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*Honour, social capital and alternative currencies: the «leisting» custom in the cities of the Late Medieval Low Countries and Rhineland**

1. Guaranteeing debts with pledges: the *leisting* custom

In this paper, we discuss a system of guaranteeing the repayment of debts by putting financial and social pressure on debtors and/or their network of pledges – the custom of *leisting*. This custom led the creditor to believe that a quick debt repayment – even if partial – would follow. *Leisting* was quite widespread in the Low Countries (both North and South, despite some regional differences we highlight below) as well as in the Rhineland from the thirteenth to the seventeenth century. The widespread practice and persistence of the custom indicate that it might have been quite efficient at ensuring debt repayment. It relied mainly upon risks to honour and social prestige, though more objective financial risks could likewise be at stake. In the Southern Low Countries, the practice was first and foremost developed among prominent members of the high nobility and powerful rulers. The traditional scenario was one where a territorial prince needed access to a capital market to raise a considerable amount of money at short notice, for instance to fund territorial expansion. He could ask his Estates (the nobility, the clergy and the cities) to help him, but he would have had to enter difficult political negotiations and concede some new political rights. It was therefore viewed as more advantageous to rely on foreign bankers such as the Italian financiers (Piedmontese and Tuscan bankers) in the Low Countries. This proved to be the case for the Count of Guelders at the end of the thirteenth century and for the Duke of Burgundy Philip the Good around the middle of the fifteenth century. Among other studies illustrating this strategy, two classical case studies are those of Van Schaik 1993 and Haemers and Lambert 2009.

Alongside more traditional forms of surety such as the pawning of movables or immovable real estate, personal sureties, or pledges, guaranteed the loan contract. The pledges were generally listed at the end of the loan contract: family members, vassals, princely councillors, and members of the local elites or urban landlords. Once the main debtor defaulted on the set date of repayment, the pledges agreed to go and

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stay at an inn, where they had to eat and drink conspicuously as representatives of the debtor(s). The accommodation costs were usually charged to these “hostages” before being reimbursed by the main debtor. All these stringent conditions provided incentives to repay the debt as quickly as possible to avoid even greater indebtedness. Social reputation was also at risk with this custom.¹ In a few cases, as we will see, pledges proved unable to pay off their accommodation costs and had to pay with alternative currencies such as silver plates or horses.

Of course, today, money is a commonly socially accepted means of buying something. It is usually referred to as «The means of facilitating the exchange of goods and services and the accumulation of financial wealth, commonly recognizable as banknotes, coins and bank deposits» (Bannock and Manser 1988, 208). But this clear-cut definition does not apply to society in the Late Middle Ages where (quasi-) money could take multiple forms: properties, houses, land and its products, annuities, furniture, raw materials, inventories, clothes, jewels, arms, kitchenware, household provisions, domesticated animals, credit titles, and silver or gold coins. The habit of merchants of paying their taxes with silver plates or silver ingots, for instance, hints at what today we would call an alternative currency, exactly as horses were for indebted knights.²

In this paper we first analyse the legal framework surrounding the *leisting* custom before turning to three different case studies. The first one involves a prince needing capital to fund territorial expansion. The second one deals with high-profile Brussels innkeepers as multi-faceted intermediaries and auxiliaries of princely justice relying on this custom to expand their business. The third one sheds light on the possible regulatory use of the *leisting* custom by town authorities to control the real estate market in a period of public works. Last, we propose concluding remarks on the differentiated use of this custom in the cities of the Low Countries and on the place of alternative currencies within this debt-enforcement mechanism.

2. The legal framework of the *leisting* custom

The practice of *leisting* or *inliggen* in medieval Dutch (or *einlager* in German, *tenir hostage* in middle French or *obstagium tenere* in medieval Latin) involved compliance with a debt-enforcement clause inserted into a significant proportion of loan contracts in many cities of the Late Medieval Low Countries and, more broadly, within the Holy Roman Empire that included the territories we examine here. The *Sachsenpiegel*, a moral and legal treatise written by the German vassal of the

¹ As shown by Zuijderduijn 2019, 13, who mentions the case of two Utrecht financiers lending huge sums of money to territorial princes and urban communities around the end of the thirteenth century, suggesting that they gambled on the reputational risk of their debtors, should they not pay back the lent sums. For an older but still valuable analysis of the function of honour and reputation in this process, see Hermesdorf (1957) 1977, 188-89, 203-04 and 211.

² See for instance, among other works, Howell 2010, 79, and Spufford 1988, 62, 137 and 140-41: in 1270, German merchants registered at the *Fondaco dei Tedeschi* in Venice are liable to a tax of a fortieth on the value of all their goods, including silver and silver plates.

Archbishop of Magdeburg Eike von Regow in the first quarter of the thirteenth century mentions its use (Kellenbenz 1971 and Bertelsmeier-Kierst 2019, 66).

When the need arose for the creditor to rely on forms of sureties other than pawning movable or immovable properties – he could resort to a specific form of personal surety: the *leistung*. Using a ‘soft’ hostageship of the debtor’s pledges, and sometimes the main debtor himself, the creditor hoped to exert strong moral pressure on the main debtor.³ This debt-enforcement mechanism meant that, should the main debtor default on the set date of reimbursement, either he himself or his pledges (or both) had to go and stay as hostage(s) in an inn at the debtor’s expense until the debt was paid off. As a risk to their reputation, should they fail to comply, the creditor might even publish “name and shame posters” of the debtor or his pledges (Kellenbenz 1971, 902), although we found no evidence for this in our case studies.

The contractually required stay in an inn would involve conspicuous consumption: the debtor or his pledges (or both) had to follow a model of conspicuous consumption with costly meals and drinks. According to Godding (1971) and Kosto (2012, 130)⁴, the roots of the medieval saying: «festin d’otage, festin coûteux» [hostage’s feast, costly feast], or in German, *Geiselmahl köstliche Mahl*, comes allegedly from the intensive use of the *leistung* custom in the late medieval Low Countries. Pledges often had to come, if they were from aristocratic stock, with their horses and squires, thus providing additional sureties for both the creditor and the innkeeper.⁵ The accommodation costs had to be advanced first and foremost by the pledges themselves. This form of personal surety was deemed a strong incentive to speed up the reimbursement of the main debt: in most cases, the length of the stay at the inn was not specified, which could lead to excessive costs for the personal sureties, hence the limitation to a fifteen-day stay in some texts of urban legislation from the first half of the fourteenth century. However, this was often the exception.⁶

³ We lack any thorough survey of the statistical importance of the *leistung* custom in loan contracts in the cities of the Late Medieval Low Countries: my own investigations on its use within Piedmontese lending societies for loans concluded with members of the high aristocracy of the Southern Low Countries and in the Rhineland show figures of 5 to 23% of their loan contracts with a *leistung* clause (Kusman 2023). In the city of Kampen, in the bishopric of Utrecht, the oldest town register of the city administration (1302 onwards) registering all private dealings drawn up before the aldermen – the *Foliant* – records a total of 94 credit transactions, from rent sales to simple debt recognitions. Of these 94 credit transactions, 33 transactions record the use of the *leistung* provision: about 35%, see Kossmann-Putto 1955, ad word *leistung*. For these figures, we excluded the forward contracts such as grains sold in advance.

⁴ Of course there is a wide array of scholarly works devoted to the topic of contract-enforcement agreements and to our subject, debt contracts. See *inter alia* North (1990) 2003, 55 (exchange of hostages) and Greif 2005.

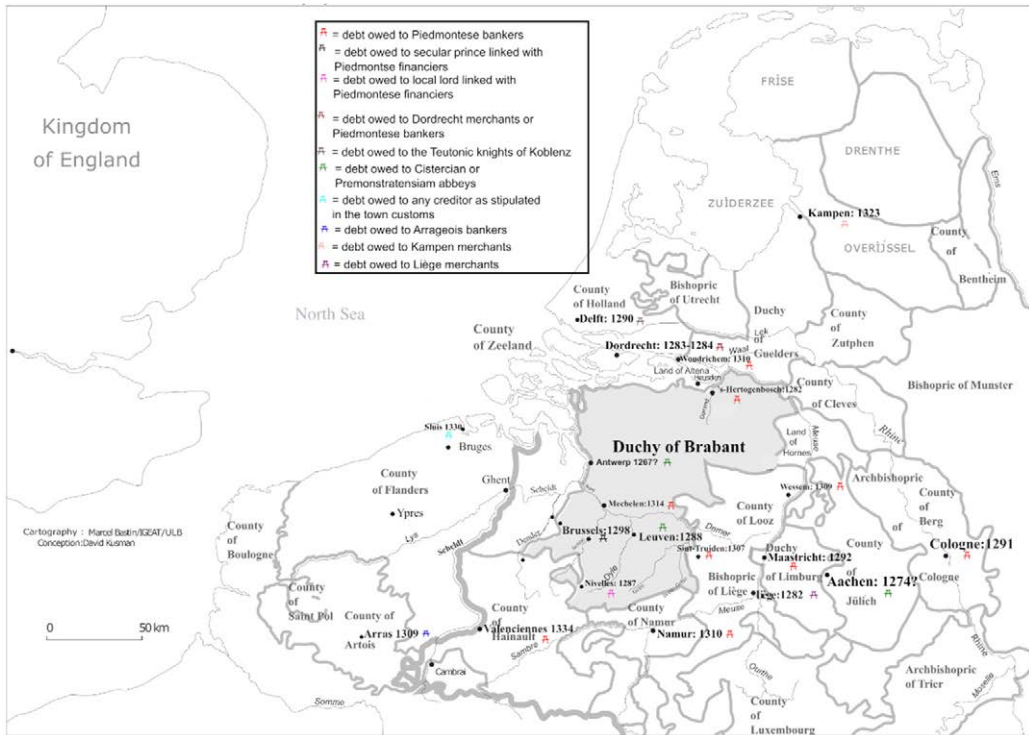
⁵ Kellenbenz 1971, 902: in 1472, two indebted territorial princes, the Prince Elector Ernst of Saxony and Duke Albrecht of Saxony promised their creditor, Duke Johann of Silesia to come with twenty horses. Additionally, their pledges would come with four horses and three squires, without taking into consideration other pledges (burghers and town magistrates that also came with more than twenty horses).

⁶ Such as in the custom of the city of ‘s-Hertogenbosch at the north end of the duchy of Brabant in 1325 (Godding 1971, 326 note 178); for the lack of a precise time limit for how long the *leistung* could last, see Hermesdorf (1957)1977, 205-08.

Finally, it is worth underlining that the *leisting* custom admitted the seizure of the pledges’ goods if the pledges proved unable to pay the accommodation costs (Godding 1971, 327).

These *conditional hostages* – in the words of Adam Kosto – for monetary debts lay bare multiple networks of fealty and trust between an overlord and his vassals when the latter acted as pledges for the debts of their suzerain. The example of ransoms for royal or princely hostages springs to mind. That a sovereign could convince several high-ranking vassals, barons, and counts, as well as their squires, or city magnates and their valets, to be conditional hostages for him was a powerful demonstration of his power and trustworthiness towards his creditor.⁷

Fig. 1. The use of the *leisting* custom in the Late Medieval Low Countries: the first fifty years (first mentions)



Unsurprisingly, the custom gained ground first among prominent members of the high aristocracy of the Low Countries (both Northern and Southern) and the Rhineland. This hinted at the feudal roots of the *leisting* custom: during the eleventh

⁷ Kosto 2012, 151-62, 178-82 who cites the example of the Aragonese King Alfonso III and King Edward I of England in a peace treaty dated 27 October 1288 wherein a huge ransom had to be paid to release the heir to the throne of Naples, Charles of Salerno. The release of the prestigious heir taken hostage by the Aragonese admiral Roger de Llúria required 159 hostages in return.

and twelfth centuries, it was commonplace to exchange hostages to seal a peace treaty between two princes or a simple agreement, and for the winning camp after a battle to take numerous hostages and keep them for ransom. Until the end of the twelfth century, the use of hostages remained limited to increasing the trustworthiness of political agreements with monetary clauses (negotiation for a peace treaty, a truce, a matrimony, etc...). Later, the custom began to be integrated into pure credit agreements (Ogris 1971, 8-26; Duby 2002, 515; Kosto 2012, 41-77 and 157-62) (see Fig. 1).

We observe the relatively early appearance of these *leisting* agreements from 1267 onwards for monastic creditors (Sint-Michiels abbey of Antwerp and Val-Dieu abbey in the bishopric of Liège): we suspect that Cistercian and Premonstratensian abbeys used sales contracts of property rights (such as tithes) from secular lords to conceal loan schemes, explaining therefore their pioneering role in spreading the practice of the *leisting* custom. The role of these monastic communities as credit establishments is as well-known as their market-oriented strategies of commercialising their products to towns in the vicinity of their estates.⁸ Moreover, the custom was accepted by the canon law with respect to the enforcement of debt contracts (Kellenbenz 1971, 901).

As the practice of taking pledges as conditional hostages in loan contracts spread extensively within the Low Countries, inns began to play a pivotal role in the *leisting* debt-enforcement procedure as it was always more honourable for a debtor and his pledges to remain in a high-end inn rather than in a prison. As testified by the sixteenth-century city attorney of Sas van Gent, who shared unambiguously his views on the topic in a legal treatise on urban justice, when it came to cases in business and financial matters, inns were *loci* of civility whereas prisons were deemed as hideous places, for those devoid of any trustworthiness.⁹ Kosto, in our opinion, generally underestimates the pivotal role of inns for the *leisting* custom as he discusses their role only in the context of the legal framework of the *Einlager* or conditional hostage institution (Kosto 2012, 130).

Far from the *topos* of ‘bad inn’ wherein naïve knights attending tournaments would be robbed by greedy hostellers – spread by chivalric literature – inns played a pivotal function in credit agreements with aristocratic borrowers.¹⁰ Noble lords did not shy away from entrusting their funds to hostellers in their absence, so that the latter would play the role of their bankers when they arrived in the city: this was the case of Gérard of Luxembourg, lord of Durbuy, who entrusted 200 Leuven pounds

⁸ Godding 1971, 321, n. 161 and n. 163; Goetschalckx 1909, nr. 181, 212-14 (sale of tithes for the sum of 229 Leuven pounds by the secular lord Petrus of Meer, 1st February 1269) and Ruwet 1955, nr. 191, 180 (sale by the knight John of Frankenberg of his freehold estate in Housse with all its attached tenures in the county of Dalhem, 26th of May 1274). On the rent-seeking and market-orientated strategies of the Cistercian and Premonstratensian abbeys: Despy 1975; Van Bavel 2010, 38-39; Aerts 2012, 73-76.

⁹ Van Aller 1721: the original text is from 1580, 55 cited by Hermesdorf (1957)1977, 211, n. 43. The original text from Willem van Aller devoted to the topic *berberghe* reads, p. 55, art. 31: «Dit is om de civilitet te oeffenen, ende dat de apprehensien in de gevangenhuyzen odyeus zijn, de welke nogtans, in cas van quade trouw, eyndenlyck gebruykt werden».

¹⁰ Reyerson 2002, 174; Murray 2003, 205 and 210-215, Van Bruaene 2018. On the “hellish” side of the inn, see for example: Clamote Carreto 2014, 164, n. 29.

to the hosteller Alard in 's-Hertogenbosch in 1285. It is worth noting that in the last quarter of the thirteenth century, this city, with its numerous tournaments, attracted a lot of prominent members of the high nobility of the county of Flanders, the duchy of Brabant, and the county of Holland, keen to engage in those typically chivalric encounters (Vale 2001, 188; Kusman 2013, 40 and 105).

From the outset, the chosen inns were thought to be honourable places to stay and had to be high-end hostels to accommodate the high-ranking vassals belonging to the entourage of the main debtor, usually a territorial prince. This condition was formulated as early as the end of the thirteenth century by the expression *more bonorum fidejussorum*, used for the pledges named by the main debtor: they would go to stay in an inn, eating and drinking conspicuously as good pledges were accustomed to doing. In 1274, in Aix-la-Chapelle (Aachen), the idea of an honourable inn appears associated for the first time with the respectable behaviour of the pledges who, after being summoned by the creditor (the Cistercian abbey of Val-Dieu in the bishopric of Liège), were bound to follow the good habits of pledges: (...) *a quis in uno honesto hospitio, ad jus et consuetudinem bonorum fidejussorum pariter iacebunt et non desistent nec recedent*(...) (Godding 1971, 321 note 163).

Having pointed out the expected conspicuous consumption pattern, we should not be surprised by the luxurious character of the chosen building hosting the debtor's pledges: it was usually adorned with galleries and had multiple storeys. At the very least, inns had a hall, various chambers, offered the innkeeper's accommodation, a kitchen, stables, and storage spaces (Hare 2013, 480 and Picherit 2002). High-end inns often had an impressive porch giving access to the stable or a courtyard. The most selective ones had a quadrangular courtyard, a major block along the street front, with subordinate buildings and a sign bearing its identity, visible from afar. For example, a local hosteller managed the luxurious hostel of the Duke of Brabant in Cologne, around the 1290s, available also for commercial purposes and credit agreements; guests of the inn were provided with many private chambers, several kitchens, gardens, and a vast inner courtyard with stables; a great door closed the courtyard. This idyllic setting opened the door to negotiations on the rescheduling of a debt repayment. That palatial properties later became inns is a well-known pattern in later medieval cities (Kusman 2013, 182, n. 41; Hare 2013, 480 and Zuijderduijn 2019, 23).¹¹

¹¹ Schofield and Vince 1994, 71 mention the example of Ralph Neville, Bishop of Chichester's hostel becoming in the second half of the thirteenth century an inn nicknamed Lincoln's inn.

3. Three case studies on the *leisting* custom: county (and duchy) of Guelders, duchy of Brabant, and bishopric of Utrecht (1282-ca. 1450)

3.1. Credit and reputation: the use by the counts of Guelders of the *leisting* custom to gain access to capital markets (1282-1440)

3.1.1. Funding territorial expansion: the choice of the Count of Guelders

We begin our survey with a classic example of the use of the *leisting* custom within the context of princely finances.¹² The Count of Guelders Renaud I (1271-1326) aimed at territorial expansion on the Duchy of Limburg where he confronted the similar interests of the Duke of Brabant. At that time, Limburg was situated on an important commercial route between Flanders, Brabant and Cologne. Since the death of his wife (legal heiress to the county), the Count of Guelders Renaud I had ruled over the Duchy of Limburg, having managed to obtain the support of the German King Rudolf of Habsburg. The Duke of Brabant had no such credentials, but succeeded in buying the succession rights of the Count of Berg – a parent of the house of the Limburg dukes – on the Duchy. The conflict between Guelders and Brabant would last and take on a military dimension (1284-1288). In the end, the Count of Guelders lost control (after the defeat at Worringen, 1288) of the Duchy of Limburg and faced enormous indebtedness.

It is hard to imagine that a *leisting* loan contract might have contributed to the princely finance's bankruptcy but, in fact, to finance war, the count of Guelders needed money that he could hardly have found in a negotiation with his – at that time non extant – Estates or *Staaten*. The development of a structured political representation (with Towns, the Church and the Nobility) would not take place before the fourteenth century. Besides, the prince lacked any advanced financial administration that relied on specialized receivers who could handle the task of collecting extraordinary or non-domainial revenues, such as was already the case in Flanders or in England (Van Schaik 1993, 257-258 and Lyon and Verhulst 1967, 93). Unfortunately for him, there were no Italian bankers settled in Guelders at the time (on the mediocre development of the capital market of Guelders at that time, see Kusman and Demeulemeester 2015, 86). Thus, the Count of Guelders had to turn to his vassals and family to obtain information on possible credit sources. He relied on, among others, the Lord of Cuyck, who navigated through various and often blurry allegiances between the Duke of Brabant and the Count of Holland.

Credit for the Count of Guelders would finally be provided by a Piedmontese moneylender, Tadeo Cavazzone, who was certainly acquainted with the entourage of the Lord of Cuyck. The latter collected annuities in 's-Hertogenbosch (Bois-le-Duc) in the Duchy of Brabant, and Cavazzone himself resided in the city, where he operated an important lending society. He had many links of patronage with the Duke of Brabant and the Count of Holland. He was an international merchant well versed in complex financial techniques and Roman law.

¹² On Renaud I's debts see Kusman 2009 and more recently Bosch 2019, 92-94. We give here only a short overview of the political side of these events.

3.1.2. Borrowing capital with personal sureties: the two *leisting* loans of 1282

In 1282 the Piedmontese banker concluded two loan contracts with Count Renaud I of Guelders. The conditions of the first contract appeared to be rather benign and bore elements of a patronage link. Sealed on 15th January 1282, it stipulated a loan of 900 Leuven pounds; at that time the Leuven pound was a very strong money compared to the local weak currencies, as evidenced by the dominant position of the Leuven coins in tithes levied between 1276 and 1281.¹³ In this first contract, no movable or immovable properties were required as sureties. Only personal sureties acting as conditional hostages were at stake. The contract mentioned no less than fifteen pledges agreeing to go as hostages to an inn in 's Hertogenbosch, should the main debtor default, at first notice of his creditor or his attorney. The pledges could substitute someone else in case they proved unable to go themselves. They were vassals or princely servants. The contract also contained friendly words towards the creditor («my dear Tadeo...») suggesting a patronage relationship. But the needs of the Count of Guelders grew steadily, and on 5th April 1282 a second loan contract was sealed, with more sureties and predominantly domanial incomes, signalling a loss of confidence between the creditor and the debtor. The loan now amounted to 3,000 Leuven pounds. The date of repayment was deliberately vaguer as the loan was refundable "*ad voluntatem*", that is, at the will of the creditor or his attorney, at first notice. This made any reimbursement plans extremely difficult for the Count of Guelders and his officials. Movable and immovable properties were now pawned, such as the toll revenues on Guelders' rivers as well as incomes from fines and from landed estates. Personal sureties were more numerous: twenty-four pledges now agreed to go as hostages to an inn in 's Hertogenbosch, within eight days of the first notice of the creditor and remain there until repayment of the debt. The pledges were also of a higher social status. They came from all over the county of Guelders. A high-ranking pledge such as the Lord of Valkenburg could substitute two squires in his place. The terms of the contract were also less friendly. The financial framework thus seemed to prevail over the feudal one.

3.1.3. Gaining access to capital markets with social capital: the financial policy of the Counts and Dukes of Guelders

Nonetheless, the social capital of the Count of Guelders played a key role in these credit agreements, so that he could show his importance and prestige, while reassuring the lender; the name of such powerful members of the high aristocracy of Guelders as William of Hornes, Gérard of Batenburg or Otto of Buren should have

¹³ Kusman and Demeulemeester 2015, 86: in the cities of Deventer, Zutphen, Utrecht and in the deanery of Betuwe, the Leuven pound gained an overwhelming position and in some cases, the use of the currency rose by a factor of twenty compared with local currencies.

impressed the creditor, at least in the mind of Renaud of Guelders (Kusman 2009, 83 note 20).¹⁴

However, the debt would be reimbursed to Cavazzone only ten years later, in 1292. Meanwhile the private debt of Renaud had increased threefold and been sold by Tadeo Cavazzone, the Piedmontese moneylender, to his father-in-law, the Count of Flanders, Guy de Dampierre (1277-1305), who was very skilled at making political use of such financial constraints (Kusman and Demeulemeester 2015, 88-89). Again, in 1298, Count Renaud I asked pledges belonging to the high nobility of the Rhineland, Count William of Jülich and Count John II of Spanheim, to go as conditional hostages for his debt to Count Guy de Dampierre. Both registered such high debts with their Brussels innkeepers that they had to pawn their gold and silver wares: in one extreme case, the debts of the Count of Spanheim ran so high that he pawned one golden glass, ornamented with the arms of the King of England, valued at 60 pounds of new sterlings, or 240 pounds black tournois at the exchange rate applied in Brabant at that time. The length of their stay may be estimated at three months. The pledges' gold and silver wares (several plates and glasses and some jewels belonging to the English crown that had been lent to these allies of King Edward I) were in turn sent to Cologne by the innkeepers and Brussels financiers, to be pawned at various pawnbroker's shops in the city. Cologne was a leading centre at that time for goldsmiths working to meet the demand of princely courts in the Low Countries and it is thus unsurprising that an expertise in estimating the value of pawned silver items existed in the city.¹⁵ The pledges were finally reimbursed from their expenses by the Count of Flanders.¹⁶ This is an obvious case of the use of silver and golden wares as quasi-currency.

That the counts of Guelders repeatedly used their social capital to gain access to capital markets by way of *leisting* contracts is also demonstrated at length by several credit agreements during the fourteenth and the fifteenth centuries.

In 1309 and 1314, loan contracts concluded with Piedmontese moneylenders to the Count of Guelders all had a legal clause of conditional hostageship. In 1314, the Lord of Valkenburg sent the account of his inn-stay expenses to the Count of Guelders and was duly reimbursed by the latter. The costs registered by Renaud of Valkenburg amounted to 365 [Brabantine] marks, 3 shillings, at an exchange rate of three Heller pennies for one Brabantine shilling.¹⁷

In 1340, in the context of war financing during the Hundred Years War between France and England, Duke Renaud II of Guelders – having agreed to borrow money for his brother-in-law, the King of England, Edward III – again resorted to the same

¹⁴ We understand here social capital as a set of resources embedded in a social network, used by members of a defined group to reach goals and based upon shared trust, norms, and values. (Bourdieu 1980, 2-3; Durlauf and Fafchamps 2005, 1642-44).

¹⁵ Nijsten 2004, 291 (goldsmiths selling gold and silver items to the court of the dukes of Guelders around the end of the fourteenth century); Escher and Hirschmann 2005, vol. 50/2, 319.

¹⁶ Rijksarchief Gent (RAG), Charters of the Count of Flanders, Supplement nr. 251, edition and comment of this accommodation cost account registered in Brussels and in Flanders (between January and March 1298) in Kusman 2006, 31-32, 45-46.

¹⁷ Nijhoff 1830, n.117, 121 (14 June 1309), n.158, p. 156-157, 19 July 1314 and Gelders Archief-GA), Chartersverzameling Gelderland, 158).

technique, turning to the capital market in Brabant, notably Brussels, Leuven and Malines¹⁸ where patricians and cloth-merchants could loan substantial sums (Bosch 2019, 99). Such prestigious guests as the Earl of Derby, Henry of Lancaster or Thomas Beauchamp, Earl of Warwick had to go as hostages to an honourable inn in Malines, while the Duke of Guelders, the regent of Flanders, Simon de Mirabelle and the Duke of Brabant were all held hostage in a Brussels inn for a debt in the region of 22,000 little Florentine florins, paid in Brabantine gold *écus* at the local exchange rate of two gold *écus* for three little florins. At that time, the gold florin was worth 3 English shilling sterlings. This must have been a highly complex source of profits derived from exchange rates controlled by local moneychangers and innkeepers.¹⁹ One of the selected inns was probably the quite luxurious *In den Spiegel* (the Mirror) inn, at that time owned by Philippe van den Spiegel, a hosteller who had earned, thanks to his services to King Edward III of England, the privilege to receive in 1340 five sacks of wool from the next wool deliveries at the wool staple of Antwerp.²⁰ Several payments to Italian creditors of the English King were indeed made in 1340 in this inn, including a very substantial payment of 5,500 gold florins.²¹

In 1344, the Duke of Guelders, Renaud II, had sent no less than twelve high-ranking aristocratic pledges as hostages to stay at an inn in Gorinchem held by the innkeeper Sophie de Hoogstraten for debts incurred with the Piedmontese financiers of the same borough. That the costs of a week-long stay, amounting to 450 l. 5 s. 4 d., were actually paid by the prince is evidenced by the fact that the account is still kept in the princely financial archives today.²²

That the financial practice underpinning *leisting* persisted is shown by the fact that, again, in the period 1431-1439, Duke Arnold of Guelders asked his high-ranking officials – among them his general receiver – to go as pledges to several inns for debts incurred with Jewish financiers so that he could retain his creditworthiness, his honour, and his reputation. The fact that all accounts and receipts pertaining to the accommodation costs of the pledges of the Duke of Guelders were all kept by the receiver-general of Guelders, and actually paid off, underlines the importance of this custom in the credit practices of the counts and dukes of Guelders (Cluse 2000, 166).

¹⁸ Nijhoff 1830, annex, cxxxiii, accommodation expenses for the pledges of the Count of Guelders in Malines are estimated at 470 l. 6 s. 8d.

¹⁹ The royal debt seems to have given rise to endless financial transactions resulting eventually in a final reimbursement of circa 8,300 pounds sterling to a group of Brussels creditors belonging to the top urban elite: Fryde 1967, 1142-1216, 1155 and 1158 and Fryde 1988, 143 and 183. On the massive golden coinage of mints in Brabant, Hainault, Cambrai and Guelders from 1336 onwards (struck in local gold *écus*), to sustain the payment of allies to the English King: Spufford 1988, 278-282 and Bolton 2012, 165-166.

²⁰ We owe this information thanks to the files of the late Claire Dickstein, former archivist of the Archives du Centre Public d'Action Sociale and specialist of the Brussels cloth industry: see Archives du Centre Public d'Action Sociale de Bruxelles (ACPASB), Fonds Claire Dickstein, file on the cloth industry and De Sturler 1936, 370, n. 304: Van den Spiegel was a creditor of King Edward III for 47 pounds petits tournois.

²¹ Archives Générales du Royaume (AGR), Bruxelles, Fonds de la Chambre des Comptes, nr. R 3017 Roll account of military expenses, 1338-1339.

²² GA, Arnhem, Gelders Archief, nr. 3059.

3.2. Brussels: high profile innkeepers as middlemen for princely justice and their speculative use of the *leisting* custom under Duke Philip the Good (1430-1467)

We have already observed in the preceding section how some Brussels innkeepers, from the end of the thirteenth century, became essential actors in the *leisting* debt-enforcement practice. In this section, we will demonstrate how some of the most influential Brussels innkeepers enlarged the scope of their activities to the sphere of princely justice by playing the role of attorneys for the Council of Brabant. In doing so, they could build on their experience as financial and trade intermediaries and their impressive network of business connections among moneychangers and merchants as well as urban elites. This new function took advantage of the growing role of Brussels as a princely residence and administrative centre.

3.2.1. Institutional developments and their effect on the innkeeper's trade

Since the reign of the regent Antoine of Burgundy (1404-1415), the city of Brussels had witnessed an increasing concentration of financial and juridical institutions: from 1404, a Chamber of Accounts had its seat in the city, to oversee princely accounts and exert control on ducal officers, on the model of its counterparts in Dijon and Lille. And in the period 1418-1420, a ducal council benefited from a delegation of power from the Duke of Burgundy to exert power in his absence; soon, this council had the power to take decisions without referring to him if those decisions did not pertain to the princely domain or to the princely high justice. But it is during the reign of Duke Philip the Good, from 1430, that this ducal council would regularly carry out administrative duties and justice tasks within a specific council chamber (*raicamere*). From then on, the Council of Brabant, as a court of princely justice would hold its hearings predominantly in Brussels and less often in Antwerp or Leuven.²³

These institutional developments must have had sizeable beneficial effects on the profitability of the business of innkeepers as hostellers and financial intermediaries (Godding 1999, 74-78 and Put 2000, 147-59). During his stay in his Low Countries estates, Duke Philip the Good spent 39% of his time in Brussels, shared 25% of his time between Bruges and Ghent in the county of Flanders, and 20% of his time in Lille (Blockmans 2013, 789). That the Duke and his guests could not all be lodged at the ducal palace speaks for itself. This could only stimulate the hospitality economy in the city since courtiers and members of the princely entourages had to be lodged at all costs in high-end inns when the princely residence and other aristocratic dwellings proved insufficient. Fiscal incomes, in turn, were positively affected by the beverage sector in Brussels: during the fifteenth century, the two most important excises fell on beer and wine consumption, which constituted roughly 75% of the

²³ The prominent role of Brussels as political and administrative centre for the dukes of Burgundy at the expense of Leuven went on a par with its growing population size: in 1437, Brussels numbered around 32,500 inhabitants, which ranked the city first among the big cities of Brabant and well ahead of Leuven which numbered only 18,200 inhabitants: Van Uytven 2004b, 173.

total urban income derived from indirect taxation (Dickstein-Bernard 1977b, 50-52). The importance of the city as a production centre for fine cloths of the highest quality, and the function of its nearby Soignes forest for hunting, also played its role in attracting wide princely entourages at least from the end of the thirteenth century.²⁴

3.2.2. The pivotal role of Brussels innkeepers as multi-faceted commercial intermediaries and legal actors

The invaluable role of Brussels innkeepers in the rulings of the Council of Brabant derived from their strong economic and legal position. To begin with, the most elite Brussels innkeepers were members of the cloth guild, a regulatory civic body that oversaw the norms of cloth production. Guild brothers (which hints at a confraternal structure), as they called themselves, often belonged to the top families of the city and were often involved as merchant-suppliers of the princely court. The De Mol and Boote families, having invested in the business of innkeepers, were buying or purchasing wine in their relations with the court of the dukes of Brabant in Brussels (Dickstein-Bernard 1981, 74).²⁵

The Brussels innkeepers had gained the right to host foreign merchants who imported raw materials needed for cloth production: wool and dyeing products. They were also allowed to host foreign merchants exporting Brabantine clothes (Dickstein-Bernard 1981, 74-75 and Favresse 1946, nr. I, [4] and [14]). Additionally, at least from 1365, they could fulfil the function of broker at the cloth hall of the main town market. They could buy local cloths for their merchant hosts in their presence. Conversely, Brussels innkeepers could broker deals for their hosts if they were traders in wool and dyeing materials. This is best illustrated by the innkeeper Everard Boote, who welcomed in his inn in 1390 three English merchants with their wool (Dickstein-Bernard 1981, 75, nr. 75).²⁶ That the trade of broker-hosteller of the cloth hall was no small business may be deduced from the capital that these intermediaries had to advance in guarantee to the Brussels cloth guild when they wanted to enter the trade: 400 pounds groten of *Accijns geld* as Vranck van den Spiegel did for his eponymous hostel in 1416-1417; this was eight times the sum that licensed cloth dealers at the cloth hall had to disburse to the cloth guild as guarantee.²⁷

As pointed out in section 3.1.3., the *Spiegel* was throughout the fourteenth century a favourite place of accommodation among prominent members of the high nobility

²⁴ Already in 1293 the Count of Flanders Guy of Dampierre came with his hostel for a wild boar hunt in the company of the Duke of Brabant with an entourage with 200 horses. The purchasing of Brabantine cloths in Brussels by Tuscan merchants provisioning foreign princely houses took place from 1304-1305 (example for the hostel of the Count of Savoy): Vale 2001, 130, 150 and 183; Kusman 2013, 162-163.

²⁵ In 1332, the Brussels innkeeper Godefroid Stoutecraen sold no less than 26 horses to the Count of Hainault for 119 s. 2 d. tournois (Archives départementales du Nord, Lille, B. 3275, roll account, excerpt of an hostel account of the Count of Hainault, f°6r°).

²⁶ See also AGR, Chartes de Brabant, nr. 6630.

²⁷ The *Accijns geld* (or Excises money in English) was an account currency used for recording incomes and expenses of the cloth guild in connection with the indirect taxation of the cloth hall: see Peeters 1992, 80, 101 and 108.

and continued to be owned by the well-off eponymous family, whose roots were from urban landlord stock. The Van den Spiegel family had indeed been present on the aldermen's benches several times since the beginning of the thirteenth century.²⁸ In 1391-1392, Michael Van den Spiegel, son of Philippe, innkeeper and town receiver, had loaned money to members of the high nobility of Hainault and Holland en route to Prussia to take part in the crusade. When these aristocrats proved unable to reimburse the credit, they had to lodge with him as conditional hostages (Paravicini 1995, II, 231, 259-260 and Dickstein-Bernard 1981, 75). The mention of Jan Vrient van Zaventem as clerk at the same inn in the second half of the fourteenth century hints at the financial function of the establishment. Jan Vrient was undoubtedly needed in his capacity of keeping accounts of credits and debts passing through the Spiegel inn. Both Van den Spiegel and his clerk belonged to the Saint-James brotherhood of Overmolen whose members represented a diverse sample of Brussels' urban dwellers, from craftsmen to well-off top patricians, of lay or ecclesiastical status (Dickstein-Bernard 2005, X, nrs. 1284, 54 and 1852, 78).

Let us note that in stark contrast with Bruges, the trade of the hostellers in Brussels was more lightly regulated and regulated later, as there was no constituted guild of brokers and innkeepers.²⁹ Still this did not stop hostellers from maintaining their involvement in the cloth trade throughout the fifteenth century. Under Philip the Good, the *In den Catte* owner, Willem van Schadewyck, was one of the eight members of the cloth guild board of administrators in 1447 as well as an alderman of the city for two different periods. This was also the case for the former owner Jan van Coudenberg, a member of the patrician elite, who sat among administrators of the cloth guild in the period 1372-1373.³⁰ The bargaining power of those high-ranking innkeepers was strengthened by a legal clause stating that whenever one of his clients defaulted on a payment, the innkeeper was dispensed from bringing any other proof than his oath. Moreover, he had the right to take in pawn the movable items brought by their indebted guests. He could seize goods and enforce their sale to recover his debts without any preliminary judicial sentence of a local court (Godding 1995-1996, 130).

It speaks for itself that innkeepers worked hand in hand with town moneychangers. The *In den Valke* and *In den Spiegel* innkeepers had ties with the town moneychanger Jan Elsaer or Elsaier: noble debtors had to pay their debt in

²⁸ The *De Speculo* – Van den Spiegele – family has owned properties (plots and houses) in the *Berchstrate* (Bergstraat in modern Dutch: Hill Street) at least since the end of the thirteenth century: Godding 1959-1960, 5, 100-101.

²⁹ From 1303, Bruges brokers could collect fees on goods, for which they offered their services as middleman to merchants, mostly as subordinate employees of hostellers and more seldom as independent brokers. In 1323, brokers and innkeepers were integrated into the same guild (van Houtte 1983, 183 and Nicholas 1992, 297) whereas the first fee-tariff of Brussels brokers-hostellers, with respect to the cloth trade, was published only in 1385 (Favresse 1947, nr. 15, [9], 4-5).

³⁰ For the functions fulfilled by Schadewyck: see *Wie is wie* 2020. He was an alderman of the city in 1442 and in 1463 (Henne and Wauters, 491-92).

Elselaer's exchange. As Murray has shown, innkeepers must have had multiple accounts with diverse moneychangers, depending on their clients.³¹

Other important actors for circulating trade as well as financial and legal information were the clerks of the city chancery. Town clerks played the role of credit intermediaries, as notaries did in the thirteenth- and fourteenth-century Montpellier commercial network studied by Kathryn Reyerson: broker-innkeepers were at the other end of this credit network since debt contracts were often drafted in their inns (Reyerson 2001, 143-56). In the first half of the fifteenth century, the *Berchstrate* indeed hosts the private houses of a few town clerks. As clerks, they worked in the town chancery and were responsible for writing down the town regulations with respect to the indirect taxation of drinks and food.³² Of course, all property transactions (renting and sales) had to be recorded before the city clerks to provide the parties with sufficient validity (Godding 1960, 299-303). In Brussels, town clerks were also responsible for recording debt contracts with *schepenbrieven* – aldermen's letters obligatory – so that the creditor could enforce his rights before the aldermen's court (Godding 1954).

Innkeepers could also act as general attorneys for their guests with a lawsuit before the Council of Brabant; their role was a prominent one, at least under Duke Philippe the Good. In such a position, they could be entitled to fulfil the general task of contacting members of the Council on behalf of their hosts, carrying out payments or being sureties for their hosts, whether the latter were residing in the city or represented by attorneys. The parties in a lawsuit had to come to the ducal palace on the evening to present themselves before the chancellor of Brabant, and then, on the following morning, go to the first hearing before the Council. The hearings took place within the ducal palace. Because of the length of some cases, parties could appoint hostellers as general attorneys alongside professional attorneys with in some cases a university degree. Due to its highly technical nature, the procedure could not have functioned without the intermediation of attorneys living in Brussels: suits could last for months with parties exchanging their complaints files so that they could better prepare their case and provide further testimonies (Godding 1999, 124-26 and 390).

We must stress here that our evidence is of a qualitative rather than a quantitative nature: we seldom know how lawsuits ended and we know next to nothing about the costs that were effectively charged by the Brussels hostellers involved in the *leisting* custom, given the lack of any surviving private accounts of theirs, contrary to the case of hostellers in Bruges (Godding 1999, 448-45 and Murray 2003, 194, n. 65).³³

³¹ Archives de l'État à Bruxelles (AEB), CB, 528, f°109r°v° (10 March 1457) and CB 527, f°181r° (24 August 1454) and Murray 2003, 168-170.

³² The following town clerks owned a house in this street: Arnould van Eycke and Wouter van de Bulst, ACPASB, PSG, B 215, f°1 v° (around 1406), f° 14v°. Besides the need to access information and neighbourhood relations, credit could of course strengthen links between town clerks and hostellers. In 1392, Michael van den Spiegel recognised a debt of five gold florins to Arnold van Eycke that he planned to repay by way of a mortgage rent assigned to one of his properties located near the Zenne-river: ACPASB, PSG, 204, f°213v°.

³³ Of course, we depend upon the scanty evidence of quantitative data in Brabant at that time, compared to, say the Exchequer accounts during the stay of King Edward III's pledges in the Low

Having laid out the strengths and the weaknesses of our legal sources, let us keep in mind that the rulings of the Council of Brabant do provide information about the financial and legal functions of the most famous inns of the city. As in our previous case study, innkeepers accommodated conditional hostages for a main debtor, but here having a debt litigation case before the Council of Brabant.³⁴

3.2.3. The geography of *leisting*-inns in the city and their material culture

The location of the inns in our study was within walking distance of the ducal palace and the Council of Brabant. Moreover, our *leisting*-hostels were also quite close to the cloth hall, hosting the exchange tables of the moneychangers and the main town market as well as the town hall: this hints at their ideal position for accessing trade information. In the vicinity of most *leisting*-hostels, in the *Berchstrate*, as said before, lived a number of town clerks, whose activity was of paramount importance for the innkeeper's trade.

Thanks to the fiscal census of 1496 (Table 1), we may gain an insight into the total number of houses in the respective neighbourhoods that hosted our studied inns and in the relative wealth of their immediate environment (Cuvelier 1912, 263-264, and 278).

We should however keep in mind that the figures of the 1496 census reflect a period of severe economic downturn for Brussels. The city town magistrate had to deal with grain scarcity in the period 1480-1483, which was mirrored in prices that increased between 20 and 40% in the Duchy of Brabant. In addition, between 1437 and 1496, the percentage of poor people benefiting from poor relief (thus not only the fiscal poor) increased from 10.5% to 17.11%. The wages of textile workers could not keep pace with the price increases (Dickstein-Bernard 1977a, 393-395; Van Uytven 2004, 237-238, Barla 2022, 131-147). Still, even during that period of economic crisis, these low numbers of poor people contrasted with other neighbourhoods situated in the lower part of the city, for instance near the Saint-Nicolas church, where out of a total of 122 houses, 30 were inhabited by poor people, representing 24.5% of the total amount of houses. In the *Berchstrate* (Hill Street), we estimate that 60% of the known inns were involved in the lodging of conditional hostages, whereas only one out of six known inns close to the Sint-Jans Hospital was involved in the same debt-enforcement practice – roughly 17% (Billen and Thomas, 1997, 11-16). These figures underline the dominant position of the *Berchstrate* inns in this lucrative business: those inns seemed to be more susceptible than others to being

Countries in the period 1338-1340. For instance, the Earl of Derby was detained as hostage in Malines for 239 days as well as four of his knights during the same time span in Louvain, and the total accommodation costs amounted to 1,057 l. 17 s. 4 d. (Fryde 1967, 1164, n. 2). When we compare these costs with the wages that were paid to the 12,263 sailors, constables, clerks and pages who accompanied the King in the Low Countries in 1338-1340, amounting to 4,797 l. 11 s. 6 d., we conclude that these accommodation costs were huge, representing 22% of the wages paid to all the civil servants of the King! (For these figures, we refer to Ziegler 1983, 811-812 and Lyon 1995, 695).

³⁴ AEB, Conseil de Brabant (CB) (Rulings of the Council of Brabant), nrs. 525 f°122v°; 527 f°172r°, f°185v°; 529, f°33v°; 527 f°137r°; 528, f°118v°; 528, f°109v°; 528, f°21r°-v°.

selected as accommodation for the pleading parties, due to their reputation and luxury, hence their pivotal function in hosting conditional hostages. (see Fig. 2).

Tab. 1. Inns mentioned in *leisting* contracts or loans contracts with innkeepers as sureties in connection with rulings of the Council of Brabant (1456-1460)

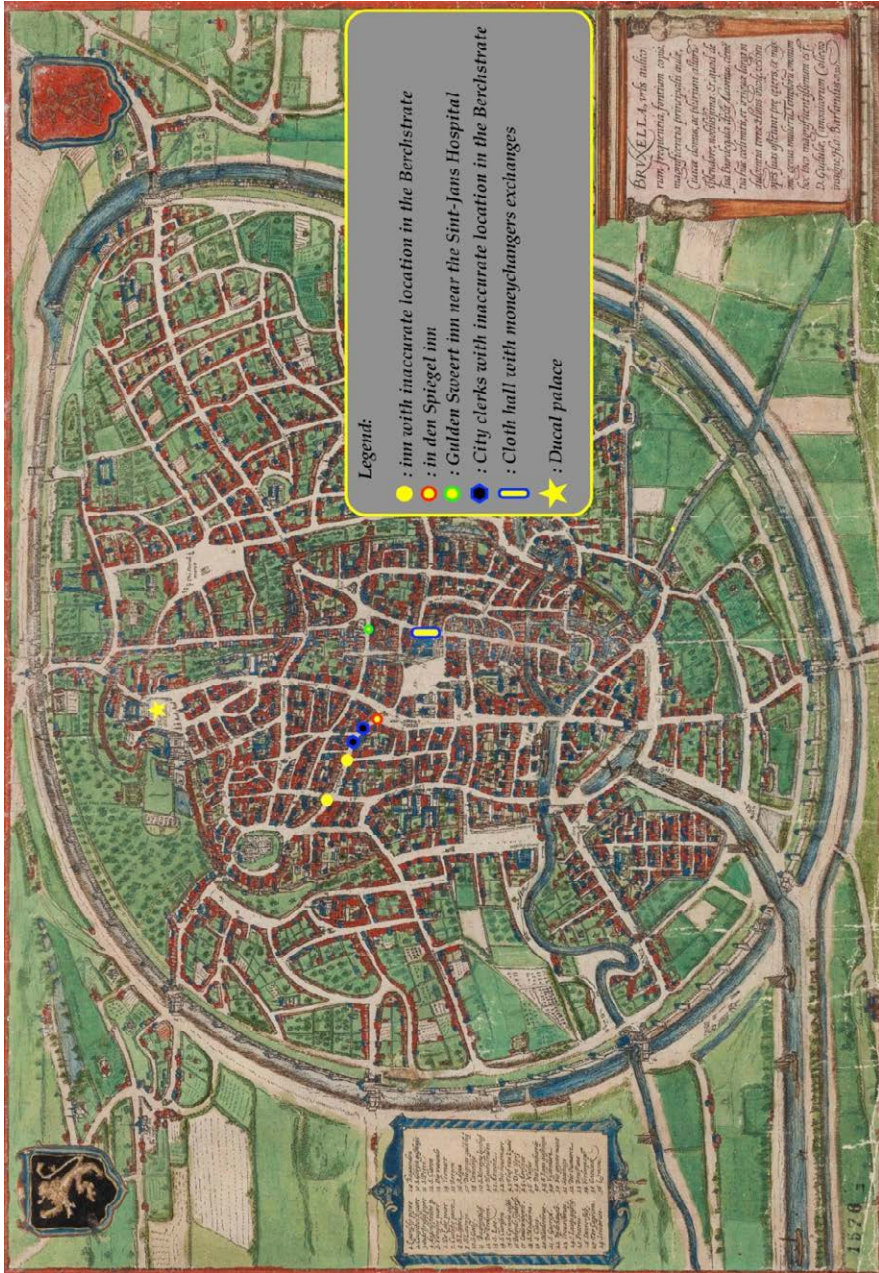
Name of the inn	Mentions	Street	Ratio of houses inhabited by poor estimated per total number of houses in the neighborhood of the inn in 1496	Ratio of inns estimated per total number of houses in street
<i>Den Catte</i> (The cat)	3	<i>Berchstrate</i>	No mention. ³⁵	3.8%
<i>Gulden Sweert</i> (Golden Sword)	1 (only surety)	Near the Sint-Jans hospital	1.2%	7.6%
<i>In den Valke</i> (The Falcon)	2	<i>Berchstrate</i>	No mention.	3.8%
<i>In den Spiegel</i> (The Mirror)	1	<i>Berchstrate</i>	No mention.	3.8%
<i>Den Helm</i> (The Helmet)	1 (only surety)	<i>Berchstrate</i>	No mention.	3.8%

Alongside fiscal and legal sources, we may also gain insights into the material culture of those inns on the basis of landholding archives³⁶: from the beginning of the fourteenth century, an increasingly massive body of documentary evidence – mainly rent registers of parish churches and poor relief institutions as well as an inquiry dating back to 1597-1598 – supports our knowledge of the material disposition of high-end inns servicing the *leisting* custom in the city.

³⁵ “No mention” should be interpreted as an absence of houses inhabited by fiscal poor, i.e., those who were exempt from taxes because their income was deemed too low to be taxed as pointed out by Lambrecht and Ryckbosch 2020, 210.

³⁶ Mentioned inns are located mostly with reference to rent registers of the Brussels charitable institutions (tables of hospitals and poor tables) such as the Brussels Saint Gudule Poor Table: ACPASB, Pauvres de Sainte-Gudule (PSG), B 216 (written around 1433), f°15r° and f°18v°. Further references are to be found in Godding 1995-1996, 132-133. Of course, our study could only benefit from results of an archeological survey on the urban environment in Brussels; for example, the ongoing archeological survey of Paulo Charruadas on medieval cellars in Brussels: Blary, Charruadas and Sosnowska 2019.

Fig. 2. Brussels inns participating in the *leisting* custom or offering financial services (1430-1467) (adapted from Braun and Hogenberg map of 1572, Archives G n rales du Royaume, Brussels)



The luxury of the hostels chosen for the *leisting* custom is illustrated, for instance, by the inn called *In den Catte* which had several kitchens and dining rooms during the first half of the fifteenth century. It had a massive porch entry, probably bearing a sign, that made the inn a distinctive landmark in the *Berchstrate*.³⁷ The clientele of its hosteller, Willem van Schadewyck, belonged to the highest strata of the urban elites and courtiers of Brussels (Dickstein-Bernard 1981, 75).

The high number of horses demanded in guarantee by the *In den Catte* hosteller in 1455 (see 3.2.4.) undoubtedly hints at the huge size of the establishment, since at least twelve horses could be lodged in the stable. The size of the stables of some high-end inns finds a distant but vivid echo in the inquiry of the Lord of Chassey, appointed by the King of Spain, Philip II, to locate additional lodgings for the members of his court and his servants in the city in the period 1597-1598.³⁸ This testifies at the same time to the long-term existence of the *In den Spiegel* and *In den Valke* inns (see Table 1 and Map 2). At that time, *In den Spiegel* had a huge stable that could keep 64 horses while the *In den Valke* inn probably had two kitchens and seven private chambers with a stable that could keep ten horses (Van Belle 2017, 177, nr. 1077 and nr. 1071). The already mentioned *Gulden Sweert* below the Sint-Jans Hospital had at that time four rooms with fireplaces, as well as two separate private rooms (Van Belle 2017, 212, 1601b).³⁹

That de *Berchstrate* had gained a high density of inns by the end of the sixteenth century is confirmed by the inquiry of de Chassey: we arrive at a minimal and rough estimate of 15% of inns out of the total number of houses visited by the courtier in charge of finding lodgings (Van Belle 2017, 173-180).⁴⁰

3.2.4. *Leisting*-hostels and the use of alternative currencies

The *In den Catte* inn was a high-end establishment as it may be deduced from the following event; in 1455, three members of the Brabantine high-nobility, Aert van Stryen, knight and Lord of Zevenbergen, Jacob Jonggreve (the young count) of Salm, and Henry of Hornes, knight and Lord of Perwez, agreed the following before the Council of Brabant: should they default on their debt of 100 pounds of Flemish groten (groats) to their creditor, Roland Gheryts Coxzoen van Oppynen, to be paid in the town exchange of Antwerp, then they should go as conditional hostages to stay in the *Catte* inn. They should remain there, Aert with six warhorses or “destriers” and five squires, and his two companions each with three warhorses and two squires.

³⁷ ACPASB, PSG, B 216, f°15r°.

³⁸ Van Belle 2017: caution, however, should be exercised in the use of this source when identifying owners of the houses: see Charruadas and Vannieuwenhuyze 2019, 577-589.

³⁹ For the location near the Sint-Jans Hospital from the first half of the fifteenth century: ACPASB, PSG, B 216, f°18v°.

⁴⁰ A word of explanation on our method: we know that in well-off neighbourhoods, de Chassey would not have hesitated in also mentioning houses that were not suited for lodgings (Charruadas and Vannieuwenhuyze 2019, 580). This gives us a somewhat reliable estimation, so we considered all houses seen by the official. We selected only establishments that had at least a sign bearing its identity and a stable. Some are described as also having kitchens, private rooms and dining rooms; for others, we have less details, depending on the interest of de Chassey in the establishment.

They should pay the innkeeper every two weeks. If they failed to do so, the innkeeper was entitled to sell the horses, which the three hostages should then replace with new ones. Additionally, a default interest of three golden lions (*gouden leeuwen*) – to be shared equally between the Duke of Burgundy and the creditor – was incurred for every day of delay in the repayment of the main debt.⁴¹ In specifying the possible seizure of warhorses, the hosteller clearly had in mind their market value, since warhorses were more valuable than simple riding horses. Moreover, saddles and harnesses were frequently richly adorned. Suffice to say that from the thirteenth century saddles often bore heraldic decorations and were adorned with costly textiles such as silk and velvet for horse-trappers as well as golden decorations (Vale 2001, 123 and 277). The importance of the horse trade in the city should not be underestimated: in 1321 a horse market is mentioned outside the first city wall, in the vicinity of the wheat market (Dickstein-Bernard 1979, 56). Last but not least, the fame of the city of Brussels for hosting jousts, from the middle of the fourteenth century, undoubtedly played a prominent role in the monetisation of horses. In 1465, a jousting area was set up in the *aula magna* – the great hall of the ducal palace – and drew the attention of the brother-in-law of the King of Bohemia who, visiting the Burgundian court, took part in a joust against a knight in his entourage.⁴²

In 1455, the sum loaned by Roland Gheryts Coxzoen van Oppynen had to be paid in two installments, the first one on the upcoming Saint-Martin's feast and the second one on the Pentecost's fair at Antwerp, belonging to the important Brabantine Fairs Cycle (Gelderblom 2013, 26). The lender, Roland Gheryts was clearly a capital-strong businessman: in 1444 he had farmed for three years the toll of Yerseke in Zeeland for the sizeable sum of 1 850 *clinkaerts* a highly-valued Holland golden currency of widespread use in the Low Countries at that time (Spufford 1970, 58-60 and 107-08). The Yerseke toll controlled the trade to and from Antwerp (Thielemans 1966, 249-50). That Aert van Strijen, Lord of Zevenbergen, had to come first at the inn within three days of having been summoned and then his two companions, within fourteen days after this first three days-term suggests that Aert was the main debtor (hence the greater number of costly horses that he had to bring at the inn); Henry and Jacob acted more as pledges of the former. All in all, we have to deal with a wide-reaching credit network, linking a moneylender with business ties in Antwerp to a known Brussels innkeeper. Finally, should the main debtor and his pledges fail to go in the *In den Catte* inn, the creditor or his attorney were entitled to claim before the Chancellor and the Council of Brabant the immediate execution of the debt's payment that was to take place in the inn in presence of witnesses; the debt had to be paid with the movable and immovable properties of the main debtor and his pledges (on this practice see Godding 1999, 268).

Although we cannot state with certainty that the innkeeper actively took part in the drafting of the loan contract, there are enough elements that do provide us with

⁴¹ AEB, CB, nr. 528, f°21r^o: the horses are called in medieval Dutch *reijseghe perden* which indeed had this meaning of war horses («cavaleriepaard»). See Verdam 1949, 490. Additionally, the loan contract also required the main debtor and his pledges to provide properties as sureties.

⁴² A more traditional jousting area was usually set in the ducal park before the entry porch: Dickstein-Bernard 1977b, 30; Smolar-Meynart 1998, 23; Vale 2001, 197-198; Dickstein-Bernard 2014, 95.

hints on his influence on the terms of the hostages' sojourn at the inn. Both the moneylender and the innkeeper followed their own interest in the *leisting*-business: the creditor aimed at being repaid with interest; as for the innkeeper, he hoped to be reimbursed through the possibility of seizing highly valued horses of the aforementioned knights.

3.3. Kampen: the *leisting* custom within a merchant environment

3.3.1. Kampen at the crossroads of regional and international trade

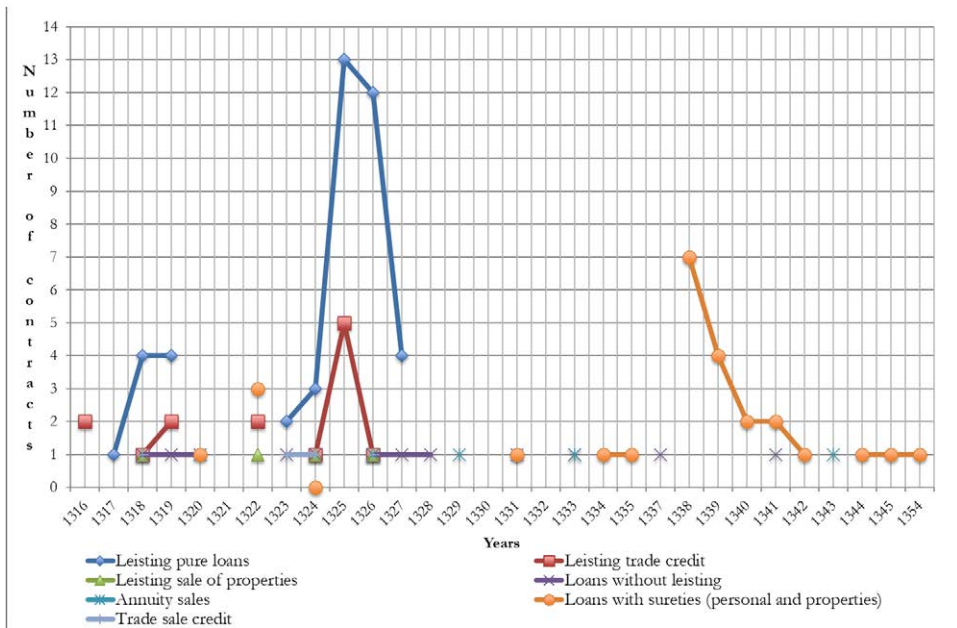
Although not exceptional in the late medieval Northern Low Countries, the use of the *leisting* custom in credit agreements between burghers is particularly well documented in the city of Kampen, a rather small city (5,000 inhabitants around 1400) by population standards in the late-medieval Low Countries.⁴³ An important seaport in the Zuyderzee region, Kampen was connected to the Ijssel region and to the thriving trading centres of Deventer and Zwolle. Kampen harbour had facilities to ensure the transfer of goods from river barges to sea-going vessels, hence the paramount importance of the shipping sector. In addition, the city of Kampen had won the fishing rights on the Ijssel distributary from its prince, the bishop of Utrecht, already in 1284 (Bosch 2019, 349). Albeit less importantly than Cologne, the trading city acted as a regional gateway to the Ijssel region, just as the city of Deventer did. From the beginning of the fourteenth century, Kampen merchants visited the Cologne fairs and were simultaneously active in commerce with the Baltic towns. The participation of Kampen in Hanseatic trade was a key factor for the prosperity of the city. Between 1286 and 1289, the city of Kampen concluded a commercial treaty with the kingdom of Norway and in 1294, merchants from Kampen won a privilege that allowed them to trade in Bergen, alongside their counterparts from Lübeck. Although not a formal member of the Hanseatic league of towns before the first half of the fifteenth century, the city of Kampen enjoyed similar trade privileges and Kampen ships began to regularly visit Bergen, transporting grain to the city and exporting stockfish to England (Weststrate 2008, 26-27 and 267; Weststrate 2015, 61-80, 63 and Wubs-Mrozewicz 2008, 37-49). The importance of the grain market for the city of Kampen can be deduced from several *leisting* contracts regarding rye bought on credit with three forward contracts in July 1322 and in April 1326 and one credit purchase of rye bought in 1319 (Kossmann-Putto 1955, nr. 71, 121-22, nr. 139 and nr. 142, 132, nr. 258, 162-63).

⁴³ For Dordrecht, see Zuijderduijn 2019, 16-19 and for Kampen Hermesdorf (1957) 1977, 183-84; Visser 1985, 20: the city population numbered 5,000 inhabitants around 1400. Big cities such as Arras, Brussels or Saint-Omer numbered 30,000 inhabitants, Bruges, Ypres and particularly Ghent in Flanders dwarfed these population estimates with 60,000 inhabitants already in the fourteenth century while an average city would have numbered 15,000 inhabitants: Van Bavel 2010, 280-281.

3.3.2. The growth and the decline of the *leisting* in commercial and credit agreements

In Kampen, creditors used the *leisting* custom in their personal consumption loans as well as in their commercial loans between 1316 and 1328 (see Graph. 1). The use of *leisting* peaked between 1325 and 1326. It was, most of the time, a credit contract without any guarantee other than the personal sureties listed in the contract. However, in 1332, the urban authorities decided to forbid any recourse to this custom. In 1338, an urban ordinance stated that someone being found guilty of using the *leisting* custom for a trade agreement was liable to a penalty of 80 little pounds⁴⁴ The town authorities must have discovered excesses, so that personal sureties as conditional hostages did indeed give way to other forms of sureties (that is, movable and immovable ones), and in fact from 1339 onwards, we see a sudden increase in credit agreements asking for these sorts of sureties.⁴⁵

Graph 1. Number of *leisting* credit contracts versus other credit contracts between 1316 and 1354



⁴⁴ See Kossmann-Putto 1955, 39. The custom survived in private credit contracts; see for instance a *leisting* credit contract asked for by a Kampen burgher in 1466 for his noble debtor mentioned in Van Schevichaven 1910, 132.

⁴⁵ Already between 1328 and 1335, six mortgage credit contracts were drawn up on the surety of immovable property, usually a share in a house, as shown in Kossmann-Putto 1955, 48.

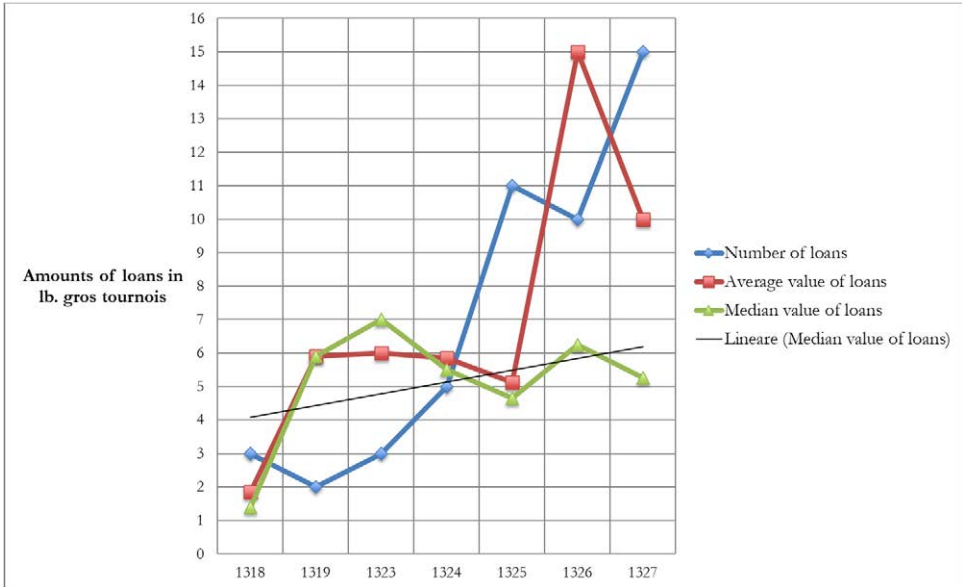
The peak in the use of the *leisting* custom in the years 1325-1326 coincides with increasing activity in the building sector. Indeed, during the years 1325 to 1330, the town authorities carried out important urban public infrastructure works: dikes were erected all around the city. The aim was to improve the accessibility and the safety of the sea harbour (Fasel, 1963, 282 and 286 and Kossmann-Putto 1955, nr.10, 109). In addition, in 1335, the second city wall was completed.

3.3.3. Leisting as a regulatory tool for the local real estate market

Such substantial urban public infrastructure expenditure could possibly have involved speculative purchases of land and properties at the expense of the city finances. One gets the impression that town magistrates may have wanted to avoid any loan using landed properties as sureties. This might explain the drastic surge in the use of credit contracts with personal sureties and a *leisting* clause. Indeed, the Kampen aldermen recorded a significantly higher number of credit agreements with a *leisting* clause between 1324 and 1326 than in any other period, with 15 non-specified *leisting* loans, presumably consumption loans. Even commercial credit was affected, with 5 trade credit agreements with a *leisting* clause. The average amount of the loaned sum with a *leisting* contract was above the 10 pounds gros tournois between 1325 and 1327, significantly higher than for loan contracts without a *leisting* clause (see Graph 2 and Kossmann-Putto 1955, 38). This amount represented a sizeable sum: three times that of a partnership in a merchant *cogge* (trading ship) for example (Kossmann-Putto 1955, 138, nr.178 (25 March 1324)).

By contrast, the more classical debt-recognizances without a conditional hostage clause indicated that the main debtor was fully responsible for the debt. If he defaulted on the set date of repayment, he could still have fourteen days' respite to try to find the money owed. If he proved unable to do so, his creditor could seize his goods, provided their value was higher than the monetary value of the debt. If after a month the debtor still failed to pay the debt, the creditor was entitled to sell the goods to compensate for the outstanding debt. Any additional profit from the sale exceeding the value of the debt was to be given back to the debtor. Immovable properties were only seized if movable pawned goods – as alternative currencies – did not properly cover the debt. Immovable properties did not go directly into the creditor's hands, but were mortgaged to match the value of the debt at a yearly interest rate of 20%. If, after one year, the debtor was still in default, the creditor could sell the property (Kossmann-Putto 1955, 40-41 and 50). This shows how far the town authorities wanted to control the seizure of properties in debt litigation.

Graph 2. The size of *leisting* loans in Kampen between 1318 and 1327 (only loans in ponds gros tournois taken into account)⁴⁶



A further feature that suggests that the private credit sector was kept under close scrutiny by the town elites at that time is the modest place of perpetual annuities in the credit contracts: this traditional way of finding fresh capital for owners of a property in exchange for the perpetual payment of a rent is illustrated by only three sales of perpetual annuities occurring between 1328 and 1330, while the bulk of annuity sales is recorded between 1333 and 1351.⁴⁷ In Kampen, as in most cities of the Southern Low Countries, perpetual annuities were sold on the surety of immovable property. As such, perpetual annuities were also deemed to be immovable. That meant practically that if a burgher sold annuities on his house and fled afterwards (provided he had paid all rent arrears), the rents remained attached to the house or the landed estate: it was a non-personal financial obligation. This led to an endless body of debt litigation for town authorities, related to houses or landed estates falling into decay because no one would be willing to purchase real estate encumbered with perpetual rents (Godding 1981 91-95; Howell 2010, 78).

One is tempted to think that in those years the town authorities may have wanted to control sales of perpetual annuities secured on immovable real estate as a tool to finance urban public infrastructure works. This technique was used by several cities

⁴⁶ The number of loans with local currencies that were excluded from our dataset is too low to have an influence on our conclusion.

⁴⁷ Kossmann-Putto 1955, 57, nr. 303, 350-351 and 355 for the subject index with seventeen mentions from 1333 onwards.

in the late medieval Low Countries.⁴⁸ There are indeed allusions to the fact that the city of Kampen also financed its dike extensions by using perpetual annuities secured on unmovable city properties.⁴⁹ This policy of Kampen's urban elites is an additional example of the strength of socio-institutional agreements within sea-bordering communities shown by Van Bavel (2010, 388).

3.3.4. The specific use of *leisting* in a mercantile environment as opposed to the aristocratic milieu

The aforementioned practices of Kampen's élites illustrate how the influence of the highly commercialised profile of the city is translated in specific ways that we do not find in the more aristocratic setting that set the tone of most of the *leisting* contracts in the Southern Low Countries. But there are other specific features. In Kampen, in contrast to the common practice among aristocratic circles, the main debtor had to go alongside his pledges into an inn. In a minor number of cases (only 3%), pledges would only be liable for a part of the total debt, for instance for three parts of the debt, implying that the risk could be spread between several pledges.⁵⁰ This clause likely hints at a pre-extant partnership structure between those pledges. It was expected that merchants in a partnership could be entitled to personal surety according to the size of their respective shares. Also, pledges were only personal sureties, and their goods were not liable to seizure.

Other clauses were written more in the spirit of the traditional *leisting*-custom. It was stipulated that should a pledge prove unable to come at the inn, he had to be replaced by someone else of equal social standing and respectability. Further, if the pledges did not display a conspicuous consumption pattern, they had to invite a servant to lodge with them. The honourable and high-end character of the inn – usually chosen by the creditor – was also an essential component of these contracts. Two different inns are explicitly mentioned: the inn of Ludekinus Parvus (once) and more frequently, Boldewinus Scelewerd's inn (7 times), the latter representing more than 10% of cases (Kossmann-Putto 1955, 37).

⁴⁸ For example, the city of Brussels sold perpetual annuities in 1360 to finance the building of its second city wall and again in 1444 to extend a wing of its town hall. In 1360, perpetual annuities were given to owners of properties in exchange for their expropriation: Dickstein-Bernard 1977b, 201-216. The scheme was used to fund public infrastructure works in Guelders, in Zutphen, where, on the occasion of the building of a new extension of the town hall, between 1450 and 1453, perpetual rents and life-annuities were sold. Previously, between 1444 and 1445, new parts of the city wall were financed with a similar sale of rents (Bosch 2019, 501)

⁴⁹ Kossmann-Putto 1955, 109, nr.10 (around 1326): «De stat sal graven an den dike, de van der Ijsle up eweliker side van den vote van den dike te metene ses roden ende een ewelike rode van sesteen vote. Ende dit erve dat se dit graven moghen, dat hebben se bitalet mid anderen erve, dat der stat tohorde, denghenen de it tohorde ende mid ghelde(...)». This hints at an expropriation procedure by which city properties were used to secure perpetual rents for landlords whose property was expropriated. This technique was used in three different locations of the city where the digging of dikes were to take place.

⁵⁰ Kossmann-Putto 1955, nr. 282 (5 February 1327), 168 and nr. 288 (6 March 1327), 169: loans with two of five pledges agreeing to be sureties for three of five pounds (first case) or every pledge for his respective part (second case).

3.3.5. Boldewinus Scelewerd, a key multi-faceted figure of the *leisting* business

The figure of the innkeeper Boldewinus Scelewerd (see Tables 2 and 3) stands out as an impressive middleman whose high-end hostel – on the fish market and very close to the interior harbour – welcomed a high number of conditional hostages.⁵¹ Scelewerd was appointed a local bailiff in 1331 and farmed the *gruit* tax (a bittering constituent in beer brewing) for the city in 1317, between 1321 and 1324. This additional income could complement his innkeeping business. We also see that Scelewerd appears as co-surety in an unusually high number (10) of credit agreements, undoubtedly because of his business connections: he must have been an influential deal-broker (Kossmann and Kossmann-Putto 2000). Finally, Scelewerd's interest in international maritime trade is evidenced by his appointment as an alderman for the Kampen merchants on the Swedish Island of Skänor (south of Malmö) around 1326 where he participated in important meetings with Hanseatic merchants (Kossmann and Kossmann 2000, 95).

Tab. 2. Boldewinus Scelewerd's mentions in *leisting* contracts between 1317 and 1328

Date	Scelewerd's inn as place of hostageship	As pledge	As sole creditor	As co-creditor	As co-debtor and conditional hostage	Total mentions for the year
1319		1				1
1323	1	2				3
1324	1		1			2
1325		1	1	2	6	10
1326		1	2		3	6
1327					1	1
TOTAL	2	5	4	2	10	TOTAL mentions for the period: 23

Tab. 3. Boldewinus Scelewerd's economic and financial activities (by number of mentions) between 1315 and 1328 without the use of *leisting*

Type of activity	Farmer of the <i>gruit</i> excises	Farmer of the dike works (with others)	Personal surety for a loan	Surety of a loan: immovable goods as sureties	Loan to the city among wealthiest citizens	Borrows money	Annuity holder of the city	Fiscal exemption from the bishop of Utrecht	Will executor
N. of mentions	5	1	1	1	1	4	1	1	1

⁵¹ Kreek, 2020: recent archeological findings in Kampen show the importance of the interior harbour and point to the strategic position of Scelewerd's inn near the harbour infrastructure.

4. Concluding remarks: the *leisting* custom: a stimulus to the use of alternative currencies?

In this contribution, we have observed how a custom originally rooted in feudal relations evolved into a technique used for financial agreements. First and foremost, the *leisting* allowed territorial princes to access capital markets, by mobilising their network of kins, allies and vassals as personal sureties. This practice originated probably in Rhineland and was already strongly codified in the first quarter of the thirteenth century with mentions in von Reggow's *Sachsenspiegel*. The custom was rapidly taken over by Cistercian abbeys as creditors towards aristocratic milieus. It was indeed well adapted to aristocratic ethos. The reimbursement of a debt, for a knight, as shown by Malcolm Vale «was part and parcel of knightly assumptions and style of life»; even in this financial matter, honour and loyalty were at stake (see Vale 2001, 187-88 and North 1990 (2003), 55 on the importance of loyalty and kinship ties providing incentives for parties to live up to agreements during the preindustrial era).

It is within this feudal framework grounded on loyalty and knightly virtues that alternative currencies come to the fore: given their privileges, our high-ranking hostellers could seize whatever valuable goods of their hosts they judged marketable to ensure the repayment of their advances. We have already pointed out the strong links of innkeepers with the wine and cloth trades. Payments in cloth must also have been common practice; again, we rely on scarce sources on the financial portfolios of hostellers in Brussels, but we know that the Brussels hosteller Jan Vinke, who had hosted noble pledges of the Count of Guelders in his inn around 1298, did not shy away from having his credits paid in cloths. In 1306, Vinke, undoubtedly in his role of surety for credits, reimbursed a princely debt to a German creditor of the Duke of Brabant with six cloths (probably from Brussels). Vinke likely combined the activity of pawnbroker with hosteller from the end of the thirteenth century.⁵² In the first half of the fifteenth century, Willem Everaerts, innkeeper of the *Gulden Sweert*, was at the same time a sword maker, and his establishment was probably named after his craftsmanship. In this capacity, he could, if needed, estimate the value of weapons such as swords that could be pledged by his indebted noble guests.⁵³

Between the high nobility and the class of town landlords of the big cloth-thriving cities of Brabant, social rank distinctions were not clear-cut. In the context of the Hundred Years War, in the period 1338-1340, Brussels' patrician innkeepers probably put to good use their hosting of powerful pledges, such as the Earl of Derby, to foster their interests in the cloth trade, while Flanders suffered from an initial wool embargo. They had enough social capital and capital *tout court* to connect

⁵² Archives Générales du Royaume (AGR), Chambre des Comptes (CC), registre nr. 1, f°77r°: the cloths were worth 182 pounds of money *Payment Brabant*, and Kusman, 2006, 98. We already alluded to a payment in wool for advances made to the King of England, Edward III, by Philippe van den Spiegel, see above, our page 266. For the importance of cloths as alternative currencies during the late Middle Ages, see the papers of Francesco Guidi-Bruscoli, Julie Mayade-Claustre and Mathieu Scherman in this volume.

⁵³ ACPASB, B 216, f°18v° and ACPASB, Fonds d'Archives Claire Dickstein and AEB, CB, 525, f°122 v° (24 October 1446).

English aristocrats with cloth merchants keen to sell their high-quality scarlet cloths. According to Ziegler, a sizeable proportion of loans to Edward III were paid or reimbursed in English wool.⁵⁴ The financial assets of hosteller-brokers allowed them to grant long-term credits to their hosts before being reimbursed for their lodging costs.

The sojourn at the inn of the pledges, as shown above, implied conspicuous consumption. The practice of dining and drinking together was always of paramount importance to advance the affairs of town elites at the princely court, through their good relations with princely courtiers (Wubs-Mrozewicz 2008, 139-43; Scholliers, 2001, 8-12; Paquay 2008, 222-23 and 259). Through the *leisting* custom, social capital was thus also mobilised for the interest of town elites as demonstrated by the case study of Brussels. We should not forget that innkeepers entertained also strong ties with moneychangers. Thanks to these ties, they were also experts in exchange rates, which gave them favourable asymmetric information vis-à-vis their noble pledges.

The late medieval Low Countries were of course fragmented territories with diverse currencies used in the cities and boroughs of Brabant, Flanders and Guelders, for instance.⁵⁵ For example, Renaud of Valkenburg had asked the receiver of the Count of Guelders to reimburse his accommodation expenses registered in 1314 probably in Brabantine marks at an exchange rate of three Heller pennies for one Brabantine penny.⁵⁶ One may assume that Heller coins (from the Schwäbisch-Hall imperial mint) were dominant in the Valkenburg estates, whereas the Brabantine marks were more often used in Wessem, in the inn where Renaud of Valkenburg stood hostage for this debt. This inconvenient situation, at least for some aristocratic pledges, could have favoured the use of alternative currencies such as silver plates or horses whose value was in their eyes more obvious. Here again we find an example of what Bellehumeur (1973, 3) stresses when he wrote that quasi-currency could, in certain circumstances, advantageously replace part of the money in the portfolio of economic agents («la quasi-monnaie peut dans certaines circonstances remplacer avantageusement une partie de la monnaie dans le portefeuille des agents économiques»). The late medieval urban society was a society where the circulation of commodities (including silver money) and their value was split into micro-economic regions with their own set of rules, exchange rates and taxes wherein local moneychangers, brokers and innkeepers played an instrumental role. Within these micro-regions, local financiers could use different currencies at the same time to their advantage. Moreover, the use of an inn to host *leisting* credit arrangements was

⁵⁴ Ziegler 1983, 813 and Lyon 1996, 704-705. Ziegler's figures of more than 50% of Edward's total loans of 90,000 sterling pounds paid or reimbursed wholly or partially by or to his creditors in wool have not been challenged, but we have not been able to check these figures.

⁵⁵ Orléan 2011, 176-177: Orléan writes of a fragmented market structure where no common currency exists: "Ainsi, notre situation sans monnaie légitime certifiée n'est-elle aucunement une situation de troc mais une configuration où coexistent des représentations concurrentes de la liquidité qui fractionnent l'espace de circulation des marchandises. Dire qu'il y a fractionnement, c'est dire qu'il existe une pluralité d'unités de compte, sans liens stables entre elles, le taux de conversion entre ces unités étant absolument flexible, laissé au libre jeu des rapports de force entre sous-groupes marchands, chaque agent pouvant à tout moment modifier sa conception de la liquidité."

⁵⁶ See above p. 265.

certainly a capital-intensive business practice. Therefore, its use seems to have remained in the hands of the well-off merchant and town elites, as evidenced by the examples mentioned in our case studies in Brussels and in Kampen.

In Kampen, our third case study, we have observed how the town authorities tried to regulate the real estate market in a period of dynamic urban development (public works linked to the city walls and the sea port infrastructures) by favouring the use of *leisting* credit contracts involving only personal sureties instead of immovable ones.

In doing so, they tried to avoid at all cost the speculative use of immovable properties that could endanger public infrastructure works – the building of dikes and the extension of the interior harbour. This could have had negative effects on the prices of the plots that were to be used for these extensive public works.

All in all we have to deal with a differentiated use of the *leisting* custom depending on the socio-economic environment under scrutiny.

Whereas on a macro-level, in a domanial state, the custom allowed for an easier access to advanced capital markets, in a highly commercialised city such as Kampen, the custom was deemed to have a regulatory effect on the property market.

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