

The Cologne Schreinsbücher as a source for economic history in a late medieval town

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Abstract (Deutsch)

Das Hauptziel dieses Beitrags besteht darin, die Gültigkeit einer bekannten Gruppe früher Stadtbücher, der Kölner Schreinsbücher, als Quellen zur Erforschung der städtischen Wirtschaft im Spätmittelalter zu skizzieren und beispielhaft aufzuzeigen. Der Artikel befasst sich in vier Abschnitten mit verschiedenen Aspekten: zuerst der Art und Weise, wie die Geschäfte eingetragen wurden und zu welchen Kategorien von Rechtspraktiken sie gehören. Danach wie diese Rechtspraktiken im Laufe der Jahrhunderte beschrieben werden sowie die Rolle der *scabini* (Stadtrichter) im Produktionsprozess und viertens Erkenntnisse zur Wirtschaftsgeschichte, die durch eine Analyse der beschriebenen Transaktionen gewonnen werden können. Somit wird das Potential der Kölner Schreinsbücher als frühe Stadtbücher für die Erforschung der spätmittelalterlichen Sozial- und Wirtschaftsgeschichte herausgestellt.

Abstract (Englisch)

The main purpose of this study is to briefly describe and prove the validity of one of these town books, namely the Schreinsbücher of Cologne, as a basis for research on city economy in the later Middle Ages. In order to do that, the paper has been composed of four chapters that delve into four aspects of the collection of registrations: the way the acts were registered and the categories of legal practices they are part of, how these legal practices are described through the centuries, the role of *scabini* (city judges) in the productive process and the economic insights that could be gathered by an analysis on the transactions described in the collection. Thus, the potential of the Schreinsbücher from Cologne and of town books in general as a source for later medieval economic history's research will be made clear.

Keywords

serielle Notariatsakten, Schreinsbücher, Köln, Stadtbücher

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Introduction

The general aim of this paper is to verify the validity of the Schreinsbücher of Cologne as a source for medieval historical research on a city economy from the middle of the 13th century to c. 1400. It will look at the groups of actors and in the types of transactions they were involved in. In order to do this, I will focus on the forms and the contents in the entries from the 1250 to the 1400. The Schreinsbücher are a year-by-year collection of reports of financial operations produced and developed on a parish base in the German city of Cologne from the 13th to the 18th century, at first as a form of notification to the community, then also as a juridically convalidatory practice in trial disputes. With this work, we will understand what the Schreinsbücher were, the historical context in which they were produced and the way they are strongly intertwined with the potential elaboration of faithful historical researches on Cologne's economy in the later Middle Ages. When it comes to methodology, the paper is the result of a quantitative and a qualitative approach to the source. With the first one, we focus on the numbers of mentions of specific aspects of the Schreinsbücher's entries – such as the types of operations or the professions of the actors involved – in order to spot trends throughout the centuries. With the second one, we will use the pieces of data collected in order to delve into specific topics like the economical tissue or the roles of the several social classes in Cologne's society. These last insights could also work as starting point for following researches.

The starting point of this paper is Hans Planitz and Thea Byken's 1937 edition of the Schreinsbücher, a work of transcription on all the available entries produced from the 13th to the 15th centuries, organized chronologically and by parish and complete with an index by categories. The qualitative approach used in this paper is supported by pre-existent historical literature on the Schreinsbücher as a form of serialized notarial acts and on the city of Cologne in late Middle Ages.² The paper has been written also in order to make up for a lack of work done so far when it comes to the studies of this source. Despite the actual presence of the works we have already mentioned, an approach to researches that links studies on Cologne with the pieces of data collectable from the Schreinsbücher is still absent nowadays. Historians as Klaus Militzer and Rainer Opitz studied the Schreinsbücher focusing on elements such as the language used in the entries, the paleographical characteristics and even the effective practices behind the registrations. On the other hand, already in 2012 academics as Christian Speer underlined the importance of analyzing city books like the Cologne's ones in order to make legal history's accurate researches: in fact, it is possible – with the right approach – to understand how city chanceries worked, who were the actors that managed them and what was the legal tissue that administrated them in specific historical periods.

Beyond these prospectives, this paper wants to demonstrate that, through the study of city books like the Schreinsbücher, it is possible to go into detail also in other important historical fields of knowledge. Because of the fact that the entries describe pacts and relationships between citizens and that their validity is assured by the city's political tissue, Schreinsbücher – and other city books too – could become

² See Militzer, Klaus, 1989. Schreinsbucher und Notariatsinstrumente in Köln in *Notariado público y documento privado. De los orígenes al siglo XIV*. Actas del VII Congreso Internacional de Diplomática. Valencia : Generalitat Valenciana, 1989. and Opitz, Rainer. 2017. *Die Kölner Schreinsbücher. Eine Untersuchung zur Kodikologie und der Praxis ihrer Führung*. 2017.

fundamental materials for understanding the history of medieval cities's political development and self-determination.

As we will see in the paper, in Cologne's case through the observation of entries it will be possible to perceive the main socio-economical features of a city almost completely emancipated from archbishops' sphere of influence. This same prospective is applicable also in other historical contexts in Europe, such as the Italian *Comunes'* city books. Through a quantitative and qualitative approach to the city books, they could really be considered as descriptions of reality – in spite of their partiality and possible inaccuracy, as it happens with every historical source. Even if this type of approach carries several methodological challenges with it – the great effort in the use of extended source material, the choice of the most useful *criteria* in order to easily sort and study it, the effective presence or not of topics that could be analysed with this approach – the paper offers glimpses of the potential effectiveness that it could have.

I. The Schreinsbücher: a general analysis of the entries' categories and how the acts are registered (before 1250/1400)

Analysing the content of the acts in the Schreinsbücher of Cologne from a few years before 1250 to 1400, we are able to obtain important visions on the history and the economic development of this important German city during the centuries 13th-15th. In fact, we could notice how the nature of the registrations, the way they were written and the juridical actions they represented reflect decade after decade, century after century, the essential role and the function that the Schreinsbücher as documents of urban administration had during its period of existence.

As we know the Schreinsbücher are volumes of records that describe different kinds of actions involving goods and benefits. In this paragraph, we will analyse what these actions were and in which percentage they were registered during the centuries. It is important to do the following premise: as Miltzer underlined in his work *Die Kölner Schreinsbücher*, entries that we are about to analyse were transcribed and edited by Hans Planitz and Thea Buyken in *Die Kölner Schreinsbücher* and represent a small part of the total *corpus* of registration – editors got access only more or less to 2% of the total Schreinsbücher - . This means that, through our research, we will be able to understand the centuries 13th-14th in a way that could become clearer over time, continuing the research on the books of the sanctuary even in the future.

Before doing that, it is important to describe clearly the different categories of acts that we could encounter throughout the volumes. These can be described as follows:

- Acts that describe the action of buying and selling goods or the practise of receiving money from someone – for example, collecting *redditus* from someone. These acts are recognisable by the use of verbs such as *sibi emerunt*, *sibi comparaverunt* or *acquisivit*;
- Acts that describe the action of giving or donating (usually for soul's purification) or return someone's goods. In these actions, there is not a "giving and taking" mechanism but only one of the two parts gave. These acts are recognisable by the use of verbs such as *dederunt et remiserunt*, *devoluta est*, *donavit*, *(con)cessit* or *obtinuit*;

- Acts that describe an agreement or of a pact between people about several topics, such as goods management or fields' distribution. These acts are recognisable by the use of verbs such as *se convenerunt* or *concordaverunt*;
- Acts that describe someone's renunciation to possession of a specific good or a right in favour of someone else. These acts are recognisable by the use of verbs such as *effestucavit*;
- Acts that describe the result of a sentence given by the *scabini* – judges that we will analyse in more detail in the following paragraphs – on a specific matter. These acts are recognisable by the use of verbs such as *obtinuerunt per sententiam scabinorum* or *protestati sunt*;
- Acts that describe a lease (concession of a good in exchange of a certain amount of money per year). These acts are recognisable by the use of verbs such as *concessit et locavit...solvendos*;
- Acts that describe a will or the execution of someone's will after his death (this means that we could find not only testaments but also acts that testify how the living executed the testament). These acts are recognisable by the use of verbs such as *post obitum donavit* or expression as *ex morte...*;
- Acts that describe a pawn given by someone to someone else. These acts are recognisable by the use of verbs such as *inpnoraverunt*;
- Acts that describe the action of permitting or prohibiting something to someone. These acts are recognisable by the use of verbs such as *vertere* or *ponere*.
- Acts that describe the action of requesting something from someone. These acts are recognisable by the use of verbs such as *petivit*;
- Other specific action less frequent in the register, such as acts of *permutatio* (permutation), *edificatio* (testimony of the construction of something), *promissio* (promise of doing something for someone), *demonstratio* (showing something to someone), *recognitio* (recognising someone's right on something), *confession* (confession of something to someone), *fideiussio* (granting a right to someone) and debt management.

In the graphs in the appendix (tables 1-6), we analysed the percentage of each type of act in proportion to the total number of them, period after period. For the final period, I will also analyse the two languages used for the registrations – Latin and German – and their frequency.³ I considered only the Latin entries in the Schreinbucher, underlining the number of German acts registered. I used the periodization scheme used in *Die Kolner Schreinsbücher* by Hans Planitz and Thea Buyken.

Analysing the data we gathered and the graphs we made, we are able to notice trends and differences in the records throughout the years. The capillarity and the regularity of the registration permit us to “scan” the entire text before 1250 to 1400 from the point of view of the parishes in Cologne. On a descriptive level, we could make the following observations:

³ Note: I produced a graph dedicated to the data about language only for the final period because in the previous ones there is not a tendency at all: most of the entries are in Latin.

From a starting number of 624 entries before 1250 and 552 entries in 1276-1300, the situation changed dramatically in 1301-1350, when the number of registered acts was only 142 and slightly grew in the final period (155 acts). As Rainer Opitz noticed in his work “Die Kölner Schreinsbücher. Eine Untersuchung zur Kodikologie und der Praxis ihrer Führung” that the practice of the registration had a powerful kick-start already in 1200 because it was a widespread operation – not mandatory yet - in order to prove the very existence of the operations done in the areas near Cologne. So, at first, registration was not mandatory and produced entries called *notitiae* (news).⁴ After fifty years, registration became the main action to certify and testify economical transactions in front of a jury. As we know through Opitz’ studies and as we said at the beginning of this paper, the juridical action of purchasing goods was composed by two parts: the actual act of buying and the “investiture”, the goods’ transference to the new owner. Schreinsbücher started to be produced when the investiture changed its form, from a simple oral statement to an actual written registration on parchment. Both of these forms of investiture were done with the cooperation of parish’s authorities that would have to testify the validity of the operation already done. The more juridical investitures were registered in the Schreinsbuch, according to the growing number and importance of investitures: as Opitz theorized, this part of the action could have become even more significant than the actual act of buying.⁵ Moreover, registration of goods’ investitures became more and more accurate over the years: functionaries (called “sanctuary masters”) were designated to check their validity and revoke entries when they no longer corresponded to reality or in case of claims from someone⁶ – they cancelled the entry and would have wrote the Latin word *vacat*.⁷ We could be able to understand how important and popular the practice was also analysing the material support that was used during registrations. At first, sheets in parchments were used but, already in 1220, the production of books was introduced – the oldest one is the Airsbach parish’s book, but very soon others would have followed produced by other parishes such as Columba’s and Apostles’. At the beginning of the practice of registration – approximately between 1175 and 1180 –, it was considered so important and there were so many acts to register that parishes introduced the sorting of the entries by subdistricts, i.e. smaller units. This permitted a more accurate recordkeeping.⁸ This practice, has we know, had a long life – almost 669 years of acts – and continued in different ways also during the French imperial dominion, until it became obsolete with the introduction of Prussian’s cadastre in the second half of 19th century. The decrease in the number of acts recorded that we are able to notice could be caused by two aspects: a lack of material that Planitz-Buyken’s work suffered from does not give us access to documents of the 14th century; because landowners paid the process of registration. Thus, only the most juridically relevant operations were registered, meaning eventually a smaller number of acts in the Schreinsbücher.

The variety and the number of categories of actions changed considerably during the years: in the first period, we only have ten types of actions registered while in the 1301-1350 period we could notice thirteen different ones. In the final period, the situation returned similar to the one in the first period and

⁴ K. Militzer, *Die Kölner Schreinsbücher* p. 44.

⁵ *Ibid.* p. 35.

⁶ *Ibid.*

⁷ *Ibid.* p. 42.

⁸ R. Opitz, *Die Kölner Schreinsbücher. Eine Untersuchung zur Kodikologie und der Praxis ihrer Führung*, p. 13-15.

the categories became just eleven. As we said, registration' accuracy grew with the juridical relevance given to the practise. We could see, in fact, how in the beginning categories were fewer and described a smaller number of types of operation.

During the fifty-years periods, there were different kinds of acts that were more present than others, giving us an idea of the most popular operations that Cologne's landowners used to get fixed in by the Schreine. We could see that, until 1301-1350, the most popular actions were buying/selling/receiving redditus and donating goods while in 1351-1400 the trend changed and pawning became one of the most numerous registered kinds of action. Other transactions, such as giving fields in lease, became more popular from a period to another and then it remained like this until the final fifty-years period (from 8% to 12% and then 5% only starting from the 1351-1400 period). The tendency to register acts of the *scabini's* deliberation became more and more popular – starting from 15% of total number of acts in before 1250 to 24% in 1301-1350 and then again at 18% in the final period.

Another important observation could be made regarding the language used in the Schreinsbücher during this two and a half-century period. While in the first periods it is notable that almost the totality of acts are registered in Latin, the situation deeply changed starting from the year 1351: in the final period of registrations we observed, more than half of the registrations were in German. Before the introduction of this relevant change, early Latin entries always contained German words, such as names of people or places or technical juridical terms, pointing to a gradual change in the use of language in administration. A peculiar case is offered by the book of the parish of St. Laurenz from 1145-1179/1200 in which the author wrote entire parts in German leaving in Latin only legally relevant pieces of information, similarly to the original way of recording. As Opitz wrote, this could prove that negotiations between parts involved were done actually in German and that Latin, in the cases of technical terminology, was considered not so understandable.⁹ This aspect of the study on the Schreinsbücher is intertwined with a greater topic, which is the use of German in Cologne's bureaucracy. The diffusion of German in this field of use could be already noticed in 1367 in *Kopialbücher* (books with copies of letters sent to the city's outside) correspondence in German. The only exceptions in Latin were letters sent to the Emperor, the French king or to clergy. In the Schreinsbücher, as we could see looking at the gathered data, we could establish the linguistic turning point approximately around the second half of 14th century. Nevertheless, it is important to say that it is hard to set a precise moment in time in which all the books changed, as if they are part of a singular corpus of documents: in fact, Latin did not disappear but was used for people's names and juridical terminology. In Cologne, before the 14th century, written German was essentially vulgar and dialectal: in the modern period, it started to be influenced by new words introduced by High German.¹⁰ Opitz wrote that there could be two possible reasons that caused the linguistic turn in the Schreinsbücher: the first one is that, over time, parishes were managed by people that did not study nor knew Latin. Opitz strongly disagreed with this idea, believing that Latin was still a fundamental part of the scribes' culture in the years we are analysing. The second, more probable reason is that registrations of the investitures were juridical proofs before people and a jury: this means that they had to reproduce word-by-word what the actors of the juridical action had said in front of the testimonies – in German,

⁹ R. Opitz, *Die Kölner* Ibid. 43.

¹⁰ Ibid. 44.

naturally. Comparing with other types of administrative records, the Schreinsbücher had this linguistic turn later: this happened because they were considered effective legal documents¹¹, worthy of the prestige given by Latin.

2. The Schreinsbücher of Cologne: analysis of different categories of entries through the years

As Opitz rightfully stated, although some research on the Schreinsbücher has already been done, the books still offer numerous inputs and questions to be answered. Being a first-class prosopographical source, the books provide readers with many important pieces of information such as family names, relevant clergy's names and juridical actors in Cologne during the 13th-15th centuries, in addition to other pieces of data related, for example, to the positioning of goods involved – even if this is considered by historians a complex field of work. The analysis of entries registered in the Schreinsbücher would give us not only important insights on people involved in the transactions and in the juridical operations but also on another important aspect: the history of the institutions behind the books. Important parts of the books are dedicated to the *scabini* (judges)'s deliberations on many topics involving specific actors. Looking at the entries and at how the judges are described in their public actions through the decades, we are able to reconstruct the development of this important institution and the role that it had in Cologne during the 13th -15th centuries. Elements such as the boundaries of their area of operation, the things they were able to do and the situations in which they were summoned could be described using directly “their words” registered in the books. In the following paragraphs, we will present some examples of cases that could be studied using the Schreinsbücher as primary source, in addition to the historical literature already written. In order to do that, we will assume a comparative approach, confronting entries from different periods but from the same category of juridical action. This approach will eventually give us a representation – even if partial – of different aspects of Cologne's society and economy in 13th –15th century.

3. The deliberations and the role of *scabini* in the Schreinsbücher of Cologne in the 13th - 15th centuries

In order to understand fully the data we will gather from the entries, it is important to observe what we already know about the institution of the judges and the special parishes' books called *libri sententiarum*. In his studies, Opitz talked about the fact that almost all the parishes had manuals that contained instructions to judges when it comes to topics such as hereditary management.¹² The jury's sanctuary, the place designated for law, had books that contained marriage acts and testaments, cases exclusively managed by those judges. Also other types of sentences, such as the ones involving constructions or pawns, were registered as well in other special books called Deposit's register and Book of Oaths.¹³ A

¹¹ R. Opitz, *Die Kölner* Ibid. p. 44.

¹² Ibid. p. 18.

¹³ Ibid. p. 19.

peculiar book of registration was noticed in Niederich's parish: it is called Book of Remission and it contained judgments and sentences for which judges were not actually testimonies.¹⁴ So, as we understood, *scabini* were able to manage different kinds of cases: comparing the entries, in this paragraph, we will try to figure out the role of the judges, the limits to their power, in which cases did they work and on the changing ways of registration throughout the decades.

We will analyse entries from several years – almost one every forty years – already organized and transcribed by Hans Planitz and Thea Buyken. We will proceed working on the entries one by one and then we will try to summarize and compare the data.

The act SC. 211 Apostol (AD. 1230) Novum Forum 200 2a (text 7) is the earliest case of judges' sentence registered in the *Schreinsbücher* that we will analyse. In this case, the judges stated the conditions of a testament: after Tipoldus' death, Cundegund would have been able to accept his part of hereditary and manage it freely however she wanted.

Analysing the way the entry was written, we notice some interesting aspects: first, they are striking because of their shortness compared to the following entries. As we said, in the early decades of the institution, entries were not so specific and detailed because of the fact that they had not the important juridical validity they would have had in the following years. Nonetheless, the entry follows a specific pattern that gives order and credibility to it. In fact, the actual registration is introduced by the formula *Notum sit tam futuris quam presentibus* (Let this fact be known by people in the future and by people present now), meaning that this statement was done in front of people that could testify the truthfulness of this act. Another peculiar fact that we could notice is that judges are not called yet *scabini* but *officiales*, a more vague word to express this role.

The act SC. 75 Alban (AD 1269) Alb. Alt Vlotschiff 746 5a (text 8) was made almost forty years after the previous one and, as we can notice, we are talking about a totally different kind of entry, in content and form. With this entry, the judges – now called *scabini* – stated that this Pelegrimus (in the name of Frati Minori's order) would have obtained half of a property and a quarter of another one, including houses and fields. Pelegrimus would have obtained this without anyone's complaints. Let us start this analysis talking about the entry's form: as the previous one, it presents some standard *formulae* that are repeated through other registrations too. After the *formula Notum sit* that introduces the entry, we can notice other two new expressions: because of the fact that the main actor of this case is Pelegrimus having a hearing before some judges' in order to obtain something, the *formula comparuit in figura iudicii et per sententiam scabinorum obtinuit* (he was in presence of judges and, after the sentence, he obtained...) is used here. This first expression is one of the distinctive signs that define an entry that is about a *scabini's* sentence. The second one is used at the end of the registration and says *...sine contradictione obtinebit* (he will obtain this without contradictions by anyone). This formula guarantees the validity of the operation and the fact that no one disagrees with it. In this year, judges seem to be part of an institution that bears witness to the prestige and validity of law in the city – in fact, the actor

¹⁴R. Opitz, *Die Kölner* Ibid. p. 19.

asks for their intervention – meaning that the registration in the Schreinsbücher was becoming more and more relevant in Cologne’s jurisdiction.

In entry Sc.211 Apost. (1301) Apost. Novum Forum 1809 52a (text 9), the form and the content changed again after thirty years from the previous one. The action is described in third person plural, with the *scabini* resulting as the actual actors – they testify the validity of the operation done. This could actually mark the fact that their role was becoming – or already was – commonly known in Cologne: certainly, the fact that this entry was written placing them “in first position” represents the achievement of a certain level of social self-awareness. The registration describes the judges’ testimony of the stipulation of a contract by two people, Heydenricus and his wife Petrisa. In this case, the introductory formula is shortened – probably for space management on the parchment. This entry presents a new element comparing to the first two entries we saw: the place in which the act takes place (*in domo civium parrochie ecclesie Sanctorum Apostolorum*) is mentioned. This is a piece of data that gives more insight and credibility to the operation described.

As we can easily notice in act Sc.471 Scab. (1351) Mart. 1932 101b (text 10), the registrations in the 14th century became more complex and detailed. Here this Johannes, similarly to the previous case, is the actor who stands before the judges in order to obtain something: he took for himself goods (*dimidietatis scamptni cranium sive macelli*) after his daughter’s death. Like in the previous entries, *formulae* are used (*Notum sit* and *...sine contradictione obtinebit*). The judges in the registration are cited at the end, as if they confirmed Johannes’ act.

Among the entries analysed in this paragraph, the entry Sc.158 Columba (1395) Col. Berlici 1935 121a (text 11) is the latest one that has a sentence as topic. In this entry, this Hermannus stated in front of the judges that he would have paid a certain amount of money per year in order to solve a debt. Here, the *formulae* are similar to the ones in the previous entries like the *Notum sit*, but also new expressions that mean concepts related to act’s validity (*nemine contradicente* is similar to *...sine contradictione obtinebit*). Mention to the fact that the actor may use the goods obtained in the act is also present in the entry (*et divertere poterit quocumque vulerit*). When it comes to the *scabini*, we could see how their role is essentially similar to the one in the previous entries: they receive the actors and they have the role of testimonies. In this case, a new layer of validation is given because judges’ names are clearly cited. As we can see, we know that the jury is composed by two elements, both from Cologne. The fact that judges are called by names is a trait that is present also in many other entries from the second half of 14th century. This might indicate the institution’s will of giving a new level of detail to registrations. In addition, this aspect might mean that judges became prestigious and well-known figures among Cologne’s citizens, responsible and personally liable even in a juridical dispute. This could certainly be a sign of development of judges’ figure and their role in society towards professionalism.

Analysing these few entries in chronological order, we are able to see how they changed through time, both in form and function- entries’ dimensions, main actors involved in the descriptions, passage from vague descriptions of actions to more precise ones more reliable and useful in Cologne’s juridical system. Also Opitz in his studies tried to define the style and the *formulae* used in the registration: as we could confirm, the form did not change drastically in the centuries. For example, the introduction

essentially just became shorter keeping its original meaning (*Notum sit tam futuris quam presentibus quod... → Notum sit quod... → Kunt sij daz...* (in German)).¹⁵ On the other hand, elements of content such as the way goods were described changed: they were fields and houses, defined mainly by the name of the previous owner in the earliest entries. Information related to the size of properties was not present, with the exception of the ones beyond the city walls. Nowadays, these indications are still not clear for researchers who seek to understand their location in contemporary Cologne but, as Opitz said, it is normal: as we said, early goods' descriptions were made exclusively to inform people about the already made acts of transaction. This aspect slightly changed with the mutation of registration's function in the 15th century. By the time entries certified proof of validity, they needed more accuracy in descriptions: in the following registrations, goods would have been more and more detailed being described indicating fields and goods in the acquaintances or, in a few cases, the elements that composed them such as gardens, aqueducts or separating walls. As we can see in the entries already analysed and in the previous paragraphs, after the turning point of the approbatory function given to the Schreinsbücher, more and more categories of acts were described. In order to do that, *scribi* registered not only actors' names but also the names of people that actually agreed with the transaction already made (for example, wives and sons that would have inherited or people that would have given up their rights of property against those goods). Any other piece of information considered irrelevant was excluded (in many cases, even the prices are not present).¹⁶ When it comes to defining the role of the *scabini* through the years, the entries seem to be useful: as we saw, judges – but also people who witnessed the act of transaction – were called to testify in order to resolve judicial disputes. That is why the practice of registration was considered important and then even mandatory for actors. The Schreinsbücher became so relevant that, from the second half of 14th century, some of the entries were created *ex post* and added way after the actual moment of the transaction.¹⁷ As Klaus Militzer stated, the enhanced role of the judges and the growing number of their functions towards citizens led to the creation of several courts in 14th century. Knowing that, it is natural to think that the registration of transactions was more important for people who received goods than for the people who provided them: this practise would have been eventually a powerful guarantee of validity during trials in court.¹⁸

4. Preliminary economical analysis of the transactions in the centuries XIII-XV

As we saw previously, it is possible to acquire insights into specific history branches through the analysis of the entries in the Schreinsbücher. “Asking the right questions”, the source we are studying permits us to have a view – even if limited – on different aspects of the city. A quantitative study by examples of entries transcribed by Planitz and Buyken and a comparison of certain registrations from different decades permitted us to understand more how the institution of *scabini* changed through time and how the juridical role of the Schreinsbücher became more and more relevant for the Cologne's law. Looking

¹⁵R. Opitz, *Die Kölner* Ibid. p. 37.

¹⁶Ibid.

¹⁷K. Militzer, *Die Kölner Schreinsbücher*, p. 45.

¹⁸Ibid.

at the entries in the books, it is evident that each of them describes an economical relationship between people: because of the informative and approbatory functions of the registrations, *scribi* had to represent in details the original act of transaction between the actors involved. Given this level of detail, we might ask: who were the people involved and which social status did they have? How did they manage their properties? Of which kind of properties we are talking? Answering these questions, we might be able to acquire insights on Cologne's social and economic tissue in 13th -15th centuries, directly from people who witnessed these financial operations. In the following paragraphs, we will delve into three specific topics, also with the assistance of Klaus Militzer's studies: the characteristics of people involved in the acts registered in the *Schreinsbücher*, their social status and their relationship with families. Furthermore, we will analyse the procedures of the different kinds of action registered in the books; the nature of goods transferred and the way these goods are described. We will deal with these topics using several entries from different decades in order to see how the aforementioned aspects changed through time.

4.1 The main actors in Cologne's economic and social tissue according to the Schreinsbücher

As mentioned, the registration of legal transactions was conducted by professional writers called *scribi*. Being effective functionaries for parishes, they received a salary for their job, meaning that the process of registration was not free for people involved in transaction. Unfortunately, as Militzer stated, we do not know the exact costs but we know that they were usually the main topic of certain disputes between the city politicians and the parishes' functionaries¹⁹ – the latter ones have always tried to increase the price of their service, triggering the irritated response of the first ones. This means that we are probably talking about high costs, certainly worthy of attention from Cologne's politics. This first piece of information is fundamental for our research on people registered in the *Schreinsbücher* because it represents a necessary requirement excluding people that could not afford the high costs of the registration. Therefore, on this high economic level we will find certain groups of people when analysing the entries: Militzer called them *patrici* (as the Roman social and economic class) and stated that they defined themselves in this way in Cologne since the 13th century until the end of Middle Ages.²⁰ Among them, we could find clergy members and university's *magistri*, usually involved in strategies of investment. By law, real estate owners had to be or become Cologne's citizens; sometimes, exceptions to this rule could be found in the books and even acts of renouncing to citizenship.²¹ This piece of information is important because it means that the *Schreinsbücher* not only contain German upper-middle class landowners but also people from abroad. In fact, Militzer spoke about the presence of Italians, Frenchs, Englishmen and even Hungarians in the city during the late Middle Ages' centuries. Another fact that is important to underline is that the *Schreinsbücher* usually, along with names, mentioned the professions and the political and social roles carried by the actors involved, representing an additional aspect that is possible to study in order to collocate them in a specific social stratus. Through a quantitative approach to the topic, it is possible understand how often these pieces of information are mentioned and, consequentially, if there

¹⁹ K. Militzer, *Die Kölner* Ibid. p. 44.

²⁰ Ibid. p. 47.

²¹ K. Militzer, *Die Kölner* Ibid. p. 48

is a category of them more predominant than the others. In order to do that, we will essentially count the number of mentions of names, professions and religious/political roles in the entries. Here the Planitz-Buyken's Schreinsbücher index to the edition offers support. The alphabetical index shows in which entries some words are mentioned – not only the ones we will need but also family names and toponyms.²² We will divide the types of mentions in three categories: “clergy members”, “noblemen and public officers” and “workers and professional figures”. We will see not only the total number of mentions per category but also the one per single profession. Looking at the entries more closely shows the following result:

Clergy members (300)	Noblemen and public officers (191)	Workers and professional figures (156)
abbot/abbess: 74	<i>officiales</i> : 98	<i>magistri officialium</i> : 11
<i>episcopi</i> : 4	<i>burgravii</i> : 12	<i>magistri</i> : 26
<i>archiepiscopi</i> : 3	<i>comes</i> : 3	<i>magistre</i> : 24
<i>canonici</i> : 60	<i>vicecomes</i> : 7	<i>magistrati</i> : 7
<i>clerici</i> : 15	<i>commendatores</i> : 9	<i>magistri civium</i> : 1
<i>monaci</i> : 47	<i>nuntius civitatis</i> : 7	<i>magister scrinei</i> : 1
<i>plebani</i> : 68	<i>officiales curie</i> : 6	<i>advocati</i> : 39
<i>presbiteri</i> : 2	<i>prepositi</i> : 13	<i>apothecarii</i> : 2
<i>sacerdotes</i> : 27	<i>procuratores</i> : 19	<i>operarii</i> : 2
	<i>provisores</i> : 15	<i>doctor decretorum</i> : 1
		<i>villici</i> : 2
		<i>gardiani</i> : 4
		<i>cantores</i> : 2
		<i>capellarii</i> : 2
		<i>cellarii</i> : 2
		<i>phisici</i> : 2
		<i>cirurgicus</i> : 1
		<i>protonotarius</i> : 1
		<i>judices</i> : 10
		<i>notari</i> : 3
		<i>notarii curie</i> : 2

As we can see in the graphs in the appendix (table 12), almost half of the people clearly mentioned with their role/profession's name belonged to clergy, meaning that this social class had a predominant presence not only in city religious life but also in economical one. One could also guess that they tended more to register their transactions with the parish church clerks. Thus, clergy members were not only

²²It is important to underline that the study we will do is, by its own nature, partial because of the fact that many of actors may have not been described with the name of their profession.

involved in actions related to rent collections or purchase of goods, but also more belief-related operations such as donations *pro anima*. The great variety of roles and professions mentioned permits us to understand the relevant financial position that the other two categories of people had in Cologne. Specifically, the third category might represent a sort of proof of the in-progress development of the “middle class” towards the end of the Middle Ages.

Once we have understood how present each of these main categories were in the city socio-economical tissue, it is important to see how these actors were described throughout the decades in the entries. We will start our analysis by clergy members, secular and regular, the most numerous category: throughout the books, members from several hierarchical levels appear to act. For example, entry n°265 (1250) describes the restitution of a heredity from a man to his brother: here, an abbot called Ludolfus is cited as the heredity’s previous owner. In another registration, the n°1556 (1288), a bishop called Sukindus is described in the act of receiving the property of a building from a woman. In the books, also sacerdotess, low-ranked clergy members, are mentioned: for example, in entry n°357 (1241) a priest called Ludulfus with his advocatus reclaims part of a property in front of scabini part of a property that belonged to a relative of his. Cases like these are actually common in the Schreinsbücher and permit us to understand the remarkable role that these clergy members had, not only in city’s spiritual life but also in its economic tissue. Along with clergy, politicians and nobles had a relevant role in city’s financial operations during the last centuries of Middle Ages in Cologne. In entry n°351 (1233), a burgravius – a military commander that was elected usually in German and Flemish cities – gives his consent to an act of edification of a building. In another one, the n°1178 (1271), he has an active role: a man called Johannes bestows to an abbot and his convent the right of passing through a street he owned. In entry n°1583 (1287), a comes – count – has the role of judge in a dispute. As we could notice reading the books, in addition to this social élite, the middle-class represents an important part of Cologne’s economic and social tissue during centuries 13th -15th. As we said, we are able to identify them through their professions: this permits us to understand better what the richest and the most relevant ones were – because of the fact that only important operations were registered. A constellation of occupations is cited in Schreinsbücher: lead smelters (*funditor plumbi*), lime producers (*calceator*) and butchers along with intellectual figures such as masters (*magistri*), doctors in law (*doctor decretorum*) and notaries. Also other professional categories are worth to be mentioned: for example, in entry n°1838 (1350) an apothecarius – shopkeeper – called Rolandus donates to his wife a building in exchange of an annual rent. Because of the fact that middle-class people mentioned in the Schreinsbücher are actors of important goods’ transactions, it is fundamental to underline that they do not represent their entire social *stratus* but only their élite. This is an aspect that could be noticed also for the other two social categories. It is also important to notice that the most part of third category’s professions that are mentioned in the Schreinsbücher are certainly placed in Church’s working dimension, such as *cellarii*, *capellarii* or *cantores*.

Hence, the Schreinsbücher represent an important source for studying Cologne’s social and economic tissue because through the entries we have an unspoiled view on what people were able to do and how did they handled the transfer of rights and properties. In addition, analysing in particular the latest entries, it is possible to study – even if in the context of a limited part of Germany – the gradual evolvement of the city’s middling sort.

Once we have defined this aspect, it is important to elaborate how the actors were socially organized. If we looked at the registrations, we would notice that the most of them describe operations among members of the same family. Even if, as Militzer stated, it is hardly possible to determine precise data related to families in these centuries – such as birth rates – through this kind of source, we could be able to understand which family members were cited and had an effective role in the acts. Naturally, only adults were able to manage properties and inheritances - Militzer presumed that they were considered like this once they were twenty years old.²³ In addition to the categories related to marriage – wives and husbands - , also people with other degrees of kinship are mentioned in the registers, playing different roles. A typical dynamic described is the one between nephews and grandparents in which, as in entry n°736 (1239), the latter has also the role of tutor of minors in the act. In another entry, the n°476 (1250), it is mentioned the presence of an *avunculus* – uncle – called Gerardus as testimony of a donation to a certain church.

In addition to them, also minors and children are cited in the entries but only when they had rights on hereditary matter or when the actors want to underline the fact that they are not legitimate. In any other cases – for example if they were sent to monasteries or convents – they were not included nor mentioned in juridical actions. Sons usually received heredities and other relatives with the role of testimony guaranteed this operation. A particular case is described in entry n°1989 (1395) in which three *pueri naturales* – children generated outside the marriage and normally considered illegitimate – called Philippus, Bela and Greta donated part of a property that belonged to their father. As we said, is impossible to develop quantitative and demographic studies on families during the centuries 13th -15th through this source; on the other hand, this type of investigation permits us to understand the importance of the different degrees of kinship in front of the law and their level of trustworthiness as testimonies.

As Militzer underlined, women too had a relevant role in acts and, when it comes to properties management, they shared financial responsibilities, achievements and fails with men. Furthermore, the Schreinsbücher offer also a particular case of study related to this topic: the role of the lay order of “*Beginen*” in Cologne during the 13th -15th century. Part of semi-monastic communities, these women pursued a life of contemplation and active service, a choice that usually was correlated with donations *pro anima* (for soul’s salvation) to parishes. Through the books, as we will see, we are able to understand how these acts of charity were done. One of many other cases of donation is presented in entry n°389 (1248) in which a woman called Agnes, after becoming a *beggina*, donated a part of her house to her husband Harlivus and sister Aleidis. Given the frequency of this kind of acts, it is possible that donating all or part of their belongings was part of the “ceremony” to become part of the lay order. Certainly, this demonstrates that the Schreinsbücher are a relevant source for the analysis of religious institutions in the Later Middle Ages.

²³K. Militzer, *Die Kölner* Ibid. p. 49

4.2 The acts recorded in the Schreinsbücher: the transactions of goods throughout the centuries in Cologne

Through the analysis of the records included over the decades in the Schreinsbücher, we are able to identify the main aspects of Cologne's economical tissue. Not only we could describe, as we saw, the main protagonists of the operations or – as we will see in the following paragraph – the type of goods that were mentioned but also the way the categories of acts changed throughout the years. In this paragraph, we will analyse the three main types of action – the receiving of *redditus* from a loan, the donation or restitution of goods, the pawning – described in sample-entries from different periods in order to notice similarities and differences.

4.2.1 Receiving of redditus from a loan

Starting with the first type, and taking as an example the entry n°192 registered in 1251 in order to see what the first acts of rent collection looked like: here, this Joannes with his wife received 18 solidi as rent of a house from a man called Apollonius. The entry n° 1288 registered in 1287 happens to be more detailed: in fact, in this case this Henricus still received a certain amount of money but in addition we know the frequency of rent payment – *singulis annis* (annually) – and the fact that there is a deadline – usually the day of a festivity. Moreover, it is stated a condition in case of insolvency from Johannes the payer: if he had not paid Henricus, he would have had to give up his property to him. After that, Joannes – or his heirs in case of death – would have been able to obtain again his good in exchange of a certain amount of money – 70 marcis *Coloniensis* in this case. This “insolvency clause” would have been present in many other entries as an important warranty of righteousness and validity of the operation. In entry n°1841 (1309) this clause is not mentioned but another peculiar element is described which is the presence of *scabini* as testimonies of rent collection. We could notice again the presence of the “insolvency clause” in the late entry n°1922 (1347). In addition, we could see that in this case – an in many others such as in entry n°1949 (1395) – the payment was split in two different moments of the year: the clause would have been valid for both the deadlines. As we could see at the end of this first analysis, the major changings in the way of describing this kind of operation appear at the end of the 13th century. Not only the entries became more detailed but also the actions themselves started to be more complex, with the appearance of more actors at the same time and more conditions related to rent payments. It is also worth to mention the importance of the insolvency clause, a contractual condition related not only to the actor involved but also to his heirs: this underlines the importance that families had as economic entities in the city tissue.

4.2.2 The donation or restitution of goods

The Schreinsbücher also described over the decades the act of donating or giving back to people goods for several reasons. Especially for the second case of study, that records of restitutions are usually related to other operations as well – for example acts of rent collection, present in the books. When it comes to the first category, it is important to mention a particular fact: due to the formulae used, the acts of donation usually could be misinterpreted as act of this kind while, in fact, they describe acts of lease. In these peculiar cases, the entry mentions not only the good “donated” but also the period of concession and annual rent (see, for example, entry n°578 from 1247). After this disclaimer, we can start analysing how this specific category of acts was registered through the years. The first case worthy to be mentioned is the entry n°194 (1220), probably one of the earliest records in the Schreinsbücher: here we have the

case of a priest called Godefridus giving to the S. Apostols' parish the custody of half of a house of his. Here, as in a later entry (191 from 1250) that involved the restitution of money between brothers, we could notice how it completely lacks of details or clauses. In these cases, as it was typical of the first entries, it is clear the original function of "notitia" that they had: additional pieces of information nor warranties were useful. Different is the case of the following acts: for example, the entry n°1295 (1293) describes the donation of half of a property *pro anima mariti sui* (for his husband's soul) from a woman to her church, with the *scabini* testifying the fact. Two interesting cases of restitutions and concessions linked to other operations are represented by entry n°1820 (1303) and n°1837 (1350): in the first one, a woman called Katerina gives a man and a woman back, after the payment, the property of a house that she had as pawn; in the second one, a man and a woman give to an unspecified person a property due to insolvency. One of the latest cases of donation is described in entry n°1934 (1394) and presents a peculiar situation: here, a monk called Christianus donates to his father Johannes half of a house he owned. As it is stated in the first lines, this operation has been "imposed" by a letter sent from his monastery's magister to the *scabini's* office. Unfortunately, we have not any context behind this peculiar case nor we could state that it was common for the monasteries to act as links between the monks and the judges. After this brief analysis, we could notice how the category of donations and restitutions is composed of various types of act.

4.2.3 *Pawnbroking /credit with collateral*

The acts of pawnbroking, as we will see, are similar to the rent collection ones in certain aspect such as the presence of a deadline and an "insolvency clause". But let us start analysing the first cases of pawns and how the action was done: the entry n°184 (1241) says that a man and a women, husband and wife, called Theodericus and Gertrudis give as pawn four properties of their to a man called Ingebrandus in exchange of a certain amount of money. They could reclaim them paying Ingebrandus: the deadline, after which properties would be lost, is set two years after a certain festivity. Most of the entries would have followed this same pattern but we could notice some particular cases. For example, the entry n°761 (1250) presents the pattern we have seen but with a variant: in fact, here the actor gives as pawn money to a woman called Irmendrudis. He would have the money back if he gave her a specific property, described in the act. Sometimes, as in the case of entry n°1833 (1349) neither the value in money of the good given as pawn nor a specific deadline are mentioned in the act: this lack of details could be relate to the practise of recording old acts – or sometimes invented ones – in order to give them juridical value, as Miltzer said.

Credit against collateral was a common financial operation in Middle Ages economy and here in the *Schreinsbücher* is well described through the entries. Because of that, it is possible to notice some peculiar aspects that could make clear the actual role that the process had in Cologne. As we could see from the entry n°184, *immobilia* – buildings – were one of the most pawned categories of goods. Given the actual efforts and risks for operations involving this type of properties, we may suppose that pawning and waiting for money in return before a certain deadline represented a well run financial business made of long term

investments and conducted by the city social stratus that could afford it – as we have see, middle class along with nobleman and clergymen.

Considering the Schreinsbücher in the general genre of the city books, we could adopt a comparative approach in order to understand the role that pawn had also in other economical contexts on Europe. In Italy, through the case of the Comune of Bologna's collection of city books called *Memoriali*, we are able to see how this kind of business was conducted. Just like the Schreinsbücher, the *Memoriali* represents a day-by-day collection of entries that summarize the most financially relevant operations conducted in town by merchants. Because of the fact that Bologna had a well-structured economy flourishing around its university, we could see how the most interesting cases of pawnbroking involved rich students – usually from abroad – and group of merchants organized in *societates* – similar to modern companies. But even analyzing a few cases of this type, we could notice how these are completely different from the ones described in the Schreinsbücher. First of all, it is important to see how the pawn was actually described in the *libri memoriali*: the actor of the operation promises somebody to give him a certain property with a certain value of money – the good would be given back to the actor in exchange of the payment of part of its value. An example of this type of operation is mentioned in the entry in *Mem. 15 charta 206 verso*, registered in *libri memoriali* on the 5th of May, 1271:

Eodem die loco et testibus dictus, dominus Iacobus promisit domino Guilielmo Galvagno facere portari suis sumptibus et casibus fortuitis unus par Decretalium extimatione viginti septem librarum bononiorum et eas sibi restituere solutis primo sibi septem libris et quinque solidis turroneis, ex instrumento dicti notarii.

Not considering the kind of actors involved, the pawns in the Schreinsbücher and in *Memoriali* mainly differ in two aspects: the goods involved in the actions and the duration of the contracts. As we can see in the entry in example, in Bologna's university context extremely precious – but carriable – goods as books were involved in pawn while in Cologne the only goods mentioned in this kind of operation are money or buildings. The other aspect that is interesting to notice in *Memoriali's* case is the complete lack of deadlines mentioned in the entry, while in the Schreinsbücher they are described – usually two years after a certain festivity – and linked to an “insolvency clause”. In Bologna's case, these pieces of information are not present for causes that we could only theorize: it is possible that parts of the pact between people were accepted “silently”, without mentioning them in an official document. Another theory is that this type of pawn was so common and on short term that mentions of deadlines were considered not necessary by actors involved. Even if it is the result of the analysis only of financial actions in a specific context and not the general city picture, this last hypothesis could lead ultimately to the most relevant difference between pawns in Cologne and in Bologna. While, as we said, pawning in the German city could have represented a business based on investment of important goods for a long period of time, in Bologna – at least in university's context – pawning could have been considered a temporary or, sometimes, emergency solution, with the book becoming a sort of placeholder for a payment in the immediate short period. In both cases, entries do not specify the causes of pawning but, thanks to this comparative approach to the city books, we are able to place them in their particular contexts and ask for the right questions for further researches.

4.3 The value of the goods expressed in the Schreinsbücher throughout the centuries

As Klaus Militzer well stated in his studies on the Schreinsbücher, the descriptions of the goods mentioned in the entries could be an important source of insight in many ways. First, because of the fact that records are usually specific about the types of buildings, the entries permit us to understand how the “ideal house” was composed in medieval Cologne.²⁴ We do not possess any data about real estate sizes – entry recorders did not consider this piece of information important – but we know that a property was composed of an house, the central building, and accessories such as gardens, passages, sewers, walls (usually mentioned in the entries that describe acts of edificatio), windows. Even if we cannot be certain about how large these properties were, through the number of accessories mentioned we are able to understand if the good was a simple house or a complex farm. In the books, goods are usually associated directly or indirectly with a price²⁵: it could be the earnings from a buying or selling operation or the amount of money requested in a loan. Anyway, through the entries it is possible to identify more or less regularly the value of this kind of goods. Since the Schreinsbücher are a serialized source produced over a long period of time, we could be able to analyse how the goods at the centre of the acts changed economically and try to identify, if there is any, a trend. In order to do that, in the charts in the appendix (tables 13–16) we have had in consideration a specific book for a specific parish – the S. Apostoli in Novum Forum one – and we have gathered all the pieces of data related to goods mentioned: we have notified their type (properties or else) and their value. As in the other paragraphs, we have used the Planitz-Buyken periodization. Gathered the data throughout the Schreinsbücher, we could notice some aspects of the goods described in the records. First, the properties at the centre of the acts are most frequently buildings and their surroundings (*domus cum area sua*) and they are identified by two elements: their locations (toponymic names) or, more commonly, their neighbours’ names. This last piece of information is actually useful because it makes us clear the public value that Schreinsbücher’s records had in the community: even after they had assumed strength of juridical proof in trials, this aspect did not changed. This is because, even if we are talking about a late medieval source - theoretically near to a bureaucratic turn in city administrations – this type of registers still was produced in order to represent relatively small communities in which people used to know each other very well, at least among landowners. Sometimes, the entries describe more specifically the properties, mentioning also two aspects: their appearance or their function. In the first case, as we could see for example in the case of entry n° 793, the building is described as *caminata*, which means “equipped with fireplace/oven”; in the second case, as mentioned in entry n° 202, the property is called *pistrinum* which roughly means “bakery”. Unfortunately, the presence of this pieces of information represent a minority of the cases in the books but it is certain that a specific study about these types of properties could be useful in studies related to history of town planning and city economics in Germany. In the records, personalities – movable goods such as money, crops and livestock – are mentioned too but only in specific cases. Money is mentioned exclusively in cases of inheritance transactions, goods’ renunciations or pawns: in any other case it is exclusively mentioned as properties’ payment. The currency mentioned in the Schreinsbücher is mainly the *denarius Coloniensis* that is composed of *marca*, *soldius* and *denarius*. Only in one case among the ones

²⁴K. Militzer, *Die Kölner* Ibid. p. 49

²⁵ See table XIII for insight on goods’ prices mentioned in Schreinsbücher.

we analysed a different currency was used: it is the situation described in entry n° 1335 in which the transaction was made in *marca Turonensis* (of the French city of Tours) - equalling six *soldi* in Germany. When it comes to crops and livestock, the other main movable goods that are mentioned sometimes in the entries, they exclusively represent an alternative payment way: throughout the entries we analysed, they are never mentioned as goods at the centre of the acts of transaction. As it was common, each city had their crop's measures, usually stated by city statutes: this is also the case of Cologne. In the entries, *siligo* and *triticus* – two varieties of wheat – are measured in *maldrum* or *malter* (unit of measure of volume, equivalent to 128-200 liters). Analysed the main aspects of the goods mentioned, it is important to see how they are managed in the acts. The first element that we are able to notice is that very frequently only single fractions of properties are at the centre of the transactions – half a house, a quarter of a house, the seventh part of a house...- . This aspect of the records let us intend that properties were not conceived only as indivisible financial units but also as the result of a series of owners' rights existing at the same time. The two types of moveable goods we analysed – crop/livestock and money – are sometimes cited together in the same acts as in a form of mixed payment. One last observation that could be done is related to how the financial value of properties changed over the decades. As we could see, the main turning point in the prices – mainly represented by rents and pawns – is set after the 1250: in fact, properties' value started to increase progressively (*marca* was more and more present than *soldus* as currency).

Conclusion

With this paper, we have been able to see clearly the great potential that the Schreinsbücher and generally the city books have as a source, not only for legal history but also for social and economical history of late medieval towns. Using a quantitative and qualitative approach, we have focused on only some of the fields of study and topics that could be analyzed in depth using these sources.

Reading the entries throughout the centuries, we have been able to see how the practices of goods' transactions changed in quantity and in quality. Starting from a first state of lack of variety and details, the entries began to describe more and more complex categories of financial operations, as long as the Schreinsbücher as collection of acts was obtaining force of juridical proof in disputes. Financial practices registered in the Schreinsbücher have offered a detailed, yet limited, view of Cologne's economical tissue in late Middle Ages: in fact in the paper we have analyzed not only the main actors involved in the operations but also the goods at the center of them. Because of the fact that the entries usually mentioned values and costs, we have been able to understand the actual economical importance of the transactions and to generally imagine the level of richness and financial development that cities as Cologne have had throughout the 13th-14th-15th centuries.

When it comes to the actors, the paper has presented a complex mosaic of social realities behind the operations described in the entries: not only the noble or the clerical social *strata* but also the emergent middle-class, composed by professional figures in fields as law, culture and arts. Through the Schreinsbücher, not only we have been able to focus on Cologne's social tissue in late Middle Ages but also on gender roles and on the importance of family as main core of financial development in cities. As we have seen, goods were transferred between members of the same family for several reasons: as part of the process of giving inheritances, endowment or – in special cases the paper has mentioned –

renouncement before entering a conventry as a “Beginen”. In any of these cases, it seems clear that families were considered as strong economical bases for property management.

In addition to this, the paper underlined also the role of organized groups from abroad - Italians, Frenchs, Englishmen and even Hungarians – operating in German cities as Cologne: this means that in late Middle Ages towns were becoming important points of connection between merchants until they would have eventually reached the level of relevance that they will have in Modern Ages. As we said, reading the entries from the books in chronological order we have been able to notice how each aspect of the Schreinsbücher changed in time: not only the forms and the functions, but also the people behind them. These changes have marked not only the development of a form of certification and guarantee of validity for citizens but also of a form of progressive self-awareness and emancipation of the political structure that promoted Schreinsbücher’s registration: the Cologne’s city council. In fact, as we mentioned at the beginning of this paper, Cologne in late Middle Ages – as many other German cities – has been in a process of self distancing from the major political influence of its period, namely the archepiscopal one. Before this process, cities in Europe were still managed by powers “from outside” that co-operated with the most socially and politically relevant *strata* “inside” – these are also the protagonists of the entries analyzed. Through the Schreinsbücher, we are able to see the products of these *strata*’s process of emancipation and self-organization. Giving to the act of registration value of proof in juridical disputes marks the fulfillment of one of the needs of the newly organized city, which is the guarantee of operations’ validity. It is important to underline that the social and political transformation that German cities as Cologne faced in the last centuries of Middle Ages has been shared also by other realities in Europe. In fact, it should not be forgotten the difficult processes of self- adfirmation of the Italian *comuni* against bishop’s and emperor’s political powers. As for the Cologne’s case, these changes could be sensed through the study of town books produced in these complex times, such as the *statuti* – collection of law elaborated by legal professionists and city councils – and even the already mentioned *libri memoriali* in Bologna. Even if we are talking about emancipation processes that carry some important differences between them – for example, in German cases, cities remained loyal to the main imperial authority despite the self- organization – it is worthy to underline that in both cases the role of the use of town books as prime historical source is fundamental.

X. Tables

TABLE 1: SCHREINSBÜCHER WRITTEN BEFORE THE YEAR 1250

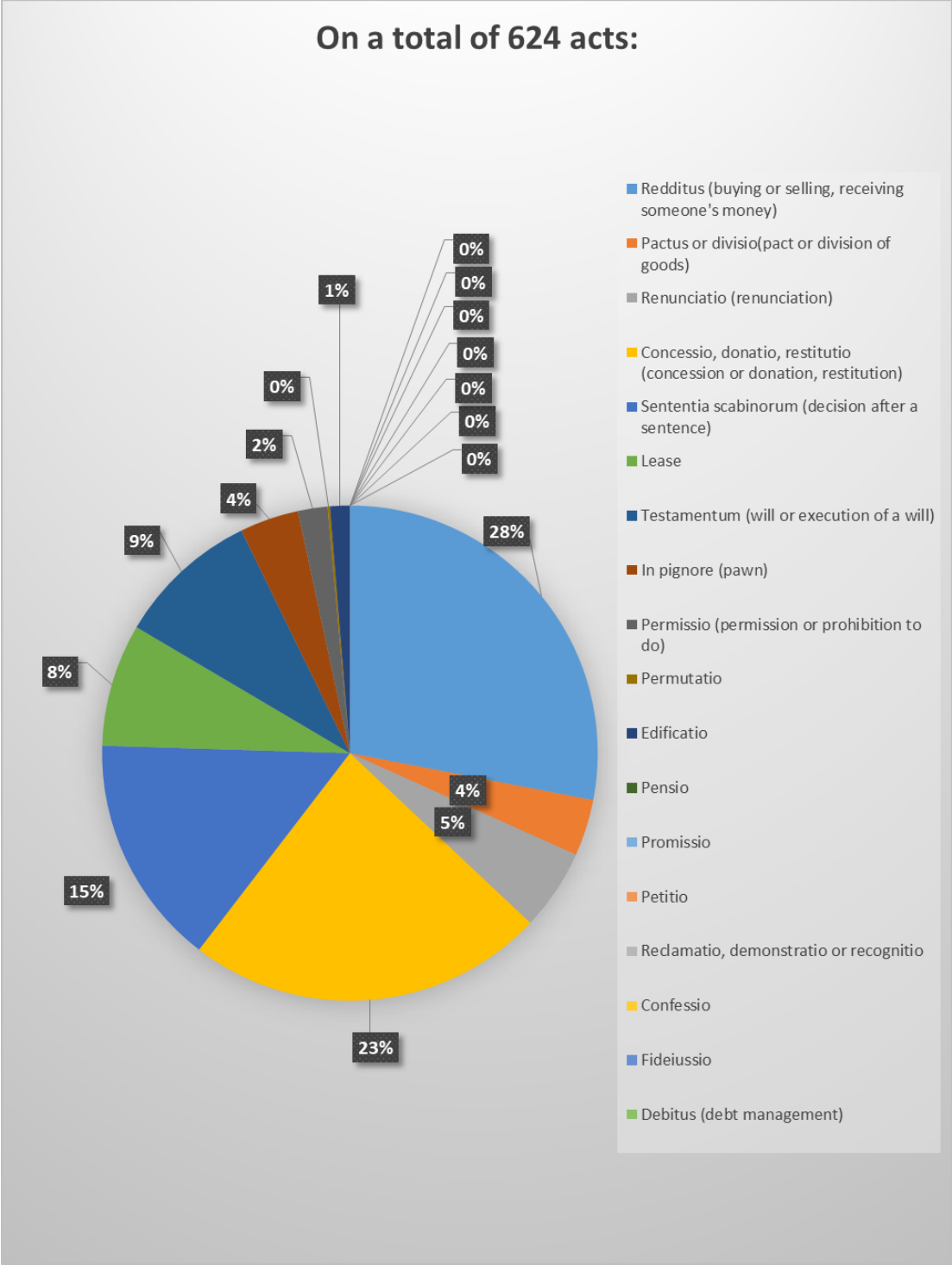


TABLE II: SCHREINSBÜCHER WRITTEN IN YEARS 1251-1275

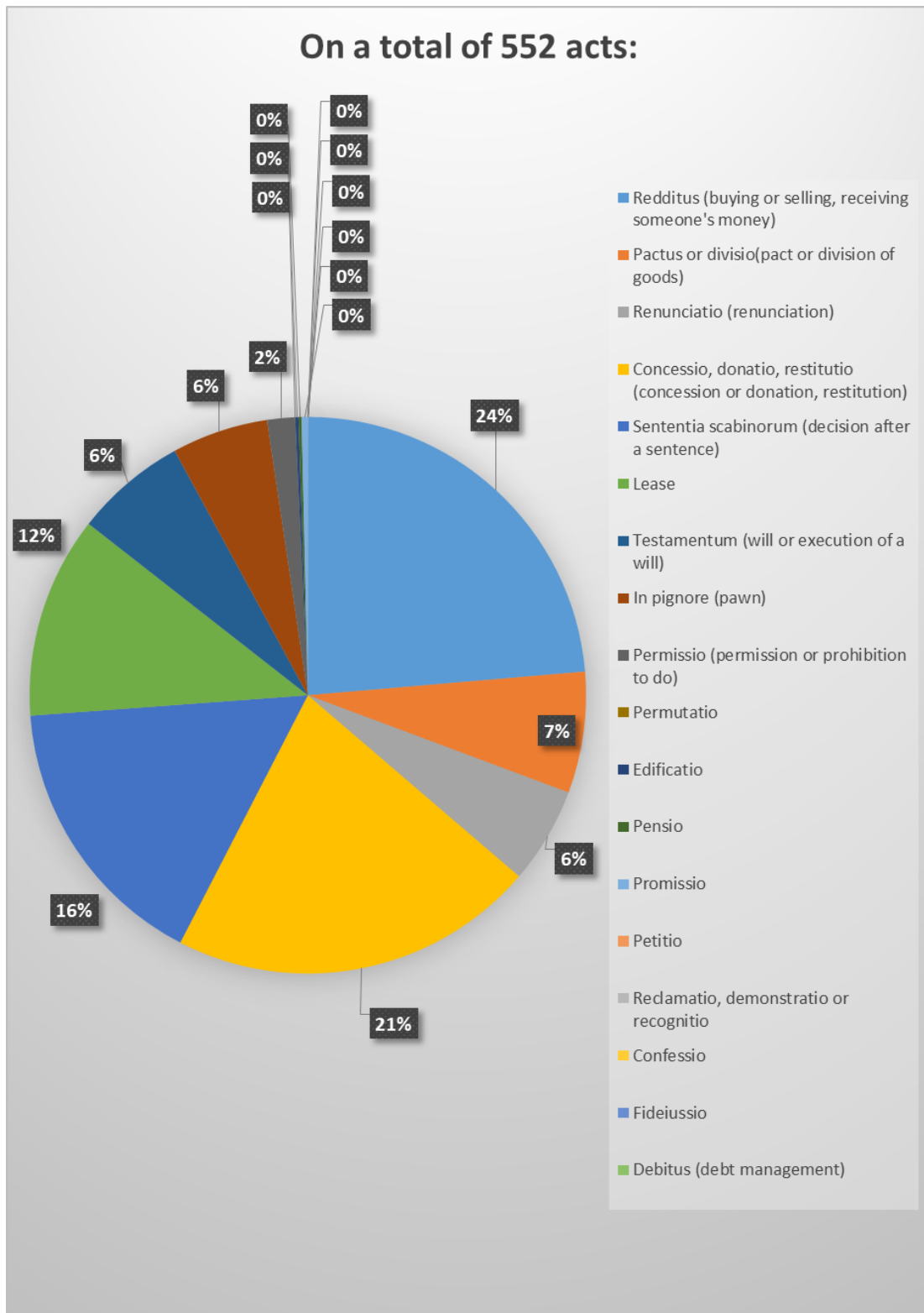


TABLE III: SCHREINSBÜCHER WRITTEN IN YEARS 1276-1300

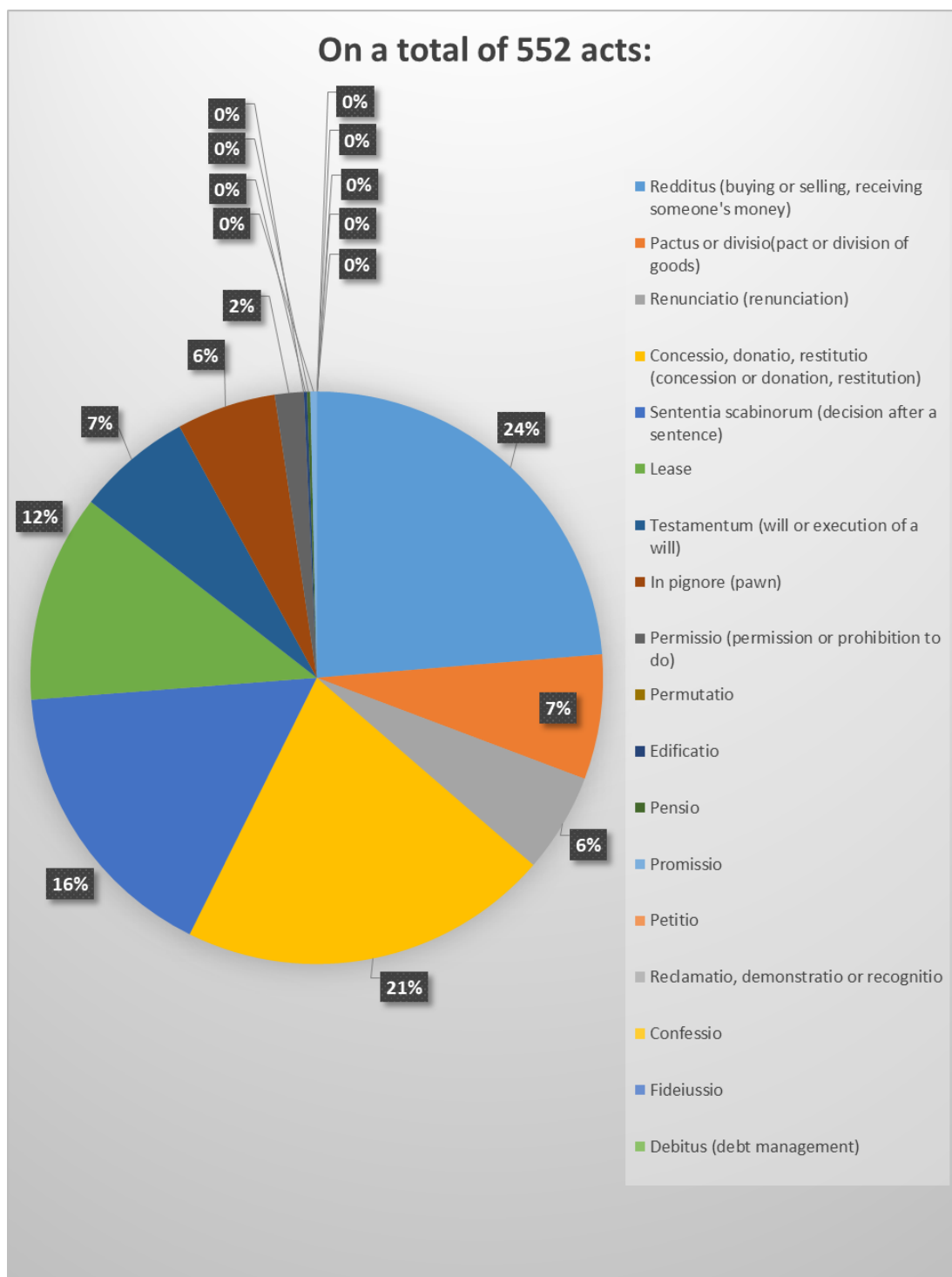


TABLE IV SCHREINSBÜCHER WRITTEN IN YEARS 1301-1350

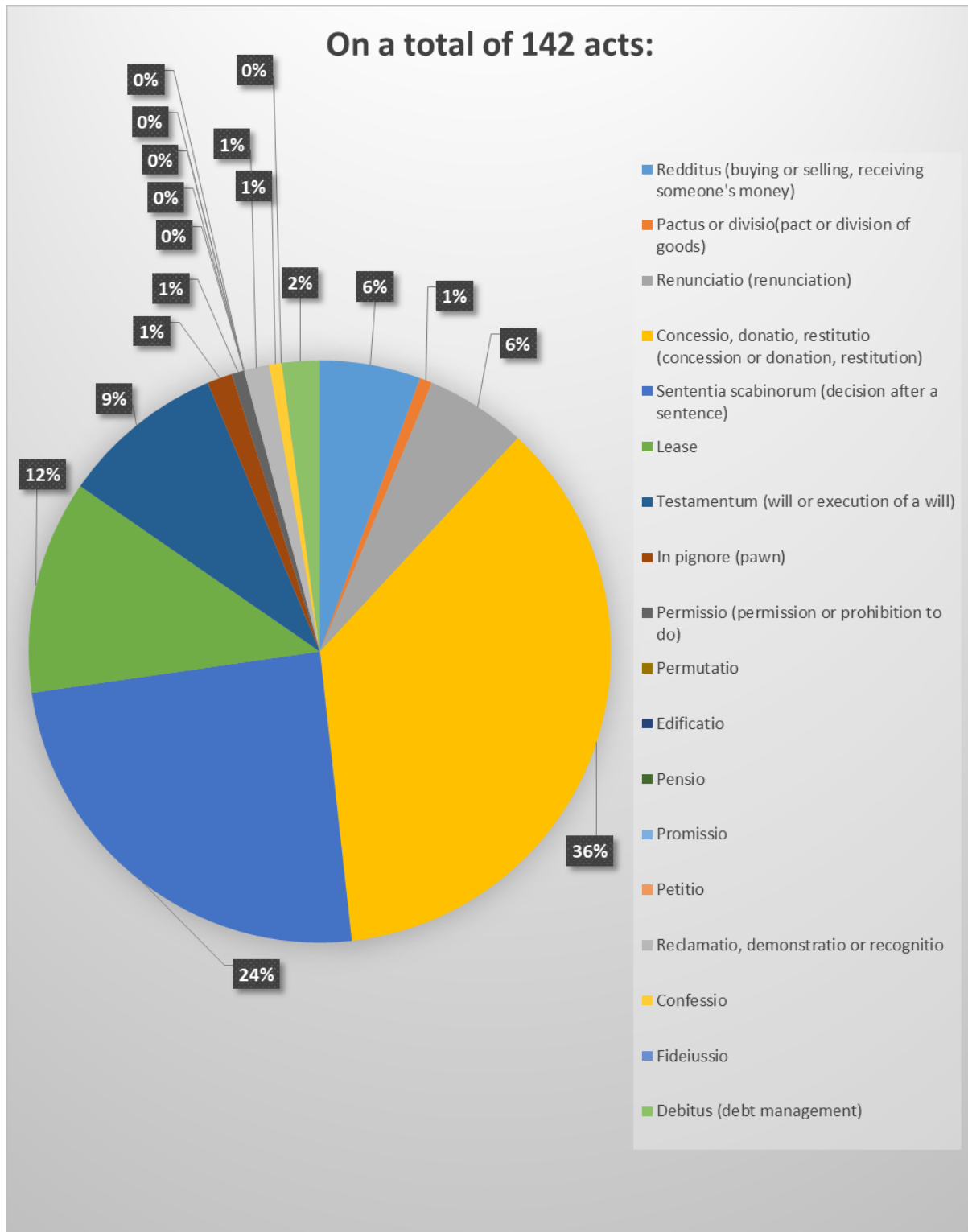


TABLE V: SCHREINSBÜCHER WRITTEN IN YEARS 1351-1400

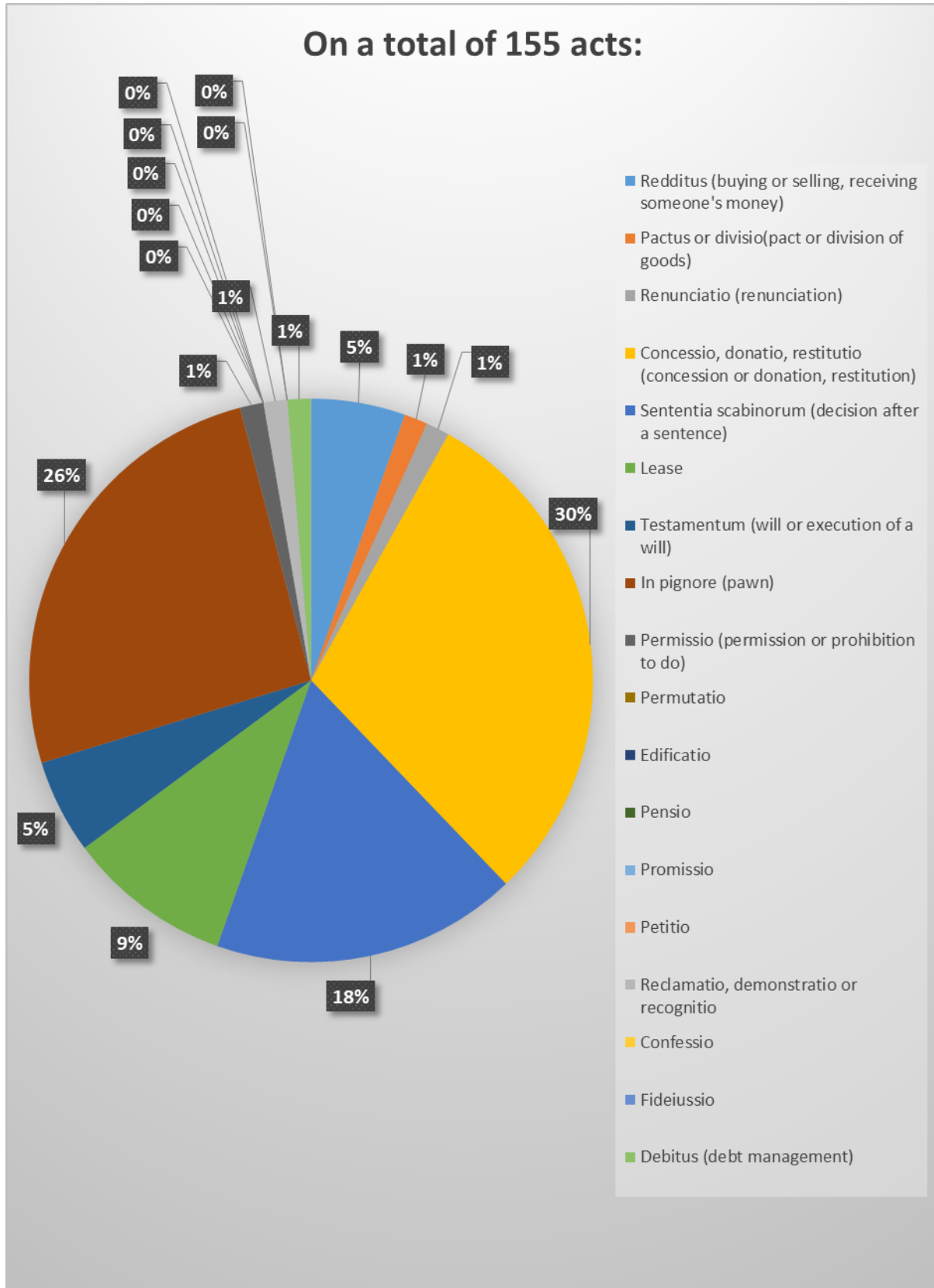
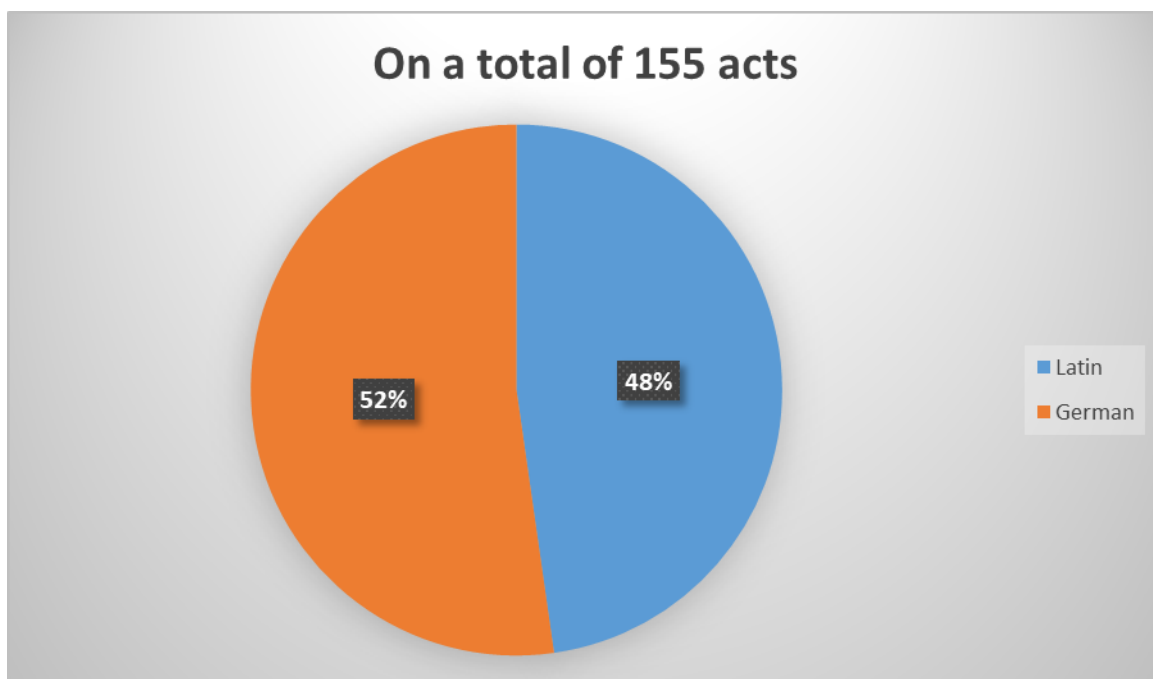


TABLE VI: LANGUAGE USED IN THE ACTS²⁶



TEXT VII: SC. 211 Apostol (AD. 1230) Novum Forum 200 2a

200. Notum sit (tam) futuris quam presentibus, quod, cum puer dicti Tipoldi mortuus sit, dicta Cunegundis per sententiam officialium adeptam est eandem hereditatem, que ei accidit, post mortem pueri sui, ita quod libere eam convertere possit in usus, quos velit. (Um 1230.)

TEXT VIII: SC. 75 Alban (AD 1269) Alb. Alt Vlotschiff 746 5a

746. (f. 5a) Notum sit tam futuris quam presentibus, quod Pelegrimus dictus Niger nomine Minorum fratrum in Colonia et ipsorum tunc constitutus dincvait comparuit in figura iudicii et per sententiam scabinorum obtinuit dimidietatem domus et aree site proxime curie burgravii versus curiam abbatisse Sancte Marie in Capitolio, que quondam fuit mansio Gerardi Macri, cum quarta parte domus et aree site retro domum prescriptam versus Blundins Johannis gazin ante et retro subtus et superius, prout dicta hereditas ibi jacet et ubi ipsum Pelegrimum in partitione attingit. Tali conditione et jure, sicut Udo dictus Rodestoc legavit ad illuminationem altaris omnium sanctorum retro summum altare ecclesie predictorum Minorum fratrum. Ita quod dictus Pelegrimus nomine illuminationis predicte dictam hereditatem jure et sine contradictione obtinebit. Actum anno Domini M^oCC^oLXIX^o. (1269.)

TEXT IX: Sc.211 Apost. (1301) Apost. Novum Forum 1809 52a

1809. (f. 52a Sp. 1) Notum etc., quod scabini testificaverunt officiat in domo civium parrochie ecclesie Sanctorum Apostolorum, quod Heydenricus et Petrissa, eius uxor, scripti sunt in domo maioris consilii civitatis de domo sita in novo foro, que dicitur Heydenrici, et area, prout jacet ante et retro supra et subtus. (1301.)

TEXT X: Sc.471 Scab. (1351) Mart. 1932 101b

1932. Notum sit, quod Johannes de Datten predictus comparens in iudicio, sicut de jure debuit, fecit se mitti in possessionem predicte dimidietatis predicti scampni carniem sive macelli, que sibi cessit ex morte Duyrginis, filie sue predicte. Et quia ipse sequebatur et nullus contra eum, qui resistentiam faceret, fuit eius introductio stabilis iudicata. Et dedit sententia scabinorum, quod ipse asscribi debeat ad eandem. Ita quod ipse eam poterit jure obtinere et divertere, quocumque voluerit. Datum anno Domini M^oCCC^oLI^o in vigilia beati Gregorii (11. Marz 1351.)

TEXT XI: Sc.158 Columba (1395) Col. Berlici 1935 121a

1935. (f. 121a) Notum sit, quod Hermannus de Baculo comparens in iudicio, sicut domini Costantinus de Lysenkirghen ad Mirwilre et Everardus Gyr de Kovelshoven, scabini Colonienses, nobis officiatu sunt protestati, fecit se inmitti ad sex marcas hereditarii census denariorum Coloniensis pagamenti usualis pro tempore et dativi et ad sex pullos hereditarii census annuatim solvi debitas in domo et eius area sitis ex opposito porticule vocate durliin Sancte Marie ad Ortum ante et retro subtus et supra, sicut ibi jacet, tamquam sibi cessos pro redditibus usufructualibus debito termino sibi non persolutis. Et quia sequebatur sicut de jure debuit, nemine contradicente, fuit sibi dicta immissio stabilis iudicata. Et dictavit sententia scabinorum ipsum esse asscribendum.

Ita quod ipse Hermannus ipsos huiusmodi sex marcas et sex pullos hereditarii census omni eo jure et captione, prout solvuntur, in hereditate predicta jure obtinebit et divertere poterit, quecumque voluerit anno Domini MCCCXC quinto die 19 mensis februarii. (19. Februar 1395.)

TABLE XII: PERCENTAGES OF PROFESSION/ROLES MENTIONED IN ALL THE BOOKS²⁷

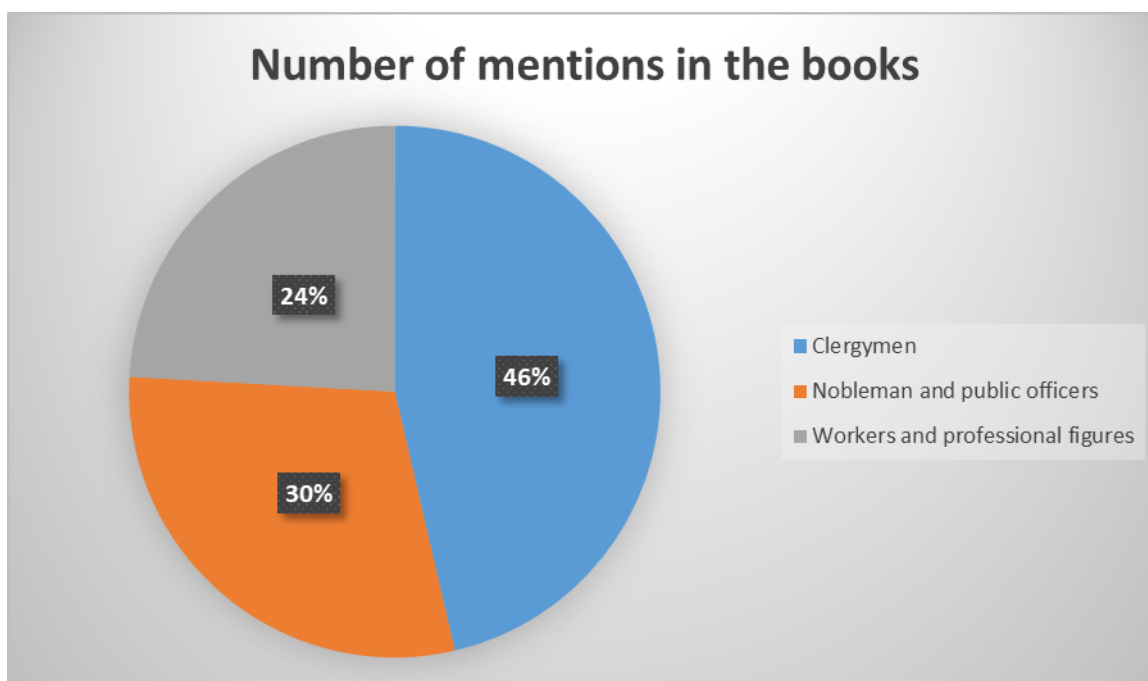


TABLE XIII: GOODS BEFORE 1250²⁸

N° entry	Property and value
193	Quartam partem domus
194	Dimidiam partem domus cum area
195	Dimidiam partem domus (ad censum 4 sol. Et 6 den.)
196	Quartam partem domus
200	///
201	Septima pars domus
202	Pistrinum (bakery) cum area
203	30 sol. (hereditas)
204	Domus (redditus singulis annis: 1 marca)
205	Sextam partem domus et aree
206	12 marcas (hereditas)
208	(value unspecified) (hereditas)
210	Quicquid habuerunt in domo
211	Quicquid habuerunt in domo
212	Parietem (wall)
213	Domum cum area (census: 11 sol.)
214	///
215	3 sol. (restitution)

²⁷ N° clergymen: 300; n° nobleman and public officers: 191; n° workers and professional figures: 156

²⁸ in the tables 13- 16, we have had in consideration a specific book for a specific parish – the S. Apostoli in Novum Forum one – and we have gathered all the pieces of data related to goods mentioned: we have notified their type (properties or else) and their value.

216	Dimidiam marcam (in perpetuum ad illuminandum altare cum oleo)
217	4 sol. (redditum renunciation)
218	Septima pars domus et aree..., septima pars domus et aree..., septima pars domus et aree...
219	Aream unam (census: 8 sol. Solvendis singulis annis)
220	Dimidietatem domus et aree
221	dimidietatem domus... et dimidietatem domus... (in perpetuum persolvendos: 3 marcas et dimidie marce)
222	5 marcis (hereditas)
223	Partem suam (hereditarii census: 6 sol. Et dimidii denariorum)

TABLE XIV: GOODS IN 1251-1275

N° entry	Property and value
756	Quintam partem domus (annuatim persolvendis: 6 sol.)
757	Duas domus cum areis (redditus: 4 marcas annuatim)
758	Domum cum area ante et retro
759	Tertiam partem magne domus (annuatim pro 12 sol. Solvenda)
760	Tertia pars domus
761	12 sol. (censum nomine pignoris)
762	Domus (census: 12 sol.)
763	Quicquid iuris habuerunt in domo et area
764	Dimidiam domus (redditus annuos: 12 sol.)
765	Quartam partem domus
766	Aream
767	Octavam partem domus et duas sextas partes unius octave partis... et octavam partem et duas sextas partes unius octave de area octavam partem et duas sextas partes unius octave partis in domo tertia contigua... et duas sextas partes unius octave partis
768	Pistrinum
769	Domum cum area
770	6 sol. (hereditarii census)
771	6 maldra siliginis Coloniensis mensure (annuatim)
772	60 marcas et 3 vasa vini et 1 lagenam
773	Domus (redditus: 2 marcas)

774	Omnem portionem in tribus domibus (selling: value unspecified)
775	Quicquid iuris habebant in fabrica cum camera (selling: value unspecified)
776	Domus cum area et curia
777	Proprietas (hereditarii census: value unspecified)
778	Duas domus et area contigua (assignatio: 30 sol. Colonienses)
779	Dimidietas mansio cum defensione
780	Tribus sextis partibus medietatis domus
781	Proprietas unius sextet partis
782	Domus
783	Domus cum area (pensio: 6 maldra siliginis et 6 maldra tritici mesure Coloniensis et duas marcas Coloniensium denariorum et I carratam vini mesure Coloniensis)
784	Domus (redditus: I marca)
785	10 marcas (hereditas)
786	Domus (singulis annis 6 maldra siliginis et 6 maldra tritici Coloniensis mesure)
787	Hereditas' lease (Singulis annis 8 sol.)
788	Duas quintas partes domus
789	Domus (hereditarii census: 18 sol.)
790	///
791	///
792	Domus lapidea et area
793	Caminata et area (solvat annuatim 6 sol. Coloniensium denariorum)
794	Partem suam (value unspecified)
795	Decimas pars domus

TABLE XV: GOODS IN 1276-1300

N° entry	Property and value
1328	Domo (6 marcas denariorum Coloniensium)
1329	Dimidia domus et aree (hereditarii census solvendis singulis annis: 1 marca)
1330	Domus cum cameris et medietatem muri in domo (6 marcas)
1331	9 marcas in domo (donation)
1332	Caminata et area (hereditarii census: 4 sol. Et 6 denarios)
1333	Domus...et domus cum cameris (selling: 30 marcas bonorum et legalium Coloniensium)
1334	Domum cum area sua contiguam camenate adjacenti domui (hereditarii census: 10 sol. Bonorum Coloniensium solvendorum singulis annis)
1335	Tres partes in domo braxatoria (beer factory) (in pignore: 6 marcas turonensium nigrorum, 42 sol. Pro marca qualibet computatos)
1336	Omnibus bonis immobilibus et mobilibus (renunciation)
1337	Dimidiam domus (buying: 8 sol. Hereditarii)
1338	Domus (buying hereditarii census 10 sol.)
1339	///
1340	Domus et partem sue aree
1341	Duarum quintarum partium aree
1342	///

TABLE XVI: GOODS IN 1301-1350

N° entry	Property and value
1804	Domo (in pignore: hereditarii census 9 sol.)
1805	///
1806	Domum
1807	Domum cum sua area et retro de curia de uno muro ad alium murum
1808	Domus cum area sua (hereditarii census singulis annis: 4 sol. Bonorum Coloniensium denariorum et 2 capones)
1809	///
1810	Quarta parte caminate et ordonem (renunciation)
1811	19 maldra siliginis et 6 maldra tritici Coloniensis mesure (solvendis singulis annis)
1812	12 maldris siliginis et 3 maldris tritici (renunciation)
1813	Hereditarii census singulis annis: 3 sol. (renunciation)
1814	Domus cum sua area
1815	Domus (renunciation)
1816	Domus
1817	///

Short biography of the author

Vincenzo Trupiano is a graduate student from University of Bologna (2022/23) currently preparing to attend Archival School in Bologna.

Bibliography

- Hans Planitz, Thea Byken. 1937. *Die Koler Schreinsbücher des 13. und 14. Jahrhunderts*. Weimar : Bohlau, 1937.
- Militzer, Klaus. 2009. *Die Kölner Schreinsbücher*. 2009.
- . 1989. *Schreinsintragungen und Notariatsinstrumente in Köln in Notariado público y documento privado. De los orígenes al siglo XIV. Actas del VII Congreso Internacional de Diplomática*. Valencia : Generalitat Valenciana, 1989.
- Opitz, Rainer. 2017. *Die Kölner Schreinsbücher. Eine Untersuchung zur Kodikologie und der Praxis ihrer Führung*. 2017.
- Speer, Christian. 2012. *Der Index Librorum Civitatum als Instrument der historischen*. Munster : s.n., 2012.