



SOFIA GUSTAFSSON*

<https://orcid.org/0000-0001-9908-853X>LOCAL ORDINANCES IN FIFTEENTH-CENTURY STOCKHOLM
IN THE CONTEXT OF THE BALTIC REGION TOWNS

Abstract

The article presents a study on the local ordinances of Stockholm, called *bursprak*, preserved from the second half of the fifteenth century. In this article, the contents of the Stockholm ordinances have been categorised into regulations on the code of conduct, town security, vagrant people, prostitutes and visitors from other towns, sanitation and animal husbandry, fire protection, taxation, and regulations on trade and crafts. The ordinances have been analysed as a part of the legal landscape of Stockholm. Particularly, their relationship with the general Swedish Town Law demonstrates that the ordinances functioned as supplementary regulations. The local ordinances in Stockholm were read to the public twice a year, and their contents varied a bit between summer and winter. The town ordinances were subject to continuous revisions by the town council, possibly in collaboration with a body of community representatives. A comparison has been made between the local ordinances of Stockholm and those from fifteenth-century Riga, Wismar, Leba and Lübeck, which facilitated a discussion of similarities, differences and the dissemination of legal provisions across the Baltic region.

Keywords: *burspråk*, byelaws, local ordinances, urban history, medieval towns, Stockholm, Baltic region, late Middle Ages

* Department of Culture and Society, Linköping University

sofia.gustafsson@liu.se

Received 30.09.2024; Received in revised form 28.03.2025; Accepted 11.04.2025

INTRODUCTION

In Stockholm, lists of local ordinances have been preserved from the second half of the fifteenth century. The ordinances contain rules on trade and production, but also sanitary regulations, such as where the inhabitants should dispose of garbage and when their pigs had to be moved out of the town after the winter, or fire protection, such as the demand to keep a full water barrel in front of the house. Other examples of regulations concern the night guard of the burghers, taxation and how to deal with visitors. The local ordinances in Stockholm were called *bursprak* (spelt as *burspråk* in modern Swedish). Similar local ordinances have been preserved from many other medieval towns, but the *bursprak* of Stockholm are the only ones extant from Scandinavia before the sixteenth century¹. The local ordinances of Stockholm were edited and published in 1917 by Emil Hildebrand, who supplemented his edition with a six-page introduction. Since then, the contents of the local ordinances have sometimes been mentioned in research focused on particular issues, but they have not been studied as a separate entity, and there are gaps in our understanding of their legal meaning. How did they come into being? Which categories of issues did they address? What functions did they fulfil in the legal landscape of Stockholm? Were there similarities between the local ordinances of Stockholm and their counterparts in other towns? This study aims to examine the local ordinances as part of the legal landscape of Stockholm and attempts to contextualise them in relation to contemporary local ordinances from other towns of the Baltic region.

THE LEGAL LANDSCAPE OF LATE MEDIEVAL STOCKHOLM

In the late Middle Ages, Swedish towns located along the coast of the Baltic Sea were integrated into entangled trading networks spanning across the sea. Most Swedish towns had the same lord, i.e. the ruler of the Swedish Kingdom, and were not allowed to be members of the Hansa². However, a steady stream of ships from abroad frequented Stockholm harbour during the sailing season. Stockholm was the largest town of the Swedish realm and had a mixed-ethnic community of burghers. Many of them originated from or had relatives living in foreign towns, and Middle Low German was a common language in the town. Stockholm maintained regular contact with towns across the Baltic Sea

¹ However, earlier unpreserved local ordinances issued by town councils were mentioned, for example, in Flensburg in 1321 (as *wilkoor*), see *Diplomatarium Danicum*, R. 2, Bd. 8: 1318–1322, udg. Adam AFZELIUS, København 1953, no. 330.

² Carsten JAHNKE, *Das Verhältnis der skandinavischen Städte zur Hanse*, [in:] *Von Hamburg nach Java. Studien zur mittelalterlichen, neuen und digitalen Geschichte. Festschrift zu Ehren von Jürgen Sarnowsky*, hrsg. v. Jochen BURGTORF, Christian HOFFARTH, Sebastian KUBON, Göttingen 2020, pp. 115–134.

and reached a relatively high degree of urban autonomy. Nonetheless, Stockholm burghers were politically and legally restricted by the Swedish ruler and controlled by the bailiff residing at Stockholm Castle.

From the mid-fourteenth century, there was a comprehensive Swedish Town Law, later often referred to as the Town Law of King Magnus Eriksson (Swe. *Magnus Erikssons stadslag*), which was applied in Stockholm in the late Middle Ages³. Compared to other medieval town laws, it was more extensive and contained both civil and criminal law. However, Stockholmers, like burghers of all medieval towns, followed not only the town law but also church law, municipal privileges, local ordinances and decrees issued by both the town's lord and the town council. There was a difference in the permanence of these rules. Town laws were the most permanent and were seldom changed. In Sweden, the medieval town law was applicable until the eighteenth century. Privileges were ratified by each new ruler, who had the power to alter them, but they could remain quite similar over long periods with only minor changes and additions. Individual decrees were often treated as temporary provisions. Local ordinances bear witness to significant continuity over time, but, on the other hand, they were considered 'living' documents that could and should be reviewed and revised regularly. An individual decree could also be incorporated into the ordinances and thereby become more permanent. While this overall description of the legal landscape of Stockholm is valid for medieval towns in general, the details of the outlook of this landscape differed between each town.

The urban administration of Stockholm has been compared with northern European towns, demonstrating significant general similarities as well as local adaptations found in the details⁴. Burghers' compliance with the law and privileges of Stockholm was the responsibility of the town council and the royal bailiff, who participated in all council seatings. The seated (i.e. governing during a given year) town council of Stockholm consisted each year of two burgomasters and eight councillors, and, in addition to the bailiff, the town scribe was present and wrote the minutes at all meetings, which were held three days a week.

In Stockholm, the extensive privileges of 1436 were in force during the following century, with some changes and additions introduced by each regent⁵. According to the privileges, everything equitably dictated by the town council should be kept steadily and firmly, particularly what the burgomasters

³ *Magnus Erikssons stadslag i nusvensk tolkning*, övers. Åke HOLMBÄCK, Elias WESSÉN (Rätts-historiskt bibliotek, Bd. 7), Stockholm 1966 (hereinafter cited as *Magnus Erikssons stadslag*).

⁴ Sofia GUSTAFSSON, *Svenska städer i medeltidens Europa. En komparativ studie av stadsorganisation och politisk kultur* (Acta Universitatis Stockholmiensis. Stockholm Studies in History, vol. 86), Stockholm 2006.

⁵ *Privilegier, resolutioner och förordningar för Sveriges städer*, D. 1: (1251–1523), utg. Nils HERLTZ, Stockholm 1927 (hereinafter cited as *Privilegier, resolutioner och förordningar*), pp. 77–83.

themselves dictated. Also, if there were laws which were not described in the Swedish Town Law, the town council had the right to judge in accordance with their oaths and their best conscience, and such rulings should be observed as steadily and firmly as those described in the written laws⁶. This provision may be interpreted as if the town had a limited right of law-making, but only as far as additions to the Town Law were concerned and only if they benefited the town. Such a right to interpret the law and judge in cases where the written law did not provide direct guidance was common in medieval towns⁷.

This study will clarify the relationship between the local ordinances and other laws applicable in Stockholm. Were the local ordinances to be found in the Swedish Town Law or the town privileges of Stockholm, in other words, did the ordinances simply include rules already enforced in Stockholm? Were there any contradictions between the Town Law, the privileges and the ordinances? If the discussed rules were already enforced in the town, it would mean that the local ordinances were simply collections of articles which were considered most important to make the burghers aware of. If, on the other hand, the ordinances were different from the contents of the Town Law, this would indicate that the town had the right to its own legislation. The question is thus of importance to understand the legal conditions and practices in late medieval Stockholm and medieval towns in general.

THE *BURSPRAK* OF STOCKHOLM IN CONTEXT

The word *bursprak* appeared in the Stockholm sources for the first time in 1409, mentioned then in a document as something well-known⁸. Thus, it is impossible to establish how old the custom of *bursprak* was. In addition to being the word used for written ordinances, the term *bursprak* was also used in Stockholm for the physical place designed for the proclamation in front of the townspeople. According to the chronicle of King Karl Knutsson Bonde, written in the mid-fifteenth century, the inhabitants of Stockholm were summoned to a town square in order to declare which side they supported in a political conflict of 1436. The chronicle contains a rhyme: 'The noblemen went onto the *bursprak*, the burghers stood beneath them', which means that the *bursprak* was a balcony or an elevated space in the square⁹. The word *bursprak* was also

⁶ Ibid., p. 81, § 16 and § 17.

⁷ Eberhard ISENMANN, *Städtisches Gesetzgebungs- und Verordnungsrecht in Rechtsliteratur und in Rechtsgutachten deutscher Juristen des Spätmittelalters*, [in:] «Faire bans, edictz et statutz». *Légiférer dans la ville médiévale*, dir. Jean-Marie CAUCHIES, Éric BOUSMAR (Publications des Facultés universitaires Saint-Louis, vol. 87), Bruxelles 2001, pp. 411–438.

⁸ *Magnus Erikssons stadslag*, pp. 188–189.

⁹ 'Po bwrspraket the herra ga, alla borgarna nidan för them sta'; *ibid.*, pp. 188–189.

used as a description of the actual meeting. For example, the burghers were called to hold *bursprak*. This is the presumed original etymological meaning of the word, a talk with the burghers. The council minutes also contain examples where the regent of Sweden called the urban community to hold a *bursprak* together with the town council, then not primarily to read ordinances, but to inform or discuss political matters with the burghers.

The word *bursprak* derives from Middle Low German, and the term was used for local ordinances in some northern German towns. The oldest known case when the word was used was in Hamburg in 1270¹⁰. However, there were other words used in the towns of the Baltic region to describe local ordinances. For example, in Riga, the word *Willkür* signified a similar set of byelaws¹¹.

There are nine *bursprak* preserved from Stockholm. The oldest is dated 1459, and the most recent is dated 1527. Most *bursprak* contain between 50 and 90 articles, which have been revised frequently during that period. Five preserved *bursprak* from fifteenth-century Stockholm were proclaimed on Pentecost (1460, 1462, 1463, 1476 and 1481) and three on the Feast of St Thomas the Apostle, right before Christmas (1459, 1478 and 1482), and, additionally, the *bursprak* of 1459 was amended in 1461. The *bursprak* (hereinafter typically referred to as local ordinances) were thus read publicly twice a year. There are no obvious explanations as to why these times of the year were chosen, but they marked the introduction of periods of peace. From Pentecost to the Nativity of St Mary (8 September), fines for bruises, bloodshed and manslaughter were doubled. The Christmas Peace, which also doubled fines for violent crimes, was called for on the Feast of St Thomas and lasted until 13 January¹². Proclamation dates as well as frequency varied between different towns in the Baltic region. In Wismar, the *bursprake* gatherings were only held once a year, on the Feast of the Ascension; in Lübeck, however, they were summoned four times a year.

¹⁰ Wilhelm EBEL, *Die Willkür. Eine Studie zu den Denkformen des älteren deutschen Rechts*, Göttingen 1953, pp. 53–55; Jürgen BOLLAND, *Zur städtischen „Bursprake“ im hansischen Raum*, *Zeitschrift des Vereins für Lübeckische Geschichte und Altertumskunde*, Bd. 36: 1956, p. 101 (see also the definition of this term on p. 116).

¹¹ Dzintra LELE-ROZENTĀLE, *Die Stellung der Burspraken von Riga als spezifische Rechtstexte der Stadt. Untersucht anhand des Ciuloquium von 1376*, [in:] *Aufgaben einer künftigen Kanzleisprachenforschung*, hrsg. v. Jörg MEIER, Arne ZIEGLER (Beiträge zur Kanzleisprachenforschung, Bd. 3), Wien 2003, p. 403; Malte REHBEIN, *Göttinger Statuten im 15. Jahrhundert. Entstehung – Entwicklung – Edition* (doctoral diss., Georg-August-Universität Göttingen), Göttingen 2008, pp. 12–13; Friedrich TECHEN, *Die Bürgersprachen der Stadt Wismar* (Hansische Geschichtsquellen. Neue Folge, Bd. 3), Leipzig 1906, pp. 3–4.

¹² *Stockholms stads tänkeböcker 1474–1483 samt burspråk*, utg. Emil HILDEBRAND (Stockholms stadsböcker från äldre tid, ser. 2:1), Stockholm 1917 (hereinafter cited as *Stockholms stads tänkeböcker 1474–1483*), 1482, § 1.

Wilhelm Ebel established that local ordinances were often proclaimed in connection with the yearly election of the town council, or when it was time to pay taxes¹³. However, this was not true for Stockholm, where the new council was elected at the Feast of St Walpurga (1 May) and taxes were paid before Easter. In many towns, it seems that the local ordinances were proclaimed around a particular date, but seldom exactly on that day¹⁴. This was also true for Stockholm. The Stockholm council's minutes mention the *bursprak* communal gatherings around Pentecost (which changes date every year) and before Christmas.

In Wismar, it was recorded that burghers were summoned to a town square for the public reading of local ordinances on Monday, with church bells ringing on the preceding Sunday at noon¹⁵. In Stockholm, the available sources do not explain how exactly burghers were summoned to hear the reading of ordinances.

The local ordinances of Stockholm were written on double-folded folio sheets, which were bound into a volume in the sixteenth century together with the few preserved medieval municipal account records. During the medieval period, they were likely not bound at all. The oldest Stockholm ordinances bear witness to extensive handling, and today they are bound in an incorrect order¹⁶.

The aforementioned Emil Hildebrand, who edited and published the local ordinances of Stockholm, provided an introduction with an analysis of the development of these texts from the fifteenth century. Hildebrand determined that the ordinances were written by the town scribe. In Stockholm, the office of the town scribe was one-person. This municipal clerk was responsible for keeping the town's official records, including the town council's minutes, a book of offices, books of property transactions, tax registers and local ordinances. The town scribe Nicolaus held the office when the oldest preserved local ordinances were written down between 1459 and 1463. Ingevald succeeded him and wrote the ordinances between 1476 and 1482. The subsequent town scribes, who later revised these ordinances, were Helmik van Nörden (in office 1487–1511) and Anders Andersson (in office 1511–1524). Hildebrand was therefore convinced that no full list of ordinances had been written after 1482 and that the practice was limited to editing the existing ones. A new full list was likely compiled only in 1527 when the old ordinances were heavily revised by the town scribe Olaus Petri¹⁷. Olaus Petri's unnumbered list contains 62 articles, where only the first 36 have corresponding articles in the ordinances

¹³ W. EBEL, *Die Willkür*, p. 55.

¹⁴ J. BOLLAND, *op.cit.*, p. 104.

¹⁵ F. TECHEN, *op.cit.*, pp. 12–13.

¹⁶ *Stockholms stads tänkeböcker 1474–1483*, p. 426.

¹⁷ *Ibid.*, p. 421.

of 1482, although with certain revisions. The following 26 articles have only a few equivalents in earlier ordinances. Because of the significant difference from the earlier ones, this edition of 1527 is not included in the present analysis.

The local ordinances were most likely revised every year. This means that the exact dating of individual changes is complicated. Hildebrand, for example, concluded that in the oldest preserved ordinance of 1459, out of a total of 60 articles listed, only articles 1–17 and 19–22 were original and the rest were later additions. Primarily, it was the succeeding town scribe, Ingevald, who made these additions. Also, he sometimes altered words or made amendments to the original articles. The ordinance of 1476 initially comprised 74 articles, but Ingevald's successor, Helmik van Nörden, later, probably in two different instances, added articles 75–94¹⁸. Hildebrand searched the town council's minutes for decisions regarding various articles and found some. For instance, he dated articles 92 and 93, concerning the wages of carpenters, to 1496 by linking them to a corresponding decision made by the town council that year¹⁹. Due to the nature of those lists, it is not possible to make a more detailed analysis of changes over time than the one attempted by Hildebrand.

What can the available sources tell us about the processes and practices regarding the introduction of local ordinances? There are a few clues, such as the aforementioned town council's decision incorporated into the ordinances. In a couple of articles, it is mentioned that the rule came about after a unanimous decision by the town council and the 24 representatives of the urban community²⁰. In the ordinance of 1482, there is an addition, likely introduced between 1497 and 1501, concerning a rule agreed upon with the 48 community representatives²¹. This community representation in Stockholm, resembling large councils known from other late medieval European towns, doubled in size from 24 to 48 during the 1490s. Its role in revising and editing local ordinances has already been discussed, and a hypothesis that one of the representation's tasks was to meet with the town council each year to review ordinances has been put forth. However, only indirect evidence is available to support this claim, such as the aforementioned decisions made by the council together with the community representatives, and the fact that this group sometimes met shortly before ordinances were proclaimed, though with no information in the preserved sources about their proceedings at those meetings²².

¹⁸ Ibid., pp. 422–424.

¹⁹ Ibid., p. 424.

²⁰ Ibid., 1459, § 52. See the decision made by the town council registered in its minutes on 4 December 1475, *ibid.*, p. 40, and also *ibid.*, 1459, §§ 49, 51, 55.

²¹ Ibid., 1482, § 73.

²² Sofia GUSTAFSSON, *The Introduction of Large Councils in Late Medieval Towns: The Example of Stockholm*, [in:] *Words and Deeds: Shaping Urban Politics from below in Late Medieval*

In the case of local ordinances in some other towns, the town council was much more explicitly referred to as their issuer. Several scholars assumed that originally burghers collectively agreed upon the contents of local ordinances with their councils, but these law-making powers were gradually transferred to the council alone. However, there is little evidence of exactly how the ordinances came into being or how they were revised. Jürgen Bolland questioned the previous scholarly views on these developments and suggested that a wider participation of burghers might have been possible also in the late Middle Ages²³.

In Stockholm's local ordinances, no issuer is indicated. There are, however, some articles added in 1461 which reportedly originated from Burgomaster Martin Lindorm. One of these articles stated that the king agreed with 'us' (unfortunately, it is unclear here to whom 'us' was referring) that no one should build a house outside of the town under a fine of 40 marks, or else the house should be demolished²⁴. However, this is to be considered an exception.

The Swedish Town Law was, in comparison to, for example, the Lübeck Law, well organised. The law was divided into thematic sections, which were further subdivided into paragraphs. Stockholm's ordinances, on the other hand, have no headings or article numbers. Also, there is no clear thematic division. It was common, however, for one article to have some connection to the previous one. For example, after two provisions regarding the night watch, there was a regulation that no one should make noise on the streets at night, followed by a prohibition on selling beer after 9 p.m. Even though these provisions dealt with different issues, they all related to nighttime activities. This was followed by a rule that no one should carry a sword in the town, during the day or at night, which again was associated with both the requirement that the night watch should be armed and with nighttime activities. Then followed another rule that one should warn one's guests not to carry weapons in the town. This was no longer related to nighttime activities, but it referred to weapons mentioned in the previous article. After that came a requirement to notify the town council about received guests, which, in turn, had nothing to do with weapons but instead with guests. Such an order based on association was common in medieval law.

LOCAL ORDINANCES AROUND THE BALTIC SEA

Several researchers have previously noted that there were some general similarities between local ordinances, particularly between Hanseatic towns. However, no town's ordinances were directly copied from another town. They were

Europe, ed. Ben EERSELS, Jelle HAEMERS (Studies in European Urban History [1100–1800], vol. 48), Turnhout 2020, pp. 81–82.

²³ J. BOLLAND, *op.cit.*, pp. 107–112.

²⁴ *Stockholms stads tänkeböcker 1474–1483, 1461*, § 5.

local regulations, but they often addressed common issues faced by numerous towns. It is clear, though, that there was also some direct influence between them, where exact wording could reappear in individual articles in several towns. Most interesting for the present study are the few comparisons made by Wilhelm Ebel in his scholarly piece published in 1953, where some articles from the Stockholm ordinances were included. He pointed to individual articles that appeared in local ordinances of several towns and, on this basis, concluded that these regulations shared a common core²⁵. However, the present article argues that this method risks exaggerating the similarities between the local ordinances of different towns. Instead of focusing solely on similarities, this study conducts a broader comparison between the ordinances of Stockholm and those of four selected towns located around the Baltic Sea, highlighting both similarities and differences.

There are available extant local ordinances from many towns of the Baltic region, for example, Kiel, Reval (Est. Tallinn), Rostock and Danzig (Pol. Gdańsk). However, for the comparison undertaken in this study, the local ordinances from Riga, Wismar, Leba and Lübeck have been randomly chosen among preserved ordinances from the fifteenth century. Thus, this study focuses on Stockholm and these four towns, instead of accounting for all possible similarities and differences between the various town ordinances from the region.

There is an imminent risk of comparing apples and pears in this brief overview of local ordinances. For a comparison to be satisfactory, each town's whole body of laws, statutes and ordinances would need to be taken into consideration. For example, there are significant differences in the extent of the Swedish Town Law followed in Stockholm and the Lübeck Law²⁶, a difference that should have an effect on what the burghers of each town saw fit to regulate locally. There also might have been a difference in the character of the local ordinances, where some might have contained more regulations introduced by the town's lord or decisions reached at Hanseatic diets, rather than resulting from the decision-making within the town itself. However, as the comparison highlights, there are some interesting similarities and differences in the selected texts, which, in this rather limited study, validate comparing them out of their local contexts. Before scrutinising the contents, the ordinances of those four towns should be introduced.

²⁵ Wilhelm EBEL, *Bursprake, Echeding und Eddach in den niederdeutschen Stadtrechten*, [in:] *Festschrift für Hans Niedermeyer zum 70. Geburtstag*, 30. November 1953 (Göttinger rechtswissenschaftliche Studien, Bd. 10), Göttingen 1953, pp. 53–76.

²⁶ Sofia GUSTAFSSON, *Comparability between the Medieval Swedish Town Law and the Lübeck Law*, [in:] *Crossing Legal Cultures*, ed. Laura B. VARELA, Pablo GUTIÉRREZ VEGA, Alberto SPINOSA (Yearbook of Young Legal History, vol. 3), München 2009, pp. 129–140.

In Lübeck, four *bursprake* of 1421 have been preserved, which were issued on, respectively, the Feasts of St Peter the Apostle in Lent, St James the Great, St Martin and St Thomas the Apostle. Another *bursprake* of 1454 (the Feast of St Thomas) is also extant, one of 1457 (the Feast of St Martin), and, finally, one of 1458/1466 (the Feast of St James)²⁷. Lübeck had separate *Kaufordnungen*, and trade was only briefly touched upon in the *bursprake*²⁸. Lübeck's local ordinances differed from the other towns in the way that they contained only nine or ten articles each. There was a clear continuity among the ordinances, with some variation in content over time.

In Riga, local ordinances, known there as *Willkür*, have been preserved from the late fourteenth century and the beginning of the fifteenth century. The study includes two of the most recent preserved medieval ordinances, dated to 1405 and 1412, both issued on Michaelmas (29 September) and containing, respectively, 48 and 81 articles²⁹. Their content differed a lot from the Stockholm ordinances, but, at the same time, some articles were quite similar.

Leba's (present-day Leba, Poland) local ordinances, also called *Willkür*, have been recently studied and edited. They are undated, but the most probable dating is 1477. Leba's local ordinances contained 44 unnumbered articles. There were almost no similarities in details between the ordinances of Leba and Stockholm³⁰.

Wismar boasts many preserved *bursprake*. They were written in Latin until 1452. Thereafter, there was a full *bursprake* of 1480 written in Middle Low German, which is covered by the present comparison. It contained 90 unnumbered articles³¹. The content of Wismar's local ordinances resembles the ordinances from Stockholm. They regulated roughly the same issues and had

²⁷ *Urkundenbuch der Stadt Lübeck* (hereinafter cited as LUB), Tl. 6 (Codex diplomaticus Lubecensis, Abt. 1), Lübeck 1881, no. 783; *ibid.*, Tl. 9: 1451–1460 (Codex diplomaticus Lubecensis, Abt. 1), Lübeck 1893, pp. 958–961; *ibid.*, Tl. 11: 1466–1470 (Codex diplomaticus Lubecensis, Abt. 1), Lübeck 1905, pp. 122–124.

²⁸ LUB, Tl. 6, pp. 760–766. For an overview of local regulations in Lübeck, see Meike KRUSE, *Burspraken, Luxusordnungen und Mandate. Überlieferung und Erschließung lübeckischer Polizeynormen im Archiv der Hansestadt (AHL)*, Zeitschrift des Vereins für Lübeckische Geschichte und Altertumskunde, Bd. 83: 2009, pp. 157–167.

²⁹ Printed in *Liv-, Esth- und Curländisches Urkundenbuch nebst Regesten*, Abt. 1, Bd. 4: 1394–1413, hrsg. v. Friedrich G. VON BUNGE, Reval 1859 (hereinafter cited as *Liv-, Esth- und Curländisches Urkundenbuch*, Abt. 1, Bd. 4), pp. 493–498, 822–826. See also D. LELE-ROZENTÄLE, *op.cit.*, p. 403.

³⁰ On Leba's local ordinances, see Julia MOŹDŻEŃ, Krzysztof KWIATKOWSKI, *Die Willkür der Stadt Leba*, [in:] *Studies on the Military Orders, Prussia, and Urban History: Essays in Honour of Roman Czaja on the Occasion of His Sixtieth Birthday*, ed. Jürgen SARNOWSKY, Krzysztof KWIATKOWSKI, Hubert HOUBEN, László PÓSÁN, Attila BÁRÁNY, Debrecen 2020, pp. 371–396.

³¹ Edited and published in F. TECHEN, *op.cit.*, pp. 326–336.

about the same length and variety of subjects. There were also a few articles with a strong similarity.

In order to account for the contents of the local ordinances in Stockholm and discuss them in the context of their counterparts originating from other towns around the Baltic Sea, articles included in those ordinances have been categorised into different themes. The categories present in the Stockholm ordinances are discussed in the following chapters and compared to the ordinances of Riga, Wismar, Leba and Lübeck. Categories present in these four towns which are absent from the Stockholm ordinances are not accounted for³².

CODE OF CONDUCT

One of the first articles in all the ordinances of Stockholm was: 'Hwar man haffui en höuiskan mwn pa herra oc forsta, frvar ok jomfrvar ok goda städher'³³, which translates to 'Each man [should – S.G.] have a civil mouth on lords and princes, wives and maids, and good towns', i.e. should speak about them in a civil manner. There was no corresponding rule in the Swedish Town Law, but the law demanded to speak in a civil tone to the king and the king's council, as well as to the town's bailiff, burgomasters and councillors³⁴. There was, however, a corresponding paragraph in many other urban ordinances around the Baltic Sea. The first paragraph of the 1412 ordinance of Riga stated that: 'enem ychelken dat hee ene hoveschen munt hebbe vp heren vnde vorsten vrowen vnde yuncvrowen vp den heren meister vnde synen Orden vnde vp gude stede [...]'³⁵. Whereas in the 1454 ordinance from Lübeck one finds the following wording: 'Vortmer bedet desse heren eneme jeweliken, dat he enen houeschen mund hebbe vppe heren vnde fursten, vppe riddere, knapen vnde papen, land vnde stede'³⁶. And in Wismar's ordinance of 1480: 'Item nemandt soll spreken up hern, up forsten, frowen edder jungkfrowen, up nene erlike lude geistlick effte werlick'³⁷. Since the wording is so similar, it is obvious that

³² When referring to the edition of the Stockholm ordinances, mostly only one year is mentioned here, as a rule, 1482, unless the discussed article was not included therein. Hildebrand's edition provides references to all similar articles in the other ordinances of Stockholm. The present article does not focus on the stipulated punishments for nonconcurrency with the ordinances, which are only sporadically mentioned here. The article's author made all translations into English.

³³ *Stockholms stads tänkeböcker 1474–1483*, 1482, § 4.

³⁴ *Magnus Erikssons stadslag*, Konungabalken, VIII and XII. The ordinances also required burghers to mind their tone when speaking to municipal officials, see *Stockholms stads tänkeböcker 1474–1483*, 1481, § 60.

³⁵ *Liv-, Esth- und Curländisches Urkundenbuch*, Abt. 1, Bd. 4, p. 822, § 1.

³⁶ LUB, Tl. 6, p. 959, § 2.

³⁷ F. TECHEN, op.cit., pp. 326–327 (1480, § 3).

there was a connection between the ordinances. It can be interpreted as a general code of conduct that existed in towns around the Baltic Sea³⁸. A related rule introduced in the ordinances from Stockholm was that no one should spread gossip or rumours when news arrived in the town with the ships³⁹.

TOWN SECURITY

Early in the development of the town, Stockholm was confined to a single island, known as the Town Island (Swe. *Stadsholmen*, nowadays a part of *Gamla stan* – the Old Town), situated at the junction of the Baltic Sea and Lake Malar (Swe. *Mälaren*). The town and the royal castle were surrounded by stone walls. In the course of the Middle Ages, the town expanded into the adjacent islands and to the mainland, but since buildings outside the town walls were quickly destroyed or occupied by enemy troops during conflicts, there was a policy to tear them down and allow only carriers to actually live outside the town gates⁴⁰. The waters surrounding the Town Island were also defended by a system of poles and barriers. In order for ships to enter the harbour, a bar had to be opened. Stepping over the bar when it was closed would render a death penalty according to the local ordinances, or a severe fine of 80 marks. The ordinances also prohibited everyone from putting ropes from a boat on the bar, probably to avoid damaging it⁴¹.

In addition to controlling the space outside the town walls, the local ordinances contained rules to make life within the town safer. There was a general article prohibiting assemblies and revolts in the town. This was also prescribed by the Swedish Town Law, and it is one of a few rules found in both the Town Law and local ordinances⁴². Concerning safety in the town, the ordinances also regulated the functioning of the town guard and introduced restrictions on carrying weapons.

The Swedish Town Law was clear concerning weapons in towns. Only those who owned urban property or movable goods worth at least 40 marks were allowed to carry weapons in the town⁴³. Noblemen were exempted from this rule and had the right to carry weapons in the streets. These restrictions were repeated in the privileges granted to Stockholm in 1436: 'No harmful sword or weapon shall be carried in the town, except according to the law and what has

³⁸ This similarity was pointed out by Ebel already in 1953, see W. EBEL, *Die Willkür*, pp. 56–57.

³⁹ *Stockholms stads tänkeböcker 1474–1483*, 1459, § 9. Leba's local ordinances included an article on defamation between women, see J. MOŽDŽEŃ, K. KWIATKOWSKI, op.cit., p. 389, § 33.

⁴⁰ *Stockholms stads tänkeböcker 1474–1483*, 1461, § 5, and 1463, § 54. See also *ibid.*, 1481, § 70.

⁴¹ *Ibid.*, 1460, § 27, and 1482, § 61.

⁴² *Magnus Erikssons stadslag*, Konungabalken, XXVI; *Stockholms stads tänkeböcker 1474–1483*, p. 487 (1482, § 5). Cf. W. EBEL, *Bursprake, Ehteding und Eddach*, p. 57.

⁴³ *Magnus Erikssons stadslag*, Rådstugubalken, XXXIV, § 1.

been an old custom, unless the burgomasters and council give their consent if deemed necessary'⁴⁴. The ordinances of Stockholm were more restrictive than the Town Law and the privileges, and stated that no one should carry weapons in the town, except for the king's bailiff and his representative⁴⁵. Similar restrictions on carrying weapons were found in local ordinances from other investigated towns around the Baltic Sea⁴⁶.

According to the Swedish Town Law, guests were required to take off their weapons when they arrived in a town⁴⁷. The Stockholm ordinances clarified that it was the duty of the host to inform guests who came to Stockholm that they had to leave their weapons at the host's house. This article resembles the articles included in the local ordinances of Lübeck and Leba. The wording of the Stockholm ordinances was as follows: 'Köpsuena, töske och suenske, leggie sin swissera eller lang kniffue aff wijdh sine xij (12) marck och verien forbrwten' and 'Hwar man werne sin gäst, ner han i stadhin komber, ath han legge sina wäria i herberget, vidh the plikt, som ther tilhörer ok wärian medh forbrv-tin'⁴⁸. In Lübeck it was: 'Vortmer zo en schal neyn gast stekemeste, hanthamer, korde oft lange meste edder ok hantbile noch wapene dreghen unde de werde scholen warnen ere gheste, dat se ere wapene in der herberghe laten'⁴⁹. And in Leba: 'It(em) ein bure die tho dem markede kumpt, und ime were bi sick heff, ein spet edder messer, dem sal die wert warnen dat he sie nicht mit sick drege, sunder late sie des werdes huse unnd bewharinge'⁵⁰. Another variant of this rule was found in Wismar's ordinances from the fourteenth century, but not in the 1480 ordinance studied in the present article⁵¹.

Concerning burghers' weapons, all Stockholm ordinances included an article that everyone should keep their cuirass ready both during the day and at night⁵². There were similar articles in both Riga and Wismar's ordinances⁵³.

⁴⁴ 'at engin skadhelik wæria eller wapn bæras i stadhenom, vtan som lagh wtuisa ok gamwl sidhvænía warit haffuer, vtan borghamæstarana ok radzins loff, vm swa kunde widher thorffua fore sak skuld widh lagha plikt'; *Privilegier, resolutioner och förordningar*, 1436, § 20.

⁴⁵ *Stockholms stads tänkeböcker 1474–1483*, 1482, § 14.

⁴⁶ J. MOŹDŻEŃ, K. KWIATKOWSKI, op.cit., p. 388, § 29; F. TECHEN, op.cit., 1480, § 66; *Liv-, Esth- und Curländisches Urkundenbuch*, Abt. 1, Bd. 4, 1412, § 32.

⁴⁷ *Magnus Erikssons stadslag*, Rådstugubalken, XXXIV, § 1.

⁴⁸ *Stockholms stads tänkeböcker 1474–1483*, 1482, §§ 15, 79.

⁴⁹ LUB, Tl. 11, p. 123 (25 July 1466).

⁵⁰ J. MOŹDŻEŃ, K. KWIATKOWSKI, op.cit., p. 388, § 30; see also the discussion of this article on p. 380.

⁵¹ F. TECHEN, op.cit., p. 98.

⁵² *Stockholms stads tänkeböcker 1474–1483*, 1482, § 7. See also *ibid.*, 1482, § 88, on a prohibition to sell weapons to the Russians.

⁵³ *Liv-, Esth- und Curländisches Urkundenbuch*, Abt. 1, Bd. 4, 1412, § 52; F. TECHEN, op.cit., p. 327, § 4.

The Swedish Town Law mentioned that everyone who acquired burghership in a town should keep watch and ward in that town, both house owners and simple labourers⁵⁴. This watch and ward was not described further in the Town Law, but it was regulated by the local ordinances. They all started with a general article: 'Each man walks his watch as he should and as it is bidden to him on pain of the punishment it entails, and does not abandon the watch until the clock strikes six. If they leave earlier and some harm is done thereafter, it will be retributed upon life and property'. In the Pentecost ordinances, the watch's time was changed to 4 a.m. and a fine of three marks was prescribed for those who left it too early⁵⁵. Another article stated that town guards, referred to as *burvård*, should keep watch, or face a fine of 12 marks. Those guards should be equipped with a shield, a helmet, armour, and a crossbow. In the ordinances of 1476 and 1482, it was also emphasised that anyone sailing away or travelling to a market should leave someone at home who could keep watch and work for the town in their stead. No one should bother the town guards at night, and the guards should not accept bribes of beer or money from people who broke the rules⁵⁶. As emphasised by the Christmas ordinance in particular, a guard keeping *burvård* could be held responsible if they did not reprove those who walked around screaming and playing at night⁵⁷.

Concerning the night watch, there was one shorter article in the Lübeck ordinances of 1454 and 1457 that corresponded to those from Stockholm. It stated that those who were called to walk the streets as guards should come early in the evening and not leave until morning. If anyone broke the rule, it would be up to the town council to pass judgment⁵⁸. Ebel mentioned a similarity between Stockholm and Schwerin, as well as a few other towns, concerning the article ruling that everyone called to keep the night watch should attend it in person⁵⁹. There were, however, no corresponding articles concerning the town guard in the investigated ordinances of Leba, Wismar and Riga. Friedrich Techen provided an explanation for Wismar, claiming that the obligation to keep the night watch by burghers was mentioned in earlier ordinances, but was subsequently replaced by a fee before 1480⁶⁰. The absence of regulations

⁵⁴ *Magnus Erikssons stadslag*, Konungabalken, XV, § 12. This general rule was repeated in the local ordinances of 1527, but not in the earlier ordinances.

⁵⁵ 'Hwar man gonge sin wordh som tilbör oc honom bwdet wordher viidh the bruth, som ther tilhöra, ok ecke gaa aff wordhin, for än sex slaar. Gaa the fore aff ok thimar skadi, tha skal thet gielda liff ok gotz'; *Stockholms stads tänkeböcker 1474–1483*, 1482, § 8.

⁵⁶ *Ibid.*, 1482, §§ 9–11.

⁵⁷ *Ibid.*, 1482, § 12.

⁵⁸ LUB, Tl. 9, pp. 959–960.

⁵⁹ W. EBEL, *Die Willkür*, p. 57.

⁶⁰ F. TECHEN, *op.cit.*, pp. 49–50.

regarding the night watch in some towns might thus indicate a difference in its organisation between them and late fifteenth-century Stockholm⁶¹.

All compared local ordinances contained some rules concerning maintaining order at night. One article from Wismar's ordinance, for example, mentioned that no one should walk the streets after the evening bell ringing without a good reason or pay a fee of three marks of silver⁶². In Riga, anyone who wanted to walk in the streets in the evening should make sure that he walked with dignity ('hövesliken') and did not shout or otherwise disturb the peace, or else the town council would pass a severe sentence. A similar article was also found in Lübeck⁶³.

VAGRANT PEOPLE, PROSTITUTES AND VISITORS FROM OTHER TOWNS

There were several recurring articles about 'vagrant people' in Stockholm. Their goal was for all the town's inhabitants to be affiliated with a household. Labourers and maids who did not have employment in the town were urged to either promptly find one or leave the town. No burgher was allowed to host vagrants. If one owned a property worth at least three marks, there was a possibility to apply for a burghership in the town, which came with certain obligations⁶⁴. These articles were consistent with a stipulation in the Swedish Town Law⁶⁵. The presence of vagrants was also addressed in Riga⁶⁶. In Lübeck, they were asked to go to work in the harvest outside the town⁶⁷.

Unmarried women of 'loose morals' were to be distinguished from respectable burgher women. According to the regulation in Stockholm, no 'infamous' women, whether married or unmarried, were allowed to wear gold, silver, ermine, grey fur or coral ribbons⁶⁸. Such an article was not found in the examined local ordinances from the other four towns, although the theme of distinguishing 'infamous' women was also present in Wismar and Riga⁶⁹.

⁶¹ Concerning town security, see Bertha QUASSOWSKI, *Obrigkeithliche Wohlfahrtspflege in den Hansestädten des Deutschordenslandes (Braunsberg, Elbing, Königsberg, Kulm und Thorn) bis 1525*, Zeitschrift des Westpreußischen Geschichtsvereins, Bd. 60: 1920, pp. 56–61.

⁶² F. TECHEN, op.cit., p. 331, § 65; cf. *ibid.*, pp. 93–94.

⁶³ *Liv-, Esth- und Curländisches Urkundenbuch*, Abt. 1, Bd. 4, p. 495 (1405, § 30); LUB, Tl. 9, p. 958.

⁶⁴ *Stockholms stads tänkeböcker 1474–1483*, 1476, § 86, and 1482, §§ 17, 41, 50, 74, 77. See also *ibid.*, 1482, §§ 84, 87, and 1459, §§ 27, 28.

⁶⁵ *Magnus Erikssons stadslag*, Byggningsbalken, XXI, § 4.

⁶⁶ *Liv-, Esth- und Curländisches Urkundenbuch*, Abt. 1, Bd. 4, pp. 825–826, § 74.

⁶⁷ LUB, Tl. 11, pp. 122–123 (1466).

⁶⁸ *Stockholms stads tänkeböcker 1474–1483*, 1482, § 24. See also *ibid.*, 1482, § 25.

⁶⁹ F. TECHEN, op.cit., p. 328, §§ 25–27; *Liv-, Esth- und Curländisches Urkundenbuch*, Abt. 1, Bd. 4, 1405, §§ 47, 48.

However, elsewhere, the local ordinances contained an article with much similar wording to that of Stockholm⁷⁰.

Visiting burghers from other towns were referred to as guests, both in Stockholm and in other towns, and each town introduced regulations concerning guests' activities⁷¹. Particularly, their commercial activities were restricted. The local ordinances also mentioned the responsibility of burghers for their guests. All the preserved ordinances of Stockholm included an article stating that each man should see to whom he hosted. Each host should receive only such men that he was willing to answer for so that he did not have to atone for his guests⁷². The same article was found in the local ordinances of Lübeck, with almost identical wording. It also appeared in fourteenth-century Wismar⁷³.

SANITATION AND ANIMAL HUSBANDRY

One article in the Swedish Town Law established that every burgher should clean and cover the street they lived on with gravel or stone on a day stipulated by the bailiff and the council or pay a fine⁷⁴. However, in the ordinances of Stockholm, there were additional articles concerning sanitation and maintaining public places. In the Pentecost ordinances, there was a general rule: each man was obliged to clean their alley or street or to pay three marks, and each man should construct and maintain the street they lived on⁷⁵. It was forbidden to dump trash within the town walls and to place logs and debris by those walls. Before each Christmas, boards and boats loitering in alleys should be removed. The rules aimed to keep public places free from debris and trash⁷⁶. Also, trash should not be disposed of by the bridges or into the stream. The burghers were not allowed to dump spruce or birch branches into the lake, but instead, they should burn them at their own houses⁷⁷.

⁷⁰ Paweł A. JEZIOŃSKI, *Randgruppen in den mittelalterlichen und frühneuzeitlichen Großstädten Livlands. Scharfrichter und Prostituierte*, [in:] Leonid Arbusow (1882–1951) und die Erforschung des mittelalterlichen Livlands, hrsg. v. Ilgvars MISÄNS, Klaus NEITMANN, Köln–Weimar–Wien 2014, pp. 257–285.

⁷¹ Stuart JENKS, *Zum hansischen Gästerecht*, *Hansische Geschichtsblätter*, Jg. 114: 1996, pp. 3–60; Sofia GUSTAFSSON, *The Legal Position of Guests in Late Medieval Stockholm*, *Urban History*, vol. 52: 2025, no. 2, pp. 403–416.

⁷² *Stockholms stads tänkeböcker 1474–1483*, 1482, § 6. Each host was also obliged to report visitors to the burgomasters, see *ibid.*, 1482, § 16.

⁷³ LUB, Tl. 11, p. 123 (1466); F. TECHEN, *op.cit.*, pp. 40, 92.

⁷⁴ *Magnus Erikssons stadslag*, *Byggningsbalken*, VIII, § 1.

⁷⁵ *Stockholms stads tänkeböcker 1474–1483*, 1462, § 35.

⁷⁶ The places mentioned as important to keep clean were the Great Market Square (Swe. *Stora torget*), the Fishing Shore (Swe. *Fiskestrand*), the Cog Harbour (Swe. *Koggahamn*), the Monk Bridge (referred to as *Munkbron* or *Gråbrödrabron*), the Grain Harbour (Swe. *Kornhamn*), by the castle (Swe. *Slottsbacken*), and the stream, see *ibid.*, 1482, §§ 21–23, 28, 70, 82, 85.

⁷⁷ *Ibid.*, 1476, § 46, and 1482, § 60.

The issue of sanitation was considered so important that an agreement was reached with the 48 representatives of the urban community to appoint a night watchman in each of the four town quarters to address the problem of people disposing of rubbish from their houses against the rules⁷⁸. How was one supposed to dispose of their waste? A couple of paragraphs mentioned that it should be taken to designated places outside the Town Island⁷⁹. During the winter, trash could be disposed of in a hole in the ice made by the carriers (Swe. *dragarevaken*)⁸⁰. Thus, the focus was on keeping the stream, harbours, town walls, gates, bridges, streets and squares free from trash and debris, especially before Christmas.

No other surveyed town had such detailed sanitary regulations as Stockholm. The local ordinances of Lübeck and Leba contained no sanitary paragraphs at all. On the other hand, Wismar had several articles concerning sanitation. One, for example, demanded that no one should dump trash in front of their house or throw it in the gutters. As in Stockholm, regulations prohibiting the occupation of public spaces were introduced in Wismar⁸¹. In particular, one corresponding paragraph concerning dumping ballast from ships in the harbour was identified in Stockholm, Wismar and Riga. The wording is, respectively, as follows: 'Engin late koma barlest vtaff skipen ok i hampaner, vthan före thet borth opa holmane widh XII (12) mark'⁸²; 'Item nemandt schall ballast werpen an der stadt havene, by live unde gude'⁸³; and 'Ok schal nen schipher ballast edder jenigerleie unvledichheit ut den schepen up den strant werpen, et si, dat he also vort wech vuren late, bi l m'⁸⁴. In addition to this paragraph, there were two more similarities between Riga and Stockholm: stating that trash in Riga should not be thrown in the streets and that rubbish and wood should not be dumped by the town walls, neither on the inside nor the outside⁸⁵.

In Stockholm, there were also some regulations regarding animals in the town. All the Pentecost ordinances included an article that no one should let their livestock lie on the streets at night. After Easter, the town should be free from all pigs, and pigsties should be demolished⁸⁶. In the Pentecost ordinances,

⁷⁸ Ibid., 1482, § 73.

⁷⁹ Ibid., 1459, § 21, 1476, § 46, and 1478, § 21.

⁸⁰ Ibid., 1482, § 82.

⁸¹ See F. TECHEN, op.cit., pp. 327–335, §§ 15–19, 54, 68, 88, 89. Cf. ibid., pp. 107–108.

⁸² *Stockholms stads tänkeböcker 1474–1483*, 1482, § 59.

⁸³ F. TECHEN, op.cit., p. 327, § 8.

⁸⁴ *Liv-, Esth- und Curländisches Urkundenbuch*, Abt. 1, Bd. 4, p. 824, § 56.

⁸⁵ Ibid., p. 496, § 45 (same as ibid., 1412, § 55), and p. 825, § 67.

⁸⁶ *Stockholms stads tänkeböcker 1474–1483*, 1459, § 52. See also the council minutes of 4 December 1475, ibid., p. 40. This arrangement was made with the consent of the 24 representatives of the urban community.

everyone was reminded of this rule, and those who had not yet moved the pigs out of the Town Island, demolished pigsties, and cleaned up the mess left by them were urged to do so. In the Christmas ordinances of 1478 and 1481, it was mentioned that those who have pigs in the town should keep them in doors or slaughter them⁸⁷.

There were no regulations in Leba or Lübeck's local ordinances regarding animal husbandry. In the ordinances of 1480 from Wismar, animal husbandry was regulated with regard to rural lands that belonged to the town's dominion, but not the space within the town itself⁸⁸. In turn, in Riga, there was an article that no one should keep pigs that feed on the streets or in cabins⁸⁹.

FIRE PROTECTION

The brewing of beer was regulated in Stockholm to some extent in both the Pentecost and Christmas ordinances, primarily focused on fire safety when using drying ovens and chimneys⁹⁰. There were also provisions unrelated to fire safety. No craftsman or promiscuous woman was to keep a brewing stool, and there was a provision that prohibited brewing or tapping beer on holiday nights⁹¹.

In contrast to the Christmas ordinances, which concentrated on beer brewing, the Pentecostal ordinances included a range of general fire regulations. No one was allowed to carry fire without a vessel. Everyone should have a water barrel in front of their yard, and whoever knocked it over should be fined 12 marks. No one was allowed to keep a flame in lofts, cellars, sheds or inside houses where wood and hay were stored. If a fire were to break out, everyone must keep the firefighting equipment stipulated by the law at hand⁹². In the Pentecostal ordinances, those who had bark on their roofs were encouraged to put earth or turf on top of it within 14 days⁹³.

It seems peculiar that the general fire safety regulations were only present in the Pentecost ordinances. Hildebrand argued that the risk of fire was mitigated in winter and, therefore, these rules were not as relevant at this time of the year. However, this explanation is questionable. Perhaps the fire hazard regulations were considered impossible to enforce in winter. For example,

⁸⁷ Ibid., 1463, § 42, and 1478, § 56. There were some additional rules concerning animals and stalls in the Stockholm ordinances.

⁸⁸ F. TECHEN, op.cit., pp. 331, 334, §§ 62–64, 82.

⁸⁹ *Liv-, Esth- und Curländisches Urkundenbuch*, Abt. 1, Bd. 4, p. 825, § 68. On sanitation and animal husbandry, cf. B. QUASSOWSKI, op.cit., pp. 31–41.

⁹⁰ *Stockholms stads tänkeböcker 1474–1483*, 1460, § 16, and 1482, §§ 44, 45.

⁹¹ Ibid., 1482, §§ 46, 47.

⁹² Ibid., 1460, §§ 14, 15, 19, 21. There were also articles on tar, see ibid., 1460, § 17, and 1476, § 77. Cf. F. TECHEN, op.cit., p. 104.

⁹³ *Stockholms stads tänkeböcker 1474–1483*, 1460, § 20.

when the water in barrels froze, and not being allowed to carry candles into a cellar or shed would make it very difficult to live in the darkness.

In the Swedish Town Law, the required firefighting equipment that every household was obliged to have was listed, along with penalties for knocking over a water barrel. Prohibitions against lighting a fire in certain houses were also stipulated⁹⁴. Other articles introduced by the local ordinances of Stockholm were not found in the Town Law. There was some overlap, but generally, the local ordinances served as additions to the provisions of the Town Law.

In the local ordinances of the other towns, fire regulations were few⁹⁵. In both Riga and Wismar, there were two nearly identical regulations: that everyone should guard their fire to prevent harm, and that if, God forbid, a fire broke out, all people who heard about it should come with buckets of water and axes to help. According to the ordinance of Riga from 1405, everyone who heard about a fire should hurry there to aid in extinguishing it. In Wismar's ordinance of 1480, on the other hand, only those who could genuinely help extinguish a fire should hurry there. No one else should run to a fire, especially not women, unless they wanted to save their own property. Theft during a fire would be severely punished⁹⁶.

In Leba's local ordinances, there were only a couple of articles that could be interpreted as fire prevention measures. One dealt with the prohibition of brewing beer at night, and the other stated that no one was allowed to carry a lit torch on the streets at night⁹⁷. Julia Możdżeń and Krzysztof Kwiatkowski pointed out that this differed from some other towns where it was forbidden to move at night without carrying a light. There was evidently a contradiction here between the need to avoid fires and the need to prevent crime at night⁹⁸. The Stockholm ordinances were thus more elaborate on fire protection than the ordinances of the other towns, but there were some general similarities.

TAXATION

The Swedish Town Law contained quite detailed regulations regarding taxes: who was obliged to pay them in a town, when and how much⁹⁹. The local ordinances of Stockholm were more concise regarding taxes, but they were

⁹⁴ *Magnus Erikssons stadslag*, Byggningsbalken, XXII.

⁹⁵ Concerning similarities between the fire regulations in Stockholm and some other towns, see W. EBEL, *Bursprake, Ecteding und Eddach*, p. 59. On fire protection, see also B. QUASSOWSKI, *op.cit.*, pp. 49–56.

⁹⁶ *Liv-, Esth- und Curländisches Urkundenbuch*, Abt. 1, Bd. 4, pp. 496–497, §§ 47, 48; F. TECHEN, *op.cit.*, p. 329, §§ 28–30.

⁹⁷ J. MOŹDŻEŃ, K. KWIATKOWSKI, *op.cit.*, p. 388, § 26, and p. 389, § 31.

⁹⁸ *Ibid.*, p. 379. Cf. F. TECHEN, *op.cit.*, p. 96; W. EBEL, *Die Willkür*, p. 58.

⁹⁹ *Magnus Erikssons stadslag*, Konungabalken, XIX, XX.

mentioned in all of them. The local ordinances issued before Christmas warned everyone against trying to conceal something when the tax roll was written. Not being honest could render a fine of 40 marks. All ordinances demanded that everyone should pay their taxes on time, and some of them mentioned Mid-Lent Sunday as the deadline¹⁰⁰. It was emphasised in several of the ordinances that the man of the house himself should submit the required tax at the tax office, and not let his wife do it unless there was a valid reason. The Christmas ordinances also mentioned that those who pledged goods instead of paying taxes in money should redeem the pledge. In some ordinances, those sailing to northern Sweden were ordered to submit their tax to the tax office already by Christmas¹⁰¹. These articles on taxation were consistent with the general Swedish Town Law.

According to the ordinances of Wismar, taxes should be paid between Michaelmas and the Feast of St Nicholas. The town council would rigorously take pledges from burghers and other residents who did not pay, both rich and poor¹⁰². In Lübeck, there was an article with detailed descriptions of the tax payment, including a rule that the wife should not deliver taxes to the office instead of her man, resembling the stipulation in the Stockholm ordinances. Taxes in Lübeck should have been paid before Easter¹⁰³. Ebel noticed that in Bremen, there was an article requesting merchants to pay their taxes before travelling, corresponding to the one in Stockholm¹⁰⁴.

TRADE AND CRAFTS

In the Stockholm local ordinances, trade regulations were comprehensive and may even be considered the main focus of these byelaws. The reason not to regulate crafts as thoroughly as trade was likely the ordinances and statutes of local craft guilds that regulated individual crafts in the town. The trade regulations mainly revolved around three issues: who was allowed to trade what goods, when and where one could trade, and details concerning different categories of goods. Some of the articles summarised the content of the Swedish Town Law and others supplemented it. The ordinances were thus clearly related to the Town Law.

There were some general rules in the ordinances, for example, that everyone should follow the law in their purchases, all trade should take place within the town gates, and all craftsmen should trade according to the time ('giffui

¹⁰⁰ *Stockholms stads tänkeböcker 1474–1483*, 1482, § 19.

¹⁰¹ *Ibid.*, 1476, §§ 27, 31, and 1482, § 20. There was also an article on rent in the town, see *ibid.*, 1482, § 34; and a couple of rules protecting the municipal property, see *ibid.*, 1482, §§ 35, 36.

¹⁰² F. TECHEN, *op.cit.*, p. 332, § 70.

¹⁰³ LUB, Tl. 9, p. 959.

¹⁰⁴ W. EBEL, *Die Willkür*, p. 56.

kiöp effter tidhen'). Within the town, no one was allowed to sell beer after 9 p.m.¹⁰⁵ In the local ordinances of the other surveyed Baltic towns, similar general rules on commercial activities were identified. For example, an article in Riga similarly stated that no one should trade outside the town gates or before arriving in the town. In Lübeck, bakers and brewers were ordered to bake and brew according to the time ('na der tid')¹⁰⁶.

The general norm seems to have been that only burghers, male and female, should be able to trade in a town. The local ordinances of Stockholm prohibited labourers and maids from engaging in trade. Maids selling goods on the streets should either enter service at a burgher household or leave the town. An unmarried burgher who did not have his own household was not allowed to purchase rye or barley¹⁰⁷. There were also restrictions for guests, i.e. visiting burghers from other towns. Their commercial activities were quite extensively described in the Town Law. The Pentecost ordinances reminded all guests to trade according to their rights and legal restrictions or face consequences. No Stockholm burgher should trade on behalf of guests under pain of a 40-mark fine and seizure of the traded goods¹⁰⁸.

Only those who paid 40 marks or more in taxes were allowed to have a market stall. No one was allowed to have two market stalls, one in the eastern town quarter during the summer and another in the western quarter during the winter, unless they moved there, under pain of a 12-mark fine. An individual owning a market stall in the town was allowed to occupy only a small space (the width of a barrel) in front of the stall and was expected to keep the gutters free¹⁰⁹.

The ordinances of Stockholm contained articles on trading shoes, iron, salt, hops, brandy ('brännvin'), meat and fish¹¹⁰. For example, one article of 1463 prohibited the selling of 'Kolbergs salt' as 'Traven salt'¹¹¹. Only the bakers from the town were allowed to sell bread, both inside and outside the town

¹⁰⁵ *Stockholms stads tänkeböcker 1474–1483*, 1482, §§ 2, 3, 13, 26. A prohibition against trading at the market on the Feast of St Thomas was also introduced, see *ibid.*, 1482, § 27. Related regulations in the Swedish Town Law concerned prices (see *Magnus Erikssons stadslag*, Köpmålabalken, XIX), a ban on the sale of heavy goods unloaded from ships on bridges (see *ibid.*, Skeppsmålabalken, XIX), a demand to weigh and measure properly (see *ibid.*, Köpmålabalken, XXV–XXIX), and a prohibition against selling beer in taverns at night (see *ibid.*, Byggingabalken, XXII).

¹⁰⁶ *Liv-, Esth- und Curländisches Urkundenbuch*, Abt. 1, Bd. 4, p. 493, § 9; LUB, Tl. 11, p. 124.

¹⁰⁷ *Stockholms stads tänkeböcker 1474–1483*, 1482, §§ 30, 41. Unmarried burghers were also restricted in travelling to markets, see *ibid.*, 1482, § 57.

¹⁰⁸ *Ibid.*, 1463, § 50, and 1482, §§ 31, 32.

¹⁰⁹ *Ibid.*, 1459, § 44, and 1482, §§ 39, 42, 80.

¹¹⁰ *Ibid.*, 1476, §§ 63, 64, 68, 72, 81–84, 97, and 1482, §§ 65, 67–69, 81.

¹¹¹ *Ibid.*, 1463, § 51.

walls, and only those with permission from the town council could sell brandy¹¹². The supply of food was crucial for the town. In case of food shortages or the risk thereof, the town's lord or the town council could prohibit food exports and these prohibitions were then included in the local ordinances¹¹³.

As mentioned above, there was a separate trade ordinance in Lübeck, but the local ordinances of Leba, Wismar and Riga all contained trade regulations. However, few have direct parallels with Stockholm. For example, in Wismar, trade in coal and beer production and sale were regulated¹¹⁴, restrictions which were absent in Stockholm. In turn, in Riga, trade in timber, meat and fish was regulated¹¹⁵. Similarities between Stockholm and Wismar included provisions that no one should engage in trade unless they were burghers of the town and that no one should trade on behalf of guests¹¹⁶. In both Riga and Stockholm, there was an article that stipulated that burghers should maintain good relations with peasants supplying the town to avoid complaints¹¹⁷. Thus, there were some similarities here and there between the ordinances of Stockholm and the other compared towns concerning trade, but their details differed considerably.

CONCLUDING REMARKS

Like in other towns, the legal landscape of fifteenth-century Stockholm consisted of town law, church law, received privileges, individual decrees issued by both the town's lord and the town council, and local ordinances. The present article has clarified the function of the Stockholm ordinances. It has been established that they seldom repeated the rules introduced in the Swedish Town Law and privileges, but instead functioned as a supplement to the more overarching laws. Thus, there was no contradiction between the local ordinances and other applicable rules. They regulated the urban life of Stockholmers in more detail than the Town Law and the town privileges. The medieval lists of ordinances were not structured or numbered. In the present article, they have been categorised into regulations concerning the code of conduct, town security, vagrant people, prostitutes and visitors from other towns, sanitation and animal husbandry, fire protection, taxation, and regulations on trade and crafts.

Reviews and revisions of the ordinances were undertaken twice a year and were possibly consulted with the representatives of the wider burgher community.

¹¹² Ibid., 1482, §§ 65, 71. Servants were not allowed to pack flour, see *ibid.*, 1482, §§ 64, 86.

¹¹³ Ibid., 1482, § 63. Cf. *Magnus Erikssons stadslag*, Köpmälalbalken, XVI–XVIII, XXI, XXXI.

¹¹⁴ See F. TECHEN, *op.cit.*, p. 329, §§ 38–40 (for coal), and p. 330, §§ 44–47 (for beer).

¹¹⁵ *Liv-, Esth- und Curländisches Urkundenbuch*, Abt. 1, Bd. 4, p. 823, §§ 7–10, 14–18.

¹¹⁶ F. TECHEN, *op.cit.*, p. 329, §§ 36, 37.

¹¹⁷ *Stockholms stads tänkeböcker 1474–1483*, 1482, § 55; *Liv-, Esth- und Curländisches Urkundenbuch*, Abt. 1, Bd. 4, p. 494, § 17.

When the ordinances were proclaimed to the public, they were considered binding, where non-compliance could render penalties and fines as severe as those resulting from breaching the Town Law.

Any researcher wishing to gain a deeper understanding of the legal landscape, within which burghers and the town itself operated, needs to consider laws, privileges, individual decrees and local ordinances as a comprehensive body of applicable rules, specific to each town and changing over time. However, the lively contacts between medieval towns also necessitate comparisons across them.

The local ordinances of Stockholm, Riga, Wismar, Leba and Lübeck shared some similarities in structure and character. They contained unnumbered articles varying in content. Even though they could contain some decisions made by the town's lord, they were issued by the town council. The regulations were adapted to the opportunities afforded by and the needs of the particular town. The local ordinances should be viewed as an expression of the autonomy that late medieval urban communities enjoyed in shaping their own surroundings. The ordinances bear witness to being 'living' documents, which were revised regularly, even if the ordinances from the previous year were simply ratified the next year, which was probably often the case since there is a strong continuity in their contents over time. Issuing ordinances was an expression of power and autonomy held by the municipal authorities, which they used to alter and supplement the local rules.

Most late medieval towns probably shared this restricted right of law-making, and there was an obvious general influence between towns on how to practice it. It can be viewed as a part of the medieval urban culture connected with the rule of the town council. The local ordinances originated from the contexts and needs of a given town, which brought about significant differences between the detailed provisions they contained. The same article could appear in ordinances in several towns, but never in all of them. Thus, drawing conclusions regarding the dissemination processes of legal provisions is, at best, speculative. However, it has been established that no ordinances, including those from Stockholm, were directly copied from one town to another. Wilhelm Ebel claimed that the similarities he observed resulted from a spiritual community that existed within the Low-German-speaking world, where thousands of oral renditions were expressed in written form in towns across the whole region¹¹⁸. The present article's author shares this view that strong integrating factors within the late medieval Baltic region are sufficient to explain the similarities. Nevertheless, it remains difficult or even impossible to establish in detail how different towns influenced each other.

¹¹⁸ W. EBEL, *Bursprake, Ehteding und Eddach*, p. 76.

Some widespread articles indicate that there were some common norms around the Baltic Sea, which merchants could expect to be similar wherever they travelled. For example, one who speaks ill of others should expect some retaliation. One should never bear arms within a foreign town but leave their weapons with their host. The guest's misbehaviour could get the host in trouble. Dumping ballast in a harbour or occupying public spaces could render harsh punishments. Together, these recurring rules constituted a code of conduct, probably well known to burghers regardless of the Baltic town they originated from or stayed in.

The similarities in function and general outline of the local ordinances introduced in different towns around the Baltic Sea bear witness to their close contacts and the resemblance between their legal landscapes and functioning. The many differences appearing in the details, on the other hand, point out the significance of local identity, adapting laws to specific places and needs, and the self-governance and autonomy of town councils, even if the latter was limited, to a varying degree, by the influence of the town's lord.

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