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Scripting justice

Legal practice and communication in the late medieval law courts of Utrecht, York and Paris

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Appendix one

Utrecht

1.1 Stone fines (1385-1425)

The number of entries in the Utrecht *Buurspraakboek* (BSB) presenting stone fines varies greatly per year. Table 1 distinguishes between the number of entries and the number of actual fines per year, as many entries concern multiple people being fined at once. It furthermore specifies the total number of stones allegedly collected each year, although it is important to keep in mind that an imposed fine does not need to equal the amount eventually collected. For each year, the table also gives an average number of stones per entry and per fine. The years 1392-1395 are left out, because the register covering those years is missing.

Table 1: Number and amount of stone fines (BSB)

Year	Entries	Fines	Stones (total) x1000	Stones (average per entry) x1000	Stones (avg. per fine) x1000
1385	13	13	255	19,6	19,6
1386	7	9	167	23,9	18,6
1387	7	8	258	36,9	32,3
1388	4	14	153	38,3	10,9
1389	9	18	333	37,0	18,5
1390	7	13	150	21,4	11,5
1391	3	5	54	18,0	10,8
-	-	-	-	-	-
1396	0	0	0	0	0
1397	8	8	104	13,0	13,0
1398	4	6	34	8,5	5,7
1399	4	5	105	26,3	21,0
1400	3	4	87	29,0	21,8
1401	5	7	80	16,0	11,4
1402	4	10	105	26,3	10,5
1403	1	1	10	10,0	10,0
1404	4	4	170	42,5	42,5
1405	1	1	20	20,0	20,0
1406	1	1	73	73,0	73,0
1407	4	6	185	46,3	30,8
1408	1	1	5	5,0	5,0
1409	2	2	45	22,5	22,5
1410	0	0	0	0	0
1411	3	25	305	101,7	12,2
1412	4	13	105	26,3	8,1
1413	0	0	0	0,0	0,0
1414	6	7	595	99,2	85,0
1415	4	5	137	34,3	27,4
1416	2	2	65	32,5	32,5
1417	2	2	15	7,5	7,5
1418	0	0	0	0	0
1419	2	2	20	10,0	10,0
1420	1	1	5	5,0	5,0
1421	0	0	0	0,0	0,0
1422	2	2	30	15,0	15,0
1423	4	4	45	11,3	11,3
1424	6	10	270	45,0	27,0
1425	0	0	0	0	0
Total	128	209	3985	31,1	19,1

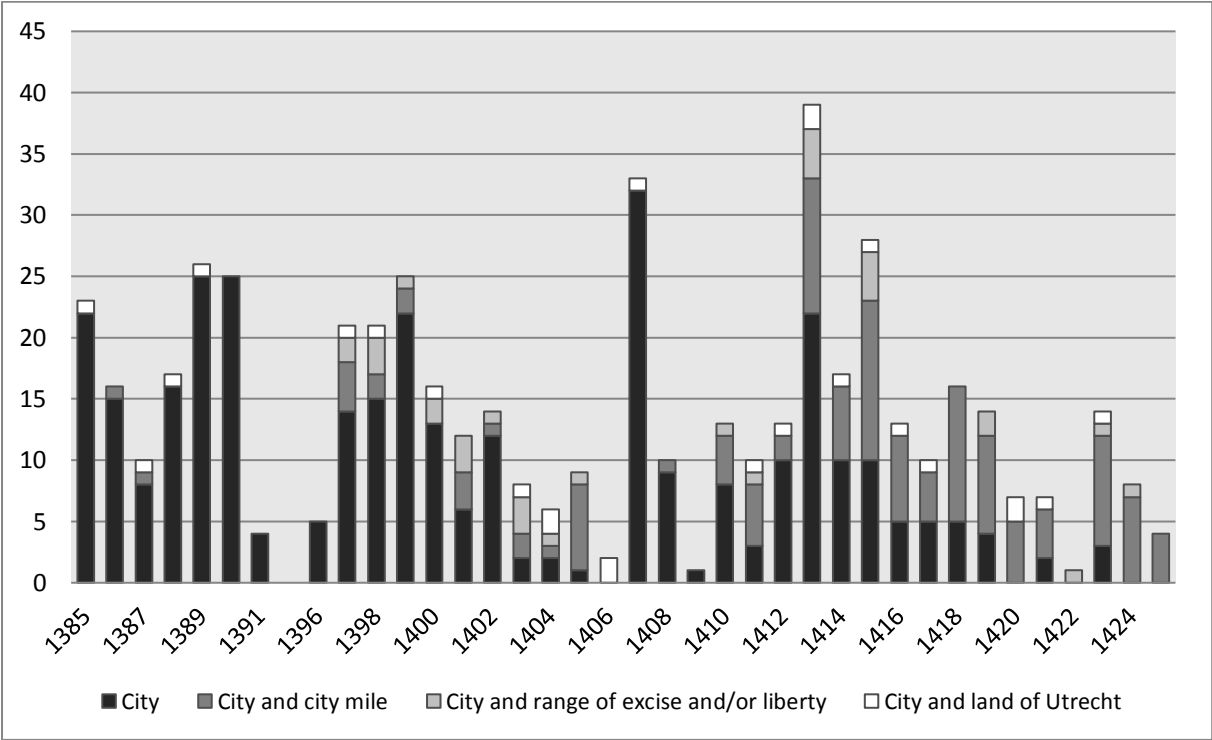
1.2 Utrecht banishments (1385-1425)

Table 2 and Diagram 1 show the number of banishments recorded in the *Buurspraakboek* between 1385 and 1425, as well as the indicated range beyond the city walls, if any. This could be the city mile, the range of its excise (*sijjs*) or liberty (*vrijheit*), which appear to be synonymous, or the land of Utrecht. The register covering the years 1392-1395 is missing.

Table 2: Number and range of banishments (BSB)

Year	Total	Distance			
		City	City and city mile	City and range of excise and/or liberty	City and land of Utrecht
1385	23	22	0	0	1
1386	16	15	1	0	0
1387	10	8	1	0	1
1388	17	16	0	0	1
1389	26	25	0	0	1
1390	25	25	0	0	0
1391	4	4	0	0	0
-	-	-	-	-	-
1396	5	5	0	0	0
1397	21	14	4	2	1
1398	21	15	2	3	1
1399	25	22	2	1	0
1400	16	13	0	2	1
1401	12	6	3	3	0
1402	14	12	1	1	0
1403	8	2	2	3	1
1404	6	2	1	1	2
1405	9	1	7	1	0
1406	2	0	0	0	2
1407	33	32	0	0	1
1408	10	9	1	0	0
1409	1	1	0	0	0
1410	13	8	4	1	0
1411	10	3	5	1	1
1412	13	10	2	0	1
1413	39	22	11	4	2
1414	17	10	6	0	1
1415	28	10	13	4	1
1416	13	5	7	0	1
1417	10	5	4	0	1
1418	16	5	11	0	0
1419	14	4	8	2	0
1420	7	0	5	0	2
1421	7	2	4	0	1
1422	1	0	0	1	0
1423	14	3	9	1	1
1424	8	0	7	1	0
1425	4	0	4	0	0
	518	336	125	32	25

Diagram 1: Number and range of banishments (BSB)



1.3 Procedure of forgiveness (1385-1425)

Table 3 traces the elements constituting the procedure of forgiveness. The descriptions of the procedure are built up of varieties of a number of main elements: custody in one of the city prisons, movement towards the *Buurkerk* in special attire, asking the Council and/or the victim for forgiveness and paying a compensation for the crime committed. Not every description contains all main aspects of the procedure. In other cases, several sub-elements are combined in one entry (for example paying a compensation to the city and to the victim). Some elements, like the loss of citizenship, appear in very few descriptions, and are therefore considered extraordinary additions to the core procedure.

Table 3: Elements of the procedure of forgiveness (1385-1425)

	BSB (1385-1425)	RDB (1402-1425)	Total
Total instances of a procedure of forgiveness	220	174	394
Imprisonment			
Imprisoned	190	87	277
Dress			
In 'shirt and pants' before the Council	156	54	210
Bareheaded before the Council	63	68	131
Bareheaded before the victim	1	3	4
Asking for forgiveness			
Asking the Council for forgiveness	215	162	377
Asking the victim for forgiveness	4	45	49
Declaring one's life forfeit with a bare sword in hand, asking the Council for forgiveness	4	2	6
Compensation			
Compensation to the city	122	65	187
Compensation to the Council	8	47	55
Compensation to the victim	16	42	58
Other elements			
Loss of citizenship	22	19	41
Making an 'oorvede'	0	9	9
<i>Willekeur</i> to atone with a deceased person's relatives before the Council	10	11	21
Other <i>willekeur</i>	42	43	85
Other elements	27	38	65

1.4 Oath of the Utrecht Council members

The unfoliated front fly leaf of the *Th.2* register (HUA 701-1.227) contains a transcript of the oath allegedly sworn by new Council members. The oath, originally written in the third person singular (*gi*), shows evidence of having been adapted to be read in the first person singular (*ic*). A later copy at the back of the book of bylaws *Die Roese*, is entirely written in the first person singular.

<i>[Dat z]weer[t] gi</i>	So you will swear
<i>[d]at gi van deser tiid voert</i>	that from now on
<i>tot onser vrouwen lichtmisse toe over een iaer</i>	until our lady's lightmass in a year
<i>der stat enten menen ghilden van utrecht</i>	you will counsel the city and all guilds
<i>hoer beste raden zelt</i>	of Utrecht what is good for them
<i>hoer qwaetste waernen zelt</i>	warn them for what is bad
<i>ter stat rade comen zelt</i>	come to the city council
<i>alst gi daer gheeyset wert</i>	when your presence is wanted
<i>der stat raet helen zelt</i>	bring unity to the city council
<i>den armen ghelike den riken voerraden zelt</i>	supply the poor like the rich
<i>der stat scout van hoers selfs b[etal]en zelt</i>	do your duty to the city
<i>ende ten naesten iaer also gi out raet sijt</i>	and next year when you are part of the old council
<i>ende gi ten rade gheroepen wert</i>	and you are called to the [new] council
<i>der stat beste raden zelt</i>	[you shall] counsel the city what is good
<i>der stat raet oec dan helen zelt</i>	again bringing unity to the city council
<i>alse gi in deser iare sculdich z[elt we]sen</i>	as you are obliged to in this year
<i>des en zel gi laten</i>	you will not refrain from doing so
<i>om lieve</i>	neither because of your life
<i>noch om lede</i>	nor because of your body
<i>noch om maesscap</i>	nor because of kinship
<i>noch om zwagherscap</i>	nor because of affinity
<i>noch om anxt van uwen live</i>	nor for fear of your life
<i>noch om anxt van uwen ghoede</i>	nor for fear of your goods
<i>noch om gheenrehande zaken</i>	nor for any reason
<i>dat u god also helpe</i>	that God may help you
<i>[ende sij]n hilighen</i>	as well as his saints