradé. The third secretary was Hartwick Brekewalt. A comparison with the Tomsk manuscript revealed that his hand also appears in the draft of the source under study.

*Keywords:* *Niederstadtbuch*, town book, Hansa, Lübeck Law, Lübeck Council.

## Городская книга *Нидерштадтбух* как источник по истории общества средневекового Любека

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Статья посвящена любекской городской книге, известной как *Niederstadtbuch*. Дан краткий обзор изучения данного вида источника, а также представлен генезис названия. В статье поставлен вопрос о способах дальнейшего изучения *Niederstadtbuch* и продемонстрирована перспектива использования сравнительного анализа чистового и чернового вариантов одной и той же *Niederstadtbuch*. Основное внимание обращено на черновой вариант (так называемый *Urschrift*) рукописи данного источника, хранящегося в Научной библиотеке Томского государственного университета под шифром В-1943. Было установлено, что главным образом фиксировалась информация о займах. Латинским эквивалентом названия данного источника было «*liber debitorum*». Рассмотрены корректуры текста. Прежде всего речь идет об исправлениях, которые носят смысловой характер. Особую важность представляет собой изучение вычеркнутых позиций. Их количество составляет 61 позицию. В ходе исследования была установлена логика создания и вычеркивания подобных записей. Как правило, кредитор лично подавал заявку на регистрацию записи в канцелярии. Случаи, в которых указывалось, что запись должника сделана в отсутствие кредитора, вероятнее всего, можно рассматривать как исключение из правил. Очевидно, кредитор либо сам, либо через своего уполномоченного инициировал отмену записи. Должник также мог произвести отмену, что доказывалось упоминанием о его привлечении к ответственности за это. Кроме того, установлено несколько рук писцов, в том числе на основе сверки с чистовым вариантом, так называемым *Reinschrift*, из архива Любека. Первым секретарем был некий служащий по имени Теодор. Чаще всего он заверял записи в книге, но в ряде случаев его рукой написан и основной текст. Вторым секретарем был Иоганн Лебраде, третьим — Хартвик Брекевольт. В результате сравнения с томской рукописью установлено, что его рука также встречается в черновом варианте изучаемого источника.

*Ключевые слова:* *Niederstadtbuch*, городская книга, Любек, любекское право, совет Любека.

Lübeck is a city in which its rich political and economic history became closely intertwined. It was the centre of the Hanseatic League, a confederation of market towns in the Baltic Sea region. It is also recognised as an “exporter” of its own urban law system known as the Lübeck law. Bearing in mind the important role played by medieval Lübeck, we would like to mainly address its internal history, which is often inseparable from other cities in the region.

In this regard, we would like to refer to such type of information source as the town book and its varieties. This interest was mainly triggered by two circumstances. Firstly, this type of source has been insufficiently studied. At present, there is only a small number of articles referring to this problem alongside the only complete publication of the source, supplemented by scholarly comments. Secondly, unlike chronicles or individual commercial acts, the town book is a collection of notes related to the internal social and economic situation in Lübeck, assembled in one code. This type of source demonstrates how closely private and public spheres were interrelated in a medieval city. On the one hand, some records may contain information of a purely private economic nature, and on the other hand, they may show social connections within Lübeck or outside of it. In addition, when it comes to *Niederstadtbuch*, it is noteworthy that Tomsk keeps one of the copies of this source, which in itself is quite important because to this day it has been considered lost.

The interest in this kind of town books (*Stadtbücher*) arose in the 1830s, because then many volumes were introduced into scholarship by a historian of law Charles Wilhelm Paul<sup>1</sup>. *Oberstadtbuch*, which was explored in great detail by Rehme, first attracted the attention of researchers<sup>2</sup>, followed later by the *Niederstadtbuch*<sup>3</sup>. One of the main questions was related to the emergence of this type of city book. Ulrich Simon, for example, suggested that this might have been due to an appeal by the merchants of Lübeck to one of the city council secretaries who was literate and was the only one who could make written records of oral contracts for possible use in court. However, this thesis was later questioned by the researcher himself in a further discussion with Klaus Friedland described by Wilhelm Ebel<sup>4</sup>. An important contribution to the study of the functioning of this type of source in the late 15<sup>th</sup> century was made by Harm von Seggern<sup>5</sup>.

The *Niederstadtbuch* below is a collection of legal records in one form or another relating to economic activity. Business transactions, wills and debts were recorded in it. The records for the period from 1277 to 1863 are preserved. Today there are 348 manuscript volumes of the city book of such character, which are kept in the archives of the Hanseatic city of Lübeck (Archiv Hansestadt Lübeck — AHL)<sup>6</sup>. For almost every volume there has

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<sup>1</sup> Pauli C. W. *Abhandlungen aus dem Lübisches Rechte*. Bd. 1. Lübeck, 1837. S. 5–8; Poel G. Carl Wilhelm Pauli // *Zeitschrift der Vereins für Lübeckische Geschichte und Altertumskunde*. 1884. Bd. 4, Hft. 2. S. 72.

<sup>2</sup> Rehme P. *Das Lübecker Oberstadtbuch*. Ein Beitrag zur Geschichte der Rechtsquellen und des Liegenschaftsrechtes. Mit einem Urkundenbuche, Hannover, 1895.

<sup>3</sup> Rörig F. *Das Lübecker Niederstadtbuch des 14. Jahrhunderts, Seine rechtliche Funktion, sich wandelnde Zwecksetzung und wirtschaftsgeschichtliche Bedeutung* // *Ehrengabe für den Deutschen Juristentag*. Lübeck, 1931. S. 33–54; Lehe E. von. *Die Schuldbücher von Lübeck, Riga und Hamburg — ihr Quellenwert zur hansischen Frühgeschichte* // *Städtewesen und Bürgertum als geschichtliche Kräfte, Gedächtnisschrift für Fritz Rörig* / hrsg. von A. von Brandt und W. Koppe. Lübeck, 1953. S. 165–177.

<sup>4</sup> Wilhelm Ebel pointed out that the private business records of the Lübeck dealers had already been used in court. In addition, the researcher showed that information on the economic activities of the Wittenborg family, recorded in the 14<sup>th</sup> century in the *Niederstadtbuch*, amounted to only about five per cent of all trade documents from the this family's trade book. For more information see: Seggern H. von. *Quellenkunde als Methode. Zum Aussagewert der Lübecker Niederstadtbücher des 15. Jahrhunderts*. Köln, Weimar, Wien, 2016. S. 45–49.

<sup>5</sup> Seggern H. von. *Zur Tätigkeit der Prokuratoren vor dem Lübecker Rat gegen Ende des 15. Jahrhundert* // *Hansische geschichtsblätter*. 2013. Jg. 131. S. 195–229.

<sup>6</sup> Seggern H. von. *The „Niederstadtbuch“: a source for the history of private life of Lübeckers around 1500* // *A companion to Medieval Lübeck* / ed. by C. Jahnke. Leiden, Boston, 2019. P. 353.

been preserved so-called *Reinschrift* and *Urschrift*. One copy of those is kept in the Scientific Library of Tomsk State University.

The first records relating to *Niederstadtbuch* date back to the second half of the 13<sup>th</sup> century. It seems that the emergence of the town book (which, along with the so-called *Oberstadtbuch*, was also *Niederstadtbuch*) is closely connected with the political history of the city, i. e. the formation and development of the city book in this century was not accidental. On the one hand, it was linked with the processes of the city law formation, and on the other hand — with the political events pertaining to the struggle of Lubeck with both secular and religious authorities.

The establishment of the institute of urban law in the Holy Roman Empire remains controversial. Many researchers attribute this process to the 12<sup>th</sup> century, while others — to the 11<sup>th</sup> century, but it acquires its most distinct features in the 13<sup>th</sup> century. Wilhelm Ebel<sup>7</sup>, Gerhard Dilcher<sup>8</sup> and Karl Kreuzschel believe that urban law in Germany itself took shape in the 12<sup>th</sup> century. Some researchers, such as Heiner Lück<sup>9</sup>, emphasize that medieval German cities in the 11<sup>th</sup> century gradually began to stand out from the general legal order, but urban law as a relatively independent legal family started contrasting with feudal law only from the middle of the 13<sup>th</sup> century.

The starting point in the ongoing controversy among legal scholars is the report of the chronicler Arnold of Lübeck, Abbot of St. Johann's Monastery in Lübeck, who continued the recording of the "Slavonic Chronicle" by Helmold of Bosau. He wrote that the inhabitants of Lubeck after the fall of Duke Henry the Lion defended their city from the Emperor-King for another year, keeping loyalty to their former master — Henry the Lion<sup>10</sup>. However, they had to open the city gates by the order of Henry himself. At the same time, they demanded that the king preserve the rights given to them and record them in the "Duke Henry's Privilege". This source refers to preservation of rights of the city of Soest, which was transferred in the form of a "*Schrae*"<sup>11</sup>. In historiography, there is a point of view that this law could have been based on the Lombard model that came through Cologne<sup>12</sup>. A number of cities in the area, such as Krombach, adopted this system of law. However, the most notable example is that of Lübeck, which is situated at a considerable distance. Although it is not clear to what extent this law was applicable to Lübeck, it happened in 1160. A year later, Duke Heinrich the Lion granted the city the so-called Artlenburg Privilege, which equated it in legal status with merchants from Gotland<sup>13</sup>.

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<sup>7</sup> Ebel W. Deutsches Recht im Osten: Sachsenspiegel, Lübisches und Magdeburgisches Recht. Kitzingen; Main, 1952. S. 9.

<sup>8</sup> Dilcher G. Landrecht-Stadtrecht-Territoriales Recht // Statuten, Städte und Territorien zwischen Mittelalter und Neuzeit in Italien und Deutschland / hrsg. von G. Chittolini und D. Willoweit. Berlin, 1992. S. 49.

<sup>9</sup> Lück H. Zur Gerichtsverfassung in den Mutterstädten des Magdeburger und Lübecker Rechts / Grundlagen für ein neues Europa. Das Magdeburger und Lübecker Recht in Spätmittelalter und Früher Neuzeit / hrsg. von H. Lück, M. Puhle und A. Ranft. Köln; Weimar; Wien, 2009. S. 163–181.

<sup>10</sup> Ebel W. Lübisches Recht im Ostseeraum. Köln; Opladen, 1967. S. 15.

<sup>11</sup> Seibertz J.S. Die alte Soester Schrae // Urkundenbuch zur Landes- und Rechtsgeschichte des Herzogthums Westfalen. Bd. 2: 1300 bis 1400. Arnsberg, 1843. S. 387–417; Welt K. Das alte Soester Stadtrecht in seinem Verhältnis zum Kölner Recht. Münster, 1960.

<sup>12</sup> Ebel W. Das Soester Recht. Wesen, Herkunft und Bedeutung // Soester Zeitschrift. 1959. Bd. 72. S. 5–23; Schöne Th. Das Soester Stadtrecht vom 12. bis zur Mitte des 15. Jahrhunderts. Zugleich ein Beitrag zur Entwicklung deutscher Stadtrechte im hohen und späten Mittelalter. Paderborn, 1998.

<sup>13</sup> Die Urkunden Heinrichs des Löwen, Herzogs von Sachsen und Bayern / hrsg. von K. Jordan. Stuttgart, 1957–1960. S. 68–70. Nr. 48, 49; Hoffmann E. Lübeck und die Erschließung des Ostseeraums // Han-

After Henry was deprived of power in 1180<sup>14</sup>, Lübeck for the first time became the territory controlled by the emperor. In order to ensure its rapid development, Friedrich gave it the city lands and rights of use in its surroundings. For this purpose, on 19 September 1188, the Emperor granted a new privilege<sup>15</sup>, extending the rights guaranteed by Henry the Lion<sup>16</sup>. At the same time, it was one of the first references to the term “*Lubensi iure*”, but it is difficult to say what the content of this concept was<sup>17</sup>.

Important events for Lübeck’s history unfolded at exactly the same time. One of the earliest records of Lübeck law dates back approximately to 1225. The following year, Lübeck was granted the status of a free imperial city<sup>18</sup>. The year of 1227 was marked by the victory over the Danes at the Battle of Bornheved and the successful outcome of the conflict with the episcopate<sup>19</sup>.

This brief review shows that the formation of the political, economic and legal basis for the subsequent development of the city is connected exactly with the 13<sup>th</sup> century. With this regard, it is quite understandable that this was the time of the emergence of two important sources — *liber hereditatum*, which would later be called *Oberstadtbuch*, and *liber debitorum*, later called *Niederstadtbuch*. These sources comprise most essential evidence of the development of urban law in the Late Middle Ages. Thus, Konrad Bayerle compared their significance with, for example, the land cadastres of Cologne<sup>20</sup> in the 1230s noting that they had become increasingly important<sup>21</sup>. A similar picture was painted by Wilhelm Ebel and Hermann Conrad, who indicated the place of these sources in the legal “line” of Cologne-Soest-Lübeck<sup>22</sup>.

The *Niederstadtbuch*, like *Oberstadtbuch*, was developing as books reflecting the social and legal contexts of the city. As already mentioned, in 1277, *Niederstadtbuch* appeared as “*liber, in quo debita conscribuntur*”, the general name thus derived was “*liber deb-*

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se — Lebenswirklichkeit und Mythos / hrsg. von J. Brackler, V. Henn, R. Postel. Hamburg, 1989. Bd. 1. S. 34; *Graßmann A.* Lübeckische Geschichte. Lübeck, 1989. S. 94–99.

<sup>14</sup> *Dusil S.* Die Soester Stadtrechtfamilie: mittelalterliche Quellen und neuzeitliche Historiographie. Köln, Weimar, Wien, 2007. S. 122.

<sup>15</sup> The original Barbarossa privilege has not been preserved. Thanks to the research in 1914 it became known that the copy was kept in the archives of the Hanseatic city of Lübeck. It was made by the Lübeck canon Marold around 1225/26, and submitted for approval to emperor Frederick II in May 1226. The aim was to strengthen Lübeck’s position in the fight against the Danish King Waldemar II and the Holstein Counts of Schauenburg.

<sup>16</sup> *Urkundenbuch der Stadt Lübeck.* Lübeck, 1843. Bd. I, Nr. 7; *Mecklenburgisches Urkundenbuch.* Schwerin, 1863. Bd. I, Nr. 143.

<sup>17</sup> *Ebel W.* Lübisches Recht im Ostseeraum. S. 15.

<sup>18</sup> *Urkundenbuch der Stadt Lübeck.* Bd. 1, Nr. 32. See *Rörig F.* Hansische Beiträge zur deutschen Wirtschaftsgeschichte. Breslau, 1928. S. 16; *Ebel W.* Forschungen zur Geschichte des lübisches Rechts. Lübeck, 1950. S. 21; *Brehmer W.* Zusammenstellung der erhaltenen Eintragungen in das älteste Oberstadtbuch // *Zeitschrift des Vereins für Lübeckische Geschichte und Alterthumskunde.* 1884. Bd. 4, Hft. 3. S. 223; *Reetz Jü.* Bistum und Lübeck um 1300. Die Streitigkeiten und Prozesse unter Burkhard von Serkem, Bischof 1276 bis 1317. Lübeck, 1955. S. 128.

<sup>19</sup> *Brehmer W.* Zusammenstellung der erhaltenen Eintragungen. S. 241, Nr. 263.

<sup>20</sup> More about this source see: *Militzer K.* Schreineintragungen und Notariatsinstrumente in Köln // *Notariado público y documento privado. De los orígenes al siglo XIV.* Actas del VII Congreso Internacional de Diplomática. Valencia, 1986. Bd. 2. Conselleria de Cultura, Educación i Ciència, Generalitat Valenciana. Valencia, 1989. S. 1195–1224.

<sup>21</sup> *Bayerle K.* Die deutschen Stadtbücher // *Deutsche Geschichtsblätter.* Monatsschrift zur Förderung der landesgeschichtlichen Forschung. 1910. Bd. 11, Hft. 6/7. S. 159.

<sup>22</sup> *Ebel W.* Lübisches Recht im Ostseeraum. S. 34, *Conrad H.* Das Zivilrecht im Rechtsunterricht für den Erzherzog Joseph // *Festschrift Hans Lentze / hrsg. von N. Grass.* Innsbruck; München, 1969. S. 18.

itorum” corresponding to “*liber hereditatum*” or “*Oberstadtbuch*”. This title, of course, was widely used, but in the 14<sup>th</sup> century it was replaced by another one, which subsequently superseded the first name. Evidence of such instances can be traced in 1338 and 1341. The entry in Niederstadtbuch from 1338 states: “*superiori libro hereditatum civitatis*”<sup>23</sup>, while in Oberstadtbuch from 1341: “*inferiore libro civitatis*”, “*libro inferior*”, i.e. these two books are interlinked and occasionally refer to each other. And this is not a singular testimony. The entry from 1390 in Niederstadtbuch features the following: “*superiori libro, videlicet hereditatum*”. These names had been in use for a considerable amount of time and can be found, for example, in records from 1408 or 1411.

At the same time, at the beginning of the 15<sup>th</sup> century German-speaking terms emerge (which, according to Simon, had been used before), namely in the record in Niederstadtbuch in 1418 — “in der stad Lubeke oversten boke”, and in another one dating back to 1422 — “*dat nederste bok*”. However, as Simon pointed out, in other Lübeck sources, which came out of the magistrate’s chancellery, such wordings as “in der stad boversten boke” did not occur.

In the meantime, another important stage of development can be observed: the merging of “*der stad*” and “*bok*” into a single structure “*stadbok*”. Thus, records from 1461 and 1462 in Oberstadtbuch already mention “*deme neddersten stadboke*”<sup>24</sup>. In the following years this merging is episodic but from the middle of the 16<sup>th</sup> century it becomes prevailing.

As for the meaning of this term, according to the data of the Lübeck council of 1687, the Oberstadtbuch was kept “...*oben aufm Rathhause...*”<sup>25</sup> (in the building of the town hall), and the Niederstadtbuch “...*auf der Canzley...*”<sup>26</sup>.

*Niederstadtbuch* underwent certain stages in its development, which were particularly noticeable at the end of the Late Middle Ages. This process is manifest in the nature of the genesis of information as well as in the language of presentation.

Two “parts” of Niederstadtbuch can be traced back to the 14<sup>th</sup> century. The first one is “*recognitiones*”, which was traced up to 1352 and contained information on indebtedness (in the form of receipts). Records of the buyer’s agreement to pay a price for the goods by a certain date are very common among those. This section also includes information on payments under family or hereditary legal obligations. The second subgroup of entries refers to approximately 1311–1361, the so-called “*societates*”<sup>27</sup>, which is a kind of register of trade associations<sup>28</sup>.

Presumably beginning from 1348, the “*societates-Register*” and the main part of *Niederstadtbuch* became interrelated. The entry from this year in the main text mentions

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<sup>23</sup> Pauli C. W. *Abhandlungen aus dem Lübschen Rechte*. Bd. 4. Lübeck, 1865. Urk. B 23; Rehme P. *Das Lübecker Oberstadtbuch*. S. 262; Reetz Ju. *Über das Lübecker Niederstadtbuch // Zeitschrift des Vereins für Lübeckische Geschichte und Altertumskunde*. Lübeck, 1955. Bd. 35. S. 41.

<sup>24</sup> Heinsohn W. *Das Eindringen neuhochdeutsche Schriftsprache in Lübeck während des 16 und 17. Jahrhunderts*. Lübeck, 1933. S. 15.

<sup>25</sup> Rehme P. *Das Lübecker Oberstadtbuch*. S. 258.

<sup>26</sup> *Ibid.* S. 259.

<sup>27</sup> Cordes A., Friedland K., Sprangel R. *Das Verzeichnis der Handelsgesellschaften im Lübecker Niederstadtbuch 1311*. Köln; Weimar; Wien, 2003.

<sup>28</sup> Simon U. *Societates. Inhalt // Das Verzeichnis der Handelsgesellschaften im Lübecker Niederstadtbuch 1311–1361 / hrsg. von A. Cordes, K. Friedland, R. Sprangel*. Köln; Weimar; Wien: Böhlau, 2003. S. 51–55.

1345 “*societates-Register*” as placed “*in hoc libro*”<sup>29</sup>. Taking this into consideration, it can be stated that the boundaries between the two sections were gradually erased<sup>30</sup>. This process, among other things, was facilitated by unsystematic accounting records kept by the city clerk Martin von Golnow, and took its final shape by the 1360s<sup>31</sup>.

At the same time, in the middle of the 14<sup>th</sup> century, another apparent alteration took place. Approximately from September 1350 onwards, records pertaining to wills, i. e., previously related to *recognitiones*, got increasingly incorporated into *Niederstadtbuch*<sup>32</sup>. Thus, up to the second half of the 14<sup>th</sup> century, *Niederstadtbuch* had consisted of several sections which encompassed this compilation, holding all of the parts together by the 15<sup>th</sup> century.

The second change that can be traced concerns the gradual change in the language of document. Prior to the beginning of the 15<sup>th</sup> century, records had been kept in Latin, which can be seen in aforementioned of the city books. However, there were some words in the Middle Low German, such as local legal or economic terms, proper nouns. Sometimes the German surname was translated into Latin: “*estas*” — “*somer*”, “*manso*” — “(*van der*) *hoeve*” etc<sup>33</sup>. It was the study of the source language that made it possible to notice a slight alteration in the wording “*consilio et iussu eorum hic notatum*”, in which “*eorum*” was gradually replaced by “*eius*”), which, in the researcher’s opinion, indicated an shift in the contemporaries’ perception, a transition from “advisors” to “council”<sup>34</sup>. It is also important to note that if in the 14<sup>th</sup> century *Niederstadtbuch* was written in Latin, by the end of the 15<sup>th</sup> century it was completely superseded by the Middle Low German, and from the 16<sup>th</sup> century it was replaced by the Middle High German<sup>35</sup>.

The analysis of the structure of this type of source will exemplified by *Niederstadtbuch*, which is kept in the library of Tomsk State University. This manuscript is a code written on paper variously decorated with filigree. Ink shade ranges from light brown to almost black. The binding dates back to the early 20<sup>th</sup> century. Judging by the characteristic stains — smudges of dirt on the first and last sheets — notebooks were clearly stored separately for a long time. Perhaps the bindings we see today were the first one for this book. There are fingerprints and other domestic stains visible on the margins of these notebooks.

The manuscript is written in a variety of handwritings that do not correlate with the paper used. This indicates that the manuscript was not built up of the already established blocks, but rather its content was filled coherently. The codex consists of 44 notebooks with 6–7 bifolios inside each one. Often one or two sheets were glued together in notebooks. Page layout, which is present in rare cases, is made in ink or lead pencil. In other

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<sup>29</sup> Archiv Hansestadt Lübeck (AHL). *Niederstadtbuch* (NStB). 1348. fol. 345. See more: Rörig F., Brandt A. *Das Lübecker Niederstadtbuch // Monumenta Palaeographica. Denkmäler der Schreibkunst des Mittelalters / hrsg. von Anton Chroust. Leipzig, 1939. III Reihe, XX Lieferung. Tafel 5.*

<sup>30</sup> Rörig F., Brandt A. *Das Lübecker Niederstadtbuch. Tafel 5.*

<sup>31</sup> Bruns F. *Lübecker Syndiker und Ratssekretäre bis zur Verfassungsänderung von 1851 // Zeitschrift der Vereins für Lübeckische Geschichte und Altertumskunde. 1938. Bd. 29. S. 124.*

<sup>32</sup> Reetz Ju. *Über das Lübecker Niederstadtbuch. S. 16.*

<sup>33</sup> AHL, NStB. 1347. Fol. 524. See: Reetz Ju. *Über das Lübecker Niederstadtbuch. S. 52.*

<sup>34</sup> Reetz Ju. *Über das Lübecker Niederstadtbuch. S. 53.*

<sup>35</sup> Heinsohn W. *Das Eindringen neuhochdeutsche Schriftsprache in Lübeck während des 16 und 17. Jahrhunderts. Lübeck, 1933; Teske H. Der Ausklang der Lübecker Rechtssprache im 16 Jahrhundert // Ehrengabe dem deutschen Juristentage überreicht vom Verein für Lübeckische Geschichte und Altertumskunde. Lübeck, 1931. S. 55–101.*

words, the structure of *Niederstadtbuch* (*Urschrift*) is irregular, which once again proves that what we have before us is a working prototype similar to *Urschrift*.

This is also supported by a large number of annotations of all kinds present in the manuscript. First of all, such annotations comprise various corrections of semantic nature in the text. Then, there are numerous additional comments in the margins. Finally, many articles are crossed out. It is important to point out that there are three types of crossing out of these articles: neat diagonal lines, chaotic crisscross lines and two intersecting wave-like lines. Most likely, it indicates that the manuscript was not only written, but also edited by different people.

In the signature B-1943 under consideration, the cases relate to movable property, including financial disputes or transactions. There are several types of proceedings that can be identified in *Niederstadtbuch*. Most of the cases concern financial matters. Very often it is the debt linked to a loan from one person to another. Among other things, there are also proceedings related to the payment of annual rents. In the course of the process, the respondent addressed the Lübeck's council either through his own representative or through an authorized representative.

As mentioned above, from the middle of the 14<sup>th</sup> century the issues of inheritance became part of the *Niederstadtbuch*. For example, the declaration of individual inheritance rights or the hearing of the text of the will by the Lübeck Council could be noted<sup>36</sup>. The source under consideration reflects not only the social and economic picture of Lübeck, but also illuminates the process of its own creation. At the moment, the names of two secretaries have been identified. In particular, there are notes and certifications signed by "Teod. Brands"<sup>37</sup>. He can be identified with the city council secretary Theodor Brandes<sup>38</sup>. In most cases, Theodore Brandes gave an assurance to the entries in the book ("*teste manu mea*") in fol. 60r 219v–224v. The main text of this source was written in his hand ("*Theod. Brand. scripsit*"). This secretary is also mentioned in the main text. He had a small italic handwriting with a crossed-out letter "p". There are many abbreviations in the text. It can be concluded that this secretary was also involved in the preparation of the so-called *Reinschrift*, the final version of *Niederstadtbuch*, as his notes are found there as well.

Another secretary was Johann Lebrade. In fol. 531 there is a note written by his hand "*Ego Johannes Lebrade*"<sup>39</sup>. Given that he died on 14 April of the same year, it is understandable that there is a small number of his notes in the manuscript in question. Both secretaries are mentioned by Bruns in his study of the secretaries of the Lübeck Council, which includes other secretaries, such as Johann de Bersenbrügge, Rainer Hollager and Hartwick Brekewolt. The latter two are known to have participated as prothonotaries in

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<sup>36</sup> Seggern H. v. Zur Tätigkeit der Prokuratoren vor dem Lübecker Rat gegen Ende des 15. Jahrhundert // *Hansische geschichtsblätter*. 2013. Jg. 131. S. 195–229.

<sup>37</sup> Library of Tomsk State University. B-1943. 151v, 210r, 218v, 234v.

<sup>38</sup> It is known that in 1477 he was a secretary to the office in Bergen, then he took the aforementioned position, which he held until his death in 1500. See *Simon U.* Die Lübecker Niederstadtbuch. Seine Charakterisierung über das Jahr 1400 hinaus // *Gelebte Normen im urbanen Raum? Zur sozial- und kulturgeschichtlichen Analyse rechtliche Quellen in Städten des Hanseraums (13. bis 16. Jahrhundert)* / hrsg. von H. Brand, S. Rabeler und H. von Seggern. Hilversum, 2014. S. 79.

<sup>39</sup> It is known that until 1494 he was the secretary of the Bishop of Ratzeburg, Johann von Parkentin, and from 2 January 1495 he served as secretary of the city council. See: *Bruns F.* Lübecker Syndiker und Ratssekretäre bis zur Verfassungsänderung von 1851 // *Zeitschrift der Vereins für Lübeckische Geschichte und Altertumskunde*. Lübeck, 1938. Bd. 29. S. 132–133.



the compilation of Oberstadtbuch, Hollager — from October 1483 to February 1492<sup>40</sup>, and Brekenwolt — from February 1493 to October 1513<sup>41</sup>.

However, what is more significant is not only who contributed information, but also how<sup>42</sup>. The information often relating to the debts of one person to the other was added to Niederstadtbuch. As a general rule, the creditor personally requested the registration of the entry at the chancellery. Cases stating that the debtor's entry was made in the absence of a creditor most likely can be regarded as an exception to the rules<sup>43</sup>. But the other party was a subject to similar obligations. If the debtor could not be present at the registration of the entry, he was obliged to send an authorized person. If not all participants were present, the registration of the record could be deferred.

To delete a debt entry, it had to be crossed out several times. Most likely, the creditor either initiated the cancellation of the record himself or through his authorized representative. In Reetz's view, the debtor could also make the cancellation, which was proved by the mentioning of the debtor being held liable for it<sup>44</sup>.

Deals under consideration were mainly related to residents of Lübeck, however, since Lübeck's jurisdiction extended to other members of the Hanseatic League, representatives of other cities such as Rostock, Stralsund, Wismar, Lüneburg, for a example, were also included. They came to Lübeck and personally presented their cases or the decisions of their city councils. Lübeck's council made an exception only for Reval, due to its remoteness, and a document written on parchment was allowed to be sent to Lübeck for inspection by two different ships. Lübeck's reply was also sent in writing. This practice explains the existence of court letters originated only from Reval<sup>45</sup>.

Thus, the *Niederstadtbuch*, which is kept in the Scientific Library of Tomsk State University, makes it possible to supplement the study of the economic and social life of medieval Lubeck from 1490 to 1495. Of particular interest is the comparison of draft and final versions of *Niederstadtbuch*. The first results showed that not all records were transferred to the final version. As a rule, they included cases crossed out in the draft. Given that these records were related to debts, this may mean that they had been paid off. The presence of the signatures of two city secretaries provides additional information about the creation of this source. Further research making use of special software (for example, Gephi) will enable to restore a network of ratmans, merchants and other participants in the economic process in the medieval Lübeck.

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<sup>40</sup> Bruns F. Lübecker Syndiker und Ratssekretäre. S. 132–133.

<sup>41</sup> Bruns F. Die Lübecker Stadtscheiber. S. 76.

<sup>42</sup> Deleted positions B-1943. f. 3–3v, f. 6v, f. 22v, f. 40, f. 49v, f. 52, f. 54v f. 60, f. 62, f. 64, f. 71, f. 78, f. 83v, f. 84, f. 153v, f. 160, f. 161, f. 172, f. 188, f. 192, f. 195, f. 220, f. 222, f. 226, f. 263, f. 264, f. 267v, f. 291, f. 391, f. 302, f. 307, f. 309, f. 331v, f. 335, f. 340v, f. 342v, f. 346, f. 347v, f. 354, f. 358, f. 361v, f. 362, f. 400, f. 418, f. 421, f. 428, f. 441, f. 446v, f. 455v, f. 461, f. 474v, f. 497, f. 527, f. 534v, f. 541, f. 548, f. 550, f. 551, f. 562, v. 567.

<sup>43</sup> Reetz Ju. Über das Lübecker Niederstadtbuch. S. 51.

<sup>44</sup> Ibid. S. 52.

<sup>45</sup> Ebel W. Lübisches Recht im Ostseeraum. S. 42. More about it: Kala T. Das Geschriebene und das Mündliche: das lübische Recht und die alltägliche Rechtspflege im mittelalterlichen Reval // Hansisches und hansestädtisches Recht. Trier, 2008. S. 102–106.

## References

- Brandt A. von. Die gesellschaftliche Struktur des spätmittelalterlichen Lübeck. *Untersuchungen zur gesellschaftlichen Struktur der mittelalterlichen Städte in Europa. Reichenau-Vorträge 1963–1964*. Konstanz, Stuttgart, 1966, S. 215–239.
- Bruns F. Die Lübecker Stadtscheiber von 1350–1500 in Lübeck. *Hansische Geschichtsblätter*, Jh. 1903, S. 45–105.
- Bruns F. Lübecker Syndiker und Ratssekretäre bis zur Verfassungsänderung von 1851, *Zeitschrift der Vereins für Lübeckische Geschichte und Altertumskunde*, 1938, Bd. 29, S. 91–169.
- Conrad H. Das Zivilrecht im Rechtsunterricht für den Erzherzog Joseph. *Festschrift Hans Lentze*. Hrsg. von N. Grass, Innsbruck, München, Wagner, 1969, S. 63–94.
- Cordes A., Friedland K., Sprangel R. *Das Verzeichnis der Handelsgesellschaften im Lübecker Niederstadtbuch 1311–1361*. Köln, Weimar, Wien, Böhlau, 2003, 122 S.
- Dusil S. *Die Soester Stadtrechtfamilie: mittelalterliche Quellen und neuzeitliche Historiographie*. Köln, Weimar, Wien, Böhlau, 2007, 439 S.
- Ebel W. *Forschungen zur Geschichte des lübischen Rechts*. Lübeck, M. Schmidt-Römhild, 1950, 165 S.
- Ebel W. *Lübisches Recht im Ostseeraum*. Köln, Opladen, Westdeutscher Verlag, 1967, 49 S.
- Graßmann A. *Lübeckische Geschichte*. Lübeck, M. Schmidt-Römhild, 1989, 934 S.
- Heinsohn W. *Das Eindringen neuhochdeutsche Schriftsprache in Lübeck während des 16 und 17. Jahrhunderts*. Lübeck, Verlag des Staatsarchiv zu Lübeck, 1933, 198 S.
- Hoffmann E. Lübeck und die Erschliessung des Ostseeraums. *Hanse — Lebenswirklichkeit und Mythos*. Hrsg. von J. Brackler, V. Henn, R. Postel. Bd. 1. Hamburg, M. Schmidt-Römhild Verlag, 1989, pp. 34–50.
- Kala T. Das Geschriebene und das Mündliche: das lübische Recht und die alltägliche Rechtspflege im mittelalterlichen Reval. *Hansisches und hansestädtisches Recht*. Hrsg. von A. Cordes. Trier, Potra Alba Verlag, 2008, S. 91–113.
- Lehe E. von. Die Schuldbücher von Lübeck, Riga und Hamburg — ihr Quellenwert zur hansischen Frühgeschichte. *Städtewesen und Bürgertum als geschichtliche Kräfte. Gedächtnisschrift für Fritz Rörig*. Hrsg. von A. Brandt und W. Koppe. Lübeck, M. Schmidt-Römhild, 1953, S. 165–177.
- Militzer K. Schreinseintragungen und Notariatsinstrumente in Köln. *Notariado público y documento privado. De los orígenes al siglo XIV. Actas del VII Congreso Internacional de Diplomática*. Vol. 2, Valencia, Conselleria de Cultura, Educación i Ciència, Generalitat Valenciana, 1989, pp. 1195–1224.
- Pauli C. W. *Abhandlungen aus dem Lübischen Rechte*. Lübeck, Friedr. Ashenfeldt, 1837, Bd. 1. 236 S.
- Pauli C. W. *Abhandlungen aus dem Lübischen Rechte*. Lübeck, Roden'sche Buchhandlung, 1865, Bd. 4. 358 S.
- Poel G. Carl Wilhelm Pauli. *Zeitschrift des Vereins für Lübeckische Geschichte und Altertumskunde*, 1884, Bd. 4, Nr. 2, S. 1–101.
- Rehme P. *Das Lübecker Oberstadtbuch. Ein Beitrag zur Geschichte der Rechtsquellen und des Liegenschaftsrechtes. Mit einem Urkundenbuche*. Hannover, Helwingsche Verlagsbuchhandlung, 1895. 415 S.
- Reetz Jü. Über das Lübecker Niederstadtbuch. *Zeitschrift des Vereins für Lübeckische Geschichte und Altertumskunde*, 1955, Bd. 35, S. 34–57.
- Reetz Jü. *Bistum und Lübeck um 1300. Die Streitigkeiten und Prozesse unter Burkhard von Serkem, Bischof 1276 bis 1317*. Lübeck, Selbstverlag, 1955. 265 S.
- Rörig F. Das Lübecker Niederstadtbuch des 14. Jahrhunderts, Seine rechtliche Funktion, sich wandelnde Zwecksetzung und wirtschaftsgeschichtliche Bedeutung. *Ehrengabe dem deutschen Juristentage überreicht vom Verein für Lübeckische Geschichte und Altertumskunde. Lübeck, Verein für Lübeckische Geschichte und Altertumskunde, 1931, S. 33–54*.
- Rörig F., Brandt A. Das Lübecker Niederstadtbuch. *Monumenta Paleographica. Denkmäler der Schreibkunst des Mittelalters*. Hrsg. von A. Chroust. Leipzig, Otto Harrasowitz, 1939, III Reihe, XX Lieferung, Tafel 5.
- Seggern H. von. Zur Tätigkeit der Prokuratoren vor der Lübecker Rat gegen Ende des 15. Jahrhundert. *Hansische Geschichtsblätter*, 2013, Nr. 131, S. 195–229.
- Seggern H. von. The „Niederstadtbuch“: a source for the history of private life of Lübeckers around 1500. *A companion to Medieval Lübeck*. Ed. by Jahnke C. Leiden, Boston, Brill, 2019, pp. 352–372.
- Seggern H. von. *Quellenkunde als Methode. Zum Aussagewert der Lübecker Niederstadtbücher des 15. Jahrhunderts*. Köln, Weimar, Wien, Böhlau, 2016. 329 S.

- Simon U. Societates. Inhalt. *Das Verzeichnis der Handelsgesellschaften im Lübecker Niederstadtbuch 1311–1361*. Hrsg. von A. Cordes, K. Friedland, R. Sprangel. Köln, Weimar, Wien, Böhlau, 2003, S. 51–55.
- Simon U. Die Lübecker Niederstadtbuch. Seine Charakterisierung über das Jahr 1400 hinaus, *Gelebte Normen im urbanen Raum?: Zur sozial- und kulturgeschichtlichen Analyse rechtliche Quellen in Städten des Hanseraums (13. bis 16. Jahrhundert)*. Hrsg. von H. Brand, S. Rabeler und H. von Seggern. Hilversum, Uitgeverij Verloren, 2014, S. 63–82.
- Schöne Th. *Das Soester Stadtrecht vom 12. bis zur Mitte des 15. Jahrhunderts. Zugleich ein Beitrag zur Entwicklung deutscher Stadtrechte im hohen und späten Mittelalter*. Paderborn, Bonifatius, 1998. 264 S.
- Teske H. Der Ausklang der Lübecker Rechtssprache im 16. Jahrhundert. *Ehrengabe dem deutschen Juristentage überreicht vom Verein für Lübekische Geschichte und Altertumskunde*. Lübeck, Verein für Lübeckische Geschichte und Altertumskunde, 1931, S. 55–101.
- Wehrmann C. Das Lübecker Archiv. *Zeitschrift des Vereins für Lübeckische Geschichte und Altertumskunde*, 1876, Bd. 3, S. 349–406.

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