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Relations between Townspeople and Rural Nobles in late medieval Germany

A Study of Nuremberg in the 1440s

Benjamin John Pope

**Thesis submitted for the degree of Doctor of
Philosophy in the Department of History, Durham
University**

2015

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Abbreviations

BB	<i>Briefbuch</i> (StAN Rep. 61a Briefbücher des inneren Rats)
ChrdtSt	Karl von Hegel et al. (eds.), <i>Chroniken der deutschen Städte</i> , 37 vols. (Leipzig, 1862–1968; reprinted Göttingen, 1961–1969)
fl.	florins
Regesta Boica	Carl Heinrich von Lang, Josef Widemann, Maximilian von Freyberg, Georg Thomas Rudhart (eds.), <i>Regesta sive rerum boicarum autographa</i> , 13 vols. (Munich, 1822–1854)
Regesta Imperii	<i>Regesta Imperii</i> , accessed at www.regesta-imperii.de
RB	<i>Ratsbuch</i> (StAN Rep. 60b Ratsbücher)
RTA	<i>Deutsche Reichstagsakten, Ältere Reihe</i> , 21 vols. (1867–2001)
StAAm	Staatsarchiv Amberg
StadtAAm	Stadtarchiv Amberg
StAN	Staatsarchiv Nürnberg

Names

Names of people and places are given in their German form, unless – for places – there is a widely recognized English equivalent (e.g. ‘Munich’ for ‘München’), or – for people – the English form is likely to be more familiar to the reader as an appellation for that particular individual (this applies chiefly to kings and emperors, e.g. ‘Frederick’ for ‘Friedrich’). The names of places outside of the Federal Republic of Germany which had large German-speaking populations during the fifteenth century are given in German, with their modern names in brackets after the first mention (e.g. ‘Eger (Cheb)’), unless this modern name is likely to be significantly more familiar to the English reader (e.g. ‘Bratislava’ for ‘Pressburg’). The names of places in the modern-day Czech Republic which clearly derive from German (and their associated toponyms) are given in their German form only (e.g. ‘Sternberg’ for ‘Šternberk’). Of the two most common fifteenth-century forms for the names of German-speaking nobles – ‘Friedrich von Murach’ or ‘Friedrich Muracher’ – the ‘von’-form is used, unless only the latter is found in the sources.

The German term *Land* is difficult to translate. In different contexts it can be rendered as ‘land’, ‘countryside’, ‘territory’, ‘region’, ‘province’ and more besides. To avoid confusion, *Land* and its compounds are therefore given in German without translation throughout the thesis. The compounds used are: *Landgericht* – a court with jurisdiction over a *Land*; *Landrichter* – a presiding judge in a *Landgericht*; *Landfriede* – a peace association of individuals and corporations within a *Land*; *Landvogt* – an administrative official with responsibility within a *Land*, particularly (in the fifteenth century) in the Habsburg dynastic territories.

Abbreviations have been silently expanded in transcriptions from manuscript sources.

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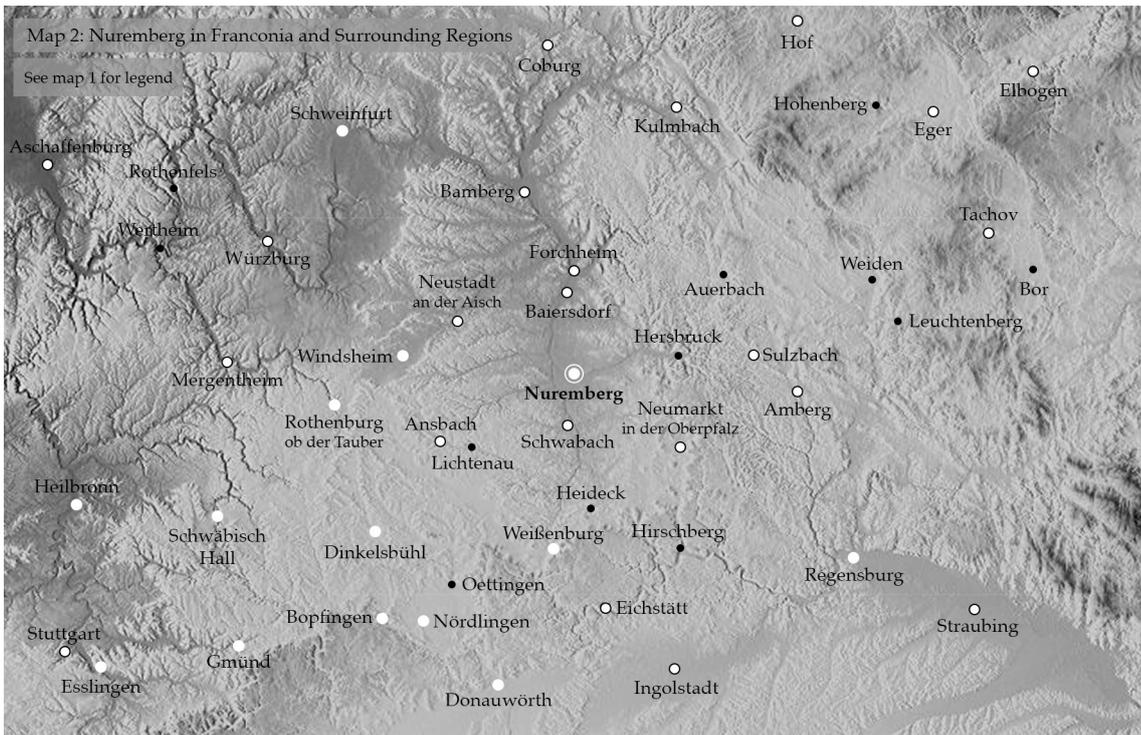
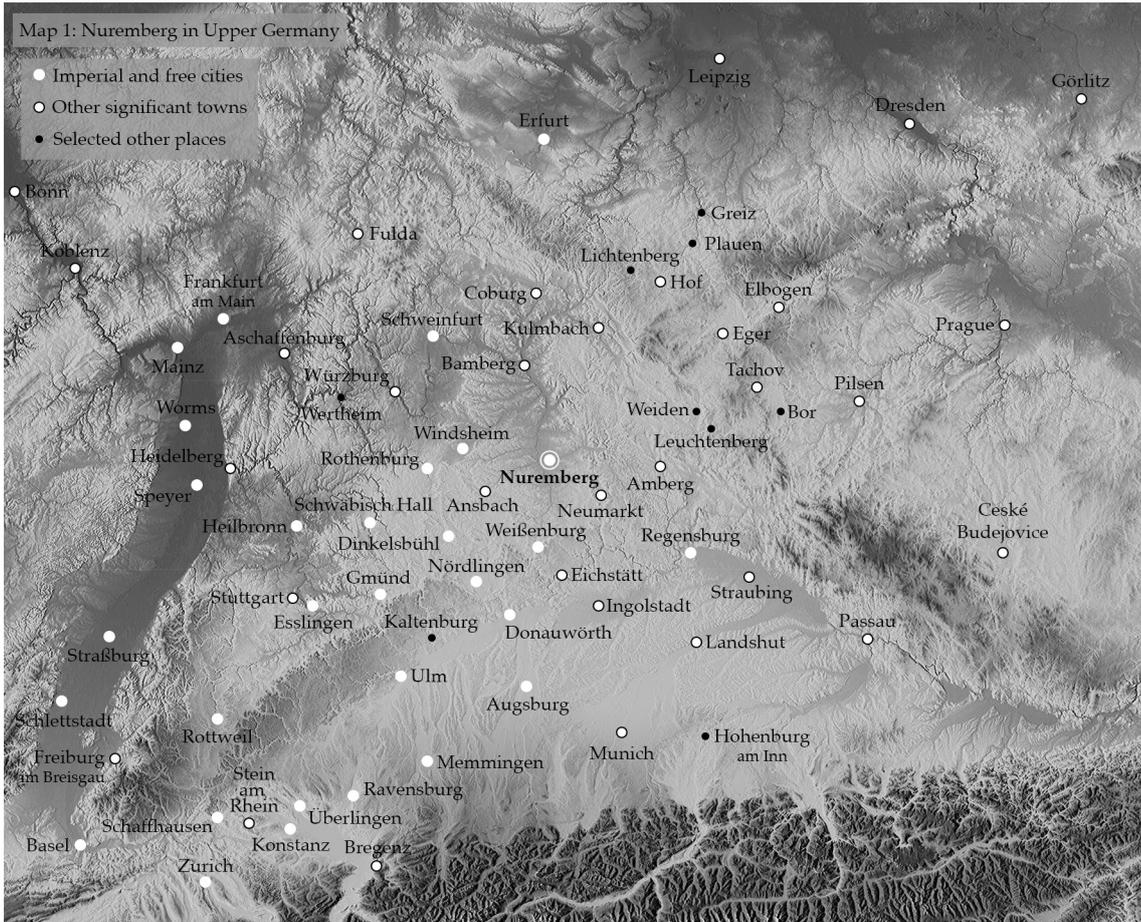
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1. INTRODUCTION

Historians have in recent years formulated a number of dualities to express the essential ambiguity which they see in relations between townspeople and the rural nobility in late medieval Germany: 'contact and conflict' (Katrin Keller); 'cooperation and confrontation' (Rolf Kießling); 'enemies and exemplars' (Klaus Graf); 'attraction and exclusion' (Steffen Krieb).¹ This ambivalence serves a very definite purpose: it aims to rescue our conception of the relationship between these two social groups from a long-standing belief that their interaction in the late Middle Ages was dominated by differentiation, misunderstanding and mutual antagonism arising from a fundamental clash of cultures which was playing itself out in Germany over many centuries. From the Enlightenment to the early years of the Cold War, a consensus of opinion held that inveterate hostility between townspeople and rural nobles in late medieval Germany was the first serious engagement in a trans-epochal battle for the German people's identity and destiny, an ongoing war between reason and feeling, between freedom and autocracy, between conservative and liberal, between aristocracy and bourgeoisie.

When it is set down in such distinctly modern terms we see the glaring anachronism of this clash-of-cultures worldview in relation to the late Middle Ages. With the advantage of a certain distance from some of the bitter struggles which gave rise to this way of seeing the world, historians since the Second World War have quietly consigned it to its own chapter of history. This has been a project for some,

1. Katrin Keller, 'Kontakte und Konflikte. Kleinstadt und Adel am Beginn der Frühen Neuzeit', in Helmut Bräuer and Elke Schlenkrich (eds.), *Die Stadt als Kommunikationsraum. Beiträge zur Stadtgeschichte vom Mittelalter bis ins 20. Jahrhundert. Festschrift für Karl Czok zum 75. Geburtstag* (Leipzig, 2001); Rolf Kießling, *Die Stadt und ihr Land. Umlandpolitik, Bürgerbesitz und Wirtschaftsgefüge in Ostschwaben vom 14. bis 16. Jahrhundert* (Cologne & Vienna, 1989), p. 84: 'Kooperation und Konfrontation'; Klaus Graf, 'Feindbild und Vorbild. Bemerkungen zur städtischen Wahrnehmung des Adels', *Zeitschrift für die Geschichte des Oberrheins*, 141, NF 102 (1993); Steffen Krieb, 'Anziehung und Abgrenzung. Zum ambivalenten Verhältnis von Stadt und Adel im späten Mittelalter', unpublished paper presented at the conference 'Turnier, Tanz und Totengedenken. Stadt und Adel im Mittelalter' (Schaffhausen, 2014).

and certainly not all, historians in Germany and beyond, and it has found little public resonance, even if (and perhaps because) the old dichotomy of town and nobility no longer has its former hold on the collective imagination. Nonetheless, the rewriting of the history of the relationship between townspeople and nobles in medieval Germany has the potential not only to reveal late medieval society and its social identities on their own terms, but also to uncover the myth-making processes by which these identities were transfigured to address later preoccupations. Currently historians are exploring both the otherness of the Middle Ages in this respect – rejecting the ‘clash of cultures’ in favour of the integration of rural nobilities and urban elites – and models of the late Middle Ages as a period which witnessed a growing opposition between ‘town’ and ‘noble’ identities, a dichotomy which was bequeathed to later centuries and on which was hung so many other ideas about German society.

This therefore presents an exciting challenge: not only to test the different hypotheses and their consequences for German history more generally, but also to break down generalizations and to resolve supposed paradoxes. The dualities with which we began present juxtaposed, contradictory models of the relationship between the generalities of ‘townspeople’ and ‘rural nobles’. The generalities are difficult to prise apart without atomizing them into a myriad of individuals whose experience can only be understood as unique to themselves, and the juxtapositions are unintelligible as real, individually experienced structures of thought – not because people are not capable of holding two contradictory beliefs at once, as clearly we all are, but because even contradictory ideas (such as ‘cooperation and conflict’) cannot simply coexist; they must interact and shape one another. We must define intellectually and locate socially the contours of different late medieval models for understanding these relationships, and map their movement in relation to one another over time. We might reasonably expect to find that different models of understanding will be more or less associated with particular places and times, and that this will help us to develop more helpful generalizations than broad categories such as ‘town’ and ‘nobility’.

This is ultimately a study of social identity within a fascinating relationship which was defined by the symbiosis of town and country yet marked by deeply antagonistic discourses about town and nobility. The specific German context is partly a terrain to be explored for its own sake, and partly an environment which provides unique conditions for one iteration of a universal enquiry into how we understand and misunderstand other people. Factors such as the extreme political decentralization of the late medieval Holy Roman Empire and the economic and political position of the towns within German society will continually recur, and these particular German issues will be in constant dialogue with general human issues of identity and its associated patterns of thought: xenophobia, instinctive solidarities, categorization, prejudice, stereotyping and so on. These bigger questions will necessarily remain in the background as we focus on the details of one particular case, but they remain at the heart of the undertaking.

The Medieval Debate

There was a lively debate throughout the German Middle Ages on the relationship between the urban, commercial world and various ideals and social groups which were taken to represent 'nobility'. Just how far 'nobility' in general (as opposed to 'rural nobility' in particular) can be separated from urbanity in medieval Germany is a question which we will have to address. But first it is vital to consider how this basic dichotomy between 'urban and commercial' and 'noble' evolved between the twelfth and the fifteenth centuries.

The courtly-chivalric literary culture which emerged in the German-speaking lands in the late twelfth and early thirteenth centuries made extensive use of the 'noble' and the 'merchant' as a pair of stock figures with didactic content. The merchant figure was typically avaricious, deceitful and cowardly, in contrast to the nobleman's generosity, moderation, honesty and physical bravery. These were the positive noble virtues which the merchant figure reinforced and re-emphasized within a literary work by embodying their negative. Even apparently sympathetic

literary depictions of the ‘good merchant’ rested on this characterization and served a didactic role. For instance, the charitable merchant Gerhard in Rudolf von Ems’ *Der guote Gêrhart* (c.1220) exposes the failings of nobles in the same tale precisely because the merchant is not expected to be generous,² and in Wolfram von Eschenbach’s *Willehalm* (before 1217) the character of Wimar, a merchant of noble birth, shames the nobles at the court of Louis the Pious by offering the high-born Willehalm exemplary hospitality when he is shunned by his peers.³ Although both Gerhard and Wimar are presented as residents of towns, the town *per se* does not feature as the antithesis of the nobility; indeed, both merchants are simultaneously townspeople and at least semi-noble (of noble origin, or participating in chivalric culture).⁴

During the fourteenth century some of the characteristics of the anti-chivalric ‘merchant’ become associated with the ‘burgher’, who typically has wealth without any sense of generosity.⁵ In the first half of the fifteenth century, a song by Oswald von Wolkenstein (c.1377–1455) expressly thematized a dispute between a burgher and a courtier (*hofman*), who compete to please an old lady. The courtier’s foolish jumping and jousting have no appeal for her compared to the burgher’s sack of money, but he turns out to be a liar and a miser.⁶ Wolkenstein’s burgher

2. Rudolf von Ems, *Der guote Gêrhart*, ed. John A. Asher, 3rd ed. (Tübingen, 1989). For this interpretation of the *guote Gêrhart* see Kurt Ruh, ‘Versuch einer Begriffsbestimmung von ‘städtischer Literatur’ im deutschen Spätmittelalter’, in Josef Fleckenstein and Karl Stackmann (eds.), *Über Bürger, Stadt und städtische Literatur im Spätmittelalter. Bericht über Kolloquien der Kommission zur Erforschung der Kultur des Spätmittelalters 1975-1977* (Göttingen, 1980), pp. 324-325.

3. Wolfram von Eschenbach, *Willehalm*, eds. Werner Schröder and Dieter Kartschoke, 3rd ed. (Berlin, 2003), vv. 130-139. For Wimar’s noble birth see v. 131,1: ‘Der was von ritters art erborn’.

4. On the topos of noble and merchant see also Ulrich Andermann, *Ritterliche Gewalt und bürgerliche Selbstbehauptung. Untersuchungen zur Kriminalisierung und Bekämpfung des spätmittelalterlichen Raubrittertums am Beispiel norddeutscher Hansestädte* (Frankfurt am Main, 1991), p. 82; Ursula Peters, *Literatur in der Stadt. Studien zu den sozialen Voraussetzungen und kulturellen Organisationsformen städtischer Literatur im 13. und 14. Jahrhundert* (Tübingen, 1983), p. 58.

5. For instance in the poems of Heinrich der Teichner (c.1310–1372/78), discussed in Thomas Zotz, ‘Adel in der Stadt des deutschen Spätmittelalters. Erscheinungsformen und Verhaltensweisen’, *Zeitschrift für die Geschichte des Oberrheins*, 141, NF 102 (1993), pp. 42-43 and Peters, *Literatur in der Stadt*, pp. 53-54.

6. Oswald von Wolkenstein, *Die Lieder Oswalds von Wolkenstein*, eds. Hans Moser, Norbert Richard Wolf, and Notburga Wolf (Tübingen, 1987), no. 25.

has become part of a more differentiated discourse than the straightforward opposition of 'merchant' and 'noble', but he is clearly part of the traditional presentation of urbanity and commerce as equivalent to dishonest cupidity. These stereotypes are not accurate depictions of medieval merchants and burghers, and the discourses about social morality which they populate need not have any relation to a particular social divide or conflict between townspeople and nobles. Nonetheless, they were very powerful and long-lasting images.

A discussion about 'town' and 'nobility' only really becomes visible in the fifteenth century, and initially in the form of polemics which presented townspeople as upstart peasants foolishly posing as nobles. For instance, the citizens of Würzburg in rebellion against their bishop in 1400 were caricatured along the lines of an old tradition of peasant parody (associated with the poet Neidhart) by Bernhard von Ussigheim, who fought against them, and in 1449 Margrave Albrecht 'Achilles' of Brandenburg-Ansbach sponsored a number of lyrics which praised him as a defender of the nobility against the arrogance of the 'peasants behind walls' during his conflict with the city of Nuremberg.⁷ Around 1440 a group of nobles in south-western Upper Germany were also propagating the idea that the towns were 'oppressing' the nobility in the context of a series of feuds between these nobles and the Swabian League of imperial towns (see below, pp. 248-249). All of these discourses were explicitly partial, and it is not certain that they found any particular resonance amongst the nobility at large.

But one anonymous text does give the impression that a wider debate was taking place about town and nobility and their proper relationship to one another. We know next to nothing about the origins of this brief work, except that it appears alongside other social and political commentaries in a manuscript which was probably created in northern Bavaria in the third quarter of the fifteenth century.⁸

7. Sonja Kerth, 'Bernhard von Ussigheim: Vom Würzburger Städtekrieg', *Historisches Lexikon Bayerns*, (2013), accessed 17.11.2015: http://www.historisches-lexikon-bayerns.de/artikel/artikel_45645. For Achilles' propaganda see below pp. 241-250.

8. Karin Schneider (ed.), *Die deutschen Handschriften der Bayerischen Staatsbibliothek München. Die mittelalterlichen Handschriften aus Cgm 4001-5247* (Wiesbaden, 1996), pp. 419-422.

The prose text is headed: 'Here pleads the natural lordship of the nobility before the highest judges – pope, cardinals, emperor and the seven electors – against the haughty burghers', and takes the form of a fictional court case with both the nobles' 'complaint' and the burghers' reply, followed by verses in which the judges named at the outset discuss justice in general but reach no decision on this particular case (henceforth referred to as *The Complaint of the Natural Lordship of the Nobility*).⁹ The nobles allege that the burghers 'are appropriating, seizing and buying up princely lordship – towns, castles, lands, people and property – all of which is illegal according to their statutes, and they are building thereon fortresses and castles and wish themselves to be rulers, judges and noblemen, all without reason; by this means they scorn their own fellow citizens and inhabitants within the city walls and depart from the laws of the unity of the citizenship'.¹⁰ Burghers should cease their attempts to rule on their own account (*mit freyem willen*) and through violence, as by this means they take from the nobility its natural lordship, 'just as in Lombardy where there is continuous war and unrest'.¹¹ They should live within the walls, pursue trade and commerce, and pay tolls and taxes to the nobles so that these can protect their subjects according to 'divine and natural law'.¹²

The burghers reply that they have purchased various lordships from princes and nobles according to imperial law, which they hope no 'nobility which comes from virtue' would deny them.¹³ They go on to complain that the nobles are oppressing burghers with new tolls and taxes and with charges for safe conduct on the imperial roads, which by right ought to be free; this is contrary to the

9. Bayerische Staatsbibliothek ms. Cgm 4930 f. 20^r-23^v: 'hie clagt die naturlich herschafft des adels den obersten richtern Babst Cardinal Keyser und den siben kurfursten vber die hohen burger'.

10. *ibid* f. 20^r: 'wie daz sie sich vnterziehen tringen vnd abkawffen der fursten herschafft stet sloß lant leut vnd gut, Das als mit rechts recht nicht sein sol nach Innwonung ir statut vnd pawen darein festen vnd sloz vnd wellen selbs herschen richter vnd edel sein vnberuffter sach damit sie vermehren ir eigen eytgenossen vnd Innwoner der statmawr vnd treten ab von den gepoten ir einigkeit der burgerschafft'.

11. *ibid* f. 20^v: 'damit sie nemen dem adel sein naturlich herrschafft iren gewalt und suchen den zuvertreiben als zu lamparten da albeg krig und unfrid ist'.

12. *ibid* f. 20^v: 'die gotlichen und natürlichen gegesetz' [sic].

13. *ibid* f. 21^r: 'adel der auß tugent kumen'.

'divine and natural law' which the nobility themselves invoked. Out of 'envy, hatred and arrogance' the nobility wish to oppress imperial subjects with war and robbery and make them their slaves, as the heathens do, and break apart the Holy Roman Empire.¹⁴ Therefore the towns say to the 'nobility that comes from virtue', which was originally rooted in the towns: as members of the Empire the burghers are permitted to make peace (*frid czu machen*) for those who desire it – peasants, artisans and merchants (who are the 'crown' of the nobility: for what would the nobility be without subjects?) – and with these three 'races' (*geslechten*) the burghers wish to take up the imperial banner against all those who oppose divine and natural law. Thus the townspeople are not only given the last word, but also a longer and more detailed speech than the nobility, and one which ends with a rousing battle cry. This might suggest that the author sympathizes with the towns, though he (or she) can see both points of view.¹⁵ We do not know that either of these perspectives ever existed outside of the author's imagination, though we will see that many of the individual ideas from this text appear in others as well.

Whatever the origins and influence of the *Complaint*, it must be read alongside a debate about the relative social standing of certain members of the rural nobility and the wealthy, elite burghers of important towns, centred on the rights of these elite burghers to take a full part in the nobility's premier social occasions. Participants had long been required to prove their nobility, and this procedure was becoming increasingly exacting. A tournament at Schaffhausen in 1436 is the first known occasion on which all those taking part were required to demonstrate

14. *ibid* f. 21r: 'Vnd durch solichs neyd haß vnd hohmutz willen, den sie tragen, wollen sie die undertan des reichs verdrucken vnd verderben mit krig mort prant und raub, abnemen den leib und gut unverschulter sach und wöllen in dy zu aygen machen als dy hayden thun, und daz heilig Römisch reich zertrennen'.

15. See Klaus Schreiner, 'Religiöse, historische und rechtliche Legitimation spätmittelalterlicher Adelherrschaft', in Otto Gerhard Oexle and Werner Paravicini (eds.), *Nobilitas. Funktion und Repräsentation des Adels in Alteuropa* (Göttingen, 1997), p. 391, who focuses on the nobles' complaint, and Klaus Graf, "'Der adel dem purger tregt haß": Feindbilder und Konflikte zwischen städtischem Bürgertum und landsässigem Adel im späten Mittelalter', in Werner Rösener (ed.), *Adelige und bürgerliche Erinnerungskulturen des Spätmittelalters und der Frühen Neuzeit* (Göttingen, 2000), pp. 195-196, who sees the author in an 'intermediary position'.

that they had four noble ancestors.¹⁶ When the helmets and heraldic headgear of the prospective participants were inspected prior to the tournament, the wealthy burgher of Basel Henman Sevogel found his cast into the street and dragged through the mud. He had not passed the test, despite being married to the noblewoman Gredanna von Eptingen.¹⁷ Two years earlier in 1434 some burghers of Nuremberg who had been knighted by Emperor Sigismund on the Tiber bridge in Rome had been refused admission to a tournament in their own city.¹⁸ But there is no evidence from this period that townspeople were automatically excluded from tournaments.

This began to change in January 1479, when nobles gathered in Würzburg for what became the first in a series of 'Four Land' tournaments staged across southern Germany between 1479 and 1485 (the four lands being Franconia, Bavaria, Swabia and the Rhineland). The ordinances of this tournament, which was organized by the Franconian Society of the Clasp, prescribed punishments for any nobles who married outside of the nobility and who 'pursued trade in the manner of merchants who are not noble'.¹⁹ This was almost a revival of the old dichotomy of knight and merchant, and was clearly a threat to the social standing of the urban commercial milieu; it did, however, leave open the possibility that some nobles might also be merchants. But when the Society of the Donkey organized its tournament at Heidelberg in 1481 all nobles who were also burghers were excluded.²⁰ This was a radical step, and it clearly met with some opposition. In the negotiations ahead of a tournament at Heilbronn in 1482, it was agreed that those who had of their own

16. Zotz, 'Adel in der Stadt,' p. 44.

17. Karl Stehlin, 'Ein spanischer Bericht über ein Turnier in Schaffhausen im Jahr 1436', *Basler Zeitschrift für Geschichte und Altertumskunde*, 14 (1915), p. 163.

18. Rudolf Endres, 'Turniere und Gesellenstechen in Nürnberg', in Helmut Bräuer and Elke Schlenkrich (eds.), *Die Stadt als Kommunikationsraum. Beiträge zur Stadtgeschichte vom Mittelalter bis ins 20. Jahrhundert. Festschrift für Karl Czok zum 75. Geburtstag* (Leipzig, 2001), p. 273; Thomas Zotz, 'Adel, Bürgertum und Turnier in deutschen Städten vom 13. bis 15. Jahrhundert', in Josef Fleckenstein (ed.), *Das ritterliche Turnier im Mittelalter. Beiträge zu einer vergleichenden Formen- und Verhaltensgeschichte des Rittertums* (Göttingen, 1985), p. 485.

19. Cord Ulrichs, *Vom Lehnhof zur Reichsritterschaft. Strukturen des fränkischen Niederadels am Übergang vom späten Mittelalter zur frühen Neuzeit* (Stuttgart, 1997), p. 138: 'alle die von Adl Kauffmanschafft treiben als ander Kauffleuth, die nit von dem Adl seindt'.

20. Ulrichs, *Lehnhof*, p. 142.

volition become burghers or officials in towns could not take part, but those who were obliged to seek 'protection' from towns, or were simply employed by towns without further obligations, were to be admitted.²¹ This rule remained in place for tournaments at Bamberg and Heilbronn in 1485.²² The Bamberg ordinance of this year also added the stipulation that any noble from an old 'tournament' family who had married the daughter of a burgher for the sake of the prosperity of his family, and who had received at least 4,000 Gulden as a dowry, should be admitted to the tournament, but still punished with ritual blows for this marriage.²³

There had to be a response from the towns, but it did not come directly from any patrician or merchant. It was the Dominican friar Felix Fabri who included in his treatise on the city of Ulm (1488/89), where he lived and worked, a somewhat contorted defence of the 'nobility' of the civic elite.²⁴ Fabri granted second place in the civic hierarchy (after the clergy) to the rural nobles who defend the city as servitors of the council, as they share outstanding honour with the clergy but also nobility with the third rank, that of the leading burghers. These elite citizens are simultaneously more than citizens (*quasi per excellentiam civium cives*),²⁵ and they originate in a 'younger' nobility than the old 'Trojan' nobility who live in castles and frequent tournaments. But amongst six distinct types of noble burghers are some of Trojan, Roman or Carthaginian ancestry, and some former rural nobles driven from their castles by war, loneliness or old age, or lured to the town by its comfort and vices. Yet these men then cease to live like nobles and thus are excluded by their rural relatives from tournaments.²⁶ Soon afterwards Fabri implies

21. Ludwig Albert von Gumpfenberg, *Die Gumpfenberger auf Turnieren* (Würzburg, 1862), p. 75.

22. Zotz, 'Adel in der Stadt,' p. 37.

23. Horst Wenzel, *Höfische Geschichte. Literarische Tradition und Gegenwartsdeutung in den volkssprachigen Chroniken des hohen und späten Mittelalters* (Bern, 1980), p. 207 n. 128: 'Welcher aber auß altem thurnerß geschlecht eins erbern burgers frume unverleimte dochter von den geslechtern oder erbern auß den stetten nem unb seiner narung und auffkomens willen seins stammes, doch das im die under viertausend gulden nicht zuprecht, dem sol man es nicht verargen, in und seine kinder reitten lassen, doch mag man sie schlagen'.

24. Felix Fabri, *Fratris Felicis Fabri Tractatus de civitate Ulmensi de ejus origine, ordine, regimine, de civibus ejus et statu*, ed. Gustav Veesenmeyer (Tübingen, 1889), pp. 59-76. German translation: Felix Fabri, *Traktat über die Stadt Ulm*, ed. and trans. Folker Reichert (2014), pp. 60-77.

25. Fabri, *Tractatus*, p. 59.

26. Fabri, *Tractatus*, p. 63.

that all citizens of Ulm have failed to maintain their noble blood, so that the nobles no longer wish to be addressed by them with the familiar second person pronoun (*du*).²⁷ But he soon rallies again to the patricians' cause. He describes at length how the leading citizens rigorously exclude artisans from their ranks in order to continue their various forms of interaction with the nobility, and Fabri then summarizes twelve points which prove that the civic elite are recognized as true nobles (*veri nobiles esse comprobantur*): they practice connubium with the nobility; they legally possess 'noble seats' (*nobilium sedes*); they hold fiefs from princes and counts; they are asked by nobles to address them with *du*; they hunt; they attend tournaments, which are the 'sieve of the nobility' (though they take part only in the jousts, not the *mêlée*); they dance with nobles; they have coats of arms; they have old-established wealth; they can be virtuous (indeed, more easily than nobles in the countryside who have no regular clerical instruction); they are not involved in trade or handicraft; and they hold the highest offices in the urban government.²⁸

Fabri presents an idiosyncratic picture in which opportunities to display his erudition sometimes seem to take precedence over any polemical, let alone descriptive purpose. He is the mouthpiece of neither town nor nobility, yet he reflects something of the wider discourse about town and nobility. Aside from Fabri's scholarly speculations this discourse was becoming ever closer to real and contemporary events, and in the early sixteenth century we can hear the nobility reacting directly to the supposed threat from the overmighty towns which had been outlined in the preceding century by the polemicists of princes and by the anonymous author of the *Complaint*. This new voice of the nobility rises to a crescendo in 1523, when an anonymous pamphleteer imagined a meeting in the market place in Nuremberg between a visitor from Brandenburg, der Marckhanns, and Cuntz Frenckel, a Franconian patriot, who together produce an apology for the Schweinfurt League of nobles, recently founded in opposition to castle-breaking

27. Fabri, *Tractatus*, p. 66: 'Quia autem cives Ulmenses antiquam nobilitatis venam non servaverunt qua olim iuncti nobilibus erant, ideo nunc nobiles dedignantur eis familiariter convivere, nec patiuntur ut ab eis tibizentur, quod olim ab eorum patribus volebant habere'.

28. Fabri, *Tractatus*, pp. 72-76.

campaigns mounted by the towns of the Swabian League (*Apology for the Nobility of Franconia*).²⁹ Marckhanns had heard that the Franconian nobles are just robbers, but Frenckel informs him that they are being oppressed by the princes and towns, though it is the towns that have the real power and that are the real robbers through their usury. Just like the Jews, the towns manage to maintain themselves by greasing the right palms, although everyone despises them. Certain towns harbour such 'hatred through envy' (*haß auß neyd*) for the nobility that they have stirred up the princes to oppress the nobles, hoping to then defeat the princes and rule the land as the towns do in Lombardy, where no nobles have castles in the countryside.

This dramatic image of the towns' megalomania is a long way from the 'good' merchant who shows nobles how to behave by overcoming his low nature. But there are constants – most obviously the depiction of the urban commercial world as in thrall to avarice – and even the extreme language of the *Apology* has much in common with the supposedly non-partisan *Complaint*. We can follow the evolution of a certain body of ideas over many centuries to the final flowerings of chivalric culture, in which townspeople and nobles appear utterly sundered and implacably opposed, even responsible for each other's ruin. Count Reinhard of Solms' 'Tournament Book' of 1564 included excessive closeness to burghers and their commercial activity in his list of symptoms of the decay of the nobility.³⁰ By this time townspeople had also developed a vigorous discourse on the menace of certain nobles, extending the criticism of nobles as parasites which we saw in the response to the *Complaint*. In 1562 the Nuremberg master-singer Hans Sachs wrote satirically of nobles who beg for the life of a highway robber to be spared until they learn that he is not in fact a noble, and therefore has no right to be a robber.³¹ Niccolò Machiavelli (1469–1527) said of the German towns: 'to the lords and gentlemen who live in that region they are entirely hostile'.³²

29. Karl Schottenloher (ed.), *Flugschriften zur Ritterschaftsbewegung des Jahres 1523* (Münster, 1929), pp. 100-111.

30. Andermann, *Gewalt*, pp. 84-85.

31. Graf, 'Feindbild und Vorbild,' p. 121.

32. Thomas Brady, *Turning Swiss. Cities and Empire 1450-1550* (Cambridge, 1985), pp. 20-21.

These discourses have had a long post-medieval afterlife – indeed, they may never truly have ended. In later centuries historians read these medieval debates as direct reflections of antagonistic day-to-day social interaction between town and nobility. This approach has been called into question, as we will see, but it does seem likely that medieval models of the relationship of townspeople and nobles tended increasingly towards mutual hostility and exclusion. More work could be done on the intellectual history of these discourses, but I would like to focus on their social situation, through their production and influence within late medieval German society at particular places and times. One of the reasons that I feel this approach to be important is that historians' interpretations of town-noble interaction in late medieval Germany have over the last fifty or sixty years increasingly diverged from the medieval discourse.

'Not exactly established': Historians, Towns and Nobility

In 1992 a conference on the subject of town and nobility was held at Bretten, near Karlsruhe. The Freiburg historian Thomas Zotz gave his assessment of the state of the field:

this theme refers to a relationship which was not only problematic in the late medieval past; research on this question was also problematic for many years, and still today 'nobility and town' does not exactly count amongst the established themes in the social history of the Middle Ages.³³

During the 1980s and 90s other leading German historians such as Ernst Schubert, Peter Johaneck and Werner Paravicini also identified the problem of town and nobility as a subject in need of further study.³⁴ This led directly to some of the

33. Zotz, 'Adel in der Stadt,' p. 22: 'dieses... Thema umschreibt nicht nur ein in der Vergangenheit des späten Mittelalters problematisches Verhältnis...; auch der Umgang der historischen Forschung mit dieser Frage war lange Zeit problematisch, und noch heute gehört "Adel und Stadt" nicht gerade zu den gängigen Themen der mittelalterlichen Sozialgeschichte'.

34. Arend Mindermann, *Adel in der Stadt des Spätmittelalters. Göttingen und Stade 1300 bis 1600* (Bielefeld, 1996), p. ix; Peter Johaneck, 'Adel und Stadt im Mittelalter', in Gunnar Teske (ed.), *Adel und Stadt. Vorträge auf dem Kolloquium der Vereinigten Westfälischen Adelsarchive e.V. vom 28.-29. Oktober 1993 in Münster* (Münster, 1998), p. 34; Werner Paravicini, *Die ritterlich-höfische Kultur des Mittelalters* (Munich, 1994), pp. 32-35 (see Rainer Demski, *Adel und Lübeck. Studien zum Verhältnis zwischen adliger und bürgerlicher Kultur im 13. und 14. Jahrhundert* (Frankfurt am Main, 1996), p. 14).

first monographs (and an essay collection) to use ‘town and nobility’ as their frame of reference.³⁵ The problems to be overcome were quite substantial: not only the absence of ‘town and nobility’ as an explicit historiographical theme, but also the total separation of ‘urban’ and ‘noble’ history writing in the German historiographical tradition.³⁶ These difficulties were clearly felt to be stimulating, however, and the 1990s in particular produced many other innovative contributions to the field, with which we will become acquainted. This allowed Heidrun Ochs to conclude (in 2012) that we can now gain a ‘relatively good overview’ of the relationship between town and nobility, though her judgement seems to me to be a little hasty.³⁷ Certainly there is still much to explore, and it also seems that the subject has passed through a period of vogue and into a quieter phase.

Why does the relationship between medieval towns and nobles as a historical topic tend to slumber in this way? Alongside the lack of scholarly momentum and the difficulties of merging two normally very separate historiographies, I would suggest that this slumber has – paradoxically – a lot to do with the dramatic picture of division and hostility between town and nobility which was painted by some of Germany’s first professional historians. This has only encouraged equally drastic, broad-brush rebuttals which give the misleading impression that big questions have been settled. Furthermore, although town-noble relations have not always been a subject for analysis in their own right, they have never been far from the minds of historians of medieval Germany as a long-established part of the mental furniture in Germans’ sense of their past.

35. Mindermann, *Adel in der Stadt* (inspired by Schubert); Demski, *Adel und Lübeck* (inspired by Paravicini); Gunnar Teske (ed.), *Adel und Stadt. Vorträge auf dem Kolloquium der Vereinigten Westfälischen Adelsarchive e.V. vom 28.-29. Oktober 1993 in Münster* (Münster, 1998) (with Johaneck). There was one previous monograph: Kurt Burkhardt, *Stadt und Adel in Frauenfeld 1250-1400* (Bern, 1977).

36. Zotz, ‘Adel in der Stadt,’ p. 24.

37. Heidrun Ochs, ‘Ritteradel und Städte. Bemerkungen zu ihrem Verhältnis am Beispiel der Kämmerer von Worms und der Vögte von Hunolstein’, in Joachim Schneider and Sabine Reichert (eds.), *Kommunikationsnetze des Niederadels im Reich um 1500* (Stuttgart, 2012), p. 92.

Liberals and Romantics

Following the demise of the emperors of the Swabian House the turmoil knew neither measure nor bounds. The nobility had admittedly aggrandized itself at the emperor's expense, but on the other hand it had also ruined itself through pomp and luxury. With respect for the emperor declined respect for the law; the nobility's continued feudal right to legal self-help manifested itself in unending violence, robbery and plunder. The impoverished knight looked on in envy at the blossoming prosperity of the towns, and turned ruffian and robber. Culture, which had only just begun to bud amongst the upper classes, vanished from their ranks again and clung on only in the towns, where it nonetheless set down consequently deeper roots, and gradually spread itself across the whole of Germany.³⁸

In 1782 Johann Christoph Adelung, in his *Towards a History of the Culture of the Human Race*, sketched with brilliant clarity the view of the German late Middle Ages which dominated many minds both in his generation and in generations to come. Over seventy-five years later, the vision offered in one of nineteenth-century Germany's most popular works of history – Gustav Freytag's *Scenes from the German Past* – had not changed in its essence, and had only been elaborated with the first fruits of a new historical scholarship. Freytag's chapter on late medieval 'War and Feud' focused almost exclusively on conflicts between town and nobility. He recognized that the dividing lines were not always so clear, and that some nobles fought for the towns, but he assumed that they must have been caught in two minds between their oaths of allegiance and their hearts, which longed to be with their cousins beyond the walls.³⁹ 'Hatred and envy' amongst the nobility and the princes constantly worked against the towns, and for many nobles feuding against them was a means of self-assertion, a source of income

38. Johann Christoph Adelung, *Versuch einer Geschichte der Kultur des menschlichen Geschlechts* (Leipzig, 1782), p. 372: 'nach dem Abgange der Kaiser aus dem Schwäbischen Hause kannten die Verwirrungen weder Maß noch Gränzen. Der Adel hatte sich zwar auf Kosten der Kaiser vergrößert, aber sich auf der andern Seite auch durch Pracht und Ueppigkeit zu Grunde gerichtet. Mit dem Ansehen der Kaiser fiel das Ansehen der Gesetze; die dem Adel bey Lehnsvfassung noch immer vorbehaltene Selbsthülfe, artete in unaufhörliche Gewaltthätigkeiten, Plackereyen und Raubereyen aus. Die verarmten Ritter sahen den blühenden Wohlstand der Städte mit neidischen Augen an, und wurden Rauffolde und Räuber. Die Cultur, welche in den oberen Classen kaum aufgeblühet war, verschwand in denselben wieder und schränkte sich bloß auf die Städte ein, in welchen sie aber auch desto tiefere Wurzel schlug, und sich nach und nach über ganz Deutschland verbreitete'.

39. Gustav Freytag, *Bilder aus der deutschen Vergangenheit: Vom Mittelalter zur Neuzeit*, 6th ed. (Leipzig, 1871), p. 293.

and even the 'wild poetry' in their lives.⁴⁰ The notorious rapacity of nobles was justified by all sorts of spurious complaints against the towns, and was fed by resentment of burghers who owned rural property, lent money at interest and presumed to dress in noble fashions. In general, 'the power of money seemed the greatest tyranny to those schooled to despise working for one's living'.⁴¹ The towns, meanwhile, were isolated 'walled republics' which alone through these difficult centuries nurtured 'civic freedom' (*bürgerliche Freiheit*), the only basis for a national reinvigoration (*nationale Kraftentfaltung*).⁴² But they also took a fierce revenge on their noble opponents through summary justice and brutal executions.⁴³

This, in outline, is what we can justifiably call the 'liberal' history of late medieval town-noble relations. It regards towns as bastions of freedom and democracy in a hostile world, pointing the way to the bourgeois rationality of the future (the German word *Bürger* can refer to a medieval 'burgher', a 'bourgeois', and a modern 'citizen'). The nobility on the other hand are parasites who know nothing of the moral and economic value of work and recognize only that might makes right (the 'law of the fist', or *Faustrecht*). Yet we sense a certain sympathy for their rage against the burghers' usurpation of the leadership of society via the grubby accumulation of money. Other authors were more fulsome concerning the towns' 'more pleasant and edifying tableau of ever-striving diligence... and rational love of order which accepts the necessity of wise and fitting laws and willingly submits to them'.⁴⁴ But in Freytag's 'wild poetry' of the feud we

40. *ibid*, p. 296.

41. *ibid*, p. 300.

42. *ibid*, pp. 293, 296.

43. *ibid*, p. 309.

44. Peter Johanek, 'Mittelalterliche Stadt und bürgerliches Geschichtsbild im 19. Jahrhundert', in Gerd Althoff (ed.), *Die Deutschen und ihr Mittelalter* (Darmstadt, 1992), p. 88, quoting from *Allgemeine deutsche Bibliothek* (1792): 'das angenehmere und lehrreichere Gemälde des immer emporstrebenden Fleisses... und der vernünftigen Ordnungsliebe, welche die Notwendigkeit billiger und weiser Gesetze erkennt und sich ihnen bereitwillig unterwirft'.

see something of the complementary, 'Romantic', view of the same history.⁴⁵ Romanticism did not deny the dark picture of the nobility in contrast to the light of the towns; indeed, it extolled the *Faustrecht* as the 'highest work of art'⁴⁶ and celebrated individual freedom, strength, bravery and loyalty to old ideals in the face of certain defeat. The Romantic history of the nobility reached an early high point in Goethe's dramatization of noble feuding, *Götz von Berlichingen* (1774), and gave rise to numerous novels about robber knights (*Raubritter*) and their splendid misdeeds. This was as much an English as a German tradition, and it found elegant expression through George Eliot. A German author might only have added 'the industrious burgher' to her list of colourful contrasts:

If those robber-barons were somewhat grim and drunken ogres, they had a certain grandeur of the wild beast in them – they were forest boars with tusks, tearing and rending, not the ordinary domestic grunter; they represented the demon forces for ever in collision with beauty, virtue, and the gentle uses of life; they made a fine contrast in the picture with the wandering minstrel, the soft-lipped princess, the pious recluse, and the timid Israelite. That was a time of colour, when the sunlight fell on glancing steel and floating banners; a time of adventure and fierce struggle...⁴⁷

Thus the antagonism between town and nobility in the late Middle Ages was never questioned, although it received two entirely different interpretations.⁴⁸ Both presented the conflict as a battle between two inherently opposed sets of principles,⁴⁹ and some expanded the individual feuds of the *Raubritter* into an all-embracing eternal feud between town and nobility. This was the view of the artist

45. For characterizations of the 'liberal' view see Ernst Schubert, *Einführung in die deutsche Geschichte im Spätmittelalter* (Darmstadt, 1998), p. 112; Johaneck, 'Mittelalterliche Stadt,' pp. 84-85; Peters, *Literatur in der Stadt*, pp. 10-11, 35. For the Romantic view: Graf, 'Feindbilder und Konflikte,' pp. 203-204; Regina Görner, *Raubritter. Untersuchungen zur Lage des spätmittelalterlichen Niederadels, besonders im südlichen Westfalen* (Münster, 1987), pp. 3-5, 8-9.

46. Graf, 'Feindbild und Vorbild,' p. 143, quoting Justus Möser (1720–1794).

47. George Eliot, *The Mill on the Floss* (Ware, 1993; first published 1860), p. 253.

48. Andermann, *Gewalt*, p. 18.

49. See Niklas Konzen, *Aller Welt Feind. Fehdenetzwerke um Hans von Rechberg (+ 1464) im Kontext der südwestdeutschen Territorienbildung* (Stuttgart, 2014), p. 52; Gabriel Zeilinger, *Lebensformen im Krieg. Eine Alltags- und Erfahrungsgeschichte des süddeutschen Städtekriegs 1449/50* (Stuttgart, 2007), pp. 15-16. A parallel tradition in French historiography presents those who go against the 'principle' of their class as 'traitors' or 'defectors'. See Fernand Braudel, *The Mediterranean and the Mediterranean World in the Age of Philip II*, translated by Siân Reynolds, 2 vols. (London, 1972; first published 1949), ii, 725.

Wilhelm von Kügelgen, who in 1826 told his bourgeois fiancée Julie Krummacher of his inborn prejudice as a noble against merchants, who laughed at the quality of personal bravery which Kügelgen's fellow nobles considered the 'highest manly virtue'. (Though he did make an exception for Julie's hometown of Bremen, which he claimed had its own brand of defiant 'noble' freedom.)⁵⁰ This 'feud' had deep roots in the social imagination of the day, when liberals were battling the privileges of the aristocracy, which in turn was unsettled by rapid industrialization. Although we should not entirely reduce the influences upon the liberal-Romantic history of town and nobility to these social divisions, it is clear that many observers either saw the origins of such divisions in the late Middle Ages or simply projected their dichotomous view of society onto the medieval past.⁵¹ One of the best-known examples of this tendency is Wagner's opera *Die Meistersinger von Nürnberg* (*The Master-Singers of Nuremberg*). Wagner, in Peter Johanek's reading, dramatizes 'the dissonance and the gulf between the nobility and the town, which are understood as fundamental historical categories and dressed in the costume of the close of the Middle Ages and the transition to the early modern era'.⁵²

It was in part Wagner's opera which made Nuremberg so particularly associated with this vision of the late Middle Ages. The city which had long been known for detailed, skilled craftsmanship and rigorous civic order seemed to perfectly symbolize the 'bourgeois' values of hard work and social harmony in opposition to the individual, spontaneous creativity of Walther, the rural nobleman who breaks all the rules of the master-singers' guild. Other aspects of the liberal-Romantic tradition are very strong in Nuremberg today: public art commemorates the semi-

50. Johanek, 'Mittelalterliche Stadt,' p. 81.

51. See in particular Hartmut Boockmann, 'Lebensgefühl und Repräsentationsstil der Oberschicht in den deutschen Städten um 1500', in *Deutsches Historisches Museum Berlin* (ed.), *"Kurzweil viel ohn Maß und Ziel". Alltag und Festtag auf den Augsburger Monatsbildern der Renaissance* (Munich, 1994), p. 34; Zotz, 'Adel in der Stadt,' p. 22-23; Johanek, 'Mittelalterliche Stadt,' pp. 94-97; Görner, *Raubritter*, pp. 3-4; Peters, *Literatur in der Stadt*, pp. 16, 22; Heinz Lieberich, 'Rittermässigkeit und bürgerliche Gleichheit', in Sten Gagnér, Hans Schlosser, and Wolfgang Wiegand (eds.), *Festschrift für Hermann Krause* (Cologne & Vienna, 1975), pp. 66-67, 93.

52. Johanek, 'Adel und Stadt,' p. 9: 'Der Dissens, die Kluft zwischen Adel und Bürgertum, die als historische Grundkategorien empfunden und in das Gewand des ausgehenden Mittelalters und der beginnenden Neuzeit gekleidet werden'.

legendary *Raubritter* Eppelein von Gailingen – who supposedly escaped execution in the city with the aid of a supernatural horse – and a modern introduction to the city’s fifteenth-century history makes use of a pair of words which often stand for the entire late medieval relationship between town and nobility: *Placker*, meaning noble robbers, vs. *Pfeffersäcke*, literally ‘sacks of pepper’, connoting wealthy but boorish merchants.⁵³

Fig. 1: Mural depicting the legend of Eppelein von Gailingen (Nuremberg, 2013)



53. Peter Fleischmann, *Nürnberg im 15. Jahrhundert* (Munich, 2012), p. 85.

The 'Crisis' of the Nobility

The liberal-Romantic tradition implies a kind of crisis afflicting the nobility, even if this crisis is seen as a creative force and a heroic call to arms. For many years social and economic historians, both 'liberal' and Marxist, have also seen the late medieval nobility as suffering through a profound political and economic crisis which is inextricably linked to the nobles' relationship with the towns and their contrasting power and prosperity. The first cause of this crisis is believed to be the fall in population due to famine and plague in the fourteenth and fifteenth centuries, which reduced demand for foodstuffs and increased the price of manufactured goods (the so-called 'price scissors'), thus hurting all agricultural producers but especially rural landlords who also wished to purchase luxury items produced by skilled craftsmen.⁵⁴ Some historians blame the 'crisis' chiefly on the nobility's unsustainable addiction to such luxury and conspicuous consumption, encouraged by competition amongst themselves and with elite townspeople, who could better afford the outlay.⁵⁵ Another common view is that inflation (part of a money economy with which nobles could not come to terms) gradually ate away the value of land rents, whilst the tradition of partible inheritance divided estates into ever smaller units, increasingly incapable of sustaining a noble lifestyle.⁵⁶ Meanwhile, nobles were being forced out of positions of authority in the rising territorial states by learned counsellors trained in the universities (and often born in the towns) and were supposedly losing their leading military role to infantry with firearms.⁵⁷ Without the traditional princely service to harness their energies, the now 'functionless' nobles turned to robbery and feuding, and thus

54. See summary in Andermann, *Gewalt*, pp. 70-72.

55. e.g. Andreas Ranft, 'Adel und Stadt im späten Mittelalter. Ihr Verhältnis am Beispiel der Adelsgesellschaften', in Stefan Rhein (ed.), *Die Kraichgauer Ritterschaft in der frühen Neuzeit* (Sigmaringen, 1993), p. 58; Werner Rösener, 'Zur Problematik des spätmittelalterlichen Raubrittertums', in Helmut Maurer and Hans Patze (eds.), *Festschrift für Berent Schweineköper* (Sigmaringen, 1982), p. 484.

56. e.g. Eckard Lullies, *Die Fehde der Guttenberg gegen die Vögte und die Adelsfehde gegen Eger* (Kulmbach, 1999), p. vii.

57. e.g. Hanns Hubert Hofmann, 'Der Adel in Franken', in Hellmuth Rössler (ed.), *Deutscher Adel 1430-1555. Büdinger Vorträge 1963* (Darmstadt, 1965), p. 117.

also forfeited their moral leadership of society as protectors of the weak.⁵⁸ But this was unavoidable, as they were fighting a desperate rearguard action against the princes and the towns.⁵⁹

Given such a fate, it is no surprise that some historians believe they can detect the 'self-doubt, fear and nervousness' of the nobility as a whole.⁶⁰ But most have increasingly sought to substitute 'change' or even 'prosperity' for 'crisis'.⁶¹ The notion that the nobility were left behind by advances in military technology has proved the least substantial of the 'crisis' arguments,⁶² and the idea that the nobility as a whole were being driven from power by princes and towns has not fared much better.⁶³ Meanwhile, a great deal of effort has been invested in rolling back the presumption that late medieval economics and demography must have generated severe economic problems for the rural nobility.⁶⁴ Detailed research has shown that nobles even profited from currency fluctuations,⁶⁵ and that they often received rents in kind and thus were immune from inflation.⁶⁶ It has been conclusively shown that nobles were very active creditors, and lent (collectively and individually) huge sums to other nobles, to princes, and sometimes also to towns.⁶⁷ Nobles were able to invest heavily in acquiring mortgaged (or 'pledged')

58. Andermann, *Gewalt*, p. 74. See Josef Fleckenstein, 'Bürgertum und Rittertum in der Geschichte des mittelalterlichen Freiburg', in Wolfgang Müller (ed.), *Freiburg im Mittelalter. Vorträge zum Stadtjubiläum 1970* (Bühl, 1970), p. 94 for nobles as 'functionless' (*aufgabenlos*).

59. See Andermann, *Gewalt*, p. 182; Hermann Mau, *Die Rittergesellschaften mit St. Jörgenschild in Schwaben* (Stuttgart, 1941), p. 12. For critical summaries of this complex of ideas see Ulrichs, *Lehnhof*, p. 24; Görner, *Raubritter*, p. 2.

60. Lullies, *Fehde*, p. vii.

61. See Görner, *Raubritter*, p. 13.

62. Recognized by Mau, *Rittergesellschaften*, p. 175 n. 526.

63. e.g. Görner, *Raubritter*, pp. 157-158.

64. For doubts about the 'late medieval crisis' more generally see Schubert, *Einführung*, pp. 5-9.

65. Markus Bittmann, *Kreditwirtschaft und Finanzierungsmethoden. Studien zu den wirtschaftlichen Verhältnissen des Adels im westlichen Bodenseeraum 1300-1500* (Stuttgart, 1991), p. 53.

66. Kurt Andermann, 'Zu den Einkommensverhältnissen des Kraichgauer Adels an der Wende vom Mittelalter zur Neuzeit', in Stefan Rhein (ed.), *Die Kraichgauer Ritterschaft in der frühen Neuzeit* (Sigmaringen, 1993), pp. 76-86. See also Mark Mersiowsky, 'Das Stadthaus im Rahmen der spätmittelalterlichen adligen Wirtschaft', in Weserrenaissance Museum (ed.), *Der Adel in der Stadt des Mittelalters und frühen Neuzeit* (Marburg, 1996), p. 203 and Hilla Zmora, *State and nobility in early modern Germany. The knightly feud in Franconia, 1440-1567* (Cambridge, 1997), pp. 53-55.

67. Zmora, *State and nobility*, p. 44; Andermann, 'Einkommensverhältnissen,' pp. 103-108; Bittmann, *Kreditwirtschaft*, pp. 165, 172, 217.

properties and titles from princes from which they could draw a further income.⁶⁸ Why some nobles seem to have had such enormous capital and others seem to have struggled so badly remains unclear, but it seems that those who were able to use their resources for political gain entered a virtuous circle, whilst political reverses, rather than underlying economic structures, brought about the ruin of others.⁶⁹

This rejection of the 'crisis' theory has been traced back to an article from 1939,⁷⁰ but it only gained any sort of momentum in the 1980s.⁷¹ It was entirely commonplace before 1990, and still had some currency a decade later,⁷² though the majority opinion had by then turned against it.⁷³ The 'crisis of the nobility' has nonetheless been immensely significant in the historiography of town-noble relations both in itself and because it has sustained the tenets of the liberal-Romantic worldview under the mantle of 'progressive' social and economic history. Most curiously of all, this technocratic historiography has perpetuated many of the moral judgements associated with the liberal tradition: in 1974, for instance, Herbert Helbig blamed depopulation and the 'price scissors' for 'an almost boundless brutalization of the knighthood', an undoubtedly unconscious echo of Johann Christoph Adelung's 'turmoil [which] knew neither measure nor bounds' of nearly 200 years earlier.⁷⁴

This debate has also distracted us from the economic and political comparisons which late medieval observers made between townspeople and nobles. Amongst the source material which sustained the 'crisis' model was the medieval trope of the 'poor' nobleman, whose fate has exerted a thoroughly Romantic fascination

68. See Bittmann, *Kreditwirtschaft*, pp. 121, 143, 148-149.

69. Andermann, 'Einkommensverhältnissen,' pp. 109-111; Bittmann, *Kreditwirtschaft*, pp. 222, 268.

70. Andermann, 'Einkommensverhältnissen,' p. 100 and Görner, *Raubritter*, p. 13, referring to Karl Otto Müller, 'Zur wirtschaftlichen Lage des schwäbischen Adels am Ausgang des Mittelalters', *Zeitschrift für Württembergische Landesgeschichte*, 3 (1939).

71. Bittmann, *Kreditwirtschaft*, p. 14.

72. e.g. Keller, 'Kontakte und Konflikte,' p. 505.

73. Summarized by Joachim Schneider, *Spätmittelalterlicher deutscher Niederadel. Ein landschaftlicher Vergleich* (Stuttgart, 2003), p. 9.

74. Herbert Helbig, 'Die brandenburgischen Städte des 15. Jahrhunderts zwischen Landesherrschaft und adligen Ständen', in Wilhelm Rausch (ed.), *Die Stadt am Ausgang des Mittelalters* (Linz, 1974), p. 230: 'sich ins Maßlose steigende Verwilderung des Rittertums'.

both then and now. In comparison to elite townspeople, late medieval nobles were indeed more likely to appear 'poor', precisely because they were relatively more economically secure: so long as a nobleman held more of his wealth in land than the average patrician (see below, pp. 90-104, for townspeople's landholdings), he was less likely to face total ruin, which would bring a complete inability to maintain elite status and effective invisibility from an elite viewpoint. This perception of relative wealth was important within town-noble relations. So too were preoccupations with the political rise and fall of whole social identities, as we saw in the *Complaint of the Natural Lordship of the Nobility*.

This concern lives on in theories of 'cultural cycles' in which the culture of one group is destined to be replaced or eclipsed by another.⁷⁵ A combination of this cyclical model and the liberal belief in the natural progress of reason and liberty may lie behind persistent theories of the 'bourgeoisification' (*Verbürgerlichung*) of the nobility in the late Middle Ages. This was driven, according to Ulrich Andermann, by the towns as 'greenhouses for the idea of the modern state', which imposed their ideas about legitimate and illegitimate violence on society at large.⁷⁶ We will encounter this problem of judging the legitimacy of violence later in our study (see pp. 144 and 193), but for the time being it is important to note that in the case of Nuremberg at least, burghers' ideas about legitimate violence were not fundamentally different from those of the nobility. In particular, although Nuremberg rarely declared feuds itself and branded all feuds against itself as illegal, it still admitted the right to feud in certain ways and in certain places: 'where one ought to strike one's enemies' (*da man veynd besuchen sölt*), as the council sometimes admonished nobles (see also p. 172 below).⁷⁷

75. See Peters, *Literatur in der Stadt*, pp. 8-9.

76. Ulrich Andermann, 'Kriminalisierung und Bekämpfung ritterlicher Gewalt am Beispiel norddeutscher Hansestädte', in Kurt Andermann (ed.), *'Raubritter' oder 'rechtschaffene vom Adel'? Aspekte von Politik, Friede und Recht im späten Mittelalter* (Sigmaringen, 1997), pp. 153-154: 'Treibhäusern des modernen Staatsgedankens' (quoting Wilhelm Ebel). See also Andermann, *Gewalt*, pp. 41, 62, 317.

77. e.g. BB 9 f. 259^{r-v} (17.6.1432).

Erasing the Divide

The reaction against the various theories which framed medieval townspeople and nobles as natural enemies began after the Second World War, and its first notable exponent was Otto Brunner.⁷⁸ Brunner started with the simple observation that we cannot equate the modern *Bürger* (either as a member of the bourgeoisie or as the citizen of a state) with the medieval *Bürger* (burgher, or citizen of a town). This led him to argue that towns were not foreign bodies in a feudal world; like all medieval units of political authority, they were 'special peace districts' or 'autonomous jurisdictions' (*Sonderfriedensbezirke*) and hence only distinct from their surroundings through what they had in common with these surroundings.⁷⁹ Brunner's argument that towns were differentiated from the 'feudal' world through exclusively 'feudal' means has been widely echoed, especially in the context of towns' and townspeople's extensive rural landholdings, which did not significantly differ in structure from the lordships of the rural nobility.⁸⁰ It followed from this that the liberal dichotomy between 'feudalism' and 'freedom' also had to go; certainly the 'freedom' afforded by the oligarchic constitutions of the late medieval towns was not the democratic 'civic freedom' for which nineteenth-century liberals campaigned.⁸¹

If town and nobility no longer represented diametrically opposed forms of society, could they then integrate with one another? Erich Maschke and others demonstrated that in the thirteenth century there was very little distinction between elite 'burghers' and the *ministeriales* who lived in most major towns. These *ministeriales* were legally unfree but frequently very powerful retainers of

78. Zotz, 'Adel in der Stadt,' p. 24.

79. Otto Brunner, "'Bürgertum" und "Feudalwelt" in der europäischen Sozialgeschichte', in Carl Haase (ed.), *Die Stadt des Mittelalters* (Darmstadt, 1973; first published 1956).

80. Brunner, 'Bürgertum,' p. 486. Wolfgang Leiser, 'Das Landgebiet der Reichsstadt Nürnberg', in Rudolf Endres (ed.), *Nürnberg und Bern. Zwei Reichsstädte und ihre Landgebiete* (Erlangen, 1990), p. 247; Bernd Schneidmüller, 'Städtische Territorialpolitik und spätmittelalterliche Feudalgesellschaft am Beispiel von Frankfurt am Main', *Blätter für deutsche Landesgeschichte*, 118 (1982), p. 132. Compare a Marxist interpretation (Brigitte Berthold, Evamaria Engel, and Adolf Laube, 'Die Stellung des Bürgertums in der deutschen Feudalgesellschaft bis zur Mitte des 16. Jahrhunderts', *Zeitschrift für Geschichtswissenschaft*, 21 (1973), p. 206) which argues that the towns were neither 'feudal' nor 'anti-feudal'.

81. See Wolfgang Leiser, 'Territorien süddeutscher Reichsstädte. Ein Strukturvergleich', *Zeitschrift für bayerische Landesgeschichte*, 38 (1975), p. 981.

lords whose retinues spanned town and country, and were thus connected to the rural elite as well. Many *ministeriales* were mounted warriors attached to the courts of powerful lords, and therefore participated in noble-chivalric culture despite their unfreedom (which gradually became meaningless, so that the *ministeriales* families evolved to comprise much of the local rural nobility). But the *ministeriales* in towns were also involved in trade and commerce, and often joined with the burghers in resisting the authority of their lord.⁸² In this social context, the entire urban elite of the larger towns participated in chivalric culture in a way that was (superficially at least) indistinguishable from the practices of the rural nobility. It soon became clear, as Ursula Peters summarized in 1983, that there was no particular 'bourgeois' culture in the thirteenth and fourteenth centuries, as the urban elite was fully aligned with courtly-chivalric norms.⁸³

Smaller and newer urban elites, such as the patriciate which emerged at Nördlingen around 1400, were also found to fit this pattern of integration between town and country.⁸⁴ In the bishopric of Würzburg around 1400 the episcopal administration was apparently permanently uncertain as to whether many individuals were burghers or nobles.⁸⁵ Historians also took an increasing interest in the presence in the towns of nobles normally resident in the countryside, and the extent of their participation in urban life was fully acknowledged.⁸⁶ Rural nobles did not always have properties or residences in towns, but they very frequently organized and attended tournaments which were hosted for them by the civic administration, and at Heidelberg, Nuremberg and elsewhere they used towns' churches and official

82. Erich Maschke, 'Bürgerliche und adlige Welt in den Städten der Stauferzeit', in Erich Maschke and Jürgen Sydow (eds.), *Südwestdeutsche Städte im Zeitalter der Staufer* (Sigmaringen, 1980), pp. 24-25. See also Peters, *Literatur in der Stadt*, pp. 33-34, 121.

83. Peters, *Literatur in der Stadt*, p. 13. See also Paravicini, *ritterlich-höfische Kultur*, pp. 32-35; Wenzel, *Höfische Geschichte*, pp. 191-235.

84. Kießling, *Stadt*, pp. 28-29.

85. Ulrichs, *Lehnhof*, p. 64.

86. Mindermann, *Adel in der Stadt*; Weserrenaissance Museum (ed.), *Der Adel in der Stadt des Mittelalters und frühen Neuzeit. Beiträge zum VII. Symposium des Weserrenaissance-Museums Schloß Brake vom 9. bis zum 11. Oktober 1995, veranstaltet in Zusammenarbeit mit dem Institut für vergleichende Städtegeschichte an der Westfälischen Wilhelms-Universität Münster* (Marburg, 1996); Zotz, 'Adel in der Stadt'; Ranft, 'Adel und Stadt'; Zotz, 'Adel, Bürgertum und Turnier'.

buildings (including council chambers) for their own events and gatherings. This was facilitated by their hosts' familiarity with chivalric culture, which was a constant throughout the late Middle Ages. Tournaments, confraternities, literature and material culture all testify to this,⁸⁷ as do street names: the street which housed the urban elite in Osnabrück was called the 'knights' street' (*Ritterstraße*) and the patricians called themselves the 'knighthood' (*ridderschop*).⁸⁸

In the early 1990s this was quite a revelation. Werner Paravicini described Lübeck as an 'unexpectedly aristocratic city',⁸⁹ and Andreas Ranft remarked on the 'astonishing normality' of noble life in the towns.⁹⁰ Even those (such as Ulrich Andermann) who still emphasized conflict between town and nobility recognized the importance of these findings.⁹¹ But how, therefore, should we explain the apparent antagonism between two highly differentiated concepts of 'town' and 'nobility' that is so apparent in the medieval discourse? Thomas Zotz and Peter Johanek have both suggested that the very closeness of town and nobility was the cause of friction between them.⁹² This could indeed account for the minute attention which was paid to questions of rank and equality between urban and rural elites towards the end of the fifteenth century, but not necessarily for the catalogue of mutual recriminations presented in the *Complaint of the Rightful Lordship of the Nobility*. There were also problems of chronology and change which needed to be ironed out: Erich Maschke's research on the thirteenth century was important for Thomas Zotz, who himself ranged into the sixteenth century.⁹³ But was the same social integration that Maschke had identified between burghers and *ministeriales* still present in the later centuries, and should we take a different

87. Tournaments: Zotz, 'Adel, Bürgertum und Turnier'. The Lübeck Zirkelgesellschaft as a chivalric confraternity: Demski, *Adel und Lübeck*, pp. 171-174. For literature see Peters, *Literatur in der Stadt*. For murals in patrician houses at Lübeck see Demski, *Adel und Lübeck*, p. 15.

88. Schubert, *Einführung*, pp. 113-114.

89. Demski, *Adel und Lübeck*, p. 13.

90. Ranft, 'Adel und Stadt,' p. 64.

91. Andermann, *Gewalt*, pp. 24, 40.

92. Johanek, 'Adel und Stadt,' pp. 34-35; Zotz, 'Adel, Bürgertum und Turnier,' p. 42.

93. Zotz, 'Adel in der Stadt,' p. 24.

view of the cultural similarities between late medieval rural and urban elites if they turned out not to have been so integrated? This issue is in part a consequence of the relationship between this strand of historiography and the liberal-Romantic tradition: because the latter was so extremely anachronistic, its rebuttal did not (at first) need extreme precision in order to carry the day.

The Widening Divide?

Once Brunner and others had begun to dismantle old certainties about the eternal feud between town and nobility, the question of how this dichotomy arose in the first place thrust itself forward. Perhaps it had nothing to do with even the transition from medieval to early modern eras, as Peter Johaneck's interpretation of Wagner's *Meistersinger* implies. But perhaps Wagner was not so fundamentally wrong about his choice of setting: many historians have associated precisely this transition with a change in mutual attitudes between town and nobility. The first example of this argument of which I am aware was made by Hanns Hubert Hofmann in 1966. He saw the tournaments of 1479–1485 (see pp. 14–15) as the culmination of a process of 'inner renewal' within the nobility which had begun in the mid-fourteenth century, and which in the 1470s caused the previous custom of intermarriage between Nuremberg's patriciate and the rural nobility to suddenly break off.⁹⁴ Shortly afterwards Albrecht Rieber made a similar argument for the Swabian towns, though with a different chronology: only after the First Towns' War (1387–89) and even more so after the Second (1449–50) did the knighthood develop a 'hatred' for the 'Pfeffersäcke', partly because the patrician families intermarried with others of lower social standing.⁹⁵

94. Hanns Hubert Hofmann, 'Nobiles Norimbergenses. Beobachtungen zur Struktur der reichsstädtischen Oberschicht', in *Untersuchungen zur gesellschaftlichen Struktur der mittelalterlichen Städte in Europa* (Stuttgart, 1966), pp. 74–76. Similar: Gerhard Pfeiffer (ed.), *Nürnberg – Geschichte einer europäischen Stadt* (Munich, 1971), p. 127.

95. Albrecht Rieber, 'Das Patriziat von Ulm, Augsburg, Ravensburg, Memmingen, Biberach', in Hellmuth Rössler (ed.), *Deutsches Patriziat 1430–1740* (Limburg an der Lahn, 1968), p. 329.

Heinz Lieberich then suggested that the decisive shift actually took place after 1500, when feudal divisions of rank within the nobility disappeared, and the new, more homogeneous, nobility continued to make the claims to superiority *vis-à-vis* townspeople which had previously been made by the higher ranking nobles. This was also connected with a change in economic mentalities, following which all commercial activity (not just small-scale trading) was looked down upon by nobles.⁹⁶ Subsequent historians have favoured variations on these basic chronologies for this 'late medieval process of differentiation', with very little detail on how this might have taken place.⁹⁷ Thomas Zotz suggests unspecified economic factors and changes in the structure of urban and rural elites following the withdrawal of many nobles from towns in the early part of the fourteenth century;⁹⁸ Johaneck credits nobles with initiating this process of 'self-reassurance' (*Selbstvergewisserung*) and protection of political and material interests.⁹⁹ Even the more detailed explanations on offer are problematic: Hofmann's idea of 'inner renewal' is another expression of the 'crisis' or 'decline' of the late medieval nobility, and Rieber borrows the clichéd term 'Pfeffersack', which was first used in the sixteenth century,¹⁰⁰ to characterize a process which he sees as beginning in the fourteenth.

More detail and precision emerged in 1993 (as part of the general upswing in town and nobility as a subject) from Klaus Graf. He sees a major confrontation between the towns and the combined forces of the princes and nobility crystallizing in the 1440s. This produced a 'Cold War' characterized by division into two ideologically polarized and armed camps which developed stereotyped images of the 'enemy'.

96. Lieberich, 'Rittermässigkeit,' pp. 68-70, 86.

97. Johaneck, 'Adel und Stadt,' pp. 25-26. E.g. Karl-Heinz Spieß, 'Aufstieg in den Adel und Kriterien der Adelszugehörigkeit im Spätmittelalter', in Kurt Andermann and Peter Johaneck (eds.), *Zwischen Nicht-Adel und Adel* (Stuttgart, 2001), p. 6 ('fifteenth century'); Keller, 'Kontakte und Konflikte,' p. 505 ('sixteenth century'); Zotz, 'Adel in der Stadt,' p. 42 ('fourteenth century'); Rudolf Endres, 'Adel und Patriziat in Oberdeutschland', in Winfried Schulze and Helmut Gabel (eds.), *Ständische Gesellschaft und soziale Mobilität* (Munich, 1988), pp. 221, 224 (from First Towns' War, and especially post-1450); Peters, *Literatur in der Stadt*, p. 35 ('later fourteenth century'). All authors here are referring to town-noble relations in general, beyond any particular region.

98. Zotz, 'Adel in der Stadt,' pp. 25, 42.

99. Johaneck, 'Adel und Stadt,' pp. 25-26.

100. Jacob Grimm and Wilhelm Grimm, *Deutsches Wörterbuch*, 16 vols. (Leipzig, 1854), xvi, cc. 1639-1640. Accessed via <http://woerterbuchnetz.de> (19.11.2015).

Tensions between these two groups were escalated by poor communication and mistrust.¹⁰¹ Graf sketches some of the negative images of townspeople and nobles from the fifteenth century which we saw above (pp. 9-18), and also relates this antagonism to the power-political conflict between certain towns and princes in southern Germany, in particular tensions ahead of the Second Towns' War of 1449–50. This war between the Swabian League of towns (with some allied princes) and a coalition of Upper German princes was driven by the aggressive policies of one prince in particular, Margrave Albrecht 'Achilles' of Brandenburg-Ansbach, whose chief antagonist was the imperial city of Nuremberg. Graf insists on the importance of these prejudices, resentments, fears and miscommunications in determining political behaviour, despite the equal weight of evidence for 'pragmatic, even friendly' and 'mostly peaceful and neighbourly' relations.¹⁰²

This is Graf's only concession to the historiographical rapprochement between town and nobility which was dominant when he first published his interpretation. But he soon received highly effective backing from the French historian Joseph Morsel, even though Morsel's ideas about town and nobility are just part of a wider thesis concerning the 'invention of the nobility'. He believes that 'the nobility' was first constituted as a 'social discourse' and then as a 'social reality', and that it first becomes visible in his (Franconian) sources from around 1400, and decisively by 1440, through developing use of the substantive *adel*. Changes in princely and noble behaviour were simultaneously resulting in a greater homogenization of a group which could now call itself (and be called) 'the nobility' (*der Adel*). The heightened tension between certain towns (especially Nuremberg) and the developing 'nobility' in the 1440s reinforced this group-formation through a perceived opposition between nobility and town. This was further reinforced by an anti-noble discourse amongst townspeople, as the two represented opposing 'interest groups', each with its own 'logic'. This logic was expressed in different systems for the exchange

101. Graf, 'Feindbild und Vorbild,' pp. 126-127, 132. In a specific Swabian context Markus Bittmann had already identified 1440 as moment of rising tensions: Bittmann, *Kreditwirtschaft*, p. 267.

102. Graf, 'Feindbild und Vorbild,' p. 132; Graf, 'Feindbilder und Konflikte,' p. 204.

of goods ('giving and taking' for the nobility, 'buying and selling' in the town) and in the criminalization of noble feuding by the towns; it heightened tensions in conjunction with a range of more concrete and contingent factors, including competition for rural lordship and political changes at the imperial level.¹⁰³

Thus Morsel's thesis has something in common with the old liberal-Romantic assumption of two entirely different cultural spheres, but with the important new idea that the awareness and discursive heightening of this difference only developed through a process of social identity formation. Graf calls Morsel's work 'inspirational',¹⁰⁴ and the ideas of the two together are clearly echoed in Gabriel Zeilinger's study of the Second Towns' War.¹⁰⁵ Morsel was also an influence on Hilla Zmora, who himself transformed the historiography of feuding through a case study of Franconia (see pp. 285-286).¹⁰⁶ Joachim Schneider agrees that Franconia had become an area of particularly 'abrasive' relations between town and nobility by 1449.¹⁰⁷ Yet Morsel's theory itself – at least in relation to the subject of town and nobility – remains little more than an outline, and it stands in an uneasy relationship to the 'rapprochement' historiography, which still draws considerable strength from the continuing popularity beyond academia of the liberal-Romantic model.

Nonetheless, the research of the historians mentioned directly above has clearly made the region of Franconia (especially the city of Nuremberg) in the middle years of the fifteenth century (and in the 1440s in particular) an enticing prospect for further research. Historians working on Franconia have established bold new theories which can be tested through more detailed work on this area, but they have also identified potentially key places and times in the development of town-noble relations which can be investigated afresh with a new set of questions.

103. Joseph Morsel, 'Die Erfindung des Adels. Zur Soziogenese des Adels am Ende des Mittelalters – das Beispiel Frankens', in Otto Gerhard Oexle and Werner Paravicini (eds.), *Nobilitas. Funktion und Repräsentation des Adels in Alteuropa* (Göttingen, 1997).

104. Graf, 'Feindbilder und Konflikte,' p. 193.

105. Zeilinger, *Lebensformen im Krieg*, p. 152.

106. Zmora, *State and nobility*, p. 88.

107. Schneider, *Niederadel*, p. 328.

Questions and Approaches

Nuremberg suggests itself as a case study through the developing historiography of town-noble relations, but also because particularly valuable sources from the civic administration have been preserved there and have not so far been exploited for the study of this subject. It is also possible to distinguish quite clearly between groups of people resident in fifteenth-century Nuremberg and groups of nobles resident in the countryside. This is not necessarily typical of German-speaking towns in the period, nor is it necessarily more interesting for our questions about the mutual understanding of townspeople and rural nobles than the situation in towns where the lines between urban and rural elites were less sharply drawn. But the relatively extreme separation of townspeople and rural nobles in the case of Nuremberg has its value as an object of study. It is impossible to generalize results from Nuremberg to other towns even in Upper Germany, but Nuremberg was certainly a part of a wider debate within Upper Germany about the relationship between townspeople and rural nobles, and the particular separation between the two groups at Nuremberg may have played an important role in that debate.

Sources

The most important of the sources available at Nuremberg are the inner council's registers of outgoing correspondence (the *Briefbücher*).¹⁰⁸ The inner council was the sole decision-making body in the city, as the much larger 'great council' had no political power. The constitution of the inner council (henceforth simply 'the council') was still evolving into the early fifteenth century, but the most significant date in its history was 1348.¹⁰⁹ In this year an uprising in the city overthrew the dominance of a small group of leading families and installed an entirely new set of councillors. The 'revolt' was soon put down by the previously dominant families (with the help of King Charles IV), and from this point onwards all power in the

108. BB (StAN Rep. 61a).

109. On Nuremberg's constitution see Peter Fleischmann, *Rat und Patriziat in Nürnberg*, 3 vols. (Neustadt an der Aisch, 2008).

city was firmly in the hands of this 'patrician' group. Its evolution as a ruling caste was not completed until the early sixteenth century, when the term 'patriciate' was first used and its composition was first described in the form of an ordinance specifying the families to be admitted to dances in the city hall (the *Tanzstatut* of 1521, naming thirty-seven families). In the mid-fifteenth century the membership of this group was fixed only by custom, but was still relatively stable. From this circle of patrician families, twenty-six men were elected to the council as full members, and a further six to eight (from 1445 always eight) as senior members of the great council with seats on the inner council. From 1370 onwards there were also eight representatives of the craft trades (no formal guilds were permitted at Nuremberg), but these had little say in proceedings. Real power lay with the various officials appointed from amongst the twenty-six full councillors, whilst day-to-day business was handled by the mayors (*Bürgermeister*). This office was always exercised by a senior and a junior *Bürgermeister* simultaneously, and the post rotated around the full members of the council through the year in thirteen four-week terms of office each called a *Frage*, or *Bürgermeisterfrage*.

This organization, through the work of the city chancery, produced the *Briefbücher*. The letters were registered according to the *Bürgermeisterfrage* responsible for drafting them, and they were recorded as drafts. The many emendations and occasional letters crossed out or marked as unsent show this clearly. It is impossible to know how complete the *Briefbücher* are as a record of Nuremberg's correspondence, though we can gain a measure of the incoming letters from a surviving index for the years 1449–1457.¹¹⁰ Some very important letters were drafted by the council directly, and therefore do not appear in the *Briefbücher*.¹¹¹ In 1538 a 'young scribe' was devoted to registering everything which came into or out of the chancery, no matter how important it was; this may accord with earlier procedure, as many routine and relatively insignificant letters are found

110. Dieter Rübsamen (ed.), *Das Briefeingangregister des Nürnberger Rates für die Jahre 1449-1457* (Sigmaringen, 1997).

111. Ernst Pitz, *Schrift- und Aktenwesen der städtischen Verwaltung im Spätmittelalter*. Köln – Nürnberg – Lübeck (1959), p. 265.

in the fifteenth-century *Briefbücher*.¹¹² There may be many reasons why letters were not drafted or recorded in the *Briefbücher*, but it seems that the majority were, although enclosed notes and transcripts of other letters sent with the main or covering letter were rarely copied. The letters 'missing' from the *Briefbücher* would in any case be a minuscule loss compared to the oral communication which Nuremberg maintained by various means with most of its correspondents, and which is sometimes mentioned in the letters themselves (see pp. 199-203).

A very high proportion of the letters are addressed to rural nobles or discuss Nuremberg's relationship with rural nobles. This material forms the backbone of this study, and it enables us to follow Nuremberg's written interaction with the rural nobility on a virtually day-by-day basis. Further archival sources complement this material: the *Ratsbücher* are the minutes of the inner council, and the council's accounts record details of expenditure, sometimes extending to short narratives describing the cause of particular expenses or the progress of an event which resulted in the expense. The chancery also kept separate files on particular feuds and conflicts, and the city's archive of charters and other documents is preserved along with these administrative sources at the Staatsarchiv Nürnberg. Other, more specialized sources from this municipal archive have also been useful for parts of this project, and will be introduced at the appropriate points.

Is it possible to write about the relationship between town and nobility based on the archival remains of only one of these parties? In the first place it must be noted that this is a practical necessity: considerably fewer records have survived from noble archives, and this material consists mostly of charters. It is also in general much more efficient to focus on one town and the nobles with which it interacted than, for instance, to study a body of nobles and the multiple towns with which they interacted. But the sources in Nuremberg do give us multiple points of direct or indirect access to the rural nobility. Many letters sent by nobles to Nuremberg and to third parties are preserved (in original or in transcript)

112. Pitz, *Schrift- und Aktenwesen*, pp. 265-266.

in the various special files kept by the chancery on particular feuds and other issues. In addition, every letter which Nuremberg sent began with a summary of any preceding correspondence; read alongside the surviving letters by nobles, these summaries provide a reasonably good understanding of nobles' correspondence. Naturally the council and chancery often selected the most controversial statements in nobles' letters to summarize and then refute, but the noble recipient had to be able to recognize his own original letter in Nuremberg's summary. Its purpose was to persuade the reader of Nuremberg's openness and honesty; other rhetorical purposes could then be served in the main body of the letter once this foundation had been established. There is also a large quantity of source material relating to nobles available in specialist secondary literature and various collections of published sources (especially the *Regesta Boica*, though this series unfortunately ends in 1436), and I was able to make archival visits beyond Nuremberg to Amberg, Munich and the castle museum at Parsberg to gather material on particular nobles. Much of my research has focused on contextualizing the nobles whose relationships with Nuremberg are recorded in the civic sources, and thus the overall balance of the investigation 'favours' neither side, as far as the nature of the surviving sources allows.

The in-depth access to Nuremberg's interaction with the rural nobility which the *Briefbücher* afford is well worth exploiting in full. This does inevitably limit the time period which can be covered, given the density of the *Briefbücher* material and the necessity of drawing on many other sources to contextualize it. In light of the historiography outlined above I decided to focus on the 1440s, and in particular the years 1440–1448 which are seen by Graf, Morsel and others as the especially tense prelude to the war which broke out in the summer of 1449. A comprehensive study of the *Briefbücher* for the period January 1440 to March 1448 (inclusive) provides a corpus of around 2,100 letter drafts with relevance to town-noble relations. I have also used a nineteenth-century index of names in the *Briefbücher* to systematically find material in pre-1440 volumes relating to noble families of particular importance

during the 1440s.¹¹³ These letters can be analysed alongside the complete civic accounts from Easter 1431 to Easter 1442 (those for the 1430s published by Paul Sander);¹¹⁴ *Ratsbuch* material from 1441; a particular concentration of special feud files from the 1440s; and other sources relevant to individual topics. The surviving archival material is supplemented by the annals of Johann Müllner, which were compiled in the early seventeenth century and made use of some documents which are now lost. Wherever Müllner's sources have survived, we can see that he generally followed their form and language very closely.¹¹⁵

Defining Townspeople and Rural Nobles

What exactly do we mean by townspeople and rural nobles, in the context of Nuremberg in the 1440s? We also have to be certain that we are justified in making a distinction between the two. This study defines the two groups geographically, by residence either in the town or the countryside, and thus it is conceivable that nobles might be counted amongst the townspeople. In practice, as we will see, this does not occur, and this distinction between social groups in particular spaces has more analytical value than a distinction between abstract categories of 'town' and 'nobility'.

In this study, the 'townspeople' of Nuremberg refers to all those who habitually resided within the city walls or were burghers of the city. These two definitions produce virtually identical groups, as Nuremberg – unlike many German cities – had hardly any non-resident citizens (known as 'outburghers' or 'paleburghers' – see pp. 87-90). The lower and middling classes in the town were naturally highly differentiated from the rural nobility, but the 'patrician' elite will claim most of our attention. This group included a small number of men who had been dubbed knights (see p. 14), and all of its members expressed themselves through various forms of chivalric culture. For

113. These families are: Leuchtenberg, Mangersreuth, Pappenheim (1404–1432), Parsberg, Plauen, Rechberg, Rosenberg, Schwanberg, Sternberg, Waldenfels, Wildenstein, Wolfstein.

114. Paul Sander, *Die Reichsstädtische Haushaltung Nürnbergs. Dargestellt auf Grund ihres Zustandes von 1431 bis 1440* (Leipzig, 1902).

115. Johannes Müllner, *Die Annalen der Reichsstadt Nürnberg von 1623*, ed. Gerhard Hirschmann, 2 vols. (Nuremberg, 1972).

instance, they bore coats of arms and participated in jousts.¹¹⁶ They were also extremely powerful figures within the city, effectively by hereditary right, and were owners of extensive rural estates. Some at least believed themselves to be descended from noble families: for example, Ulman Stromer (1329–1407) understood his distant ancestor to be Gerhard von Reichenbach, a knight in possession of a castle 19 km south of Nuremberg.¹¹⁷ Many may have seen in themselves a personal quality of ‘nobility’. But Nuremberg’s urban elite certainly did not consider themselves to be part of the rural nobility as a social group. They referred to the rural nobility by the names which the nobility had for itself – ‘lords, knights and squires’, and increasingly ‘the nobility’ – and did not apply these names to themselves. Sometimes they expressly contrasted themselves with the rural nobility: in 1421 the council denied that members of a certain family were under its authority by claiming that they were ‘knights and squires and servitors of princes, and not our burghers’;¹¹⁸ and in his report on the war of 1449 the councillor Erhard Schürstab wrote that ‘the princes and the whole nobility were so vigorously opposed to the town of Nuremberg and to all imperial cities’.¹¹⁹

This sense of differentiation between urban and rural elites was a reflection of a straightforward social separation between them. To what extent both social separation and mental differentiation were products of other aspects of town-noble relations is another question, but we can for now clearly establish the separateness of both elites as social groups. The patriciate did not participate in the social and political institutions of the rural nobility, such as princely service or noble societies and leagues, let alone involve themselves with the rural churches and monasteries patronized by the nobility, and the nobility did not generally enter collegiate churches or monasteries in the town (with a few exceptions, see pp. 50-51, 71). A small number of nobles had a limited role in urban government as servitors of the town (see chapter six), but for the most part the only institution within Nuremberg’s walls in which

116. Endres, ‘Turniere und Gesellenstechen’.

117. ChrdtSt, i, 60.

118. BB 5 f. 114^v (14.2.1421): ‘Ritter und knecht und der herren diener und unser burger niht sind’.

119. ChrdtSt, ii, 137: ‘die herren und aller adel wurden so seer bewegt wider die stat Nürnberg und wider all reichstet’.

rural nobles participated was the house of the Teutonic Order – in this context we have to see nobles as brothers of the Order first and rural nobles second.

Individual families did not very often bridge the divide between town and country. There is no evidence of nobles taking up residence in Nuremberg in the fifteenth century (see pp. 49-51). Some families from Nuremberg's elite do seem to have left the town to reside on their country estates during the fifteenth century, but the lack of references to these families in the sources from the 1440s suggests that in doing so they severed most of their connections with the town.¹²⁰ The question of intermarriage between urban and rural elites is also difficult to answer, and there is no question that such marriages did take place. We have seen Hanns Hubert Hofmann's opinion that a previously active connubium suddenly broke off in the 1470s (p. 32), but there is little evidence for this in the patrician genealogies assembled by Peter Fleischmann (though unfortunately these are incomplete, and focus on the members of each family who served as councillors).¹²¹ These show some significant marriages between patricians and women from powerful noble families in the early part of the fifteenth century – Sigmund Stromer and Kunigunde von Egloffstein (d. 1435), Sebald Groland and Barbara von Egloffstein in 1418, Peter Rieter and Barbara von Seckendorff-Nold in 1420, Sebald Rieter and Margarete von Lichtenstein in 1443 – and one in the second half of the century: Peter Rieter and Elisabeth Truchseß von Pommersfelden (d. 1493). From other sources we have evidence for some marriages of Nuremberg women to noblemen: Hans von Wildenstein and Brigitte Haller (1406); Ehrenfried von Seckendorff and Agnes Haller (1421); Friedrich von Wolfskeel and an unnamed burgheress (before 1445).¹²² On this evidence it seems that intermarriage between town and nobility had ceased well before 1470, and that even in the earlier part of the century it was practised by only a few patrician families (especially Haller and Rieter).¹²³ This decline in family contacts was not necessarily an expression of

120. See Ulrichs, *Lehnhof*, pp. 75-77.

121. Fleischmann, *Rat und Patriziat*, ii, tables.

122. Gustav Voit, *Die Wildensteiner* (Nuremberg, 1964), p. 9; Zeilinger, *Lebensformen im Krieg*, p. 173; BB 17 f. 203^{r-v} (28.1.1445).

123. Thomas Zotz also finds little intermarriage at Nuremberg: Zotz, 'Adel in der Stadt,' p. 38. See also Ulrichs, *Lehnhof*, pp. 80, 86.

growing mistrust between townspeople and nobles. Most rural nobles tended to marry within their home region, often with immediately neighbouring families.¹²⁴ In this context, Nuremberg could represent just another regional system of endogamy (most patricians married with other patrician families), although geographically smaller because even its elite population was so much denser.

Thus the nobility was clearly distinguished from the urban elite. But it is always hard to distinguish the lower strata of the nobility from all sorts of other non-noble groups. The 'nobility' or otherwise of some particularly marginal individuals and families may have been quite situational, dependent on the opinion of the observer. Contemporaries would have had various expectations of nobles: they might be trained and equipped to fight on horseback, live in some sort of fortified residence, and conform to certain codes of behaviour. But we can rarely determine the presence or absence of such characteristics in precisely the most difficult cases. For our purposes it seems reasonable to accept Nuremberg's judgement as to whether an individual was noble, and this was expressed through standard forms of address in the council's letters. A man addressed as *erber und vester* ('honourable and steadfast') was certainly a nobleman in the council's eyes. *Erber* alone was not an indication of nobility (except as an appellation for Nuremberg's noble servitors, see p. 258), and the rare *vester* is difficult to interpret. But unfortunately Nuremberg did not correspond with all the nobles with whom it interacted, and it did not always address even undoubted nobles with more than a plain *lieber* ('dear'). In these cases I have used contextual evidence, such as an individual's known political and administrative functions and position in lists of names, to identify certain individuals as nobles. I have erred on the side of caution, however, and therefore some low-ranking nobles may not have received the consideration they deserve.

The rural nobility also needs to be distinguished from higher ranking nobles, the princes. Some princes acquired their rank through an office, in particular prince bishops. For Nuremberg, the most important of these were the bishops of Würzburg,

124. Ulrichs, *Lehnhof*, p. 134.

Bamberg and Eichstätt. But the secular princes were members of noble dynasties who had risen to particular power, and their titles are of little relevance to their real status. For instance, in mid-fifteenth century Swabia the counts of Württemberg were vastly more powerful than the dukes of Urslingen, and the political behaviour of the former shows that they had undoubtedly attained princely rank whilst the latter moved in the circles of the rural nobility. Another dynasty whose high-status title flattered to deceive were the landgraves of Leuchtenberg, based to the east of Nuremberg on the Bohemian border. In the fifteenth century they can be found in the service of genuine princes, such as the Wittelsbach dukes of Bavaria. This same measure of political behaviour allows us to assign some particularly powerful comital families to the 'rural nobility' as well: the counts of Oettingen and Henneberg, for instance, had large independent lordships, but also took positions in the service of princes, albeit in particularly exalted posts (Ludwig von Oettingen as imperial master of the court, and Georg von Henneberg as administrator of the bishopric of Bamberg). By comparison, the counts of Württemberg entered into alliances with powerful princes such as the Hohenzollern margraves of Brandenburg, Nuremberg's closest princely neighbours. The Hohenzollern family had been burgraves of Nuremberg since the early thirteenth century, and throughout the 1300s the town battled to reduce their authority with the walls. A partial conclusion to this process was reached in 1427, when the council purchased most of the burgraviate's remaining rights in the city and the surrounding imperial forests, including the burgraves' fortress adjacent to the imperial castle in Nuremberg.¹²⁵

The 'rural nobility' for our purposes must also be distinguished from members of noble families who had entered monasteries, the church and the military orders. These men and women had significant interactions with Nuremberg, and no doubt the ways in which they perceived and understood the city and its citizens had much in common with the attitudes of their lay relatives. But we cannot separate their actions as clerics and religious from their behaviour as nobles, and so including them in the ranks of the rural nobility could confuse and distort our picture.

125. See Pfeiffer, *Nürnberg*, p. 88.

Both our groups, therefore, embrace a broad socio-economic spectrum. Further, finer distinctions would be difficult to make with any consistency, but would also ignore late medieval social constructs. The densely populated city was inevitably a community in which rich and poor lived side by side, and any interaction between a nobleman and an artisan was closely monitored by the council, whilst the council's policy towards neighbouring nobles was a matter for discussion amongst the citizenry (see, for example, p. 17 for Hans Sachs' critique of noble robbers, though as a cobbler rather than a long-distance trader he was not in the front line of this particular confrontation). Nobles knew that their engagement with the patriciate was also an engagement with the wider commune, hence Felix Fabri's pedantic concern with the separation of patriciate and guilds in Ulm (pp. 15-16). Rural nobles, meanwhile, had a great deal in common despite the considerable economic differences between richest and poorest: the overwhelming majority were professional military men and administrators who sought to enter the service of princes and towns. Historians including Joseph Morsel and Heinz Lieberich have also argued that a single 'noble' identity was increasingly associated with a wide range of political and economic positions within this group, and in order to take into account the possible effects of this on town-noble relations this range must be reflected in the parameters of this study.

Approaches and Objectives

The fundamental objective of this project is to investigate the reciprocal relationship between the ideas which townspeople and rural nobles had about each other (and themselves) and the ways in which these same townspeople and rural nobles interacted with one another. Some of the late medieval models of town-noble relations have already been outlined, though we might expect to come across others as we proceed. What role did these patterns of thought play in the lives of different nobles and townspeople, and how did their lived experiences shape their ideas about each other? Where and when do we find particular ideas about town-noble relations, and how do different understandings of this relationship interact with one another? The social situation and social production of ideas about town and

nobility will be at the forefront of this investigation, and I will therefore examine in detail the social, political and economic interaction of townspeople and nobles in different spaces and contexts: in the town, in the countryside, through political communities, through alliances and service relationships, and during feuds.

Throughout the study I will concentrate on breaking down the generalizations of 'town' and 'nobility' themselves: we need to prise individual townspeople and nobles out of their imagined 'class' environment and re-contextualize them in their individual circumstances so as to understand their behaviour as a product of and an influence upon their ideas about themselves and others. This is a greater a task for the nobility than for the town, not least because we are dealing with one town and a multitude of nobles.¹²⁶

With this contextual approach I negate the twin temptations to read individuals' actions as either a direct expression of their supposed ideology or as unprincipled 'pragmatism', or to simply oppose concepts such as 'cooperation' and 'conflict' with no sense of the relationship between them. These are risks inherent within both the liberal-Romantic dichotomy and the historiography which rejects it but lacks an alternative explanation for the medieval discourses of antagonism. A focus on the 'similarity' or 'closeness' of urban and rural elites has produced many gains, but it is unable to fully address the actual relationships between the two. Those historians who postulate change over the course of the fourteenth and fifteenth centuries at least challenge us to investigate these relationships in more detail in order to detect possible shifts within them. The issue of change naturally presents a challenge to this project in particular, with its tight chronological focus. But I hope to use the density of the sources in Nuremberg to investigate relationships in the detailed, contextual manner which is essential to ultimately understanding change and causation over the long run.

126. In this I follow Hillyar Zmora's attempt to study the 'individual noble feuder, rather than his class' (Zmora, *State and nobility*, p. 11). See also Peter-Michael Hahn, 'Landadel und Stadt im 15. Jahrhundert', in Matthias Puhle (ed.), *Hanse – Städte – Bünde. Die sächsischen Städte zwischen Elbe und Weser um 1500* (Magdeburg, 1996), p. 288.

2. THE TOWN

The presence of the nobility in Nuremberg is at once inescapable and elusive in the surviving sources. The mere fact that nobles were active in towns does not seem to have been cause for contemporary reflection and comment as were the activities of burghers in the countryside. Seemingly it was taken for granted that rural nobles would be present in urban spaces in economic, political and social contexts, and this was certainly the case to a considerable extent, irrespective of the size and type of town under consideration. Nor does this surprise the modern observer, who is accustomed to a society structured around the economic and social centrality of towns. We might question how far the pre-industrial town was the 'ordering centre of life' that the modern town has arguably become,¹²⁷ but the rural nobility's world still revolved around urban spaces when it came to the purchase of certain goods and services, and for the majority of their most significant social and political occasions.

This is certainly the picture of noble life in the town with the broadest support amongst historians at present. Andreas Ranft describes the 'astonishing normality' of noble life in the town.¹²⁸ The theme of the nobility in the town has also been taken up by Thomas Zotz, Arend Mindermann and others, and is the subject of a volume of essays.¹²⁹ Ranft expresses his 'astonishment' in reaction to the older view of town and nobility as inherently antagonistic, but he also draws our attention to ways in which aspects of the nobility were incompatible with the town in a more practical sense: municipal authorities did not want armed forces within their walls, for example.¹³⁰ In weighing this balance of 'normality' and

127. Edith Ennen quoted by Wolfgang Leiser, 'Städtische Zentralität im agrarisch-feudalen Umfeld', in Hans Schulze (ed.), *Städtisches Um- und Hinterland in vorindustrieller Zeit* (Cologne, 1985), pp. 1-20. Here p. 3: 'ordnende Mitte des Lebens'.

128. Ranft, 'Adel und Stadt,' p. 64.

129. Weserrenaissance Museum, *Adel in der Stadt*.

130. Ranft, 'Adel und Stadt,' pp. 49-50.

incompatibility we have to deal with the fact that tensions tend to produce more sources than harmony, coupled with the lack of systematic sources recording aspects of the nobility's interaction with the town. This problem is to an extent more acute in Nuremberg than elsewhere, as the city's system of taxation based on 'self-assessment' by the sworn testimony of each taxpayer has not left the kind of records which have allowed, for instance, the very detailed reconstruction of noble property in the Upper Rhenish town of Schaffhausen.¹³¹ The 'chanciness' of the evidence for much of the nobility's urban activity reveals one of the limitations of the tight chronological focus of this study: by casting a wider net, we might be able to join the many scattered dots into a meaningful shape. Nonetheless, we can discern some remarkably distinct forms, especially through comparison with results from studies of other towns.

Two sets of sources do offer a more comprehensive picture of the nobility in Nuremberg, though only for those nobles who were singled out for special honour by the city council. Some nobles received gifts of wine (*Weinschenk*), which were recorded in a register (the *Schenkbuch*) according to the administrative rhythm of the *Bürgermeisterfrage* (see above, p. 37). The *Schenkbuch* survives for the period 1422 to 1445.¹³² Other nobles were accorded military escorts to and from the city, references to which are scattered throughout the municipal accounts.¹³³ Technically both wine and escorts could have been provided to nobles outside of the town without leaving a trace in the records, but in practice this is not likely to have been the case on any significant scale; exactly how certain nobles were selected for these honours will be considered below (see pp. 58-59). We are thus relatively well informed on the presence of particularly distinguished nobles in Nuremberg. But aside from these formalities, what relationships were formed by nobles' interaction with the urban space and urban economy? For the most part

131. Kurt Bünteli, 'Schauplatz des Turniers von 1436. Die Stadt Schaffhausen in den 1430er-Jahren', in Peter Jezler, Peter Niederhäuser, and Elke Jezler (eds.), *Ritterturnier. Geschichte einer Festkultur* (Lucerne, 2014), p. 74.

132. StAN Rep. 52b 315.

133. See Sander, *Haushaltung*, pp. 485-490 and the original accounts by year in StAN Rep. 54.

we only encounter nobles in Nuremberg momentarily, sometimes with contextual information on their status in the city or the purpose of their stay. Rarely can we see them face to face with townspeople outside of official diplomatic situations. Is this apparent distance despite so much physical proximity solely a trick of the sources, or does it also have some origins in the ways in which the nobility found themselves interacting with the town?

Residence and Property

Rural nobles could become temporary residents of towns in many ways, whether on a seasonal basis or for a fixed period of time. Nobles might take up residence in a town to meet their obligations to the town council, for medical, business or security reasons, or for pleasure and sociability. Unless their residence required or resulted from a particular arrangement with the civic authorities, we cannot expect it to have been recorded in most circumstances. Urban property owned by nobles is, however, far more likely to have left traces of some sort. Residency and property-owning are not necessarily connected – the one does not imply the other – and their relationship has to be deduced on a case-by-case basis. But precisely this need to look for a relationship between residency and property-holding suggests that we should consider the two in tandem.

I have found no direct evidence for rural nobles as residents of Nuremberg in the 1440s. Various nobles may well have stayed in the city for several months at a time, but none are known to have taken up long-term or repeated, habitual residence within the walls whilst retaining noble status. This is in many ways surprising, given the draw which the town exerted on the rural nobility. This attraction was thematized by some writers in the later fifteenth and early sixteenth centuries: Felix Fabri (c.1440–1502) lists amongst his six types of noble burghers those nobles who have left their castles because of feuds, vexation and loneliness, or lack of necessities, and emigrated to the town for the *solatium societatis* and other *voluptates*. Other nobles move to the city due to weakness or poverty to live

as *nobiles senes*, to serve God and be near medical treatment.¹³⁴ For the Alsatian humanist Jakob Wimpfeling (1450–1528), the glory of the towns was reflected in the fact that even nobles assembled in them: particularly elderly nobles, afraid of loneliness and no longer attracted to the hunt, repelled by robbery and finding princely service burdensome, who wished to go to church and hear God’s word.¹³⁵ Historians working on other towns have found some evidence for the sorts of noble residence envisioned by Fabri and Wimpfeling: at Nördlingen, noble widows were admitted to the town, even though few other nobles resided there in the later fifteenth century.¹³⁶ Moving to a town was a retirement option for princes as well as rural nobles throughout late medieval Germany: in 1316 Count Gerhard IV of Holstein retired to Lübeck on the proceeds of sale of his lordship, and lived there for two years.¹³⁷ Consequently, modern historians often assume that life in the town was preferable for nobles, at least on the grounds of comfort, convenience and sociability.¹³⁸

These factors were not entirely absent from the picture at Nuremberg. In 1466 Martin von Wildenstein spent the final months of his life in the Carthusian monastery there, having previously made donations to various monasteries in his Upper Palatinate homeland.¹³⁹ He is not known to have had any previous relationship with the Carthusians at Nuremberg, and so his decision to end his days there – rather than in one of the Upper Palatine houses – may well have been influenced primarily by the town’s amenities. There is also some evidence of nobles coming to Nuremberg for medical treatment. In January 1440 Count Michael of Wertheim requested three or four weeks’ safe conduct in Nuremberg as a physical indisposition meant that he was in need of help and care (*hillf und guter pflege*), and he felt that he could obtain this in Nuremberg better than

134. Fabri, *Tractatus*, p. 61.

135. Zotz, ‘Adel in der Stadt,’ p. 26.

136. Kießling, *Stadt*, p. 83.

137. Demski, *Adel und Lübeck*, pp. 104-106.

138. For example Paravicini, *ritterlich-höfische Kultur*, p. 51.

139. Voit, *Wildensteiner*, p. 11.

elsewhere.¹⁴⁰ He was granted safe conduct for four weeks, or longer if he needed, but it is not known whether he took up this option. He died on 25 July in the same year.¹⁴¹ So it seems likely that Nuremberg could fulfil the functions of towns for the *nobiles senes* as sketched by Felix Fabri, but we do not yet have any evidence for extended periods of residence by aged nobles outside of the town's monasteries, let alone any evidence for residence by nobles other than on the grounds of age and ill-health. This would make Nuremberg an extreme case, but fundamentally in line with the general pattern elsewhere, certainly in Swabia and Franconia. Jos Humpiß (from a former patrician family of Ravensburg) made this clear enough in 1516: 'To be noble and to reside in the towns as a burgher is not the custom of the nobility in Swabia'.¹⁴²

Some nobles did own houses in Nuremberg, without there being any indication that they personally resided in these houses at any point. The burgher Ulrich Neunhauser lived in a house which belonged to Anthony von Seckendorff's wife, but whether he was a tenant in all or part of the property is not clear.¹⁴³ Two other noble properties can be located to the northern part of Nuremberg, in the area of the castle: one was connected to the imperial part of the castle, the other to the burgraval fortress. The former seems to have been in or adjacent to the castle itself and took the form of a tower. The Bohemian noble Ulrich of Hasenburg was possibly negotiating its sale to the Waldstromer family in 1410,¹⁴⁴ and this was confirmed by King Sigismund in 1428.¹⁴⁵ More is known about a house on the 'Paniersberg', within the walls just to the east of the castle, which was held for many years by the Wildenstein family as a fief of the Hohenzollern burgraves. When Heinrich von Wildenstein bought the house from his fellow noble Ludwig Rindsmaul before 1362, the city council was able to stipulate that it could only be

140. BB 14 f. 104^v (8.1.1440).

141. Detlev Schwennicke, *Europäische Stammtafeln. Neue Folge: Stammtafeln zur Geschichte der europäischen Staaten. Vol. 16: Bayern und Franken* (Marburg, 1995), table 153.

142. Quoted in Endres, 'Adel und Patriziat,' p. 231. Residence by nobles was not common in Lübeck either: Demski, *Adel und Lübeck*, p. 267.

143. BB 17 ff. 166^v-167^r (2.12.1444).

144. BB 3 f. 45^v (14.3.1410).

145. *Regesta Boica* 13, p. 127 (8.9.1428).

sold in future to a citizen of Nuremberg, perhaps because Heinrich was himself a burgher.¹⁴⁶ Subsequently the house changed hands within the Wildenstein family, but remained very much in the city council's field of vision: in 1369 Heinrich von Wildenstein complained to the Franconian *Landfriede* that Nuremberg had caused 2,000 Marks' worth of damage to the house (perhaps in the course of the long-running dispute between the town and the Hohenzollern), and in 1429 Hans III von Wildenstein purchased the house from Hans II and his son Martin,¹⁴⁷ with the help of a 400 Gulden loan from the council.¹⁴⁸

By May 1436 Andreas Volckamer and Berthold Nützel had agreed to purchase the house from Hans von Wildenstein.¹⁴⁹ This transaction appears to have fallen through however, as in July Nuremberg advanced 200 Gulden to Hans von Wildenstein against the promise that he would ensure that Michael Beheim was enfeoffed with the property before St Bartholomew's Day (24 August).¹⁵⁰ The process of obtaining Beheim's enfeoffment from the margrave eventually extended from August 1436¹⁵¹ until the final reckoning in Nuremberg's accounts in late 1441,¹⁵² with interventions by Wildenstein's relative Ulrich Haller.¹⁵³ In total, Wildenstein was lent 600 Gulden, which he repaid with the sale of the house to Michael Beheim on behalf of Nuremberg. Quite possibly the 400 Gulden loan in 1429 was also made with a view to the eventual purchase of the house by Nuremberg. The council sold the house to Beheim for 200 Gulden, showing that the purchase was not economically motivated.¹⁵⁴

Thus most of what little noble property we can find within Nuremberg's walls was bought up by the town, either directly or through patrician families. In

146. Voit, *Wildensteiner*, p. 9.

147. Voit, *Wildensteiner*, p. 9.

148. StAN Rep. 52b 269 f. 31^v (16.9.1429).

149. BB 12 ff. 204^v-205^r (28.5.1436).

150. StAN Rep. 52b 269 f. 33^v.

151. BB 12 ff. 249^v-250^r (21.8.1436).

152. StAN Rep. 54 12 ff. 80^v, 81^v.

153. BB 13 ff. 195^{r-v} (23.7.1438), 239^v (23.10.1438).

154. StAN Rep. 52b 269 f. 33^v.

the case of the Paniersberg house, we can see the control which the council had exerted over this property since at least the fourteenth century. The present evidence from Nuremberg is too slim to project any trend, but it is well worth noting that studies of other towns have found similar actions by urban authorities to be part of a consistent pattern. Civic control of noble residence and property in towns could be extremely tight; its most extreme form was an outright ban on 'knights' residing in the town. Such a measure was written into the law of Freiburg im Breisgau in 1178¹⁵⁵ and the statutes of Hamburg in 1270 and 1279,¹⁵⁶ and also featured at Lübeck.¹⁵⁷ The exclusion of nobles from the town in this way was probably not so much an end in itself as a device to restrict the influence of regional princes within the walls,¹⁵⁸ and perhaps also to keep rural disputes from spreading into the urban space.¹⁵⁹ Most towns were less strict on the issue of residence, but virtually all towns sought in some way to control, and sometimes to reduce or eliminate, urban property owned by non-burghers, which inevitably impacted on rural nobles. At Worms in 1299 Johannes Holderbaum promised to sell his house 'zum Hohenbaum' to no one except a burgher of Worms who was resident in the city and who was neither a cleric nor a knight (*ritter*).¹⁶⁰ In Göttingen the authorities from the early fourteenth century deliberately made property-owning within the town harder for nobles and other non-burghers: their possessions could only be held for an individual's lifetime, and sold only to burghers.¹⁶¹ The council's success in driving out noble property-owners, considered both legal anomalies and symbols of princely overlordship, is measured by Arend Mindermann through a change in Göttingen's sumptuary

155. Fleckenstein, 'Bürgertum und Rittertum,' p. 80.

156. Mindermann, *Adel in der Stadt*, p. 339.

157. Demski, *Adel und Lübeck*, p. 95.

158. Mindermann, *Adel in der Stadt*, pp. 339-341.

159. Alfred Haverkamp, "'Innerstädtische Auseinandersetzungen" und überlokale Zusammenhänge in deutschen Städten während der ersten Hälfte des 14. Jahrhunderts', in Reinhard Elze and Gina Fasoli (eds.), *Stadtadel und Bürgertum in den deutschen Städten des Spätmittelalters* (Berlin, 1991), p. 124.

160. Stadtarchiv Worms, 001A / Abt. 1 A INr. 89 (29.7.1299). Accessed at <http://www.deutsche-digitale-bibliothek.de/item/ZS5IVKOWCNAGDKZ77QFY6D4XG3Z54XWL> (29.3.2015). Discussed in Zotz, 'Adel in der Stadt,' p. 30.

161. Mindermann, *Adel in der Stadt*, p. 338.

laws, which in 1340 and 1354 accounted for nobles living in the town, but apparently saw no need to do so in 1367.¹⁶² Katrin Keller describes a policy of deliberately buying up noble properties in the small Saxon town of Delitzsch.¹⁶³ In 1456 the ownership of urban property by nobles who were not also burghers was a cause for complaint at Basel.¹⁶⁴

As we will see later in this chapter, there can be little doubt that at Nuremberg the council's desire to closely control all aspects of life within the walls also impacted on the presence of the nobility in the town in all its forms. The limited evidence for noble property in Nuremberg could match a pattern described most fully by Mindermann for Göttingen: an original cluster of noble properties around the residence of the town's overlord (in Nuremberg, the twin imperial and burgravia castle) which were sold in the fourteenth century. In part, this involved their being 'neutralized' by the town in terms of both their independence from its jurisdiction and their potential as points of princely influence in the town.¹⁶⁵ It is conceivable that both the Hasenburg and Wildenstein properties in Nuremberg survived into the fifteenth century because their owners engaged closely with the urban elite: Wildensteiner were allies and sometimes burghers of Nuremberg throughout the period during which they owned the Paniersberg house, and the Hasenburger were connected to the Nuremberg Waldstromer through marriage.¹⁶⁶ But we must also remain open to the possibility that these families initially acquired, rather than preserved, their urban property through these connections, and there is also a chance that the nobility's real presence in Nuremberg as residents and property-holders has never properly been appreciated due to the nature of the surviving sources. A study with a broader chronological basis will be required to address these questions.

162. Mindermann, *Adel in der Stadt*, pp. 332-335.

163. Keller, 'Kontakte und Konflikte,' p. 503.

164. Zotz, 'Adel in der Stadt,' p. 37.

165. Mindermann, *Adel in der Stadt*, pp. 332-338.

166. Fleischmann, *Rat und Patriziat*, genealogical table 'Waldstromer'; BB 3 f. 45^v (14.3.1410).

There is another side to the civic control of noble residence in the town: it could be deployed as a tactic to control the nobles themselves. In 1257, at Mühlhausen in Thuringia, Berthold Truchseß von Schlotheim and his sons bought an urban *curia* from the burghers and with it the *ius perfecte civilitatis* as part of the settlement of a dispute between him and the town.¹⁶⁷ Urban property was rarely used quite so explicitly to bind a noble to a town for political reasons, but towns often had an interest in settling their noble allies within the walls. Where citizenship was used as a form of alliance, it could be tied to continued residence in the town, and lost if the noble moved out.¹⁶⁸ In the fifteenth century, some outburgher treaties at Cologne provided a house in the city,¹⁶⁹ though on balance it seems unlikely that many noble outburghers ever lived in Cologne.¹⁷⁰ Nördlingen's noble *Paktbürger* were generally supposed to reside in Nördlingen, according to their treaties with the town¹⁷¹ – again, it is unclear whether this was also common practice.

Although Nuremberg had no such system of citizen-allies in the fifteenth century (see chapter six), the council sometimes stipulated residence in the town as part of its service contracts with nobles. In January 1445 and again in 1458 Hans von Rechenberg was retained with the requirement to live in Nuremberg,¹⁷² and Konrad von Heideck was to reside in Nuremberg for his ten-year service term from February 1445.¹⁷³ But it seems improbable that Heideck in particular would actually have lived in the city. In October 1446 he was certainly based outside, as he was asked to come to Nuremberg with six or eight servitors.¹⁷⁴ As we will see in chapter six, Heideck's alliance with Nuremberg was largely one of mutual defence against Margrave Albrecht Achilles, and it is difficult to see how withdrawing Heideck from the personal supervision of his own territory

167. Hans J. Domsta, *Die Kölner Außenbürger. Untersuchungen zur Politik und Verfassung der Stadt Köln von der Mitte des 13. bis zur Mitte des 16. Jahrhunderts* (Bonn, 1973), p. 28 n. 70.

168. e.g. at Schlettstadt in Alsace: Zotz, 'Adel in der Stadt,' p. 34.

169. Domsta, *Kölner Außenbürger*, p. 108.

170. Domsta, *Kölner Außenbürger*, pp. 55-56, 76, 80.

171. Kießling, *Stadt*, pp. 75-78.

172. StAN Rep. 52b 269 f. 90^r; StAN Rep. 52b 269 f. 177^r.

173. StAN Rep. 52b 269 f. 84^r (20.2.1445).

174. BB 18 f. 67^{r-v} (3.10.1446).

and bringing him into the already well-protected town would have benefitted either side. What then was the purpose of the residency clause? In the context of the clear relationship between urban residence and council control of noble behaviour, it is possible that this was another instrument by which Nuremberg could exert leverage over Heideck if necessary, rather than an injunction always to be taken literally.

Residence and property in the town might also be used to attract nobles into the town's service, as Domsta suggests was the case at Cologne.¹⁷⁵ Nuremberg's leading noble servitors were given the largely honorific title of imperial chief magistrate (*Reichsschultheiß*), and a complex of buildings in a prominent location opposite the castle entrance were known until their destruction in 1945 as the *Reichsschultheißenhof*, implying that they were the chief magistrate's official residence. But I have not been able to discover any substance behind this tradition, and what we do know about this structure rather suggests that it was not the residence of the *Reichsschultheiß*. Murals painted there in the late fourteenth century depicted the arms of the Nuremberg Ebner family, when no Ebner is recorded as having been *Reichsschultheiß*,¹⁷⁶ and in 1442 the building was known as 'Ellwanger's house beneath the castle', again referring to a Nuremberg family not known to have provided a *Reichsschultheiß*.¹⁷⁷ Noble chief magistrates may have resided elsewhere in Nuremberg, and certainly many lower ranking noble servitors were based in the city (see p. 267), but this could only ever amount to a very small number of noble residents.

In 1516 Jos Humpiß seems to have felt that a clear segregation of town and nobility was axiomatic for Swabia. The evidence for Nuremberg seems to suggest that the situation there was if anything more extreme in the 1440s. But this hardly

175. Domsta, *Kölner Außenbürger*, p. 108.

176. F.A. Nagel, 'Wandmalereien des 14. Jahrhunderts im Reichsschultheißenhof zu Nürnberg', *Mitteilungen des Vereins für die Geschichte der Stadt Nürnberg*, 35 (1937); Wilhelm Schwemmer, 'Zwei Fresken der Luxemburger in Nürnberg', *Blätter für deutsche Landesgeschichte*, 114 (1978), pp. 543-544.

177. Müllner, *Annalen*, p. 357: 'Ellwangers Behausung unter der Vesten'.

represents the end of the story for the nobility in the town: in many towns they were to return in strength in the early modern period, as the ever-increasing pull of social, cultural and economic opportunities eventually made many towns, at least seasonally, the nobility's residence of choice.¹⁷⁸ Nor is it even half of the story for the late Middle Ages, for if the nobility were being squeezed out of the town as residents and property owners then they simply had to find other ways to engage with urban amenities.

The Status of Nobles in Nuremberg

Nobles in Nuremberg were for the most part 'guests' of the city, which was at least as much a legal status as a social relationship.¹⁷⁹ The council sought to regulate the entry and exit of all outsiders according to the needs of the moment and on a case-by-case basis: between July 1449 and June 1450, at the height of the Second Towns' War, a record was kept of all those entering Nuremberg through the Laufer Gate, including the purpose of their journey and accommodation in the city.¹⁸⁰ During peacetime control was less restrictive, and the only nobles known to have been entirely barred from entering Nuremberg were those under interdict. In the late summer of 1441 a messenger was sent to Georg von Wildenstein to instruct him not to come to Nuremberg, as his excommunication had been announced there;¹⁸¹ in June 1442 the priest of St Sebald had informed the council that Georg was an excommunicate once again, and that if he came to Nuremberg all divine services would have to be suspended.¹⁸² Ulrich von Wiesenstau believed that he could spare the city this trouble by getting his interdict lifted for eight days before and after a hearing in Nuremberg.¹⁸³

178. See Johaneck, 'Adel und Stadt,' p. 33; Georg Heilingsetzer, 'Adel in der Stadt. Spätmittelalter und frühe Neuzeit', in Peter Csendes and Johannes Seidl (eds.), *Stadt und Prosopographie. Zur quellenmäßigen Erforschung von Personen und sozialen Gruppen in der Stadt des Spätmittelalters und der frühen Neuzeit* (Linz, 2002), p. 61.

179. For example, in 1440 Frederick III granted Nuremberg the privilege of not having to hear the suit of a 'guest' against another 'guest' if the issue had not arisen within Nuremberg: Müllner, *Annalen*, ii, 343.

180. Zeilinger, *Lebensformen im Krieg*, p. 20.

181. StAN Rep. 54 12 f. 72^v.

182. BB 15 f. 259^v (14.6.1442).

183. BB 15 f. 337^r (5.11.1442).

Other nobles were of course guests of honour. In so far as these relationships are visible today, guests were formally honoured primarily through gifts of wine¹⁸⁴ and through being accorded an armed escort over a certain distance beyond Nuremberg on their entrance or exit.¹⁸⁵ This escort could also be a practical security measure, and most of the time it was probably something of both, but certain occasions had a clear diplomatic component. For instance, an unusually large contingent of eighteen horses under the command of Wigeleis von Wolfstein, imperial chief magistrate at the time, was provided for unnamed electors' counsellors as they rode out of Nuremberg on their return from the new king, Frederick III, in Austria.¹⁸⁶ The recording of the *Weinschenk* has already been mentioned, and this reveals a great variation in the number of nobles honoured per *Frage* (usually a period of just less than a month). In some *Fragen* just one or two nobles received wine from the city; the busiest *Frage* of those recorded in the 1440s was that which fell in November 1441 and featured a tournament hosted in Nuremberg by Margrave Albrecht Achilles (see also below pp. 65-66): wine was dispensed to at least 133 clearly identifiable nobles during the tournament, plus a further five who visited in the ordinary course of events.

What was the distinction between an honoured and an ordinary guest? The fine political and social judgements which would have been involved here can hardly be reconstructed, but in general this status depended on a combination of the standing of the person and the purpose of their visit. Mid-ranking nobles from the immediate region who might be expected to have visited Nuremberg quite often do not necessarily appear frequently in the *Schenkbuch*, even those who had a good relationship with Nuremberg. For instance, members of the Parsberg family appear in just two *Frage* between 1439 and 1445, both in connection with major events in the city (the tournament of November 1441 and the imperial diet of 1442).¹⁸⁷ Higher-ranking nobles (such as Heinrich I and his son Heinrich II von

184. *Schenkbuch* 1422–1445: StAN Rep. 52b 315.

185. See Sander, *Haushaltung*, pp. 485-490 and the original accounts in StAN Rep. 54.

186. Sander, *Haushaltung*, p. 490.

187. StAN Rep. 52a 315 ff. 162^v, 165^v.

Plauen, mentioned in thirteen *Frage*),¹⁸⁸ or those with imperial connections (e.g. Hartung von Klux, eight *Frage* between 1439 and 1444)¹⁸⁹ were perhaps honoured every time they visited Nuremberg. Wine and escorts were frequently bestowed on unnamed counsellors of princes, which suggests that it was their status in princely service which earned them the honour, whilst the council's unusual largesse at the tournament of November 1441 was undoubtedly more a reflection of the honour of Albrecht Achilles than of the individual, independent honour of each of his guests. The *Schenkbuch* could have been a diplomatic reckoning as much as a financial account (at Basel the *Weinschenk* lists were read to the council each week as a reflection on the town's political standing),¹⁹⁰ but in this capacity it was clearly very much more a record of political engagement at the highest level than of Nuremberg's relations with its noble neighbours.

The day-to-day negotiation of nobles' status within Nuremberg is more clearly visible in the *Briefbücher*, which preserve many letters granting safe conduct in the city. Again, it is unclear exactly which nobles and what types of visit to the town required or received safe conducts. Certainly those nobles who had reason to fear Nuremberg's combined police and judiciary (see chapter four) would have sought a guarantee of their safety. These nobles were often granted safe conduct in order to 'answer for themselves' (*sich zu verantworten*) before the council.¹⁹¹ But as we saw above (pp. 50-51), Count Michael of Wertheim also sought safe conduct in order to receive medical treatment near the end of his life. Indeed, when in 1406 the noble Frank von Kronberg asked the city of Frankfurt for safe conduct for a meeting of the Society of the Stag in the town, he added in a postscript: 'Good friends, you know well that knights and squires do not like to ride into the imperial cities without a strong safe conduct – please don't take offence that I write to you

188. StAN Rep. 52b 315 ff. 151^v, 154^v, 157^v, 159^r, 163^r, 165^r, 166^r, 170^r, 172^r, 176^{r-v}, 179^{r-v}.

189. StAN Rep. 52b 315 ff. 145^v, 155^r, 157^v, 161^r, 165^r, 168^r, 171^r, 181^r.

190. Valentin Groebner, *Liquid Assets, Dangerous Gifts: Presents and Politics at the End of the Middle Ages* (Philadelphia, 2002), p. 24.

191. e.g. BB 17 f. 67^{r-v} (13.7.1444).

thus'.¹⁹² For Zotz, this fear of entering the city without a 'strong' safe conduct was the reason that later in the fifteenth century the organizers of the 'Four Land' tournaments preferred to hold their events in the residence towns of princes (e.g. Heidelberg, Ansbach) or in episcopal cities (Mainz, Würzburg, Worms).¹⁹³

Kronberg's letter is an arresting testimony, but it is highly unlikely to reflect actual practice at Nuremberg. The number of safe conducts recorded is minuscule in comparison to the number of noble visits to the city which are known, let alone probable. Perhaps the more routine cases were not registered in the *Briefbücher*, but on balance it seems likely that most nobles simply came and went as they pleased, most of the time. There is certainly little evidence that nobles feared for their safety in the city, as Kronberg implies; he may have been generalizing from personal experience, as the Kronberg family had a particularly difficult relationship with Frankfurt in the late fourteenth century.¹⁹⁴ But irrespective of their precise legal status in the town, it is clear that the council expected to set certain boundaries on the behaviour of nobles within the walls, and possibly also in the immediate vicinity of the town. Some of these boundaries seem to have been part of a generally accepted standard of behaviour when under anyone's safe conduct. For instance, sometime before December 1421 the brothers Friedrich and Lorenz von Wolfstein applied for safe conduct in Nuremberg, and when this was granted they were told that 'we [the inner council] would gladly see that safe conduct in our town and also to and from our town is properly observed'.¹⁹⁵ An Ulrich Hubner then accused the Wolfstein brothers of sending him a 'rude, filthy libel' whilst under Nuremberg's safe conduct.¹⁹⁶ The brothers replied that to the best of their knowledge the letter had been written at Neumarkt in der Oberpfalz, and with this answer the council

192. Zotz, 'Adel in der Stadt,' pp. 40-41: 'Auch lieben freunde so wißt ir wole das riter und kneht nit gerne in die richsstede riden, sie haben dann ein fry strack geleide daz nemet nit fur ubel daz ich uch daz schriben'.

193. Zotz, 'Adel in der Stadt,' p. 41.

194. See Elsbet Orth, *Die Fehden der Reichsstadt Frankfurt am Main im Spätmittelalter. Fehderecht und Fehdepraxis im 14. und 15. Jahrhundert* (Wiesbaden, 1973), p. 98.

195. BB 5 f. 180^r (23.12.1421): 'wir gern sehen, daz das geleyt in unser stat und auch zu und von uns geleytlich gehalten wurd'.

196. *ibid*: 'ein grober unsawbrer Scheltbrief'.

was satisfied – the ‘rudeness’ or otherwise of the slander was of no consequence, so long as it was not produced under Nuremberg’s safe conduct. The extent to which the rules governing safe conduct applied to nobles in the town in other capacities probably varied from case to case. Certainly there is no mention of safe conduct for Heinrich von Egloffstein in Nuremberg’s repeated demands during the winter of 1441/42 that he compensate them for an attack on his fellow noble Reinhard Redwitzer because it occurred in the immediate vicinity of the town and shortly after Redwitzer had left Nuremberg. Nuremberg claimed its right to take Egloffstein to task on this matter solely from the proximity of the ambush to the city.¹⁹⁷

Particularly difficult situations arose when nobles sheltered from their enemies under safe conduct in the town.¹⁹⁸ On 14 February 1448 Nuremberg wrote to inform the bishop of Würzburg that Johann von Heideck’s castle of Wellnheim was under attack by Margrave Albrecht Achilles.¹⁹⁹ The bishop of Eichstätt and Count Palatine Otto were also involved in this assault, and three days later all three princes wrote to Nuremberg about Johann’s presence in the city.²⁰⁰ The council justified themselves with the reply that Johann had been granted safe conduct to attend several genuine legal hearings in Nuremberg, but that he had already been refused further leave to remain there before the princes’ letter arrived. Although Johann was the brother of one of Nuremberg’s chief noble allies (Konrad von Heideck), the city had never enjoyed a particularly good relationship with him, and were clearly prepared to sacrifice him in order to placate the coalition of princes. But it was still a difficult diplomatic situation for the council, brought about ultimately by their insistence on strictly, if sometimes informally, controlling the presence of rural nobles and other outsiders in the town. However, there was no chance that such incidents would induce the council to take a more relaxed approach. The council’s tight grip on urban life was a deeply ingrained attitude, a product of opportunity, motive and fear. The patriciate as a social class had been

197. BB 15 ff. 139^r (20.11.1441), 152^v-153^r (12.12.1441).

198. See also examples from Lübeck: Demski, *Adel und Lübeck*, pp. 62, 230.

199. BB 18 ff. 459^v-460^r (14.2.1448).

200. BB 18 f. 466^{r-v} (17.2.1448).

able to dominate the town economically and politically since 1348, and sought maximum advantage from this. The more it did so, the more it feared unrest and disturbance. Officially, the council often justified its policies on the grounds of the large population of Nuremberg, with the implication that such a multitude of people needed to be kept in good order.²⁰¹

Imperial, Princely and Noble Events in Nuremberg

The best documented aspect of the occasional presence of nobles in the town is their attendance at all sorts of assemblies and gatherings in Nuremberg. These were generally not initiated by the city council, with the significant exception of the annual display of the imperial relics and regalia (*Heiltumsweisung*). Every year from 1424 on the first Friday after the Easter week many nobles were part of the crowd which gathered for the spectacle in Nuremberg's main marketplace and for the associated fair.²⁰² But Nuremberg was also a regular venue for events organized by emperors, kings, princes and nobles, each with very different implications for the town's relationship with the rural nobles who gathered at these occasions. A visit from a Roman king or emperor was confirmation of Nuremberg's self-consciousness as a particularly imperial city, and the nobles who attended imperial diets could be seen as witnesses to this renewal of Nuremberg's sense of purpose in the imperial and universal order. The nobles who participated in events hosted by Hohenzollern princes could perhaps appear more ambiguous, depending on the state of Nuremberg's relations with the Hohenzollern at the time; but we have also seen that nobles were elevated in Nuremberg's scale of honour by close association with princes, and thus a princely occasion in the city could have been an opportunity to strengthen ties with the regional nobility by according them something of the prince's dignity. Events organized by rural nobles themselves were superficially more straightforward, but in practice fraught with diplomatic difficulties for the city, especially the possibility that the council might become both host and guest at a noble function for which they had to pick up most of the bill. The political

201. e.g. BB 18 ff. 198^v-199^r (23.3.1447).

202. Julia Schnelbögl, *Die Reichskleinodien in Nürnberg 1424–1523* (1962).

components of these gatherings varied according to their purpose and the status of the host, but the principal social events – festive dances, tournaments and church services – featured in the greatest diets and the more intimate celebrations of noble societies. So too did the work by the civic authorities which facilitated these events: maintaining security, preparing buildings and spaces, arranging accommodation for guests and managing and articulating the legal and social status of the visitors.²⁰³

Why did princes and the nobility so commonly make use of the town for their gatherings? Many historians have shared Andreas Ranft's astonishment (see above, p. 47) at the readiness of the nobility to engage with the town to the extent of using the town's space for their premier social occasions. This astonishment has been answered by an assertion of the town's simple practicality as a central place with the necessary infrastructure for accommodating large numbers of participants.²⁰⁴ This was undoubtedly the primary reason for nobles to hold their events in the town (alongside a possible role for the town as a relatively neutral space in noble geopolitics), but other, secondary, reasons for the nobility to gather within the walls may have had more significant, certainly more complex, implications for nobles' relations with the townspeople. Andreas Ranft leads the field in the interpretation of noble behaviour in the late medieval town with his vision of the town as a 'stage for noble life... on which social value and prestige could be asserted and find resonance right at the origin of the antagonistic forces [the towns]'.²⁰⁵ Ulrich Andermann sees a similar function for tournaments in the town in holding back a 'devaluing' of knighthood by the very patricians in whose towns the events took place.²⁰⁶

There can be no doubt that the town was a temporary 'stage' for display and self-representation by the nobility. But who was the audience, and what was the moral of the play? At these prestigious occasions nobles entered the city *en masse*, so

203. See ChrdtSt, iii, 349-401; Schnellbögl, *Reichskleinodien*, pp. 106-116; Endres, 'Turniere und Gesellenstechen,' pp. 266-267.

204. Zotz, 'Adel in der Stadt,' p. 48.

205. Ranft, 'Adel und Stadt,' p. 63: 'Bühne adligen Lebens... auf der es gelang, soziale Geltung und Prestige zu behaupten und Resonanz gerade dort zu gewinnen, wo die konkurrierenden Kräfte ihren Ausgang nahmen'.

206. Andermann, *Gewalt*, p. 66.

perhaps whatever they had to say was a story to be told amongst themselves. But equally we could see the presence of groups of nobles in the city for a particular, time-limited purpose as an environment conducive to the growth of 'us and them' mentalities. Did the urban elite's function as a more or less generous host help to neutralize this threat, or did their simultaneous position as more or less welcome guests create irresolvable conflicts, social cracks which could only be papered over with more wine and more dancing? Were nobles haughty and aloof visitors who condescended to their hosts, or were they comfortable urbanites equally at home in the city as in the country? Both these spectres are raised by the many gatherings of the nobility in Nuremberg, and the continuum between the two is wide open.

Imperial and Princely Occasions

Nuremberg was a proud host of frequent imperial diets: 'for such diets are held with us more often than at other places', as the council noted in 1440.²⁰⁷ A modern enumeration lists thirty-eight imperial gatherings in the period 1401–1491.²⁰⁸ Not all of these featured the personal presence of the king or emperor, but all would have attracted nobles in various capacities from across the Empire and beyond. During the 1440s King Frederick III made an extended stay in Nuremberg from 29 April to 21 May 1442 on his way to his coronation at Aachen,²⁰⁹ and presided over a full imperial diet between 1 August and 11 October 1444.²¹⁰ There were other imperial gatherings too, but these two royal visits naturally offer the best sources.

We can take the imperial diet of late summer and autumn 1444 as an example of the sort of nobles that a top-rank imperial occasion might bring to Nuremberg. The total number of nobles who are mentioned as witnesses of charters and court judgements, listed in the *Schenkbuch* for the period of the diet or mentioned in eye-witness reports is 93; if we include the nobles whose presence is possible but not certain, this

207. BB 14 f. 118^v (11.2.1440): 'als denn sollicher teg mer zu uns denn andern ende geleget werden'.

208. Reinhard Seyboth, 'Reichsstadt und Reichstag', *Jahrbuch für fränkische Landesforschung*, 52 (1992), p. 211.

209. ChrdtSt, iii, 375 n. 2.

210. RTA 17 pp. 225-622.

number rises to 146.²¹¹ This is still a remarkably small number for an imperial diet lasting over two months, especially compared to the 133 nobles who attended just a few days of events hosted by Albrecht Achilles in November 1441 (see above, p. 58). The comparison is probably skewed in favour of Achilles' tournament: the fact that this occasion was accorded its own sub-entry in the *Schenkbuch* suggests that extraordinary gifts of wine were part of the council's welcome for that event; for the imperial diet, it is clear that a normal *Weinschenk* practice continued, just on a larger scale, and thus our list of attendees is less complete. But other evidence suggests that the two occasions were in many ways similar, in that both were essentially occasions for the nobility of Franconia, the Upper Palatinate, northern Bavaria and eastern Swabia, the areas which formed Nuremberg's extended hinterland. Achilles was able to attract nobles from all of these regions, ranging far beyond his own clientele. But the Roman king drew few nobles from outside the groups who might be found in Nuremberg for other, theoretically less prestigious occasions. This says something about the weakness of royal authority beyond Franconia and Swabia, but more about the importance of the imperial diet for transacting serious business as opposed to any celebration of imperial identity. Those nobles from further afield who did come to Nuremberg were there in the service of princes – Austrians who had travelled with the king himself, or counsellors of the count palatine or margrave of Brandenburg – or were nobles from southern Swabia and the Upper Rhine who were closely engaged with the major issue of the moment: the war between the Swiss Confederation and the Habsburg–Zurich alliance and the associated incursion of the French Dauphin and his 'Armagnac' mercenaries into Alsace.²¹²

Achilles' tournament differed somewhat from the imperial diet in the depth of interaction which it created between Nuremberg and the noble attendees. Nobles were responsible for liaison with Nuremberg on Achilles' behalf: Walter von

211. Sources: *Regesta Imperii*; RTA 17; StAN Rep. 52b 315 ff. 179^r-181^v; *ChrdtSt*, iii, 398-401. The main cause of uncertainty is the impossibility of knowing whether many of the nobles who received fiefs and privileges from the king in Nuremberg were personally present or represented by others.

212. See most recently: Duncan Hardy, 'The 1444–5 Expedition of the Dauphin Louis to the Upper Rhine in Geopolitical Perspective', *Journal of Medieval History*, 38, 3 (2012), pp. 358-387.

Hürnheim and Sigmund von Lentersheim undertook this task in July 1441 (the tournament was to be held in August before being postponed to November).²¹³ They did so in person, and were presented with wine by the council.²¹⁴ We have already seen that the council probably made an effort to distribute wine to all those present at the tournament itself. The remaining content of the occasion in terms of town-noble relations remains elusive, however. Given that Achilles was, just a few years later, to develop a very strong rhetoric which denigrated the towns in the cause of noble solidarity under his leadership (see pp. 241-250 below), it is with hindsight ironic that one of his first ceremonial encounters with a wide spectrum of the regional nobility was staged in and by Nuremberg. Imperial diets could also be a difficult time for the towns in terms of their social and political standing: in 1444 the towns were not included in many of the discussions by the princes, which left their envoys feeling nervous and their rulers indignant.²¹⁵ But anything we might extrapolate from these difficult relationships between princes and towns in respect of town-noble relations remains speculative: I have found virtually no evidence for the behaviour of nobles and townspeople towards one another at imperial and princely occasions aside from the many gifts given by the city council to nobles largely on account of their positions in princely service. One exception to this are the financial transactions of the Bohemian Aleš of Sternberg at the 1431 imperial diet in Nuremberg, which will be discussed below (pp. 74-75).

Noble Occasions

It was rarely possible for individual nobles or even small groups to hold major events in Nuremberg, though this is not to say that they did not stage significant occasions. On 9 February 1441 the young lord of Plauen (Heinrich II) and the young lord of Heideck (Johann III) jousted in Nuremberg, and the council provided the necessary security personnel, together with wine, candles and fruit for a dance.²¹⁶

213. RB 1b f. 5^v (18.7.1441).

214. StAN Rep. 52b 315 f. 160^r.

215. ChrdtSt, iii, p. 388; RTA 17 pp. 496-497.

216. StAN Rep. 54 11 f. 81^{r-v}.

It is not clear whether many other nobles were present, however, as the *Schenkbuch* mentions only an average number of nobles for the relevant *Frage*.²¹⁷ But generally nobles arranged their gatherings in the town as groups, and often as formally constituted societies. The importance of particular towns for particular societies – such as Heidelberg for the Society of the Donkey and Regensburg for the Unicorn – has been firmly established by Andreas Ranft and others.²¹⁸ For Nuremberg, the Society of the Clasp (the ‘Fürspänger’) was the most important noble fraternity. This society was established in 1392, and may have been named after the girdle of the Virgin Mary donated in 1355 by Emperor Charles IV to the Church of Our Lady (Frauenkirche) in Nuremberg. Certainly the society had endowed an altar there and at other churches dedicated to the Virgin in Würzburg and Bamberg within seventeen years of its foundation.²¹⁹ These altars were the locations for large funeral masses in memory of members of the society. Such funerals are recorded at Nuremberg in 1443 (for a Georg Schenk and Konrad von Seckendorff) and 1444 (for Georg von Seckendorff) thanks to the wine which the council presented to the society for the occasion.²²⁰ These funerals also involved a meal for those attending, and required an average of 100 people to be accommodated in the town, all under a common safe conduct.²²¹ Although these large gatherings of nobles might be expected to cause some trouble for the townspeople in general, it was actually events within the Frauenkirche which eventually soured the relationship between the Fürspänger and Nuremberg, as we will see below (pp. 71-72).

Other events were organized in Nuremberg by more *ad hoc* groups within the nobility, or in a degree of cooperation with princes. A joust in January 1440 could have been organized by Margrave Friedrich of Brandenburg, who was in attendance, but it could equally have been the initiative of the seventeen

217. StAN Rep. 52b 315 ff. 157^v-158^r.

218. Ranft, ‘Adel und Stadt,’ pp. 56, 59.

219. Andreas Ranft, *Adelsgesellschaften: Gruppenbildung und Genossenschaft im spätmittelalterlichen Reich* (Sigmaringen, 1994), pp. 40-43, 77.

220. StAN Rep. 52b 315 ff. 174^v, 181^r.

221. Ranft, *Adelsgesellschaften*, pp. 87, 95.

named Franconian and Bavarian nobles who were present.²²² Perhaps the largest tournament ever hosted by the nobility in Nuremberg took place in 1434, with 352 participants including Hohenzollern and Wittelsbach princes, organized by the nobles of the 'Four Lands' (Franconia, Bavaria, Swabia and the Rhineland).²²³ The costs for the city were substantial: 71 lb. for wine and 28 lb. for two dances.²²⁴ It was therefore common practice for nobles to be required to make deposits against such events being postponed.²²⁵ Tournaments and even dances could also endanger peace and good order in a town,²²⁶ and consequently permission to hold them was not always granted. In August 1436 Konrad von Seckendorff and other unnamed nobles applied for permission and safe conduct to hold a tournament in Nuremberg, with the backing of Margrave Friedrich of Brandenburg, but were turned down on the grounds that at the last tournament in Nuremberg 'improper things... the like of which never before conceived' had occurred.²²⁷

This refusal has been related to the non-admission at the 1434 tournament of certain citizens of Nuremberg who had been knighted by Emperor Sigismund on the Tiber bridge in Rome,²²⁸ and the importance of these events for our understanding of wider town-noble relations has obscured the significance of the 1436 refusal for the presence of the nobility in Nuremberg. Rudolf Endres has asserted that it represented an abrupt end to the tradition of noble tournaments in Nuremberg,²²⁹ but this was clearly not the case, even if later tournaments were smaller affairs than that of 1434.²³⁰ And such politically charged circumstances as the non-admission of knights dubbed by the emperor to a tournament were not

222. StAN Rep. 52b 315 ff. 151^v-152^r. See also Sander, *Haushaltung*, p. 639; Müllner, *Annalen*, p. 342; and Gustav von Egloffstein, *Chronik der vormaligen Reichsherrn jetzt Grafen und Freiherrn von und zu Egloffstein* (Aschaffenburg, 1894), p. 137.

223. Endres, 'Turniere und Gesellenstechen,' p. 270; Zotz, 'Adel, Bürgertum und Turnier,' p. 485.

224. Zotz, 'Adel, Bürgertum und Turnier,' p. 482.

225. Zotz, 'Adel, Bürgertum und Turnier,' p. 481.

226. Some examples in Demski, *Adel und Lübeck*, pp. 45-46; Zotz, 'Adel, Bürgertum und Turnier,' p. 475; Keller, 'Kontakte und Konflikte,' p. 504.

227. Müllner, *Annalen*, pp. 319-320: 'unbillige Ding... dergleichen zuvor niemand gedenke'.

228. Endres, 'Turniere und Gesellenstechen,' p. 273; Zotz, 'Adel, Bürgertum und Turnier,' p. 485.

229. Endres, 'Turniere und Gesellenstechen,' p. 270.

230. For a tournament organized by the Fürspänger in the 1460s see Ranft, *Adelsgesellschaften*, p. 97.

the only reasons that tournaments and jousting might not be permitted within Nuremberg's walls. The security implications of these events seem to have been foremost in the council's considerations when in February 1444 it refused a request from Sigmund von Seckendorff and Heinrich Tanndorfer to joust in Nuremberg. 'Such things are dangerous (*sorklich*) and not well advised at this moment,' the council wrote; it would, however, grant safe conduct if the nobles wished instead to engage in 'sensible play with lances'.²³¹

Aside from this issue of security, it is far from clear how nobles might have interacted with their burgher hosts in the context of noble events in the town. We know that at Würzburg the Fürspänger society invited the council to its meal at the guesthouse in which the council itself generally entertained visitors.²³² The Nuremberg council would not have qualified for lesser treatment on the grounds of rank or importance. Here we are directly confronted by the paradoxical position of the city council as a guest at an event which it in part hosted, at least in terms of providing essential logistics. Andreas Ranft argues that the councillors were invited to the meal as 'service providers' (*Dienstleistungsgeber*) to the nobility, and thereby not as the nobles' equals.²³³ But in many ways the meals, dances and security arrangements for the nobility's occasions were an extension of the *Weinschenk* which also played a prominent role at these events: they were gifts which honoured those who received them, but in no way implied that the giver was inferior to the receiver. Indeed, to claim the right to give such gifts was itself an assertion of independent movement on the political stage and of course a display of wealth and power – fundamentally, it was an assertion of nobility. Whether the rural nobles read Nuremberg's diplomatic signals in this way is impossible to judge.

Practicalities could certainly be troublesome, given the council's concern for security and control in its urban space, but it must also be remembered that there

231. BB 16 f. 207^{r-v} (3.2.1444): 'wann nu sollichs ding sorklich und zuzeiten nicht wol geratend sein... wurd euch aber synnlich mit dem sper bey uns zu kurtzweyln...'

232. Ranft, *Adelsgesellschaften*, p. 88.

233. Ranft, *Adelsgesellschaften*, p. 95.

was another, annual event which brought nobles to the town very much as guests of the council, and entirely on the council's terms. The *Heiltumsweisung* attracted many rural nobles, and in respect of these visitors has only received less attention than it might do from historians due to the loss of the *Heiltumsbuch*, a record of high-ranking guests at the annual festivities. This book was available to Johann Müllner, who preserved the names of the visitors of comital rank and above,²³⁴ and reduced the remaining nobles to unnamed 'knights and squires'. We also need to consider the presence of nobles *en masse* and 'on parade' at events such as tournaments alongside the more frequent and mundane visits of individual nobles to Nuremberg. I will turn to these visits after examining the role that the town's churches played in the nobility's urban presence.

Nobles and Nuremberg's Churches

For the rural nobility, Nuremberg's churches were as important as any of the other institutions and amenities which the town possessed, but in a very different way. Except for the establishments of the mendicant orders, Nuremberg's monastic and parish churches were in themselves much the same as churches and monasteries in the countryside, but their urban setting was a crucial factor for the nobility. This is suggested by the particular function which these churches performed for nobles as sites of memory and memorialization. Again, the town was a stage, in death as well as in life – but who exactly was the audience, and what was the message that they were supposed to take home? These questions must be borne in mind, but the available evidence draws us to further questions about the changing relationship of the nobility with Nuremberg over the course of the later Middle Ages.

To some extent, the engagement of nobles with Nuremberg's churches appears to follow the pattern of gradual withdrawal from the town which I suggested might apply to noble property and residence in the city. The burial of nobles from

234. Schnellbögl, *Reichskleinodien*, pp. 144-145.

the Egloffstein and Wildenstein families in Nuremberg's mendicant churches is attested during the fourteenth century,²³⁵ but no such burials are known in the fifteenth. In 1370 a Petrissa (or Petronella) von Streitberg was prioress of St Klara's,²³⁶ one of Nuremberg's leading convents, whereas the only evidence that I have found for nobles entering Nuremberg's monasteries in the fifteenth century is for those retiring to the cloistered life. We have already encountered Martin von Wildenstein, who spent his last days with the Carthusians in Nuremberg (pp. 50-51 above), and twelve years earlier, in 1454, Barbara von Seckendorff had entered St Klara's. From 1420 she had been the second wife of the burgher Peter Rieter I, and so was already a long-standing member of Nuremberg's community.²³⁷ Connections between the nobility and Nuremberg's churches continued through the Teutonic Order and the church of St Jakob, which was linked to the Order's headquarters in Nuremberg and under the Order's jurisdiction – but here we are straying beyond the definition of the nobility for the purposes of this study.

The one aspect of noble interaction with Nuremberg's churches which remained strong was the Fürspänger society's tradition of holding funeral masses in the Frauenkirche. The society had endowed an altar there, and kept its own cope and altar cloths in the church for use at these masses.²³⁸ But in 1442 the church warden Stephan Schuler noted that the church itself gained nothing from the society beyond the leftover wax after each service.²³⁹ Later in the century even these masses would become an unintended victim of the city council's desire for complete control over the space within the walls. Andreas Ranft has highlighted two of the council's policies which made the nobles' position at the Frauenkirche too uncomfortable for them to continue to engage with Nuremberg very intensively beyond the 1460s: the council sought increasing control over all of the prebends established in the city, including that attached to the Fürspänger altar, whilst simultaneously driving

235. Egloffstein, *Chronik*, p. 86; Voit, *Wildensteiner*, p. 22.

236. Dieter Zöberlein, 'Vom Rittergut zum markgräflichen Amt Streitberg', *Archiv für Geschichte von Oberfranken*, 85 (2005), p. 46.

237. Fleischmann, *Rat und Patriziat*, ii, 857.

238. Ranft, *Adelsgesellschaften*, p. 82.

239. Ranft, *Adelsgesellschaften*, pp. 83-84.

unbeneficed clergy out of the city, so that the society found it increasingly difficult to find a priest to officiate at the masses. Eventually, the council gained control of the Fürspänger's benefice, and revived it under its own auspices in 1508.²⁴⁰

The Urban Economy

Directly or indirectly, it was Nuremberg's economic role that ultimately drew the nobility to the city. The city's wealth and population density created the churches and civic spaces which the nobility used as their 'stage', and nobles' occasional presence in the town was closely linked to their economic interests too. For instance, the annual *Heiltumsweisung* was accompanied by a trade fair,²⁴¹ which made the connection between social and economic occasions that nobles elsewhere created for themselves by arranging meetings and dances in towns to coincide with markets and fairs.²⁴² Yet economic relations between townspeople and nobles within the city itself are only rarely glimpsed in our sources. Is this because they were so mundane and ubiquitous that they did not generally merit a written record? Historians are no longer predisposed to view the noble economy as autonomous and independent of the urban market, but the questions which this implies await answers.²⁴³ The invisibility of these relations is partly due to the fact that they were often conducted through intermediaries of lower status. Nobles' agents and deputies would have made purchases and collected payments in the town on their masters' behalf, and it was also imperative for nobles that their peasant dependents had access to the market. Complaints about uncustomary tolls and charges for peasants selling goods in the town formed part of the regular lists of grievances against Nördlingen drawn up by the counts of Oettingen.²⁴⁴ But does this surprising absence of evidence for economic relations in the town also reflect something of their nature and perhaps also their extent?

240. Ranft, *Adelsgesellschaften*, pp. 82-84.

241. Schnellbögl, *Reichskleinodien*, pp. 129-137.

242. Ranft, 'Adel und Stadt,' p. 56; Keller, 'Kontakte und Konflikte,' p. 503.

243. Sven Rabeler, 'Adliges Wirtschaften und städtische Märkte. Ökonomische Beziehungen zwischen Adel und Stadt im Mittelalter', unpublished paper presented at the conference 'Turnier, Tanz und Totengedenken. Stadt und Adel im Mittelalter' (Schaffhausen, 2014).

244. Kießling, *Stadt*, pp. 85, 90.

By the fifteenth century Nuremberg had gained a Europe-wide reputation for the products of its craftsmen, especially in metalwork, and most especially for its weapons and armour. This industry would obviously have been of considerable interest to the nobility, and we can only suppose that the meagre records of nobles' interactions with Nuremberg's armourers are fragments of a substantial relationship. This is certainly strongly suggested by a letter which the inner council wrote in 1405 to Wilhelm von Pappenheim, asking him to return a helmet which he had taken by mistake from the workshop of Elsbeth, wife of Andreas Trumpler.²⁴⁵ Friedrich von Heideck had brought the iron helmet to the workshop for it to be 'made ready and completed', but when Pappenheim visited the workshop independently he was mistakenly informed by Elsbeth's servant that the helmet belonged to Schweiker von Gundelfingen. The Gundelfingen and Pappenheim families were from the same region, and Pappenheim decided to take the helmet on Gundelfingen's behalf. The involvement of the council was then needed to undo the servant's error. There is no suggestion that Pappenheim's personal presence in the workshop was in any way unusual, and we could even imagine the workshop as a kind of meeting place for the rural nobility of the region – even if they did not encounter one another personally there, they certainly encountered each other's personal and prized armour. As well as armour, we also find nobles paying for cannon²⁴⁶ and carpentry²⁴⁷ from Nuremberg, and we have already come across Michael of Wertheim seeking the services of medical professionals. Our few sources mainly concern disputes over payment,²⁴⁸ and it can be presumed that many similar transactions passed off without incident.

The importance of the town's market for the nobility might be expected to have left more traces. Certainly city-dwelling merchants kept records of transactions which have occasionally survived. A well-known example is the trading book

245. BB 1 f. 61^{r-v} (24.9.1405?).

246. BB 5 f. 88^v (3.10.1422).

247. BB 4 f. 123^v (26.11.1415).

248. See BB 17 f. 228^r (4.3.1445); BB 18 f. 223^{r-v} (24.4.1447).

of the Holzschuher family of Nuremberg from 1304–1307,²⁴⁹ which reveals that two-thirds of the Holzschuhers' debts for cloth (in terms of both the value and the quantity of the cloth) were contracted by nobles.²⁵⁰ Few sources have yet come to light for the fifteenth century, though a full study of the records of the burgravia *Landgericht* might reveal much more (see also pp. 218-219). In January 1439 Konrad Tanner of Nuremberg brought a case in the *Landgericht* against Hans von Künsberg over debts for cloth (which was not produced in Nuremberg in any great quantity, but was obviously much traded there).²⁵¹ The council certainly helped nobles to obtain luxury fabrics via the city market: a black silk cloth (*atlaß*) was sent to Johann of Guttenstein at his request,²⁵² though the council were unable to procure any black samite with gold decoration for Count Ludwig of Württemberg.²⁵³

The Bohemian Aleš of Sternberg had a rather more intriguing interaction with the urban market: at some point before January 1432 he purchased a consignment of unspecified merchandise (*kauffmanschacz*) from Jan Klupatz of Pilsen (Plzeň), for 300 Gulden on credit.²⁵⁴ This transaction probably took place in connection with the imperial diet in Nuremberg of February and March 1431, after which Sternberg remained in the town until at least 20 May.²⁵⁵ It became part of an increasingly bitter dispute (and later feud – see pp. 290-292 below) between Sternberg and Margarete Pirgerin of Nuremberg when Sternberg accused her of impounding 182 Gulden on account of Sternberg's supposed debts to the now deceased Jan Klupatz (Sternberg maintained that he had repaid Klupatz²⁵⁶), with which she was supposed to redeem Sternberg's pledges in Nuremberg.²⁵⁷ Sternberg also accused

249. *Das Handlungsbuch der Holzschuher in Nürnberg von 1304–1307*, eds. Anton Chroust and Hans Proesler (Erlangen, 1934).

250. Rabeler, 'Adliges Wirtschaften'.

251. StAN Rep. 119a 115 f. 11^v.

252. BB 17 f. 26^v (19.5.1444).

253. BB 14 f. 106^v (9.1.1440).

254. StAN Rep. 2c 19 f. 1 (23.1.1432). For the identity of Jan Klupatzen see *ibid* f. 3^v.

255. BB 9 f. 112^{r-v} (20.5.1431).

256. StAN Rep. 2c 19 ff. 2^v-3^r (20.3.1432).

257. StAN Rep. 2c 19 ff. 1 (23.1.1432), 2^v-3^r (20.3.1432).

Pirgerin of abandoning the *Kaufmannsschatz* purchased from Klupatz, which she had promised to bring to Nuremberg, and suggested that since she did not act as she had promised, she may have been complicit in its loss; on top of this, she was supposedly withholding his register of business in Nuremberg (*meine register... darInne alle meine sache beshriben seint, die ich do zuhandeln habe*).²⁵⁸ Sternberg's financial affairs in Nuremberg were evidently extensive enough to require this register for their management, but it seems unlikely that he was genuinely engaged in commercial activity with the merchandise he had purchased. In 1437 he stated that both the merchandise and the 182 Gulden were intended for the repayment of his debts in the city.²⁵⁹

It is only when we enter the fields of banking and finance that the true scale of the nobility's economic engagement with Nuremberg begins to become apparent. Many nobles were just as capable of extending credit as they were of receiving it, and consequently many financial relations formed networks which included both town and country. But the town as a central space within this network performed certain important functions. In the first instance, it was simply a clearing house for all sorts of payments and transactions. Leopold of Leuchtenberg was to collect his pay from the archbishop of Mainz for service against the Hussites at Sigmund Stromer's house in Nuremberg,²⁶⁰ and the emperor Sigismund frequently made payments to his retainers via Nuremberg financiers.²⁶¹ In 1415 Landgrave Johann of Leuchtenberg agreed to pay his cousin Landgrave Georg an annual stipend of 200 or 300 Gulden, to be collected in Nuremberg.²⁶² A more unusual payment was the 498 Gulden which Fritz and Hans von Waldenfels were supposed to receive at the house in Nuremberg belonging to Heilsbronn monastery. The council maintained that this was a ransom paid by Jakob Tyrhabter of Augsburg, and refused to allow its

258. StAN Rep. 2c 19 ff. 2^v-3^r (20.3.1432), 4^{r-v} (31.3.1434).

259. StAN Rep. 2c 19 ff. 5^r-6^r (9.4.1437).

260. Illuminatus Wagner, *Geschichte der Landgrafen von Leuchtenberg* (3: *Die Zeit der grossen Verkäufe 1407 – 1487*), 6 vols. (Kallmünz, 1951), p. 63.

261. Examples: Wagner, *Leuchtenberg* 3, p. 80; Regesta Boica 13 p. 191 (14.1.1431); BB 14 ff. 105^v-106^r (9.1.1440).

262. Wagner, *Leuchtenberg* 3, pp. 32-33.

collection (see also pp. 296-297).²⁶³ The council itself could also play an active role in the transmission of payments in Nuremberg; they were to receive the 1,800 Gulden which Konrad von Limpurg and Heinrich von Pappenheim owed to Hans Ungnad, the royal chamberlain. The council also had the debt bond in its possession.²⁶⁴ This arrangement was made near to the end of Frederick III's stay in Nuremberg in 1444, and the council may well not have accepted this role as an intermediary if it were not for the importance at an imperial level of the nobles concerned.

Although finance could be raised in many places and in many ways, the town obviously offered a concentration of financial services which brought nobles within the walls. In February 1422 Johann of Leuchtenberg was desperately trying to raise funds to repurchase the castle of Grafenwöhr from the Count Palatine before a deadline to do so expired: he tried to do this in Nuremberg, although the money was due to be repaid in Regensburg, and time became so tight that he had to ask the *Landrichter* of Amberg whether he could not receive the money in Nuremberg instead. (Leuchtenberg failed to meet the deadline, and lost his claim to Grafenwöhr.)²⁶⁵ Given a more relaxed schedule, nobles could probably arrange credit via their political and social networks, but Nuremberg also housed an important financial institution in the shape of the city's Jewish community. It is difficult to say exactly how Jewish financiers related to wider credit networks, but noble interaction with Jewish finance was more likely to be exclusively financial than credit relations with Christian citizens, and therefore more closely tied to the physical presence of the Jews in Nuremberg.²⁶⁶ Many of these loans would also have been secured on valuable pledges lodged with the lenders in Nuremberg, and nobles sometimes sought the council's intervention to prevent the sale of these pledges after they had defaulted.²⁶⁷

263. BB 16 ff. 228a-228f (2.3.1444).

264. BB 17 f. 124^r (10.10.1444).

265. Wagner, *Leuchtenberg* 3, p. 52.

266. For examples of loans from Nuremberg Jews see: BB 9 f. 29 (3.8.1430); BB 14 f. 103^r (5.1.1440); BB 15 ff. 185^v-186^r (7.2.1442); BB 17 f. 83^{r-v} (24.7.1444); BB 18 ff. 6^v-7^r (19.7.1446); BB 18 ff. 384^v-385^r (10.11.1447).

267. BB 17 ff. 160^v-161^r (25.11.1444), 193^v (20.1.1445).

The city and its citizens also performed a basic banking function for rural nobles by accepting deposits of their money and important documents. These relationships only become visible when they became troublesome, for instance in the case of Hans von Hirschhorn, who in 1440 repeatedly asked Nuremberg to continue holding a document of his beyond the originally agreed date, to which Nuremberg reluctantly agreed. (The deadline for the document's collection slipped from April to June to August.)²⁶⁸ Predictably, problems could arise when a depositor died and his heirs tried to gain access to the documents: Peter Heyden of Nuremberg found himself in this predicament over a sealed chest of documents which was left with him by the Münzmeister family and requested by the Grumbach clan and Burkhard Schenk von Roßberg.²⁶⁹ The most explosive incident of this sort was the claim by Hans and Fritz von Waldenfels that their father Kaspar had entrusted to Heinrich Imhoff a document which was worth 40,000 Gulden to them, and that Nuremberg was withholding this letter from them 'with violence, unjustly and arrogantly' (see also p. 296).²⁷⁰ With this clear potential for trouble, why did towns undertake to guard documents and even cash for nobles? It was certainly a widespread practice: a good example from beyond Nuremberg is that of Hans von Gemmingen (c.1410–1490), who lodged debt bonds worth 1,000 fl. and 2,900 fl. and 5,000 fl. cash with the council of Heilbronn.²⁷¹ Most probably the disruptive potential of these arrangements was just a side-effect of their value to Nuremberg and its citizens of the relationship of trust which was reinforced by the original deposit of the documents or money. This was an important way of strengthening ties with the nobility which involved both diplomatic exchange and creating an urban presence for the nobility which was entirely under the council's control.

268. BB 14 ff. 153^v (26.3.1440), 185^v-186^r (10.6.1440).

269. BB 14 ff. 158^v-159^r (9.4.1440), 173^v-174^r (18.5.1440).

270. Otto von Waldenfels, *Die Freiherrn von Waldenfels. Stammfolgen mit urkundlichen Belegen. I. Teil (von 1248 bis Mitte des 16. Jahrh.)* (Munich, 1952), p. 154. BB 16 228a-228f (2.3.1444): 'mit gewalt, onrecht, und in hohemüt'.

271. Andermann, 'Einkommensverhältnissen,' p. 69.

The more that the economic shades into the political, the closer we come to grasping the extent and significance of particular forms of relationship between town and nobility. Is this a reflection of the nature of these relationships, or of the surviving sources? Economic interaction was surely far more extensive than can be directly observed, but we should also guard against assuming an economic centrality for the fifteenth-century city commensurate with that of cities today.

Hosts and Agents

Economic, social and political aspects of the nobility's interaction with the town met in the person of the 'host' (*wirt*) who managed a noble's business in the city. A number of burghers are mentioned as 'hosts' of particular nobles, though never as an explicit reference to the nobles actually lodging with these citizens. That nobles did stay with individual burghers as well as or instead of staying at hostelries in the city seems likely, and can possibly be glimpsed in several sources. A number of cases in the burgracial *Landgericht* concern debts for 'board' (*zerung*), including a claim by Adam Braunwart relating to a 30 Gulden debt incurred by Jakob von Streitberg, part of which Braunwart had loaned to Streitberg, and part of which Streitberg had consumed at Braunwart's (*czu im verczert*), and for a 10 Gulden debt by Jakob's brother Hans, also for board, this time explicitly at Braunwart's house (*domus*).²⁷² Some nobles who received wine from the council also appear to have been staying with particular burghers at the time: Georg von Murach with Paul Vorchtel in 1444,²⁷³ and a count of Henneberg, Count Ernst of Gleichen and various Saxon courtiers with Martin Haller later the same year.²⁷⁴ However, the burghers that we encounter under the title of 'host' are all to be found managing nobles' affairs in Nuremberg in the nobles' absence.

These burghers included Konrad Hersbrucker, named as host of Heinrich von Plauen in 1422,²⁷⁵ Endres Haller as host of Johann of Leuchtenberg in 1432,²⁷⁶ and

272. StAN Rep. 119a 115 f. 12^r. Other examples: Rep. 119 27 (24.10.1431); Rep. 119a 115 f. 11^v.

273. StAN Rep. 52b 315 f. 177^r.

274. StAN Rep. 52b 315 f. 180^r.

275. BB 5 f. 208^r (21.3.1422).

276. BB 9 f. 223^r (27.3.1432).

Heinrich Imhoff as host of Kaspar von Waldenfels (active 1393–1441).²⁷⁷ The best recorded of these relationships is that of Ulrich Fütterer and Aleš of Sternberg, thanks to Aleš' long-running dispute with Margarete Pirgerin. Fütterer was a wealthy merchant with trading interests at Milan and Antwerp;²⁷⁸ we first hear of his connection to Sternberg in January 1432, and the Bohemian had probably stayed with Fütterer during Sigismund's imperial diet at Nuremberg in spring 1431. Fütterer was handling payments that were supposed to be made to and by Sternberg in Nuremberg, and despite the fact that most of these transactions seem to have gone awry, Sternberg referred to Fütterer in 1434 as 'my dear host' (*mein lieber wirt*).²⁷⁹ Fütterer died in 1436, and as Sternberg continued to make his demands for compensation he recalled money which was supposed to have been deposited with Fütterer when Sternberg had 'stood' in relation to him (*alz ich zu Im stund*).²⁸⁰ The difference between the courteous manner in which Sternberg refers to Fütterer and the invective that he heaped on Margarete Pirgerin (see below, pp. 210-211) shows clearly that the 'host' was more than just another agent in the city, and indeed the language of 'standing' with one's host suggests the role of a patron somehow responsible for his guest.

Long-term relationships between hosts and guests can be seen elsewhere too. Johannes Rothe (c.1360–1434) in his *Thuringian Chronicle* tells us that in 1370 Burgrave Albrecht of Kirchberg often stayed in Erfurt at the house of the burgher Heinrich 'of the Paradise' (*do lagk her zu herberge*) – this led to Albrecht seducing Heinrich's wife, and Heinrich's killing of Albrecht in revenge.²⁸¹ Burghers had hosts too, for instance Hans Götzen for the Nuremberger Niclas Sieghart at Erfurt,²⁸² and Kilian Leinecker for all citizens of Nuremberg at Schorndorf, around

277. BB 16 f. 228b^{r-v} (2.3.1444).

278. Fleischmann, *Rat und Patriziat*, ii, 404.

279. StAN Rep. 2c 19 f. 4^{r-v} (31.3.1434).

280. StAN Rep. 2c 19 ff. 5^r-6^r (9.4.1437).

281. Johannes Rothe, *Düringische Chronik des Johannes Rothe*, ed. Rochus v. Liliencron (Jena, 1859), p. 619.

282. BB 3 f. 65^v (14.6.1410).

30 km east of Stuttgart (*der auch unser und der unsern wirt daselbs ist*).²⁸³ Despite the fragmentary evidence, we can see that the 'host' as a provider of accommodation and an agent was a commonplace arrangement, including between townspeople and rural nobles. The business dimension of the relationship should warn us against reading too much sociability into it without further evidence, but clearly this was one way in which townspeople and nobles could enter into close and multifaceted relationships, originating in the nobles' need to engage with the urban economy from a distance.

Conclusion: the distant centre?

There can be no doubt as to the scale of the rural nobility's presence in Nuremberg. Nobles of all sorts were frequently found in the town in various capacities, so that the council could tell a noble from even the outermost reaches of the city's hinterland (Hintze Pflugk of Schwarzenburg, near the Bavarian-Bohemian border) that they would speak to him about a certain matter next time he came to Nuremberg.²⁸⁴ But nobles were almost always in the city on a short-term basis, and subject to fairly intensive and increasingly intrusive regulation by the city council as to their status within the walls and possibly the duration of their stay as well. Despite the importance of Nuremberg's spaces, churches, markets and financial services for nobles, it seems unlikely that nobles ever had much chance to feel themselves to be stakeholders in Nuremberg as either an imperial city or a regional centre. Their presence there was too temporary and precarious, a situation which could well have conflicted with nobles' recurrent and unavoidable need for the town in so many ways. If the town was a stage for the nobility's self-presentation, it was a rented auditorium with borrowed props and scenery. As an economic centre of gravity it never quite allowed those who felt its pull to find their feet. Suspended in an intermediate state as guests honoured with gifts but never allowed to outstay their welcome, they often needed the intervention of their hosts to complete their connection with the city's amenities and opportunities.

283. BB 14 ff. 215^v-216^r (8.8.1440).

284. BB 16 f. 105^{r-v} (13.8.1443).

We may need to rethink Nuremberg's centrality in relation to the rural nobility. Nuremberg's general centrality is plain to see in its status as a German, if not a European metropolis in the fifteenth century. For the majority of nobles who visited Nuremberg, it was also their local city: probably not the centre from which they sourced day-to-day necessities, but still the leading central place in their region. In this respect Nuremberg for the rural nobility of its region was comparable to the importance of Newcastle for a resident of Durham today. But I believe that there are good reasons to reject this direct analogy based on the hierarchy of urban centrality. The city was not as central to the noble economy as a city is to the residents of its hinterland today, and was probably important mainly for relatively occasional purchases of luxury and specialist goods. Nobles would also not have needed to travel personally to Nuremberg for more routine business, and the social contexts in which they came to the city were all extraordinary in the sense of non-routine, however frequently they may have recurred. Furthermore, there were not insignificant barriers to nobles' involvement in Nuremberg life. These were not erected against them, but were an unavoidable consequence of the council's remorseless drive and (perceived) urgent need to control everything and everyone within the walls. These factors could have combined to make Nuremberg less like Newcastle to a resident of modern-day Durham, and more like London: economically and culturally dominant, socially a major point of reference, but always somewhat distant. In the case of Durham and London this distance is primarily geographical; for Nuremberg and the rural nobility it was also economic, social and political. In addition, there are signs that this distance was widening over time.

Fig. 2: Tüchersfeld, 42 km north east of Nuremberg (2012)



3.

THE COUNTRYSIDE: LORDSHIP AND LAND

The distance between the rural nobility and the urban space had much to do with the relationship between nobles and townspeople, but ultimately it was also a consequence of nobles' very deep roots in the countryside. The countryside not only sustained nobles, it made the nobility possible as a social class: without the long-term security of landowning within an agrarian economy as a source of wealth the very concept of a hereditary nobility on a large scale would have been untenable. Of course, the countryside was equally vital to the town, and where nobles controlled rural space and resources they ensured a certain dependency of townspeople on their rural lordship. But the countryside was both the nobility's strength and its greatest weakness. In comparison to the town, its wealth (and therefore population) was dispersed over a very wide area, and the space and its economic potential were consequently harder to control and direct towards any single interest, either communal or individual. In the particular conditions of fifteenth-century Franconia, no person or group could exercise authority over a coherent, contiguous and bounded rural space with the same economic power as was contained within the well-defined urban area. The economic potential of princes or groups of nobles was tremendous, but it was fragmented. This made rural authority porous and – unless control could be extended and maintained over sufficient space and resources – potentially impoverished. We can hardly know how any one noble, let alone a majority of nobles felt towards their rural patrimony, except in the atypical case (and stylized self-presentation) of the sixteenth-century humanist Ulrich von Hutten, for whom the countryside was a place of poverty (at least for his 'starveling peasants'), dirt, unpleasant smells, and unremitting mindless toil.²⁸⁵

285. Ulrich von Hutten to Wilibald Pirckheimer, 25.10.1518. Translated: Thomas Brady, 'A Nobleman Transformed by Education and Travel – Ulrich von Hutten (1488-1523)', *German History in Documents and Images*, accessed 26.11.2015: http://germanhistorydocs.ghi-dc.org/sub_document.cfm?document_id=3707.

Whatever the nobility's attitude towards the countryside, it was undeniably *their* countryside. At the village level they had no real rivals for power, as the authority of the princes was either absent or devolved to a noble district governor with substantial *de facto* independence.²⁸⁶ But the town and townspeople also had a substantial presence in the rural space, provoking debate and controversy both then and now. As we saw above (pp. 11-13), the main charge against the 'haughty burghers' in the *Complaint of the Rightful Lordship of the Nobility* was that they had been appropriating, seizing and buying up princely lordship – towns, castles, lands, people and property – fortifying this land, and wishing to be rulers, judges and noblemen themselves, 'all without reason' (*unberuffter sach*).²⁸⁷ We will see, however, that the theoretical objections to townspeople as rural landlords were disregarded in practice time after time, and not least by nobles themselves. Nobles and burghers were partners as well as competitors in the rural space, but this did not necessarily reduce conflict or tensions between them as each other's neighbours, lords and subjects in the countryside. The noble experience of townspeople in the countryside is hardly more accessible to us than burghers' experience of nobles in the town, but close examination of the nature and dynamics of burghers' rural interests can suggest answers to some of our questions about how nobles and burghers understood one another as members of a common community in the countryside.

The *Complaint* would have us believe that townspeople had no 'reason' to involve themselves in rural lordship. It was supposed to be against their sworn commitment to urban, communal life. This apparently paradoxical attraction of the countryside for the urban elite has intrigued historians too, and an assessment of the motivations for burgher rural lordship can inform our understanding of its consequences for relations between townspeople and the rural nobility. We will see that multiple impulses lay behind the presence of townspeople in the countryside, and this is reflected in two broad categories of interaction with the

286. See Zmora, *State and nobility*, p. 42.

287. Bayerische Staatsbibliothek ms. Cgm 4930, f. 20^r.

rural nobility, which I will address separately: one concerns the ownership of and lordship over rural land and dependent rural residents by the civic authorities, urban institutions controlled by these authorities, and by individual burghers; the other is the town's concern with security and control throughout the entire rural space, beyond their own landholdings, which will be considered in chapter four. Although the constrained, concentrated urban space creates something of a literal focal point for town-noble relations, the real focus of this relationship is in many ways on the countryside, where townspeople had a permanent and deep involvement which contrasted with the impermanence of the nobility in the town. As both a cause and a consequence of this deep involvement, the issues at stake between town and nobility in the countryside were of even greater significance than those which played out in the town.

Who's Whose? Contested Peasants and Burghers

In much of southern Germany, the central issue between town and nobility concerning the rural land and its people was what happened when land and people were separated – when rural residents either left the land to live in the town, or when the town extended its authority over country dwellers without also exercising lordship over their locality. Both processes raised difficult questions about the town's capacity to accept as burghers individuals who had previously been dependent peasants of the rural nobility. For Hermann Mau (historian of the noble society of St George's Shield, writing in 1941) this 'burgher question' (*Bürgerfrage*) was the 'pinnacle' of the clash of interests between town and nobility.²⁸⁸ Certainly it was a major source of tension in this relationship, but it is important to note that the disruptive potential of this issue extended far beyond town-noble relations. Ultimately, all independent political authorities – towns, nobles, princes and churches – were in competition for one of the most valuable resources which any of them could possess: a subject population and the related control over the land worked by this population. Overlords naturally

288. Mau, *Rittergesellschaften*, p. 109.

did everything they could to defend against attacks on this resource, whilst on the lookout for opportunities to go on the offensive themselves. Therefore the nobles of St George's Shield, whilst complaining vehemently about the towns' appropriation of their dependents, were also constantly concerned to prevent (or at least regulate) the movement of dependents between themselves. Corresponding clauses appeared in the majority of the society's charters between 1406 and 1482.²⁸⁹ As an example of nobles looking to 'poach' dependents (albeit indirectly) we can take Counts Haug and Ulrich of Montfort's 1409 privilege for their town of Bregenz, which allowed the town to accept burghers from imperial or territorial towns or from the countryside beyond the Montforts' jurisdiction.²⁹⁰

Thus there were no real gamekeepers in the business of rural lordship, and plenty of poachers willing to put on the gamekeeper's coat when threatened by the tactics which they themselves used against others. But the discussion, both medieval and modern, has focused on the towns' ability and propensity (and particularly that of the more substantial imperial cities) to enlarge their subject populations at the expense of princes and the nobility. In part this reflects the inevitable reality of rural to urban migration in any developing economy, such as that of late medieval Germany. This was perhaps such an omnipresent movement of people that it attracted little overt comment at the time and has been beset with misconceptions in modern scholarship. In particular, the well-worn tag 'Stadtluft macht frei' ('the town's air sets you free') seems to better reflect anachronistic assumptions about 'civic freedom' and noble autocracy than any genuine medieval experience – though for some it may have been advantageous to exchange the rule of a noble lord for that of a city council. The exact role that this migration played in town-noble relations is also surprisingly difficult to determine. It was a regular feature in the periodical lists of complaints exchanged between the counts of Oettingen and the town of Nördlingen, and was regulated by the two in 1452: the counts

289. Herbert Obenaus, *Recht und Verfassung der Gesellschaften mit St. Jörgenschild in Schwaben. Untersuchungen über Adel, Einung, Schiedsgericht und Fehde im fünfzehnten Jahrhundert* (Göttingen, 1961), p. 20.

290. Obenaus, *Recht und Verfassung*, p. 21 n. 42.

agreed to renounce all of their dependents who had already moved to the town, and promised to ask for moderate compensation in the future.²⁹¹ But for the most part this issue as a matter for controversy is overshadowed by (and sometimes impossible to distinguish from) the towns' success in attracting burghers who remained resident in the countryside. These external citizens or 'outburghers' were and are most commonly known as 'paleburghers' (*Pfahlbürger*), a term first attested around 1230.²⁹² The phenomenon was especially pronounced in the South West of the German-speaking lands: Zurich received 700 paleburghers in the period 1350–1400, and 400 in 1401 alone,²⁹³ whilst Lucerne took on 1,000 in the years 1385 and 1386.²⁹⁴ In 1503 the paleburgher network of Freiburg im Breisgau totalled 150 households, equivalent to a tenth of the urban population.²⁹⁵ This process led, in the view of Peter Blickle, to 'defeudalization' in the area of modern-day Switzerland, and allowed towns to buy up rural lordships cheaply by first undermining them. Similarly, Hermann Mau envisaged the towns thriving at the nobles' expense by draining them of their best dependents and by 'hollowing out' their lordships.²⁹⁶

According to this assessment, we might expect the paleburghers to be a substantial source of conflict between townspeople and nobles. As might equally be expected, this was perhaps not always the case: in 1340 the knights Brun and Burkhard von Erbach allowed a number of their peasants to become burghers of Ulm, and asked the city to protect these dependents.²⁹⁷ (It is not clear whether this arrangement was mutually beneficial, whether it was forced onto the Erbacher

291. Kießling, *Stadt*, p. 89.

292. Zotz, 'Adel in der Stadt,' p. 31.

293. Peter Blickle, "'Doppelpass" im Mittelalter. Ausbürger in oberdeutschen und schweizerischen Städten und der Verfall der feudalen Herrschaft', in Helmut Bräuer and Elke Schlenkrich (eds.), *Die Stadt als Kommunikationsraum. Beiträge zur Stadtgeschichte vom Mittelalter bis ins 20. Jahrhundert. Festschrift für Karl Czok zum 75. Geburtstag* (Leipzig, 2001), p. 40.

294. Blickle, 'Doppelpass,' p. 42.

295. Tom Scott, *Freiburg and the Breisgau. Town-Country Relations in the Age of Reformation and Peasants' War* (Oxford, 1986), p. 82.

296. Mau, *Rittergesellschaften*, pp. 13, 64-65, 106.

297. Gustav Veesenmeyer and Hugo Bazing (eds.), *Ulmisches Urkundenbuch Bd. 2. Tl. 1. Die Reichsstadt. Von 1315-1356* (Ulm, 1898), no. 194. Mentioned in Otto Hohenstatt, *Die Entwicklung des Territoriums der Reichsstadt Ulm im XIII. und XIV. Jahrhundert* (Stuttgart, 1911), p. 86.

by Ulm, or whether it simply regularized an existing state of affairs.) But the paleburgher question was very much a live issue at the highest political level. High-profile imperial prohibitions on paleburghers were issued in 1231,²⁹⁸ 1356,²⁹⁹ 1389,³⁰⁰ and 1431.³⁰¹ The first three proclamations in this series (contained in the so-called *Statutum in favorem principum*, the Golden Bull of Charles IV, and his son Wenceslas' Eger *Landfriede* respectively) were driven by the demands of the princes, but Sigismund's statute against the paleburghers of 1431 was, as we will see shortly, a product of the relations between the Swabian towns and their noble neighbours. The *Bürgerfrage* was a focal point in town-noble relations in Swabia and on the Upper Rhine from an earlier date, however. In 1372 Charles IV told Straßburg (Strasbourg) that the lords and knights in Alsace were unwilling to make peace on account of their dependents which Straßburg had received as burghers.³⁰² And the dispute ran right through society from the imperial level down to court cases brought by an individual noble against a particular town, such as that of Hans von Landeck against Freiburg im Breisgau in 1452, in which Landeck called upon the Golden Bull and Sigismund's 1431 statute.³⁰³

But the *Bürgerfrage* dispute which had the most far-reaching consequences was that between the Society of St George's Shield and the Swabian League during their negotiations for an alliance under the patronage of King (and later Emperor) Sigismund between 1426 and 1434, which continued in attenuated forms until at least 1440.³⁰⁴ By the time Sigismund arrived on the shores of Lake Constance in late 1430, it was already clear that the paleburghers were the main stumbling

298. Ludwig Weiland (ed.), *Constitutiones et Acta Publica Imperatorum et Regum* (Hanover, 1846), no. 304 (p. 419).

299. Wolfgang Fritz (ed.), *Die Goldene Bulle Kaiser Karls IV. vom Jahre 1356* (Weimar, 1972), pp. 71-73.

300. RTA 2, p. 165.

301. RTA 9, p. 566. See also Mau, *Rittergesellschaften*, pp. 116-134.

302. Obenaus, *Recht und Verfassung*, p. 27 n. 72.

303. Scott, *Freiburg*, pp. 84-85.

304. For the main phase of the negotiations see Mau, *Rittergesellschaften*, pp. 60-203. For the later phases see Mau, *Rittergesellschaften*, pp. 216-247; Harro Blezinger, *Der schwäbische Städtebund in den Jahren 1438-1445. Mit einem Überblick über seine Entwicklung seit 1389* (Stuttgart, 1954), pp. 53-54; Konzen, *Aller Welt Feind*, pp. 95-96; BB 14 109^v-110^r (17.1.1440), 116^{r-v} (3.2.1440), 119^v-120^v (11.2.1440). See also pp. 225-227 below.

block between the two leagues, and that this was making the king ill-disposed towards the towns.³⁰⁵ His statute against the paleburghers, issued in March 1431, was perceived by the towns as a grant made to the knighthood of St George's Shield and to the detriment of the Swabian League, though Sigismund's intention was to remove the main hindrance to an alliance between the two.³⁰⁶ It had little effect on either the paleburgher situation or the alliance negotiations: Ulm simply advised its partners in the Swabian League to act with great discretion when it came to receiving new burghers for as long as the king was in Upper Germany.³⁰⁷ The paleburgher question was still at the heart of the matter when negotiations finally petered out early in 1440.³⁰⁸ The reasons for the failure of these efforts certainly extended beyond the matter of the paleburghers, but there is abundant evidence that it was a much debated and hotly contested issue over a long period of time. It was also the most concrete of the issues at stake, around which wider, less definite fears and frustrations could coalesce. The question of the paleburghers may well have become something of a symbol of noble demands for change and compromise, and of the towns' intransigent response.

The paleburghers were therefore a major part of the south German landscape of town-noble relations, with which Nuremberg was intimately linked. Nuremberg remained distinct from the Swabian towns in a number of ways, however, and perhaps the chief of these was its complete lack of paleburghers. There can never be a clear answer as to why Nuremberg did not utilize an instrument for the extension of urban power over the countryside which was so vigorously deployed elsewhere. No doubt Nuremberg's guiding political principle of scrupulous loyalty to the monarchy played a major role, though the different structure of Nuremberg's economy from those of the Swabian towns may have been the really decisive factor: paleburghers would have contributed little towards protecting Nuremberg's long-distance trade or its access to the timber

305. Mau, *Rittergesellschaften*, pp. 110-111, 118.

306. Mau, *Rittergesellschaften*, pp. 100-134.

307. Mau, *Rittergesellschaften*, pp. 133-134.

308. Blezinger, *Städtebund*, p. 60.

and mineral resources of its region, whereas in Swabia the paleburghers helped towns to control rich agricultural hinterlands which were an integral part of their important cloth industries. Compared to these two factors, any desire not to antagonize the regional nobility would probably have weighed only lightly in the council's considerations. More by accident than design, Nuremberg found itself without the burden of controversial paleburghers in its relations with its noble neighbours. This is important to bear in mind as we move forward to consider the significance of other causes of antagonism between townspeople and nobles, as well as discourses about town and nobility which spanned Upper Germany. In the meantime it is also important to note that beyond one or two very fragmentary references little of the entire *Bürgerfrage* complex of issues is visible in the correspondence between Nuremberg and the nobility which I have analysed. However, the lack of paleburghers hardly hindered Nuremberg and its citizens from asserting themselves in the countryside as landowners.

Burghers as Rural Landowners

Why did townspeople throughout the German-speaking lands acquire so much rural property? We have already noted the attitude of the anonymous author of the *Complaint of the Natural Lordship of the Nobility* towards the 'unnatural' authority of the burghers in the countryside, and we must now consider why rural property-holding was in fact so very normal for so many burghers if we are to understand its implications for their relationships with the rural nobility. Extensive scholarship on various aspects of town–country relations in the late Middle Ages has already identified a wide range of potential motives for burgher rural landholding, commensurate with the diversity of the phenomenon itself. Individual burghers and urban corporations ranging from parish churches and charitable hospitals to city councils themselves collectively owned an array of rural property, including all types of agricultural land (especially arable land, meadows and vineyards), village jurisdictions and lordship rights, and rural infrastructure such as mills and trip hammers for metalworking (the latter were especially

important to Nuremberg's economy). No object of rural lordship or economic life was too big or too small to attract townspeople's attention: some towns took over the administration of substantial areas of the countryside in a single transaction, whilst other burghers claimed the smallest of lordship dues (such as the proceeds from church fairs) or purchased annuities which were secured on specific pieces of rural land without ever having actual possession of the land itself.

The motivations for and dynamics of burgher rural landholding have to be deduced from its observable structures and patterns. What was purchased, where the purchases were located, how they were purchased and from whom, and how they were administered or exploited after purchase are the key indicators.³⁰⁹ But it is also important to consider how the different actors within the urban community related to one another in their acquisition of rural lands and rights. Often it is impossible to distinguish between the actions and strategies of individuals, corporations and communes, meaning that behaviour at any one of these levels could have been subordinate to the interests of another. Elsbet Orth has emphasized the unity of Frankfurt's individual and corporate acquisitions policy,³¹⁰ and Bernd Schneidmüller notes that Frankfurt's patricians often acquired smaller parcels of land within a larger district once the town or another individual had taken control of the area.³¹¹ Does this mean that the town might acquire land and jurisdictions in order to create opportunities for its citizens to invest in the surrounding area with more confidence and security? Certainly citizens could take advantage of a town's expanding control over its surroundings, and powerful individuals undoubtedly sought to influence communal policy in their interests. In the case of Nuremberg, Valentin Groebner has noted that the Tucher family initially focused on the area to the immediate north of the city, and then spread their interests following the expansion of Nuremberg's territory in the

309. Compare Elisabeth Raiser, *Städtische Territorialpolitik im Mittelalter. Eine vergleichende Untersuchung ihrer verschiedenen Formen am Beispiel Lübecks und Zürichs* (Lübeck & Hamburg, 1969), p. 20.

310. Orth, *Fehden*, p. 99.

311. Schneidmüller, 'Territorialpolitik,' p. 124.

early sixteenth century. As part of this process, Georg Holzschuher was deputed to negotiate the purchase of Hersbruck, Reicheneck and Heideck in 1505, and pushed for the acquisition of Heideck in particular as he was involved in a legal dispute over property there.³¹² In the most extreme case of an individual's influence over communal affairs, Heinrich Toppler of Rothenburg ob der Tauber almost single-handedly created his town's later territory – which by 1430 covered 400 km² – between 1383 and 1406, initially as his own personal estate.³¹³ Toppler did not so much influence communal policy as pursue his own interests so effectively as to make communal policy subordinate to his own.

It is also readily apparent that civic authorities frequently tried to harness and to some extent coordinate the purchases of corporations and individuals in their vision of the communal interest. A memo from the Nuremberg *Ratsbuch* for 1441 reveals the kind of restrained but alert interest which a city could take in the fortunes of its citizens' rural landholdings. 'Take note,' the incoming *Bürgermeister* are reminded, 'of the many repurchases of our burghers' property in the countryside.'³¹⁴ It was common for city councils to insist on first refusal when citizens sold rural land, or even to prohibit burghers from selling to non-citizens.³¹⁵ Some towns (for example, Memmingen and Nördlingen) went further and actively used urban corporations – especially hospitals – as agents for the purchase and administration of substantial rural territories.³¹⁶ In addition to complicating our assessment of purchasers'

312. Valentin Groebner, 'Ratsinteressen, Familieninteressen. Patrizische Konflikte in Nürnberg um 1500', in Klaus Meier and Ulrich Schreiner (eds.), *Stadtregiment und Bürgerfreiheit. Handlungsspielräume in deutschen und italienischen Städten des Späten Mittelalters und der frühen Neuzeit* (Göttingen, 1994), p. 292.

313. Ludwig Schnurrer, 'Der Bürger als Grundherr. Die Grundherrschaft Heinrich Topplers aus Rothenburg (+ 1408)', in Hans Schulze (ed.), *Städtisches Um- und Hinterland in vorindustrieller Zeit* (Cologne, 1985), pp. 62-65

314. RB 1b ff. 7^v, 12^v: 'In acht zu haben von der unsern mercklich widderkewfen auff dem lande'.

315. For examples see Heinz Dannenbauer, *Die Entstehung des Territoriums der Reichsstadt Nürnberg* (Stuttgart, 1928), p. 123; Wieland Held, 'Die Land- und Grundrentenerwerbungen sowie die Bemühungen um ländliche Gerichtsrechte von seiten des Rates und der Bürger der Stadt Erfurt vom 12. Jahrhundert bis 1400', *Jahrbuch für Wirtschaftsgeschichte*, (1979), p. 164.

316. Peter Blickle, 'Zur Territorialpolitik der oberschwäbischen Reichsstädte', in Erich Maschke and Jürgen Sydow (eds.), *Stadt und Umland. Protokoll der X. Arbeitstagung des Arbeitskreises für südwestdeutsche Stadtgeschichtsforschung Calw 12.-14. November 1971* (Stuttgart, 1974), pp. 57-60; Kießling, *Stadt*, pp. 39-40.

motives, this tactic of purchase through proxy could have important implications for townspeople's relations with the nobility. Wolfgang Leiser has argued that smaller towns used their hospitals as purchasing agents to avoid directly provoking the nobility. He also describes citizens as potential 'straw men', who could make purchases on behalf of the town and then sell the land to the civic authorities after a decent interval had elapsed.³¹⁷ Elsbet Orth agrees that rural powers such as the nobility feared the towns' extension of their authority in the countryside, but believes that this thwarted any attempt to use citizens' property as a basis for the expansion of communal interests.³¹⁸ Indeed, it is hard to see that the ruse which Leiser envisages could possibly have fooled anyone, given the obvious interlinking of all parts of the urban polity. Citizens often made purchases on Nuremberg's behalf, but it was so apparent that they were acting in concert with the city council that the historical record often leaves us unclear as to whether the city or the citizen sealed the final deal (for an example from the urban context, see the purchase of the Paniersberg house from Hans von Wildenstein, pp. 51-52 above).

It stands to reason that different parts and aspects of the urban community would have had different, though often overlapping interests in the acquisition and management of rural property. The further intertwining of these interests through the ways in which individuals, corporations and communes supported or subordinated one another's aims, or sometimes failed to do so, is an essential component in our understanding of both townspeople's motivations as rural landowners and the relationships with the rural nobility which were generated and shaped by this landowning. The author of the *Complaint* saw burghers' rural landholdings as inherently disruptive of the harmony between the nobility and townspeople, whose proper sphere was the strictly delimited urban space. But we only have to step outside of this logic of 'separate spheres' to see that certain types of rural property

317. Leiser, 'Territorien,' pp. 970-971. See also Karl-Friedrich Krieger, 'Bürgerlicher Landbesitz im Spätmittelalter. Das Beispiel der Reichsstadt Nürnberg', in Hans Schulze (ed.), *Städtisches Um- und Hinterland in vorindustrieller Zeit* (Cologne, 1985), p. 94.

318. Elsbet Orth, 'Stadtherrschaft und auswärtiger Bürgerbesitz. Die territorialpolitischen Konzeptionen der Reichsstadt Frankfurt im späten Mittelalter', in Hans Schulze (ed.), *Städtisches Um- und Hinterland in vorindustrieller Zeit* (Cologne, 1985), pp. 115-116.

were of obvious interest to certain citizens – the iron-forging trip hammers of the Upper Palatinate to the metalworkers of Nuremberg, for instance – and furthermore that different motivations for the acquisition of rural property would have different consequences for town-noble relations. Some aspects of townspeople's rural lordship are less immediately intelligible, however. Why, for instance, would patricians who normally specialized in long-distance trade concern themselves with the complex business of administering many scattered parcels of rural land?³¹⁹ And did they develop a particular 'urban' model of investment in the rural space, or did they follow the same strategies in their rural lordship as did nobles?

A number of historians have shown that rural land could perform various 'banking' functions for urban commercial elites. Land could be used to store capital so that it was both secure over the long-term and could be quickly realized when needed. Where land performed this function, we might expect to see a lively land market within the urban commercial society, and this is exactly what Konrad Fritze found at the Hanseatic trading centre of Stralsund.³²⁰ Wieland Held has argued that Fritze's picture also fits Erfurt, even though only 30 of 153 sources attesting to land changing hands at Erfurt in the period 1321–1400 document transactions between citizens, compared to 81 of 109 sources between 1370 and 1450 at Stralsund.³²¹ Held instead showed that the wealthiest burghers in sixteenth-century Erfurt had around 15 per cent of their total wealth in land, consistent with its postulated function as an economic security measure. Less wealthy citizens, with a greater need for security, had proportionately more invested in land.³²² In the case of fourteenth-century Nördlingen, Rolf Kießling has been able to track the changing urban market in rural land against its economic context. Between the 1320s and 1340s the citizens of Nördlingen purchased large quantities of land

319. See Wieland Held, *Zwischen Marktplatz und Anger. Stadt-Land-Beziehungen im 16. Jahrhundert in Thüringen* (Weimar, 1988), p. 79.

320. Konrad Fritze, 'Soziale Aspekte der Stadt-Land-Beziehungen im Bereich der wendischen Hansestädte (13. bis 16. Jahrhundert)', in Hans Schulze (ed.), *Städtisches Um- und Hinterland in vorindustrieller Zeit* (Cologne, 1985).

321. Held, 'Land- und Grundrentenerwerbungen,' p. 163.

322. Held, 'Land- und Grundrentenerwerbungen,' pp. 40-41.

as the town's economy boomed, with another wave of purchases in the 1360s and 1370s. But in the 1380s there was a marked trend towards the sale of rural land, as lucrative opportunities arose in the new fustian industry, which required substantial capital.³²³ There is also the possibility that the security provided by capital invested in rural estates could benefit a merchant's credit rating.³²⁴

To what extent did other economic motives play a part in burghers' acquisition of rural land? In particular, to what extent did townspeople look not just for a balance of security and flexibility, but also for some sort of return on their investment? These questions have proved harder to answer than those relating to land as a more passive investment. Speculation in land prices might be difficult to determine from the bare records of transactions,³²⁵ and was clearly not a dominant factor in any case, as many burghers retained their estates over long periods of time and managed them intensively. But how exactly we should interpret the records of townspeople as managers of their rural 'businesses' is a contentious question, complicated further by the conceptual straitjackets of separate 'burgher' and 'noble' cultures and the search for the origins of modern capitalism. Was investment in land an investment in production or the hallmark of a conservative 'rentier' mentality? The question is at least slightly anachronistic, but it still frames the entire debate about burghers as rural entrepreneurs, or otherwise. The 'rentier mentality' interpretation is the comfortable leader amongst historians,³²⁶ and there are certainly some good examples of townspeople profiting from their rural lands (and dependent peasants) simply by exploiting rental income and manorial dues as far as they possibly could.³²⁷ Examples of investment in new or more market-orientated forms of rural production have been celebrated, for instance Peter Stromer of Nuremberg becomes the 'pioneer' of planned arboriculture for his suggestion in 1368 that areas

323. Kießling, *Stadt*, pp. 113-115.

324. Otto Brunner, 'Zwei Studien zum Verhältnis von Bürgertum und Adel', in Otto Brunner (ed.), *Neue Wege der Verfassungs- und Sozialgeschichte* (Göttingen, 1968), pp. 270-271; Held, *Marktplatz und Anger*, p. 79.

325. See Krieger, 'Landbesitz,' p. 92, Held, *Marktplatz und Anger*, pp. 80 and Kießling, *Stadt*, pp. 153-154 for speculation as a possible motive.

326. See Schubert, *Einführung*, p. 143.

327. Fritze, 'Soziale Aspekte,' p. 30; Scott, *Freiburg*, pp. 40, 98.

of very sandy soil be planted with conifers.³²⁸ The distinction between bourgeois or 'proto-capitalist' and 'feudal' models obscures the fact that many burghers tried to turn a profit from their rural land, and that the traditional manorial model simply presented itself most readily in the majority of cases.

The mixed record of rural land as an economic boon to towns does give some cause to pause for thought, however, even if we do not wholeheartedly accept the traditional view that all late medieval landowners were facing falling rental incomes.³²⁹ The problem here is that we only have figures from municipal territories, which show some towns receiving around one fifth (Göttingen in 1500, Hildesheim in 1450³³⁰) or a quarter or more (Ulm in 1519,³³¹ Rothenburg in 1574³³²) of their income from their rural lands and others (notably Nuremberg, until 1707³³³) actually recording a loss. It is almost certain that the motivation for the establishment of communal rural territories was not purely economic, but the same need not apply to individual burghers – insofar as we can consider them separate from communal strategies. Yet municipal policies could also aim at the economic control of the surrounding area and a more general policy of attempted or enhanced self-sufficiency in terms of food and raw materials. Numerous historians have cited this as a factor in townspeople's acquisition of rural land,³³⁴ but concrete examples are harder to come by. Elisabeth Raiser suggests that this control of the rural economy was chiefly of interest to towns dominated by their craft guilds,³³⁵ but there are some more specific cases, for instance Erfurt's ability

328. Fritz Schnelbögl, 'Die wirtschaftliche Bedeutung ihres Landgebietes für die Reichsstadt Nürnberg', in Stadtarchiv Nürnberg (ed.), *Beiträge zur Wirtschaftsgeschichte Nürnbergs* (Nuremberg, 1967), p. 273. See also Held, *Marktplatz und Anger*, p. 85.

329. See Leiser, 'Territorien,' pp. 970-971.

330. Held, 'Land- und Grundrentenerwerbungen,' p. 151.

331. Leiser, 'Territorien,' p. 977.

332. Leiser, 'Territorien,' p. 977.

333. Schnelbögl, 'Bedeutung,' p. 307.

334. Schnelbögl, 'Bedeutung,' p. 261; Leiser, 'Territorien,' p. 979; Schnurrer, 'Bürger,' p. 61; Krieger, 'Landbesitz,' p. 92; Rolf Kießling, 'Das Umlandgefüge ostschwäbische Städte vom 14. bis zur Mitte des 16. Jahrhunderts', in Hans Schulze (ed.), *Städtisches Um- und Hinterland in vorindustrieller Zeit* (Cologne, 1985), p. 53; Fritze, 'Soziale Aspekte,' p. 21; Held, *Marktplatz und Anger*, pp. 90-91.

335. Raiser, *Territorialpolitik*, p. 29.

to control its crucial woad industry simply by owning the villages in which the crop was produced.³³⁶ There can be no doubt that Nuremberg placed a high value on control over certain resources in its immediate vicinity, particularly the imperial forests (on which more below, p. 114).³³⁷ In the early eighteenth century Nuremberg resisted a move to hop production which many inhabitants of its territory desired out of fear for supplies of grain and meat (and due to worries about deforestation),³³⁸ but this does not imply that the council would have been so restrictive at an earlier date. In practice, economic control of the surrounding area may have been more of a side-effect than a primary motivation for many towns in the acquisition of their rural land, as no town of any size could realistically hope for more than a small gain in the security of its overall supply of food and raw materials from even quite an extensive territory. Only in certain circumstances did a policy of economic control through rural property truly make sense – Nuremberg and its forests may be one such case (see also the example of the Kornberg quarries, pp. 116-117 below).

If towns and townspeople acted largely as ‘rentier’ landlords in the countryside, were they therefore following traditional patterns of ‘noble’ behaviour in other ways as well? Was the social dimension of their rural lordship an aspect of their ‘nobility’ – or their aspiration to nobility? This will always be difficult to unravel, because (as we have seen) elite townspeople tended to have a thoroughly ‘noble’ appearance within the town as well, so that it is difficult to tell what rural estates added to their sense of self. Certainly landed estates were a fundamental part of what made them who they were. One description of the Lübeck elite of 1384 identified them as ‘the honourable council, the rich merchants, and those rich from property’ (*de rike van gude weren*).³³⁹ To an extent, landed property was as important a foundation of an urban patriciate as it was of the nobility, as it provided

336. Held, ‘Land- und Grundrentenerwerbungen,’ p. 158.

337. Schnellbögl, ‘Bedeutung,’ p. 283.

338. Schnellbögl, ‘Bedeutung,’ pp. 291-293.

339. Demski, *Adel und Lübeck*, p. 181 n. 93.

security of long-term prosperity.³⁴⁰ Yet we have already seen that the sixteenth-century elite of Erfurt had on average only 15 per cent of their wealth invested in land: enough to tide them over a period of tough trading conditions, but hardly sufficient to maintain their elite status if their commercial activities were to be seriously reduced. The elites of other, mostly smaller towns relied much more heavily on rural property to underpin their status, but the continued commercial activity of the Nuremberg patriciate into the sixteenth century suggests that they, like the merchants of Erfurt, had only a limited interest in rural property.

Another theory of burgher rural landholding places it at the heart of urban elite identity, but in a very different way. Rolf Kießling has made the strongest case for land ownership as an 'aristocratic' tradition inherited from the *ministeriales* ancestors of urban families (see also above, pp. 29-30).³⁴¹ For Kießling, the ministerial families who dominated Nördlingen in the early fourteenth century set the 'elite' pattern – including rural landowning – which was copied by rising financier and commercial families. It may not be helpful to attach labels such as 'ministerial' or even 'aristocratic' to the tradition of rural landholding amongst urban elites, but there can be no doubt that it was a widespread customary practice. In fact, Held's findings from sixteenth-century Erfurt show that the practice extended well beyond the narrow elite who could plausibly have participated in an 'aristocratic' heritage.³⁴² The non-elite burghers could in turn have been aping the pretensions of their social betters, but probably there were other forms of conspicuous consumption which would have better fulfilled this function than the few plots of agricultural land beyond the walls into which some middling burghers sunk a good proportion of their total wealth.

The same argument – that burgher rural landholding was too widespread a practice to reflect any 'aristocratic' sensibility – counts against the theory that townspeople

340. Sergij Vilfan, 'Stadt und Adel. Ein Vergleich zwischen küsten- und binnenstädten zwischen der oberen Adria und Pannonien', in Wilhelm Rausch (ed.), *Die Stadt am Ausgang des Mittelalters* (Linz, 1974), p. 65 argues that *only* landed wealth could allow the formation of a patriciate.

341. Kießling, *Stadt*, pp. 153-154. The same point is made briefly by Boockmann, 'Lebensgefühl,' p. 35.

342. Held, 'Land- und Grundrentenerwerbungen,' pp. 40-41.

as a group maintained rural property in order to emulate and compete with the rural nobility. Yet it is possible that certain sections of urban society were motivated by this need for rural property as a vehicle for social mobility, and the idea has been popular amongst historians. Rural landowning has been taken as indicative of a 'fascination with noble lifestyles',³⁴³ a desire to rise into the 'lords' world' (*Herrenwelt*)³⁴⁴ or to conform at least superficially to noble-chivalric habits.³⁴⁵ But there is very little conclusive evidence of townspeople using their rural estates to gain entry into the nobility or to represent themselves as nobles until the later fifteenth century. Only then do we find patricians taking toponyms from their country estates: for example, Hans Waldmann of Zurich, who bought Dübelstein castle in 1487 and became Hans Waldmann von Dübelstein.³⁴⁶ There was a rush for faux-noble titles by the patriciate of Nuremberg in the early sixteenth century, as the very concepts of 'town' and 'nobility' became increasingly incompatible in the minds of contemporaries. These same families did not flaunt their rural properties to a remotely comparable extent in the mid-fifteenth century, and so there is little (beyond an anachronistic transposition of a later state of affairs) to suggest that they were buying rural land as a passport to nobility.

Nonetheless, the acquisition of substantial amounts of rural land did confer on wealthy townspeople some of the attributes of nobility. Perhaps the most important of these were not those which conferred markers of status, but those with a more hard-headed political appeal. Consolidated blocks of rural land gave elite burghers bases outside of their towns, which could be useful during (or as insurance against) political difficulties within the commune. We have already seen the independent power acquired and expressed via the rural landholdings of Heinrich Toppler of Rothenburg, though this could not prevent his arrest and probable murder by his fellow citizens in 1407.³⁴⁷ The medium-sized Swabian

343. Leiser, 'Territorien,' p. 971.

344. Brunner, 'Zwei Studien,' pp. 270-271.

345. Krieger, 'Landbesitz,' p. 94.

346. Spieß, 'Aufstieg,' p. 11.

347. Schnurrer, 'Bürger,' pp. 62-65

town of Memmingen likewise had trouble with burghers who could become powerful enough to dominate, challenge or break away from the commune, using rural land as a base to do so. The Sättelin family became increasingly estranged from Memmingen after purchasing the nearby lordship of Eisenburg in 1455, and the town's council found itself in an impossible situation in 1510, when the Vöhlin family was trying to acquire enhanced rights for their lordship of Ungershausen: some feared that this could create an independent power bloc outside of the town, others that opposing the Vöhlin would drive them out of Memmingen altogether.³⁴⁸ Nuremberg was never in danger of being held to ransom in this way by any individual or family, but the power of the commune was reason in itself to seek an independent alternative. Valentin Groebner has described the Haller family as pursuing their own territorial policy in the second half of the fourteenth century, acquiring a series of castles and rights over Lauf and Hersbruck.³⁴⁹ By the 1500s patrician families were increasingly likely to be seeking an independent rural position for themselves, from the failed attempts of Wolf Holzschuher at Gräfenberg in the early part of the century³⁵⁰ to the later success of the Geuder family at Heroldsberg. Throughout the early modern period the Geuders were thus able to shift their allegiances between Nuremberg and the Franconian nobility.³⁵¹

Whereas individual burghers had reason not to be too open about the political motives behind their rural purchases, the political imperatives behind communally-directed acquisitions were more overt. Schnurrer includes the self-confidence of the growing towns in a list of factors behind their rural expansion,³⁵² but any confidence was probably deeply defensive and mixed with considerable circumspection, if not apprehension. Many historians have cited towns' need for security in certain spaces as a major cause of their acquisition of rural land.³⁵³ Aside from control over

348. Kießling, 'Umlandgefüge,' p. 58.

349. Groebner, 'Ratsinteressen,' pp. 292, 306 n. 58.

350. Groebner, 'Ratsinteressen,' p. 299.

351. Gerhard Pfeiffer, 'Nürnberger Patriziat und fränkische Reichsritterschaft', in *Norica. Beiträge zur Nürnberger Geschichte* (Nuremberg, 1961), pp. 35-39.

352. Schnurrer, 'Bürger,' p. 61.

353. In general terms: Andermann, 'Kriminalisierung,' pp. 160-161; Scott, *Freiburg*, pp. 40-46, 77, 100; Fritze, 'Soziale Aspekte,' p. 21; Kießling, 'Umlandgefüge,' p. 38.

the agrarian economy and the production of certain raw materials, which we have already noted, the objects of control which have been identified are chiefly the roads and highways which were the towns' trade arteries, in order to shelter this trade from both tolls and robbery.³⁵⁴ There may also have been a desire to protect the rural property of burghers from unfriendly overlords,³⁵⁵ and some have argued for a more general desire to control the space around the town so as to keep other lords at a safe distance, even separated from the town by a 'protective wall' of rural property.³⁵⁶ This may be pushing the point a little too far in most cases, but there is also some very clear evidence of towns' concern with particular security objectives in their acquisition of rural property. Frankfurt am Main was especially keen to secure the bridges over the river Nidda, which half encircles the city to the north and west. The city gained its first Nidda crossing at Bonames (around 8 km to the north) in 1368, and in 1428 Frankfurt received an imperial privilege allowing it to pull down the bridges over the Nidda for defensive purposes.³⁵⁷ Lübeck expressly named security concerns as its main motivation in certain cases. In 1359 the Hanseatic metropolis bought the town of Mölln from the princes of Saxony-Lauenburg 'for the defence of our land (*terra*) and the common imperial highways',³⁵⁸ and when in 1405/06 an opposition group demanded that no burgher should be allowed to purchase rural property beyond the town's first defensive line (the *lantwere*) the council replied that the same property in the hands of nobles loyal to princes (*hovelude*) would make the roads unsafe.³⁵⁹

This points us towards the protection of the roads from depredations by nobles in particular, which will be discussed in chapter four. But we also glimpse a moment

354. Diethard Schmid, 'Das Umland als Gegenstand der Kommunikation im mittelalterlichen Regensburg', in Jörg Oberste (ed.), *Kommunikation in mittelalterlichen Städten* (Regensburg, 2007), p. 72; Andermann, 'Kriminalisierung,' pp. 160-161; Held, *Marktplatz und Anger*, pp. 90-91; Kießling, 'Umlandgefüge,' pp. 53-54; Schnurrer, 'Bürger,' p. 61; Hohenstatt, *Entwicklung*, p. 120.

355. Orth, 'Stadtherrschaft,' p. 120. See also Schmid, 'Umland,' p. 72.

356. For the 'protective wall' (*Schutzwall*) see Raiser, *Territorialpolitik*, p. 32. See also Schmid, 'Umland,' p. 72; Schnurrer, 'Bürger,' p. 61.

357. Orth, 'Stadtherrschaft,' pp. 113, 116-117; Schneidmüller, 'Territorialpolitik,' p. 125.

358. Demski, *Adel und Lübeck*, p. 143: 'propter defensionem terre nostre et communis strate regie'.

359. Andermann, *Gewalt*, pp. 210-211.

of internal opposition to the expansion of the town into the countryside through ownership of property. Lübeck was hardly unique in this respect, however. There were similar calls at Rostock in 1408 and 1428, probably (as at Lübeck) related to the strain on the civic purse caused by the defence of widespread landholdings.³⁶⁰ The council at Braunschweig blamed its own bankruptcy in 1374 on the many castles which it had taken on as pledges.³⁶¹ It is hardly surprising therefore that other towns were more cautious. Schwäbisch Hall was reluctant to take control of Limpurg castle, and Ulm declined to make a series of possible acquisitions (Blaubeuren, Kirchberg, Erbach and Burgau).³⁶² In January 1447 Nuremberg politely declined an anonymous nobleman's offer of a castle for sale.³⁶³ This circumspection is entirely consistent with a defensive, security-orientated strategy.

What then should we make of the substantial 'territories' assembled by some towns over the course of the later Middle Ages? This period has traditionally been described as the era of the emerging 'territorial state' in Germany, a time of flux when all major political players, towns included, were making a grab for power at the regional level supposedly abdicated by the weakened Empire. Consequently the favoured term for towns' policy towards their rural possessions was until relatively recently *Territorialpolitik*.³⁶⁴ From the mid-1980s onwards historians such as Rolf Kießling and Ulrich Andermann have favoured *Umlandpolitik* ('hinterland' or 'environs' policy)³⁶⁵ and somewhere between the two is the rarer *Landgebietspolitik* ('rural area' policy).³⁶⁶ *Umlandpolitik* has the clear advantage of reflecting the variety of different ways in which towns sought to influence their

360. Fritze, 'Soziale Aspekte,' p. 31.

361. Andermann, *Gewalt*, p. 210.

362. Gerd Wunder, 'Reichsstädte als Landesherrn', in Emil Meynen (ed.), *Zentralität als Problem der mittelalterlichen Stadtgeschichtsforschung* (Cologne & Vienna, 1979), p. 82.

363. BB 18 f. 144^v (17.1.1447).

364. Orth, 'Stadtherrschaft,' p. 116; Schneidmüller, 'Territorialpolitik'; Blickle, 'Territorialpolitik'; Raiser, *Territorialpolitik*.

365. Kießling, 'Umlandgefüge'; Kießling, *Stadt*; Andermann, *Gewalt*, p. 202.

366. Manfred Wilmanns, *Die Landgebietspolitik der Stadt Bremen um 1400 unter besonderer Berücksichtigung der Burgenpolitik des Rates im Erzstift und in Friesland* (Hildesheim, 1973); Raiser, *Territorialpolitik*, p. 13; Gerhard Fouquet, 'Stadt-Adel. Chancen und Risiken sozialer Mobilität im späten Mittelalter', in Günther Schulz (ed.), *Sozialer Aufstieg. Funktionseliten im Spätmittelalter und in der frühen Neuzeit* (Munich, 2002), p. 182.

surroundings beyond direct 'territorial' control, but it also avoids giving the impression of a 'deliberate territorial policy with anti-feudal and anti-princely overtones' which, in Tom Scott's words, 'so rarely informed the motives of the ruling elites of German cities'³⁶⁷ and which owes more to a teleological narrative of German 'territorialization' than to medieval sources. The idea of a town's territory was not entirely foreign to the late Middle Ages: a royal charter from 1298 refers to Nördlingen's *territorium*.³⁶⁸ But it is not clear that this means a directly ruled area of land, as Nördlingen barely possessed such a 'territory' at the time.³⁶⁹ More common is the nebulous *gebiet* (area, district), mentioned in connection with rural authority granted to Nördlingen in 1349 and Straßburg in 1339.³⁷⁰

Does the lack of evidence for deliberate territory-building or 'territorial' consciousness in the towns mean that we should view the large agglomerations of land and jurisdictions which ended up under civic or burgher lordship as entirely contingent, effectively accidental by-products of fundamentally more conservative strategies? This would misrepresent the multiplicity of very deliberate and purposeful ways in which burghers and civic authorities sought to influence and control their rural surroundings, but it does reflect the fact that the expansionist, 'territorial' impulse was at best only one factor amongst many in the construction of what became the rural territories of many German-speaking towns.³⁷¹ The relative importance of the various economic, socio-cultural and political factors identified above varied with time and place, and was highly dependent on the character of individual towns: their size, political situation, economic makeup and so on. For example, Raiser compares the importance of control over trade routes for Lübeck (ruled by a patrician elite focused on long-distance trade) with Zurich's deeper interest in and protectionist and exploitative policies towards its wider hinterland, reflecting the dominance of its craft guilds.³⁷² But many towns cannot be fitted too snugly into any typology. Nuremberg

367. Tom Scott, *Society and Economy in Germany 1300-1600* (Basingstoke, 2002), p. 138.

368. Kießling, 'Umlandgefüge,' p. 35.

369. Kießling, *Stadt*, pp. 38-58.

370. Kießling, *Stadt*, p. 33; Wunder, 'Reichsstädte als Landesherrn,' p. 81.

371. The one likely exception to this rule is Bern: see Raiser, *Territorialpolitik*, p. 22.

372. Raiser, *Territorialpolitik*, p. 158; Leiser, 'Territorien,' p. 977.

is perhaps one such town: its patrician rulers were thoroughly orientated towards long-distance trade, but also acutely concerned with the needs of the city's very particular and renowned artisan-industrial production. I will consider Nuremberg's 'territorial' development in more detail later in this chapter.

What were the likely consequences of the nature of burgher rural landholdings and wider *Umlandpolitik* for towns' relationships with the rural nobility? Towns' and burghers' intentions are only part of this story – noble perceptions of their actions counted for at least as much, if not more (see below, pp. 118-119). But the structures and dynamics of townspeople's rural interests played their role, and we certainly have to think our way into the late medieval experience of towns' rural expansion, where the long-term narrative of gradual territorial accumulation dissolves for the most part into many smaller gains and reverses, with occasional tactical coups and strategic retreats. This mixed picture would have been full of even deeper ambiguity from the perspective of many rural nobles. On the one hand, there is little evidence for some of the more antagonistic forms of rural expansion by townspeople which have been suggested by historians. Burghers who bought rural property to act the part of nobles or to transform the rural economy along urban, commercial lines, along with towns which sought wide-ranging and absolute control over extensive territories, are largely tricks of hindsight. The economic behaviour of townspeople in the countryside tended to be prudent and conservative, with their attitudes towards rural property mirroring those of the nobility in the most fundamental and unostentatious ways. On the other hand, towns also had powerful political motives for the development of their rural interests and properties. These too were fundamentally conservative and defensive, but they could easily be construed as aggressive, especially as many nobles were amongst those against whom towns sought to defend themselves. The potential for misunderstanding was considerable, but to what extent was this potential realized? To answer this question we must take into account two other important aspects of townspeople's interaction with nobles in the countryside: their roles as subjects, vassals and other subordinates of rural nobles, and their relationships with nobles as their rural neighbours.

Townspople under Noble Lordship

In debates both medieval and modern, townspeople in the late medieval countryside generally appear as competitors of the rural nobility for land and authority. It is therefore vitally important to take into account the role of townspeople as nobles' subordinates in the rural space. For the most part this meant burghers as vassals of rural nobles, holding land from them in fief. These relationships were entered into freely and for mutual benefit, and thus cut to the heart of the question of noble resentment towards burgher rural landholding – how deep and how fundamental could this opposition have been, given that nobles themselves facilitated townspeople's landed presence in the countryside? The relationship between nobles and burghers as lords and vassals is entangled with much wider questions about the late medieval feudal system, and particularly the status of burghers as vassals in general. To understand noble lordship over burghers in the countryside we must question the purpose of these relationships, and the consequences of their position at the interface of noble and burgher identities.

The nature of all feudal relationships in the late Middle Ages has posed serious questions for historians, given that the whole system of social contracts apparently designed to provide a fighting force for a feudal lord was hardly ever used for that purpose in this period. The role of burghers as vassals intensifies this problem still further: what was the place of these notorious non-combatants in the feudal order? Whatever position we take on the actual fighting capacity of burghers, there is little or no evidence of any citizens going to war for their noble lords as vassals. Nor did they need to: as Steffen Patzold's recent overview of late medieval feudalism clearly demonstrates, feudal relationships were endlessly adapted and varied in the late Middle Ages to serve all sorts of purposes. Princes used feudal structures to develop their territorial lordship as well as to build noble clienteles, and all social groups found feudal modes of expressing hierarchy and responsibility or obligation useful for understanding and moulding the complex

order of the Empire.³⁷³ Patzold also outlines a particular role for burghers as vassals of kings and emperors – as financiers, hosts, confidants and diplomats.³⁷⁴ But did burghers perform similar roles on a smaller scale for rural nobles? This cannot be assumed, and we will examine the evidence from Nuremberg shortly.

In part the answer to this question of the role of burghers as vassals to rural nobles lies in the relationship of the two groups as co-vassals in the feudal clienteles of princes. In particular, did burghers enjoy equality with nobles in their status as vassals? This question simmered for some time as a sub-plot of German historiography, until Karl-Friedrich Krieger established the current orthodoxy in 1979.³⁷⁵ According to Krieger's model, burghers in northern and eastern Germany did face some discrimination as vassals in comparison to nobles: in general, they could not automatically inherit fiefs or continue as sub-tenants when a lord died without heirs (with the result that his fiefs reverted to his feudal lord), but had to pay a fee (*Lehnware*) of around 10 per cent of the purchase price of the land to continue in possession. Some towns also felt a need to obtain privileges or court rulings against the practice of selling fiefs occupied by burghers to a new feudal lord of lower status.³⁷⁶ In south and west Germany, by contrast, there were barely any special fees or other disadvantages attached to burgher vassalage.³⁷⁷

The particular, and perhaps (in some eyes) peculiar status of burghers as vassals was noted in the south too, however. The right of burghers to receive fiefs (and sometimes also to grant them) was well established by custom, but it was also buttressed by a series of imperial privileges granted to individual towns, and sometimes expressly conferring the right to hold fiefs *more nobilium*.³⁷⁸ And there

373. Steffen Patzold, *Das Lehnswesen* (Munich, 2012), pp. 117-118.

374. Patzold, *Lehnswesen*, pp. 109-110.

375. Karl-Friedrich Krieger, *Die Lehnshoheit der deutschen Könige im Spätmittelalter (ca. 1200-1437)* (Aalen, 1979), pp. 137-151. Restated with some additional material in Karl-Friedrich Krieger, 'Bürgerlehen', in Albrecht Cordes (ed.), *Handwörterbuch zur deutschen Rechtsgeschichte* (Berlin, 2008).

376. Krieger, *Lehnshoheit*, pp. 137-147.

377. Krieger, *Lehnshoheit*, pp. 147-150.

378. Krieger, *Lehnshoheit*, p. 149. See also Lieberich, 'Rittermässigkeit,' p. 77.

were some smaller points of contention too: the question of whether burghers could judge nobles in feudal courts was live amongst the vassals of the abbeys of Kempten and St Gallen in the early fifteenth century, for instance.³⁷⁹ During this century the noble vassals of the bishops of Würzburg also seem to have secured better inheritance terms for their fiefs than those enjoyed by burghers.³⁸⁰

Even ahead of this development, Bishop Johann von Egloffstein of Würzburg (1400-1411) had organized his register of fiefs and vassals (*Lehnbuch*) around a division between nobles (of all ranks) and burghers (together with peasants).³⁸¹ It is difficult to know what to make of this piece of bureaucratic categorization and its implications for social identity. There is no evidence for the division representing two different types or qualities of fief, though Cord Ulrichs argues that it reflects the fact that burgher vassals were never called upon for military service, unlike the nobles. Equally, it may reflect tensions at the time between the bishop and his towns.³⁸² But clearly this division had some use beyond the Würzburg episcopal retinue as well, because the *Lehnbücher* of Counts Johann II and Georg I of Wertheim (1444 and 1454 respectively) also included special sections for the burghers of Würzburg and Nuremberg.³⁸³ Did this result from a difference in the way in which the counts treated their vassals from these two towns in a legal sense, or was it more a marker of the particular political status of these vassals? As burghers of these two large towns they were especially closely aligned to particular regional powers, whereas the middling and lesser nobles enfeoffed by the counts would have had multiple allegiances amongst the princes, and hence in some senses a different relationship with the counts of Wertheim as one of their feudal lords.

At the end of the day, perhaps the only distinctive feature of burgher vassalage commonplace in southern Germany was the requirement or custom that fiefs be held

379. Krieger, *Lehnshoheit*, p. 150.

380. Ulrichs, *Lehnhof*, p. 41.

381. Ulrichs, *Lehnhof*, pp. 41-42.

382. Ulrichs, *Lehnhof*, pp. 41-42.

383. Alfred Friese, *Der Lehnhof der Grafen von Wertheim im späten Mittelalter* (Würzburg, 1955), pp. 19, 42-43.

by individuals, rather than a corporation. This meant that a town often had to supply citizens who could be invested with a fief on its behalf, for example two citizens of Frankfurt for the county of Bornheimer Berg as an imperial fief in 1475,³⁸⁴ or the case of the house on the Paniersberg in Nuremberg which we have already encountered (above, pp. 51-52), in which Andreas Volckamer and Berthold Nützel were initially proposed as vassals of Margrave Friedrich on Nuremberg's behalf, and then replaced by Michael Beheim. This practice probably accounts for many of the occasions on which burghers seem to be acting as 'straw men' for communal land purchases (see above, p. 93). And fief-holding by individual burghers was certainly extremely widespread, a normal practice under almost all feudal lords.³⁸⁵ There were certainly some substantial differences between princes, however: only 2 per cent of the vassals recorded in the *Lehnbuch* of the Count Palatine of 1401 were burghers, whereas 59 per cent of the bishop of Würzburg's fiefs were occupied by burghers or peasants.³⁸⁶ The overall number of burghers holding fiefs from nobles was probably extremely high as well, but is difficult to pin down. The *Landbuch* created by Emperor Charles IV in 1375 for his margraviate of Brandenburg is particularly revealing, and shows that the five major noble families of the Altmark region had enfeoffed burghers with 85 per cent (by value) of the fiefs which they held from the margrave and had chosen to re-grant.³⁸⁷ Given the more propitious conditions for burgher vassalage in southern Germany we might expect to see similar figures there, but in fact the snapshot provided by the two Wertheim *Lehnbücher* shows only a few vassals from Würzburg and just six from Nuremberg.³⁸⁸

The evidence for burghers as noble vassals and subjects from my corpus of Nuremberg sources is also in many respects rather thin. Naturally there were cases in which the status of a particular property as fief or allod was disputed, but these do not develop into or connect with wider conflicts.³⁸⁹ There is some evidence of feudal lords attempting to maximize their jurisdiction over their

384. Schneidmüller, 'Territorialpolitik,' p. 122

385. Krieger, *Lehnshoheit*, p. 137.

386. Spieß, 'Aufstieg,' p. 10.

387. Helbig, 'Städte,' pp. 229-230. See also Krieger, *Lehnshoheit*, pp. 138-139.

388. Friese, *Lehenhof*, pp. 19-21.

389. For example, BB 18 f. 276^v (21.6.1447). BB 15 f. 332^r (25.10.1442); BB 16 f. 29^{r-v} (11.3.1443).

fiefs, as such moves were sometimes resisted by Nuremberg on the grounds that the matter was solely between the burgher vassal and their sub-tenant,³⁹⁰ or that it concerned other non-feudal matters such as meadow rights³⁹¹ or the ownership of sheep.³⁹² As the council was usually arguing that the dispute was not just outside of feudal law but 'beneath' this law's competence (it did not concern the land or fief itself, only aspects of the land's usage), the potential for these tensions to become anything more serious was correspondingly low. In fact, only in the area of feudal law do we find any relaxation of the boundaries between town and noble jurisdictions, which both parties were normally so keen to enforce. Arnold von Seckendorff allowed a dispute between members of the Groland family which had come before him as a feudal matter to be judged by the council,³⁹³ whilst Nuremberg agreed to Ulrich von Egloffstein hearing a case involving a fief of his after Egloffstein had told the two parties that he would not try the case without Nuremberg's permission.³⁹⁴

The only evidence of burghers trying to reduce their obligations to rural nobles as feudal lords are the occasional requests that burghers be spared the journey to receive their fiefs or attend the court of feudal lords such as the counts of Oettingen or Wertheim in person due to insecurity in the countryside.³⁹⁵ There is no evidence of a concerted campaign by burghers to transform fiefs into allods, as was attempted by Heinrich Toppler at key points in his personal 'territory',³⁹⁶ and as Wieland Held suggests could have been the case in the Hanseatic towns and possibly at Erfurt.³⁹⁷ Nor do we see any of the more aggressive policies by rural lords of the kind which forced Frankfurt am Main to claim a special tax-exempt status for 'old burgher properties' (*Altbürgergüter*) in the second half of

390. BB 15 ff. 24^v-25^r (26.5.1441).

391. BB 7 f. 107^r (14.10.1426).

392. BB 18 f. 200^v (28.3.1447).

393. BB 18 f. 477^r (28.2.1448).

394. BB 18 f. 78^v (13.10.1446).

395. BB 14 ff. 123^v-124^r (15.2.1440), 169^v-170^r (4.5.1440), 171^v-172^r (13.5.1440). BB 18 f. 378^v (28.10.1447).

396. Schnurrer, 'Bürger,' p. 67.

397. Held, 'Land- und Grundrentenerwerbungen,' p. 166.

the fifteenth century.³⁹⁸ A crucial difference between Frankfurt and Nuremberg in this respect was that the powerful comital feudal lords of Nuremberg's citizens (Wertheim, Oettingen and others) were based some distance from the city, whereas Frankfurt was geographically much closer to the counts of Hanau.

Can we glean anything of the substance of these relationships from these rather insubstantial disputes? In October 1447 Count Georg of Wertheim summoned three leading patricians of Nuremberg (Leopold Haller, and the brothers Erhard and Leopold Schürstab) as his vassals to Wertheim – the council asked that the burghers be excused due to the dangers of the journey.³⁹⁹ If these patricians had attended Wertheim's court, what would have awaited them? Perhaps an element of ritual, reaffirming or subtly reshaping hierarchies and mutual obligations; perhaps a confidential discussion with the count about the latest imperial politics or about the count's financial needs – the patricians would have had services to offer in both respects, had they been minded to do so. But there is not at present any evidence for such relationships between nobles and burghers being established or maintained via the conventions of vassalage. To say that these conventions were therefore empty would be a perilous argument from silence, however. We know that burghers in southern Germany were not considered to be 'second class' vassals, and that the citizens of Cologne at least once asserted their 'usefulness' as vassals (*nutze lenemanne*).⁴⁰⁰ Above all, we know that burghers were very commonly vassals of rural nobles, even if the exact contours of this phenomenon are elusive. Thus we must keep looking for the 'use' of these relationships, though perhaps we should not look too far beyond some fairly prosaic financial arrangements (whilst noting that Franconian nobles did not have the same potential to profit from fiefs held by burghers as did the nobility of Brandenburg). And regardless of whether the primary value of burghers as nobles' vassals was economic or socio-political, it is clear that nobles welcomed

398. Orth, 'Stadtherrschaft,' pp. 134-136, 139, 144-145.

399. BB 18 f. 378^v (28.10.1447). Compare Friese, *Lehenhof*, pp. 19-20.

400. Domsta, *Kölner Außenbürger*, p. 118 n. 551

townspeople into their rural lordship space as partners – on the nobles’ terms, of course, but on terms that created a kind of equality in that they were mutually beneficial.

Nobles and Townspeople as Rural Neighbours

Whether townspeople entered the countryside as subjects of nobles, princes or churches, or as lords in their own right, they found themselves sharing the rural space with the nobility. Indeed, it was very likely that their rural land would be lying close or adjacent to that of a noble family. Only in the immediate vicinity of Nuremberg – mostly within the fertile area to the north which extended no more than 10 km from the city – do any villages appear to have been entirely owned by citizens of Nuremberg.⁴⁰¹ ‘Neighbourliness’ was part of the way in which the city council understood these relations formed by proximity. When in 1444 the burgher Hans Kraft accused the noble Hans von Mayental of mowing hay in a meadow belonging to Kraft’s dependent Fritz Eyring, and of further threatening Eyring as he tried to harvest his other crops, Nuremberg called Mayental’s behaviour ‘unneighbourly’ (*unnachperlich*).⁴⁰² But lying behind this skirmish was perhaps also a more fundamental dispute over the ownership of the land: Kraft asserted that he had bought the village in question (Biengarten, 30 km north west of Nuremberg) from Mayental and his brothers nine years ago. Certainly the possibility that townspeople and nobles could find themselves laying claim to the same piece of land, or to the same source of income or lordship rights, was an inevitable consequence of sharing rural space. Alternatively, the dispute may have been solely between Mayental and the peasant Fritz Eyring, which reminds us that the complex issues of who had which rights in which spaces were multiplied by the thousands of peasant dependents for whom nobles and townspeople were responsible. Rural lordship was – in the words of Hillay Zmora – an ‘unfailing recipe’ for disputes,⁴⁰³ and indeed disputes of precisely the sort

401. Dannenbauer, *Entstehung*, p. 165.

402. BB 17 ff. 89^v-90^r (3.8.1444).

403. Zmora, *State and nobility*, p. 107.

that took place in part via Nuremberg's written correspondence. It is impossible to tell how many other cases were resolved orally or within villages and rural communities themselves, and whether the escalation to official letters to and from the city council represented a failure of other forms of conflict resolution. But we can take the cases which are preserved in the *Briefbücher* as a sample, however representative, from this important part of the day-to-day relations (and continuous friction) between town and nobility. In particular, we can also ask how these disputes progressed, and how serious they could become.

The forms and causes of rural disputes were manifold, but there are some clear patterns and themes. Sheep farming was a leading economic activity for both nobles and townspeople, but was also a regular source of trouble between them, with extensive sheep runs encroaching on other rural estates or on common land and the sheep themselves being easily rustled, sometimes by their own shepherds.⁴⁰⁴ Customary rights over common land in general were contested,⁴⁰⁵ as were game rights and related issues of trespass.⁴⁰⁶ In August 1440 the nobleman Georg Fuchs zu Dingolshausen complained that Christian Haller of Nuremberg had ordered a hare trap belonging to Fuchs and the abbot of Münchberg to be lifted off its stand (and thereby made useless for catching hares). Haller responded that his dependents' crops and vineyards had been trampled by an 'improper' hunt – presumably intended to drive hares into the trap – which had caused damage such as Haller had never seen the like of before and did not intend to suffer again; therefore he had had the trap lifted, and considered himself within his rights to do so.⁴⁰⁷ Disputes of unknown origin between dependents could also flare into significant skirmishes.⁴⁰⁸ But the ultimate cause of most problems was the interpenetration of lordship rights within the same rural communities. When

404. For example: BB 7 f. 168^{r-v} (30.4.1427), StAN Rep. 15 11 (24.8.1434), BB 14 f. 289^v (14.12.1440), StAN Rep. 54 12 f. 67^r, BB 15 f. 39^r (10.6.1441), BB 18 ff. 336^v-337^r (5.9.1447). See Zmora, *State and nobility*, pp. 56-57.

405. e.g. BB 15 f. 178^r (23.1.1442).

406. BB 14 f. 195^{r-v} (1.7.1440).

407. BB 14 f. 224^{r-v} (18.8.1440).

408. e.g. BB 18 f. 363^v (13.10.1447). For a fight at a church fair see BB 15 ff. 58^{r-v} (7.7.1441), 61^v (10.7.1441); RB 1b f. 11^r (9.8.1441).

the wardens of the Nuremberg's New Hospital took into custody one of their dependents for rent arrears, Wilhelm Marschall complained that the hospital had also arrested the peasant's son, who was under Marschall's jurisdiction.⁴⁰⁹ When Nuremberg asked Weigel Strobel not to pursue a court case against a dependent of Hans Coler, Coler asserted that he had ordered the peasant to sell the property which he rented from Strobel precisely so that he was not under two lordships.⁴¹⁰ Fundamental lordship rights could become intensely fragmented, such as the village court at Wendelstein, which had four different occupants who took it in turns to act as the judge. In 1447 the quarters were all held by Nuremberg citizens, but the installation of one of these as the judge still provoked a dispute with Georg von Seckendorff and others, who had dependents under the court's jurisdiction.⁴¹¹

These 'neighbourly' disputes could involve a degree of violence and intimidation. There are many accusations of nobles threatening Nurembergers' dependents, or claims that dependents were 'insecure' vs. nobles, meaning that they feared attack or arrest (for more on 'security' against individuals and corporations, see pp. 206-207 below).⁴¹² Intimidation could be more specific as well: we have already seen the threats against Fritz Eyring made by Hans von Mayental, and in 1443 Georg von Wildenstein, district governor of Hersbruck, told the representative of Margarete Harsdorfer not to thresh her tithes at Hohenstadt, near Hersbruck.⁴¹³ It was not always nobles who were accused of using force: in 1441 Hans Löffelholz was forced to deny having captured two dependents of Konrad and Heinrich von Pappenheim.⁴¹⁴ As was common in all sorts of disputes, property of the opponent or his relatives could be distrained,⁴¹⁵ and disputed property could be forcibly seized.⁴¹⁶ Jakob von Wolfstein even accused Nuremberg of having him followed

409. BB 14 f. 195^{r-v} (1.7.1440).

410. BB 16 f. 91^{r-v} (17.7.1443).

411. BB 18 f. 146^r (18.1.1447).

412. e.g. BB 7 f. 168^{r-v} (30.4.1427), BB 8 f. 140^r (22.4.1429), BB 14 f. 289^v (14.12.1440).

413. BB 16 f. 135^v (5.10.1443).

414. BB 15 ff. 6^v-7^r (29.4.1441).

415. e.g. BB 7 ff. 221^r (11.10.1427), 236^v (5.12.1427).

416. BB 16 f. 242^r (12.3.1444).

in a dispute which Nuremberg claimed was to do with rents from a meadow belonging to the New Hospital (see below, pp. 189-191, for nobles complaining of being tailed by Nuremberg).⁴¹⁷ In all of these respects rural disputes took forms similar to feuding behaviour, and tended towards feud-like conflicts. But from the material that I have seen, there is no evidence of a full-scale or formally declared feud arising from the constant low-level tensions of rural lordship.

The rural property of Nuremberg and its citizens formed a dispersed but ultimately very substantial body of land in the countryside. Nobles were more or less obliged, but also in various ways motivated to interact with this space. In my body of sources, this interaction is most noticeable through nobles' interest in the raw materials which townspeople controlled. This was not always amicable: in 1444 Hans Löffelholz complained that Heinrich, Hermann and Hans von Aufseß had felled a great deal of timber in his forest at Wiesent in order to improve or repair their castle at Freienfels, without his permission.⁴¹⁸ But nobles sometimes did ask permission. Hans Stauf von Ehrenfels asked for two mill stones from Nuremberg's quarries, and was granted this request in so far as the council had a right to the stone (the quarrymen themselves and Nuremberg's Geuder family had to be considered too).⁴¹⁹ The forests and their timber were always a particularly sensitive matter for Nuremberg, however. The council retrospectively endorsed a purchase of wooden roof shingles by Hans von Egloffstein at Diepersdorf, east of Nuremberg, whilst asserting that such transactions were against forestry custom, but refused a request from Wolfram, Konrad, Diepold and Georg von Egloffstein (Hans' cousins) for building timber for use in their residence at Henfenfeld.⁴²⁰ Undoubtedly Nuremberg's careful protection of its resources could cause frustration, but there was no shame in being denied the use of them. In later years even Emperor Maximilian was refused deliveries of certain rare clays found in the imperial forests.⁴²¹

417. BB 15 f. 307^r (7.9.1442).

418. BB 17 f. 60^{r-v} (4.7.1444).

419. BB 18 f. 194^v (23.3.1447).

420. BB 15 f. 281^r (19.7.1442).

421. Schnelbögl, 'Bedeutung,' p. 280.

We might expect disputes over ownership of the land itself to have been the most substantial flashpoint in the countryside, especially when we consider that not just real estate could be contested, but also incomes drawn from it and all sorts of lordship rights associated with it, as well as authority over the peasants who worked it. Here again we find the complexity of rights and claims which overlapped and intersected, for instance in a lengthy dispute between Sebald Ellwanger of Nuremberg and Jakob and Peter von Wolfstein over their mutual rights at the neighbouring villages of Allersberg and Altenfelden.⁴²² Authority over individuals proved especially problematic. A standard phrase for asserting rights to a peasant dependent was to claim jurisdiction over them ‘with door and nail’ (*mit Tür und Nagel*),⁴²³ a legal jargon which almost mocks the impossibility of actually pinning dependents down to one lordship. Peasants’ own attempts to exchange one lord for another may well lie behind the many protestations that townspeople and nobles were laying claim to dependents who had not been released from obligations by another lord.⁴²⁴ We also find the same use of low-level violence and compulsion: the capture of dependents,⁴²⁵ distraint of property (in one case nothing more than a bird trap, i.e. a largely symbolic act)⁴²⁶ and forcible appropriation of contested land and property.⁴²⁷ The traditional methods of arbitration could also be used: a land dispute between the New Hospital and Rudiger von Erlingshofen ended up as a case before Duke Albrecht of Bayern-München.⁴²⁸ The complexities of land transactions created by the constant need of both burghers and nobles to invest and realize capital in land were fodder for further disagreement. It was often stipulated that land which had been sold could be repurchased by the seller for a certain price at certain times, but when

422. BB 7 ff. 221^r (11.10.1427), 236^v (5.12.1427); Regesta Boica 13, p. 117 (3.3.1428).

423. e.g. BB 15 ff. 90^v-91^r (21.8.1441). For the phrase see ‘Nagel’, *Deutsches Rechtswörterbuch*, accessed 22.6.2015: <http://www.rzuser.uni-heidelberg.de/~cd2/drw/e/na/nagel.htm>.

424. e.g. BB 4 f. 122^v (22.11.1415). BB 14 f. 5^v (6.7.1439). BB 17 ff. 150^{r-v} (14.11.1444), 164^v-165^v (2.12.1444). BB 18 f. 423^r (4.1.1448).

425. BB 4 f. 122^v (22.11.1415). BB 16 f. 152^{r-v} (31.10.1443).

426. BB 7 f. 221^r (11.10.1427).

427. BB 7 f. 221^r (11.10.1427).

428. Regesta Boica 13 p. 384 (29.8.1436); BB 14 ff. 261^{r-v} (25.10.1440), 307^v (31.1.1440); BB 15 f. 48^r (19.6.1441).

Lorenz von Wolfstein tried to invoke such a clause the widow of Otto Tucher in Nuremberg denied that such provision had ever been made in this case. She was nonetheless willing to consider a repurchase by Wolfstein, but only if 'the money was on the table'.⁴²⁹

One especially contested rural place is worth considering in more detail, as it displays both the tensions around the control of particular rural resources and the complex interlocking of rights and tenures. A small elevation in the forest around 9 km to the south of Nuremberg known as the Kornberg produced some of the best weather-resistant building stone and durable millstones within easy reach of the city (this was almost certainly the quarry from which Hans Stauf von Ehrenfels requested millstones).⁴³⁰ In the early fourteenth century it was owned by a noble family named after the nearby settlement and fortified residence of Kornburg. A portion was sold to the Küdorfer family of Nuremberg, which in 1410 came into the possession of Konrad Geuder. In the meantime, the Kornburg family died out and were inherited by a branch of the Seckendorff clan.⁴³¹ From 1424 the co-owners of the Kornberg quarries disputed mutual rights there, until an arbitration by Margrave Friedrich of Brandenburg in 1427 gave Hans von Seckendorff overall control with the right to appoint the master of the quarries (*Bergmeister*).⁴³² But the importance of the Kornberg's resources ensured that this was not the end of the disputes there. In 1445 a large flood damaged buildings in Nuremberg, and the council resolved to win stone for the rebuilding from the valuable deposits at Kornberg. They established a new quarry close to the old workings, but on what they considered to be their property, part of the imperial forest rather than the Seckendorff estate.⁴³³ But Georg and Hiltpolt von Seckendorff naturally protested that the new quarry was detrimental to

429. BB 7 ff. 205^v-206^r (26.8.1427): 'were auf dieselbe zeit bar gelt da geweiß'.

430. Otto Geiger, 'Die Steinbrüche am Kornberg bei Wendelstein', *Mitteilungen des Vereins für Geschichte der Stadt Nürnberg*, 22 (1918), p. 147.

431. Ernst Wiedemann, 'Die Besitzverhältnisse am Kornberg bei Wendelstein', *Mitteilungen des Vereins für Geschichte der Stadt Nürnberg*, 23 (1919), pp. 89-90.

432. Wiedemann, 'Besitzverhältnisse,' p. 91.

433. Müllner, *Annalen*, p. 376; Geiger, 'Steinbrüche,' p. 150.

their rights at Kornberg. The case quickly escalated to arbitration by Albrecht Achilles' *Landrichter* Hans von Seckendorff, a hearing at Cadolzburg,⁴³⁴ a formal suit in the burgravia *Landgericht* by Georg von Seckendorff, an appeal against this case by Nuremberg to the king, and Seckendorff's own request for justice from the king (whilst continuing to pursue his *Landgericht* case with the support of Albrecht Achilles).⁴³⁵ But the matter was resolved towards the end of 1446, when Nuremberg purchased Kornberg from Georg von Seckendorff.⁴³⁶ The city immediately placed the quarries under communal oversight,⁴³⁷ though they were unable to buy out the Geuder family's share until 1472.⁴³⁸

The purchase of Georg von Seckendorff's rights at Kornberg ensured that potentially the most explosive dispute over rural land and resources of the 1440s was fairly rapidly defused, albeit by removing the competition rather than finding an accommodation – I will consider the possible implications of his method of conflict resolution in the following section. But this was just the most eye-catching of the many ways in which rural disputes were resolved before they became more substantial conflicts, whilst many more probably never threatened to grow beyond their village context. Despite their constant recurrence, and despite all the petty violence and intimidation, I have found no evidence of rural disputes between townspeople and nobles developing into genuine feuds. This contrasts with feuds amongst the rural nobility, who frequently fought over rural land and rights (or at least justified their fighting with such claims).⁴³⁹ Historians have also often asserted that burghers' rural land holdings led to feuds with the nobility, without offering specific examples. Most recently Hillay Zmora connected patricians' rural land – as 'an unfailing recipe for disputes with the

434. Geiger, 'Steinbrüche,' p. 150.

435. The following sources make no explicit mention of Kornberg, but almost certainly relate to this dispute: *Regesta Imperii* 13.14 nos. 322, 323, 337, 338, 340, 341, 343, 344, 352, 355.

436. *Regesta Imperii* 13.14 no. 370 (24.11.1446).

437. Geiger, 'Steinbrüche,' p. 151.

438. Wiedemann, 'Besitzverhältnisse,' p. 91. See also Schnellbögl, 'Bedeutung,' pp. 274-275.

439. See examples throughout Zmora, *State and nobility*.

landed nobility' – to feuds by nobles against towns.⁴⁴⁰ These feuds will thus have to be re-examined below (chapter seven), but for now we must ask whether wider, less specific tensions around townspeople's rural lands were generating more significant antagonism between town and nobility.

Land and Territory

When taken as a whole, over the course of several centuries, the gradual expansion of townspeople's rural landholdings and of communal territories appears from our perspective to represent a replacement of the nobility by townspeople as the local elite in substantial parts of the German countryside. It seems as though townspeople were 'buying out' the rural nobility, and many historians have certainly read the situation in this way. 'The late medieval *Umlandpolitik* of the towns became a virtual clearance sale of the nobility', as Ulrich Andermann has asserted.⁴⁴¹ Perhaps it was this interpretation which Hillay Zmora had in mind when he translated a 'useful prescription... by Doctor [i.e. Margrave] Albrecht of Brandenburg, Franconia's dispensing chemist, for the malady of the poor margravian noblemen who are *dispossessed* by those of Nuremberg'.⁴⁴² Is this powerful polemic against the towns (which advocates the kidnap and ransom of wealthy merchants) making a point about the 'buying out', or even forcible 'dispossession' of the nobility? The term which Zmora translates as 'dispossessed' is 'vertriben', meaning literally 'driven out',⁴⁴³ and is a word frequently found in the anti-town rhetoric of the 1440s which Margrave Albrecht Achilles sponsored (see below, pp. 241-250). It appears together with verbs of force and pressure (*drucken, gedrungen, bedrengen* etc.) to suggest that the towns are in a general

440. Zmora, *State and nobility*, p. 107. See also Dannenbauer, *Entstehung*, p. 168.

441. Andermann, *Gewalt*, p. 207: 'Die spätmittelalterliche Umlandpolitik der Städte geriet geradezu zu einem Ausverkauf des Adels'. See also Gerhard Rechter, 'Wenn ihr nicht einen streich haltet, so müßt ihr mehr strach halten. Zum Verhältnis zwischen Niederadel und Städten in Franken', in Kurt Andermann (ed.), *'Raubritter' oder 'rechtschaffene vom Adel'? Aspekte von Politik, Friede und Recht im späten Mittelalter* (Sigmaringen, 1997), p. 143.

442. Zmora, *State and nobility*, pp. 107-108. Emphasis mine.

443. The original German is found in Ernst Schubert, 'Albrecht Achilles, Markgraf und Kurfürst von Brandenburg 1414-1486', in Gerhard Pfeiffer and Alfred Wendehorst (eds.), *Fränkische Lebensbilder 4* (1971), p. 140. For the Middle High German 'vertriben' see Matthias Lexer, *Mittelhochdeutsches Taschenwörterbuch*, 38th ed. (Stuttgart, 1992), p. 283.

sense oppressing the nobility and forcing them from their rightful leadership of society, not specifically driving them from their rural lands.⁴⁴⁴ The *Complaint of the Rightful Lordship of the Nobility* does, as we have seen, couple a generalized protest about the overmighty towns with specific reference to rural land. But the accusation made in the *Complaint* is that the towns had been appropriating, seizing and buying up *princely* lordship and setting themselves up as rulers over this land, not taking land from the nobility itself (see above, p. 11-13). Neither of these two texts is therefore clear evidence that the nobility experienced the rural expansion of the towns as a hostile take over, and the issue needs to be looked at again from the records of land transactions.

The *Complaint* certainly takes up the themes of a wider unease about townspeople's rural lands and jurisdictions. We have already noted the clause against paleburghers in the 1231 edict known as the *Statutum in favorem principum*, and the same document also contained a blanket ban on all extra-mural jurisdiction exercised by imperial towns.⁴⁴⁵ The opposition of princes to the rural expansion of the towns is well attested from 1231 onwards, and became seen as a natural and plausible motive for conflict between princes and towns. Writing in the first third of the fifteenth century, Johannes Rothe of Eisenach explained that the cause of a conflict between Erfurt and Landgrave Friedrich of Thuringia in the early 1300s was the fact that:

those of Erfurt had bought up many villages, courts and advocacies in the villages surrounding them, against the will of his father Landgrave Albrecht, against his will and against the will of his late brother, and he wished to have them back. They [those of Erfurt] also held many villages, courts and castles from the nobles (*irbarn lewte*) of his *Land*, whilst he was feudal lord over the *Land* and without his permission, which he wished to see changed.⁴⁴⁶

444. For instance RTA 15 p. 377: 'wie... die stette... sich underniemen... den adel zû drucken, under sich zû bringen und zû vertriben'.

445. Weiland, *MGH Const. II*, no. 304 (p. 419).

446. Rothe, *Düringische Chronik*, p. 524: 'dorumbe das die von Erfforte vil dorff unde gerichte unde voitei yn den dorffirn umbe sich gekouft hatten weder seinen vatir lantgraven Albrechte weder seynen willen und seynes brudir seligen, unde die wolde her weder gehat habin. ouch sso hetten sie dorf, gerichte unde sloss weder die irbarn lewte yn seyme lande, die weile das her eyn lehnherre von des landes wegen obir were, ane seynen willen unde wort, unde mute do eyn wandel umbe'.

What is notable here is that although Friedrich appears as a staunch opponent of Erfurt's rural expansion (at his expense), his nobility seem to have colluded in this by allowing the townspeople to occupy rural properties. To what extent Rothe envisages these nobles as having done so willingly is unclear. But we have already seen that many nobles enfeoffed burghers as part of mutually beneficial relationships, despite some wider misgivings (above, pp. 105-111). Therefore we must also ask whether the sale of rural land by nobles to burghers was less of a 'clearance sale' and more of a business transaction between equal partners. Or did the broader discourse of opposition to burghers' rural authority influence nobles' experience of their own land transactions with burghers?

It is difficult to read Nuremberg's 'territory' for clues as to how nobles might have interacted with it, not least because throughout the fifteenth century the territory itself was a composite of lordship in various different forms. The council exercised direct authority over certain areas of land, which did not always extend greatly beyond the imperial forests to the east of the city on either bank of the Pegnitz. Ultimate jurisdiction over these forests was acquired in stages from the thirteenth century until the purchase from Margrave Friedrich I in 1427 (though even after this date the Hohenzollern and the counts palatine still had substantial rights in the forests).⁴⁴⁷ Elsewhere the commune had a measure of *de facto* control over areas where the property of burghers, and especially that of patricians, predominated – in practice this meant the immediate vicinity of Nuremberg itself, within 10 km from the walls. But beyond this area Nuremberg's citizens owned a huge array of properties within a 50 km radius of the city, and even some properties 75 km from Nuremberg itself.⁴⁴⁸ From 1439 those nearer to Nuremberg were organized into a shifting structure of rural captaincies (*Hauptmannschaften*), which provided a measure of communal coordination for the burghers' dependents to improve their defensive potential.⁴⁴⁹ The Hussite threat had prompted the city to draw up the first of what became a

447. Dannenbauer, *Entstehung*, pp. 110-114.

448. For instance, Heinrich Rummel's vineyard at Volkach on the Main, over 75 km from Nuremberg: BB 15 f. 300^{r-v} (18.8.1442).

449. Dannenbauer, *Entstehung*, p. 156.

series of censuses of rural dependents in 1431; further surveys were made in 1439, 1441 and 1446.⁴⁵⁰ In Heinz Dannenbauer and Karl-Friedrich Krieger's analysis, these reveal a total of 5,813 dependent peasants of military capability, 3,984 of which were subject to private citizens. 70–75 per cent of these were subject to members of patrician families.⁴⁵¹ A survey made in 1497 counted 5,114 households with 14,576 individuals aged fifteen or over, which Hofmann extrapolates to give an estimated total population of around 25,000, living at 769 different places and organized into 42 *Hauptmannschaften*.⁴⁵² Shortly afterwards, in 1504, Nuremberg used the War of the Bavarian Succession to grab a block of Wittelsbach land to the east,⁴⁵³ giving the city a contiguous territory of over 1,200 km², which it held until the dissolution of the Holy Roman Empire. But it is crucial to distinguish Nuremberg's fifteenth-century territory from this later aggrandizement, which doubtless fulfilled some ambitions harboured by the council in the 1400s, but was also a highly opportunistic move.

Within this fifteenth-century conglomerate of diverse and often dispersed rights and properties, the larger jurisdictions were acquired from princes, but many individual castles, villages or smaller holdings were naturally purchased from nobles. The largest of these transactions was the castle of Lichtenau (35 km south west of Nuremberg), together with some surrounding villages, which was bought from Friedrich II of Heideck in 1406. It seems most likely that the proximity of Lichtenau to the burgravia and later margravia centre at Ansbach made it of interest to the council, and the deal was facilitated by the Heideck family's close connections to Nuremberg (see below, p. 257). This did not prevent complications arising, however. The bishop of Würzburg claimed overlordship, and had to be compensated by Heideck,⁴⁵⁴ whilst the Teutonic Knight Friedrich Holzschuher raised unknown objections, forcing Nuremberg to call on the pledged security

450. Krieger, 'Landbesitz,' p. 79.

451. Krieger, 'Landbesitz,' pp. 79-84; Dannenbauer, *Entstehung*, pp. 158-161.

452. Hanns Hubert Hofmann, *Nürnberg's Raumfunktion in der Geschichte* (Hannover, 1974), p. 95; Dannenbauer, *Entstehung*, pp. 161-165.

453. See Pfeiffer, *Nürnberg*, pp. 122-123.

454. Dannenbauer, *Entstehung*, p. 149.

from Heideck's guarantors for the sale.⁴⁵⁵ In 1409 Nuremberg sold the entire property to the patrician Heinrich Rummel. Dannenbauer speculated that this was because of Lichtenau's distance from Nuremberg and proximity to the Hohenzollern power base; Krieger instead suggests that the sale was made to reduce tensions with Ansbach.⁴⁵⁶ In any case, Nuremberg does not seem to have followed up or repeated the policy elsewhere. There were other substantial and controversial purchases by individual burghers, notably the acquisition of the village Stopfenheim (44 km south of Nuremberg) by Peter Haller and Peter Rieter from the Seckendorff family in 1423.⁴⁵⁷ But following a strong expansion of citizens' rural presence in the immediate vicinity of Nuremberg in the fourteenth century⁴⁵⁸ the process seems to be slowing in the earlier fifteenth century,⁴⁵⁹ and in the 1440s the only substantial purchases from the nobility were related to the affair of the Kornberg quarries, which we will revisit shortly.

In the case of Nuremberg there is clearly no evidence for a 'buying out' of the nobility by townspeople in a literal sense. Individual purchases could cause tensions as the transaction became snagged on details and the claims of third parties, but these do not seem to have been long-lasting (the dispute over Lichtenau did not impede the later close alliance between Nuremberg and the lords of Heideck, for example). Furthermore, the movement of property was not all one way: there are examples of nobles buying rural incomes from burghers.⁴⁶⁰ Many purchases by burghers concerned only incomes from the land, rather than the title to the property itself.⁴⁶¹ Other land was mortgaged, or acquired with a right of repurchase – only rarely did nobles 'sell up' with no option to regain their property later. And we have already seen that towns were generally very judicious, if not cautious, in

455. Dannenbauer, *Entstehung*, p. 150. BB 1 ff. 161^r (12.12.1406), 171^v (26.1.1407).

456. Dannenbauer, *Entstehung*, p. 150; Krieger, 'Landbesitz,' p. 94.

457. Regesta Imperii 11.1 no. 5597 (29.7.1423); BB 6 ff. 31^v-32^r (27.8.1423); Regesta Boica 13 p. 117 (28.2.1428).

458. Summarized by Schnellbögl, 'Bedeutung,' p. 289.

459. This would match the pattern at Nördlingen (Kießling, *Stadt*, p. 115), and possibly Munich (Schneider, *Niederadel*, p. 317).

460. Waldenfels, *Waldenfels*, pp. 165-166; Regesta Imperii 13.19 no. 100 (15.1.1451).

461. Krieger, 'Landbesitz,' p. 85 maintains that this was the norm in northern Germany.

their acquisition of substantial rural properties (above, p. 102). All of these factors suggest that we need to analyse land transactions between nobles and burghers as part of a regional land market in which no one group necessarily had the upper hand, rather than through the prism of a 'crisis' and consequent 'clearance sale' of the nobility. Many towns did establish predominance in their immediate vicinity, but rarely to the complete exclusion of the nobility: within 10 km of Berlin the value of burgher property outstripped that of nobles by a ratio of 2:1, and within an 11-20 km radius burghers had just slightly more land by value than nobles.⁴⁶² Beyond Nuremberg there were also some spectacular individual acquisitions by towns, but even these are not manifestations of insatiable rural expansion by the towns at nobles' expense. In 1383 Rothenburg bought the lordship of Nordenberg for 7,000 fl. from the last of the Küchenmeister von Nordenberg family, who then continued to occupy this land as a vassal of the town, in a transaction of a type also frequently enacted between nobles and princes.⁴⁶³ In 1382 Counts Konrad and Friedrich of Helfenstein mortgaged their entire lordship to Ulm for 37,000 Gulden, and much (though not all) of this eventually came to Ulm in perpetuity. This did not come about until 1414, and there can be no certainty that Ulm ever aimed to permanently acquire the entire complex of property.⁴⁶⁴

This link between finance and land is at the heart of the complex property market which should be our frame of reference for land transactions between town and nobility. Nuremberg's first great privilege of 1219 stipulated that when a 'lord' (*dominus*) could not repay a loan, the creditor from Nuremberg should hold his property as a pledge.⁴⁶⁵ In the history of Vienna called the *Fürstenbuch*, written by Jans Enikel in the late thirteenth century, the Viennese burghers' chief wish from their prince was that he force his *ministeriales* to repay their loans, and enfeoff

462. Krieger, *Lehnshoheit*, p. 139 n. 116.

463. Schnurrer, 'Bürger,' pp. 65-66; Gerhard Rechter, 'Das Verhältnis der Reichsstädte Windsheim und Rothenburg ob der Tauber zum niederen Adel ihrer Umgebung im Spätmittelalter', *Jahrbuch für fränkische Landesforschung*, 41 (1981), p. 47.

464. Hohenstatt, *Entwicklung*, pp. 90-103.

465. Werner Schultheiß, 'Geld- und Finanzgeschäfte Nürnberger Bürger vom 13.-17. Jahrhundert', in Stadtarchiv Nürnberg (ed.), *Beiträge zur Wirtschaftsgeschichte Nürnbergs* (Nuremberg, 1967), p. 61.

the burghers with their villages if they cannot pay.⁴⁶⁶ There is evidence from Nuremberg in 1332 of a debt being settled by a payment in land.⁴⁶⁷ Some nobles undoubtedly did ultimately lose the property which they had for whatever reason pledged as security or mortgaged to towns, princes and fellow nobles. The frustration of this situation is clearly expressed in a letter of 1421 by Johann III of Leuchtenberg to King Sigismund, asking that the king repay 10,000 fl. of his late brother Wenceslas' debts to Leuchtenberg so that Johann can redeem the castle of Grafenwöhr from the Count Palatine before a deadline to do so expires. Johann describes the castle as well situated and defensible, with a rich vein of ore recently discovered on its land, and worth 24,000 fl. to him – but his plea was in vain, and Grafenwöhr passed to the Palatinate.⁴⁶⁸ It is rarely possible to tell whether or not any given creditor deliberately engineered such a situation, but some must have taken advantage of the opportunity. Yet credit dealings could be manipulated by debtors as well: Markus Bittmann suggests that the noble family of Klingenberg deliberately ran up very high debts with the town of Stein am Rhein, which then purchased itself from the Klingenberg lordship in 1457 in exchange for annulment of these debts, and therefore at a vastly inflated price.⁴⁶⁹

A full assessment of this aspect of the land market between town and nobility will have to await a deeper investigation of the credit market. But another point of possible tension around the circumstances of land sales by nobles to towns is suggested by Nuremberg's one major purchase of the 1440s, that of Kornberg. We have already seen that the city's 'buy out' of the Kornberg quarries from Georg von Seckendorff effectively resolved a threatening dispute over this valuable resource. Only a few months later, in March 1447, the council were also negotiating the purchase of Georg's village and castle of Kornburg, just south of the quarries.⁴⁷⁰ In April the council asked their contacts at the royal court to help

466. Brunner, 'Zwei Studien,' pp. 257-258. See also Kießling, *Stadt*, pp. 153-154.

467. Schultheiß, 'Geld- und Finanzgeschäfte,' p. 72.

468. Wagner, *Leuchtenberg* 3, pp. 51-52.

469. Bittmann, *Kreditwirtschaft*, pp. 210-213.

470. BB 18 f. 205^r (31.3.1447).

arrange the transfer of this imperial fief.⁴⁷¹ The town's servitor Erhard Yener was charged with the mission to the court, and he was accompanied by Georg von Seckendorff. In late April Yener wrote to say that Seckendorff was reluctant to come with him to Styria (where Frederick III was often resident) or to stay any longer at Vienna. The council told him to make it clear to Seckendorff that they wished him to stay with Yener in order to bring the matter to a conclusion.⁴⁷² The king's permission was soon secured, however.⁴⁷³ Throughout this whole process the council named itself as the purchaser, but at some point before 1 November 1447 this role was taken on by Peter Rieter (whose descendants later occupied Kornburg). Rieter was certainly well placed to mediate between the council and the Seckendorff brothers Georg and Hiltpolt, as he was married to their aunt Barbara (see p. 42).⁴⁷⁴ Was Rieter's involvement necessary to smooth over differences with the Seckendorff family, or did he provide the capital whilst the council handled the diplomacy? It is certainly difficult to know what to make of the figure of Georg von Seckendorff in Vienna, reluctant to travel further in what might have felt like Nuremberg's errand. Had the town used its superior financial muscle to force him not just from his valuable quarries, but also his manorial lordship, in order to close down all possible difficulties over the future of the Kornberg? Or had Seckendorff used Nuremberg's eagerness to resolve the Kornberg matter to strike a hard bargain and realize capital which he could invest elsewhere? Whatever the answer, the purchase of Kornburg must have had substantial implications for Nuremberg's relations with the large and influential Seckendorff clan.

The specific circumstances of individual purchases were probably far more significant for town-noble relations than the total quantity of land which changed hands or the ratio of burgher to noble land in a given area. Indeed, any tensions

471. BB 18 f. 217^v (17.4.1447).

472. BB 18 f. 245^{r-v} (19.5.1447).

473. Regesta Imperii 13.14 nos. 376 (15.5.1447), 377 (17.5.1447).

474. Gerhard Rechter, *Die Seckendorff. Quellen und Studien zur Genealogie und Besitzgeschichte, II: Die Linien Nold, Egersdorf, Hoheneck und Pfaff* (Neustadt an der Aisch, 1990), p. 301. See also Regesta Imperii 13.14 no. 394 (20.12.1447).

around townspeople's rural land must have had much more to do with perceptions than market realities. The amount of property which moved from noble hands to burgher ownership was a small fraction of the total rural land, and very few noble families were genuinely 'bought out' by townspeople. These transactions may have been dwarfed by changes within the land-holding structure of the nobility itself. 'The overall impression,' notes Hilla Zmora, 'is that property not only was not alienated from the nobility, but was rather being concentrated in the hands of families of noble office holders.'⁴⁷⁵ And we have seen that even the evidence for a noble perception of increasing urban domination in the rural space is shaky, perhaps simply a misreading of the sources within the 'clearance sale' paradigm. It is possible that nobles perceived all purchases of rural land by burghers – from princes and churches as well as from the nobility – as a hostile take over of 'their' space, because once owned by towns or townspeople property would be subject to civic regulations which sought to force its sale only to other citizens (though these rules were often broken), and because rural property under urban ownership might be less available to the nobility in other ways too, for example as a fief or part of a district office. In this latter respect, it remains to be seen to what extent nobles were able to benefit from the town's patronage (see chapter six) as they did from that of princes. But surely the single most salient point in the noble experience of towns' rural expansion is nobles' active participation in this process – whatever wider misgivings they may have had, these remained too general to stand up against the immediacies of specific situations, so that when the price was right, a sale could be made.

475. Zmora, *State and nobility*, p. 59.

Conclusion: holding the balance?

The overall noble experience of townspeople as holders of land and jurisdiction in the countryside remains in many ways elusive. Kurt Andermann has called for more investigation of the subject,⁴⁷⁶ and when historians take a position on the question their opinions can diverge wildly: we have seen that Zmora considers rural land to be a cause of feuds between townspeople and nobles, but for Ulrich Andermann burghers' rural land formed a 'common interest' (*Interessenverbindung*) with the rural nobility.⁴⁷⁷ Some crucial issues certainly remain largely uncharted territory. But the sources from Nuremberg for burghers and nobles as rural neighbours and the substantial historiography on the nature and purposes of burgher rural landholding suggest that both positive and negative extremes are wide of the mark when it comes to reading townspeople and nobles as rural lords. Their rural relationships were characterized by mutual financial interests – but not necessarily a common interest as landowners in the same mould and with the same objectives – and by constant low-level friction and sometimes violence, but hardly ever explosive or entrenched conflict. Townspeople in the countryside presented a deeply ambivalent face to the nobility: as rural landowners much like them, but with a different set of geopolitical priorities; and as an expanding and vigorous power, but also one which grew haltingly and with some but ultimately limited overall direction and purpose. This certainly seems to be the case for Nuremberg, where there were no paleburghers to heighten tensions, and where the town's fifteenth-century 'territory' had no definite form and no clear periphery which could draw a line between 'town' and 'nobility'.

Given this ambivalence, nobles' reactions were likely to be contingent on the ways in which shared rural lordship interacted with other aspects of their

476. Kurt Andermann, 'Raubritter – Raubfürsten – Raubbürger? Zur Kritik eines untauglichen Begriffs', in Kurt Andermann (ed.), *'Raubritter' oder 'rechtschaffene vom Adel'? Aspekte von Politik, Friede und Recht im späten Mittelalter* (Sigmaringen, 1997), p. 24.

477. Andermann, *Gewalt*, p. 65.

relations with townspeople (finance, patronage, membership of regional political communities) and on the specific circumstances of individual relationships and transactions. This could have allowed a vague sense of disquiet to coexist with a lively participation in a system of rural lordship which fully accepted townspeople as partners, subjects and even overlords. This fine balance seems to have persisted into the later fifteenth century, when separate town and noble identities may have been hardening. The issue of burghers' rural land was clearly being debated in Saxony around 1500: in 1498 Saxon and Thuringian knights complained about the amount of land in their villages held by townspeople, but in 1523 Saxon electoral counsellors remarked that it was up to the knights to decide whether they enfeoffed burghers or not.⁴⁷⁸ At Nuremberg, the expansion of the urban community's collective rural property happened mostly alongside nobles' rural interests rather than directly against them, with varying levels of mutual benefit or friction generated along the way.

478. Held, *Marktplatz und Anger*, p. 76.

4.

THE COUNTRYSIDE: SECURITY AND CONTROL

The ambiguities in the relationship between townspeople and nobles as rural landlords give way to sharper contrasts when we turn to the question of security in the rural space. We have already seen the ways in which towns sought to enhance the security of their citizens in the countryside through the purchase of strategic rural properties and fortifications, and also some of the ways in which the rural order was disturbed by petty disputes between nobles and townspeople as landowners. Yet we have also noted that these disputes in themselves rarely threatened to grow beyond their village contexts, and that Nuremberg did not have a highly developed defensive territory. In the 1440s the council directly administered a broad swathe of forest to the east of the city and indirectly controlled the fortified residences of patricians in the immediate vicinity of the town, together with the castle at Lichtenau via the Rummel family. But these possessions were not remotely sufficient for the protection of both the city's trade arteries and the rural properties of its citizens. Other and different security measures were needed, and this need was largely conditioned by Nuremberg's relationship with the rural nobility.

Three fundamental aspects of the rural nobility shaped Nuremberg's rural security concerns. The first was the fact that the particular security interests of the nobility only rarely aligned with those of Nuremberg. We have already seen that nobles were not intimately involved with the commercial life of the town (pp. 72-78), and that the business of rural lordship generated innumerable conflicts. Nobles operated in a rural space in which violence was endemic and indeed systemic, and to an extent burghers' own rural lordships were also part of this system of frequently violent self-assertion and self-defence. But Nuremberg's trade as it traversed the roads to and from the city was doubly threatened by the (at best)

indifference of the nobility towards Nuremberg's commerce and by the inherent instability of the countryside in which this commerce had only an indirect involvement. The second factor, however, was nobles' responsibility to society as a whole for the protection of travellers, the weak and infirm, and of justice more generally. This was both a tenet of chivalric ideology and a practical fact on the ground where nobles controlled tolls and safe conduct on the roads. It meant that the town could work with nobles to ensure security, and that it was obliged to do so in many cases (often at a cost). But this responsibility naturally conflicted to some extent with nobles' detachment from the particular forms of rural security which Nuremberg sought. The paradox was compounded by a third aspect of the nobility, which was nobles' character as the chief disturbers of the rural peace. Whether nobles were feuding with Nuremberg directly or with third parties they were equally a threat to rural security from the city's perspective, as we will see below from a case-by-case analysis of 'robberies' committed by nobles.

When townspeople entered the rural space in order to guarantee their particular form and understanding of security, they inevitably did so with political and military backing. Security needed to be underwritten by power, and we will see that the towns were short of 'soft power' options when it came to their rural security. Where ideas and attitudes conducive to the towns' concept of security were thin on the ground, strong-arm politics had to suffice. Furthermore, towns such as Nuremberg could be perceived as trespassing on the prerogatives of the nobility through security-related activities of any sort: if not on the actual property of nobles, then on nobles' right and responsibility to maintain order and protect justice. This amounts to a serious potential for conflict even before we consider the possibility that nobles whose violent actions were seen as legitimate by a good number of their noble peers could nonetheless pose a threat to the town, and thus fall foul of its security measures. But how far did Nuremberg actually impinge on the rural nobility and restrict its freedom to run the rural space according to its rules? Was Nuremberg indeed playing by a different set of rules altogether from those adhered to by the nobility? Ideas of town-noble

relations as a clash of cultures presuppose these differences, but also ignore some crucial aspects of the problem. For instance, towns were competing with princes far more than with rural nobles as providers of rural security over large areas, and for all the practical differences between towns' security measures and noble feuding behaviour, city councillors understood the feuding logic that drove noble violence, and indeed followed this logic themselves in other contexts. We can only find the balance between these generalizing perspectives through a careful reading of real and individual relationships between Nuremberg and rural nobles. Whereas the preceding chapter was largely about town action and noble reaction, we now need to tackle three main stages, as nobles act (or fail to act), the town reacts, and nobles respond in turn to this reaction.

Nobles as Protectors: Roads, Tolls and Markets

Since almighty God has ordained the nobility for the furtherance of justice and peace...

Charter of the Society of St George's Shield, 1482.⁴⁷⁹

The nobility as a divinely instituted protector of peace and justice was a common theme, also taken up in the preamble to the nobility's case before the pope, cardinals, emperor and electors in the *Complaint of the Natural Lordship of the Nobility*. The nobility's task as defined here was to 'protect widows and orphans against unjust force and to help all to justice, both rich and poor'.⁴⁸⁰ The conventional pieties, comfortable generalities and the fantasy figures of helpless 'widows and orphans' found in these statements of noble intent do not necessarily show them to be hollow, but they do suggest the difficulty of turning this ideology into concrete action. In the burghers' response to the nobility's case in the *Complaint* 'those who desire peace, law and justice' are given a more specific and thereby more troublesome form: 'namely peasants, artisans and merchants'.⁴⁸¹ The latter

479. Obenaus, *Recht und Verfassung*, p. 90, n. 220: 'Syd got der almechtig den adel hat geordnet, gerechtikait und frid zu furdern...'

480. Bayerische Staatsbibliothek ms. Cgm 4930, f. 20^r: 'beschirmen sullen wittwen vnd weysen vor vnrechtem gewalt vnd auch allermeniglich helffen dez rechten er sey arm oder reich'.

481. *ibid*, f. 21^{r-v}: 'die des frids vnd gesetz der gerechtikeit begern mit namen veltpawer hantwerker vnd kauffleut'.

in particular were supposed to be protected in a double sense: by a special peace which embraced other non-combatant groups such as clerics and pilgrims, and by a special peace for travellers on the roads, where merchants and their goods were most vulnerable.⁴⁸² This protection for travellers was given substance by the duty to provide safe conduct (*Geleit*) in defined areas and on certain stretches of highway, with the associated right to levy tolls. This responsibility was often vested in rural nobles, either on account of their own authority or as functionaries or vassals of princes. But the potential for abuse and failure in a system which guaranteed nobles and princes a straightforward and regular cash income in exchange for performing an extremely difficult task (the securing of a given rural area against all forms of violence) was easy for contemporaries to imagine. The thirteenth-century moralizing poet Freidank made tolls one of the chief instruments of the 'robbery' which filled the German lands:

Courts, advocacies, currency and tolls
They were all originally well-intentioned
But now they have become nothing but robbery.⁴⁸³

There was certainly potential for the distinction between tolls and the outright appropriation of property to become blurred.⁴⁸⁴ Corruption within the system of tolls and safe conduct is also one of the cornerstones of the burghers' riposte to the noble *Complaint*. The burghers allege that the nobility burden them with new tolls and oblige them to pay for safe conduct on the imperial highways, 'though these ought to be free'.⁴⁸⁵ Complaints about oppressive tolls and taxes were a significant part of a wider set of common criticisms of the nobility; even when the link was not made explicit, there is a clear connection between tolls and robbery as twin aspects of a nobility which supposedly takes more than it is owed by society. These were attitudes characteristic of the late Middle Ages, and we will encounter

482. See Andermann, *Gewalt*, p. 117-118.

483. Quoted in Andermann, *Gewalt*, p. 86: 'Tiuschiu lant sint roubes vol: / gerihte, voget, münze und zol / diu wurden e durch guot erdaht, / nu sint si gar ze roube braht'.

484. Lullies, *Fehde*, p. vi; Görner, *Raubritter*, p. 224.

485. Bayerische Staatsbibliothek ms. Cgm 4930, f. 21r: 'Den wollen ye die herscher des adels den vnttertän des reichs purger arm vnd reich dringen vnd ubersetzent dy mit newen zollen vnd zinszen... vnd geleit musen nemen auff dez reichs strassen die doch frey sol sein'.

more of them later, but they were also perfect material for the post-medieval construction of a clash of bourgeois and noble cultures. What are the relationships between these tropes of social commentary, in both their medieval and modern incarnations, and the daily reality of interaction between townspeople and nobles through the protective functions of the latter in the countryside?

The maintenance of safe conduct required continual negotiation, which created a substantial body of correspondence. Within this diplomatic activity there were certain routines. Twice a year the council requested safe conduct for its merchants to the lenten and autumn fairs at Frankfurt am Main from a series of nobles with jurisdiction over the road from Nuremberg to Frankfurt, either in their own right or as princely office holders: the counts of Castell and Wertheim, the Schenk von Limpurg family, and governors at Tauberbischofsheim, Miltenberg and Aschaffenburg.⁴⁸⁶ For merchants attending the annual fair at Nördlingen, the margravian governor or the town council at Gunzenhausen and the counts of Oettingen were responsible for security on the roads.⁴⁸⁷ But this shorter journey could prove more troublesome than the route to Frankfurt. In 1439 Count Johann of Oettingen was involved in a feud against the Pappenheim family, and was also responsible for the kidnap of Straßburg citizens. Meanwhile, it was seriously feared by Nördlingen that he planned to take that town by stealth, and in September 1440 the brothers Johann and Ulrich of Oettingen attacked the town of Lauingen.⁴⁸⁸ Ulrich of Oettingen simultaneously supported the minor noble Rudolf von Bopfingen in a feud against Nuremberg (see below, p. 289).⁴⁸⁹ These events not only unsettled the region, they also seem to have split the Oettingen family, with Johann and Ulrich's uncle Ludwig and their brother Wilhelm initially refusing to provide Nuremberg with safe conduct to the Nördlingen fair in 1440 because of their differences with their nephews and brothers.⁴⁹⁰ For

486. For example, in 1443: BB 16 ff. 98^v (24.7.1443), 185^r (30.12.1443).

487. For example BB 8 f. 37^r (17.5.1428). BB 14 f. 169^v (6.5.1440). For expenses associated with travel to the Frankfurt and Nördlingen fairs, see Sander, *Haushaltung*, pp. 518-521.

488. Blezinger, *Städtebund*, pp. 47, 55-56, 65. See also Obenaus, *Recht und Verfassung*, p. 71 n. 145.

489. BB 14 ff. 124^r-126^r (17.2.1440).

490. StAN Rep. 15a 102 18 (11/15.5.1440).

their part, Johann and Ulrich suspected that Nuremberg would therefore try to provide its own safe conduct, which they strongly opposed; Nuremberg flatly denied this allegation.⁴⁹¹ The following year, however, the Nuremberg accounts record a payment to the town's servitor Michael von Ehenheim for security patrols as Nuremberg's merchants entered and left the Nördlingen fair.⁴⁹² These disturbances around Nördlingen in 1440 suggest that the safe conduct which the counts of Oettingen were habitually asked to provide was not just a formal grant of permission to use roads nominally under their authority, but was to some extent armed and effective protection. In more normal years, the standard grant of safe conduct by the counts of Oettingen asked that the Nuremberg merchants keep together in one group on the correct road, so that they could be better protected.⁴⁹³

The road to Frankfurt was similarly unsettled in 1441. For the lenten fair in that year the council seems to have abandoned the usual route along the Main valley, as late in the day (on Ash Wednesday) it requested safe conduct from Johann, Ulrich and Wilhelm of Oettingen, alongside Ludwig of Württemberg and the Count Palatine Otto, to secure an indirect route to Frankfurt via Swabia.⁴⁹⁴ This expedient apparently failed, as Nuremberg later told Augsburg that they had been unable to obtain safe conduct, and advised the Augsburger not to visit the fair.⁴⁹⁵ The situation in the Main valley appears to have been little better in the autumn, when Count Wilhelm of Castell and Konrad von Limpurg both refused safe conduct on account of the general insecurity, and Nuremberg was obliged instead to ask Margrave Albrecht for safe conduct on a different route.⁴⁹⁶ Nobles were also worried about specific feuds against Nuremberg which might make their task harder: in 1437 Nuremberg provided a list of their current opponents alongside their requests for safe conduct to Frankfurt,⁴⁹⁷ and in 1447 the counts

491. StAN Rep. 15a 102 18 (19.5.1440). BB 14 f. 180^r (22.5.1440).

492. StAN Rep. 54 12 f. 68^r.

493. e.g. StAN Rep. 15a 102 18 (17.5.1445).

494. BB 14 f. 325^r (1.3.1441). See also BB 14 f. 327^r (7.3.1441).

495. BB 14 ff. 335^v-336^r (18.3.1441).

496. BB 15 f. 96^r (27.8.1441).

497. BB 12 f. 345^v (2.3.1437).

of Oettingen expressed a direct concern that Nuremberg may have become involved in dangerous feuds.⁴⁹⁸ In February 1440 Nuremberg protested against Ludwig and Wilhelm of Oettingen's refusal to provide safe conduct for special lenten foodstuffs beyond Oettingen, which was almost certainly linked to the simultaneous declaration of feud against Nuremberg by Ulrich of Oettingen.⁴⁹⁹ As we have seen, Ludwig and Wilhelm were not supporting Ulrich's aggressive policy at this time, but they may well have had misgivings about their ability to provide effective protection against their relative.

In one sense, these examples of failed cooperation between town and nobility to establish rural security for a limited space and time are clear evidence for the dysfunctionality of this system and its associated relationships. Townspeople would naturally balk at paying tolls for safe conduct which was no longer guaranteed as soon as a serious threat emerged. But more importantly, these incidents are the exceptions demonstrating the rule that Nuremberg did rely on rural nobles to provide real security in the countryside. Nobles performed a genuine function which Nuremberg struggled to replace when these nobles were not able to fulfil their obligations. We can see this all the more clearly from Nuremberg's requests for protection against specific threats. These requests were often directed at nobles with authority in the hill country between Franconia, Thuringia, Saxony and Bohemia, which was crossed by the important road from Nuremberg to Leipzig and Poland. A particular danger arose here in the autumn of 1446 with a feud declared by Heinz Röder of Mechelgrün, to the east of Plauen (see below, pp. 298-299). In February 1447 Nuremberg asked the counsellors of Margrave Johann to ensure that their lord cooperated with Friedrich of Saxony and Heinrich II von Plauen to provide safe conduct, as had been the case in the time of Heinrich von Plauen's father, Heinrich I (who had died in the final days of 1446).⁵⁰⁰ Nuremberg also wrote to both Heinrich I and Heinrich II von Plauen

498. BB 18 ff. 258^v-259^r (1.6.1447).

499. BB 14 f. 126^v (17.2.1440).

500. BB 18 ff. 167^v-168^r (15.2.1447).

that they could do little against the ‘robbers’ from such a great distance; instead, Nuremberg told the younger Heinrich, it was proper for them to pay their tolls to the lords and princes and to request safe conduct.⁵⁰¹ The council thus responded to a crisis in this relationship between payment of tolls and provision of effective security by expressly reaffirming it. In other situations urban authorities did take matters into their own hands, as we will see below, but there were clearly many instances in which the city was reliant on rural nobles for rural security, and enough occasions on which this relationship functioned to maintain the credibility and value of the system as a whole.

Even when nobles had failed to prevent an attack under their safe conduct, the city council could still call on them to ensure the return of, or compensation for, the property taken. Inevitably the overwhelming majority of these requests for assistance proved fruitless for one reason or another. But some nobles were thanked by Nuremberg for their help or at least willingness to help.⁵⁰² The only case known to me of a noble honouring their safe conduct by restoring the property taken from Nuremberg citizens is that of the Bohemian Hanaš of Kolovrat, who promised to compensate Nuremberg if he and the rest of the Pilsener *Landfriede* could not get Aleš of Sternberg to return the goods taken from Fritz Euglein and Hans Meyer (see below, pp. 290-292, for Sternberg’s feud). Kolovrat promised to abide by the joint judgement of a representative of Nuremberg and a representative of Eger as to the value of the stolen property.⁵⁰³ Around five months later, in April 1442, Kolovrat informed Hans Mayer that he expected the property to be returned.⁵⁰⁴ Some, possibly all, of Meyer’s property was still outstanding in September 1442,⁵⁰⁵ but Kolovrat then wrote to say that an unnamed Nuremberg citizen (most likely Meyer) could send for his property, which Kolovrat now had in his hands.⁵⁰⁶ 2,400 lb. of copper was taken, of which

501. BB 18 ff. 396^v-397^r (27.11.1447). See also BB 18 ff. 94^v-95^r (31.10.1446).

502. BB 5 f. 198^v (19.2.1422), BB 11 f. 309^v (3.7.1435).

503. Rep. 2c 19 f. 16^v (22.11.1441).

504. BB 15 f. 233^{r-v} (20.4.1442).

505. BB 15 f. 318^r (25.9.1442).

506. BB 15 ff. 327^v-328^r (15.10.1442).

all but 80 lb. was recovered by Kolovrat.⁵⁰⁷ It is not clear exactly what combination of circumstances stimulated or enabled Kolovrat to succeed where so many of his contemporaries failed, or did not even try. But the low success rate did not prevent the Nuremberg council from repeatedly calling on nobles to honour their safe conduct in this way. There was often little else that the council could do, and it had to be seen to be doing something to fulfil its own obligations to its citizens. One way or another, the city's need for the security provided by rural nobles was continually reinforced, as the idea of this relationship was often useful even when its reality fell short of the ideal.

Another sign of the vitality and importance of these security relationships was the frequency of the disputes which they provoked. All of the clashes already outlined over the responsibility of nobles to provide safe conduct in dangerous and difficult circumstances show the reality of the obligations which it entailed. This reality could be heightened by Nuremberg in the form of an appeal to honour when a little more persuasion was necessary to bring nobles to meet their responsibilities, as the city council saw them. In September 1441 Nuremberg described an attack on oxen being driven to the Rhine under the safe conduct of Count Johann of Wertheim as being not only a robbery against its citizens, but also carried out 'to your grace's opprobrium and considerable dishonour'.⁵⁰⁸ Nobles who were called upon as providers of safe conduct ran the risk of incurring substantial costs (see the example of Hanuš of Kolovrat above), but were also reaffirmed in an important and potentially lucrative lordship title. For all that nobles tried to refuse safe conduct in specific circumstances, we rarely observe them denying that they did indeed have this responsibility within a given space.⁵⁰⁹ Acknowledgement of the right to grant safe conduct was simply too valuable for nobles to ignore, even if it came at a price.

507. StAN Rep. 2c 19 (loose sheet).

508. BB 15 ff. 103^v-104^r: 'ewern gnaden zusmacheit und mercklichen uneren'.

509. For an example of such a denial, involving Hynek Krušina of Schwanberg, see BB 12 ff. 35^r (16.9.1435), 46 (6.10.1435).

Part of this value was obviously pecuniary. Safe conduct not only aimed to protect trade, it also directed it through toll stations.⁵¹⁰ Towns such as Nuremberg had too great a need of the security which nobles provided (whether real or conceptual) to fundamentally dispute these tolls. But naturally they were acutely sensitive to any increases in the rates charged or the overall number of tolls. It was difficult to agree on a fair price for a 'service' which was often ineffective, but which both sides still had reasons for upholding. In keeping with this partially idealized practice of safe conduct, Nuremberg tried to make custom the sole arbiter of a given toll's validity. In February 1444 Paul Stromer of Nuremberg denied evading a toll at Feucht with the explanation that he would not wish to dispute this toll, as it was old-established (*von alter herkommen*).⁵¹¹ Whereas the standard complaint from the towns was of new and hence 'illegal' tolls,⁵¹² nobles most commonly claimed that merchants were not using the 'proper' roads, and thereby avoiding tolls. The council usually had a plausible answer: the normal roads were too dangerous at that time,⁵¹³ or the toll itself had been moved to a less convenient location.⁵¹⁴

These claims and counter-claims of tolls arbitrarily imposed and evaded were a regular part of the especially fraught relationship between Nördlingen and its often oppressively close neighbours the counts of Oettingen.⁵¹⁵ But for Nuremberg the issues were less charged, and the most serious dispute over tolls to arise during the 1440s was an unusual confrontation with the Brandenburg nobleman Friedrich von Bieberstein. In late 1443 Bieberstein claimed that Hans Nagel, a servant of Nuremberg's Peter Watt, had warned other merchants not to use Bieberstein's roads and had thereby caused him considerable losses. He also claimed that the margrave of Brandenburg had told Nagel to spread this warning, suggesting that the real conflict may have been between noble and

510. Artur Dirmeier, 'Information, Kommunikation und Dokumentation im transurbanen Raum', in Jörg Oberste (ed.), *Kommunikation in mittelalterlichen Städten* (Regensburg, 2007), p. 54.

511. BB 16 f. 222^r (19.2.1444).

512. See Kießling, *Stadt*, p. 86.

513. BB 4 f. 108^v (2.9.1415).

514. BB 18 ff. 11^v-12^r (29.7.1446), 120^r-121^r (14.12.1446).

515. Kießling, *Stadt*, pp. 85-86, 90-91.

prince.⁵¹⁶ The ensuing correspondence stretched over nearly three years, and it seems that Bieberstein considered himself to be in a state of feud with Nuremberg (see below, p. 299).⁵¹⁷ But alongside the possible involvement of the margrave, it is also important to note a previous dispute between Nuremberg and Bieberstein after the latter had robbed Nuremberg merchants in pursuit of claims against the Empire, which was again taken up alongside the toll controversy. Even in this case it is therefore difficult to isolate disputes over tolls as a significant cause of antagonism between Nuremberg and rural nobles. The consensus on the necessity of safe conduct and tolls was too strong, despite all the problems inherent in their operation.

Naturally towns tried to simplify matters by bringing important routes under their control whenever they could. Some very detailed boundary negotiations were necessary where the castle of Rothenberg claimed jurisdiction over short stretches of important roads leading to Nuremberg from the east.⁵¹⁸ Of all the many rights of the Helfenstein dynasty which Ulm acquired by mortgage, the rights of safe conduct and associated tolls were clearly of greatest interest.⁵¹⁹ Rothenburg and Memmingen both successfully expanded their jurisdiction over roads in their vicinity, and Frankfurt and Nördlingen received imperial privileges against the establishment of new tolls or the increase of old ones.⁵²⁰ Nuremberg received two privileges from Emperor Charles IV (1346–1378) allowing the city to provide its own safe conduct to those who requested it.⁵²¹ This expansion of towns' authority in the rural space has attracted much more attention than their cooperation with nobles to ensure security.⁵²² But the Nuremberg sources provide clear evidence of this cooperation, despite the many practical and political problems and the

516. StAN Rep. 2c 29 ff. 1^r-2^v.

517. The main correspondence is contained in StAN Rep. 2c 29.

518. Schnellbögl, 'Bedeutung,' pp. 286-288.

519. Hohenstatt, *Entwicklung*, pp. 112-113.

520. Wunder, 'Reichsstädte als Landesherrn,' p. 84. Kießling, 'Umlandgefüge,' p. 54. Schneidmüller, 'Territorialpolitik,' p. 130. Kießling, *Stadt*, p. 91.

521. Sander, *Haushaltung*, pp. 485-490.

522. An exception in the case of Frankfurt: Schneidmüller, 'Territorialpolitik,' pp. 131-132.

many points of friction. Safe conduct was often ineffective, or simply refused, and nobles could certainly appear more concerned to protect their toll incomes than the travellers on their roads. Whether or not these nobles in turn perceived a contradiction within Nuremberg's insistence on fixed 'customary' charges but flexible routes for merchants is unclear. But safe conduct mattered to nobles as a significant lordship right, and it was an absolute necessity for urban commerce. The importance of these structures encouraged both townspeople and nobles to preserve their form, even when they lacked substance. The distance between conditions on the ground and the high-sounding rhetoric of nobles as protectors did nothing to diminish the practical value of the concept of safe conduct.

Other aspects of nobles' rural authority were not so readily deployed in the service of urban commerce, however. We will encounter nobles in other official functions in the following chapter, but here it is important to note that where nobles had oversight of markets and commercial activity outside of Nuremberg they sometimes had cause to impound the goods of Nuremberg merchants. In August 1446 Hans von Schönberg, master of the court to Margaret of Saxony, confiscated some saffron at the market in Meißen.⁵²³ The council seem to have succeeded in bringing the sack of saffron back to Nuremberg for inspection, and informed Schönberg that they found it to be good.⁵²⁴ In this case a noble was obviously exercising quality control over market produce, but in other examples of goods detained in towns and marketplaces it is not clear exactly why the seizure was made.⁵²⁵ The property is always described by Nuremberg as *aufgehalten* (literally 'held up'), a term which could also be used to describe incidents which look very much more like highway robbery, as we will see below. Safe conducts and the associated tolls were much maligned in verse and polemics, but on the ground it was nobles' judicial and administrative functions which really blurred the boundary between protection and expropriation, to which we must now turn.

523. BB 18 f. 20^{r-v} (16.8.1446)

524. BB 18 ff. 46^v-47^r (15.9.1446).

525. e.g. BB 14 f. 277^v (24.11.1440).

Nobles as the Threat: Robbery and Insecurity

In the minds of many post-medieval observers, the ideal protective function of the nobility only served to highlight nobles' supposed rapacity. The 'decay' and 'decadence' of late medieval knighthood has been a common theme.⁵²⁶ Around 1932 it was taken up by Andreas Singer, a school teacher at Parsberg in the Upper Palatinate, who compiled a chronicle of that town in an annalistic style with simple summaries of the sources he had collected. But he used one of his rare departures from this mode of writing to offer this succinct comment on the knighthood:

At the end of the thirteenth century knighthood became debased through rapacity and poverty, so that killing, plunder and every form of violence was no longer considered to be just common criminality.⁵²⁷

Here the teacher from a small country town spoke for his and many preceding generations on the perceived failings of the late medieval nobility. But just a few years later this consensus was disturbed by Otto Brunner, who 'rehabilitated' the feud as 'an integral and constitutive part of the social order, rather than an aberration' through his work *'Land' and Lordship*, first published in 1939.⁵²⁸ If the medieval feud was socially 'constitutive', rather than 'common criminality', then the robbery and violence through which feuds were carried out must also have been legitimate. Or does this reading put the cart before the horse? Was the feud simply a cover for robbery? Werner Rösener made a high-profile argument for just this interpretation in 1982.⁵²⁹ Since then, a number of historians (most prominently Hillay Zmora) have steered the discussion away from the 'legitimacy' or otherwise of feuding towards the various possible uses and functions of this behaviour for the individuals who engaged in it. We will return to this debate

526. Görner, *Raubritter*, pp. 5, 9.

527. 'Ende des 13. Jahrhunderts entartete das Rittertum durch Raubsucht und Armut, so daß man Todschatz, Plunderung und jede Art von Gewalttat nicht mehr für gemeine Verbrechen hielt.' Andreas Singer, *Chronik von Parsberg* (facsimile of manuscript in Burgmuseum Parsberg), p. 31a.

528. Brunner's 'rehabilitation' of the feud: Zmora, *State and nobility*, p. 7.

529. Rösener, 'Problematik'. See also Thomas Vogel, *Fehderecht und Fehdepraxis im Spätmittelalter am Beispiel der Reichsstadt Nürnberg (1404-1438)* (Frankfurt am Main, 1998), p. 33.

about the feud in chapter seven. For the time being, there are good reasons for considering 'robbery' as a phenomenon in itself if we are to understand Nuremberg's responses to insecurity in the countryside.

The first of these is the fact that the 'feud' as a concept did not occupy the minds of late medieval people nearly so much as the idea of 'robbery'. Even in a society which understood and described virtually all conflict as a form of feud, it was 'robbery' which really provoked debate. 'Robbery' was such a powerful concept of injustice that major political alliances could define themselves against it. In both the Baltic region and southern Germany the most significant leagues of towns, princes and even nobles described themselves as primarily a defence against robbery.⁵³⁰ The counsellors of the count of Württemberg suggested in 1428 that the sole purpose of an alliance between Württemberg, the Swabian League, and the Society of St George's Shield should be to resist robbery, 'which concerns all honour and honourable people in the towns and the country, all those who are pious and propertied'.⁵³¹ Opposition to robbery could form part of grand political statements of intent, such as Sigismund's agenda for an imperial diet in 1431 – 'to root out the heretics [the Hussites] and to establish a general peace in the German lands and resist robbery' – and Albrecht Achilles' pithy advice to his vice-regents in 1472: 'Maintain the peace, resist robbery, protect the game and stock the larder, in all these things you can do no wrong'.⁵³²

In these general statements, 'robbery' appears as an abstract force, to be combatted and 'resisted' as such. But other topoi of social and political debate presented robbery as the action of certain social groups. The most prevalent of

530. For example, a league of 1329 involving Lübeck was a 'pactum... pro reprimenda praedonum raptorumque audacia' (Andermann, *Gewalt*, p. 174).

531. 'allain umb das stuke (daz doch alle eere und erberkait in stetten und uff dem lannde, die fromen und die habenden anträffe), umb daz si der räubery dest bas widerstan möchten' (Ulm to Nördlingen, 22.7.1428). Quoted in Mau, *Rittergesellschaften*, p. 75.

532. Sigismund: 'sachen gen den keczern, damit sy außgereut werden, und ouch das gemeiner frid in Deutschen landen gemacht und rauberey gewert werde' (Mau, *Rittergesellschaften*, p. 115). Achilles: 'Behalt frid, weret rauberey, verhütt des wiltpret und meret uns die narung, so thut ir in allem recht' (Ernst Schubert, *Fürstliche Herrschaft und Territorium im späten Mittelalter* (Munich, 1996), p. 33).

these depicted robbery as a particular vice of the nobility.⁵³³ For outsiders, this could be a particular vice of German nobles.⁵³⁴ Hans Sachs, the master-singer of Nuremberg (1494–1576), wrote a biting satire on a group of nobles who pleaded for the life of a robber to be spared until they learned that he was not in fact a nobleman, and therefore had no right to be a highwayman.⁵³⁵ Sources from both urban and clerical backgrounds all joined in with this particular critique of the nobility, and the Swiss Confederation tried to gain the Swabian towns as allies against the Burgundians by insinuating that lust for plunder had driven the nobility to support the Burgundians against the imperial cities.⁵³⁶ Earlier, in 1438, the Swabian town of Überlingen had written to Nuremberg to ‘recommend’ its alliance with the Society of St George’s Shield, as Nuremberg was considering a similar step. Überlingen described the alliance as a practical necessity for such close neighbours, but added that ‘these knights and squires are all inclined to peace, and robbery... is abhorrent to them’.⁵³⁷ In the eyes of this town, the fact that any given nobles were not notorious robbers was worthy of comment. We should also note, however, that the power of the ‘robbery’ allegation transcended tensions between townspeople and nobles. There are isolated references to nobles accusing other groups of nobles of robbery,⁵³⁸ and of course there were nobles who publicly opposed ‘robbery’ in general.⁵³⁹ Burghers, meanwhile, could also be included amongst the ‘plundering classes’, for example in the poetry of Heinrich der Teichner (c.1310–1372/78).⁵⁴⁰

533. Multiple examples in Andermann, *Gewalt*, pp. 82, 84, 94-95.

534. Zmora, *State and nobility*, p. 1.

535. Graf, ‘Feindbild und Vorbild,’ p. 121.

536. On urban and clerical writers see Graf, ‘Feindbild und Vorbild,’ p. 134; Andermann, *Gewalt*, pp. 102-103. On the Swiss propaganda: Rolf Sprandel, ‘Stadt-Land-Beziehungen im Spätmittelalter und in der Frühneuzeit’, in Werner Rösener (ed.), *Adelige und bürgerliche Erinnerungskulturen des Spätmittelalters und der frühen Neuzeit* (Göttingen, 2000), p. 33.

537. Mau, *Rittergesellschaften*, p. 215: ‘Darzu so sint dieselben ritter und knecht all uff frid genaigt und ist in die röbry... zu mal widrig’.

538. e.g. Egloffstein, *Chronik*, p. 109.

539. Reinhard Seyboth, ‘“Raubritter” und Landesherrn. Zum Problematik territorialer Friedenswahrung im späten Mittelalter am Beispiel der Markgrafen von Ansbach-Kulmbach’, in Kurt Andermann (ed.), *“Raubritter” oder “rechtschaffene vom Adel”? Aspekte von Politik, Friede und Recht im späten Mittelalter* (Sigmaringen, 1997), p. 127.

540. Andermann, *Gewalt*, p. 87. See also Andermann, ‘Raubritter’.

To deplore robbery in these very general terms avoided the problem of determining which particular actions should be described as 'robbery'. All political actors in late medieval Germany admitted the right of legal self-help through feud, even if they might also prefer to see something else in its place (see p. 28 above and p. 193 below). This bound all parties to concede that, in theory at least, some acts of 'robbery' might be justified as feuding actions. But no person or corporation could concede that a feud waged against them was legitimate (as this would be to admit defeat in the contest), and so all violence perpetrated against them was in their view 'robbery' of the criminal, punishable kind. A proposed alliance between Nuremberg and the Society of St George's Shield floundered on precisely this impossibility of objectively distinguishing feud from robbery. When Walter von Hürnheim and Haupt von Pappenheim arrived in Nuremberg in September 1438 to negotiate on behalf of the society, they presented three points which had to be resolved for the alliance to gain their members' approval. The third of these was that the parties should aid one another against 'genuine highway robbery – for it is clear enough what is genuine robbery'.⁵⁴¹ Nuremberg's negotiators did not dispute the assertion that robbery was easy enough to identify as such, but complained that the 'robbers' never admitted that they were in the wrong. Instead they covered their backs with unfounded claims or improper feud declarations.⁵⁴² In his reply, Haupt von Pappenheim appears to be talking at cross purposes with this point of view. He maintained that it was clear what constituted 'genuine robbery': those responsible will not have declared a proper feud, and their opponent will have offered them full and expeditious justice for their claims.⁵⁴³ This did not address Nuremberg's contention that both the claims and the feud tended to be specious, and unsurprisingly the alliance did not come to fruition. It is neither possible nor necessary for modern observers to judge the legitimacy or otherwise of particular

541. Mau, *Rittergesellschaften*, p. 235: 'recht(em) straßenrewb – als man denn wol wisse, was rechter rawb heiße'.

542. Mau, *Rittergesellschaften*, p. 237: 'nemen... ye unpillich sprüche für... oder teten ye unpillich entsagung'. This, of course, is exactly the position advanced by those historians who view the feud as simply a cover for robbery; but such a partisan statement can hardly be taken as evidence for this thesis. I will consider the problem further in chapter seven.

543. Mau, *Rittergesellschaften*, p. 237.

acts of robbery, and there is something to be said for replacing the term 'robbery' itself with something more neutral.⁵⁴⁴ But this distinction between 'just' and 'unjust' robbery is vital to bear in mind, especially when we try to understand the nobility's response to the measures taken against robbery by towns such as Nuremberg.

Another reason for not allowing ourselves to be diverted by questions of 'legitimacy' in cases of feuding is that such issues were actually irrelevant in the majority of 'robberies' committed by nobles against townspeople (and vice versa) when we consider the problem from the standpoint of the victim. Whilst all acts of robbery took place in the context of some form of feud, the majority of individual victims were not feud opponents of those who carried out the robbery. This can be deduced from the number of occasions on which Nuremberg citizens suffered violent attacks which were part of conflicts in which neither they nor their commune were directly involved. The extent of this 'collateral damage' in the practice of feuding can be seen most clearly from the records of attacks on villages and other rural property of burghers. These assaults might involve looting, burning, livestock rustling, and the kidnap of dependent peasants; such actions were the classic methods of a feuder aiming to force his opponent to recognize his claims by causing significant damage to his property but without rendering the opponent physically unable to fulfil the feuder's demands. The vast majority of such attacks on Nuremberg citizens, however, can be identified as unintentional on one or more of five main grounds:

1. There is direct evidence that the attack was aimed at a third party. For example, in April 1441 Christoph von Notthafft, aiding the feud of Albrecht Tauchersdorfer against Nuremberg's servitor Nicholas Grieß, rustled some sheep belonging to the Nuremberg citizen Schlüsselfelder during an attack on Grieß's property.⁵⁴⁵ The feud between Tauchersdorfer and Grieß is otherwise well documented through

544. For instance, the 2014 meeting of the Association of German Historians (the *Historikertag*) featured a session on the subject of 'Güterwegnahme' ('seizure of goods'). See <http://www.historikertag.de/Goettingen2014/mittelalterliche-geschichte> (accessed 19.8.2015). My thanks to Angela Huang for alerting me to this session.

545. BB 15 f. 7^v (29.4.1441).

Nuremberg's interventions on behalf of Grieß, and at no point did Tauchersdorfer or his helpers declare any enmity towards the city. It therefore seems likely that there was no intent to attack Schlüsselfelder. The same can be said of the nobles from the Waldenfels and Harras families who complained about damage to their possessions following Nuremberg's siege of Hans and Fritz von Waldenfels at Lichtenberg (see below, pp. 295-298).⁵⁴⁶ Their property was caught up in the extensive fighting; for instance, Hans von Harras' room or dwelling (*kempnat*) on the town walls at Lichtenberg was used as an artillery platform for Nuremberg's bombardment of the castle.⁵⁴⁷

2. Nobles could also expressly deny their intent to harm Nuremberg or its citizens after an attack. In October 1425 Werner von Parsberg wrote to the council with his concern that Nuremberg citizens might have been harmed in the course of his dispute with the cathedral provost of Bamberg.⁵⁴⁸ Fritz von Seldeneck attacked the village of *Tronstat* (Trunstadt, north west of Bamberg?) in 1441, and subsequently told the council that he had no intention of attacking any Nuremberger, and had been informed that they had no property in the village.⁵⁴⁹ Tensions over multiple attacks by Sigmund von Seckendorff in 1443 threatened to become a feud in their own right, but Seckendorff claimed to have targeted only the bishop of Bamberg.⁵⁵⁰ There is always the possibility that nobles in these and other similar cases were being disingenuous, though Nuremberg accepted some claims by nobles not to have knowingly attacked Nuremberg merchants on the roads.⁵⁵¹ These claims were made by feud helpers, who might only have a tangential connection to the feud and could try to extricate themselves from it if necessary. The principal feuders (*Hauptleute*) were obliged by both the custom and logic of feuding to declare their enemies (even if they did not always do so

546. See especially BB 17 ff. 20^r-21^r (12.5.1444), 27^v-27^v (19.5.1444), 45^r (12.6.1444), 46^v-47^r (13.6.1444), 68^{r-v}, 69^r, 73^r (15.7.1444), 108^v-109^r (23.9.1444).

547. BB 17 f. 68^{r-v} (15.7.1444).

548. BB 7 f. 8^v (8.10.1425).

549. BB 15 f. 21^{r-v} (23.5.1441).

550. BB 16 f. 133^{r-v} (27.9.1444).

551. e.g. BB 16 ff. 161^r (22.11.1443), 196^v (17.1.1444). ChrdtSt, ii, 75-76.

before an attack was made). An active denial of enmity by a principal feuder, such as we see in the cases mentioned above, did not help the feuder to assert a claim and left them open to allegations that they were not abiding by feuding law, and hence were common robbers. It is thus highly unlikely that these feuders were using their feuds against third parties as a cover for attacks on Nuremberg, as there is no evidence of them simultaneously acting as helpers in any other feud against Nuremberg.

3. On other occasions, nobles expressed a willingness to return the property taken in exchange for a guarantee that there would be no future reprisals.⁵⁵² In August 1443 Nuremberg accused Paul von Streitberg of an attack on Schnaittach, 22 km east of the city, and by October an agreement had been reached with Hans von Streitberg which led to the burghers concerned itemizing and valuing the property supposedly taken. In December 1443 Nuremberg asserted that Hans had compensated their citizens and that they considered the matter closed (though Hans still had unspecified objections).⁵⁵³ In these cases it seems even less likely that nobles could be trying to cover their backs following attacks aimed at Nuremberg.

4. In contrast to the relatively orderly settlement following the attack on Schnaittach, it was more common for the ownership of property which had been attacked to be disputed. Many nobles claimed that certain people or properties which they had assaulted belonged to their enemies (or another third party), whilst Nuremberg citizens claimed them as their own. Christoph von Aufseß claimed that the peasant H. Andres of *Tronstat* (see above p. 146) belonged to a canon of Würzburg and to the abbey of Ebrach, against the claims of the Nuremberger Fritz Keiper.⁵⁵⁴ Wilhelm von Schaumberg claimed that the Nuremberg patrician Lorenz Haller himself was a burgher of Bamberg, and that his dependents

552. For such a demand see BB 15 f. 38^v (10.6.1441).

553. BB 16 ff. 113^v (23.8.1443), 121^{r-v} (3.9.1443), 136^v (7.10.1443), 184^r (27.12.1443).

554. BB 14 f. 353^{r-v} (11.4.1441).

were therefore ultimately responsible to the bishop of Bamberg.⁵⁵⁵ Sigmund von Seckendorff asserted the 'truth' (*warheit*) that a dependent whose cow had been stolen was under the authority of the bishop of Bamberg, but Nuremberg presented the testimony of their citizen and the dependent himself against this.⁵⁵⁶ In an especially complex case from 1446, Eberhard Rödel of Nuremberg tried to prove that some sheep taken by Heinrich von Lüchau during a raid on the abbey of Steinach were his alone, and not under the protection of the abbey at the time of the attack.⁵⁵⁷ Nuremberg also disputed the ownership of some of the property claimed by those who complained of damages following the siege of Lichtenberg.⁵⁵⁸

5. The city council frequently wrote to nobles to complain of their actions in a manner which makes it clear that the council did not understand the attack to have been aimed at its citizens or dependents. Sometimes the council named another party whom they believed to have been the real target, or they might simply write that the incident took place when a noble attacked unnamed 'enemies', or when he attacked a certain village (implying that the real target was elsewhere in the same village).⁵⁵⁹ Do these cases show that the council was simply ignorant of the real state of affairs, or even drawing a veil over them for diplomatic reasons? It seems unlikely, given that secrecy and even subtlety were completely antithetical to the practice of feuding, especially once an attack had taken place. How could an opponent be brought to recognize the feuder's claims if they (and the regional community more generally) were not well aware of the pressure that the feuder was exerting on them? A few nobles may well have attacked townspeople without a feuding motive, but the overall picture of violence perpetrated by nobles in the countryside is quite definitely one of feuding activity rather than a wave of criminality.

555. BB 15 f. 288^v (11.5.1443).

556. BB 16 f. 133^r (27.9.1443).

557. BB 18 ff. 67^{r-v} (3.10.1446), 87^r (21.10.1446).

558. BB 17 ff. 34^{r-35^r} (30.5.1444), 71^{r-72^r} (14.7.1444), 99^r (29.8.1444).

559. e.g. for a named enemy see BB 15 ff. 271^{v-272^r} (5.7.1442); for unspecified enemies see BB 15 ff. 109^{v-110^r} (30.9.1441); for an attack on a village, see BB 17 f. 75^v (18.7.1444).

There are of course a number of attacks on the rural property of Nuremberg and its citizens which cannot be so definitively described as 'accidental', but they generally lack any mention of wider animosity and do not clearly relate to any other known feud. The one exception to this generalization from the period 1440–1448 (though it is a particularly violent exception) is the feud of Fritz and Hans von Waldenfels with Nuremberg, chiefly during its climax in early 1444 when the Waldenfels brothers attacked Nuremberg's peasants as well as its merchants; the city responded with a force sent to capture the Waldenfels' castles, but which also plundered the surrounding countryside.⁵⁶⁰ Nuremberg mounted further assaults on nobles' rural residences in response to acts of highway robbery, but these attacks were not part of the cycle of feuding and robbery. They aimed to put an end to this form of violence – if necessary through capital punishment, which was entirely alien to feuding practice, and will therefore be considered separately below (pp. 184-187). Neither were the many low-level disputes between townspeople and nobles as rural neighbours (see pp. 111-118) part of the same problem as the insecurity created by robbery and feuding, simply because these neighbourly disputes were so much less violent and destructive.

The particular kind of violence generated by feuding, which accounted for the majority of what contemporaries labelled as 'robbery', was extremely prevalent in rural contexts owing to the frequent feuds which in one way or another involved rural nobles. Yet these nobles seem hardly ever to have attacked townspeople's rural property deliberately, and townspeople did not truly feud against nobles in the rural space (though they were capable of immense violence towards nobles). The reason for the lack of deliberate aggression of this particular sort lies partly in the particular dynamics of feuding between town and nobility, which will be the subject of chapter seven. But the reason that nobles' feuds caused so much collateral damage to burghers' property is clear enough: as we saw in the preceding chapter (pp. 112-113), the property of different landowners

560. See p. 146 above for the complaints of those third parties affected by this campaign, and pp. 295-298 below for the feud itself.

was so closely intermingled in most villages that it was virtually impossible to conduct the kind of violence which was demanded by feuding – demonstratively destructive violence, but carried out quickly to avoid further escalation – without also damaging the property of third parties. Much of the time nobles were not even aware that some of the objects of their assault did not actually belong to their enemies. There is also at least one explanation near to hand for the lack of deliberate attacks by nobles on burghers' rural property: by instead attacking merchant convoys, noble feuders against Nuremberg could strike much closer to the heart of the city's economy and thus cause considerably greater anxiety for their urban opponents.

Attacks on trade and travellers, in fact any breach of the special peace of the roads, were certainly a tremendous cause for concern for the urban authorities. This particular form of rural violence was simply too much of an existential threat to the city for it to be dealt with in such a matter of fact manner as the assaults on villages. This can make it harder to reconstruct the exact nature of the threat which Nuremberg faced. The urban sources on which we rely clothe many incidents of highway robbery in a particular rhetoric which is in equal parts formulaic and vehement. But behind the stereotyped misdeeds and injustices there was inevitably a more complex picture. Combined with the importance accorded in both medieval and modern discourse to robbery on the roads as a factor in town-noble relations, this complexity makes an examination of the problem on a case-by-case basis for our core 1440–1448 period necessary and worthwhile.

Robbery on the Roads

And we have good reason to fear that there may be many who wish to take
from our people what is theirs

Nuremberg to Counts Johann, Ulrich and Wilhelm of Oettingen, 1 June 1447.⁵⁶¹

The council was afraid that potential robbers were everywhere, and plenty of those who did succeed in taking goods and kidnapping citizens were rural nobles. Each noble had his own individual motivation for entering into an act of robbery, but the council portrayed its opponents as identical villains. Through its vituperative language and silence on the subject of motivation, the council consciously implied that its enemies were actuated by nothing more than greed or some other baseness. Acts of robbery were committed 'against God, honour and the law' (*wider got, ere und recht*), without warning or prior reservation of honour (as the law of feuding demanded), and when the council knew of no reason for the accused noble to feel any enmity towards them.

This aggressively defensive stance was a response to robbery on the roads in particular. The towns were especially concerned with the 'imperial roads', though it was not clear exactly which roads were to be understood as imperial. Ensuring the security of the roads in general was one of the tasks commonly associated with the 'good emperor',⁵⁶² but contemporaries recognized that in the absence of this mythical figure they would have to take matters into their own hands. Towns formed alliances amongst themselves with a particular focus on highway robbery: 'for the roads of the Holy Empire are beset with wicked, unjust violence and idle people, so that no honest or honourable person can safely travel or trade along them', as a Swabian alliance of October 1441 put it.⁵⁶³ The towns also sought to combat robbery in alliance with other social groups, for instance

561. 'Und als wir besorgen müssen so mag der vil seyn die den unsern das Ir gern nemen.' BB 18 ff. 258^v-259^r.

562. See Brady, *Turning Swiss*, pp. 22-23; also Len Scales, *The Shaping of German Identity: Authority and Crisis 1245-1414* (Cambridge, 2012), p. 104.

563. Bittmann, *Kreditwirtschaft*, p. 105: 'das des hailigen richs straß von bösem unrechtem gewalt und unenndlichen lüten nider geleit wird, das niemant biderber noch erbrer die sicher wol gebuwen noch gewandeln mag'.

demanding from the Society of St George's Shield in 1440 that no safe conduct be given to those who attacked the imperial roads.⁵⁶⁴ But there is no doubt that robbery on the roads was always a particular concern of the commercially-orientated towns, as can be seen from the conversation between Nuremberg and Haupt von Pappenheim in 1438 (see above, p. 144) in which Nuremberg was inclined to see all robbery as illegitimate, whilst Pappenheim was confident that a distinction could be made between robbery and feud. The difference in opinion stems less from a different understanding of the feud (Nuremberg did not dispute Pappenheim's fundamental distinction) than from the differing points of view of victim and bystander.

Nonetheless, we can be confident that when Nuremberg accused a noble of robbery or the capture of burghers, some sort of seizure of property or kidnap had probably taken place. Certainly I have found no record of a noble denying the actual taking of property, and the accused often confess to, even laud their own actions in order to argue their justification. Of course, the nobles concerned did dispute that a particular taking of goods or prisoners was an act of 'robbery'. For instance, Georg von Riedheim argued that his capture of Burkhard Müfflinger (in 1434, as part of the feud by Werner Roßhaupter and the Riedheim family against Nuremberg) 'was not done for the sake of ransom or robbery, but to help Roßhaupter to acquire a 'pledge' [to oblige Nuremberg to meet his demands]'.⁵⁶⁵ The line between legal distraint of property and 'robbery' was not much clearer, and from our perspective it is further obscured by Nuremberg's terminology. We have already seen that the detention of goods by nobles acting in official capacities was often described as *aufhalten* (above, p. 140), but this term was also frequently applied to events which look very much more like highway robbery.⁵⁶⁶ The term's wide field of meaning is confirmed by its use in the phrase 'aufhalten

564. Blezinger, *Städtebund*, p. 53.

565. Lore Sporhan-Krempel, 'Die Roßhaupter-Fehde 1433–1439', *Mitteilungen des Vereins für die Geschichte der Stadt Nürnberg*, 61 (1974), p. 22: 'sei nicht schatzungs- oder raubweise geschehen, sunder dem Roßhaupter eines pfandes zu helfen'.

566. e.g. BB 14 ff. 299^v-300^r (3.1.1441), 342^r (25.3.1441).

und name', where *name* (or *nome*, literally 'taking') clearly refers to robbery.⁵⁶⁷ But even the matter-of-fact *name* contained a certain ambiguity regarding the intent behind the act, and so it was sometimes strengthened with an express reference to robbery (*Raub*) via the adjective 'raublich'.⁵⁶⁸ Another even more ambiguous term for an attack on travellers was *niederlegen* ('bringing down'), which conveyed the violence which might be involved but also avoided any judgement on whether or not the event was a 'robbery'.⁵⁶⁹

The term 'robbery' (*Raub* and its derivatives) was so highly charged that it belongs firmly to the polemical sphere. For propagandistic purposes, actions were labelled as *raublich* and fortresses which supposedly sheltered robbers were described as robbers' castles or houses (*Raubschlösser* or *Raubhäuser*).⁵⁷⁰ Nuremberg's diplomacy made extensive use of this polemic, but this in itself made a softer line necessary when trying to reach pragmatic settlements. For this purpose, terms such as *aufhalten* could be useful. We might therefore ask how historians can possibly distinguish 'robbery' within this thicket of deliberately obscuring terminology. This is indeed impossible, but fortunately it is also unnecessary in a strict sense. The distinction which most exercised contemporaries – that between violence within and without a 'proper' feud – is irrelevant from our perspective. Most of the violence in question clearly occurred within a feuding context, even if the feuder did not observe correct procedure (for more on this see below, pp. 303-305). The distinction between distraint and robbery is more significant, but our focus on property and prisoners taken on the roads comes to our aid here. Genuine distraint was most likely to take place in towns and villages, where it could be supervised and legitimated by the local authorities. Apparent attempts to 'distrain' property on the open road immediately awaken the suspicion that a feuding motive was involved.

567. For 'aufhalten und name' see BB 1 ff. 66^v-67^r (9.10.1405).

568. e.g. BB 17 f. 180^r (22.12.1444).

569. e.g. BB 18 f. 460^v: 'aufgehalten und nydergelegt'.

570. e.g. BB 17 f. 63^r (6.7.1444). See also Andermann, *Gewalt*, p. 245.

Hence I believe that the following list of ‘robberies’ allegedly carried out by nobles (in bold type) against Nuremberg citizens between 1 January 1440 and 31 March 1448 either on the roads or involving travellers or traders’ merchandise accurately reflects both real events and what contemporaries would have understood as ‘robbery’ (i.e. seizure of goods or persons without a specific legal sanction), if we set aside the highly subjective distinction between feud and robbery. Certainly all of these incidents were treated as ‘robbery’ by the city council. Only a few possible highway robberies have been left out, as the sources which record these incidents make no clear reference to the roads, travellers or trade.

- | | |
|-----------------------------------|--|
| 1. Before 28 January 1440 | capture and robbery of Hans von Hof by Nicholas Baroc , castellan of Devín near Bratislava. ⁵⁷¹ |
| 2. 26 February 1440 | capture of Hans Langen by Konrad von Brandenstein (district governor of Zwickau), near Naumburg. Langen was mistaken for a burgher of Bamberg, ⁵⁷² and had been released by mid-November. ⁵⁷³ |
| 3. Around 14 September 1440 | capture and robbery of Hans Layterbach by Wilhelm von Elm , at Zell am Main. ⁵⁷⁴ |
| 4. Between 15 and 25 October 1440 | robbery of C. Permeter by Wilhelm von Elm , near Ochsenfurt. ⁵⁷⁵ |
| 5. Before 27 October 1440 | robbery of Hans Lemlin and Paul Grundherr |

571. BB 14 f. 113^v (28.1.1440). My thanks to Mark Whelan and Suzana Miljan for their help with the identification of Nicholas Baroc.

572. BB 14 ff. 156^v-157^r (1.4.1440), 173^{r-v} (13.5.1440).

573. BB 14 f. 273^v (14.11.1440).

574. BB 14 f. 261^r (25.10.1440).

575. BB 14 f. 261^r (25.10.1440).

by **Albrecht Gottsmann** and **Hans von Wiesenthau** (Lemlin swears that none of the property belonged to Bamberg).⁵⁷⁶

6. 4 December 1440

capture and robbery of Lienhard Hofmann by servitors of **Hermann von Seinsheim, Herr zu Schwarzenberg**, who released Hofmann on learning that he was a burgher of Nuremberg.⁵⁷⁷

7. Before 5 December 1440

robbery of Fritz Keiper by **Engelhard von Münster** on river Main at Theres (wine taken to Zabelstein castle).⁵⁷⁸ Nuremberg assured Münster that Keiper was not a citizen of Bamberg, and Münster stated that he did not wish to harm Nuremberg or its citizens.⁵⁷⁹

8. 14 December 1440

robbery of merchants from Nuremberg (including Konrad Imhoff, Anthony and Herdegen Tucher, and Ulrich Stark), Augsburg, Lübeck and Breslau (Wrocław) by **Konrad** and **Lienhard von Gumppenberg** and **Hans von Schwangau** between Augsburg and Donauwörth at *Merdingen* (Meitingen, north of Augsburg?); spoils taken to Scherneck. The goods taken

576. BB 14 f. 262^v (27.10.1440).

577. BB 14 ff. 297^v-298^r (29.12.1440).

578. BB 14 f. 285^v (5.12.1440).

579. BB 14 ff. 291^v (16.12.1440), 299^v-300^r (3.1.1441).

were being transported from Venice.⁵⁸⁰
Konrad and Lienhard von Gumpfenberg
claimed to be in a feud with Breslau.⁵⁸¹

9. 24 March 1441

robbery of Nuremberg merchants by **Hans von Streitberg Jnr.** near Forchheim.⁵⁸²
Property probably returned by 7 April 1441.⁵⁸³

10. 19 May 1441

robbery of Nuremberg merchants C. Ruprecht, F. Krefß and Lorenz Fleischmann by **Hans von Rechberg, Count Heinrich of Lupfen, Burkhard** and **Hans Münch** on the Rhine near Kattenhorn, east of Stein am Rhein, as part of a much larger attack on ships bringing goods from Geneva to Ulm and elsewhere.⁵⁸⁴

11. Before 10 June 1441

theft of a travelling bag (*watsack* or *veleß*) containing clothes and silver beakers from Paul Grundherr and Johann Marquardi (en route to Austria) by **Weimar von Muggenthal**.⁵⁸⁵ (Initially the culprit was unknown to Nuremberg, but Weimar had been imprisoned by 9 August.)⁵⁸⁶

580. BB 14 ff. 292^v (19.12.1440), 313^r (3.2.1441), 322^r (21.2.1441), 336^{r-v} (19.3.1441), 340^r (21.3.1441). StAN Rep. 54 11 f. 77^v.

581. BB 14 f. 336^{r-v} (19.3.1441).

582. BB 14 f. 342^r (25.3.1441).

583. BB 15 f. 10^r (7.4.1441).

584. BB 15 ff. 24b-24d (26.5.1441), 43^v-44^r (13.6.1441). Blezinger, *Städtebund*, pp. 71-72. See also Konzen, *Aller Welt Feind*, p. 118; Bittmann, *Kreditwirtschaft*, p. 105.

585. BB 15 f. 37^v (10.6.1441); StAN Rep. 54 12 f. 82^v.

586. RB 1b f. 14^r; BB 15 f. 80^v (9.8.1441).

12. 18 June 1441 capture of dependents of Berthold Volckamer by **Wilhelm von Elm** between Windelsbach and Rothenburg ob der Tauber. Five horses were taken and four men imprisoned, the fifth released until a future hearing (*auf ein widerstellen*).⁵⁸⁷
13. June 1441? capture of Hans Kraft Jnr. by the **Seckendorff** family at Sugenheim.⁵⁸⁸
14. Before July 1441? capture of Nuremberg burghers by **Hynek Krušina of Schwanberg**.⁵⁸⁹ In January 1445 Nuremberg stated that Schwanberg may still be holding some of its citizens prisoner, possibly captured in a second attack.⁵⁹⁰
15. Before 2 September 1441 robbery of Nuremberg burghers by a 'vassal and servitor' of Duke Friedrich of Saxony.⁵⁹¹
16. Before 16 September 1441 robbery of Margarete Gretzer's oxen, being driven to the Rhine through the safe conduct of Count Johann of Wertheim, by **Dietrich** and **Hans von Mörl** called '**Beheim**'.⁵⁹²
17. Before 21 October 1441 capture of Nuremberg merchants Fritz Euglein and Hans Meyer by **Aleš** of

587. BB 15 f. 50^r (21.6.1441).

588. RB 1b ff. 7^v, 13^r.

589. RB 1b ff. 6^v-7^r, 12^r.

590. BB 17 f. 199^v (22.1.1445).

591. BB 15 ff. 99^v-100^r (2.9.1441).

592. BB 15 ff. 103^v-104^r (16.9.1441). See Vogel, *Fehderecht*, pp. 90-95.

Sternberg, in Bohemia (in Hanuš of Kolovrat's safe conduct). Goods taken included at least 2,400 lb. of copper (see pp. 136-137 above).⁵⁹³

18. Before 13 November 1441 robbery of 61 Gulden from the serving girl of Peter Eitelholz by eight mounted men, who took the money to Schernau (near Dettelbach, on the Main), residence of (amongst others) **Hans von Vestenberg**.⁵⁹⁴
19. Before 15 November 1441 money taken from burgher Konrad Schwaben by the men of **Burkhard von Magenbuch**.⁵⁹⁵
20. Before 1 December 1441 robbery of fur from Christian Echter by **Hans von Vestenberg** of Schernau.⁵⁹⁶
21. Before 30 December 1441 eighteen horses and three wagons taken from Berthold Tucher's dependent Konrad Meyer von Wolkersdorf on the road at Göppingen by **Heinrich Schilling** and **Siegfried von Zillenhart**.⁵⁹⁷ Zillenhart was later excused, though one of his servitors was implicated.⁵⁹⁸
22. Before 15 January 1442 Albrecht Pätzlinger captured by **Konrad von Grumbach**.⁵⁹⁹

593. BB 15 ff. 123^r (21.10.1441), 318^r (25.9.1442), StAN Rep. 2c 19 (loose sheet).

594. BB 15 f. 135^v (13.11.1441).

595. BB 15 f. 136^r (15.11.1441).

596. BB 15 f. 146^v (1.12.1441).

597. BB 15 f. 162^r (30.12.1441).

598. BB 15 f. 185^{r-v} (5.2.1442).

599. BB 15 f. 172^r (15.1.1442).

23. Before 28 February 1442 two barrels taken from Fritz Ulrich near Villach by **Niclas Lueger**, in the belief (as Ulrich reported) that the barrels belonged to Venice.⁶⁰⁰
24. Before 6 June 1442 cotton and pepper taken from Konrad Paumgartner, Hans Gruber and Fritz Hiltpranter by **Andreas Graben von Stein** (Carinthia) on account of claims against Emperor Friedrich III.⁶⁰¹
25. Before 23 June 1442 six barrels of pepper taken from Lienhard Reutheimer and Endres Rudolf by **Counts Stanislaus and Tobergast of Meseritz** (now Międzyrzecz in western Poland), in belief that the barrels belonged to Breslau.⁶⁰²
26. Before 23 July 1442 capture of Hans Windsheimer by **Reinhard Truchseß von Baldersheim**; Nuremberg assure Baldersheim that Windsheimer has no connection to the town of Iphofen.⁶⁰³
27. Before 15 September 1442 robbery at 'Kaltenloch', **Karl and Eberhard von Thüngen** and **Kilian von der Tann** involved.⁶⁰⁴
28. Before 24 September 1442 capture and robbery (10 Gulden) of 'poor' burgher Hans Gartner by men under **Hans von Wenkheim**; mistaken for a citizen of Bamberg and imprisoned at Schwanberg (Steigerwald).⁶⁰⁵

600. BB 15 f. 193^v (28.2.1442).

601. BB 15 ff. 256^r-257^v (6.6.1442), 272^v-273^r (9.7.1442).

602. BB 15 ff. 266^v-267^r (23.6.1442).

603. BB 15 f. 281^r (23.7.1442).

604. BB 15 f. 311^{r-v} (15.9.1442). Müllner, *Annalen*, ii, 359.

605. BB 15 f. 316^{r-v} (24.9.1442).

29. During 1442 robbery from Rothenfels involving **Kilian von der Tann**.⁶⁰⁶
30. Before 21 January 1443 capture of Ulrich Steinhaus by **Hans von Luneck** (Laineck?), in belief that he was a Bamberg subject from Forchheim. Already released from captivity.⁶⁰⁷
31. Before 25 February 1443 **Heinrich von Gumpenberg** accused of robbing Nuremberg citizens by the town of Kempten, though the council are not convinced of his guilt.⁶⁰⁸
32. Before 28 March 1443 robbery of Heinz Münzer by **Werner von Schienen**.⁶⁰⁹
33. Before 4 May 1443 capture of Hermann Roßlauf near Schlüsselfeld by Georg *Schyng*.⁶¹⁰ By December Roßlauf was being held by **Georg von Eberstein**.⁶¹¹ He was still a prisoner of Eberstein in July 1444.⁶¹²
34. 5 June 1443 barrel taken from Hans Ortolf by **Hans von Rechberg**, on the Rhine between Stein and Diessenhofen.⁶¹³

606. Müllner, *Annalen*, ii, 359. BB 16 f. 27^v (8.3.1443).

607. BB 16 f. 6^v (21.1.1443).

608. BB 16 f. 24^v (25.2.1443).

609. BB 16 ff. 37^r (28.3.1443), 111^{r-v} (20.8.1443).

610. BB 16 f. 54^r (4.5.1443).

611. BB 16 f. 175^v (11.12.1443).

612. BB 17 ff. 28^{r-v} (20.5.1444), 80^v-81^r (23.7.1444).

613. BB 16 ff. 77^v (13.6.1443), 102^v-103^r (6.8.1443).

35. Before 17 June 1443 capture and imprisonment of Conz Kulein, Hermann Seidenvater, Heinrich Heiden (a beltmaker) and Kaspar Gottseigeert (a hatter) whilst on their way to a market at Amberg by **Hynek Krušina of Schwanberg**.⁶¹⁴
36. Before 27 September 1443 robbery by **Sigmund von Seckendorff** at Burgebrach. (Seckendorff was feuding against the bishop of Bamberg at the time.)⁶¹⁵
37. Before 31 October 1443 robbery at Fischbach, involving **Georg von Egloffstein**.⁶¹⁶
38. 2 November 1443 robbery and capture of burghers by **Hans** and **Fritz von Waldenfels**, from Wartenfels.⁶¹⁷ Also involved: **Hans Engelhard von Streitberg**.⁶¹⁸ Müllner suggests that this took place at Kronach.⁶¹⁹
39. Before 19 November 1443 robbery of the courier Heinz Lungen, who was carrying money to Miltenberg for Hermann Herdecker, by **Hans von Seckendorff**, even after Lungen had told Seckendorff to whom the money belonged.⁶²⁰

614. BB 16 ff. 80^r (17.6.1443), 86^v-87^v (9.7.1443). StAN Rep. 2c 27 f. 21^r (25.6.1443).

615. BB 16 ff. 133^r-134^r (27.9.1443).

616. BB 16 f. 153^r (31.10.1443). See also BB 18 f. 1^r (14.7.1446).

617. BB 16 ff. 161^v-163^r (23.11.1443). See also Waldenfels, *Waldenfels*, p. 154.

618. ChrdtSt, ii, 75-76, Müllner, *Annalen*, ii, 366.

619. Müllner, *Annalen*, ii, 365.

620. BB 16 f. 160^r (19.11.1443).

40. Before 25 November 1443 capture of Ulrich Staindel by **Heinrich Zenger zu Regensauf**; release promised if Nuremberg can confirm that he is their citizen.⁶²¹
41. February 1444 robbery by **Fritz von Waldenfels** at Judenbach (near Sonneberg).⁶²²
42. Before 20 February 1444 capture of servitor Hans Bindenschuh by **Georg von Wildenstein**, district governor of Hersbruck.⁶²³
43. 1 March 1444 capture of two citizens of Breslau and two of Nuremberg (Seitz Mühlfeld and Ulrich Bogler) by **Fritz von Waldenfels**, who took them to Lichtenberg.⁶²⁴
44. Before 5 March 1444 robbery by **Fritz von Waldenfels** at Gräfenthal (French or Italian wine en route to Leipzig taken).⁶²⁵
45. Before 28 March 1444 iron belonging to Ulman Hegnein taken on the river Main by **Karl von Thüngen zu Reußenberg** and **Ditz von Thüngen zu Thüngen**.⁶²⁶
46. Before 15 April 1444 servitors Hans Bogner, Nickel Rudel, Hans Grutsch and Wilhelm Plankenberger's servant captured by servitors of **Ulrich**

621. BB 16 f. 163^{r-v} (25.11.1443).

622. ChrdtSt, ii, 59. BB 16 f. 229^{r-v} (5.3.1444).

623. BB 16 f. 224^r (20.2.1444).

624. BB 16 f. 235^v (8.3.1444).

625. BB 16 pp. 229^{r-v}, 232^r (5.3.1444).

626. BB 16 f. 260^v (28.3.1444).

- Sack**, governor of Coburg (possibly related to the ongoing feud with Hans and Fritz von Waldenfels).⁶²⁷
47. Before 15 June 1444 capture of Contz and Ulm Pesler, dependents of Nuremberger Niclas Muffel and Wentzla Ortolf, by **Albrecht Klack** at Wendelstein.⁶²⁸
48. Before 15 July 1444 robbery on the Untersee (the arm of lake Constance between Konstanz and Stein am Rhein) by **Burkhard** and **Hans Münch von Landskron**, **Melchior von Blumeneck** and **Pentelin von Heimenhofen**.⁶²⁹
49. Before 23 July 1444 attack on Nuremberger transporting French/Italian wine (*Wellischwein*) by **Asmus von Eberstein**; forgiven at the request of the bishop of Würzburg.⁶³⁰
50. Before 29 July 1444 probable capture of four horses from a wagon carrying wine between Markt Einersheim and Possenheim by **Paul von Streitberg** (Nuremberg did not send the letter to Streitberg which they drafted regarding this incident).⁶³¹
51. Before 22 December 1444 robbery by **Georg von Waldenfels** in Brandenburg or Lusatia.⁶³²

627. BB 17 ff. 3^r (15.4.1444), 10^v (20.4.1444), 23^v-24^r (15.5.1444).

628. BB 17 ff. 49^v-50^r (15.6.1444).

629. BB 17 f. 74^v (15.7.1444).

630. BB 17 ff. 79^v, 80^v-81^r (23.7.1444). See also BB 17 f. 35^r (2.6.1444).

631. BB 17 f. 85^v (29.7.1444).

632. BB 17 ff. 180^r-182^r (22.12.1444).

52. 1445 Georg Pfinzing captured by **Georg von der Kere** and taken to Ebersberg.⁶³³
53. Before 23 January 1445 iron belonging to Sigmund Pfritzer taken on Lake Constance by **Heinrich von Reischach**, advocate of **Jakob Truchseß zu Waldburg** at Bregenz, and **Hans von Gastraß**, advocate of Margrave Wilhelm of Hochberg at Bregenz. Nuremberg assured them that the iron was being transported to St Gallen, and not to their (unnamed) enemies.⁶³⁴
54. Before 3 February 1445 robbery by servants of **Konrad von Brandenstein**, though Nuremberg are sure that Brandenstein did not order this.⁶³⁵
55. Before May 1445 robbery near Frankfurt an der Oder by **Georg von Waldenfels** and **Friedrich von Bieberstein** (see also nos. 51 above and 69 below).⁶³⁶
56. 1446 robbery by Count **Johann of Oettingen**.⁶³⁷
57. Before 3 September 1446 robbery of two horses and cash and capture of Fritz Zipfler in Bayern-Landshut territory near Ried im Innkreis by **Georg Auer** (with seven companions).⁶³⁸
58. Before 8 October 1446 capture of Niclas Wolfart, Otten Herdegen, Apel Arnold and Schönpeter whilst on a

633. Müllner, *Annalen*, ii, 377.

634. BB 17 f. 196^r (23.1.1445).

635. BB 17 ff. 206^v-207^r (3.2.1445).

636. Waldenfels, *Waldenfels*, pp. 157-158.

637. Müllner, *Annalen*, ii, 382.

638. BB 18 ff. 30^v (3.9.1446), 35^v-36^v (6.9.1446).

- pilgrimage to the Holy Blood (of Wilsnack) by **Heinz Röder**, taken to Mechelgrün castle.⁶³⁹ Schönpeter had escaped by 27 March 1447.⁶⁴⁰
59. Before 8 October 1446 robbery by the brother of **Heinrich von Gräfendorf**, a Saxon/Thuringian noble.⁶⁴¹
60. Before 15 October 1446 capture and robbery of Peter Heimikin, Jorg Lennfelder, Cyriacus Hofman, Heinrich Ropusch and Heinz Wagner by **Georg Hopfgarten** (a Thuringian noble).⁶⁴² Released without ransom by 5 November.⁶⁴³
61. Before 19 October 1446 Hans Steinberg, Peter Kotzler and Ulrich Huter captured near Gnotzheim (south of Gunzenhausen) and taken to Stockenfels castle (east of Burglengenfeld), where they were imprisoned by **Heimram Heuras** and 'Tannhäuser'.⁶⁴⁴ A hearing at Burglengenfeld on 30 January 1447 reached a settlement.⁶⁴⁵
62. Before 4 November 1446 Heinz Moren captured by Yanko and Georg Gfeller, the latter a servant of **Jakoubek of Vřesovice**, and ransomed for 175 Gulden (though Nuremberg do not suggest that Vřesovice was involved).⁶⁴⁶

639. BB 18 f. 68^r (8.10.1446).

640. BB 18 f. 200^r (27.3.1447).

641. BB 18 ff. 72^v-73^r (8.10.1446).

642. BB 18 ff. 80^v-82^r (15.10.1446).

643. BB 18 ff. 93^v-94^r (5.11.1446).

644. BB 18 ff. 83^v-84^r (19.10.1446), 91^v-92^r (25.10.1446), 110^r (21.11.1446). Müllner, *Annalen*, ii, 389.

645. BB 18 ff. 149^v (26.1.1447), 153^v-154^r (31.1.1447), 167^{r-v} (14.2.1447).

646. BB 18 f. 98^v (4.11.1446).

63. Before 19 November 1446 Hans Rotbusch captured by **Hans** and **Fritz von Waldenfels**.⁶⁴⁷ He was kept in a cellar at Lichtenberg, before being handed over to **Heinz Röder**, who tried to ransom him.⁶⁴⁸
64. Before 13 April 1447 a wagon taken in the territory of Duke Wilhelm of Saxony by **Count Ludwig of Gleichen**. In their reply to Duke Wilhelm, Nuremberg linked this incident to the conflict between Wilhelm and his brother Friedrich.⁶⁴⁹
65. Before 20 May 1447 capture of Michael von Puch near the castle of Hilgartsberg (west of Passau, under governor Wilhelm von Aichberg) by **Georg Auer**.⁶⁵⁰
66. Before 21 August 1447 robbery by **Balthazar von Watzdorf** in the territory of Heinrich von Gera.⁶⁵¹ Watzdorf later stated that he did so in order to gain a guarantee of 'security' from Nuremberg, and the matter was settled through the mediation of Heinrich von Gera.⁶⁵²
67. Before 20 September 1447 capture of servitor Peter Motter by **Fritz von Waldenfels**.⁶⁵³ Motter had been released by 22 November.⁶⁵⁴

647. BB 18 f. 109^v (19.11.1446).

648. BB 18 ff. 124^v-126^r (20.12.1446).

649. BB 18 f. 215^{r-v} (13.4.1447).

650. BB 18 f. 246^{r-v} (20.5.1447).

651. BB 18 f. 324^v (21.8.1447).

652. BB 18 ff. 373^v-374^r (24.10.1447).

653. BB 18 f. 344^v (20.9.1447).

654. BB 18 f. 394^{r-v} (22.11.1447).

68. 10 November 1447 capture and robbery of Hans Dobritsch of Wöhrd (near Nuremberg) and Cunz Roßtauscher (Scheurer's servant), along with 'der Frey' of Amberg and Sigmund, Schmidmeier's servant from Vienna, between Plattling and Straßkirchen by **Georg Auer** and three companions. 15 Gulden were taken from Dobritsch, a sack of pennies from 'der Frey', and a bag of papers from Roßtauscher. Hans Dobritsch's finger was cut off, and he was made to carry a feud letter to Nuremberg.⁶⁵⁵
69. Before 10 February 1448 robbery by **Friedrich von Bieberstein**, lord of Beeskow and Storkow (in present-day Brandenburg).⁶⁵⁶
70. Before 14 February 1448 robbery of two barrels of knives and other property belonging to Endres Zeringer and his company by **Seifried Badewitz**, captain of Ottmachau (Otmuchów) in Silesia.⁶⁵⁷
71. Before 14 February 1448 Sigmund Fürer robbed on the road to Bohemia, and the property taken to Wernberg castle under **Heimram Notthafft**.⁶⁵⁸

655. StAN Rep. 2c 30a f. 2^r; BB 18 f. 388^{r-v} (16.11.1447).

656. BB 18 ff. 456^v-457^r (10.2.1448).

657. BB 18 f. 460^v (14.2.1448).

658. BB 18 f. 461^r (14.2.1448). See also Müllner, *Annalen*, ii, 392.

It is naturally harder to find burghers who were accused of robbery against nobles in the sources created by the urban administration. Some such allegations are preserved, but they all refer to very different circumstances from the various forms of 'highway robbery' listed above. Hans von Muggenthal accused Nuremberg of the 'robbery' (*Nome*) of his father and late brother, of which the council denied all knowledge.⁶⁵⁹ This was almost certainly related to the execution of Weimar von Muggenthal following his own act of robbery (see no. 11 above and p. 186 below). In an opaque incident, Heinrich von Helmstatt accused Christian Imhoff of appropriating a horse without his permission (*on ewer willen vnd wissen vnterwunden*), but Imhoff said that the horse was captured in the forest; it died in Imhoff's possession.⁶⁶⁰ There are clear allegations that burghers appropriated property or captured individuals in the course of business disputes, or disputes between rural lordships, and of course in their responses to rural insecurity. But none can be in any way interpreted as robbery on the roads, which was a product of a particular kind of feuding violence in which burghers did not generally engage. We can therefore focus on the allegations against nobles for the time being.

From just the outline figures – seventy-one separate robberies in ninety-nine months, or almost one incident every forty-two days – we can see why the city council was so concerned by the constantly recurring menace of highway robbery by rural nobles. But when we consider that these events were geographically very widely spread we also realize how little this problem seriously impeded the overall commerce of the town. Trade could continue as normal most of the time and in most places – but this only ensured that merchants and travellers were always vulnerable to the sporadic and often unpredictable threat of robbery. Around a quarter of the total number of incidents between 1440 and March 1448 definitely took place within the context of feuds against Nuremberg which did not originate in the robbery itself.⁶⁶¹ These robberies included serious attacks by

659. BB 17 f. 192^v (19.1.1445).

660. BB 16 f. 55^v (7.5.1443).

661. Nos. 14, 16, 17, 35, 38, 41, 43, 44, 51, 55, 57, 58, 63, 64, 65, 66, 67, 68, 69 (19 in total).

Nuremberg's most dangerous feud opponents of these years: Hynek Krušina of Schwanberg; Aleš of Sternberg; Dietrich von Mörl (known as 'Beheim'); the Waldenfels brothers Hans and Fritz; and Georg Auer (for more on these feuds see chapter seven). But if Nuremberg's own enemies accounted for only a quarter of the threat, what comprised the remainder?

Nearly as many robberies (22.5 per cent of the total) were clearly aimed at other targets whose identity is known.⁶⁶² This might be clear from cases of mistaken identity,⁶⁶³ from a dispute over the victim's real identity or allegiance,⁶⁶⁴ or from a noble's declaration of his enmity against a third party.⁶⁶⁵ In this sample there is one instance of the periodically recurring problem of attacks on Nuremberg citizens by nobles with claims against the emperor (no. 24). In other cases the intended target can be reconstructed from contextual sources: for example, the significant robbery at Kattenhorn on 19 May 1441 (no. 10) was part of a major feud by a group of nobles against the Swabian League (see also below, pp. 248-249).⁶⁶⁶ It is worth noting that of all these attacks on known third parties, just five targeted imperial or free cities (seven if we include Breslau, which had substantial *de facto* independence), and that these five were all part of the same complex of feuds against the Swabian League as the Kattenhorn robbery.⁶⁶⁷ The most common intended target was actually the bishop of Bamberg (whether directly or via burghers of Bamberg). This wave of feuds against Bamberg is almost certainly related to the enormous debts of the bishopric, which were calculated in 1440 to be 322,294 fl. 3,213 lb. 11 d.⁶⁶⁸ Sigmund von Seckendorff, who attacked Nuremberg citizens and their property in the course of his feud with Bamberg in 1443 (see no. 36 and p. 148 above), was still trying to recover his father's loans to the bishops of Bamberg in 1454.⁶⁶⁹

662. Nos. 2, 5, 7, 8, 10, 21, 23, 24, 25, 26, 28, 30, 32, 34, 36, 48 (16 in total).

663. Nos. 2, 23, 25, 28, 30.

664. Nos. 5, 7, 26.

665. Nos. 8, 36.

666. This is also the case for nos. 21, 32, 34 and 48.

667. Nos. 10, 21, 32, 34, 48 (also 8, 25).

668. Johann Looshorn, *Die Geschichte des Bisthums Bamberg* (Munich & Bamberg, 1886), iv, 249.

669. Looshorn, *Geschichte*, iv, 273-274.

A number of other cases can also be reckoned to the total of attacks aimed against third parties. In four cases another opponent is mentioned, but not named.⁶⁷⁰ In two cases a settlement was negotiated as an independent matter (i.e. not in connection to the resolution of a wider conflict), which would not be consistent with feuding (and not much more consistent with outright theft).⁶⁷¹ Two robberies which took place in Saxony in October 1446 were most probably related to the conflict between Dukes Friedrich and Wilhelm of Saxony which broke out around this time, and in which Nuremberg was not closely involved.⁶⁷² This gives a total of twenty-four attacks which probably did not directly target Nuremberg, 33.8 per cent of the total sample. In a further three cases, there is some doubt as to whether a noble was actually responsible for an attack.⁶⁷³

This leaves twenty-five robberies which cannot be immediately explained as either attacks against Nuremberg or against third parties. Some of these, however, are very likely to have been part of feuds against third parties. Wilhelm von Elm (see nos. 3, 4 and 12) was in a conflict of unknown origins with Rothenburg and the Swabian League, which led to his execution (see p. 185 below).⁶⁷⁴ The capture of Hans Kraft by members of the Seckendorff family (no. 13) could well have been part of the same feud against Bamberg as Sigmund von Seckendorff's actions. A series of robberies in the Main valley area from late 1441 and 1442 suggest general unrest in that region, possibly the latter stages of the conflict between Bishop Sigismund of Würzburg and his cathedral chapter (see p. 221).⁶⁷⁵ The capture of several Nuremberg servitors by Ulrich Sack, governor of Coburg, in April 1444 (no. 46) immediately followed Nuremberg's withdrawal from the siege of Lichtenberg, which might have taken the city's army through Coburg territory. Paul von Streitberg (no. 50) was active in many feuds in the 1440s, but none against Nuremberg.⁶⁷⁶ It is

670. Nos. 6, 39, 40, 53.

671. Nos. 9, 49.

672. Nos. 59, 60.

673. Nos. 31, 54, 62.

674. Blezinger, *Städtebund*, p. 78.

675. Nos. 18, 20, 22, 27, 29.

676. Zöberlein, 'Streitberg,' p. 48.

inevitable that some incidents may never be located within a wider conflict simply through lack of evidence, especially those for which we must rely on the evidence of Müllner's chronicle (see p. 40).⁶⁷⁷ But it would almost certainly be possible to contextualize more cases through further research. The leading candidate for future investigation is the robbery by Weimar von Muggenthal (no. 11): whatever the cause of this incident, it proved to be a fatal miscalculation on Weimar's part, as it led to his execution in Nuremberg (see below, p. 186).

Perhaps the most important factor which can be brought to bear on these unexplained cases is the logic of feuding. If nobles had claims against Nuremberg which they sought to assert through violence, it is highly likely that they would have declared these claims at some stage, and that the sources generated by the city would have preserved the council's response. Thus it seems likely that not just the third of all individual robberies which definitely targeted other parties, or even the almost 50 per cent which quite possibly did, but in fact nearly three-quarters of all robberies against Nuremberg from the period 1440 to March 1448 were not aimed at the city or its citizens. There is always the possibility that some robberies took place outside of feuds, or that feuds themselves were simply a cover for robbery, but we will see in chapter seven (pp. 285-287) that the historiography of the feud in late medieval Germany has moved away from this view of the relationship between robbery and feuding. Robbery by nobles outside of feuding, i.e. pure criminality by any understanding of medieval law, offers no explanation for the tremendous prevalence of robbery, for all that it might explain certain isolated cases.

The high levels of 'collateral damage' in highway robbery by nobles had causes fundamentally similar to those which applied to attacks on villages. Nobles simply did not always know exactly who they were assaulting. They could certainly be capable of distinguishing between merchants from different towns or regions: a group of Swabian towns complained in 1439 that only their merchants had been

⁶⁷⁷. Nos. 52, 56.

attacked by Erasmus Torer, and that merchants from Bavaria had been allowed to pass unhindered.⁶⁷⁸ Sometimes nobles claimed to have tried to warn merchants of their intent to attack a third party.⁶⁷⁹ But whenever merchants from different towns travelled in convoys, the practical difficulty of singling out particular targets in the *mêlée* of an ambush must have been enormous. This is even before we consider the implications of merchants or couriers from one town carrying goods which belonged to merchants of another town, potentially alongside or even within their own goods. Towns such as Nuremberg consequently recognized that any threat to the security of the roads was a direct threat to their commercial interests. The council frequently responded to news of feuds involving nobles with a request that they not attack the imperial roads.⁶⁸⁰ Instead, these nobles should attack their opponents 'where one ought to strike one's enemies' (*da man veynd besuchen sölt*).⁶⁸¹ The council had other concerns too: allegations that nobles were harbouring other robbers, and robberies which were carried out in the vicinity of Nuremberg against citizens of other towns, for whom Nuremberg then had to intervene with its noble neighbours.⁶⁸²

A case-by-case analysis of the problem has revealed for the first time the balance between the two most fundamental types of robbery from the perspective of the victim: those attacks which deliberately targeted a victim, and those which caught them in the metaphorical net of the ambush.⁶⁸³ The latter was by far the greater danger. This distinction made little difference to the merchants and citizens who were actually attacked, but it is crucial for understanding the way in which Nuremberg and other towns responded to the problem of rural insecurity. This insecurity was created by feuding, but the towns did not experience it as such. The urban

678. Blezinger, *Städtebund*, p. 41.

679. BB 7 f. 65^v (13.6.1426).

680. e.g. BB 16 ff. 101^r-102^r (7.8.1443); BB 17 f. 260^r (21.4.1445).

681. e.g. BB 9 f. 259^{r-v} (17.6.1432).

682. Nobles harbouring robbers: e.g. BB 18 f. 333^{r-v} (2.9.1447). Robbery against other towns: e.g. BB 15 f. 260^v (14.6.1442).

683. Görner, *Raubritter*, pp. 173-238, distinguishes three 'types of robbery', but these are actually causes of robbery, and therefore really types of feud. Hahn, 'Landadel und Stadt,' p. 286, shows some appreciation of how many robberies occurred in the context of larger disputes with third parties.

authorities could hardly keep track of all the different feuds which could at any time affect their citizens, especially as the feuds could smoulder for many years. For instance, in 1434 Eberhard von Dottenheim took cloth from Nuremberg merchants in an ambush which he claimed was part of a feud he had had declared against the town of Straubing; the feud dated back to 1420.⁶⁸⁴ The council was also accustomed to refuting the validity of feuds by nobles against the city, and was in no position to judge the legitimacy or otherwise of all the many feuds which threatened the peace of the roads. Given that they were such a menace, it must have been tempting to automatically discount their legitimacy, as with those against Nuremberg itself. At the very least, the council denied that attacks on the roads were a legitimate part of feuding.⁶⁸⁵ In consequence, the feuding behaviour of nobles appeared from the town's perspective to be generalized insecurity in the countryside, a plague of almost random and probably illicit violence. An allegation of robbery against a noble who threatened Nuremberg's security was a powerful polemical weapon against this threat, but it was also a weapon which lay near to hand on account of the town's own experience of events. Its force and efficacy were created to a large extent by the contrast between the stark reality of the actual seizure of goods and the complex legal situation through which the noble justified this seizure. The resulting disjuncture between the perspectives of the urban elite and the rural nobility on security in the countryside became one of the key flashpoints in their relationship.

Responses to Insecurity

Various responses to the inadequate security situation in the countryside consumed considerable energy and resources, and collectively they were the single most significant aspect of the *Umlandpolitik* of a major town such as Nuremberg (see also pp. 102-103 above). Not all of these responses can be considered equally

684. StAN Rep. 2c 23 f. 4r (31.1.1435) and loose sheet (16.9.1420).

685. Andermann, 'Kriminalisierung,' p. 154 notes that town chroniclers would not have been able to judge the 'legitimacy' of feuds, but that they also wished to present them as illegal for reasons including a desire to 'criminalize' the feuder's actions. I have argued above (p. 28, see also p. 193) that there is no evidence for an intent to criminalize the feud in general, but this does not detract from the natural inclination of victims of violence to discount the legitimacy of the particular violence which afflicts them.

here. We have already seen that towns aimed to enhance their security through territorial expansion (pp. 100-102), and we have also encountered alliances of regional powers against robbery (pp. 142, 151-152). These aspects of the security situation will remain in the background for the time being, not least because they were not prominent at Nuremberg in the 1440s. Nuremberg did not at this time have a significant extra-mural territory beyond the imperial forests, and even once it had joined the Swabian League in late 1444 it was still reliant largely on its own resources for rural security in its own surroundings, as the league's other powerful members were distant from Nuremberg's hinterland.

Nuremberg compensated for these relative weaknesses with an assertive security policy in the countryside beyond its territory. It responded to the most direct threats – feuds by nobles against the city – with aggressive counter-feuds that used many of the methods of the wider security policy, but are in themselves best understood as part of the feuds which provoked them (see chapter seven). At this stage we need to understand Nuremberg's response to generalized insecurity and to the permanent, omnipresent threat of robbery created by the network of noble feuds which ran throughout the countryside. This chiefly took the form of regular mounted patrols of the city's surroundings, to which I will turn shortly. But first we need to consider Nuremberg's policy towards castles and other fortifications in its hinterland.

The city's chief aim was to neutralize fortifications and prevent their use by 'robbers'. The destruction of robbers' nests had been an important demonstrative act of peace-keeping for the kings and emperors of previous generations: Rudolf of Habsburg had been praised for this activity in particular by a Bavarian chronicler.⁶⁸⁶ In 1397 Wenceslas had established a Franconian and Bavarian *Landfriede* at Nuremberg, and then immediately set out to break castles to the east of the city.⁶⁸⁷ Both the military force and the list of targets were probably provided by Nuremberg, which then received privileges prohibiting the rebuilding of these castles, or any others

686. Scales, *Identity*, p. 123.

687. Egloffstein, *Chronik*, pp. 95-96; Pfeiffer, *Nürnberg*, p. 80.

which might in future be destroyed by the king with Nuremberg's help within five German miles (c.37 km) of the city.⁶⁸⁸ But there were to be no more such expeditions from Nuremberg, although King Rupert mounted a castle-breaking campaign in 1405 from Frankfurt am Main.⁶⁸⁹ Nuremberg retained an imperial sanction for the destruction of castles, however, through privileges which forbade their construction within a mile (c.7.5 km) of the town.⁶⁹⁰ Within this immediate vicinity of the city the council had other means of controlling fortified places. Many small fortified residences in this area were owned by burghers, which enabled the council to impose obligations to open these residences to the town's forces when necessary and to offer the council first refusal on any sale of the property.⁶⁹¹ In 1449 Nuremberg further tightened its grip on its immediate surroundings with the construction of a *Landwehr*, a basic line of defence consisting of a ditch and 'block houses', which doubled as a territorial marker.⁶⁹²

These measures were designed to keep threats of any kind – from robbers to potential besiegers – at a distance from the city itself. As such, they were as important for Nuremberg's sense of security as for the actual prevention of attacks. This protective cushion was reinforced by an outer ring of defence. The organization of dependent peasants into military units (*Hauptmannschaften*, see pp. 120-121) was intended more to raise a militia than to pacify the countryside, but there was probably some kind of defensive arrangement in place along the river Schwabach, which cuts across the northern approach to Nuremberg around 16 km from the city. The council made payments to servitors for maintaining the 'system on the Schwabach' (*Ordnung an der Schwabach*), including the writing of a small book related to this *Ordnung* (see also the significance of the river Nidda for Frankfurt, p. 101).⁶⁹³

688. Pfeiffer, *Nürnberg*, pp. 80-81; Regesta Boica 11 p. 191 (6.1.1401).

689. Orth, *Fehden*, pp. 74-75.

690. Dannenbauer, *Entstehung*, p. 134 n. 919.

691. Rudolf Endres, 'Zur Burgenverfassung in Franken', in Hans Patze (ed.), *Die Burgen im deutschen Sprachraum. Ihre rechts- und verfassungsgeschichtliche Bedeutung* (Sigmaringen, 1976), p. 328; Pfeiffer, *Nürnberg*, pp. 77-78; Schnelbögl, 'Bedeutung,' p. 283.

692. Pfeiffer, *Nürnberg*, p. 92.

693. Sander, *Haushaltung*, p. 471; StAN Rep. 54 12 ff. 75^r, 76^v; ChrdtSt, ii, 84. See Sander, *Haushaltung*, table 2, for further defensive measures within 15–20 km of Nuremberg.

Exploiting the potential of rural populations and natural boundaries doubtless gave good returns on the investment required, but the highest level of security could only be guaranteed by the control of the main castles in a given area. In this respect, Nuremberg's policy was surprisingly restrained (see also pp. 101-103). The purchase of the castle at Lichtenau (p. 121) is usually understood as a response to the threat posed by the Hohenzollern margraves at Ansbach rather than insecurity more generally, and the only other castle in which Nuremberg showed any sustained interest was the fortress at Hohenstein, nearly 30 km to the north east. This castle did not directly protect any major trade route, but it was a potential threat to travellers in the Pegnitz valley both west and north of Hersbruck, as well as commanding an area in which Nuremberg's citizens had many rural properties. It was under the lordship of the Wittelsbach dukes of Bayern-Ingolstadt, and rather than take outright control Nuremberg relied on its relationship with the nobles who held the castle from Bayern-Ingolstadt to effectively neutralize it.

Between 1430 and 1432 the council paid Mathes von Mangersreuth 50 Gulden per year for the 'opening' of Hohenstein (meaning that it could be used by Nuremberg's forces whenever they saw fit).⁶⁹⁴ This did not entirely prevent the castle from being associated with local unrest which harmed Nuremberg's citizens.⁶⁹⁵ In March 1436 Nuremberg wrote to Ludwig VII of Bayern-Ingolstadt to inform him that Werner von Parsberg would reply to Ludwig himself concerning the 'redemption' (*losung*) of Hohenstein.⁶⁹⁶ Parsberg was clearly in negotiations to take control of the castle by buying out a current (unnamed) pledge-holder. He was also at the time a servitor of Nuremberg (see chapter six) and was well-placed to act as an intermediary between Nuremberg and Duke Ludwig as he had previously been active in the service of the latter as well.⁶⁹⁷ Parsberg was in control at Hohenstein by February 1438, when he disputed some accounts with

694. StAN Rep. 54 9 f. 62^r; Sander, *Haushaltung*, p. 452.

695. BB 9 ff. 105^v (30.4.1431), 240^v (7.5.1432). See also BB 8 f. 42^r (2.6.1428).

696. BB 12 f. 153^v (21.3.1436).

697. e.g. BB 5 f. 215^r (21.4.1422).

Mangersreuth.⁶⁹⁸ Müllner believed that Ludwig VII of Bayern-Ingolstadt offered to sell Lauf and Hohenstein to Nuremberg in 1440, before they were captured by Albrecht Achilles during Ludwig's war with his son.⁶⁹⁹

There was further trouble with the governor of Hohenstein, this time Heimram Scholl, in July 1441,⁷⁰⁰ but in August of the same year the council heard that Georg von Wildenstein wished to take control of Hohenstein and become Nuremberg's servitor. Ulrich Haller was tasked with finding out more.⁷⁰¹ The deal was done in January 1442: Wildenstein was lent 800 Gulden to 'buy' (*kaufen*) Hohenstein castle, which would be repaid through a nominal stipend of 200 Gulden per year for four years, in return for which Wildenstein opened the castle to Nuremberg (this loan was guaranteed by Werner von Parsberg).⁷⁰² The advantages for both sides were clear, but it is important to note that Wildenstein had initiated this arrangement. Nuremberg took its opportunities to control Hohenstein castle and was willing to invest in doing so, but it did not continually strive to keep the castle in its power; furthermore, it also achieved control at Hohenstein solely through cooperation with members of the rural nobility.

All of the methods which Nuremberg deployed in its efforts to enhance rural security were drawn from a repertoire which provided security solutions for towns throughout the German lands. From the thirteenth century onwards we find various attempts to limit the construction or reconstruction of castles in the vicinity of towns: at Lübeck in 1226 (within 15 km of the river Trave along its entire length), via an alliance between Rhenish cities in 1273, or through imperial privileges for Schwäbisch Hall in 1339 and

698. BB 13 ff. 114^v-115^r (19.2.1438). See also BB 13 f. 206^v (7.8.1438).

699. Müllner, *Annalen*, ii, 346.

700. BB 15 f. 39^r (10.6.1441); StAN Rep. 54 12 f. 67^r (10.6.1441); RB 1b f. 4^r.

701. RB 1b f. 11^r (11.8.1441).

702. StAN Rep. 52b 269 f. 132^v (30.1.1442). For Wildenstein in possession of Hohenstein see BB 15 ff. 260^v (14.6.1442), 295^v (11.8.1442), 314^v (20.9.1442), 367^v-368^r (7.1.1443).

Nördlingen in 1398, for example.⁷⁰³ Other towns were more active than Nuremberg: in 1249 Hildesheim purchased a castle specifically in order to destroy it following incidents of ‘robbery and arson’,⁷⁰⁴ and even Nuremberg’s much smaller neighbour Windsheim proceeded very aggressively against castles under the cover of wider conflicts in the region ‘in order to be rid of... irritating and often dangerous neighbours’.⁷⁰⁵ From Frankfurt am Main we have evidence of the city enforcing its 1336 privilege against new fortifications, towns and tolls within five German miles (c.37 km), though it mostly came to an accommodation with nobles who had flouted this ban.⁷⁰⁶ Ulrich Andermann has asked whether towns attempted to ‘demilitarize’ certain areas in the interests of their security,⁷⁰⁷ but this probably overstates the intent, as rural nobles (who were inherently ‘military’) were often left in place by towns. The preferred option was to co-opt nobles by binding them to the town in some way. At Bremen the normal tactic of acquiring ‘open’ castles was coupled with the extraction of explicit promises that the castle-dwellers would not harm merchants or commit robbery on land or water.⁷⁰⁸ The Hanseatic towns were perhaps the most active group of cities when it came to cooperating in alliances against robbery and for the breaking of robbers’ houses.⁷⁰⁹ But Frankfurt am Main also mounted multiple expeditions against castles in the later fourteenth and early fifteenth centuries,⁷¹⁰ and from 1432–1448 the city occupied the castle of Hattstein – 15 km to the north west in the Taunus hills – until the cost became too great and the castle was returned to its original owners.⁷¹¹

703. Lübeck: Demski, *Adel und Lübeck*, p. 40. Rhenish alliance: Bernhard Kreutz, ‘Mainz, Worms und Speyer im Spannungsgefüge zwischen Bischof, Adel und Reich um 1300’, in Monika Escher, Alfred Haverkamp, and Frank G. Hirschmann (eds.), *Städtelandschaft – Städtenez – zentralörtliches Gefüge. Ansätze und Befunde zur Geschichte der Städte im hohen und späten Mittelalter* (Mainz, 2000), p. 319. Schwäbisch Hall: Wunder, ‘Reichsstädte als Landesherrn,’ p. 81. Nördlingen: Kießling, *Stadt*, p. 55.

704. Andermann, *Gewalt*, p. 199.

705. Gerhard Rechter, ‘“difficulteten und beschwerden”. Beobachtungen zum Verhältnis der kleineren Reichsstädte Frankens zum niederen Adel am Beispiel Windsheim’, in Rainer A. Müller (ed.), *Reichsstädte in Franken. Vol. 1: Aufsätze 1: Verfassung und Verwaltung* (Munich, 1987), pp. 298-300, quote at p. 298.

706. Orth, ‘Stadtherrschaft,’ pp. 106-107, 109-110; Schneidmüller, ‘Territorialpolitik,’ p. 130

707. Andermann, ‘Kriminalisierung,’ p. 161; Andermann, *Gewalt*, p. 206.

708. Andermann, *Gewalt*, pp. 200-201.

709. See Andermann, *Gewalt*, pp. 183-185, 238-239.

710. Orth, *Fehden*, pp. 160-161.

711. Schneidmüller, ‘Territorialpolitik,’ p. 127

From this brief overview we can see that towns in general made no real attempt to eject or displace the rural nobility; similar to the ways in which burghers acquired rural property, the enhancement of security against robbery happened as much in cooperation with nobles as it did in opposition to them.⁷¹² The comparison with other towns also shows Nuremberg's policy towards castles in the surrounding countryside to have been relatively restrained.⁷¹³ Nuremberg was fortunate in that it did not face any immediately threatening fortifications: the city had in fact grown at the foot of and had now incorporated the most imposing fortress in the region (the imperial castle), whilst sheer economic power had enabled its citizens to control the smaller fortified residences in the immediate vicinity. Beyond this area, the council was possibly reluctant to risk an aggressive policy against fortifications, or perhaps hamstrung by the lack of existing territorial bases from which to operate. Either way, Nuremberg was unlikely to antagonize large numbers of rural nobles through routine opposition to their castles. But the city still felt a need to project its power into the countryside in order to counteract the threat of robbery. As it did not control the region's network of castles, the council instead ordered regular mounted patrols of the countryside, focusing on the important roads. These patrols did become a significant point of tension between town and nobility.

Patrols, Arrests and Punishments

Nuremberg's rural patrols were by no means an anti-noble operation. In the first place, they were often led by nobles in the city's employment (see below and chapter six). Neither did they target nobles explicitly. Their objective was to counter the actions of general malefactors and peace-breakers, most often referred to as *schädliche Leute* (literally 'damaging people').⁷¹⁴ This malleable phrase could be put to many uses: the towns themselves were labelled 'shedlich leüt' by the 1523 *Apology* for the Schweinfurt League (see pp. 16-17).⁷¹⁵ But the existence of

712. Also recognized by Andermann, *Gewalt*, p. 171.

713. Rudolf Endres has made a similar point from a comparison with other territorial powers in Franconia: Endres, 'Burgenverfassung,' p. 328.

714. See Andermann, *Gewalt*, p. 161

715. Schottenloher, *Flugschriften*, p. 105.

such a category of people, defined not so much by any specific crime but by their general harm to the common good, was a crucial precondition for the towns' extension of their authority and power into the policing of the countryside – for this activity certainly was 'policing' in the sense that its aim was to prevent and detect crime and to maintain order. However, understandings of criminality and of the towns' right to combat it beyond their walls became extremely contentious once the complex reality of rural insecurity began to expose the comfortable vagueness of the legitimating concept of *schädliche Leute*.

The towns typically sought imperial and princely privileges to underpin their right to police the countryside; these first appear during the fourteenth century, and were frequently reconfirmed.⁷¹⁶ The privileges allowed *schädliche Leute*, malefactors (*Übeltäter*) or robbers (*rauber, spoliatores* etc.) to be captured by the town's forces either anywhere or within the town's 'territory' (the former was most common, and the latter was probably not a reference to any tightly defined area).⁷¹⁷ There were also differing clauses on whether and where captives could be tried and punished: Nördlingen received its right to try malefactors separately in 1398, and it was normally stipulated that the trial and punishment could only take place within the town's jurisdiction.⁷¹⁸ Nuremberg was probably in the vanguard of this process, with a privilege against *schädliche Leute* dating from 1320.⁷¹⁹ On 31 May 1433, at his imperial coronation in Rome, Emperor Sigismund confirmed this right to catch highway robbers and punish them in Nuremberg according to the council's judgement, so long as they were not brought to Nuremberg through the boundaries (marked by a ditch or a wall) of another capital jurisdiction.⁷²⁰ Frederick III issued a much more general privilege shortly after his accession

716. e.g. Berlin, Cölln and Spandau (first mentioned 1317) (Helbig, 'Städte,' p. 231); Greifswald (1321) and Stralsund (1325) (Andermann, *Gewalt*, p. 160); Nördlingen (1349) (Kießling, *Stadt*, p. 35); Hamburg (1359) (Andermann, 'Kriminalisierung,' pp. 159-160); (Lübeck (1374) (Andermann, *Gewalt*, p. 159). For privileges issued to Rothenburg and Dinkelsbühl in 1398, see Regesta Boica 11 pp. 119 (6.1.1398), 139-140 (3.10.1398).

717. For example, Hamburg was initially privileged 'infra territorium vestrum'. In 1468 this was extended to 'everywhere' (*allenthalben*) (Andermann, *Gewalt*, pp. 158-159).

718. Kießling, *Stadt*, pp. 35, 90.

719. Leiser, 'Landgebiet,' p. 231.

720. Regesta Boica 13, p. 261.

in 1440: Nuremberg could simply proceed against all those who had harmed its citizens as it saw fit.⁷²¹ But the council knew that such documents could only ever form part of the constant effort needed to assert its right to police the countryside. The city therefore presented itself as being not only privileged by the Empire to arrest suspected robbers, but positively obliged to do so for the sake of the Empire, justice and the common good.⁷²² This case was also argued from custom.⁷²³ All towns were acutely conscious of the need to defend these privileges, so that when the nobleman Georg von Bebenburg declared a feud against Schwäbisch Hall over a rural *mêlée* in which twenty-one of his men had been taken prisoner and subsequently executed by the town, Ulm described the matter to the other leading towns of Upper Germany as an important precedent for the right of imperial cities to judge malefactors.⁷²⁴

The right to police the countryside was regularly exercised by patrols of mounted men employed by Nuremberg. It is not entirely clear, however, whether these patrols aimed chiefly to protect travellers, to make arrests, to gather information or to act as a deterrent. In practice they probably did something of all these tasks, but it is important to note that the regular patrols were not large enough to seriously oppose the very substantial raiding parties which nobles sometimes assembled as part of their feuds. The largest contingent recorded during the 1430s and 1440s comprised eighteen horses,⁷²⁵ and in general the number could be anything between seven and twelve.⁷²⁶ The patrols could range at least 30 km from Nuremberg (for instance, westwards to Emskirchen and Markt Erlbach) along any of the major roads leading to the city.⁷²⁷ The protection provided for merchants travelling to and from the Nördlingen fairs (80 km from Nuremberg) may have taken the

721. Regesta Imperii 13.14 no. 16 (17.5.1440). See also Müllner, *Annalen*, ii, 343.

722. e.g. BB 15 f. 80^v (9.8.1441); BB 16 ff. 87^r (9.7.1443), 107^v (14.8.1443).

723. BB 7 f. 118^r (26.11.1426): 'als unsere eltern auf uns bracht haben'.

724. Blezinger, *Städtebund*, pp. 86-87.

725. StAN Rep. 54 12 f. 68^r.

726. See the compilation of account entries in Sander, *Haushaltung*, pp. 491-493.

727. Emskirchen: StAN Rep. 54 11 f. 81^r. Erlbach: Sander, *Haushaltung*, p. 493.

patrols further afield.⁷²⁸ The transport of wine from the Main valley certainly drew Nuremberg's patrols into the hills of the Steigerwald, at least 50 km from the city.⁷²⁹ Individual deployments could last up to four days.⁷³⁰ With between 63 and 108 horses and riders available at any one time,⁷³¹ Nuremberg had the capacity to mount several such patrols simultaneously, and this seems to be the way in which the city's forces were utilized. Other towns and town leagues developed slightly different structures: for example, both the Swabian League and Lübeck had forces of at least thirty men under the command of a single captain.⁷³² Frankfurt's efforts were directed firmly towards the protection of merchants entering and leaving its fairs, and this task consumed 15 per cent of the municipal budget.⁷³³

The patrols may have roamed far from the city, but the entire operation was minutely controlled from the centre. This can be seen not only from the precise accounts which were kept of the patrols' expenses, but also through the lists of 'enemies' of various kinds which were drawn up by Nuremberg, in common with most other towns.⁷³⁴ This administration created a powerful institutional memory to support the armed forces which could be just as much a cause for concern as the patrols themselves.⁷³⁵ In 1427 Reinhard von Hartheim, governor of Wertheim, wrote to Nuremberg to clarify a rumour that his name had been entered into a book of *schädliche Leute* kept by the town (Nuremberg denied that this had happened).⁷³⁶ Conversely, there is evidence from Frankfurt of a book of feuds being used to confirm that a captured individual was not in fact

728. e.g. StAN Rep. 54 12 f. 68^r.

729. Sander, *Haushaltung*, pp. 491-492.

730. StAN Rep. 54 12 f. 68^r.

731. Gerhard Fouquet, 'Die Finanzierung von Krieg und Verteidigung in oberdeutschen Städten des späten Mittelalters', in Bernhard Kirchgässner and Günter Scholz (eds.), *Stadt und Krieg. 25. Arbeitstagung des Südwestdeutschen Arbeitskreises für Stadtgeschichtsforschung in Böblingen 1986* (Sigmaringen, 1989), p. 62.

732. Blezinger, *Städtebund*, p. 17; Demski, *Adel und Lübeck*, pp. 75-76.

733. Fouquet, 'Finanzierung,' p. 55; Orth, *Fehden*, pp. 116-117.

734. The surviving registers from Nuremberg have been published: Werner Schultheiß (ed.), *Die Acht-, Verbots- und Fehdebücher Nürnbergs von 1285-1400* (Nuremberg, 1960). See Andermann, *Gewalt*, pp. 178, 234-237; Lullies, *Fehde*, p. 113.

735. Zmora, *State and nobility*, p. 76 describes writing as 'another weapon townsfolk were good at plying'.

736. BB 7 f. 172^v (12.5.1427).

an enemy of the town.⁷³⁷ Reputation was an important part of the concept of *schädliche Leute*, but it may be too much to claim (with Ulrich Andermann) that simply having one's name written in a book of robbers or outlaws was treated as evidence of guilt.⁷³⁸ Probably more worrying was the way in which the urban administration undoubtedly targeted particular individuals with patrols on the basis of denunciations. For example, in August 1441 the Nuremberg *Bürgermeister* reminded their successors to order patrols against those indicted by Weimar von Muggenthal (see no. 11 on p. 156).⁷³⁹

The patrols could gather intelligence and make would-be attackers think twice, but they probably had little capacity to actually arrest suspected robbers – especially if the accused were nobles, surrounded by retainers and with a fortified residence from which to operate. Hans von Wildenstein was arrested for robbery after entering Nuremberg on a safe conduct provided by the Palatine administration at Amberg,⁷⁴⁰ but most nobles needed to be taken from their castles and other fortifications. This form of arrest obviously had much in common with the breaking of castles as a preventative measure against robbery and as a demonstration of peace-keeping power (see pp. 174-175). Indeed, if a castle was suspected of housing robbers anyone caught within it was likely to be treated as such.⁷⁴¹ Conversely, to make the siege of even a small fortification worthwhile the fortification itself had to be of interest, unless the robbers housed within were especially notorious.

But sometimes Nuremberg's forces did break into a nobleman's residence simply in order to arrest him. This was the fate of Weimar von Muggenthal, who was taken from his father's 'house' (*hawse*) at Eichenhofen (probably near Parsberg, in the southern Upper Palatinate) along with two servitors. The servitors were released, but Muggenthal was executed on 11 August 1441.⁷⁴² He had earned Nuremberg's

737. Orth, *Fehden*, p. 104.

738. Andermann, *Gewalt*, p. 243.

739. RB 1b f. 15^r.

740. BB 3 f. 85^v (28.10.1410); Voit, *Wildensteiner*, p. 10.

741. Andermann, *Gewalt*, pp. 248-250.

742. StAN Rep. 54 12 f. 82^v; BB 15 f. 82^v; ChrdtSt, x, 160 n. 5.

enmity by attacking the councillor Paul Grundherr and the municipal secretary Johann Marquard and robbing them of a silver beaker whilst they were travelling to the royal court in Austria as Nuremberg's representatives in a dispute between the council and the house of the Teutonic Order in the city.⁷⁴³ Some property was also taken by Nuremberg in the attack on Eichenhofen, and Muggenthal's 'better horse' was later sold for 40 Gulden.⁷⁴⁴ This was probably the stallion which Weimar's brothers Lienhard and Hans later claimed as their own,⁷⁴⁵ whilst Otilie von Muggenthal wrote that Berthold Volckamer had promised her, in her 'grief' (*trubsal*), that Nuremberg would return the property which was taken; he denied any knowledge of this.⁷⁴⁶ Hans von Muggenthal was still pursuing claims for compensation more than three years later.⁷⁴⁷ This suggests that Nuremberg was essentially able to brush off any repercussions from the attack on Eichenhofen. But it was also most probably only a lightly defended house, and other targets required full military expeditions: for instance, the war against Hans and Fritz von Waldenfels (see pp. 295-298) and the Swabian League's expedition against castles in the Altmühl valley in 1446, in which Nuremberg participated.⁷⁴⁸ These expeditions, with the associated looting and burning, had the character of counter-feuds rather than policing operations, and did not necessarily lead to the capture of those accused of robbery. This forced the council to offer bounties: 2,000 Gulden for Hans and Fritz von Waldenfels alive, or 1,000 Gulden for the pair dead.⁷⁴⁹

What really distinguished Nuremberg's 'policing' from noble feuding was an outcome that involved some kind of judicial punishment. The penalty for robbery was death, but the execution of a noble was obviously a matter of enormous political sensitivity. Regina Görner found almost no evidence for punishments of any sort in

743. StAN Rep. 54 12 f. 82^v.

744. ChrdtSt, x, 160 n. 5.

745. BB 15 f. 113^v (4.10.1441).

746. BB 15 f. 113^r (4.10.1441).

747. BB 17 f. 192^v (19.1.1445).

748. Müllner, *Annalen*, ii, 383.

749. Müllner, *Annalen*, ii, 370. See also Regesta Boica 12 p. 244 (11.4.1416) and Egloffstein, *Chronik*, p. 123.

Westphalia,⁷⁵⁰ and Elsbet Orth concluded from her study of Frankfurt that knights (unlike their servitors) were rarely executed after they had been captured for robbery, chiefly because of the many interventions on their behalf from powerful figures.⁷⁵¹ But sometimes towns tried to circumvent the diplomatic difficulties of an execution by carrying it out before any requests for clemency could arrive. In 1474 Hildesheim executed Henning Rekeling even before a proper executioner could reach the town, as the council knew that the duke of Brunswick would intercede for Rekeling.⁷⁵²

Essentially the same haste was shown by Nuremberg as they pushed for the execution of Wilhelm von Elm by Rothenburg ob der Tauber between October and December 1441. Elm had attacked Nuremberg citizens on at least three occasions in the course of feuds against other opponents, and in June 1441 his victims had been dependents of the prominent councillor Berthold Volckamer (see nos. 3, 4 and 12 on pp. 154 and 157). Thus when Rothenburg besieged the castles of Ingolstadt (south of Würzburg) and Giebelstadt and captured Elm at the former, Nuremberg wrote to express their great pleasure (*begirlichen frewden*) before they had even received Rothenburg's official report.⁷⁵³ But the council soon feared that a forthcoming diet at Mergentheim would delay the case against Elm in Rothenburg, and that a settlement might even be reached at the diet; they urged their representatives in Rothenburg (Karl Holzschuher and Berthold Volckamer) to push for a hearing as soon as possible, and to keep the diet at Mergentheim secret from the Rothenburg authorities.⁷⁵⁴ Over a fortnight later Nuremberg suggested that Rothenburg should at least interrogate the prisoners, as they would learn what would be 'worthwhile and necessary for all imperial towns to know'.⁷⁵⁵ Then on 2 December Nuremberg was finally able to thank Rothenburg for news of the execution of Wilhelm von Elm, tipping the messenger a pound of new Haller.⁷⁵⁶

750. Görner, *Raubritter*, pp. 251-258.

751. Orth, *Fehden*, p. 33.

752. Andermann, *Gewalt*, pp. 307-308.

753. BB 15 ff. 124^r (25.10.1441), 125^r (26.10.1441).

754. BB 15 ff. 126^v-127^r (30.10.1441).

755. BB 15 f. 138^r (17.11.1441): 'das allen Reichstetten nutz und notdurft wer zuwissen'.

756. BB 15 f. 147^r.

The only noble to be executed in Nuremberg during the 1440s was Weimar von Muggenthal, on 11 August 1441.⁷⁵⁷ He is known to have been in prison in Nuremberg from 9 August, and he was kept in the 'loch', the small prison beneath the city hall which also hosted interrogations using torture.⁷⁵⁸ Margrave Albrecht Achilles, Bishop Albrecht of Eichstätt and Counts Wilhelm and Ulrich of Oettingen all intervened on Weimar's behalf, and Nuremberg replied to them on 9 August with nothing more than an assertion of the city's obligation to the Empire and to the common good to capture suspected robbers.⁷⁵⁹ The same justification was used *post hoc* in a reply to Albrecht III of Bayern-München, with the additional mention of Nuremberg's imperial privilege to capture robbers and allow justice to proceed against them.⁷⁶⁰ In both letters the council mentioned Weimar's 'many' robberies on the imperial highways, contrary to God, honour and justice, though only the one attack on Grundherr and Marquard is recorded.

Muggenthal was beheaded, which represented an act of mercy in comparison to death by breaking on the wheel, the prescribed punishment for robbery.⁷⁶¹ This was suffered on 8 October 1434 by the nobleman Peter von Leonrod for the murder of 'Red Hans' and possibly further killings.⁷⁶² Other executions of nobles by Nuremberg are scattered throughout the late Middle Ages, from Epelein von Gailingen (of later legend, see p. 24) in 1381⁷⁶³ to Friedrich von Giech in 1490⁷⁶⁴ and Sebastian von Seckendorff-Nold in 1512.⁷⁶⁵ Of the executions carried out by other towns, it is worth mentioning that of Georg von Riedheim,

757. BB 15 f. 82^v; StAN Rep. 54 12 f. 82^v. On 24 July 1447 a Hans von Steußlingen was executed for robbery in Nuremberg, and he may have been a member of a Swabian noble family (Müllner, *Annalen*, ii, 389; BB 18 ff. 295^v-296^r (24.7.1447)).

758. BB 15 f. 80^v (9.8.1441); RB 1b f. 14^r.

759. BB 15 f. 80^v (9.8.1441).

760. BB 15 f. 86^v (16.8.1441).

761. Andermann, *Gewalt*, pp. 309-310.

762. Sander, *Haushaltung*, p. 504; BB 11 f. 167^v (20.12.1434). Müllner, *Annalen*, ii, 315.

763. Pfeiffer, *Nürnberg*, p. 77.

764. Joseph Morsel, "'Das sy sich mitt der besstenn gewarsamig schicken, das sy durch die widerwertigenn Franckenn nitt nidergeworffen werdenn'". Überlegungen zum sozialen Sinn der Fehdepraxis am Beispiel des spätmittelalterlichen Franken', in Dieter Rödel and Joachim Schneider (eds.), *Strukturen der Gesellschaft im Mittelalter. Interdisziplinäre Mediävistik in Würzburg* (Wiesbaden, 1996), p. 162.

765. Rechter, 'Verhältnis zwischen Niederadel und Städten,' p. 133.

governor of Höchstädt, by Augsburg in February 1441. This actually took place at Donauwörth after Augsburg's forces had ambushed Riedheim as he left that town, where he had spent time under safe conduct.⁷⁶⁶ There were many more executions of nobles' retainers as well. These included at least nine 'helpers and spies' of the Waldenfels brothers,⁷⁶⁷ two retainers of Georg von Egloffstein in 1441 and 1444,⁷⁶⁸ a servitor of Paul von Streitberg called Hans Stübich,⁷⁶⁹ and Hans Engelhard, a retainer of Georg von Wildenstein.⁷⁷⁰ Some of these cases attracted almost as much political attention as those of nobles, with the Counts Palatine Otto and Ludwig both intervening for Hans Engelhard. Feuds were commenced or further aggravated in response to executions of retainers, for example a feud by Hilpolt von Fraunberg in 1413 (related to the execution of his servitor Wilwolt Römer) and Hynek Krušina of Schwanberg's response within an existing feud to the execution of Hans Frank for stealing from churches (see below, p. 193).⁷⁷¹ Further retainers of nobles were arrested and imprisoned for serious crimes such as robbery and then released on a promise not to exact revenge (*Urfehde*),⁷⁷² whilst the eventual outcome of a number of cases is unknown.⁷⁷³ The overall numbers were not large, and executions of nobles themselves were certainly infrequent – though this can hardly have diminished the importance of the event when it did occur. And although widely spaced on average, executions of nobles were potentially more damaging for town-noble relations when they happened to cluster together, such as the cases of Georg von Riedheim, Weimar von Muggenthal and Wilhelm von Elm in 1441.

766. Blezinger, *Städtebund*, pp. 69-70.

767. Müllner, *Annalen*, ii, 369, 376.

768. Müllner, *Annalen*, ii, 351-352, 370.

769. BB 18 ff. 32^r (5.9.1446), 39^r (10.9.1446), 43^r (13.9.1446). Müllner, *Annalen*, ii, 383.

770. BB 18 ff. 414^v (24.12.1447), 417^v (29.12.1447), 424^v (5.1.1448), 443^v (29.1.1448), 475^r (24.2.1448), 492^v-493^r (26.3.1448). Müllner, *Annalen*, ii, 393.

771. Fraunberg: StAN Rep. 2c 16 ff. 5^r (28.2.1413), 40^{r-v}. Schwanberg: BB 16 ff. 86^v-87^v (9.7.1443).

772. e.g. BB 15 ff. 49^v-50^r (20.6.1441); StAN Rep. 54 12 f. 68^r; StAN Rep. 2a 896 (27.6.1441). BB 17 f. 247^v (31.3.1445).

773. e.g. BB 17 ff. 150^r (13.11.1444), 153^{r-v} (17.11.1444). BB 18 ff. 1^{r-v} (14.7.1446), 3^{r-v} (18.7.1446); 117^r (7.12.1446), 118^v-119^r (12.12.1446); 236^v (11.5.1447).

Nobles' Reactions

Although only a small number of 'robbery' cases came to any sort of judicial end, nobles' reaction to the towns' overall policing policy began with the patrols in the countryside. Nobles themselves were also patrolling the roads, in various capacities: on 7 December 1441 Kaspar von Hayn, captain of Freyburg (Unstrut, in Saxony), supposedly chased Nuremberg citizens travelling to the annual fair at Halle (Saale) into a village and then obliged them to pay for a horse he said had been injured in the pursuit.⁷⁷⁴ Sometimes Nuremberg's patrols encountered groups of nobles in the countryside, with considerable potential for confusion and misidentification. In December 1429 Albrecht von Egloffstein complained that Nuremberg's men had chased him on horseback. In reply, Nuremberg denied ordering a patrol directed against Egloffstein in particular, and the town's servitor Peter Heidenaber gave his version of events: he and his companions were stationed in a village when some other mounted men came across them, and immediately fled. So Heidenaber and the others chased after them, without knowing their identities. Only when both groups reached another village and spoke to one another did the men from Nuremberg realize whom they had been following.⁷⁷⁵ In October 1447, a similar incident occurred involving the noble Paul von Streitberg. Nuremberg's servitors claimed that whilst stationed near Bamberg they moved to investigate four unknown riders, who also made off at speed. The pursuers from Nuremberg only managed to get their hands on a boy, who refused to say who the riders were.⁷⁷⁶ In 1443 Sigmund von Seckendorff alleged that Nuremberg had stationed men in order to ambush him, and that these men had shot his horse and chased after him.⁷⁷⁷ The Swabian nobleman Hans von Rechberg described in 1453 how two groups of his own retainers had failed to recognize each other in the field and had chased one another until their horses were too tired to continue. They then came across a group of the Swabian towns'

774. BB 15 f. 157^r (16.12.1441).

775. BB 8 ff. 209^v-210^r (19.12.1429).

776. BB 18 f. 365^r (16.10.1447).

777. BB 16 ff. 129^v-130^r (19.9.1443).

servitors, who attempted to arrest one of Rechberg's men. Rechberg alleged that once his men had been cornered in a church, the towns' servitors tried to poison them.⁷⁷⁸

Clearly it was very easy for misunderstandings to arise between groups of armed men in the countryside. In light of this, it is not surprising that we find a certain number of nobles writing to Nuremberg to express a suspicion, perhaps also a fear, that the council was targeting them with its patrols. From the council's replies we learn that between 1440 and March 1448 Nuremberg was accused by eighteen separate nobles of having them personally followed or watched.⁷⁷⁹ Some of these nobles made multiple allegations. Another five (at least) complained on behalf of others allegedly followed or captured by Nuremberg's patrols.⁷⁸⁰ Nuremberg never admitted to following any one noble in particular, though it did not explicitly deny the complaint from Sigmund von Seckendorff that he had been chased and shot at. Otherwise, the city council usually explained that its patrols were simply protecting the roads in general, and that any incidents were accidental. In a few cases, the allegation seems to arise from a conflict in which Nuremberg was only tangentially involved. For instance, Christoph Notthafft zum Weißenstein accused Nuremberg of ordering their servitor Nicholas Grieß to tail him,⁷⁸¹ when Grieß was already in a serious dispute with Notthafft on his own, personal account (see pp. 145-146). The context of other allegations is at the moment unknown. Certainly none of the nobles concerned, with the partial exception of Sigmund von Seckendorff (see pp. 148, 169, 295), are recorded as an enemies of Nuremberg at the time of the alleged patrols.

778. Konzen, *Aller Welt Feind*, p. 233.

779. BB 14 f. 351^v (8.4.1441). BB 15 ff. 6^{r-v} (28.4.1441), 17^r (18.5.1441), 29^v (31.5.1441), 96^r (30.8.1441), 307^r, 308^v (11.9.1442). BB 16 ff. 56^r (7.5.1443), 59^v-60^r, 61^r (11.5.1443), 64^r (15.5.1443), 65^r, 67^{r-v} (20.5.1443), 84^v (28.6.1443), 93^v (19.7.1443), 107^v (14.8.1443), 129^v-130^r (19.9.1443), 262^v (31.3.1444), 265^v-266^r (3.4.1444). BB 17 ff. 25^v (16.5.1444), 143^v (4.11.1444), 219^r (19.2.1445), 245^v (27.3.1445). BB 18 ff. 348^r (20.9.1447), 365^r (16.10.1447), 376^v (27.10.1447), 452^v-453^r (10.2.1448). StAN Rep. 2a 948 (2.12.1443).

780. BB 16 ff. 114^v-115^r (28.8.1443). BB 17 ff. 14^v-15^r (4.5.1444). BB 18 ff. 1^{r-v} (14.7.1446), 3^{r-v} (18.7.1446), 117^r (7.12.1446), 188^v-189^r (13.3.1447). See also the cases of Hans Stübich and Hans Engelhard, nn. 769-770 above.

781. BB 16 f. 84^v (28.6.1443).

Nobles often prefaced their accusations with the explanation that they had heard it rumoured that Nuremberg was following them, or that they had been told of this 'secretly'. Coupled with the fact that none of the alleged incidents can be situated in a known conflict directly between Nuremberg and the noble concerned, this detail seems telling. Nuremberg may of course have had reasons to hide the extent of its policing activity where it could, and we have already seen that the council did target individual nobles (who may in turn have had reason to fabricate charges). But the evidence from the civic accounts suggests that most patrols were general deployments in a particular area or to protect particular groups of merchants, whilst also ranging widely across the countryside in small, highly mobile groups. These could easily be understood by nobles engaged in feuding activity as a threat, which a noble could have tried to forestall by obliging the council to confirm or deny any particular intent against them personally: a public denial of animosity would reduce the council's freedom to prosecute a nobleman if he did fall foul of one of the patrols. Undoubtedly there were a number of false allegations and disingenuous denials, but the credibility of these relied on the many incidents of simple misunderstanding and on noble concerns about the patrols in general.

There are also indications that the allegations were stoked not just by fear and suspicion, but also by anger and resentment. They all contained the implicit accusation that Nuremberg's behaviour was secretive, underhand and therefore dishonourable. Sometimes these charges were made explicit. Hilpolt von Fraunberg accused Nuremberg of tailing him 'in body and property... more by night than by day' and of breaking an agreed peace by stationing men outside his castle;⁷⁸² Georg von Schaumberg suggested that Nuremberg planned to ambush him and treat him roughly;⁷⁸³ Hans von Rabenstein accused the city

782. StAN Rep. 2c 16 ff. 5^r (28.2.1413) ('nach meinen leib und gut stellt mer bey nacht dann bey tag'), 39^r.

783. BB 16 f. 262^v (31.3.1444): 'wir bestellt haben sullen, Wa euch die unsern überreiten, euch unfruntlichs zubeweisen'.

of plotting against his 'body and honour',⁷⁸⁴ Hans von *Crossenawe* complained that he had left Nuremberg in a state of friendship with the city, but the council had still posted men 'on every road, pass and way' to tail him.⁷⁸⁵ Nuremberg twice denied having secret plans to capture Hans von Rabenstein,⁷⁸⁶ and the city's feud opponents Fritz von Egloffstein and Fritz von Waldenfels alleged that Nuremberg was plotting their deaths.⁷⁸⁷ These more specific allegations were not necessarily misunderstandings – some were almost certainly fairly accurate in terms of the basic facts – and the anger, real or simulated, is very clear from the language. Around the end of the fifteenth century, the feuding nobles Konrad Schott and Christoph von Giech raised the rhetoric to a new level by describing Nuremberg's retainers as 'hunting dogs' (*hetzrüden*) and Giech himself as a 'poor, hunted nobleman'.⁷⁸⁸ Meanwhile, Paul von Absberg calmly thanked Margrave Friedrich for alerting him to danger from Nuremberg's retainers, and said he would be glad to harm them on the margrave's behalf however he could.⁷⁸⁹

One brief but telling exchange also reveals nobles' resentment towards the justice which some of their number received in Nuremberg. In December 1434 Nuremberg's town clerk, Johannes Dumm, was sent to Hohenburg on the river Inn east of Munich, residence of Georg von Fraunberg, to negotiate the release of the burgher Jakob Auer. (Auer was accused by another noble, Hans von Villenbach, of complicity in the murder of Villenbach's brother.) Johannes Dumm stayed with Fraunberg for some time waiting for an answer to Nuremberg's request that Auer be freed, until he approached Fraunberg's bailiff to demand one. The bailiff replied that he could see no way that Auer could be found guilty unless, as he feared would happen, Villenbach could produce six other men prepared to swear to Auer's guilt. According to a common legal custom, the resulting seven oaths would be enough

784. BB 15 f. 17^r (18.5.1441): 'nach ewerm leib und eren'.

785. BB 17 f. 25^v (16.5.1444): 'nachdem und ir in guten freuntschafft von uns geschiden seit, alle strasse, steig und wege verlegen und auf euch halten haben lassen'.

786. BB 15 f. 29^v (31.5.1441). BB 17 f. 219^r (19.2.1445).

787. Egloffstein, *Chronik*, p. 121. BB 18 f. 348^r (20.9.1447).

788. Zmora, *State and nobility*, p. 27. Seyboth, "'Raubritter" und Landesherrn,' pp. 123-124.

789. Zmora, *State and nobility*, p. 100.

to convict him. ‘My God,’ responded Dumm, ‘We hope that it is not the law of this court that one stranger may convict another with seven oaths.’ The bailiff replied: ‘But you in Nuremberg convict men with your knives.’ Dumm informed the bailiff that his masters in Nuremberg did not execute anyone who was not guilty.⁷⁹⁰ The bailiff – not himself a noble, but the head of a noble’s household – was clearly accusing Nuremberg of practising summary justice, and given the status of the speaker and the context of the widespread suspicion of Nuremberg’s policing activities it seems that the bailiff was criticizing summary justice against nobles. Nuremberg had in fact executed the noble Peter Leonrod just a few months earlier (see p. 186 above), though the bailiff made no explicit reference to this event.

From a modern perspective, the justice dispensed by Nuremberg against noble robbers does appear to have been extremely rough, at least in a procedural sense. Ulrich Andermann points out that we should not confuse unwritten with ‘formless’ procedure, but also argues that standard court proceedings could not deal with ‘increasing criminality’, including robbery by nobles, and were replaced by an essentially inquisitorial process which became virtually arbitrary.⁷⁹¹ As Andermann himself notes, however, we have barely any evidence for the actual judicial procedure which followed an arrest,⁷⁹² whilst it seems unlikely that ‘increasing criminality’ was in fact straining the system. What concerned contemporaries was not the way in which the interrogation and trial were conducted, but the interpretation of the distinction between feud and robbery. Nobles reacted with anger and often violence when a town deployed police and judicial measures within what they considered to be a genuine feud. On the Upper Rhine, Hans von Rechberg responded to Basel’s executions of his followers by drowning randomly selected prisoners and allowing their bodies to float downstream to the city; he argued that he had been pursuing a ‘chivalrous war’ (*ritterlicher krieg triben*) and that Basel should have

790. StAN Rep. 2c 22 f. 3^{r-v}: ‘do iah ich wir hoffen zu got, das es der Schranken Recht hie nicht seÿ das kein gast, den andern über sybenden müg, do sprach er nu über sibendt doch Ir die leute mit ewern messern do iah ich mein herren Rechtfertigen njemande Er hab dann mercliche schulde auf Im’.

791. Andermann, *Gewalt*, pp. 274, 289-290.

792. Andermann, *Gewalt*, p. 306.

fought likewise, instead of involving the hangman.⁷⁹³ Rechberg warned Ulm in 1452 that if the town executed his men, he would cease to behave as a knight and would kill any prisoners he took.⁷⁹⁴ In the same vein, the Bohemian Hynek Krušina of Schwanberg accused Nuremberg of hanging Hans Franken in an 'open feud' and thereby starting a 'hangman's war' (*hennkender kriege*).⁷⁹⁵

But none of this implies that Nuremberg was fighting with judicial weapons against feuding *per se*. All towns formed a tightly-defined space within which substantial security measures could be enacted with a reasonable degree of success, and the urban authorities may well have wished to recreate these conditions in the countryside.⁷⁹⁶ But we know that they only tried to do so in relation to the roads. We have already seen that Nuremberg suggested that nobles should make their attacks elsewhere, 'where one ought to strike one's enemies' (see p. 172). The feud was only to be contained, not stamped out. Elsbet Orth argues that the elimination of feuding was not in the interests of the towns (even if it had been possible), as it would have compromised their independence.⁷⁹⁷ Although towns very rarely declared offensive feuds, their ability to do so was worth something, as it carried the threat of the devastating force which a powerful town could bring to bear. Nor did they have any need to sacrifice the institution of the feud to the battle against insecurity in the countryside so long as this insecurity could be interpreted as robbery rather than feuding. From the townsperson's point of view, it must very often have seemed that this was indeed what they were experiencing.

Nobles operated with exactly the same fundamental distinction between licit and illicit violence (feud and robbery), but their differing self-interest led them to apply it in different ways. We can see this most clearly in the 1523 *Apology* pamphlet (see pp. 16-17), in which the nobility's spokesman (Cuntz Frenckel) insists that the

793. Konzen, *Aller Welt Feind*, p. 222 n. 17.

794. Konzen, *Aller Welt Feind*, pp. 223-224.

795. BB 16 ff. 86^v-87^v (9.7.1443).

796. Andermann, *Gewalt*, p. 173 and Görner, *Raubritter*, p. 168 contend that they did.

797. Orth, *Fehden*, p. 140.

nobility have just as much reason as anyone else to oppose robbery, as it renders nobles insecure in their own castles and villages.⁷⁹⁸ Questions from his interlocutor Marckhans give Frenckel several opportunities to assert that the Schweinfurt League of nobles had sworn not to support peace-breakers, and that the league therefore did not oppose the recent castle-breaking expedition of the Swabian League, despite being formed expressly in opposition to this and similar actions.⁷⁹⁹ The difficulties faced by nobles in ideologically countering the towns' measures against robbery could not be better exemplified: they cannot openly oppose the combatting of robbery, and so how can they then oppose the destruction of castles which this entails? Frenckel therefore offers other explanations for the actions of the Swabian League – as part of the towns' schemes to seize all power in southern Germany – and the conversation remains focused on the malicious intentions of the towns, without further reference to the fundamental dilemma inherent in the nobility's inability to distance itself sufficiently from 'robbery' to be able to neutralize the towns' self-righteous narrative about smashing robbers' nests and bringing peace to the countryside. The author of this pamphlet was forced to retreat into conspiracy theories and tit-for-tat insults, as he could not deny the need to resist robbery in general, whilst a defence of each individual feud would have been exhausting and ultimately fruitless.

Conclusion: insecurity and ideological control

In this chapter we have encountered (for the first time in this study) a serious clash of interests between town and nobility. There was barely any scope for them to agree on which particular actions constituted legitimate force and which represented illicit violence, as the same violence by which nobles sought to defend and advance their interests was intensely damaging to the interests of towns such as Nuremberg, even when individual towns and nobles were not directly opposed to one another. Yet this clash remained precisely a clash of interests. There is no evidence that it developed into a wider struggle either over the fundamentals of rural security or over the fundamental right of recourse to legal self-help through the feud.

798. Schottenloher, *Flugschriften*, p. 107.

799. Schottenloher, *Flugschriften*, p. 105.

Townspeople and nobles cooperated extensively to ensure security in the countryside, and in this respect their interests aligned sufficiently to help maintain a creaking and barely adequate system of security through safe conduct. But this cooperation was also always a relative sideshow, partly because of the ineffectiveness of the safe conduct system, but more because the towns' main partners and rivals in the business of rural security were the princes. Disputes over safe conduct with nobles could only ever remain very localized, whereas those between towns and princes could become a matter for politics at the imperial level. At the Nuremberg diet of 1444 the envoys of Frankfurt am Main had some difficulty obtaining confirmation of the privilege which allowed them to patrol the roads around their city when the royal chancellor Kaspar Schlick raised the possibility that this might be inappropriate: 'the princes want to protect their roads themselves', he suggested.⁸⁰⁰

Eventually, of course, Frankfurt received its privilege.⁸⁰¹ Motivated by pure self-interest and deploying mostly naked force, the towns gained at least parity with the princes as *de facto* guardians of rural security. This powerful intrusion into the countryside generated in some ways remarkably little conflict with the rural nobility. It was chiefly noble violence, in the form of feuding, which the towns wished to combat, but the countryside did not become a running battle between the forces of feuding and policing. This was in part because the two were not inherently opposed. Both townspeople and nobles recognized that some violence needed to be controlled and that some was permissible. The only question was: which particular violence could be labelled as either feud or robbery?

The law was clear, and we have witnessed Haupt von Pappenheim spelling it out with absolute certainty and conviction. But the law was also at the mercy of the subjectivity of those enforcing it. This was generally the towns, wherever they were not restrained by the princes. It seems clear that the nobility were, in this respect, both militarily

800. RTA 17 no. 228k (6.9.1444): 'die fursten wollen selbst ir straißen schuren'.

801. Regesta Imperii 13.4 no. 85 (4.10.1444).

and ideologically on the defensive. Their military defeats were usually of only short-term significance, however: destroyed castles could be rebuilt, and feuds thwarted in one location could be pursued elsewhere. The ideological battle was much more dangerous. The feud was not dying or even remotely weakened as an idea, but it was still impotent against the towns' arsenal of the Empire and the 'common good', coupled with persons defined as 'harmful' to these untouchable ideals. The feud was too individual to oppose these collective values, though of course the importance of individual feuds to the success and survival of individual nobles was what sustained the feuding system. So noble frustration at the obstacles placed in their way by the towns – which were mostly minor irritants, but were sometimes deadly – was channeled into a restrained but occasionally explosive resentment to which a close reading of the Nuremberg sources offers a rare point of access.

Nuremberg's policing of the countryside was a genuine threat to nobles: physically, materially, and to their social role as protectors and lords in the countryside. Although their anger was not always an outburst of raw emotion, it was a reaction to a perceived threat and a provocation. The hard reality of this resentment is also suggested by the places in which we find it expressed: in brief, to-the-point letters to the Nuremberg council, and in such chance records of day-to-day interaction as the snatch of conversation between the bailiff and the town clerk. It is not immediately present in the set-piece statements of noble antagonism towards the towns, such as the *Complaint of the Rightful Lordship of the Nobility*. In the previous chapter we were compelled to ask why the *Complaint* focuses on 'towns, castles, lands, people and property', when there is limited evidence for conflict between townspeople and nobles as rural lords and plentiful records of their cooperation in this sphere. Now that we have clear evidence for conflict over authority in the countryside in another form, we can begin to consider the possibility that the 'castles and lands' are to a large extent reifications of a less tangible power exercised by the towns in the countryside, which many nobles feared and resented but could not always openly oppose without entering into a difficult relationship with fundamental values which they and townspeople both shared.

5.

COMMUNITIES AND COMMUNICATION

The interdependence of town and country which we have explored in the preceding chapters was the foundation for various forms of community which also extended beyond the rural and urban social and economic system into political action and customs. Nuremberg and many members of the rural nobility were both fully integrated into some of these communities, but the communities also extended beyond them to embrace third parties who could have a considerable influence on relations between townspeople and nobles. The most significant actors in this respect were of course the princes, from the emperor to local magnates and prelates. The communities as a whole were anything but neutral in terms of town-noble relations, and it is in this category of relationships that we see some of the greatest extremes of conflict and cooperation. We will see very clearly that the towns were not islands in a feudal sea with which they had nothing in common, but it will also be apparent that closeness did not necessarily bring harmony. Communities in themselves were therefore highly ambivalent structures so far as relations between townspeople and nobles were concerned: did this ambivalence translate into a similarly ambivalent coexistence in town-noble relations more widely, or did certain aspects of the multifaceted communal relationships loom larger than others?

The answer to this question will depend heavily on the quality of communication and the strength of networks between townspeople and rural nobles. We might reasonably suppose that good communication and network structures would have helped to diffuse the inevitable tensions, whilst failures in these areas could have exacerbated them. This must therefore be our first area of investigation, before we consider how townspeople and rural nobles made use of the networks to which they had access. The influence of third parties poses an interpretative

problem throughout this part of the study – how far did townspeople and nobles subordinate their interests to those of others, or indeed use third parties to advance their interests? This issue will be directly addressed in the final section of the chapter, as we turn to look at the influence of princes on relations between Nuremberg and the rural nobility through the particular case of Margrave Albrecht of Brandenburg-Ansbach.

Another aspect of ‘communal’ relations between townspeople and nobles was the business community which transcended any divide between town and country and formed partnerships between the economic strengths and resources of the two. The *Briefbücher* and other sources which form the backbone of this study are not well suited to a thorough investigation of this subject, and no judgements can be made here about its vitality or depth. Certainly there were many credit relationships between townspeople and nobles (including nobles who provided credit to burghers), though these could be more about cementing political partnerships than investment.⁸⁰² We need to look further for clear evidence from Nuremberg of genuine business partnerships in the mining sector,⁸⁰³ but such partnerships certainly were established in sheep farming. Both land for grazing and the sheep themselves were used as forms of credit and investment.⁸⁰⁴ It is important to note the possibility of these relationships, although their extent cannot yet be assessed.

Contact and Communication

The communities into which Nuremberg was bound functioned necessarily through channels of communication. Structures and techniques of communication were all the more important in relationships between townspeople and rural

802. On noble creditors see BB 16 ff. 40^v-41^r (5.4.1443), 58^r (9.5.1443); BB 17 ff. 252^v-253^r (7.4.1445). Also Bittmann, *Kreditwirtschaft*, p. 217.

803. See Schubert, *Herrschaft*, p. 11; Hahn, ‘Landadel und Stadt,’ p. 295.

804. See BB 1 ff. 148^r (16.9.1406), 155^v (9.11.1406). BB 18 ff. 390^v-391^r (19.11.1447). StAN Rep. 15 11 (24.8.1434). Regesta Boica 13 pp. 13-14 (25.6.1423), 165 (10.11.1429). Dietrich Deeg, *Die Herrschaft der Herren von Heideck. Eine Studie zu hochadeliger Familien- und Besitzgeschichte* (Neustadt an der Aisch, 1968), p. 115.

nobles as social distances between them needed to be bridged. We have already seen that the two formed quite distinct social groups, that the nobility were constantly present but never firmly established in the town, and that townspeople were very much at home in the countryside but unable to agree with the nobility on what constituted legitimate violence in that space. Communication had to cross these divides and conflicts of interest; we will see that the message did not always come through unscathed. Poor communication leading to mistrust is one of the characteristics of the relationship between town and nobility identified by Klaus Graf: it aided the escalation of Cold War-style tensions between two ideologically polarized camps (see above, pp. 33-34).⁸⁰⁵ But the nature of our sources also suggests that a brief study of communication between Nuremberg and the rural nobility will prove worthwhile. The *Briefbücher* offer an invaluable perspective on all sorts of communication: written communication naturally, but also oral communication. In addition, they reveal a society deeply marked by miscommunication.

Means and Places of Communication

Nuremberg's importance as a regional commercial centre ensured that it was also a significant communication space. Nobles could of course send envoys to the town or request formal hearings before the council when they had particular grievances or concerns, but there were also opportunities to converse with townspeople in the course of more general visits to the city. We have already seen (pp. 66-70) that nobles held many events in the town as organized groups and societies and that these events included intercourse with burghers as the nobles' hosts and guests at dinners and dances, as spectators at tournaments, and in other contexts. But the meetings between townspeople and nobles in Nuremberg of which we hear via Nuremberg's letters seem to represent individual visits

805. Graf, 'Feindbild und Vorbild,' pp. 126-127.

by nobles with unknown business in the town.⁸⁰⁶ One small window on to an acrimonious meeting is provided by a letter from September 1440, in which Heinrich Imhoff of Nuremberg claimed to have politely asked the wife of Diewald Zebinger (from an Austrian family prominent in the regime of Frederick III) to leave his house after she insulted his guest, and denied Diewald's allegation that he pushed her down the stairs.⁸⁰⁷ On other occasions a face-to-face meeting in Nuremberg could clear the air. Whether the meeting was arranged for this purpose or whether it was more fortuitous is never clear, but the latter possibility is strongly suggested by the events of February 1443, when Johann von Heideck claimed that the councillor Karl Holzschuher had accused his servitor of robbery. Nuremberg had prepared a written reply when Johann came to town and received a satisfactory answer from Holzschuher.⁸⁰⁸ We can see from the way that oral messages were mentioned and discussed in Nuremberg's correspondence that the two frequently complemented one another, but there is the possibility that the resort to writing sometimes represented a failure of less formal and more direct forms of communication.

Opportunities for townspeople and nobles to meet outside of Nuremberg seem to have been largely conditioned by the structures of the wider communities to which both belonged. All of the meetings between citizens and nobles from the period 1440–1448 for which a location is known took place in princely residence towns or administrative centres (Amberg, Bamberg, Eichstätt, Gunzenhausen, Kulmbach, Stuttgart, Würzburg).⁸⁰⁹ Sometimes we learn that the meeting did

806. References to meetings between townspeople and nobles in Nuremberg with no known context: BB 14 f. 262^v (27.10.1440 – Albrecht Gottsmann and Hans von Wiesenthau); BB 15 f. 11^v-12^r (6.5.1441 – Heinrich von Plauen – see also StAN Rep. 2c 19 ff. 9^v-10^r and loose letter in same file dated 13.7.1443); BB 17 ff. 69^r (15.7.1444 – Heinrich von Gera), 106^r (16.9.1444 – Hintze Pflugk); BB 18 ff. 318^v (12.8.1447 – Albrecht Notthafft), 322^r (16.8.1447 – Hans Küchenmeister von Nordenberg).

807. BB 14 f. 237^v (12.9.1440). There was a long-running dispute between Diewald and various members of the Imhoff family: Regesta Boica 13 pp. 388-389 (6.11.1436); BB 14 f. 323^r (27.2.1441).

808. BB 16 ff. 16^v-17^r (15.2.1443).

809. BB 14 ff. 145^r (4.3.1440 – Gunzenhausen), 313^v (6.2.1441 – Bamberg), 354^v (12.4.1441 – Kulmbach); BB 15 ff. 4^v (26.4.1441 – Würzburg), 131^v (4.11.1441); 205^v-206^r (7.3.1442 – Stuttgart); BB 17 f. 105^v (16.9.1444 – Amberg).

indeed take place on the fringes of a princely court or other assembly.⁸¹⁰ Citizens of Nuremberg, and especially members of the inner council, were only very rarely dispatched as envoys to rural nobles.⁸¹¹ The town's servitors generally functioned as intermediaries (see chapter six). But at princely courts in the vicinity of Nuremberg (especially those of the Hohenzollern margraves at Cadolzburg and Baiersdorf) nobles could probably reckon on an opportunity to speak with a member of Nuremberg's elite. Not all nobles had access to these courts, however, and aside from the city itself there was no forum in which townspeople and nobles could regularly make direct contact with one another which was not controlled by a third party. Nobles with links to Nuremberg's service clientele (see chapter six) were able to correspond with individual councillors,⁸¹² and applicants for employment by Nuremberg often addressed themselves to a prominent member of the civic elite.⁸¹³ Demand for places in Nuremberg's service outstripped supply, and nobles doubtless hoped to increase their chances of success with a direct appeal to an influential figure within the city. But exactly how these contacts were made and how well-developed they were is unclear.

By introducing a medium and intermediaries (messengers and envoys), writing made communication more unstable and less secure than was possible in a face-to-face meeting. It was common for letters to go astray, and (more significantly) it was easy to exploit the hazards of writing in order to deliberately sabotage communication. Both Nuremberg and its noble correspondents frequently commented that they had not received letters they were expecting or which had supposedly been sent.⁸¹⁴ The most common reason given by the council for the non-delivery of a letter was that the noble's messenger had not waited to take

810. BB 14 f. 354^v; BB 15 f. 131^v.

811. e.g. BB 5 f. 88^v (3.10.1420); BB 15 f. 12^r (6.5.1441).

812. Mathes von Mangersreuth and Stephan Koler: BB 9 ff. 88^r (6.2.1431), 110^r (14.5.1431), 134^r (3.8.1431). Johann von Heideck and Paul Grundherr: BB 16 ff. 46^r (15.4.1443), 88^v (15.7.1443). Friedrich von Künsberg and Karl Holzschuher: BB 17 f. 221^r (22.2.1445).

813. BB 17 ff. 35^v (1.6.1444), 105^v-106^r (16.9.1444), 188^r (7.1.1445). Probably also: BB 16 f. 106^{r-v} (13.8.1443); BB 17 ff. 106^r (16.9.1444), 244^r (23.3.1445); BB 18 f. 385^{r-v} (10.11.1447).

814. e.g. BB 9 f. 131^r (20.7.1431). BB 11 f. 173^v (3.1.1435). BB 15 ff. 205^v-206^r (7.3.1442). BB 17 ff. 17^v-18^r (10.5.1444), 77^{r-v} (20.7.1444).

the answer with him,⁸¹⁵ they might also claim that the answer had been delayed for some good reason,⁸¹⁶ that a third party connected to the noble had refused to receive the letter on his behalf,⁸¹⁷ or that the letter had been entrusted to travellers setting out in the right direction who had promised to see that it was delivered.⁸¹⁸ One letter, in which Nuremberg refuted an allegation by Hans von Streitberg that they were having him followed, details a whole sequence of miscommunications: after Streitberg had written and spoken to *Bürgermeister* Konrad Paumgartner, the council wrote a reply but did not give it to Streitberg's messenger, as he did not request it; they instead intended to give the letter to Streitberg's brother, who (they had heard) was in Nuremberg at the time. But he turned out to have left the town. So the council gave the letter to the burgher Fritz Keiper, who reported that he had delivered it along with other letters. But 'in case' Hans had not received this letter (as he claimed he had not), Nuremberg repeated their message.⁸¹⁹ Some tangles of this sort may have been less innocent than they are presented, and we have clear evidence that communication difficulties could awaken or entrench suspicion: the council alleged that the messenger of their feud opponent Georg Auer was ordered to leave the city before they could hand him their reply, and that Nuremberg's messenger could not locate Auer because he 'did not want to be found'.⁸²⁰ The same accusation (of deliberately evading a reply) was also levelled at Rudolf von Bopfingen.⁸²¹

Communication between the town and the rural nobility was generally remarkably smooth, but was always at risk – not just as a conduit of meaning, but also as a carrier of trust. Neutral spaces were invaluable, but in practice this meant spaces which were controlled by princes whose relations with both townspeople and nobles were changeable and often troubled. Nobles' visits to

815. BB 5 f. 171^r (31.10.1421). BB 9 f. 131^r (20.7.1431). BB 11 f. 173^v (3.1.1435). BB 16 f. 63^r (15.5.1443).

816. BB 17 ff. 94^v (12.8.1444), 183^{r-v} (29.12.1444).

817. BB 14 ff. 118^v-119^r (10.2.1440). BB 17 f. 221^r (22.2.1445).

818. BB 5 f. 171^r (31.10.1421). BB 15 f. 247^{r-v} (13.5.1442).

819. BB 15 f. 6^{r-v} (28.4.1441).

820. BB 18 ff. 442^r-443^r (26.1.1448).

821. BB 14 ff. 118^v-119^r (10.2.1440).

Nuremberg also presented opportunities, but reliance on these visits ensured that communication would be erratic and ultimately under the council's control. Writing was clearly indispensable, but the quantity of writing produced only magnified its unreliability. The unceasing flow of letters from Nuremberg's chancery could also be a problem in itself. As part of his feud against Nuremberg around 1500, the noble Konrad Schott captured the city councillor Wilhelm Derrer and cut off his right hand; in the version related by the Nuremberg chronicler Heinrich Deichsler, Derrer originally extended his left arm, but Schott insisted on the right, so that Derrer would write him no more letters (*so schreibstu mir keinen brief mer*).⁸²² Schott is here made to display his irritation at Nuremberg's letter writing, for which he would have had good reason as a feud opponent of the city. But since any utterance made during a feud was a public statement – and since these words may in any case have been put into Schott's mouth as something he would be likely to say – it is worth asking whether or not the sentiment might have resonated more broadly. There is indeed some evidence that nobles found Nuremberg's communication difficult or troubling, perhaps even infuriating.

Information and Suspicion

However smoothly communication functioned, it was inevitable that townspeople and nobles would often be lacking information about one another. This was not necessarily representative of a lack of communication altogether: the council and certain nobles regularly exchanged news about wider political events, especially during the Hussite Wars and the 1444 Armagnac threat.⁸²³ Nuremberg was clearly valued by nobles as a source of news about the king and events in general: Johann von Leuchtenberg, for instance, asked for a report on 'business' (*wandel*) at Nuremberg.⁸²⁴ Occasionally the council asked nobles other than those in its

822. ChrdtSt, xi, 605. See Zmora, *State and nobility*, p. 28.

823. BB 6 ff. 99^v (22.7.1424), 192^r (17.8.1425). BB 8 f. 232^{r-v} (11.2.1430). BB 9 ff. 178^r (27.11.1431), 193^r (27.12.1431), 210^{r-v} (6.2.1432), 231^r (9.4.1432). BB 10 f. 38 (30.8.1432). BB 11 f. 28 (12.5.1434). BB 14 f. 123^v (15.2.1440). BB 17 f. 114^{r-v} (6.10.1444). StAN Rep. 2c 19 ff. 1 (23.1.1432), 2^v-3^r (20.3.1432), 4^{r-v} (31.3.1434). RTA 17 no. 225/11 (22.9.1444).

824. BB 3 f. 198 (4.1.1412). Also BB 17 f. 32^v (25.5.1444).

employment for information on particular issues in their regions,⁸²⁵ and received some apparently unsolicited announcements and warnings.⁸²⁶ But mostly this exchange took place within existing relationships: news items and requests for information were usually appended to letters dealing with other business, and the nobles involved were generally well-known to the council; they were for the most part Nuremberg's partners in various regional and imperial political communities. Where nobles were less well connected to the town, both sides could display a fundamental ignorance of one another. Nobles were sometimes unsure exactly which of their fellow nobles were active in Nuremberg's service,⁸²⁷ and when Nuremberg first heard of the robbery committed against citizens of Windsheim by members of the Waldenfels family (a prominent lineage in Upper Franconia) the council had to undertake thorough research (*unser erfahrung so wir fleislichst gemugt haben tun lassen*) in order to be able to report to Windsheim on the location of the Waldenfels' castles and on their political affiliation.⁸²⁸ Lichtenberg – the Waldenfels' main residence – is over 110 km from Nuremberg, but it was close to the main trade routes to Leipzig and Poland, and just three years later Nuremberg would lay siege to the castle there. Yet at the point of first encounter the council was apparently unaware of its location.

Given these gaps in basic knowledge and the unreliability of communications in general, it is no surprise that townspeople and nobles were often unsure of each other's intentions and attitudes. This generated intense and possibly self-nourishing fears and suspicions. Nuremberg was especially wary of numerous gatherings of armed nobles supposedly assembling in the countryside. Sometimes these were said to be under the leadership of a prince or princes, though mostly no particular leader was known or mentioned. Some were clearly attributed to the nobility, however. In April 1440 Nuremberg warned its satellite towns

825. BB 6 ff. 112^r (16.9.1424), 167^v (30.4.1425). BB 16 f. 106^v (13.8.1443). StAN Rep. 54 11 f. 69^r; Rep. 54 12 f. 76^v.

826. BB 16 f. 28^{r-v} (8.3.1443).

827. BB 3 f. 249^v (6.8.1412); BB 5 f. 114^v (14.2.1421).

828. BB 14 f. 354^v (12.4.1441).

Windsheim and Weißenburg that its envoys had been informed at various courts of numerous gatherings amongst the nobility (*adel*), and that the imperial towns ought to be on their guard.⁸²⁹ The towns communicated vigorously amongst themselves about these assemblies, and Nuremberg dispatched around eighty letters to various correspondents about these threats between 1440 and March 1448. But the council's fears that hostile armies were assembling rarely seem to have been realized. Undoubtedly many of these 'gatherings' were little more than rumours.

Nobles in turn had their own particular and recurring suspicions about Nuremberg's activity. We have already seen that many nobles were apparently worried about the city's rural 'policing' operations, and almost as many expressed suspicion that the town was undertaking espionage against them or another noble. During our core period of 1440 to March 1448 at least nineteen nobles accused individuals of being Nuremberg's agents or 'secret servants' (*heimliche Knechte*).⁸³⁰ These allegations were – naturally – all refuted by Nuremberg. But it is worth noting – in parallel with the pattern of allegations about rural patrols – that hardly any of these suspected spies can be aligned with a known conflict between the town and the noble(s) involved. Only the suspicion which fell on Kilian Leinecker, Nuremberg's 'host' at Schorndorf in Württemberg, can be clearly linked to the conflict with members of the Urbach family from the same area.⁸³¹ Some further allegations may have been stimulated by the wide-ranging Waldenfels feud in the first half of 1444, but the only clue here is geographical proximity.⁸³² We know for certain that in the early sixteenth century Nuremberg did employ the impecunious nobleman Lorenz von Leuzenbrunn to report back

829. BB 14 f. 158^r (4.4.1440).

830. BB 14 ff. 211^r (26.7.1440), 216^v-217^r (8.8.1440); BB 15 ff. 31d (5.6.1441), 40^v (12.6.1441), 84^v (14.8.1441), 119^v (16.10.1441), 221^v (23.3.1442), 323^v-324^r (11.10.1443); BB 16 ff. 175^v (11.12.1443), 192^r (8.1.1444); BB 17 ff. 8^v (20.4.1444), 10^v (24.4.1444), 19^r (12.5.1444), 108^v (19.9.1444); BB 18 ff. 57^{r-v} (24.9.1446), 447^v (3.2.1448); BB 19 f. 1^v (28.3.1448). StAN Rep. 54 11 f. 67^v.

831. BB 14 ff. 216^v-217^r (8.8.1440). StAN Rep. 54 11 f. 67^v.

832. BB 17 ff. 8^v (20.4.1444), 10^v (24.4.1444), 19^r (12.5.1444).

on the activity and speech of his fellow nobles even during peacetime,⁸³³ but the alleged ‘heimliche Knechte’ of the 1440s are different in that they are probably all of non-noble status. Did Nuremberg really maintain a network of covert agents throughout the surrounding countryside, or are we in fact witnessing nobles who doubted both the loyalty of some of their retainers and the good intentions of the city, and conflated the two perceived threats? Either way, suspicion apparently ran deeper than its occasional moments of crystallization in specific allegations.

Other nobles expressed a more general suspicion that Nuremberg was in turn suspicious of them. The council denied allegations of this sort from at least twenty-eight nobles between 1440 and March 1448.⁸³⁴ Some of these were clearly connected to the feud with Hans and Fritz von Waldenfels,⁸³⁵ especially the Waldenfels brothers’ capture of Nuremberg’s servitor Peter Motter.⁸³⁶ In all other cases where the context of the alleged suspicion is mentioned or can be deduced, the issues involved relate to rural violence by nobles (i.e. feuding and ‘robbery’).⁸³⁷ Nuremberg also denied having any enmity towards many nobles, sometimes in response to a specific allegation.⁸³⁸ This was often coupled with or replaced by a positive assurance of good relations.⁸³⁹ In various ways, nobles frequently wrote to Nuremberg to inquire about their standing with the town to achieve one fundamental end: they wanted the council’s ‘security’, a written assurance from

833. Joseph Morsel, *La noblesse contre la ville? Comment faire l'histoire des rapports entre nobles et citadins (en Franconie vers 1500)?*, Habilitation diss. (Panthéon-Sorbonne (Paris 1), 2009), pp. 279-304.

834. BB 14 ff. 160^v (9.4.1440), 164^v (18.4.1440), 174^v (16.5.1440), 250^v-251^r (7.10.1440), 301^v-302^r (4.1.1441), 329^r (10.3.1441); BB 15 ff. 79^r (8.8.1441), 137^v (16.11.1441), 351^v (24.11.1442); BB 16 ff. 54^r (4.5.1443), 63^r (15.5.1443), 178^r (13.12.1443); BB 17 ff. 13^v-14^r (4.5.1444), 18^v (12.5.1444), 22^v (13.5.1444), 24^v-25^v (16.5.1444), 59^{r-v} (3.7.1444), 94^v (12.8.1444), 112^v (4.10.1444), 148^{r-v} (12.11.1444), 219^r (19.2.1444); BB 18 ff. 2^v-3^r (18.7.1446), 72^v-73^r (8.10.1446), 178^r (28.2.1447), 279^v (27.6.1447), 317^v (11.8.1447), 350^r (22.9.1447), 365^r (16.10.1447), 376^v (27.10.1447).

835. BB 17 ff. 18^v (12.5.1444), 94^v (12.8.1444), 219^r (19.2.1444).

836. BB 18 ff. 350^r (22.9.1447), 365^r (16.10.1447), 376^v (27.10.1447).

837. Specific attacks: BB 14 ff. 301^v-302^r (4.1.1441); BB 15 ff. 79^r (8.8.1441), 137^v (16.11.1441); BB 18 ff. 2^v-3^r (18.7.1446), 178^r (28.2.1447), 317^v (11.8.1447). General attacks on roads: BB 14 f. 329^r (10.3.1441); BB 17 f. 22^v (13.5.1444). Feuds: BB 16 f. 178^r (13.12.1443); BB 17 ff. 13^v-14^r (4.5.1444).

838. e.g. BB 14 ff. 187^r-188^r (11.6.1440), 239^v-240^v (17.9.1440); BB 15 ff. 1 (21.4.1441), 96^v (30.8.1441), 190^{r-v} (16.2.1442), 238^r (4.5.1442); BB 17 ff. 74^v (15.7.1444), 100^r-101^r (1.9.1444), 148^v (12.11.1444), 206^v-207^r (3.2.1445); BB ff. 72^v-73^r (8.10.1446).

839. e.g. BB 17 ff. 183^{r-v} (29.12.1444), 206^v-207^r (3.2.1445).

the council that it was not undertaking anything against them.⁸⁴⁰ Nobles were well aware that the council's word did not necessarily mean that they were safe from Nuremberg's attentions, but the statement in itself was worth having as it limited the council's room for manoeuvre to some extent, and made subsequent action against that noble harder to justify within feuding conventions, which decreed that all enmities must be openly declared. For its part, the council was obliged to give the noble the requested reassurance if it was not reasonably certain that it might wish to open hostilities with him, as the request for security carried the implicit (sometimes explicit) threat of a feud if it was refused.⁸⁴¹ In line with its usual circumspect policy, the council only admitted its suspicion of a noble on two interrelated occasions during our period in the 1440s.⁸⁴²

Nobles might therefore have exaggerated their fear or suspicion in order to effectively intimidate the council into granting them its security by giving the impression that they considered themselves to have nothing to lose by declaring a feud if security was refused. Hence the many vague references to rumours and hearsay which had supposedly caused the noble to believe that he was suspected (see also the similar accusations about rural patrols, pp. 189-191 above). But the underlying reality is that nobles were concerned that their feuding activity or reputation could cause them to fall foul of Nuremberg's rural policing operation, and they sometimes saw a need to forestall this threat. There probably was a certain amount of genuine suspicion, especially about possible espionage (tellingly, it is the retainers close to the nobles who are the real subject of their fear, not the distant town), but the crux of the matter was how Nuremberg communicated the security which a noble demanded. It had to be clear and unambiguous, and Nuremberg's writing did not always offer quite the *sort* of clarity that nobles required.

840. As well as denying suspicion and enmity and assuring good relations, Nuremberg frequently issued explicit statements of security. Some examples: BB 17 ff. 28^{r-v} (20.5.1444), 41^v (8.6.1444), 241^r (19.3.1445).

841. e.g. Müllner, *Annalen*, ii, 350-351.

842. Concerning Hans and Georg von Egloffstein: BB 17 ff. 65^r (10.7.1444), 67^{r-v} (13.7.1444); Müllner, *Annalen*, ii, 369.

Messages and Meanings

Nuremberg's chancery used a series of set phrases in order to assure nobles of their security, and was only ever specific about times and places in relation to the safe conducts which the council issued for the duration of particular negotiations. But some nobles were clearly unhappy with this lack of specificity. In 1434 Eberhard von Dottenheim attacked a convoy of merchants in the area of Uffenheim, targeting (so he later claimed) merchants from Straubing, but also taking a large amount of cloth which was claimed by citizens of Nuremberg.⁸⁴³ The council outwardly hoped for an amicable solution, and informed Dottenheim that it knew of nothing other than good relations with him at that time (using one of the chancery's formulae: *wir wissen sust zu disen zeiten mit ewch nicht zuschicken haben denn guts*).⁸⁴⁴ Dottenheim replied sarcastically that much time passes in one day (*daz gar vil zeit in dem tag hingeeet*), and demanded that Nuremberg give him an assurance that they would not attack him without fourteen days' notice, warning that otherwise he would be forced to take measures he would rather avoid.⁸⁴⁵ Shortly afterwards Dottenheim did declare a feud on the grounds that Nuremberg's answer to his request for security contained 'hidden words' (*verdeckte worte*).⁸⁴⁶

Other nobles claimed that they could not 'understand' Nuremberg's assurances of security, though with less drastic consequences.⁸⁴⁷ Like Dottenheim, these nobles probably wanted Nuremberg to be more specific, whilst the council refused to restrict its freedom to act to the extent that the noble demanded. The demand placed the council on the defensive, and nobles who wanted a more detailed assurance of security (or who wanted an excuse to declare a feud) pressed home the advantage. Late in 1444 Heinz Röder, a noble from the Vogtland district between Franconia and Saxony, wrote to Nuremberg claiming that he had 'often' heard

843. StAN Rep. 2c 23, especially ff. 2^{r-v} (30.10.1434), 3^{r-v} (4.12.1434), 4^r (31.1.1435), 84^r (4.10.1434).

844. StAN Rep. 2c 23 ff. 5^v-6^r (16.2.1435).

845. StAN Rep. 2c 23 f. 6^r (19.2.1435).

846. StAN Rep. 2c 23 f. 6^v (7.3.1435).

847. BB 5 f. 226^v (3.6.1422 – Thomas von Rosenberg); BB 16 f. 93^v (19.7.1443 – Christoph Notthafft); BB 17 f. 266^r (27.4.1445 – Weigel Strobel).

that he was 'insecure' in relation to the city; the council replied with a standard denial of enmity.⁸⁴⁸ Nearly two years later, in October 1446, Nuremberg received Röder's reply, in which he declared a feud against Nuremberg on the grounds that the council had replied to his request for security with 'hidden words' (*verdackte worte*). The council in turn accused Röder of capturing pilgrims from Nuremberg (see pp. 164-165, 298-299).⁸⁴⁹ It is not clear whether Röder hoped by this aggressive stance to acquire another assurance of security from Nuremberg, or whether he wished to establish a *post hoc* justification for his capture of the pilgrims; but in either case it is interesting that he chose to pursue his objective by accusing Nuremberg of duplicitous communication, just as Eberhard von Dottenheim had accused Nuremberg of using 'hidden words' alongside his detailed objection to the lack of specificity in Nuremberg's assurance of security.

This assault on the trustworthiness of Nuremberg's writing, used by two nobles with residences over 200 km apart from one another, was apparently one which held some promise of success as a justification for opening hostilities. This would be crucial for the outcome of any resulting conflict, which would be decided in one way or another by princes or by the noble's peers. Even when the stated grounds for the feud were not wholly genuine, they always had to be plausible. In these particular cases, other nobles needed to agree that Nuremberg might use 'hidden words'. We have seen that nobles might well have suspected the city of seeking to aggressively police the countryside under the cover of vague assurances of security, but why the direct attack on the council's use of language? Certain observable differences between the writing styles of the council and those of rural nobles offer one possible explanation.

It is of course in one sense misleading to compare the writing of the council with that of individual nobles, as the two are the results of very different processes. But this difference is the crucial factor. Nuremberg's letters are clearly the products

848. BB 17 f. 148^v (12.11.1444).

849. BB 18 ff. 72^v-73^v (8.10.1446).

of a sophisticated bureaucracy which had model letters and formulaic phrases available for every recurring aspect of the city's correspondence. In this way, an order from the council to issue a particular type of letter could easily be realized by the chancery staff. Nobles, on the other hand, would have had at most a smaller team of secretaries, and appear to have dictated at least some of their correspondence. Certainly some of the letters written by nobles which ended up in Nuremberg's archives bear strong marks of individuality. This is particularly the case for those written by Nuremberg's Bohemian feud-opponents Hynek Krušina of Schwanberg and Aleš of Sternberg, whose letters are fortuitously preserved in the special files relating to their feuds which were compiled by the civic authorities.

Aleš and Hynek's letters are sometimes repetitive, and they are peppered with interjections such as 'as God is my witness', in contrast to the relentlessly measured language employed by Nuremberg. Hynek, for instance, tells Ulrich of Rosenberg that he cannot come to a diet in Prague because 'as God is my witness, the gout is killing me, and I cannot come' (*das weiß got daz mich die gicht zerpricht und kan nicht kumen*).⁸⁵⁰ This particular letter is marked in the feud file as having been translated from Czech, but the invocation of God and the explicit reference to a named illness clearly distinguish its language and register from those used by Nuremberg and its citizens (at least those letters from citizens which were recorded in the *Briefbücher*). For instance, Berthold Nützel excused himself from a meeting on the grounds that he had become 'somewhat unwell' (*so ist mich... etwas kranckheit angestossen*).⁸⁵¹ Aleš of Sternberg makes no effort to disguise his anger in his letters concerning his dispute with Margarete Pirgerin (see above, pp. 74-75). He describes 'how that Gredel [Margarete] is making a great turmoil in my affairs', and fumes that 'I have never earned [such treatment] from you [the council], and I hope never to deserve that you should allow the evil old bag (*bösen harwt*) to cheat me in this way, that she should so harass me with her spite, when I hope that I am more to be believed

850. StAN Rep. 2c 27 f. 13^r (11.2.1442).

851. BB 12 ff. 204-205 (28.5.1436).

than she'.⁸⁵² Even when we make some allowance for the interface between Czech and German in these cases the difference is still clear, especially when we consider that Sternberg in particular was a significant political figure (he called himself a 'weighty man'⁸⁵³) who regularly moved in imperial circles, including at diets in Nuremberg. His colourful letters were not those of a backwoods rustic, but of a cosmopolitan nobleman making an unambiguous statement.

We can make some more immediate comparisons between the letter-writing habits of Nuremberg and of certain nobles. The ways in which the two threatened one another, for instance, could be very different. Nuremberg's standard threat against its feud opponents was an extremely veiled warning that unless the noble withdrew their feud the council would have to consider the matter 'as it is', i.e. as potential robbery. For instance, when Ulrich von Oettingen declared a feud against Nuremberg in February 1440 the council replied that they could not consider his feud to be legitimate and that if any harm came to any Nuremberger 'we would be obliged to consider it and regard it as it is in itself'.⁸⁵⁴ Of course, the threat which ultimately lay behind these rather anaemic words was the town's police patrols and judicial procedure, leading potentially to execution as a highway robber. Aleš of Sternberg, characteristically, was more direct concerning his dispute with Margarete Pirgerin: 'If this is not settled as I have described to you above, I will have to consider the possibility that your burghers will not be able to travel freely through Bohemia, and that those who travel to Bohemia will have to pay for this, which as God knows I would really rather not do'.⁸⁵⁵ This is not to say that nobles were not capable of veiling their threats just as ominously as the council did (for instance, Eberhard von

852. StAN Rep. 2c 19 ff. 2^v-3^r: '...mir die Gredel groß werren macht In meinen sachen... und ich habe es umb euch nye verschult und ungeru wider euch verschulden welde, daz ir der bösen hawt ein sollichs uber nicht gestattet, daz sie Iren mutwillen so mit mir treiben sol, wann ich hoff mir sey baß zu gelawben denn Ir'.

853. Rep. 2c 19 f. 28^v: 'als ich denn Ein Swerer man byn'.

854. BB 14 f. 125^r (17.2.1440): 'so müsten wir es von unsrer notdurfft wegen dafür halten und haben als es am Imselbs ist'.

855. StAN Rep. 2c 19 f. 6^r (9.4.1437): 'wer daz mir das nicht wurde vericht so als ich euch oben geschriben hab so must ich darauff gedencken, daz die ewern nicht hetten ein freyen zug durch Beheim, uncz mir das ye betzalen müsten die die gen Beheim zihen, und got weiß daz ich das gar ungeru tet'.

Dottenheim: 'you will force me to take measures which I would rather avoid'⁸⁵⁶), but nobles were always more likely, and indeed better able, to be more direct, because they were speaking as individuals rather than as a corporate bureaucracy.

Even when there was no particular difference in register, the whole manner of writing employed by the town could differ from the practice of even one of Nuremberg's closest noble allies. In June 1448 Margrave Albrecht Achilles sent a bluntly threatening letter to Konrad II von Heideck, ordering him to cease work on a mine. This was to become the trigger for the war the following year, and given that Achilles had been in dispute with Heideck and Nuremberg since at least November 1447, Heideck had every reason to take the threat very seriously.⁸⁵⁷ He wrote to one of Nuremberg's leading councillors, Karl Holzschuher, with a warning of a reported muster by Achilles, and a request for advice on the composition of his reply:

Also dear Karl, I enclose a transcript of a letter sent to me by Margrave Albrecht, as well as a draft of my reply, but which I do not wish to send without your advice. And I beg of you that you will inform me in writing if you think that anything therein should be improved or altered. For this I would be much indebted to you.⁸⁵⁸

To which Karl Holzschuher replied:

I do not doubt that Your Honour knows best how to deal with your affairs according to your situation, but if Your Grace would like to use more honourable words (*mer ersamer wort*) in your reply, whilst still making clear and not omitting the main issue, I have composed a text of my own and enclosed it here. I leave it for Your Honour to expand upon or to condense as pleases you and meets your needs, and I beg that you accept this from me in good faith.⁸⁵⁹

856. StAN Rep. 2c 23 f. 4r: 'so dringt Ir mich zu sachen, der ich gern uberhaben wer'.

857. See BB 18 ff. 386v-387r (15.11.1447).

858. StAN Rep. 15a 102 5 (19.6.1448): 'Auch lieber Karl schicke Ich dir hiemit ein abschrift eins briefs den mir Marggrave Albrecht zu geschickt hat Auch die antwortt die ich dorüber begriffen. aber doch on deynen Rate noch nicht hin hab geen lassen Und bit dich ob dich yendert dorinn gedewcht die zu bessern odern verandern mich das schriftlich wissen lassen Das stet mir gar In gut gein dir zuerkennen'.

859. StAN Rep. 15a 102 5 (20.6.1448): 'zweifelt mir nicht ewr edel wisse ewr notdurfft nach ewrer gelegenheit nach dem besten fürczunemen, Ob aber ewr gnade etwas mer ersamer wort in söllicher ewrer antwurt wölt geprawchen, damit Ir doch in der hawptsache ewr notdurfft wol meldet und nicht begébet, als Ich ein schrift von mir selbs begriffen und hieren geslossen han. das setz ich zu ewr edel zu mindern und zu merren nach ewrer notdurfft und gefallen und bitt das also gütlich von mir zuvernemen'.

Both Heideck's and Holzschuher's drafts are also preserved.⁸⁶⁰ Holzschuher changed none of the substance of Heideck's letter, but he did make it 28 per cent longer by expanding the salutation and the summary of Achilles' letter, and by softening the tone of the demand that Achilles drop his case against Heideck. Holzschuher turned Heideck's somewhat blunt response into a more polished text which followed the rules of the Nuremberg chancery. It stands to reason that Heideck would have had a less sophisticated chancery at his disposal, and this is certainly the impression given by the two letters. Heideck was not the only noble to ask for letter-writing advice from Nuremberg: in October 1444 the council had advised Friedrich von Künsberg on the content of his reply to the bishop of Bamberg, and later they expressed their approval of a reply of his to Hans von Hirschhorn.⁸⁶¹

Although nobles might have valued and even sought to imitate the style of Nuremberg's chancery, this style was in general more verbose and less direct than the writing which nobles often produced themselves. There is no doubt that Nuremberg's letters were intended to be clear and unambiguous just as much as any noble's (which is to say that any ambiguity was deliberate), but a comparison of the two styles potentially exposed Nuremberg's writing to charges of duplicity. And it was not just the communication of Nuremberg's bureaucracy that nobles sometimes had difficulty in dealing with; the bureaucracy's personnel were sometimes an obstacle to mutual understanding as well. When the town clerk Johannes Dumm was negotiating with Georg von Fraunberg to secure the release of Jakob Auer (see pp. 190-191 above) he was accompanied by one of Nuremberg's noble servitors, Rudolf von Eben. As the discussions reached an impasse, Fraunberg said to Dumm:

'Hans, don't take this personally, but I must speak with Rudolf von Eben alone.' And he said to Rudolf: 'You're an old courtier (*hofmensch*), and you know the manners of court types, come here and let me speak with you'. And so he spoke with him for a good while.⁸⁶²

860. StAN Rep. 15a 102 5.

861. BB 17 ff. 136^v-137^r (30.10.1444), 154^{r-v} (18.11.1444).

862. StAN Rep. 2c 22: 'hanns habts nicht in übel, Ich musse mit Rudolffen von Eben in sunderheit reden. Und iah zu Im Rudolff du bist ein altes hofmensch, du waist der hofflewt gewonheit wol, gee her laß mich mit dir reden, Also redet er ein gute weil mit Im.'

It is not at all clear that one of the patrician councillors would have received the same treatment as Dumm, but it is readily apparent that an important member of the civic bureaucracy was felt unable to understand the nuances of communication between nobles. It was men such as Dumm who wrote Nuremberg's letters, and they operated within an administrative space which was more detached from their masters than could ever have been the case for a noble's secretary. Nobles knew that Nuremberg spoke to them through its bureaucracy – especially when relations were tense, and more had to be communicated in writing – and this may have created an impression that the town's words were muffled or slippery. This made credible the dramatic accusations that Nuremberg used 'hidden words', and introduced further fragility into Nuremberg's relationships with nobles within the political communities on which the council otherwise relied to sustain more direct forms of communication.

Political Communities

The town of Nuremberg began life as a subordinate member of an imperial community, literally and figuratively in the shadow of the royal castle. By around 1300 members of the town's elite were acting as partners of kings as well as their subjects, providing finance for the wars of Albert I.⁸⁶³ In 1340 a royal *Landfriede* in Franconia recognized Nuremberg as a full member of the regional political community at the highest level, alongside princes and leading nobles.⁸⁶⁴ But Nuremberg had wider horizons too, and the city's supra-regional role as a link between Bohemia and the western parts of the Empire was an important factor behind its extremely profitable partnership with the Luxemburg dynasty in the second half of the fourteenth and the early fifteenth centuries. One of the final tangible benefits to accrue to Nuremberg from this relationship was the arrival in 1424 of the imperial insignia, sent by order of King Sigismund for perpetual safe-keeping beside the Pegnitz (see also above, pp. 62 and 70). Nuremberg's status

863. Pfeiffer, *Nürnberg*, p. 39.

864. Gerhard Pfeiffer (ed.), *Quellen zur Geschichte der Fränkisch-Bayerischen Landfriedensorganisation im Spätmittelalter* (Munich, 1975), pp. 28-30.

as the most imperial of all imperial cities was thereby emphatically underscored, whilst the interaction of the Luxemburg partnership with Nuremberg's industrial and commercial prosperity ensured the city's place amongst regional power brokers long before the council had bought out the last vestiges of Hohenzollern overlordship in 1427.

Nuremberg was therefore closely bound into multiple political communities despite – and to some extent because of – its relative independence from the Empire and from local strongmen. Certainly the city's independence was a reflection of its status as a regional power in its own right and of its value to kings and emperors even though it lay outside of their core dynastic territories. The outlook and circumstances of patricians, merchants and the whole civic population were deeply conditioned by their city's undeniable political weight and by its self-proclaimed role as a cornerstone of the Empire. Nobles too were members of these communities: some on their own account, but most in a more or less subordinate role as servants and counsellors of princes and kings. The bonds of community brought Nuremberg and these nobles closer together, at times narrowing the social divides between the two, but also generating friction.

However, a defining feature of the 1440s was the weakness of these communities, particularly those which had the potential to unite townspeople and nobles. Frederick III, the new Habsburg emperor, had less use for Nuremberg in a geopolitical sense, and at the start of his reign he had fewer opportunities than his Luxemburg and Wittelsbach predecessors to intervene in the Empire beyond his dynastic lands. The last document to be issued by a Franconian *Landfriede* had appeared in 1416.⁸⁶⁵ The Hohenzollern burgraves and margraves had all but withdrawn from the city, occasional festivities notwithstanding, and now the aggressive policies of Margrave Albrecht Achilles were driving wedges between himself and many of his neighbours, including Nuremberg. The *Briefbücher* testify to the council's alarm at the perceived lawlessness and disorder in the

865. Pfeiffer, *Landfriedensorganisation*, p. 27.

Empire at the time. But the old communities were beyond recall, and those which remained available were of dubious value. Despite the many commercial and personal links between different cities, Nuremberg had long been sceptical towards the Swabian League of towns (and associated princes), preferring to rely on and to guard its close relationship with the monarchy. But Frederick III remained distant, and Nuremberg eventually joined the Swabian League in December 1444, only shortly before a group of princes meeting at Mergentheim (the archbishop of Mainz, Counts Palatine Otto and Stephan, Margraves Albrecht and Johann of Brandenburg and Margrave Jakob of Baden) established an alliance which included a clause committing them to defend their territories against the towns.⁸⁶⁶ Nuremberg's next most natural ally was Albrecht Achilles' main enemy, the bishop of Würzburg, who allied with the towns in July 1446.⁸⁶⁷ But these new political structures were hardly a framework for lasting peace, and were in fact a preparation for war.

Meanwhile, the defunct communities of the Luxemburg years had left a dangerous residue of unresolved disputes between Nuremberg and various nobles, which had been suppressed whilst these communities still functioned but could now come to the surface. The entry into the Swabian League also involved Nuremberg in numerous conflicts with nobles, as the League's relationships with some of its own noble neighbours had been especially poor in the years leading up to 1444. Yet Nuremberg also continued to cooperate with many of the nobles with whom it had interacted out of necessity during times when imperial bonds had been stronger, and the many nobles who served the interests of princely polities near to Nuremberg were essential partners for the transaction of all sorts of legal and political business. In one way or another, communities which went far beyond the immediate relations of townspeople and nobles continued to shape these relationships, and we can trace the origins of particular consequences for town-noble relations in the deep-rooted structures of these communities.

866. Blezinger, *Städtebund*, pp. 116, 119.

867. Blezinger, *Städtebund*, p. 120.

Imperial and Regional Communities

Unsurprisingly, a customary focus on some of the more spectacular and picturesque aspects of town-noble relations – including tournaments, the rural expansion of the towns, and ‘robbery’ – has led us to habitually underestimate or entirely ignore the importance of the daily churn of mundane political and diplomatic business between the two groups which forms the bulk of the correspondence in the *Briefbücher*. But an even more unquestioning focus on relations between townspeople and nobles as independent actors – encouraged by our fascination with the (from a modern perspective) curiously decentralized Empire – has caused us to further neglect the many relationships which arose between townspeople and nobles as a consequence of their obligations to other parties – chiefly to princes of one sort or another. It is difficult to tell where official functions and individual agency meet within these relationships, but they certainly shaped many of the networks within which townspeople and nobles had to negotiate their own more personal interactions.

The imperial community always came first for Nuremberg, and for a very small number of nobles it proved to be a lucrative connection thanks to portions of the city’s annual tax granted to them by kings and emperors. In the first half of the fifteenth century virtually all of the imperial tax revenues from the Swabian towns were pledged to nobles, especially to men such as Hans and Frischhans von Bodman who were associated with Sigismund’s plans for a peacekeeping alliance based around the League of St George’s Shield.⁸⁶⁸ Nuremberg received similar treatment, and from at least 1429 the city’s tax of 2,000 fl. per annum was paid to Count Ludwig of Oettingen. In that year Sigismund promised that following Ludwig’s death (which occurred in 1440) the tax would be used to repay 3,000 fl. to Leopold of Leuchtenberg.⁸⁶⁹ In 1445 part of the tax was redirected

868. Bittmann, *Kreditwirtschaft*, pp. 189-201.

869. Wagner, *Leuchtenberg* 3, p. 80. For the value of the tax see Regesta Boica 13 p. 21 (12.11.1423). In 1433 Sigismund ordered Nuremberg to pay Ludwig (Regesta Boica 13 p. 271, 23.10.1433) and his servants collected the money (Sander, *Haushaltung*, p. 487).

to pay 423 Gulden which Frederick III owed to Wilhelm von Stein.⁸⁷⁰ The same tax had earlier been the subject of a feud against Nuremberg between 1410 and 1412 by the Rhinelander Reinhard of Hanau, whose claim was originally against King Rupert.⁸⁷¹ In 1440 Nuremberg was also embroiled in a dispute over half of the imperial tax from the city's Jews, which was claimed by both Heinrich and Konrad von Pappenheim and the royal chancellor Kaspar Schlick.⁸⁷² The council had to ask Heinrich von Pappenheim to return money already paid out, though the matter was settled relatively quickly in favour of Heinrich and his brother Konrad by Frederick III.⁸⁷³ The potential for conflict inherent in these payments to nobles which Nuremberg had to make on behalf of the emperor was clear, though for the most part it was kept in check.

Princely territories meanwhile, with their localized and immediate authority, could function as a strong integrative force between nobles and the towns under their direct control when they treated rural and urban elites as part of the same class of leading subjects.⁸⁷⁴ Princely states (and particularly their developing representative institutions) could also enforce divisions by categorizing subjects as 'burghers' or 'nobles' for certain purposes.⁸⁷⁵ But Nuremberg in the fifteenth century was not directly exposed to these forces. The main structure with integrative potential was the burgravia *Landgericht* – in essence a court with a geographically limited competence, although its exact boundaries were not clear – on the bench of which two Nuremberg citizens were entitled to sit alongside nobles appointed by the Hohenzollern. This custom was described by Ludwig

870. Joseph Chmel (ed.), *Regesta chronologico-diplomatica Friderici III. Romanorum Imperatoris (Regis IV.)* (Vienna, 1838), no. 1919.

871. Vogel, *Fehderecht*, p. 268.

872. For the Pappenheim brothers' claim, see *Regesta Imperii* 11.2 no. 12037 (2.8.1437). For Schlick's claim, see *Regesta Imperii* 12 nos. 1041 (29.6.1439), 1144 (7.9.1439).

873. BB 14 ff. 113^r (28.1.1440), 132^{r-v} (18.2.1440), 137^{r-v} (26.2.1440). *StAN Rep.* 2a 968 (29.4.1440) (= *Regesta Imperii* 13.14 no. 5). Sander, *Haushaltung*, pp. 365, 606-607.

874. For example, Habsburg Austria in the thirteenth and fourteenth centuries (Brunner, 'Zwei Studien'), and (to a lesser extent), Wittelsbach Bavaria in the late Middle Ages (Schneider, *Niederadel*, pp. 324-325; Martin Dallmeier, 'Die Rolle des "Adels" in der Stadt Regensburg', in Gunnar Teske (ed.), *Adel und Stadt. Vorträge auf dem Kolloquium der Vereinigten Westfälischen Adelsarchive e.V. vom 28.-29. Oktober 1993 in Münster* (Münster, 1998), p. 103).

875. Schneider, *Niederadel*, pp. 311-312, 315-316, 328; Heilingsetzer, 'Adel in der Stadt,' p. 56; Vilfan, 'Stadt und Adel,' p. 65.

von Eyb at the end of the fifteenth century, with the proviso that the burghers must not be engaged in trade with weights and measures.⁸⁷⁶ The presence of burghers in the *Landgericht* is attested from at least 1265 onwards, and in 1313 it was fixed in a privilege with no stipulation as to the number or standing of the burghers who should be involved.⁸⁷⁷ The civic accounts from the 1430s record the payment of expenses to patricians and servitors who regularly sat at *Landgericht* sessions on Nuremberg's behalf.⁸⁷⁸

Beyond the observance of these customary forms, it is unclear exactly how this relationship functioned during the 1440s. In this decade Nuremberg and other towns found themselves battling a wave of cases brought against them in the *Landgericht*, encouraged by Albrecht Achilles' drive to expand its jurisdiction. A generous interpretation of a 1273 privilege from King Rudolf of Habsburg had long underpinned Hohenzollern efforts to establish their *Landgericht* as an appeal court for the whole Empire, dispensing royal justice in place of the emperor. These efforts were intensified by Achilles, causing significant problems for all Upper German towns. In 1458 the Swabian towns collectively paid a substantial sum, probably 12,000 Gulden, to be free of cases in the burgravia *Landgericht* whenever the towns themselves had not refused the plaintiffs justice.⁸⁷⁹ The two citizens which Nuremberg sent to the *Landgericht* had evidently been powerless to restrain the court's aggressive practices; they were easily outvoted on the jurors' bench, which itself had little autonomy *vis-à-vis* the court's princely patron. It therefore seems unlikely that the *Landgericht* would have functioned as an integrative force between town and nobility in this period.

876. Hofmann, 'Nobiles Norimbergenses,' pp. 67, 75. See also Dannenbauer, *Entstehung*, p. 85.

877. Dannenbauer, *Entstehung*, pp. 86-88. See also Leiser, 'Landgebiet,' p. 241; Pfeiffer, *Nürnberg*, pp. 30-32.

878. Sander, *Haushaltung*, pp. 523-524.

879. Klaus von Andrian-Werburg, 'Markgraf Albrecht Achilles von Brandenburg-Ansbach und das Kaiserliche Landgericht Burggraftums Nürnberg', *Jahrbuch für fränkische Landesforschung*, 60 (2000), pp. 64-65. See also Katrin Bourrée, 'Die Bedeutung des Kaiserlichen Landgerichts Nürnberg für die Herrschaftskonzeption Markgraf Albrechts Achilles. Landesherrschaftliches Instrument und reichsfürstlicher Legitimationsgenerator', in Mario Müller (ed.), *Kurfürst Albrecht Achilles (1414-1486). Kurfürst von Brandenburg, Burggraf von Nürnberg* (Ansbach, 2014).

Contact with nobles as officials and representatives of territorial princes was therefore chiefly an aspect of Nuremberg's external relations. The various roles of nobles in princely service created almost a second landscape of noble lordship around the city, one which was in places all but indistinguishable from nobles' semi-autonomous rural lordship – for instance, when nobles served as district governors and behaved in this office much as they did on their own patrimonies – and was in other ways quite distinct, as when nobles filled offices at the centre of a princely administration or even governed whole territories in a prince's absence. In whatever capacity they served princes, nobles could faithfully represent their masters' interests at the same time as enjoying considerable room for independent manoeuvre, and it is never easy to tell which aspect of their double nature was uppermost in any given interaction. But regardless of who a noble official was and how he behaved, Nuremberg had to cultivate a relationship with him, and this relationship would have consequences beyond the immediate context of the noble's official function. To what extent did these relationships build a network of useful contacts for the city?

The *Landgerichte* around Nuremberg – generally controlled by princes and staffed by local nobles – were important meeting points of town, state and nobility. The most significant from Nuremberg's perspective were, alongside the burgracial *Landgericht* of Nuremberg itself, the courts named for Hirschberg (an organ of the Bavarian Wittelsbachs centred on the Altmühl valley but extending its competence northwards towards Nuremberg); Bamberg; Würzburg (also known as the Franconian ducal *Landgericht*); and four separate courts in the modern Upper Palatinate controlled by different branches of the Wittelsbach dynasty: Amberg, Auerbach, Sulzbach and Burglengenfeld. Sittings of each court moved around a set of customary meeting places within its ambit. Aside from the aggressive margravian policy, the *Landgericht* jurisdictions were generally respected by the towns. Certainly Nuremberg disputed the competence of the noble *Landrichter* to try cases against its own burghers or servitors, even when the property in question fell within the *Landgericht's* competence, but such cases are rarely recorded in the

correspondence from the 1440s.⁸⁸⁰ Nuremberg preferred to work with the courts and their judges, and the council made sure that it had the diplomatic tools and contacts to do so. Gifts were presented to newly appointed judges in the Hirschberg court,⁸⁸¹ and the council sought to intervene in the business of the court in the interests of its citizens.⁸⁸² A 1439 request by Karl Holzschuher for information from the *Landrichter* of Hirschberg Heinrich von Absberg about the date of the court's next sitting and the likelihood of a case against Nuremberg being heard on that occasion suggests a good day-to-day working relationship with the court.⁸⁸³

During the 1440s political upheavals and dynastic changes temporarily placed nobles in charge of many of the territories which surrounded Nuremberg as regents and administrators. The bishopric of Würzburg was ruled by a committee of canons and regional nobles between April 1441 and August 1442 owing to conflict between Bishop Sigismund and his cathedral chapter (part of a wider clash between Saxony and Brandenburg-Ansbach);⁸⁸⁴ authority in the bishopric of Bamberg was exercised from 1440 to 1443 first by Count Wilhelm of Henneberg and then by cathedral canons due to the diocese's enormous debts;⁸⁸⁵ the kingdom of Bohemia had various noble regents through the decade;⁸⁸⁶ two noble regents administered the territory of Pfalz-Neumarkt during the absence of its ruler as king of Denmark (1443–1448); and the Upper Palatine territory of Amberg was under the authority of a noble vice-regent (*Vitztum*), as a representative of the Count Palatine on the Rhine. Noble regents also deputized for Margrave Albrecht Achilles during his absence on campaign on the Upper Rhine during 1445.⁸⁸⁷ Nobles

880. BB 15 ff. 111^{r-v} (3.10.1441), 359^r (12.12.1442). BB 17 ff. 86^r (30.7.1444), 93^v (9.8.1444).

881. Sander, *Haushaltung*, pp. 521-522.

882. e.g. BB 15 ff. 229^v-300^r (18.8.1442). BB 18 ff. 25^v-26^r (27.8.1446), 103 (10.11.1446), 115^v-116^r (6.12.1446), 287^r (8.7.1447).

883. BB 13 f. 279^v (27.1.1439).

884. Alfred Wendehorst, *Das Bistum Würzburg Teil 2 – Die Bischofsreihe von 1254 bis 1455* (Berlin, 1969), pp. 167-169.

885. Looshorn, *Geschichte*, iv, 150-152.

886. See Frederick G. Heymann, *George of Bohemia. King of Heretics* (Princeton, 1965), pp. 30-46.

887. e.g. BB 17 ff. 228^v (4.3.1445), 238^v (15.3.1445). See Schubert, 'Albrecht Achilles,' pp. 137-138.

also represented princes as their envoys and ambassadors to the town,⁸⁸⁸ or acted as guarantors for princes who had taken out loans from the city.⁸⁸⁹ In these roles, nobles transacted a range of business with Nuremberg within the normal range of relations between towns and princes, but which also lay within the scope of town-noble relations: the settlement of disputes between dependents;⁸⁹⁰ cooperation against violence and robbery,⁸⁹¹ and occasionally the staging of a tournament in the city.⁸⁹² Sometimes nobles clearly were the mouthpieces of princes, and as princely officials they were always especially honoured in Nuremberg (see above, pp. 58-59), but nobles' activity in the service of princes generally replicated their autonomous behaviour, with differing constraints and possibilities.

How did Nuremberg ensure that its interests were well represented with those nobles who exercised power on behalf of princes? There were of course diplomatic gifts, such as a whole series of silver or gilded beakers and cash sums presented to imperial dignitaries during the emperor's visits in 1442 and 1444.⁸⁹³ In 1426 Nuremberg wrote to Hans von Degenberg to wish him well in his new role as the administrator of Lower Bavaria, together with the hope that he would show his good will towards Nuremberg's citizens.⁸⁹⁴ But in general this sort of diplomatic relationship-building remains hidden. The civic correspondence preserves instead many requests for help – help in court cases and other matters at princely courts, help following acts of robbery, help with the prosecution of prisoners – and, much more rarely, letters expressing thanks for assistance actually given.⁸⁹⁵ The exact quality of Nuremberg's relationship with the noble(s) concerned is often

888. e.g. BB 15 f. 31^v (2.6.1441). BB 17 ff. 20^r (12.5.1444), 28^v-29^r (20.5.1444). BB 18 f. 99^r (5.11.1446). RB 1b f. 5^v (18.7.1441).

889. In particular a very long-running matter with Georg von Bebenburg and Heinrich von Thüngfeld as guarantors for the bishop of Würzburg; many references between BB 14 f. 117^r (5.2.1440) and BB 18 ff. 415^v-416^r (27.12.1447).

890. e.g. BB 14 ff. 323^{r-v} (27.2.1441), 326^v-327^r (6.3.1441), 329^v-330^r (11.3.1441). BB 17 ff. 238^v (15.3.1445), 248^v-249^r (2.4.1445), 266^v (27.4.1445).

891. e.g. BB 14 f. 108^v (15.1.1440). BB 18 ff. 98^r (3.11.1446), 110^r (21.11.1446), 123^r-124^r (16.12.1446), 131^{r-v} (28.12.1446), 142^v (14.1.1447), 153^v-154^r (1.2.1447), 167^{r-v} (14.2.1447), 347^v (19.9.1447).

892. RB 1b f. 5^v (18.7.1441).

893. ChrdtSt, iii, 395-396, 399-400.

894. BB 7 f. 40^r (1.3.1426).

895. e.g. BB 18 f. 358^r (3.10.1447).

hard to judge. Those who were especially close to the king were naturally regular recipients of requests for help from Nuremberg, but how close were the city's ties with the Austrian families (Neidberg, Ungnade, Zebinger and others) who enjoyed the confidence of Frederick III? Early in 1448 the council wrote to a whole series of Habsburg office holders in Carinthia about an exiled burgher: some of these men were probably known to Nuremberg, others probably not, and Nuremberg's expectation that they would use their influence in the city's interest must have varied accordingly.⁸⁹⁶ Nobles in princely service could be addressed *ex officio* as well as in a personal capacity, and there are few signs that Nuremberg maintained a very strong network of personal contacts with more than a handful of prominent nobles. We will look more closely at this select group shortly, but first it will be helpful to survey some of the communities which help to create these relationships.

The most effective relationship-building communities were communities of common purpose. Yet all of these communities also required political and military action which inevitably generated tension, even when the targets of this action were defined as being well and truly outside of the community. The wars of Sigismund's reign against the Hussites (1420–1436) created just such a community. There are even some signs that Nuremberg, being relatively close to the Bohemian border, coordinated military action amongst princes and nobles against the Hussites.⁸⁹⁷ Some of Nuremberg's most valuable partners during the 1440s had been fellow members of the imperial party in opposition to the threat from Bohemia. Heinrich von Plauen was the central figure in this network: as a German-speaking noble with both a relatively independent lordship in the Vogtland region (north of Franconia) and extensive estates in Bohemia, he was perfectly placed to mediate between 'German' and 'Czech' anti-Hussite forces. As well as exchanging news and information, Nuremberg supplied Plauen with saltpeter and an artillery master during the fighting,⁸⁹⁸ though the council also complained that he was

896. BB 18 ff. 430^v-431^r (13.1.1448).

897. See BB 8 f. 226^r (1.2.1430).

898. BB 5 ff. 232^v-233^r (15.6.1422). BB 7 f. 17^r (23.11.1425).

calling on them for assistance ahead of others.⁸⁹⁹ The relationship established through this cooperation appears to have paid off for Nuremberg in the long run, however, as Plauen became a valuable intermediary in negotiations with hostile Bohemian lords such as Hynek Krušina of Schwanberg and Aleš of Sternberg (see pp. 290-294) and for the protection of trade passing through the Vogtland (see pp. 135-136 above). Another leader of the anti-Hussite coalition in the vicinity of Nuremberg was Count Palatine Johann of Pfalz-Neumarkt, and it is possible that the common anti-Hussite cause helped Nuremberg to establish or consolidate good relationships amongst Johann's noble affinity. Wilhelm and Wigeleis von Wolfstein were captains of Nuremberg's forces in the field against the Hussites, whilst their relative Friedrich von Wolfstein fought for Count Palatine Johann in his victory against the Hussites at Hiltersried in 1433.⁹⁰⁰

Conflicts arising from the Hussite Wars were equally present during the 1440s. The movement of troops through an area was always liable to bring tensions: in 1421 Hans von Egloffstein, district governor of Auerbach, complained about the passage of Nuremberg's forces, and Nuremberg itself requested that Hans von Hirschhorn ensure that forces being dispatched to aid the Count Palatine against a French invasion of the Rhineland in 1444 did not damage the property of Nuremberg citizens in passing.⁹⁰¹ Similar issues led to a series of disputes with Hynek Krušina of Schwanberg, one of the leading figures in the Bohemian catholic party, who made multiple complaints that Nuremberg's forces on campaign against the Hussites had damaged his property and requisitioned the property of his dependents without compensation.⁹⁰² Nuremberg protested that they had shown only friendship and goodwill towards Schwanberg during the Hussite Wars – the council had indeed intervened on Schwanberg's behalf with the margrave of Brandenburg, annulled a 50 Gulden debt at Emperor Sigismund's

899. BB 7 f. 17^r (23.11.1425).

900. ChrdtSt, i, 370. Simon Federhofer, *Herrschaftsbildung im Raum Neumarkt vom 12. bis 17. Jahrhundert* (Neumarkt in der Oberpfalz, 1999), p. 160.

901. Egloffstein, *Chronik*, p. 128. BB 17 f. 112^v (5.10.1444).

902. BB 10 ff. 33^v (26.8.1432), 38 (30.8.1432).

request, and supplied Schwanberg with saltpeter and sulphur when he was 'in daily fear' of a Hussite attack.⁹⁰³ The dispute was eventually settled in August 1439 by Heinrich von Plauen,⁹⁰⁴ but Schwanberg was to launch a far more serious feud against Nuremberg in 1441, in which the experience of this dispute during the 1430s may have played a role (see p. 292). Certainly the city's cooperation against the Hussites with this particular noble produced no lasting positive relationship.

Townsppeople and rural nobles often worked together towards defensive or peacekeeping ends closer to home, albeit mostly under princely or imperial leadership. The classic model for this sort of activity was the regional peace association or *Landfriede*, which was often headed by local nobles (for instance, Ehrenfried von Seckendorff in Franconia in 1415).⁹⁰⁵ But peacekeeping activity inevitably involved conflict with certain nobles alongside cooperation with others, and whilst the last active Franconian *Landfriede* finished its work in 1416 (see p. 215), the consequences of *Landfriede* expeditions which had captured and destroyed castles rumbled on for decades afterwards. Nuremberg tried to mediate in a dispute between Ulrich von Laaber and the city of Frankfurt over the destruction of a castle, half of which had been owned by Laaber's maternal grandfather, during what Frankfurt claimed was a *Landfriede* operation.⁹⁰⁶ The constructive relationships established during periods of *Landfriede* activity were probably less lasting than the conflicts which were simultaneously engendered, and the *Landfriede* itself fell out of use as a form of political association during the first half of the fifteenth century.

After questioning the value of a Rhenish *Landfriede* in 1415,⁹⁰⁷ Sigismund of Luxemburg attempted to set his imperial peacekeeping policy on a different footing. We have already encountered his plan to secure both the peace and Luxemburg

903. BB 8 f. 74^r (3.10.1428). BB 10 ff. 38 (30.8.1432), 267^v (19.11.1433): saltpeter and sulphur supplied 'von sorg wegen belegerung die ewch die Beheim teglich tun wellen'. BB 11 f. 108 (5.10.1434).

904. StAN Rep. 2a 881 (28.8.1439).

905. e.g. BB 4 f. 95^r (3.7.1415).

906. BB 18 ff. 368^v-369^v (18.10.1447). For an overview of Frankfurt's interaction with various *Landfriede*, see Orth, *Fehden*, p. 142-153.

907. Orth, *Fehden*, p. 164.

interests in southern Germany through an alliance of the Swabian League of towns and the noble Society of St George's Shield (pp. 88-89, 144). The Society, many of whose members were also members of Sigismund's closest circles of advisors,⁹⁰⁸ was clearly the driving force behind the drawn-out negotiations with the League (1426–1434). The nobles appear to have seen a chance to enhance their power and influence by taking a central role in imperial policy, whereas the towns (particularly the smaller towns) saw a threat to their ability to receive new burghers and to look after their own security interests.⁹⁰⁹ The Society of St George's Shield in the Hegau region (north of Lake Constance), which was often the most proactive of the Society's regional associations, was still making unsuccessful approaches to the Swabian League in 1442, nearly five years after Sigismund's death and without any new encouragement from his successors.⁹¹⁰ But some towns were keen on the idea: Ulm, as *de facto* leader of the Swabian League, recommended a deal with the Society as late as 1442, and Nuremberg seriously considered an alliance with the Society in a separate set of negotiations between 1436 and 1438.⁹¹¹ This matter came to a head in a series of meetings in Nuremberg in October and November 1438. The Society was represented there by Haupt von Pappenheim and by Walter von Hürnheim, captain of the Society's league on the lower Danube, but there was also a third party in the talks: Margrave Friedrich of Brandenburg was a member of the Society, but had his own particular demands regarding the alliance with Nuremberg (he was represented by his master of the court, Wilhelm von Rechberg).⁹¹²

The negotiations reached an advanced stage, and Pappenheim and Hürnheim made effusive statements of their willingness to reach an agreement. In private, they repeatedly blamed the margrave's position for the difficulties, which eventually proved intractable.⁹¹³ But there may also have been other factors in play: we have already noted a deep difference in approach between Nuremberg and Haupt von

908. Mau, *Rittergesellschaften*, p. 42.

909. Mau, *Rittergesellschaften*, pp. 60-203, especially pp. 201-203.

910. Konzen, *Aller Welt Feind*, pp. 95-96.

911. Mau, *Rittergesellschaften*, pp. 216-247.

912. Mau, *Rittergesellschaften*, pp. 238-247.

913. Mau, *Rittergesellschaften*, pp. 243-246.

Pappenheim on the question of highway robbery (p. 144), but another problem was the over-reliance on Pappenheim as a mediator between the two parties. The Society openly admitted that Pappenheim's various absences on imperial business during 1437 and 1438 were delaying negotiations; Nuremberg expressed a willingness to try to make progress without him, but simultaneously asked their envoys at Vienna about the likelihood of his imminent return from an embassy to the new king, Albert of Habsburg.⁹¹⁴ Pappenheim's death, which probably happened late in 1438, was almost certainly a major factor in the apparently immediate discontinuation of the negotiations. As a genuine confidant and close associate of Sigismund since 1414, Pappenheim had been a significant partner for Nuremberg in the imperial community of the Luxemburg years for some time before the council presented him (in December 1435) with a gilded beaker in recognition of his 'great efforts on behalf of the city' during the Roßhaupter feud (for more on this feud see p. 240).⁹¹⁵ Haupt's main residence at Pappenheim in the Altmühl valley was less than 60 km south of Nuremberg, and he had further possessions north of the city in the Thuringian forest, meaning that Nuremberg was a decidedly central place from Haupt's perspective; he also drew income from the town's Jewish taxes (his claim passed to his sons Heinrich and Konrad, as we saw above, p. 218). Nuremberg's close relationship with the Pappenheim family continued into the 1440s.

Other prominent figures from Sigismund's era, such as the imperial chamberlain Konrad von Weinsberg, continued to play a role in the new Habsburg-led Empire. Weinsberg unsuccessfully asked for Nuremberg's help during the French invasion crisis of 1444 (see above, p. 65).⁹¹⁶ But this external threat to the (German-speaking) Empire did not create anything like the community which had formed in response to the Hussites. This was largely because the Dauphin's invasion was so much shorter in duration, but also because political conditions were no longer

914. Mau, *Rittergesellschaften*, pp. 225, 230-231.

915. Sander, *Haushaltung*, pp. 620-621. For Pappenheim's career see Hans Schwackenhofer, *Die Reichserbmarschälle, Grafen und Herren von und zu Pappenheim: zur Geschichte eines Reichsministerialengeschlechtes* (Treuchtlingen, 2002), pp. 132-139.

916. BB 17 ff. 149^v-150^r (13.11.1444).

conducive to the formation of a genuinely integrated and integrative alliance against the French. There was no clear leadership from the new king, Frederick III, who had originally called for the Dauphin's aid against the Swiss,⁹¹⁷ and his Austrian counsellors were not tied into Upper German networks of nobles and towns as many of Sigismund's leading supporters had been. The imperial diet in Nuremberg (see pp. 64-65) which tried to coordinate the Empire's response also brought tensions between the towns and certain princes into sharper focus (see pp. 241-250 below), and probably played a significant role in Nuremberg's decision to join the Swabian League in December 1444.

Nuremberg had previously cooperated with the League in some matters and maintained its distance in others. Now that it was formally allied with towns up to 250 km away, Nuremberg's relationship with many nobles across Upper Germany inevitably shifted. In the first quarter of the fifteenth century there is some evidence of Nuremberg acting as an arbiter in disputes between Franconian towns and nobles,⁹¹⁸ but in the 1440s its role was almost exclusively that of a mediator, intervening with other towns on behalf of nobles resident in Nuremberg's extended hinterland.⁹¹⁹ Nuremberg did try to arbitrate a long-running dispute between Georg von Bebenburg and Schwäbisch Hall (see p. 181), but the bishop of Würzburg soon stepped into this role in Nuremberg's place.⁹²⁰ By this point Nuremberg was a member of the Swabian League, along with Schwäbisch Hall, and the town actually asked Nuremberg to assist its delegation at the hearing with Bebenburg over which Nuremberg was due to preside. Naturally, the council pointed out that this would be inappropriate, and the incident is an example of the kind of clash of interests that could undermine Nuremberg's value to nobles as an independent mediator with other towns, especially following the council's decision to join the Swabian League.

917. Hardy, 'Expedition,' p. 359.

918. e.g. BB 5 f. 88^v. BB 7 f. 237^v (12.12.1427).

919. For instance, with Nördlingen on behalf of Erhard von Murach (BB 17 ff. 129^r (21.10.1444), 208^v-209^r (8.2.1445), 253^v-254^v (10.4.1445), 256^v (14.4.1445), 257^v (15.4.1445)) and Wilhelm von Wolfstein (BB 18 ff. 342^{r-v} (15.9.1447), 351^v (25.9.1447)).

920. BB 18 ff. 26^v-28^r (30.8.1446), 43^v-44^v (14.9.1446), 62^{r-v} (28.9.1446), 74^{r-v} (10.10.1446).

Joining the League also entailed exposure to its existing conflicts with rural nobles. Nuremberg's protests that the terms of their membership freed them from all involvement in matters which had arisen prior to their admission did nothing to stop certain nobles who were hostile to the Swabian League from declaring feuds against Nuremberg on the pretext that the city was helping their enemies. Georg Auer's feud with the League dated back to at least May 1443,⁹²¹ and from the summer of 1446 onwards he was also a dangerous opponent of Nuremberg, carrying out three significant highway robberies.⁹²² Eberhard von Urbach had been an enemy of the Swabian League ever since 1441, when the towns had besieged and destroyed the castle of Maienfels.⁹²³ He did not declare his feud against Nuremberg until January 1448, and quickly agreed to a truce through the mediation of the bishop of Würzburg.⁹²⁴ Clearly neither Urbach nor Auer felt a need to declare an automatic enmity against Nuremberg when it joined the League, and what caused them to open their feuds when they did is unclear. But alongside the intrinsic threat of these feuds, they were dangerous because of their connections to wider disturbances in Swabia. Eberhard von Urbach in particular was closely linked to a group of nobles characterized by their hostility to the Swabian League, so that the towns themselves called these nobles the 'towns' enemies' (*Städtefeinde*). These nobles were not active in the immediate vicinity of Nuremberg, though they did carry out several robberies which impacted on Nuremberg citizens prior to December 1444.⁹²⁵ But their potent anti-town rhetoric posed a threat to Nuremberg, as we will see shortly. In the meantime, however, we must take a closer look at some of the constructive relationships that developed within the political communities of which Nuremberg was a member.

921. Blezinger, *Städtebund*, p. 156.

922. Nos. 57, 65 and 68 on pp. 164, 166-167.

923. Blezinger, *Städtebund*, p. 75.

924. BB 18 f. 471^v (21.2.1448).

925. Nos. 10, 21, 32, 34, 48 on pp. 156, 158, 160, 163.

Peacemaking and Patronage

Communities created networks which structured many aspects of Nuremberg's relationship with the rural nobility, but the real value of these networks was realized when townspeople and nobles could win the support of their community partners in processes of dispute resolution. Conflicts were usually resolved through *ad hoc* arbitration processes within regional communities.⁹²⁶ This state of affairs is often described as an unfortunate consequence of the the late medieval Empire's lack of a strong central authority with a widely recognized and easily accessible legal system, but there are good grounds to believe that the prevalence of arbitration panels was at least in equal measure the result of an active preference for regional, communal and customary solutions to conflicts. Certainly the bias of such solutions towards the interests of those with local power and influence probably ensured that political culture more broadly only reinforced the habit of recourse to these forms of peacemaking.

There were many different forms of arbitration, but in one common model a panel consisted of three local dignitaries. These were not necessarily three independent arbiters: two were expressly partial, with each party appointing one of its own supporters to 'assist' the chair of the panel (commonly known as the *Obmann*) in making his casting vote. The identity of the *Obmann* was ultimately a matter to be agreed upon by the disputants, and each party would naturally try to gain an arbiter favourable to themselves. They could also attend the hearing accompanied by any number of supporters, or be represented by various kinds of attorneys: professional lawyers, servitors and retainers, or experienced and well-connected noblemen and city councillors. Through its communal and *ad hoc* nature the hearing was seamlessly integrated with other processes by which the parties sought to influence the final outcome, including feuds. These processes also required supporters, and preferably the patronage of important men or corporations. Thus peacemaking and patronage formed two parallel or even barely differentiated sets of relationships, and it was essential for all political actors to cultivate not only their patron and client relationships, but also relationships with potential arbiters.

926. For these processes in general see Obenaus, *Recht und Verfassung*.

Defendants were obliged to offer appropriate arbiters to their accusers, and a mixture of structural and power-political factors determined which and what sort of arbiters were deemed appropriate. For instance, Nuremberg (as an imperial city) was obliged to offer the king or emperor, but had also won itself the privilege of offering the town councils of Windsheim, Weißenburg and Rothenburg. As these towns (especially Windsheim and Weißenburg) were generally closely aligned with Nuremberg, this gave the town a significant advantage. Nobles might find this offer unfair, whilst the emperor would often be too distant to give an expeditious judgement.⁹²⁷ Depending on the circumstances of each case, Nuremberg might therefore offer other towns, princes or regional nobles as possible arbiters. The permutations were in theory endless, but in practice they fell into patterns around the intersections of different communities and interest groups. Nobles and towns with diverse connections and multiple allegiances were useful arbiters, but more dependable allies were valuable too. Arbitration was also just one of the more structured forms of peacemaking and patronage: townspeople and nobles intervened in different circumstances on one another's behalf in a variety of ways, including interaction with institutionalized legal procedures and their own inherent elements of communal justice such as juries and the local ties of nobles who served as judges.

In this system where social and political capital were constantly being created and cashed in, what did Nuremberg and its noble partners have to offer one another? Nuremberg was an important patronage partner for nobles, but owing to the particular forms which this patronage assumed it did not always strongly reinforce other aspects of the city's relationships with these nobles. The council was sometimes asked to support a noble at a hearing or court session, though this was rarely a straightforward matter. Nuremberg could end up supporting both sides, as at several hearings in 1440 and 1441 between Count Johann of Oettingen and Heinrich von Pappenheim: given the importance of the counts of Oettingen to Nuremberg's trade at the Nördlingen fairs (see pp. 133-134) and the importance

927. e.g. BB 11 ff. 207^v-208^r (23.2.1435). BB 17 f. 63^r (6.7.1444): 'Wie ein ygclich Bidermann wol erkennen mug, daz eüch sollicher außtrag vor seiner kuniglichen Maiestat gar ungelegen sey'.

of the Pappenheim family within Nuremberg's imperial community, it is easy to see why the council decided that it could not refuse either party its backing.⁹²⁸ But more commonly nobles asked the council not for its direct support, but for permission for one of its servitors or jurists to attend a hearing. The noted lawyer Gregor Heimburg (c.1400–1472) was in particular demand amongst leading nobles such as Konrad von Weinsberg and the counts of Henneberg.⁹²⁹ But nobles also sought the assistance of Nuremberg's noble servitors: for instance, Paul and Fritz von Streitberg successfully asked for the support of Mathes von Mangersreuth at a hearing in Bamberg.⁹³⁰ Both the Streitberg and Mangersreuth families were part of the same Upper Franconian regional nobility, and Paul and Fritz probably desired Mathes' support as their neighbour rather than as a representative of Nuremberg. His obligations to the town as a servitor were simply an obstacle to be overcome. Nuremberg's support was in even less demand outside of formal hearings and court sessions: the city was naturally asked by nobles to intercede with princes, especially kings and emperors,⁹³¹ but was hardly ever asked by nobles to intervene with other nobles.

Nuremberg more frequently asked for the support of nobles in its own legal cases. Some of these nobles were those, such as Haupt von Pappenheim, with whom Nuremberg enjoyed a particularly close relationship.⁹³² Walter von Hürnheim, Pappenheim's partner in Nuremberg's negotiations with the Society of St George's Shield, was also asked by Nuremberg in 1440 to assist their case against their feud opponent Rudolf von Bopfingen (resident within Hürnheim's area of greatest influence south west of Nördlingen).⁹³³ Others had weaker links to Nuremberg in general, but were asked to play a role in particular cases, for instance Hintze Pflugk during Hynek Krušina of Schwanberg's feud. Pflugk's

928. BB 14 ff. 134^{r-v} (19.2.1440), 157^{r-v} (3.4.1440). StAN Rep. 54 12 f. 75^r.

929. BB 16 f. 265^r (1.4.1444). BB 17 ff. 48^r (15.6.1444), 209^r (8.2.1445), 220^v-221^r (21.2.1445).

930. BB 17 f. 247^v (31.3.1445).

931. e.g. StAN Rep. 15a 102 (1.10.1443). BB 16 f. 149^{r-v}. StAN Rep. 2c 29 f. 4^r (11.9.1444). BB 17 f. 125^{r-v} (14.10.1444).

932. BB 6 f. 133^r (3.1.1445). BB 7 ff. 73^v-74^r (25.6.1426).

933. BB 14 f. 263^r (31.10.1440).

geographical position on the Bavarian–Bohemian border made him a natural mediator in this instance.⁹³⁴ A good proportion of the nobles who were asked to assist Nuremberg also held important positions in princely administrations (such as successive vice-regents of Amberg, Walter von Hürnheim and Wilhelm von Rechberg), and Nuremberg habitually asked various princes to send one of their counsellors.⁹³⁵ In 1435 the council were slightly more specific when they asked Duke Ludwig of Bayern-Ingolstadt for support from Heinrich von Gumpfenberg – or another of the duke’s counsellors.⁹³⁶ On balance, very few nobles appear as Nuremberg’s regular and particular supporters at arbitration hearings, and although the diversity of Nuremberg’s supporters is in some ways impressive, these relationships often seem surprisingly shallow.

Nuremberg asked nobles to intervene on its behalf with princes and other nobles far more frequently than the city was asked to support nobles. Is this an illusion created by the preservation of Nuremberg’s outgoing rather than its incoming correspondence? It seems unlikely, as nobles’ requests for support still had to be answered. The council certainly valued the assistance of nobles who occupied influential positions in princely territories and regional communities, and wrote to many of them individually and as groups of up to a dozen.⁹³⁷ It is not always possible to tell whether Nuremberg knew much more about the nobles it was addressing than their name, titles and the office which they held (see also above p. 223), though some nobles were frequent recipients of Nuremberg’s requests for help and probably had other diplomatic connections to the city as well. Notable examples are Georg von Bebenburg as a key figure at Würzburg during the unrest of Sigismund of Saxony’s episcopate (1440–1443) and the clique around King Frederick III formed by members of the Ungnad, Neidberg and Zebinger families.⁹³⁸

934. BB 16 f. 179^v (13.12.1443). See also BB 16 f. 106^{r-v} (13.8.1443).

935. e.g. BB 14 ff. 271^v-272^r (8.11.1440). Amberg vice-regents: BB 16 f. 175^r (11.12.1443); BB 18 f. 149^v (26.1.1447).

936. BB 11 f. 262^r (17.5.1435).

937. For an especially large group of noble addressees (all with connections to Johann of Pfalz-Neumarkt) see BB 11 ff. 331^v-332^r (3.8.1435).

938. BB 14 f. 197^{r-v} (6.7.1440). BB 15 f. 217^{r-v} (21.3.1442). BB 18 ff. 217^v (17.4.1447), 478^{r-v} (24.2.1448).

Nuremberg also called upon old connections from the era of Sigismund and the Hussite Wars. The council's contacts within the Bohemian catholic party – including Czech-speaking nobles as well as Germans such as Heinrich von Plauen – were put to use during repeated attempts to resolve the feuds with Hynek Krušina of Schwanberg and Aleš of Sternberg.⁹³⁹ In Swabia, Nuremberg approached nobles whose families were prominent in the Society of St George's Shield.⁹⁴⁰ From Saxony to Tyrol the council could rely on relationships with nobles and families who had once served alongside them in the Luxemburg cause: for instance, Hartung von Klux was thanked for his help with a Silesian noble's debts to several Nuremberg citizens,⁹⁴¹ and Michael von Wolkenstein and his brother Oswald (now better known for his poetry) assisted Nuremberg's envoys to the Count of Görz (Gorizia on the Italian-Slovene border), who had arrested some citizens of Nuremberg on the road to Venice.⁹⁴² Klux (d. 1445) was a soldier and diplomat in the service of Henry IV and Henry V of England, Sigismund and Frederick III,⁹⁴³ and was presented with wine by Nuremberg on eight occasions between 1439 and 1444 (see p. 59). Oswald von Wolkenstein was another well-travelled ambassador for Sigismund who had stayed in Nuremberg during the imperial diet of 1431.⁹⁴⁴ These were certainly very useful men to know, but it is important to note that almost all of the nobles whose assistance Nuremberg sought in the 1440s were either princely officials or fellow members of particular communities at the imperial level; in other words, Nuremberg relied (for whatever reason) on high-level political structures far more than it did on networks within the nobility to form constructive links with rural nobles. Many of these connections were also the legacy of an old Luxemburg affinity which was now fading away, and there is little sign that Nuremberg was yet able to build new networks around the court of Frederick III with anything like the same intensity and breadth of those it had enjoyed during Sigismund's reign.

939. See chapter seven, especially pp. 290-294.

940. BB 16 ff. 77^v (13.6.1443), 104^{r-v} (8.8.1443).

941. BB 14 f. 326^v (4.3.1441).

942. BB 14 f. 351^r (6.4.1441). BB 15 ff. 24^r (25.5.1441?), 33^{r-v} (8.6.1441), 130^v (2.11.1441).

943. R.A. Griffiths, 'Klux, Sir Hartung von (d. 1445)', *Oxford Dictionary of National Biography*, (2008), accessed 24.10.2015: <http://www.oxforddnb.com/view/article/50137>.

944. Regesta Imperii 11.2 no. 8388 (25.3.1431).

Just as the council relied upon noble networks of patronage far more so than nobles called upon Nuremberg as a patron, the council also had only a very limited role as an arbiter for nobles who were not in the town's service. This was only really an option in nobles' disputes with princes or with other towns. Once Nuremberg and the bishop of Würzburg were both aligned with the Swabian League Nuremberg clearly began to play a limited role as a mediator. Hans von Wolfstein made demands via Nuremberg for repayment of debts from Würzburg and offered to allow Nuremberg to decide the level of compensation to be paid by the bishop,⁹⁴⁵ whilst Nuremberg's decision that the bishop of Würzburg should pay Hans von Modschiedel 100 Gulden compensation is the only instance from the 1440s in which Nuremberg is known to have actually arbitrated a case for a noble.⁹⁴⁶ Other attempts at arbitration fell through: for example, the dispute between Georg von Bebenburg and Schwäbisch Hall (see p. 181 above). This did not, however, reduce Nuremberg's need for noble arbiters to settle its own cases in certain circumstances. There were some obvious candidates, by now very familiar to us. Heinrich von Plauen was called upon as an arbiter multiple times in Nuremberg's disputes with Hynek Krušina of Schwanberg and Aleš of Sternberg.⁹⁴⁷ The council was also very successful during the 1440s in ensuring that any cases delegated by the king on a royal commission were entrusted to Heinrich von Pappenheim (when they could not obtain their own chief magistrate as their judge).⁹⁴⁸

When cases were delegated by princes to their noble retainers Nuremberg may have had less room to influence the decision. But the nobles chosen for these roles were at least drawn from the same pool of leading officials with whom Nuremberg was in constant contact.⁹⁴⁹ Sometimes Nuremberg of its own volition looked to arbiters beyond its usual narrow circle of patrons when this greater flexibility offered a chance of reaching a successful agreement. The arbiter could

945. BB 18 f. 93^{r-v} (29.10.1446).

946. BB 18 ff. 227^r-228^r (26.4.1447).

947. See for example the records of a hearing before Plauen at Eger (1.5.1445) in StAN Rep. 2c 27.

948. Pappenheim: Regesta Imperii 13.14 nos. 183 (8.7.1443), 288 (10.10.1444), 399-400 (29.3.1448). On the chief magistrate (*Reichsschultheiß*) see chapter six.

949. e.g. BB 18 ff. 326^v-327^r (23.8.1447: Martin Förtsch).

be qualified as a relative of Nuremberg's opponent, such as Hans von Seckendorff – burgravia *Landrichter* at the time – in Nuremberg's dispute with Georg and Hilpolt von Seckendorff over the Kornberg quarries (see pp. 116-117).⁹⁵⁰ Disputes which were geographically more remote from Nuremberg might require a local solution: for instance, the council called upon Heinrich von Gera to settle some of the compensation claims which arose from the campaign against Hans and Fritz von Waldenfels (see p. 296),⁹⁵¹ having already courted him as a possible ally against the Waldenfels brothers.⁹⁵² Former servitors, together with their families and connections also had a role as arbiters for Nuremberg citizens.⁹⁵³ A process of compromise in the interests of expediency can be seen quite clearly in the feud with Rudolf von Bopfingen (1440), in which Nuremberg's preferred arbiter was Walter von Hürnheim, a contact from the negotiations with the Society of St. George's Shield less than two years previously. Bopfingen initially accepted Hürnheim as well,⁹⁵⁴ but this plan fell through.⁹⁵⁵ Konrad von Lentersheim then appears to have successfully ended the feud.⁹⁵⁶ Lentersheim was not one of Nuremberg's usual peacemaking partners, but he was qualified for the role on at least two counts: he was married to Helena von Pappenheim, and his second cousin Sigmund was one of the leading retainers of the Hohenzollern margraves at Ansbach.⁹⁵⁷

On its own terms, Nuremberg's diplomacy in the search for arbiters was very successful. The city or its citizens hardly ever had to accept an unfavourable noble arbiter, and potentially less sympathetic nobles only played a role when it seemed likely that they would bring about a positive outcome. But this policy also had the side-effect of further entrenching Nuremberg's reliance on partnerships with a relatively small number of nobles, and thereby potentially increased the

950. Geiger, 'Steinbrüche,' p. 150.

951. BB 17 ff. 68^{r-v} (15.7.1444), 94^r (9.8.1444).

952. BB 16 f. 254^{r-v} (22.3.1444). BB 17 f. 4^{r-v} (15.4.1444).

953. e.g. Lutz von Westernach, BB 16 f. 58^r (9.5.1443).

954. BB 14 f. 105^{r-v} (7.1.1440).

955. BB 14 ff. 149^r-150^r (9.3.1440), 187^r-188^r (11.6.1440), 239^v-240^v (17.9.1440).

956. BB 14 ff. 248^v-249^r (28.9.1440), 251^r (10.10.1440), 263^{r-v} (31.10.1440), 271^v-272^r (8.11.1440), 283^r (3.12.1440).

957. Otto Rohn, 'Die Herren von Lentersheim im Mittelalter', *Alt-Gunzenhausen*, 37 (1977), pp. 42-45.

chances that a nobleman would find a particular offer of justice inappropriate, or indeed insulting. Eberhard von Dottenheim reacted with sarcasm when he wrote to Count Johann of Werthem about Nuremberg's offer of the emperor, the imperial towns or the imperial master of the court Count Ludwig of Oettingen: 'And I am surprised that they do not also offer to come before the lord of Hohenlohe, he is also not well disposed towards me'.⁹⁵⁸ This was part of the gamesmanship which preceded any arbitration, but the unwritten rules of this game required a degree of flexibility and willingness to compromise. Nuremberg's normally rigid insistence on keeping its arbitration within a small clique of nobles with strong connections to the monarchy may have infuriated some nobles, as well as making solutions to some conflicts harder to find.

An even greater rigidity can be seen in the way in which both towns and nobles sought to seal off their independent jurisdictions from one another. The principle which lay behind this was expressed by Nuremberg's secretary Hans Dumm before an assembly of the Bohemian lords in January 1443:

Now, as I hope your noble graces are well aware, it is the law in all Christendom that whoever has a case or claims against another, he [the plaintiff] should follow his opponent to the jurisdiction in which his opponent resides, or come before the judge who is appointed and set over him.⁹⁵⁹

The council made constant use of this doctrine to forestall any attempt by nobles to bring a case against Nuremberg in courts other than those of the Empire. It was also applied to cases against citizens, which the council insisted on hearing as their proper judge. It was quite normal for towns (and other lords) to be utterly unbending on this point: Tom Scott describes Freiburg im Breisgau's 'grim pursuit' of a case against the village court at Köndringen (under nobleman Anton

958. StAN Rep. 2c 23 f. 9^v (23.3.1435): 'Und mich hat wunder, daz sie fur den von Hohenloh nit auch pieten, der ist mir auch nicht gar holt'.

959. StAN Rep. 2c 19, loose sheet: 'Nu hoffe Ich ewr Edle gnade verstee ye wol, das es in aller Cristenheit Recht sey wer zu dem andern zevordern oder zusprechen hab, daz der demselben nach ziehen und faren sol, in das Gericht, do er ynne gesessen ist, oder fur den Richter, der Im dann geben und gesetzt ist worden'. For a similar statement, see BB 17 f. 63^r (6.7.1444).

von Landeck) which had given judgement over a citizen of Freiburg who was himself actually willing to settle the matter at Köndringen.⁹⁶⁰ Given this potential for conflict it is remarkable how infrequently Nuremberg actually sought to block cases against its burghers in courts controlled by nobles (in contrast to those administered by nobles for princes, such as the burgravia *Landgericht*). Intriguingly, two of the four clear-cut cases from the 1440s involved the jurisdiction of members of the Schenk von Limpurg family in the Main valley region, and another related to a court north of Schweinfurt under Hermann von Seinsheim-Schwarzenberg, whose father Erkinger had been cited by Nuremberg before Emperor Sigismund in 1435/36 for calling burghers to his court at Scheinfeld.⁹⁶¹ It is difficult to know what to make of this small concentration of cases in one region (and two families), coupled with the lack of evidence for similar cases elsewhere. Certainly it reinforces the impression that Nuremberg's right to try its own burghers was rarely challenged by nobles. The council worked hard to ensure that this was the case through a mixture of rigorous opposition to any cases which nobles did allow to proceed and conspicuously even-handed application of the underlying principle, for instance by firmly ordering its own burghers to bring their cases against nobles' dependents in the relevant nobles' courts.⁹⁶²

This relatively successful removal of Nuremberg's citizens from the jurisdiction of neighbouring nobles was of course just a part of the intensely fragmented jurisdictional landscape which played its part in the frequent use of communal arbitration to settle disputes. This fragmentation also generated a great deal of correspondence between individual lordships, as they were forced firstly to cooperate in order to apprehend and prosecute malefactors and secondly to represent the interests of their dependents who sought justice from the dependents of other lords. Both Nuremberg and its many noble correspondents asked one another to provide justice against both their prisoners and (far more commonly)

960. Scott, *Freiburg*, pp. 107-109.

961. Regesta Boica 13 pp. 350-351 (9.8.1435). BB 15 ff. 149^v-150^r (9.12.1441), 182^v-183^r (30.1.1442).

962. e.g. BB 15 f. 313^{r-v} (18.9.1442).

their subjects on a very regular basis. Both had varying degrees of personal interest in representing the interests of their dependents. Thomas von Rosenberg virtually entered into a feud with the city over a claim by a female peasant of his for the return of a horse which had belonged to her husband, who had been executed in Nuremberg (see pp. 289-290 below). Other cases were less dramatic, but this does not mean that we should label them as merely routine. Nobles were theoretically obliged to support their dependents, but in practice they must have had considerable discretion as to whether, how and when they raised a particular case with the Nuremberg council, and their decision would always have a bearing on their wider relationship with the city. Does the great weight of correspondence in this area represent good communication likely to bring solutions to conflicts, or does it indicate distance between nobles and townspeople, with the two reduced to exchanging endless letters with little hope of resolving matters? Something of both extremes is undoubtedly present, but overall it is difficult to reach a conclusion without equivalent evidence from another city or time period for comparison.

But nobles did not just support their own dependents *vis-à-vis* the civic authorities. They also involved themselves in the disputes of third parties, including burghers with grievances against fellow citizens or their own town councils.⁹⁶³ These are the most difficult of all patronage relationships to fully understand. Burghers had a clear reason to seek powerful backers outside of the town, but why did nobles take sides in the quarrels of others? Historians have often been suspicious that late medieval noble 'degeneracy' was at work: Markus Bittmann describes the 'unscrupulous' Count of Lupfen, who allied with a burgher of Konstanz, Konrad Stickel, against the town, then turned on Stickel and forced him to pay 500 fl. once the original feud had been settled.⁹⁶⁴ Thomas Marolf saw Hans von Rechberg's involvement in the same feud as motivated by money.⁹⁶⁵ Yet given the improbability that feuding itself was a profitable enterprise for most nobles (see pp. 285-287), it is hard to imagine

963. The phenomenon is also noted, with some examples, in Görner, *Raubritter*, pp. 176-177 and Orth, *Fehden*, p. 29.

964. Bittmann, *Kreditwirtschaft*, pp. 103-104.

965. Quoted in Konzen, *Aller Welt Feind*, pp. 110-111.

that there were rich pickings to be had from proxy feuds – with perhaps the odd exception, such as Götz von Berlichingen’s feud against Cologne over a Straßburg burgher’s shooting prize, which netted Götz 1,000 Gulden.⁹⁶⁶

Most patronage feuds looked very different to this, and were fought much closer to home. In many cases the distinction between the noble and his burgher client was probably not nearly as clear-cut as we might instinctively suppose. One of the most notorious ‘feud clients’ of his age was Werner Roßhaupter, a citizen of Lauingen, who engaged a string of nobles to pursue his feud against Nuremberg in the 1430s. He first approached his relatives, the Ehinger family of Ulm, and then received support from the noble Riedheim clan, who owned property at both Ulm and Lauingen and were also connected to the Ehinger.⁹⁶⁷ Nobles could certainly use the feuds of others to further their own political objectives as well. Niklas Konzen has recently suggested that Hans von Rechberg used proxy feuds to bring himself to the attention of the Habsburgs during their wars with the Swiss Confederacy.⁹⁶⁸ Rechberg was one of a number of Swabian nobles who, in Konzen’s view, instrumentalized feuds to gain social and political capital. Another of these nobles was Georg von Geroldseck, who became a patron of Werner Roßhaupter’s feud.⁹⁶⁹

Unfortunately these considerations do not immediately help us to better understand the motives of at least twenty-five nobles who supported citizens of Nuremberg in their disputes with fellow citizens or with the city council during the 1440s. Some were members of local families (e.g. Wildenstein, Künsberg, Egloffstein) with a variety of connections to Nuremberg, though none known to date with the individuals concerned. But how did Counts Ruprecht and Philip of Virneburg, from the Eifel hills west of the Rhine, become patrons of Lorenz Pirckheimer against his mother Anna?⁹⁷⁰ These cases suggest a range of otherwise hidden connections

966. Götz von Berlichingen, *Mein Fehd und Handlungen*, ed. Helgard Ulmschneider (Sigmaringen, 1981), pp. 19-23.

967. Sporhan-Krempel, ‘Roßhaupter-Fehde,’ pp. 16-17.

968. Konzen, *Aller Welt Feind*, p. 109.

969. Konzen, *Aller Welt Feind*, p. 212. Sporhan-Krempel, ‘Roßhaupter-Fehde,’ p. 33.

970. BB 14 f. 325^{r-v} (3.3.1441). BB 15 f. 110^{r-v} (2.10.1441).

between burghers and nobles which would have worked to some extent against the tendency of the city council to rely on a small number of close noble associates and on networks created by imperial and territorial communities rather than gaining direct access to networks within the nobility's own communities. Further connections independent of the higher-level political communities will doubtless emerge with further research, but it may be telling that our first indications of these relationships arise through instances of conflict between town and nobility.

Nuremberg maintained close relationships with a small number of nobles, and in all political relationships the balance of patronage was heavily weighted towards the support given by nobles to the town. This particular inequality does not imply an imbalance in relationships between townspeople and nobles as a whole, as Nuremberg's economic weight and centrality always made it worthwhile for certain nobles to engage closely with the town, even if they did not seek its political support. But it did mean that political and communal networks were weaker than they might otherwise have been.

Princes vs. Towns

There can be no doubt that certain princes and towns were genuine rivals for power in parts of southern Germany. Towns often experienced this conflict as a chronic fear of subjugation by a particularly threatening prince. This fear was intensified in 1440 when the small imperial town of Weinsberg was captured by a group of nobles and subsequently sold to the Count Palatine, coupled with perceived aggression towards Donauwörth by the duke of Bayern-Ingolstadt.⁹⁷¹ In reality, no prince had up to this point managed to do more than harass the larger cities and pick off weaker towns such as Weinsberg, but there was a deep-seated logic behind the towns' concerns. Princely territories were seriously compromised by their lack of authority over neighbouring and wealthy towns which exerted great economic and social power within the territory, and the differing needs of princely

971. On Weinsberg: Blezinger, *Städtebund*, pp. 63-64. On Donauwörth: Blezinger, *Städtebund*, pp. 46, 65. See also Graf, 'Feindbild und Vorbild,' p. 127.

polities and city states meant that the two were unlikely to find much common ground in political debates at the imperial level.⁹⁷² It is important that we recognize the specifically princely interests which created such frequent tensions between themselves and the towns, and do not automatically project these interests onto the rural nobility as well. Princes and nobles had much in common, but also much which separated them, not least their theoretically complementary social roles as rulers and loyal subjects. A community of interest between the two was never automatic, and had to be established by conscious effort where it was desired.

One prince who adopted a particularly aggressive stance towards the towns, and towards Nuremberg in particular, was the Hohenzollern Margrave Albrecht 'Achilles' of Brandenburg-Ansbach, who succeeded his father Friedrich in 1440 via a fraternal division of the family's lands into the margraviates of Brandenburg, Ansbach and Kulmbach. The motives behind Achilles' agitation against Nuremberg have often been reduced to what Ernst Schubert called his 'consciousness of nobility' (*Adelsbewußtsein*), which saw the towns only as a threat to the class of which he was so proud to be a member.⁹⁷³ This may have been part of the story, but Albrecht's self-presentation as a champion of the nobility was also a calculated strategy to win influence and supporters.⁹⁷⁴ There is no doubt that Achilles was a charismatic leader whose personality and passion were and remain compelling, but we cannot ignore the structural factors that drew him towards a collision with Nuremberg. Albrecht's father's political world had stretched from the Baltic to the Danube: in this context, the sale in 1427 of the remaining burgravia rights in Nuremberg and the majority of those in the surrounding imperial forests to the city council had its logic. Albrecht, however, was confined to Franconia and needed to maximize his limited resources there.

972. Klaus Graf describes the war of 1449/50 as a 'fundamental contest over the power of the towns in the political order of the Empire' (Graf, 'Feindbild und Vorbild,' p. 124). See also Karina Kellermann, *Abschied vom 'historischen Volkslied': Studien zu Funktion, Ästhetik und Publizität der Gattung historisch-politische Ereignisdichtung* (Tübingen, 2000), p. 105.

973. Schubert, 'Albrecht Achilles,' p. 135.

974. See Hillay Zmora, 'Das Verhältnis Markgraf Albrecht Achilles' zum fränkischen Adel', in Mario Müller (ed.), *Kurfürst Albrecht Achilles (1414-1486), Kurfürst von Brandenburg, Burggraf von Nürnberg* (Ansbach, 2014), pp. 238-240.

It is not clear whether or not he sought to reverse or amend the Hohenzollern withdrawal from Nuremberg – though some partisans of the city in 1449/50 accused him of ambitions to subjugate it⁹⁷⁵ – but certainly the city and his dynasty had both a very long and a very present history.

Meanwhile, Achilles' main rivals were actually his princely neighbours, chiefly (at least at the start of his reign) the bishop of Würzburg. There was no clear border between the territories of Ansbach and Würzburg, turning a huge swathe of Franconia into a 'border area' within which bishop and margrave competed for the allegiance of the local nobility.⁹⁷⁶ The principality which Achilles had inherited had been the heart of Hohenzollern lordship under his father, but on its own it was highly exposed. Thus Albrecht's aggression could have been what he understood to be his best form of defence. He has also been credited with attempts to create a unified Franconian territory, which would have required the subordination of Nuremberg.⁹⁷⁷ But we do not need to assume the existence of such far-reaching plans in order to explain his political behaviour in political terms, as opposed to the assumption that both margrave and rural nobility were ideological enemies of Nuremberg. The lengths to which Achilles went to establish this triangular relationship (margrave and nobility vs. Nuremberg) suggest that it was far from inevitable.

Achilles' polemicists presented the townspeople as arrogant and presumptuous 'peasants behind walls':

They count no-one their equal
And call themselves the Roman Empire
But they are nothing but peasants;
They stand with 'honour' behind their gates
While the princes step forward
To lead the land and its people.⁹⁷⁸

975. Rochus von Liliencron (ed.), *Die historischen Volkslieder der Deutschen vom 13. bis 16. Jahrhundert*, 5 vols. (Leipzig, 1865), i, 424: 'Der marggraf macht daß ich von im muß singen: / er meint er woll die herrn von Nürnberg zwingen, / er wolls im zinshaft machen'.

976. Zmora, 'Verhältnis,' pp. 237-238.

977. Konzen, *Aller Welt Feind*, p. 114.

978. Liliencron, *Volkslieder*, i, 417: 'Si bdunkt es sei nit ir geleich / und nennen sich das römisch reich, / nun sind si doch nur pauren: / si stand mit ern hinder der tür, / so die fürsten gand herfür / die land und leut beschauren'.

Another lyric, by Michel Beheim, compares the townspeople to a donkey which finds a lion's skin and tries it out for size:

Oh, my heartache,
My sorrow and misery,
Will soon be past.
I must strive for nobility.⁹⁷⁹

The donkey's dreams are then crushed by its master, Margrave Albrecht, who will ensure that the 'peasants in the towns' never have dominion over the princes. But it is not just the princes who are under threat from the towns. Our first (anonymous) publicist opens with an image of the towns 'oppressing' the nobility (*adel*):

[The devil] has given the towns the arrogance
With which they oppose the nobility
And completely drive it out (*vertreiben*).⁹⁸⁰

We have already encountered this image of townspeople 'driving out' or oppressing the nobility, against which 'doctor' Albrecht of Brandenburg wrote a 'useful prescription' (see above, p. 118). The 'doctor' to the nobility appears again in this ballad, prohibiting the 'peasants' the rich food to which they have become accustomed, and allowing them only barley gruel.⁹⁸¹ Achilles is in fact nothing less than the saviour of all nobles:

Margrave Albrecht, the noble prince,
Who has always striven for honour,
He wishes to save the nobility.⁹⁸²

This particular song of the towns' oppression of the nobility and Margrave Albrecht's steadfast support for nobles can (through references within the text)

979. Katja Scheel, 'Die Städtekriege in der politischen Lyrik des späten Mittelalters', *Leuvense Bijdragen*, 85 (1996), p. 325: 'meins herczen swer, / ach trauren und elend / hat furbaz mer ain end. / nach adel wil ich ringen'.

980. Liliencron, *Volkslieder*, i, 417: 'Den steten hat er [der bö] hochvart geben, / wie si dem adel widerstreben / und den genzlich vertreiben'.

981. Liliencron, *Volkslieder*, i, 418: 'der marggraf ist ain arzat weis, / verpeut in alle kostlich speis / und erlaubt in müs und gersten'.

982. Liliencron, *Volkslieder*, i, 418: 'Marggraf Albrecht, der edel fürst / den ir nach eren hat gedürst, / der will den adel retten'.

be clearly situated in the context of the war in late 1449 or early 1450.⁹⁸³ But this rhetoric of ‘oppression’ was not just wartime propaganda. Achilles had made it a central plank of his political programme ever since he concluded one of his first major alliances with the archbishop of Mainz and the administrator of the bishopric of Würzburg in November 1443. This was expressly directed not against highway robbery and general peacebreakers, the usual targets of such leagues of princes, but against the towns and their ‘oppression’ of the princes and the nobility.⁹⁸⁴ However, the alliance itself did not last for the signatories’ lifetimes, as intended.⁹⁸⁵ The customary tensions between Ansbach and Würzburg reasserted themselves, and by the summer of 1445 the bishop (Gottfried von Limpurg) was aligned with Nuremberg and the other imperial cities.⁹⁸⁶ Now that his two main opponents – Würzburg and Nuremberg – had come together (or had been driven together), Achilles only intensified his efforts to label the towns as oppressors of the nobility.

This effort was aided by the simultaneous conflict between the Habsburg King Frederick III and the Swiss Confederation. In September 1444 the envoys of Straßburg at the imperial diet in Nuremberg were deeply troubled by rumours that the princes were complaining that the towns intended to oppress the nobility by allying with the Swiss.⁹⁸⁷ The city of Basel had a similar fear, and asked the towns which were present at the diet to deny the charges on their behalf.⁹⁸⁸ The towns’ representatives (as reported by Hans Ehinger of Ulm) eventually broached the matter in their discussions with the princes in Nuremberg, denying that they were ‘Swiss’ and that they wanted to oppress (*vertriben*) the nobility. The bishop of Worms, speaking on behalf of the princes, replied that he had heard nothing of the sort said against the towns. But as the princes rose to leave, Margrave

983. Liliencron, *Volklieder*, i, 418.

984. Johann Christian Lünig (ed.), *Das teutsche Reichs-Archiv* (Leipzig, 1710), xvi, 65: ‘Niederdrückung des Adels’. In the text the nobility (*Adel*) is clearly understood as separate from the princes.

985. Lünig, *Reichs-Archiv*, xvi, 66.

986. Wendehorst, *Bistum Würzburg 2*, p. 177.

987. RTA 17 no. 226f (2.9.1444).

988. RTA 17 no. 231.1 (3.9.1444). See also RTA 17 no. 218 (1.10.1444).

Friedrich of Brandenburg, Albrecht's elder brother, remarked that 'one must have a lord', and that nobles would be nothing without honourable burghers, and the burghers would be nothing without the nobility.⁹⁸⁹

These rumours which swirled around the Nuremberg diet in 1444 were not necessarily spread by Albrecht Achilles; they had other sources, as we will see shortly. But Achilles quite definitely took up and promoted the same themes after June 1446, when he formed an alliance against Würzburg with his brother Johann of Brandenburg-Kulmbach, Duke Wilhelm III of Saxony and Landgraves Johann and Ludwig of Hessen, to which the bishop retaliated by committing himself to a full alliance with the Swabian League. An imperial diet in September 1446, this time at Frankfurt, provided a focus for tensions. In a letter to Ulm dated 6 September, the Nuremberg council expressed a fear that Duke Heinrich of Bayern-Landshut might be ill-disposed towards the towns due to rumours that they intended to oppress (*drucken*) the nobility.⁹⁹⁰ Just four days later Nuremberg wrote to Ulm with news of a letter written by Wilhelm of Saxony to the knighthood of Franconia accusing the bishop of Würzburg of making an alliance with the towns against the nobility and promising to help the nobles if they were thereby oppressed (*gedrängt*).⁹⁹¹ Achilles himself then repeated these allegations at the diet in Frankfurt.⁹⁹² Whilst the towns debated whether they should make their answer to the princes in writing or in person,⁹⁹³ it was clear that Achilles and Duke Wilhelm had hit their mark. The alliance of the towns and the bishop of Würzburg was in fact wide open to this particular attack thanks to both the widespread accusations that the towns were seeking to oppress the nobility and the long history of poor relations between successive bishops of Würzburg and the noble families traditionally in their allegiance.⁹⁹⁴

989. RTA 17 pp. 506-507 (22.9.1444).

990. BB 18 ff. 35^v-36^v (6.9.1446).

991. BB 18 ff. 39^v-40^v (10.9.1446).

992. BB 18 ff. 53^v-54^r (22.9.1446).

993. BB 18 ff. 69^r-70^r (6.10.1446).

994. Ulrichs, *Lehnhof*, pp. 153-164.

The Nuremberg council interpreted Achilles' strategy as an attempt to 'turn' the nobility away from Würzburg, presumably towards himself.⁹⁹⁵ This is also how the vast majority of historians have read his behaviour, as part of his attempt to secure regional hegemony. Recently, Hilla Zmora has questioned this consensus by pointing out that rather than trying everything he possibly could to attract nobles from all over Franconia to his court, Achilles actually pursued a very conservative strategy with respect to the chief offices in his administration (master of the court, marshal and *Hausvogt*), which were filled by nobles from a limited number of families with long-standing links to the Ansbach regime.⁹⁹⁶ However, these offices closest to the margrave are the only posts for which we can reconstruct a reasonably complete sequence of office-holders. We might expect Achilles to have filled these positions with reliable men, and this does not mean that he did not try to recruit noble supporters in other ways. Zmora does not dispute that Achilles assiduously presented himself as a champion of the nobility, which may even have been a reaction to the lack of patronage which he had to offer nobles from outside his inner circle. In the absence of lucrative offices and influential appointments, did he have to make do with the phantom threat of 'oppression' by the towns as a motivating factor? When the war came in the summer of 1449 he was able to play to this well-established theme with some subtlety, as a letter was drafted in his name exhorting the nobility to help him deal with the towns in a manner that would bring future use and honour to the 'common nobility' and expressing the hope that all nobles would do the right thing as nobles.⁹⁹⁷ There could be no doubt that these words referred to the interlinked ideas of 'arrogance' and 'oppression' through which Achilles had over several years attempted to pit the ideal of a united nobility against an image of the overmighty towns.

Achilles appears throughout the 1440s as the driving force behind both the alliance of princes ostensibly opposed to the towns and the particular anti-town rhetoric

995. BB 18 ff. 39^v-40^v (10.9.1446).

996. Zmora, 'Verhältnis'.

997. ChrdtSt, ii, 371 n. 2.

associated with this alliance. But he was not the originator of this rhetoric, as we can see from the prominence of the Swiss in the rumours at the diet in 1444. In the context of the struggle between the Habsburgs and the Swiss, the latter had always been demonized as 'peasants' who rebelled against their natural and rightful lords. The Habsburgs' client nobles who fought and sometimes died for the dynasty, especially at the bloody battle of Sempach in 1386, seem to have largely bought into this narrative, so that the habit of denigrating the Swiss 'peasants' reinforced the Habsburg cause and vice versa.⁹⁹⁸ The Swiss Confederacy also included imperial cities, and was sometimes allied with other towns on the Upper Rhine and in Swabia. The towns were also comparable with the Swiss confederates in that they were self-governing communes whose inhabitants were not generally considered to be noble, however aristocratic the lifestyles of their elites might have been.⁹⁹⁹ Consequently the rhetoric of Swiss 'peasants' vs. the nobility was capable of being extended to an opposition between towns and nobility, and one particular group of nobles in the late 1430s and 1440s made this case with particular vigour. Niklas Konzen has recently argued that these nobles – labelled by their enemies as the 'enemies of the towns', the *Städtefeinde* – were all threatened by the territorial expansion of princes in Swabia, especially by the Counts of Württemberg, and that they tried to defend themselves by banding together to go on the offensive. They could not attack Württemberg directly, nor could they access its network of patronage, so they tried to align themselves with the Habsburg interest. To do so, and to gain prominence and social capital more generally, they mounted spectacular feuds against towns which they legitimated with a narrative about defending the nobility against oppression by the towns. Their activities also spawned political songs which derided townspeople as 'peasants', for instance a lyric about an ambush against merchants carried out by

998. Steffen Krieb, 'Vom Totengedenken zum politischen Argument: Die Schlacht bei Sempach (1386) im Gedächtnis des Hauses Habsburg und des südwestdeutschen Adels im 15. Jahrhundert', in Horst Carl et al. (eds.), *Kriegsniederlagen: Erfahrungen und Erinnerungen* (Berlin, 2004).

999. For the conflation of the Swiss and the towns in the threat of the self-governing commons, see Brady, *Turning Swiss*, p. 32. Also Konzen, *Aller Welt Feind*, p. 55.

the *Städtefeinde* in 1440.¹⁰⁰⁰ By definition, this group remained relatively isolated in Swabia, and indeed was often opposed to large groups of nobles who were more tightly organized in the Society of St George's Shield, which had spent the 1430s working towards an alliance with the Swabian League of towns.

The *Städtefeinde* group in Swabia were, however, indirectly linked to Albrecht Achilles. He too was aligned with the Habsburg cause, and Wilhelm von Rechberg, brother of Hans von Rechberg, one of the leading 'anti-town' nobles, was Albrecht's master of the court. But Albrecht would not have needed personal contacts to become aware of the situation in Swabia, as the *Städtefeinde* were causing considerable unrest across southern Germany, and were bringing their case before assemblies of princes just as Albrecht began his rule in Brandenburg-Ansbach.¹⁰⁰¹ Achilles supported their campaign against the towns with favourable judgements in his burgravia *Landgericht* which helped to legitimate their feuds,¹⁰⁰² and he employed one of the most prominent figures in the group, Eberhard von Urbach.¹⁰⁰³ Urbach and other leading *Städtefeinde* were praised by publicists in 1449 almost to the same extent as Achilles himself, and one of these propaganda lyrics was framed as an explicit appeal for a certain nobleman (Eberhard Rude von Kollenberg) to throw his weight behind the princes against the towns.¹⁰⁰⁴ Just as the original denigration of the Swiss 'peasants' had been useful to the Habsburg dynasty, so it could be put to work by Achilles in Franconia too, though in this instance the strategy ultimately targeted the prince-bishop of Würzburg as well as the 'peasants' in the towns. Albrecht certainly borrowed heavily from the anti-town rhetoric of elements within the Swabian nobility, but it is not necessarily the case that he was taking up a theme which was already widespread and popular amongst the nobility, in Swabia let alone in Franconia.

1000. Konzen, *Aller Welt Feind*, p. 231.

1001. RTA 15 pp. 377-379 (7.5.1440).

1002. Konzen, *Aller Welt Feind*, pp. 114-115; Blezinger, *Städtebund*, pp. 43, 93.

1003. Zeilinger, *Lebensformen im Krieg*, pp. 161-164.

1004. See Kellermann, *Abschied*, pp. 125-131, 152-163.

It is impossible to say how successful Achilles' anti-town strategy was in mobilizing the nobility in his cause. Even the fact that his son and heir tried the same strategy in the years around 1500 does not mean that it had worked in the first instance.¹⁰⁰⁵ A huge number of nobles declared feuds against Nuremberg in 1449 in support of Achilles and other princes,¹⁰⁰⁶ but this may say more about Achilles' success in bringing other princes onto his side than the success of his recruitment amongst the nobility: with all the princes in Franconia (aside from the bishop of Würzburg) ranged against Nuremberg, which itself had only a very small noble clientele (see chapter six), many nobles in the region may have had little choice but to toe the line.¹⁰⁰⁷ It is, however, abundantly clear that most of the statements which emerged during the 1440s purporting to be about a conflict between town and nobility were produced to further the interests of certain groups and individuals, many of them neither townspeople nor nobles. The statements cannot be taken at anything like face value.¹⁰⁰⁸ However, many questions remain to be answered regarding both the extent to which these polemics developed existing ideas that were circulating more widely and the extent of their influence. We currently have few direct indicators for either of these issues, though we may be able to say something about them from a consideration of the wider picture of town-noble relations.

Conclusion: growing apart together?

Margrave Albrecht's appeal to the nobility of Franconia made explicit use of the tensions between townspeople and nobles over the issue of rural security to substantiate the idea that the towns were seeking to 'oppress' the nobility.

1005. Seyboth, "'Raubritter" und Landesherrn,' p. 122.

1006. Theoretically over 6,000 nobles declared feuds against Nuremberg (Zeilinger, *Lebensformen im Krieg*, p. 157).

1007. The sixteenth-century historian of the bishopric of Würzburg, Lorenz Fries (1489/91-1550), believed that the Würzburg nobility mostly supported Margrave Albrecht, but does not suggest why (Zeilinger, *Lebensformen im Krieg*, p. 157).

1008. Cf. Schubert, 'Albrecht Achilles,' p. 140, where the lyric quoted above describing Achilles as the 'saviour' of the nobility is taken as evidence for nobles' attitudes. Similarly Sonja Kerth, 'Niuwe maere vom Krieg: Politische Ereignisdichtungen, herrschaftliche Propaganda, Reimchroniken und Neue Zeitungen', in Horst Brunner et al. (eds.), *Dulce bellum inexpertis. Bilder des Krieges in der deutschen Literatur des 15. und 16. Jahrhunderts* (2002), pp. 42-43 reads the propaganda of 1449/50 as a direct expression of town-noble antagonism.

But any success that his propaganda might have achieved would also have exploited the fissures between townspeople and nobles which were opening a little wider just as Achilles began his ideological campaign. The social division between Nuremberg's elite and the nobility of the city's hinterland was a much more deeply-rooted phenomenon, but in the 1440s wider political communities were becoming increasingly less able to bridge this divide, allowing the tensions inherent in these same communities to come to the fore. The social separation between town and nobility was a threat to effective communication between the two, given the weaknesses of the written communication which had to be employed to cross between urban and rural spaces and the exacerbation of these issues by nobles' distrust of Nuremberg's bureaucracy. However, these problems could clearly be overcome under favourable political conditions. The princely territories of Franconia, Bavaria and the Upper Palatinate which were otherwise so important to Nuremberg could offer little in the way of integrative structures, but the distant emperor played an indirect role through the communities of common interest and action which he could mobilize. These communities were relatively strong during the reign of Sigismund, and Nuremberg relied heavily on partnerships with some of the Luxemburg emperor's closest confidants and most effective allies. This system began to unravel after Sigismund's death, and the communities which replaced it in Nuremberg's external relations, such as the Swabian League, tended to increase tension at least as much as they furthered cooperation. This was fertile ground for those who had an interest in sowing division between townspeople and nobles. Research in this area still has many avenues to explore, but currently there is little evidence that some of the more extreme ideas – such as the 'oppression' of the nobility by the towns and the virulent denigration of townspeople as 'peasants' – had much hold on the nobility before they were promoted by certain nobles and princes, and indeed hardly any more evidence that they gained much traction in the short term. However, a study of their possible longer term influence is certainly called for.

Fig 3: Parsberg castle (2015)



6. ALLIANCE AND SERVICE

Nuremberg did not rely solely on its common membership of communities alongside rural nobles and on the patronage of some of these community partners. The council also created its own community of clientage and protection amongst the rural nobility, and it did so largely by employing nobles as servitors of the town. These retainers performed a range of functions, and many were simultaneously Nuremberg's allies and its employees. This was the area of closest cooperation between townspeople and nobles, with substantial implications for wider town-noble relations. However, the study of this subject has been stifled by generalized assumptions about the fundamental relationship between town and nobility. It has long been assumed that, given the apparently innate and eternal antipathy between the two, any alliances must have necessarily been marriages of the most egregious convenience. Entry into the paid service of a wealthy town was supposedly one way for a morally degenerate nobility in economic decline to make ends meet – at least for those with limited class-loyalty or particularly desperate financial circumstances. This assumption has been reflected in an almost total lack of interest in the social, political and cultural dimensions of alliances between towns and nobles. Even a historian such as Kurt Andermann, who disputes the theory of a deep economic crisis within the nobility, has concluded that taking service with a town was for nobles 'of interest almost exclusively from an economic perspective'.¹⁰⁰⁹

In the last hundred years there has only been one full-scale study of a German-speaking town's network of noble allies (Hans Domsta on Cologne's 'outburghers'), although the phenomenon has been noted and commented upon countless times by historians.¹⁰¹⁰ Nuremberg offers excellent source material for

1009. Andermann, 'Einkommensverhältnissen,' pp. 90-91.

1010. Domsta, *Kölner Außenbürger*.

a foray into this under-developed field: the *Briefbücher* record many (though not necessarily all) communications with noble servitors during their absences from Nuremberg; the accounts record not only payments made to servitors, but also the expenses they incurred in the town's service; and the terms of many servitors' contracts were written out in a special register.¹⁰¹¹ Thus we can examine the scale, composition and structure of Nuremberg's noble clientele in the 1440s, and ask what this might mean for our understanding of town–noble relations more broadly: do these service relationships really represent a triumph of pragmatism over ideology? If nobles simply needed Nuremberg's money, we might expect service relationships to be shallow, one-dimensional, and probably short-lived; if service relationships were deeper, more complex and longer-lasting, we will have to question the extent to which the discourses of antagonism found any resonance amongst the nobility. To what extent could these cooperative relationships repair or counterbalance ruptures in other areas of interaction, and to what extent could they create meaningful relationships in areas of estrangement and division?

Allies and Servitors

We have already seen that Nuremberg had a number of 'allies' or trusted partners within its imperial political community: men such as Haupt von Pappenheim and his sons, and Heinrich von Plauen the elder. But these figures were not bound to the town through any kind of formal and reciprocal agreement. The city possessed another class of partner who had entered into such an agreement with the council, and the majority of these contracts were not just empty words. They were the basis for some very substantive relationships, which shaped the lives of certain nobles and played a very considerable role in the collective life of the town. During the 1440s these relationships were framed almost entirely by the structure of the service contract, in which one party undertook to perform certain tasks for the other party in exchange for money or other rewards. Yet these relationships went so far beyond this straightforward transaction that the more significant amongst them

1011. StAN Rep. 52b 269.

were true political alliances, and the vast majority were substantial agreements for mutual aid and support, although between very unequal partners. The inherent tension between the narrowness of the formal service contract and the breadth of the actual relationships which this service contract implied, created or enabled is important to both the strength and the weakness of these relationships overall.

This situation was not remotely unique to Nuremberg. The city council used much the same repertoire of forms of service and alliance as did other German towns of this period, tailored and adjusted to Nuremberg's particular circumstances. In practice this meant that Nuremberg retained, in any given year during peacetime, between around 60 and 100 mounted soldiers as its servitors, many (though not all) of whom were rural nobles.¹⁰¹² The number of soldiers increased to around 500 during the war of 1449/50.¹⁰¹³ All of these men were in theory capable of fighting in battle for Nuremberg, but some also served as part of the regular patrols of the countryside (see above, pp. 179-183) and most also undertook non-military duties, chiefly diplomatic and sometimes administrative or judicial tasks. All of the servitors took orders directly from the inner council, except in times of war when a leading servitor was appointed as a captain in the field. But although there was no chain of command, there was a rough hierarchy of prestige within the group of servitors, and this can help us to understand how and why their relationships with Nuremberg were structured as they were.

Nuremberg's senior servitor was simultaneously the city's imperial chief magistrate (*Reichsschultheiß*). Control of this office had been fought over between the town and the Hohenzollern burgraves for much of the fourteenth century, but it last changed hands in 1385 when the council installed the patrician Nicholas Muffel in the position.¹⁰¹⁴ From around 1390 a series of Franconian nobles (Friedrich von Laufenholz, Georg Kratz, Winrich von Treuchtlingen, Hans von Rosenberg, Hans von Sparneck) held the post in fairly quick succession, before in

1012. Sander, *Haushaltung*, p. 151 gives figures of between 63 and 108 soldiers for the 1430s.

1013. Sander, *Haushaltung*, p. 152.

1014. Dannenbauer, *Entstehung*, p. 101.

1419 the knight Wigeleis von Wolfstein first appears as *Reichsschultheiß*.¹⁰¹⁵ In this role he served as a captain of Nuremberg's contingent on expeditions against the Hussites in 1421 and 1426.¹⁰¹⁶ He also opened his share of the castles of Sulzbürg and Pyrbaum to Nuremberg.¹⁰¹⁷ The office of chief magistrate itself, however, was entirely ceremonial and had no judicial function, as Wolfstein himself informed a fellow noble in 1440.¹⁰¹⁸ Wigeleis served in this role until January 1442, when he fell unconscious and later passed away in the Nuremberg city hall itself, from where four of the town's other servitors accompanied his body to his family's favoured monastery at Seligenporten (west of Neumarkt in der Oberpfalz).¹⁰¹⁹

He was succeeded by his brother-in-law Werner von Parsberg, who had already been in Nuremberg's service since at least October 1430, when he too had fought for Nuremberg against the Hussites.¹⁰²⁰ Parsberg also opened his castles (Lupburg and Adelburg) to Nuremberg,¹⁰²¹ and (given his close association with Wolfstein) was probably in effect *Reichsschultheiß*-designate for many years, during which he served Nuremberg with eight horses (i.e. himself and seven retainers).¹⁰²² He carried Nuremberg's banner in the best-remembered battle of the war of 1449/50 (the battle of Pillenreuther Weiher, 11 March 1450), and his funerary hatchment still hangs in the church of St Laurence in the city (see fig. 4, p. 284).¹⁰²³ Both Parsberg and Wolfstein were members of leading families in what is now the southern Upper Palatinate: Wigeleis' main castle at Sulzbürg was 39 km southeast of Nuremberg, sandwiched between the principalities of Eichstätt and Pfalz-Neumarkt; Werner's residence at Lupburg was 59 km from Nuremberg in much the same direction (and just 25 km from Sulzbürg), also on the fringes of the Pfalz-Neumarkt lands. The locations of these two nobles on the borders of relatively weak princely states

1015. Sander, *Haushaltung*, p. 155.

1016. BB 5 ff. 173^v-174^r (12.11.1421). BB 7 ff. 92^r (16.8.1426), 120^v (5.12.1426).

1017. StAN Rep. 52b 269 f. 32^r.

1018. BB 14 ff. 233^v-234^r (8.9.1440).

1019. StAN Rep. 54 12 f. 82^v.

1020. BB 9 f. 59^v (30.10.1430). StAN Rep. 54 9 f. 65^r.

1021. Sander, *Haushaltung*, p. 451. StAN Rep. 52b 269 f. 49^{r-v}; Rep. 54 12 f. 73^v (3.10.1441).

1022. StAN Rep. 52b 269 f. 49^{r-v}; Rep. 54 12 f. 73^v (3.10.1441).

1023. ChrdtSt, ii, 484.

helped to give them a degree of independence which was a crucial factor in their relationship with Nuremberg. But members of these families also occupied key positions within princely states: most notably, Werner's brother Hans was vice-regent in Pfalz-Neumarkt for King Christoph of Denmark (1444–1446; see also p. 221), and another brother, Friedrich, was bishop of Regensburg (1437-1449).¹⁰²⁴

Nuremberg employed some other leading nobles with less defined roles and fewer known duties. In February 1445 Konrad von Heideck entered into a substantial service contract with ten horses and his castle at Heideck for ten years.¹⁰²⁵ There is little evidence of his activity in Nuremberg's service before the war of 1449/50, but he had probably been retained in anticipation of war with Albrecht Achilles, as both he and Nuremberg were threatened by Achilles' belligerent policies. At the same time, the alliance with Heideck was simply a continuation of a similar relationship which Nuremberg had had with Konrad's father and grandfather; the family held a small but substantially independent lordship around 35 km south of Nuremberg.¹⁰²⁶ Another noble servitor with a more exalted title but not necessarily a more extensive lordship was Landgrave Johann of Leuchtenberg, who contracted himself to serve Nuremberg in 1421, and again between 1439 and 1444.¹⁰²⁷ Johann experienced the loss of much of his patrimony over the course of his lifetime, but built a varied career for himself as a servitor to various Wittelsbach dukes of Bavaria as well as to Nuremberg.¹⁰²⁸ A little lower in standing than these two troubled grandees we find further members of the Wolfstein and Parsberg families, along with Georg von Wildenstein, whom Nuremberg helped to redeem Hohenstein castle (see above, pp. 176-177). There were also a small number of other individual noble servitors from families of middling fortune, such as Hans von Seckendorff-Nold zu Unterlaimbach and Mathes von Mangersreuth.

1024. Karl Hausberger, 'Parsberg, Friedrich von (um 1385-1449). 1437-1449 Bischof von Regensburg', in Erwin Gatz and Clemens Brodkorb (eds.), *Die Bischöfe des Heiligen Römischen Reiches, 1448 bis 1648. Ein biographisches Lexikon* (Berlin, 1996).

1025. StAN Rep. 52b 269 f. 84^r (20.2.1445).

1026. Deeg, *Heideck*, pp. 36, 38.

1027. StAN Rep. 54 6 f. 87^r (12.3.1421); Rep. 52b 269 f. 128^r (26.2.1439, 10.1.1442).

1028. Wagner, *Leuchtenberg* 3.

The engine room within Nuremberg's body of servitors was a group of both noble and non-noble retainers who served on standardized terms and were hired or re-hired each year *en masse*.¹⁰²⁹ In the municipal accounts a distinction is made within this group between the higher-ranking servitors (called *stipendarii*) and the *Einrösser*, or servitors with just one horse. These latter servitors were probably not nobles, and neither were all of the *stipendarii*, though many of them were. One or two hailed from reasonably prominent families, such as Michael von Ehenheim, Hans von Rechenberg and Konrad von Laufenholz. Others have backgrounds which are more difficult to reconstruct, but they were sometimes addressed or described by Nuremberg as noble (either with a standard noble form of address or with the title 'erber Diener', literally 'honourable servitor'). Servitors of this type active in the 1440s included Hans von Lidbach, Hans von Talheim, Hans Erlbeck, Hans von Blindheim, Albrecht Tauchersdorfer and Ulrich von Augsburg. Servitors whose general standing in Nuremberg's service and (where visible) outside of the city's clientele indicates that they may have been considered noble include Nicholas Griefß, Hans Stetzmann, Hans Feldbrecht, Peter Motter and Konrad Fribertshofer. There was a small range of wealth within the *stipendarii*, for instance between Hans von Rechenberg, who was retained with four horses, and Hans Feldbrecht, with just two.¹⁰³⁰ Different members of this group also had different roles, with some appearing more regularly than others on diplomatic missions or on rural patrols.

These men formed a standing force of permanent servitors who were always at Nuremberg's disposal. But whenever any serious conflict threatened many more retainers had to be engaged. In some senses these were classic 'mercenary' appointments, but the forms by which these servitors were bound to the town did not significantly differ from those which applied to the 'standing' servitors, and some of the short-term servitors' roles extended beyond fighting in battle. Nuremberg needed to recruit extra troops on three occasions during the 1440s: twice in 1444 for the Waldenfels feud and for the imperial expedition to oppose

1029. e.g. StAN Rep. 2a 894 (12.11.1440).

1030. Rechenberg: StAN Rep. 52b 269 f. 90^r (16.1.1445). Feldbrecht: *ibid* f. 18^v (14.3.1447).

the Armagnacs on the Upper Rhine, and of course in 1449 for the showdown with Albrecht Achilles. Each of these challenges required a slightly different response. To combat Hans and Fritz von Waldenfels Nuremberg needed operating bases closer to the Waldenfels' castles at Wartenfels and Lichtenberg (the latter over 110 km north of Nuremberg). The council secured the services of three nobles with castles nearly half way between Nuremberg and Lichtenberg: Hans and Sittich Groß zu Trockau (at Trockau and Tüchersfeld) and Friedrich von Künsberg (at Schnabelwaid).¹⁰³¹ But Künsberg also opened his castle at Stadtsteinach – which was just 12 km from Wallenfels – to Nuremberg's forces, and the council also concluded an agreement with Georg, Neidhart and Friedrich von Wildenstein concerning their castle at Naila, 6 km from Lichtenberg.¹⁰³²

Later in 1444 Nuremberg negotiated with the Bohemians Jakoubek of Vřesovice and Nicholas of Lobkowitz in anticipation of the expedition to the Rhine, but decided that their services would not be necessary.¹⁰³³ The council did, however, ask Heinrich and Wilhelm von Paulsdorf and Georg von Murach (from the present-day Upper Palatinate) to join Nuremberg's forces.¹⁰³⁴ Other nobles offered their service in this context, but were declined (see below, pp. 274-277). The crisis of 1449 naturally required a more substantial response. Further servitors were engaged from the Danube valley between Ingolstadt and Regensburg (Heinrich Zenger zu Regenstauf with ten horses and Oswald Ottlinger with fifteen) and from the Upper Palatinate (Georg Lichtenecker with five horses), but the main reinforcements came from further afield: the Bohemian mercenary captains Hynek Krušina of Schwanberg (whose feud with Nuremberg had ended in 1448, see p. 294 below) and Racek Janovice of Riesenberg with 190 and 60 mounted men respectively, and Nuremberg's two main commanders in the field, Heinrich Reuß von Plauen (with 24 horses) and Kunz

1031. Groß: StAN Rep. 52b 269 f. 117^r (24.1.1444). Künsberg: StAN Rep. 52b 269 f. 133^v (10.2.1444).

1032. StAN Rep. 52b 269 f. 108^v (2.3.1444).

1033. BB 17 ff. 114^r-115^r (6.10.1444). On Vřesovice see Uwe Tresp, *Söldner aus Böhmen: im Dienst deutscher Fürsten: Kriegsgeschäft und Heeresorganisation im 15. Jahrhundert* (Paderborn, 2004), pp. 37-38.

1034. BB 17 ff. 146^v-147^r (7.11.1444).

von Kaufungen.¹⁰³⁵ Both these last named men were Saxons aligned with Duke Friedrich, and their employment by Nuremberg was doubtless aided by the fact that Friedrich's brother and rival Wilhelm was allied with Albrecht Achilles.¹⁰³⁶

There was one other way in which nobles could enter Nuremberg's service. Service contracts were sometimes used in the settlement of disputes to bind the reconciled opponents to keep the new peace between them and sometimes also to compensate one of the parties: the town might receive a noble's service (or promise of readiness to serve) for free, or might be obliged to pay for service with limited obligations.¹⁰³⁷ There are no known instances of this form of service from Nuremberg during the 1440s, but this does not mean that it was not a possibility. A settlement between the town and Hilpolt von Fraunberg in 1412 stipulated that Hilpolt should be ready to serve Nuremberg for a month at any time in the next year,¹⁰³⁸ and in 1434 Georg von Fraunberg suggested that Nuremberg should resolve its dispute with Hans von Villenbach (see above, pp. 190-191) by offering to take on Villenbach as a servitor with three horses for six years.¹⁰³⁹ In August 1464 Georg von Egloffstein and Albrecht Gottsmann entered into an arrangement similar to Hilpolt von Fraunberg's of over fifty years before.¹⁰⁴⁰ Although many of the obligations contained in these agreements may have been of little real value to either side,¹⁰⁴¹ the use of service relationships in this way suggests that contemporaries understood them both as a straightforward contract for work and remuneration – and thus a possible form of compensation – and as a substantial bond of loyalty between servitor and service-giver, meaning that the contract could also be a symbolic form of reconciliation.

1035. Zenger: StAN Rep. 52b 269 f. 166^v (8.1.1449). Ottlinger: *ibid* f. 165^v (3.1.1449). Lichtenecker: *ibid* f. 167^r (8.1.1449). Schwanberg and Riesenberg: Zeilinger, *Lebensformen im Krieg*, pp. 64-65. Plauen: StAN Rep. 52b 269 f. 168^v (16.1.1449). Kaufungen: Zeilinger, *Lebensformen im Krieg*, p. 58.

1036. Liliencron, *Volkslieder*, i, 413-414.

1037. For examples from beyond Nuremberg, see Regesta Boica 13 p. 35 (3.5.1424); Ochs, 'Ritteradel und Städte,' pp. 108-109; Zeilinger, *Lebensformen im Krieg*, pp. 163-164; Andermann, 'Einkommensverhältnissen,' p. 196; Domsta, *Kölner Außenbürger*, pp. 129-137.

1038. StAN Rep. 2c 16 f. 2^{r-v} (3.3.1412).

1039. StAN Rep. 2c 22 f. 17^v (10.12.1434).

1040. Egloffstein, *Chronik*, p. 150.

1041. See Orth, *Fehden*, p. 97.

The service contract of the mid-fifteenth century also needs to be seen as part of a historical process and as one of several options available to towns when they wished to form mutually beneficial relationships with rural nobles. Many towns received nobles as full burghers or as a special form of 'outburgher'. This form of alliance is barely recorded at Nuremberg, though it was used during the First Towns' War in 1386/87, when twenty-four Franconian nobles were admitted as outburghers, including Friedrich von Heideck.¹⁰⁴² A similar arrangement may also account for the fact that some members of the Wildenstein family were burghers of Nuremberg in the early part of the fifteenth century.¹⁰⁴³ But noble outburghers are recorded at towns across Germany from the second half of the thirteenth century onwards,¹⁰⁴⁴ with Cologne having by far the largest such network.¹⁰⁴⁵ This set of alliances was intended as a counterbalance to the archbishops of Cologne and included some of the most important nobles of the region. The agreements included a pension paid by the town, and were life-long, often also hereditary.¹⁰⁴⁶ From the 1360s onwards, however, they became more flexible, and were often combined with paid service contracts.¹⁰⁴⁷ Domsta (who studied these treaties in detail) relates this development to the growing power on the Lower Rhine of territorial princes other than the archbishops of Cologne, but it also correlates with a shift which can be observed elsewhere from 'outburgher' to 'service' forms of alliance. This took place at Göttingen in the 1360s and at Frankfurt in the second half of the fourteenth century.¹⁰⁴⁸ But in other towns, nobles continued to be received as burghers via particular treaties and contracts: at Schlettstadt in Alsace well into the sixteenth century, and in considerable numbers at Nördlingen (as so-called *Paktbürger*) until around 1450.¹⁰⁴⁹ On balance, it seems that Nuremberg's mid-fifteenth century city fathers were following the standard practice of their day in engaging noble allies as

1042. Leiser, 'Landgebiet,' p. 246. Deeg, *Heideck*, p. 36.

1043. See, for example, BB 2 f. 66r (25.11.1408).

1044. Domsta, *Kölner Außenbürger*, p. 25. Also Rechter, 'Verhältnis zwischen Niederadel und Städten,' p. 145; Mindermann, *Adel in der Stadt*, p. 346; Andermann, *Gewalt*, p. 192.

1045. Domsta, *Kölner Außenbürger*.

1046. Domsta, *Kölner Außenbürger*, p. 46.

1047. Domsta, *Kölner Außenbürger*, pp. 68-91, 97-100.

1048. Göttingen: Mindermann, *Adel in der Stadt*, pp. 341-342. Frankfurt: Orth, 'Stadtherrschaft,' p. 150.

1049. Schlettstadt: Zotz, 'Adel in der Stadt,' pp. 33-34. Nördlingen: Kießling, *Stadt*, pp. 75-83.

servitors, but that this was also a conscious decision to establish these relationships in a more flexible format than some types of outburgher treaty. When we also recall the failed attempts made by nobles to establish alliances with towns on a much broader basis – most notably those of the Society of St George’s Shield, as we have already seen, but also (for example) repeated appeals by the Breisgau nobility in 1460 and 1468 for an alliance with the Breisgau towns against the Swiss¹⁰⁵⁰ – it is clear that most towns, whilst continually allying with and employing many nobles, were not always interested in closer or more wide-ranging forms of cooperation.

Duties and Lordship

What was the actual content of the service relationships which we have just outlined? The ways in which noble servitors interacted with Nuremberg were largely determined by the conditions imposed by their contracts and by the duties which they were obliged to perform. These in turn are our key to understanding how and to what extent the town valued its servitors, how they fitted into civic structures, and how they interacted on the town’s behalf with their fellow nobles.

‘Relations were at their least complicated when towns made use of nobles’ most deeply ingrained characteristic, their military capabilities.’¹⁰⁵¹ Peter Johaneck’s assessment reflects a scholarly consensus that independent, politically active towns could not do without the military professionalism of nobles.¹⁰⁵² The amount of fighting which was done by burghers – Ulman Stromer, for example, names Nuremberg patricians who were killed or wounded in battle¹⁰⁵³ – suggests that matters were not quite so straightforward, but it is clear that Nuremberg did value nobles as military retainers, both as mercenaries to bolster the city’s permanent forces and as leaders of these forces as a whole. Command on campaign and in battle was usually shared between one or more noble captains and a member

1050. Scott, *Freiburg*, pp. 33-34.

1051. Johaneck, ‘Adel und Stadt,’ p. 30: ‘Am unkompliziertesten waren die Beziehungen dort, wo die Stadt die ureigensten Eigenschaften des Adels nutzte, seine militärische Fähigkeiten’.

1052. Mindermann, *Adel in der Stadt*, p. 340; Andermann, ‘Einkommensverhältnissen,’ p. 188.

1053. *ChrdtSt*, i, 10, 68.

of the inner council. The expedition against Hans and Fritz von Waldenfels, for example, was led by Werner von Parsberg, Mathes von Mangersreuth and Nicholas Grieß together with the councillor Erhard Schürstab, who conducted the correspondence with the council in Nuremberg (Mangersreuth and possibly Grieß had relevant local knowledge and connections).¹⁰⁵⁴ The council naturally directed operations in the field as far as it felt necessary, but individual patricians were not automatically senior to noble servitors: in the war of 1449, Heinrich Reuß von Plauen was given overall command of Nuremberg's forces with responsibility to *Bürgermeister* Erhard Schürstab, but with authority over patricians including Erasmus Schürstab, Hans Imhoff and Konrad Paumgartner.¹⁰⁵⁵ Sometimes nobles had sole command on particular deployments. For example, Werner von Parsberg directed the siege of the Riedheim brothers (feud patrons of Werner Roßhaupter, see p. 240) at Kaltenburg in 1435 (see map 1), and led Nuremberg's contingent to Straßburg for the imperial war against the Armagnacs late in 1444.¹⁰⁵⁶ The lower-ranking servitors (the *stipendarii*) also had responsibility for the regular patrols of the countryside around Nuremberg (see pp. 179-183 above), and for leading small groups of retainers on security duties within the town, for example during the imperial diet in 1444.¹⁰⁵⁷ The council made extensive use of its noble servitors as military specialists, and placed a great deal of trust in some of them, though we should question whether they were ever indispensable.

The notion that military expertise was the 'proper' function of noble retainers is also relativized by the amount of time which they spent carrying out various diplomatic functions. Some of these were purely representative: at the imperial diet in 1444 it was ordered that a number of the noble 'erber Diener' should be present at the town hall every day to help carry wine for the princes meeting there.¹⁰⁵⁸ Wigeleis von Wolfstein, along with other noble retainers, often

1054. ChrdtSt, ii, 57-92.

1055. ChrdtSt, ii, 484.

1056. Sporhan-Krempel, 'Roßhaupter-Fehde,' pp. 25-27. BB 17 ff. 141^r (4.11.1444), 162^v (26.11.1444).

1057. ChrdtSt, iii, 387.

1058. ChrdtSt, iii, 387.

accompanied visiting dignitaries to and from the city gates (see also p. 58), and both Wolfstein and Werner von Parsberg were part of Nuremberg's representation at the funeral of Margrave Friedrich I of Brandenburg in September 1440.¹⁰⁵⁹ But noble servitors were also entrusted with negotiations on the town's behalf, either alongside or in place of patrician councillors. Werner von Parsberg, for instance, accompanied Nicholas Muffel to Saxony in 1443 and 1444,¹⁰⁶⁰ having himself led a delegation to meet three unnamed princes at Neunburg vorm Wald in the Upper Palatinate in 1433 (he was asked to keep his expenses to a minimum on the journey home).¹⁰⁶¹ Lower-ranking noble servitors undertook a huge number of embassies to fellow nobles and princes (as too did some of their non-noble or semi-noble fellow *stipendarii*). Servitors in this role were envoys of the town rather than true diplomats, but they still had considerable responsibility. When Sigmund von Seckendorff questioned Hans Erlbeck's account of a discussion the council defended the reliability of their retainer (who had been in their service for over twenty years): 'since we have employed the aforementioned Erlbeck in diverse significant matters and embassies to many princes and lords and have never found him to be anything other than upright and truthful'.¹⁰⁶²

Nobles were no more of a necessity for the town as diplomats than as soldiers. For every diplomatic mission involving a noble servitor, many more were carried out solely by councillors or even staff from Nuremberg's chancery. The urban elite had connections to princes and emperors surpassing those of their noble servitors, though the visible presence of these servitors (for instance, passing around wine at the imperial diet) did underline the town's wealth and power. There may, however, have been occasions on which a nobleman found it easier to communicate with other nobles, as was the case for Georg von Fraunberg with Rudolf von Eben (see above, p. 213). Nobles also had direct access to regional networks below the

1059. See, for example, Sander, *Haushaltung*, pp. 485-490. StAN Rep. 54 11 f. 73^v.

1060. BB 16 ff. 167^r (29.11.1443), 168^v (2.12.1443), 205^v (25.1.1444).

1061. BB 10 f. 230^v (3.9.1433).

1062. BB 16 f. 133^v (27.6.1443): 'wann wir nu den megenanten Erlbecken in menigfeltigen treffenlichen sachen vnd potschefften zu manigem fursten vnd herren geprauchet vnd in auch nu anders. dann redlich aufrecht vnd warhaft erfunden haben'.

level of the princes which Nuremberg otherwise lacked. To what extent did the town use its servitors as a point of entry to these networks? Servitors' connections were obviously exploited whenever possible: for instance, Werner von Parsberg made a natural intermediary with the cathedral chapter at Regensburg, where his brother Friedrich was bishop.¹⁰⁶³ Wigeleis von Wolfstein and later Werner von Parsberg conducted business on Nuremberg's behalf with their fellow nobles from the Upper Palatinate and northern Bavaria, some of whom were also their relatives. Mostly (so far as we are aware) this was done on Nuremberg's direct orders. In 1446 Werner von Parsberg is mentioned as being present at the making of an agreement between Albrecht von Murach, as vice-regent of Pfalz-Neumarkt, and some robbers who had kidnapped Nuremberg citizens: if Parsberg was with Murach independent of his function at Nuremberg he may actually have been better placed to represent the town's interests, though it is equally possible that he was acting here, as elsewhere, as Nuremberg's ambassador.¹⁰⁶⁴ He certainly represented Nuremberg at some hearings and court sessions in his home region,¹⁰⁶⁵ but this activity was very limited in comparison to Frankfurt's custom of retaining nobles expressly in order to assist the town at hearings.¹⁰⁶⁶

Nuremberg also utilized another aspect of nobles' regional connections by gathering information through them. Werner von Parsberg provided (or was asked to provide) some reports of musters,¹⁰⁶⁷ but Nuremberg's chief informant was Hans von Seckendorff-Nold, as a unique point of access to the noble affinity around Margrave Albrecht Achilles.¹⁰⁶⁸ In October 1447 Seckendorff-Nold was specifically asked for information on a muster by Achilles.¹⁰⁶⁹ There is no evidence that the gathering of this information was in any way underhand (though in

1063. BB 14 ff. 229^r (27.8.1440), 238^r-239^r (16.9.1440), 333^{r-v} (15.3.1441).

1064. BB 18 f. 123^{r-v} (16.12.1446).

1065. An arbitration at Straubing: BB 15 f. 48^r (19.6.1441). Landgericht Hirschberg session: BB 18 f. 55^v (23.9.1446).

1066. Orth, *Fehden*, pp. 16, 109.

1067. BB 17 f. 44^r (12.6.1444). BB 18 f. 41^{r-v} (12.9.1446).

1068. BB 17 ff. 47^v (13.6.1444), 94^v-95^r (13.8.1444), 220^r (20.2.1445). BB 18 f. 68^r (3.10.1446).

1069. BB 18 f. 357^r (3.10.1447).

the early sixteenth century Nuremberg did employ at least one spy amongst the Franconian nobility¹⁰⁷⁰), but neither was it necessarily conducive to building the kind of communal relations with the rural nobility which (as we saw in chapter five) Nuremberg otherwise lacked.

Within Nuremberg's own political community the servitors had only a very narrowly circumscribed role. Although the leading servitor was technically also the chief magistrate (*Reichsschultheiß*), this was an entirely honorific title. When the nobleman Thomas von Rosenberg wrote to Wigeleis von Wolfstein about a letter he had received from him, Wolfstein replied that he had nothing to do with the document personally, as it was simply the custom of the imperial court in Nuremberg to name the *Reichsschultheiß* at the head of each letter.¹⁰⁷¹ Mostly lower-ranking servitors had a very limited role in Nuremberg's judicial system, as they seem to have been systematically employed as witnesses to *Urfehde* (see p. 187) in the city's court.¹⁰⁷² Nobles were also employed in high judicial offices at other towns,¹⁰⁷³ most notably as the mayor (*Bürgermeister*) of Regensburg, where (in contrast to Nuremberg) the office probably did have some actual judicial function, at least initially: the practice of appointing a noble in this position was introduced in the 1330s to guarantee the neutrality of the mayor in relation to the various factions within the town.¹⁰⁷⁴ The council at Frankfurt am Main also used noble servitors to administer much of the city's rural territory,¹⁰⁷⁵ but again there is only a shadow of this practice at Nuremberg, where Hans von Seckendorff-Nold appears to have been placed in charge of some of Nuremberg's dependent peasants by organizing the *Hauptmannschaft* system in certain areas (see pp. 120-121 above).¹⁰⁷⁶

1070. Morsel, *noblesse*, pp. 279-304.

1071. BB 14 ff. 233^v-234^r (8.9.1440).

1072. e.g. StAN Rep. 2a 937a (22.1.1443).

1073. e.g. imperial chief judge at Windsheim (Rechter, 'Beobachtungen,' p. 300), advocate at Wismar (Andermann, *Gewalt*, p. 156).

1074. Dirmeier, 'Information,' p. 100; Zotz, 'Adel in der Stadt,' p. 36.

1075. Schneidmüller, 'Territorialpolitik,' pp. 124, 126.

1076. BB 17 ff. 85^{r-v} (28.7.1444), 94^v-95^r (13.8.1444); BB 18 ff. 300^v-301^r (29.7.1447). See also BB 18 f. 68^r (3.10.1446).

This relative lack of involvement by noble servitors in the political life of the town is related to the close control which the council exercised over its retainers. This control can be viewed through both the evidence for actual practice and normative texts (specifically two undated servitors' 'oaths' published by Johann Christian Siebenkees in 1792, the language and content of which is consistent with the late fourteenth or fifteenth centuries).¹⁰⁷⁷ Certain measures were necessary to maintain the usefulness of the servitors under contract: general promises of loyalty and obedience, an obligation upon the servitors to replace any lame horses,¹⁰⁷⁸ and restrictions on the activities of servitors which could reduce or compromise their value to the town. For instance, Johann of Leuchtenberg was denied permission to serve Duke Ludwig VII of Bayern-Ingolstadt whilst also contracted to Nuremberg,¹⁰⁷⁹ and all servitors who were based in Nuremberg were forbidden to ride more than two German miles from the town (or allow their horse to be taken further than this) without the permission of the serving *Bürgermeister*.¹⁰⁸⁰ These examples show both a political and a practical interest on the part of the council in servitors' availability and their obligations to third parties; the same mix of considerations was probably at work in the many cases in which servitors obtained permission to take part in hearings in support of other nobles.¹⁰⁸¹ But the town also bound its servitors to certain obligations concerning their behaviour beyond the immediate requirements of their service. All disputes with Nuremberg and its citizens were to be brought before the court in Nuremberg, including disputes relating to the service relationship after it had ended; a servitor making a debt case in the *Landgericht* should proceed according to the 'advice' (*rat*) of the council; and if a servitor entered into a feud which was detrimental to the town they could be dismissed, and any overpayment of their wages could be recovered.¹⁰⁸² Thus, out of the purely pragmatic desire to keep

1077. Johann Christian Siebenkees (ed.), *Materialien zur Nürnbergischen Geschichte*, 4 vols. (1792), i, 87-95.

1078. Siebenkees, *Materialien*, pp. 90-91.

1079. BB 14 f. 290^{r-v} (15.12.1440).

1080. Siebenkees, *Materialien*, pp. 89-90.

1081. e.g. BB 14 f. 192^v (25.6.1440).

1082. Siebenkees, *Materialien*, pp. 88-91.

disputes involving servitors to a minimum, the council extended its authority and interests beyond the service contract itself and into other aspects of its servitors' lives.

In fact, the council did not just judge its own disputes with its servitors: it also arbitrated in many disputes between servitors and third parties. This process recognized and established Nuremberg as a lord over its noble servitors, with the competence to hold them to account for alleged misdeeds committed anywhere and against anyone. Some models of town-noble relations have little room for the idea of nobles subjecting themselves freely to the jurisdiction of 'inferior' townspeople, but there is no evidence that nobles resented or rejected this jurisdiction. The council could not necessarily force nobles to come before its court, but any nobles entering Nuremberg's service would have known that the council would not look kindly on a refusal.¹⁰⁸³ In practice, the number of servitors' disputes which at some stage involved Nuremberg as a mediator or potential arbiter was far greater than the number which actually came before the council for settlement (though in other cases the council instructed or exhorted servitors to take particular actions to bring about a resolution).¹⁰⁸⁴ This probably had more to do with plaintiffs' unwillingness (for whatever reason) to have Nuremberg judge their case than servitors' resistance. Servitors knew that accepting Nuremberg's jurisdiction over them was part of the bargain. This entailed a certain amount of risk if they served the town for any length of time and did not have good connections within the council, which may have helped to ensure that the composition of Nuremberg's clientele in terms of individuals and families remained relatively steady over long periods of time: a long-term commitment to Nuremberg's service required a commensurate effort to build relationships in the city, perhaps over many years prior to the beginning of a service relationship. There is some evidence for this process, as we will see shortly (p. 279).

1083. For an example of a noble servitor agreeing to defend himself in a hearing before Nuremberg see BB 18 ff. 450^v (9.2.1448), 459^v (12.2.1448).

1084. There is no room here for a full list of such cases, but the evidence for them is found almost entirely in the *Briefbücher*.

Noble servitors were also content to accept Nuremberg's jurisdiction because, like all medieval lordship, it involved a full reciprocity and commitment to mutual aid between lord and retainer. There is no evidence of Nuremberg actually invoking its contractual right to dismiss a servitor in whose disputes the city did not wish to be involved.¹⁰⁸⁵ On the contrary, the city actually supported some of its servitors through long, bitter and damaging disputes. In the most famous of these cases, Konrad von Heideck's defiance of Albrecht Achilles' aggression, Nuremberg avowed its intention to stand by its commitment to him; to do otherwise would be 'shameful and damaging', as the council told Nicholas Muffel, their envoy to the Swabian League.¹⁰⁸⁶ But this conflict would have been anticipated by Nuremberg, and the whole alliance between Heideck and Nuremberg had probably been conceived in expectation of it. The story was very different for Hynek Krušina of Schwanberg's feud against Werner von Parsberg and Nuremberg. Despite their previous differences (which had been settled by Heinrich von Plauen in 1439 – see above pp. 224-225), it seems unlikely that Nuremberg would have expected Schwanberg's feud declaration against Parsberg in June 1441 over the alleged execution of Schwanberg's retainer in Parsberg's jurisdiction at Lupburg, which (as Nuremberg protested) was a pledge from Duke Albrecht of Bayern-München and nothing to do with the city.¹⁰⁸⁷ Nearly three months later Schwanberg's declaration of feud against Nuremberg was found hidden in a pew in the Dominican Church at Nuremberg, and the ensuing conflict lasted until February 1449.¹⁰⁸⁸ In this feud it was Nuremberg and its citizens, rather than Parsberg, that suffered the most. Nuremberg had already helped Parsberg through a difficult situation in 1432, when he had been captured by Dukes Ernst and Wilhelm of Bayern-München.¹⁰⁸⁹ In return, Nuremberg received twenty-five years of service from Parsberg.

1085. Friedrich von Künsberg was involved in several disputes and his service was terminated early (StAN Rep. 52b 269 f. 133^v), but prior to this Nuremberg had expressed approval of Künsberg's handling of these matters (BB 17 f. 154^{r-v}, 18.11.1444).

1086. BB 18 ff. 386^v-387^r (15.11.1447).

1087. BB 15 f. 46^{r-v} (16.6.1441).

1088. StAN Rep. 2c 27 ff. 3^v-4^r. See also below pp. 309-310.

1089. BB 10 ff. 23^r (7.8.1432), 97^v (11.12.1432). Regesta Boica 13 p. 261 (14.6.1433).

There were many other less spectacular cases in which Nuremberg supported its noble servitors. What was it about their service which made this risk and expense worthwhile? The costs, human and material, of disputes fought on behalf of servitors was an additional burden on top of the considerable outlay required to employ them in the first place (for more on these costs see pp. 272-273 below). The various benefits for the townspeople are clear enough: they provided military muscle, leadership and perhaps some technical expertise; they carried out numerous diplomatic and representative tasks; they connected the town to regional noble networks and gave the civic authorities control over a number of nobles who might otherwise pose a security risk (as nobles tended to do, even when they were not directly hostile to Nuremberg – see chapter four). But it is not always easy to see how the marginal benefits in each of these areas were great enough to justify the costs, given that the town was not militarily or diplomatically dependent on noble servitors and did not use them to their full potential as links between the town and regional communities. This potential was in any case limited as Nuremberg did not have well-established servitors in all of the surrounding regions. To understand this state of affairs we need to investigate the recruitment and selection of allies, which also reveals a great deal about nobles' motivations for entering Nuremberg's service.

Recruitment

There is very little evidence of active recruitment by Nuremberg, aside from a mission by the burgher Peter Ratzko to Jakoubek of Vřesovice and Nicholas of Lobkowitz to negotiate assistance from these two Bohemian lords against the Armagnacs.¹⁰⁹⁰ We do know, however, that a great many nobles offered to enter Nuremberg's service, and that the majority of known applications were turned down. What made some nobles so keen to serve Nuremberg, and to accept the tasks, obligations and oversight by the council which we have surveyed? What could induce them to oppose those voices who deemed service obligations to townspeople to be degrading for nobles? In the 1440s the tournament ordinances which imposed social exclusion on nobles

1090. BB 17 ff. 114^r-115^r (6.10.1444).

with close links to towns had not yet been drafted (see above, pp. 14-15), but all nobles at this time must have encountered the vigorous propaganda of Margrave Albrecht Achilles and others which denounced the townspeople as 'peasants' (see above, pp. 241-250). The traditional answer to this question is that the general crisis faced by the late medieval nobility forced some of its members to seek a reliable income and protection against the growing power of the princes in the service of towns.¹⁰⁹¹ This suggests that an alliance with a town was a last resort for those nobles driven to it by poverty or political weakness. But this does not seem to fit the picture of Nuremberg's service clientele outlined above, and the prominence within it of figures such as Werner von Parsberg, whose brothers had immensely successful careers in both the church and princely service. Parsberg and others had their particular reasons for allying with Nuremberg, as we will see shortly, but what benefits of service with Nuremberg were open to all nobles?

Many historians have seen money as the main if not the only influence which could seduce nobles from their obligation to class solidarity.¹⁰⁹² Nobles were supposedly forced by a 'structural crisis' to accept the towns' wages, which helped to redress the economic imbalance between the two.¹⁰⁹³ But this theory has not been re-examined in light of new evidence which points to the economic vitality of the late medieval nobility.¹⁰⁹⁴ The question which we must ask is not so much whether nobles, impoverished or otherwise, were attracted into the service of towns in part by the pay on offer (undoubtedly they were), but whether this motivation eclipsed other possible advantages which might have been realized through more prolonged and intensive contact with the town, and whether towns needed to pay more than princes to attract noble servitors. Princely service held very clear social and political opportunities for those nobles who knew how to grasp them; did towns have to focus on the economic side of the relationship in order to compete?

1091. As an example of this standpoint: Max Mendheim, *Das reichsstädtische, besonders Nürnberger, Söldnerwesen im 14. und 15. Jahrhundert* (Leipzig, 1889), pp. 4-5.

1092. See Zeilinger, *Lebensformen im Krieg*, p. 160.

1093. 'Structural crisis': Schneidmüller, 'Territorialpolitik,' p. 126. Redressing imbalance: Orth, *Fehden*, p. 107.

1094. See Andermann, 'Einkommensverhältnissen,' pp. 90-91, and pp. 26-27 above.

We would need a systematic overview of rates of pay offered by both princes and towns to fully address this issue, but all available indicators suggest that there was no significant difference. Nuremberg's top official, the *Reichsschultheiß*, was paid 400 Gulden per year throughout the period in which Wigeleis von Wolfstein, Werner von Parsberg and Sigmund von Egloffstein held the office (1419–1479).¹⁰⁹⁵ The same 400 Gulden was the going rate for a prince's master of the court in early sixteenth-century Franconia.¹⁰⁹⁶ Nuremberg paid other nobles, notably Landgrave Johann of Leuchtenberg, at the same level for less onerous roles: this was obviously considered necessary to attract a noble of Leuchtenberg's status and experience.¹⁰⁹⁷ But even Leuchtenberg's lucrative position with Nuremberg pales in comparison to some of the salaries from princes which Markus Bittmann has discovered in late fourteenth-century Swabia, such as the 1,000 fl. per annum which could be expected by a Habsburg *Landvogt*.¹⁰⁹⁸ Nuremberg's pay does not even compare very well with that of other towns, such as Cologne and Frankfurt.¹⁰⁹⁹

Basic pay was not the only income which servitors enjoyed, and the council frequently made special payments to 'honour' servitors (especially when they first entered service)¹¹⁰⁰ and as a reward for particularly loyal or effective service.¹¹⁰¹ But the terms of service restricted other, more independent ways of making money. Servitors were allowed to keep the horse and equipment of any *schädliche Leute* (see p. 179) which they captured, but the most valuable prisoners (princes and nobles) had to be handed over to the town.¹¹⁰² Any booty taken during a campaign had to be surrendered as the army marched back into the city, and the

1095. e.g. Wolfstein: Sander, *Haushaltung*, p. 450. Egloffstein: StAN Rep. 52b 269 f. 189^v (22.11.1455).

1096. Zmora, *State and nobility*, p. 39.

1097. e.g. StAN Rep. 54 12 f. 80^r (2.2.1442).

1098. Bittmann, *Kreditwirtschaft*, p. 60.

1099. Ochs, 'Ritteradel und Städte,' p. 107; Orth, *Fehden*, p. 110.

1100. e.g. StAN Rep. 54 12 f. 80^r (2.2.1442).

1101. e.g. a special payment to Werner von Parsberg for the siege of Kaltenburg (StAN Rep. 54 269 f. 48^{r-v}).

1102. Siebenkees, *Materialien*, pp. 88, 91.

proceeds were split equally amongst all those involved.¹¹⁰³ Servitors had to pay for their own equipment, food and accommodation during peacetime,¹¹⁰⁴ and the council stuck rigidly to its policy of not compensating servitors for damages incurred through their service to the town.¹¹⁰⁵ Service with Nuremberg was no opportunity for nobles to enrich themselves through fighting, and indeed carried certain risks. There were, however, benefits to the way in which servitors' salaries were paid. For leading servitors in long-term contracts with Nuremberg, all or part of their pay was normally advanced to them as a loan.¹¹⁰⁶ This contrasted with the enormous debts for overdue service fees run by many princes. Often these debts were converted into the pledge of a potentially lucrative or status-conferring lordship, so they were not necessarily detrimental to nobles in the long run.¹¹⁰⁷ Towns such as Nuremberg could not compete with payment of this sort, but their access to credit markets may have made them useful paymasters for nobles interested in ready cash. There were risks inherent in this practice if nobles left the town's service whilst still in debt, and in 1440 Nuremberg faced a feud by a former servitor, Rudolf von Bopfingen, who disputed the final reckoning made when he left Nuremberg's service at the conclusion of the feud with Werner Roßhaupter in 1437 (see also above, p. 240, and p. 289 below).¹¹⁰⁸

Any other benefits which might have accrued to nobles from their service with the town remain relatively shadowy. Noble servitors may have had enhanced access to the urban world of trade and commerce (which Thomas Zotz sees as a motivation for nobles who took up citizenship), but my material from Nuremberg contains barely any evidence of servitors entering into business relationships with burghers.¹¹⁰⁹ Servitors could undoubtedly be useful advocates in Nuremberg for

1103. Mendheim, *Söldnerwesen*, p. 90.

1104. Fouquet, 'Finanzierung,' pp. 62-63.

1105. e.g. BB 8 ff. 105^v-106^r (17.1.1429).

1106. See the many references throughout StAN Rep. 52b 269.

1107. Bittmann, *Kreditwirtschaft*, pp. 72, 75-76.

1108. BB 14 ff. 105^{r-v} (7.1.1440), 124^r-126^r (17.2.1440).

1109. Servitor Hans von Lidbach did buy tithes at Zirndorf from Sebald Haller (Regesta Imperii 13.19 no. 100, 15.1.1451). Zotz, 'Adel in der Stadt,' p. 32.

their dependents and clients.¹¹¹⁰ Wigeleis von Wolfstein even used the judicial system in which he was nominally chief magistrate to prosecute Eberhard Tierer von Ebern for robbery (Eberhard was executed).¹¹¹¹ Hans von Seckendorff-Nold tried to get his own servitor Georg a position with Nuremberg, revealing the layers of patronage which helped to build Nuremberg's clientele.¹¹¹² A closer focus on the processes by which this clientele was formed will reveal a great deal about why it was so attractive to some nobles.

The geographical distribution of Nuremberg's servitors and applicants for service in the 1440s is a good place to start, as most of the factors which determined the composition of Nuremberg's noble clientele had a spatial dimension. Map no. 3 shows servitors and unsuccessful applicants according to their primary residence, where this is known, or otherwise their toponymic family name or the seat of the main office which they occupied at the relevant time. Thus Hans von Hirschhorn, who offered his service in June 1444, is shown at Neustadt an der Aisch, where he was serving as a local governor at the time.¹¹¹³ He is an exception within one of the most obvious trends on the map, namely the lack of servitors from areas to the west of Nuremberg. Undoubtedly this had much to do with the antagonism between Nuremberg and Albrecht Achilles. Around the fringes of Achilles' principality Nuremberg was able to engage two valuable allies, however: we have already noted the information which Hans von Seckendorff-Nold zu Unterlaimbach was able to provide, and Hans von Rechenberg's value to Nuremberg is shown by the length of his employment (1445 until at least 1460).¹¹¹⁴ His residence was close to the road between Nuremberg and Nördlingen (see pp. 133-134 above). Michael von Ehenheim (shown here at Enheim) is another outlier, though other members of his family had been in Nuremberg's service before he entered in around 1435,¹¹¹⁵ and he also performed something of a specialist role as Nuremberg's envoy to

1110. e.g. RB 1b f. 2^v (8.6.1441). BB 18 ff. 450^v-451^r (9.2.1448).

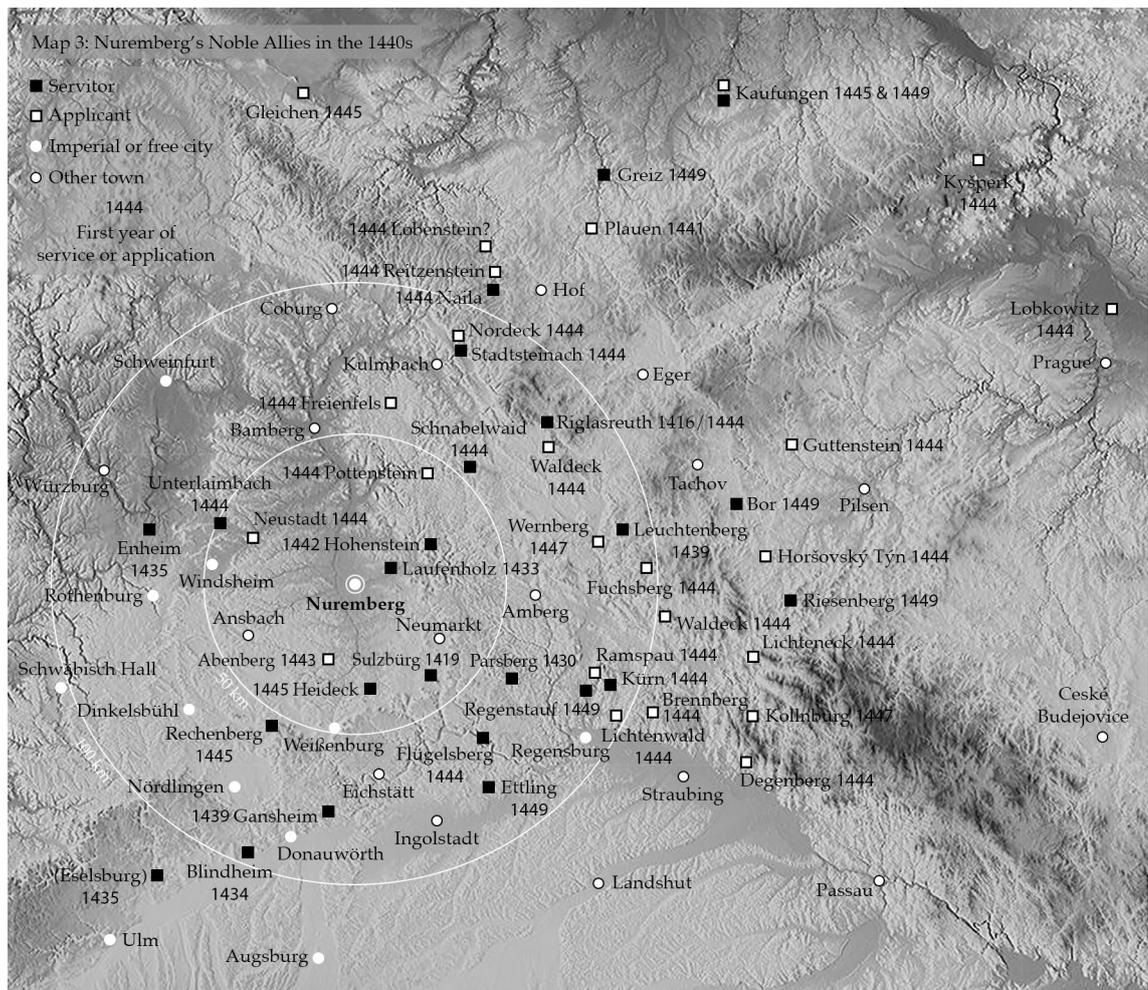
1111. StAN Rep. 54 11 f. 78^v.

1112. BB 17 f. 85^{r-v} (28.7.1444).

1113. BB 17 f. 35^v (1.6.1444).

1114. StAN Rep. 52b 269 f. 90^r (16.1.1445); StAN Rep. 2a 1361 (7.1.1460).

1115. See BB 6 f. 177^r (2.6.1425). BB 8 ff. 105^v-106^r (17.1.1429).



his native Main valley around Würzburg.¹¹¹⁶ This made him Nuremberg's main link with the small towns of Heidingsfeld and Mainbernheim, which had been pledged to Nuremberg by Sigismund in 1431.¹¹¹⁷

Appointments and applications are clearly clustered around Nuremberg's military campaigns in its hinterland. There is a small concentration along the Danube between Donauwörth and Ulm, near to where Nuremberg besieged the Riedheim brothers at Kaltenburg in 1435 (see above, p. 263). Rudolf von Bopfingen, whose castle at Eselsburg lay just 3 km from Kaltenburg, was engaged by Nuremberg for this campaign in particular, though he had acrimoniously left Nuremberg's service by 1440.¹¹¹⁸ Hans von Blindheim, who was still in Nuremberg's service until at least 1445, was engaged a little earlier during the Roßhaupter feud, in

1116. e.g. BB 14 ff. 251^v-252^r (10.10.1440), 228^v (3.12.1440). StAN Rep. 54 11 ff. 42^r, 76^v.

1117. Regesta Imperii 11.2 no. 8684 (9.7.1431).

1118. Sporhan-Krempel, 'Roßhaupter-Fehde,' p. 21. For Bopfingen's role at Kaltenburg see BB 12 f. 35^v (20.9.1435).

1434.¹¹¹⁹ Other long-term *stipendarii* such as Ulrich von Augsburg, Hans Lidbach (Gansheim) and Nicholas Grieß also have connections to this area, though Grieß seems to have had links to the area north east of Nuremberg as well. This was to become another recruiting ground in the early months of 1444, as Nuremberg prepared to storm the castles of the Waldenfels brothers. We have already noted the employment of members of the Künsberg, Wildenstein and Groß families (shown at Schnabelwaid, Naila and Trockau respectively) against Hans and Fritz von Waldenfels. Offers of service were also received from Heinrich von Plauen,¹¹²⁰ a Rabensteiner at Pottenstein,¹¹²¹ Hans von Aufseß at Freienfels,¹¹²² Thomas von Reitzenstein,¹¹²³ Hans 'Knoch' von Schaumberg at Nordeck,¹¹²⁴ and Heinrich Reuß von Plauen at Greiz,¹¹²⁵ whilst negotiations were underway with Heinrich von Gera at Lobenstein.¹¹²⁶ None of these relationships lasted long once the Waldenfels feud was at an end, however (aside from those with Plauen and Reuß von Plauen, which were well established beforehand).

Further to the east lay Bohemia, which was for Nuremberg, as for many German princes and towns at the time, a recruiting ground for mercenaries.¹¹²⁷ As we have seen, the council negotiated with Jakoubek of Vřesovice (Kyšperk) and Nicholas of Lobkowitz. There were also talks with the Guttenstein family (initiated by Johann of Guttenstein) about an alliance against Hynek Krušina of Schwanberg and the Waldenfels brothers (see p. 294).¹¹²⁸ Schwanberg (based at Bor) was then hired in 1449, along with Racek Janovice of Riesenberg. But Nuremberg's main pool of potential mercenaries actually lay in German-speaking areas along the Bohemian border, particularly in the hills of the Bavarian Forest north of the Danube. This

1119. Sander, *Haushaltung*, p. 453.

1120. ChrdtSt, ii, 88.

1121. ChrdtSt, ii, 85.

1122. ChrdtSt, ii, 85.

1123. ChrdtSt, ii, 85.

1124. ChrdtSt, ii, 85. BB 16 f. 187^r (2.1.1444).

1125. ChrdtSt, ii, 90.

1126. BB 16 ff. 229^r (4.3.1444), 254^{r-v} (22.3.1444).

1127. See Tresp, *Söldner*.

1128. BB 16 f. 210^v (5.2.1444).

region had also been heavily militarized during the Hussite Wars. Furthermore, it had until 1425 formed part of the now dismembered duchy of Bayern-Straubing, and its nobles had a certain independence from their new princely lords (chiefly the Wittelsbach dukes based in Munich). Nobles from this region offered their service to Nuremberg in the latter months of 1444, hoping to join the campaign against the Armagnacs. Gewolf von Degenburg,¹¹²⁹ Erasmus Sattelbogen of Lichteneck,¹¹³⁰ and Jakob Auer of Brennberg¹¹³¹ were all politely declined; only Heinrich and Wilhelm von Paulsdorf of Kürn were engaged.¹¹³² There were further offers of service from this area in 1447, when (between May and October) Nuremberg felt threatened by a large force of mercenaries moving in and out of Bohemia in the service of Duke Wilhelm of Saxony: Heimram von Nußberg of Kollnberg (135 km from Nuremberg) and Erhard Zenger zum Lichtenwald were both declined.¹¹³³ Many of these men had previously raised troops against the Hussites. Erasmus von Sattelbogen, for instance, enlisted in Regensburg's service in 1426 with twelve horses,¹¹³⁴ and served Bayern-München in 1429 and 1430 with thirty horses and two castles.¹¹³⁵

The political conditions were not much different further north along the Bohemian border in the eastern Upper Palatinate, and a number of offers of service came from this area during same Armagnac and Bohemian emergencies in 1444 and 1447: Georg Trautenberger, district governor of Waldeck;¹¹³⁶ Ludwig von Murach of Fuchsberg (via Werner von Parsberg's wife);¹¹³⁷ and Albrecht Notthafft of Wernberg.¹¹³⁸ But Nuremberg also maintained a more regular presence in this area with Landgrave Johann of Leuchtenberg and Mathes von Mangersreuth (Riglasreuth) periodically active in its service. Leuchtenberg, as we have noted,

1129. BB 17 f. 129^r (21.10.1444).

1130. BB 17 f. 149^r (13.11.1444).

1131. BB 17 f. 152^v (17.11.1444).

1132. BB 17 ff. 146^v-147^r (7.11.1444).

1133. BB 18 ff. 324^v (21.8.1447), 385^v (10.11.1447). On the Bohemian mercenaries see Tresp, *Söldner*, pp. 145-152.

1134. Regesta Boica 13 p. 76 (18.7.1426).

1135. Regesta Boica 13 pp. 166 (11.11.1429), 179 (11.6.1430).

1136. BB 17 ff. 105^v-106^r (16.9.1444).

1137. BB 17 f. 151^v (16.11.1444).

1138. BB 18 f. 318^v (12.8.1447).

had both a prestigious title and a more prosaic career as a professional servitor; his value to Nuremberg may have been largely as a status symbol. But he also brought with him the minor noble Hans von Erlbeck, who had joined the pool of *stipendarii* by 1422. Members of Erlbeck's family had been leading officials in the small Leuchtenberg administration.¹¹³⁹ Meanwhile Mangersreuth entered Nuremberg's service in 1416,¹¹⁴⁰ again in 1430 when he controlled Hohenstein castle,¹¹⁴¹ and for a third time ahead of the Waldenfels campaign in 1444.¹¹⁴²

Travelling around 60 km south west from Leuchtenberg through Amberg brings us to Nuremberg's primary recruiting area. It can be described in modern terms as the southern Upper Palatinate, verging into Middle Franconia and the border between Upper and Lower Bavaria – but in the fifteenth century it was thought of as part of the Bavarian Nordgau. Nuremberg's allies tended to sit in pockets of semi-independent lordship between and around the region's fragmented and relatively weak princely states, such as the bishopric of Eichstätt and the Palatine Wittelsbach splinter territory of Pfalz-Neumarkt. Chief amongst these allies were of course the families of Heideck, Wolfstein and Parsberg. But we also find Georg von Murach zu Flügelsberg (on the river Altmühl) offering his service against the Armagnacs,¹¹⁴³ and a slightly expanded version of this region provided mercenaries in 1444 and 1449: the Paulsdorfer at Kürn, Oswald Ottlinger (Ettling), and Heinrich Zenger zu Regenstauf (see p. 259 above). In addition, some of Nuremberg's *stipendarii* were associated with the major servitor families of Heideck, Wolfstein and Parsberg: for instance, both Konrad Fribertshofer and Hans Stetzmann appear in association with Konrad von Heideck,¹¹⁴⁴ and the former defended the castle at Heideck in 1449.¹¹⁴⁵

1139. For example, Konrad Erlbeck as governor of Leuchtenberg in 1400 (Regesta Boica 11 p. 174 (10.4.1400)).

1140. Regesta Boica 12 p. 232 (31.8.1416).

1141. StAN Rep. 54 9 ff. 51, 62^r (20.9.1430).

1142. StAN Rep. 52b 269 f. 130^v (24.1.1444).

1143. BB 17 ff. 37^r (5.6.1444), 146^v-147^r (7.11.1444), 129^r (21.10.1444).

1144. StAN Rep. 18 262 (28.2.1442).

1145. Deeg, *Heideck*, p. 120.

The Heideck alliance was Nuremberg's oldest, and may always have had mutual defence against the Hohenzollern burgraves and later margraves at its heart. Both Wolfstein and Parsberg had been associated with Nuremberg since the early fifteenth century, before they entered into formal service contracts. In 1409 and 1411 Nuremberg offered to help reach a settlement between Schweicker von Gundenfingen and Hans, Wilhelm and Wigeleis von Wolfstein, which suggests that the city had a noteworthy relationship with both parties.¹¹⁴⁶ In 1421 Nuremberg denied that the Parsberger were their burghers in a reply to Dietrich Landschad (vice-regent at Aschaffenburg, 150 km from Nuremberg), and Landschad's confusion may be telling.¹¹⁴⁷ At this time Werner von Parsberg and Wilhelm von Wolfstein were part of a long stand-off with Nuremberg as they and the other guarantors for Hilpolt von Fraunberg's debt bond (imposed as a settlement for a feud) refused to pay on Fraunberg's behalf.¹¹⁴⁸ But Parsberg and Wolfstein, alone among the five guarantors, did briefly fulfil their duty to keep a servant in a specified hostelry whilst the debt was outstanding, suggesting that they had some interest in maintaining a good relationship with Nuremberg.¹¹⁴⁹ The two families were themselves closely connected, with Wigeleis von Wolfstein married to Werner von Parsberg's sister Margarete. They also both faced a similar political situation which made an alliance with Nuremberg extremely promising.

Whereas the Heideck dynasty was perpetually threatened by the powerful Hohenzollern, the position of the Parsberg family and the branch of the Wolfstein clan at Sulzbürg in relation to neighbouring princes presented itself more as an opportunity. They both had the chance to escape their weak ties to nearby princes and establish independent lordships which acknowledged no lord except the emperor. We can see how this possibility played out in relation to an alliance with

1146. BB 2 f. 103^r (29.4.1409); BB 3 f. 148^v (17.7.1411).

1147. BB 5 f. 114^v (14.2.1421).

1148. Regesta Boica 12 p. 159 (3.3.1414).

1149. BB 4 ff. 88^v (5.6.1415), 109^r (3.9.1415).

Nuremberg through the example of the lordship of Parsberg.¹¹⁵⁰ The Parsberg family had historically been *ministeriales* and then retainers of the Wittelsbach dukes of Bavaria, though they had always enjoyed an unusual degree of independence.¹¹⁵¹ In the fifteenth century they possessed a charter from Dukes Stephan, Friedrich and Johann of Bavaria, dated 19 June 1390, which confirmed their capital jurisdiction, safe conduct, hunting and mining rights within the lordship of Parsberg.¹¹⁵² This therefore gave the family virtual sovereignty in their small territory, though under Bavarian protection. The charter survives only in a copy from 1456, when it was verified by an abbot in Regensburg, though there is no particular reason to doubt its authenticity. Other charters in the family's possession were, however, quite definitely forged, and these were used to claim that Parsberg was an imperial lordship.¹¹⁵³

In 1407 and 1414 the family had been enfeoffed by Kings Rupert and Sigismund with small incomes from tithes at the villages of Darshofen and Holzheim, with no mention of the lordship of Parsberg.¹¹⁵⁴ But at some point in the early fifteenth century (to judge from the script) a number of documents purporting to be charters of King Ludwig IV (the first Wittelsbach emperor) and his brother Rudolf were created. These granted the rights contained in the 1390 charter with the unusual addition of a precise number of years for which they had already been enjoyed by the Parsberg family (apparently since the year 933).¹¹⁵⁵ One of these forgeries expressly mentions the advocacy over the parish church at See, near

1150. On the Parsberg family and their lordship, see Manfred Jehle, *Parsberg, Pflegämter Hemau, Laaber, Beratzhausen (Ehrenfels), Lupburg, Velburg, Mannritterlehengut Lutzmannstein, Ämter Hohenfels, Helfenberg, Reichsherrschaften Breitenegg, Parsberg, Amt Hohenburg* (Munich, 1981). Also Karl Menner, 'Die Parsberger zu Lupburg', *Burgblick (Alt-Lupburg)*, 2 (2003); Xaver Luderböck and Karl Menner, 'Die Parsberger zu Lupburg: Linie Christoph (I)', *Burgblick (Alt-Lupburg)*, 2 (2003); Xaver Luderböck, 'Die Parsberger zu Lupburg II. Linie Werner (1)', *Burgblick. Heimatkundliche Arbeiten des Förderverein Alt-Lupburg und Umgebung*, 3 (2010).

1151. Manfred Jehle, *Die Reichsunmittelbarkeit der Herrschaft Parsberg* (Parsberg, 2009), pp. 5-8.

1152. StAAM Herrschaft Parsberg Urkunden 16.

1153. First recognized as forgeries by Helmut Bansa, *Studien zur Kanzlei Kaiser Ludwigs des Bayern vom Tag der Wahl bis zur Rückkehr aus Italien (1314-1329)* (Kallmünz, 1968), pp. 338-339.

1154. StAAM Reichsherrschaft Parsberg 74 no. 12 (31.12.1407, in a copy from 1743); StAAM Herrschaft Parsberg Urkunden 7 (29.9.1414).

1155. StadtAAM Urkunden 2049 (27.10.1318), 2050 (16.2.1334). StAAM Herrschaft Parsberg Urkunden 1 (16.5.1326). See also Bansa, *Studien*, p. 338 and StAAM Reichsherrschaft Parsberg 25 no. 6.

Parsberg, which Ludwig had supposedly initially refused to confirm under the influence of his counsellors, before finding in favour of Dietrich von Parsberg. In 1422 Hans von Parsberg (Werner's brother) purchased this advocacy at See from Georg Zenger, suggesting that the forgeries were created after this date.¹¹⁵⁶ In 1459 Hans obtained the first genuine imperial enfeoffment for the lordship of Parsberg from Frederick III, and this was confirmed by his son Maximilian in 1500.¹¹⁵⁷ The Parsberg family were never able to establish an undisputed claim to imperial status, but the direction of their policy in the first half of the fifteenth century is clear enough. The final objective was not realized until four years after Werner's death, but his years of service with Nuremberg (1430–1455) fit with the pattern of a family which was trying to establish for itself a position independent of all regional princes. Whether the imperial status of Nuremberg and Werner's role as imperial chief magistrate helped to establish the family's 'imperial' credentials is another matter; even without these trappings, Werner had a powerful reason to seek the political support and financial benefits of a service relationship through a close association with Nuremberg in particular, as the city was the leading non-princely employer in the region.

Conclusion: turning outwards, facing inwards?

Nuremberg's chief servitors during the 1440s – Heideck, Wolfstein and Parsberg – allied with the town in pursuit of clear, long-term political strategies. They were thus willing to commit to substantial and sustained relationships with the city. Other nobles – Johann of Leuchtenberg, for instance – were probably interested in the service relationship solely as a source of income. At the opposite end of Nuremberg's service hierarchy, the noble and semi-noble *stipendarii* would also have been primarily economically motivated, though they were required to work for their salaries. These men did not have the capital which was necessary to enter the riskier business of princely service, and Nuremberg offered some of those on the margins of nobility a chance of advancement. For instance, Nicholas Grieß was

1156. StAAM Herrschaft Parsberg Urkunden 12.

1157. StAAM Herrschaft Parsberg Urkunden 18 (24.7.1459), 39 (10.5.1500).

in Nuremberg's service on a yearly contract in 1409, but in 1436 he was retained for three years with three horses (soon increased to four), and then in 1449 for two years with five horses.¹¹⁵⁸ There was also no shortage of applications for short-term mercenary service, whether from nobles wishing to involve themselves in local skirmishes (such as the Waldenfels feud) or from professional mercenary recruiters in Bohemia and its border regions. The most intriguing servitors are the mid-ranking figures such as Hans von Seckendorff-Nold and Mathes von Mangersreuth. The specific mix of political and economic factors which led them to enter Nuremberg's service is not yet clear. Nuremberg's service was clearly attractive to nobles other than those who were economically and politically weak, but it must also be noted that the particular political motives which we have identified in the cases of Heideck, Wolfstein and Parsberg would not have applied to most nobles, who did not enjoy the same level of independence from princes.

What was the significance of this small group of nobles who were allied to Nuremberg? Hilla Zmora has argued that since towns were neither nobles' feudal lords nor their main employers, '[t]here was little to draw nobles and cities together, and a lot to set them against each other'.¹¹⁵⁹ This statement is a better fit for Zmora's Franconian evidence than for some other regions in Nuremberg's hinterland. But it remains true that relatively few nobles benefitted from Nuremberg's patronage through service relationships, and given that service with Nuremberg offered a mixture of purely economic and quite specific political advantages, it is probable that only a limited number of nobles would have had the opportunity or the motive to enter into more than a short-term relationship with the town. But the main factor which constrained the number of nobles in Nuremberg's service was the city's demand for servitors. The functions which noble servitors carried out are very well recorded, and the value of nobles as diplomats and soldiers must have justified the sometimes handsome remuneration of the relatively small number of nobles required for these tasks.

1158. BB 2 f. 86^r (16.2.1409). StAN Rep. 52b 269 ff. 109^v (10.12.1436), 165^v (3.1.1449).

1159. Zmora, *State and nobility*, p. 75.

But Nuremberg was also faced with the additional risk and cost of its inevitable involvement in its servitors' disputes with third parties. It is conceivable that the council considered this burden worth shouldering because it was precisely the servitors' connections within the fractious world of the rural nobility that it most valued. But the lack of evidence for noble servitors being deliberately deployed in this sense suggests that their primary purpose was not to develop Nuremberg's links with networks amongst the rural nobility (though some servitors, such as Michael von Ehenheim, undoubtedly played a role as a link to a particular locality). For the service clientele to have been effective in this respect Nuremberg would have had to employ many more men of the calibre of Werner von Parsberg, at considerable cost even if such nobles could be recruited. Other cities, particularly Cologne, did succeed in maintaining larger and more widespread networks of noble allies, and a full comparison of the structures of these networks with Nuremberg's could be very instructive.

Perhaps Nuremberg's noble servitors were chiefly an outgrowth of the city's internal politics. The city council of Speyer banned the employment of burghers as servitors in 1376, with the comment that 'great trouble, harm and redundancy' had been caused by this practice.¹¹⁶⁰ Despite the fact that the chief magistrate had no real judicial role, it may still have eased tensions within the ruling elite to have certain key political functions performed by outsiders. It may also have obviated the need for Nuremberg to look outside of its own ruling elite for men to carry out these tasks, thus preserving the exclusivity of political power within the walls. If this conclusion could be further substantiated it would fit with our earlier finding that the council prioritized internal order over the development of its relations with the rural nobility in the way that it handled the noble presence in the town (chapter two). Nuremberg's noble clientele therefore had intrinsic weaknesses as an integrative force spanning town and country, though it cannot be denied that it had this function to some extent. Furthermore, Nuremberg's noble allies remain a potent warning against over-generalizing any theories of

1160. Mendheim, *Söldnerwesen*, pp. 23-24: 'groz ungemach schade und unnutz'.

deep-seated antagonism between town and nobility, as cooperation between the two could clearly be much more than a fleeting congruence of interests or a last resort for nobles with no better options.



Fig. 4: Funerary hatchment for Werner von Parsberg, St Laurence's church, Nuremberg (2014)

7. FEUD AND CONFLICT

Although aversion based on aristocratic class ideology could play an important role in feuds [by nobles against towns], differences were predominantly territorial and political. Noblemen's ties to the princes meant that they too were unfavourably disposed toward big, independent cities... Imperial cities were also collective feudal lords... This was an unfailing recipe for disputes with the landed nobility. Consequently, intimidation of, and violence against, cities' subjects took forms akin to feuds among the nobility

Hilay Zmora¹¹⁶¹

Zmora's assessment is a rare attempt to move the discussion of feuds between rural nobles and townspeople at least some way beyond 'aristocratic class ideology' and the 'crisis of the nobility'. Variations on both of these concepts dominated the liberal-Romantic tradition, which made such feuds – which were supposedly at once deeply immoral and intensely ideological – the quintessence of late medieval feuding itself, as we saw in Gustav Freytag's *Scenes from the German Past* (above, pp. 20-21). In contrast, Zmora subsumes feuds between nobles and towns into a feuding culture epitomized by feuds amongst nobles themselves and between nobles and princes. But we have already seen (pp. 111-118) that few feuds arose from disputes between townspeople and nobles in the context of rural lordship, and that nobles were not necessarily aligned with princes in their 'unfavourable disposition' towards independent cities: some nobles used ties with cities such as Nuremberg to escape the authority of princes (pp. 279-281). What, therefore, are the specific dynamics of feuds between nobles and towns?

The study of feuding in general has progressed substantially over the last twenty or thirty years, and Hilay Zmora has made some of the most important contributions to this field. Building on the historiographical rejection of the 'crisis of the nobility', Zmora has comprehensively overhauled the traditional image of feuding nobles as

1161. Zmora, *State and nobility*, pp. 107-108.

'desperados' (Herbert Helbig)¹¹⁶² by setting their feuding behaviour in the context of their wider political strategies. In his model (developed from Franconian evidence) many feuds were driven by competition between princes, on whose behalf nobles carried out 'bespoke' feuds.¹¹⁶³ Princes and their noble agents made use of existing disputes or created new ones in order to fight proxy wars and to provoke real wars in a high-risk, high-stakes political game which none of the individual players could leave without conceding total defeat. Feuding culture, according to Zmora, could only end when the nobility *en masse* decided to opt out of the system in order to preserve their independence from princes. In a second book-length treatment of the subject, Zmora gave more emphasis to the fundamental dynamics of feuding which enabled feuds to be instrumentalized, magnified and multiplied through power-politics. He recognized that nobles were not individualistic adventurers – as they have often been portrayed, in contrast to the corporate towns – but individuals with many obligations to others: to creditors, to family members, to their progeny and the future of their dynasty. Their reputation, and with it their wider social and political fortunes, rested largely on their ability to meet these obligations. Thus when a noble's debtors defaulted, for instance, he was obliged to be seen to be doing everything he possibly could to recover those debts in order to maintain the faith of his own creditors, even if the debts concerned had been contracted by an emperor.¹¹⁶⁴ Many apparently 'desperate' feuds were the result of the strength of the reputational imperative.

Taken together, these two perspectives on feuding situate it as human action rather than the expression of abstract ideals: feuding in general (though not necessarily every individual feud) was neither hot-headed and impetuous nor calculated down to the lowest common denominator of material gain. It was driven by powerful desires and fears which defy the kind of moral categorizations which the sight of violence, the ultimate result of feuding, lures us into making. Regardless of the merits and demerits of individual, more detailed, theses about the evolution and

1162. Helbig, 'Städte,' p. 239.

1163. Zmora, *State and nobility*, p. 100. Compare with Bittmann, *Kreditwirtschaft*, p. 100, describing a feud in which a prince contractually received 50 per cent of any plunder.

1164. Hillay Zmora, *The feud in early modern Germany* (Cambridge, 2011).

dynamics of feuding, this general conclusion is important to uphold. It allows us to make more nuanced judgements about some of the aspects of feuding which previously have either been ignored or over-emphasized. For instance, Niklas Konzen agrees that nobles did not gain financially by feuding, but notes that robbery could be an important way to build clienteles of lower status supporters, who could be rewarded with a share of the plunder.¹¹⁶⁵ One area which largely still awaits reassessment in this vein is the subject of nobles' feuds against towns.

Background and Origins

On 18 January 1444 the council wrote to the city of Straßburg, complaining that Nuremberg's merchants had been robbed by Hans and Fritz von Waldenfels, and that the Waldenfels brothers had later declared a feud despite having asserted (as Nuremberg had heard) that they were enemies of the 'common imperial cities' (*gemeine Reichstet*) and had not intended to attack Nuremberg itself.¹¹⁶⁶ In 1864, Friedrich von Weech wrote that this passage from Nuremberg's letter expressed 'the bitter opposition between nobility and bourgeoisie' in which so many of his contemporaries so firmly believed.¹¹⁶⁷ This belief encouraged von Weech to misread Nuremberg's statement, which refers not to an enmity against all towns, but to a specific enmity between Fritz von Waldenfels and the Swabian League. The council's letter follows Fritz von Waldenfels' feud declaration, in which he claimed to have been in a feud with the 'upper towns' (i.e. the Swabian towns), rather than Nuremberg, at the time of the robbery.¹¹⁶⁸ The phrase 'common imperial cities' was used by Nuremberg as a shorthand for the Swabian League (which did, after all, encompass the majority of Upper German imperial cities for much of its history).¹¹⁶⁹

1165. Konzen, *Aller Welt Feind*, p. 402.

1166. BB 16 f. 199^r (18.1.1444): 'und als wir verstanden desmals furgenomen haben, wie sie gemeiner Reichstet veynde weren vnd das nicht uns, sunder denselben gemeinen Reichstetten zu misfallen getan hetten'.

1167. ChrdtSt, ii, 57: 'der feindliche Gegensatz zwischen Adel und Bürgerthum'.

1168. ChrdtSt, ii, 71 (16.11.1443): 'niht anders weiß, dann daz sollich hab meiner veynd ist der obern stet geweßt'.

1169. e.g. BB 14 f. 60^{r-v} (20.10.1439): 'gemeinen Reichs stette die mit den von Ulme in eynung seyn'. StAN Rep. 2c 30a, unfoliated (1453?): 'Gemainen Stetten der veraynung in Swaben'. On other occasions a variation of the phrase 'common towns' is used when the context shows that the Swabian League is meant.

Thus one nobleman's feud against a town which appeared to be an expression of inveterate hostility between nobility and townspeople in general is really no such thing. If we survey the origins of nobles' feuds against Nuremberg in the 1440s, we also find little evidence of an abstract 'aristocratic class ideology'. We have in fact already encountered the ostensible causes of all of these disputes through our exploration of the various fields of interaction between townspeople and nobles. To understand how these interactions could lead to feuds, it will be useful to have an overview of the sustained conflicts between nobles and Nuremberg (whether formally declared feuds or otherwise) which were active between January 1440 and March 1448 (noble feuders in bold).

At the outset of the decade Nuremberg faced several feuds which had been underway for some time. **Dietrich von Mörl**, called '**Beheim**', carried out several attacks in the Main valley area between 1432 and 1436, aided by Walter von Urbach and **Eitel Vogt von Rieneck** of Rothenfels.¹¹⁷⁰ Rieneck himself was aided by others, including Melchior von der Tann. He ignored a judgement by the bishop of Würzburg in 1437 and captured two burghers in 1439.¹¹⁷¹ In 1441 Nuremberg accused Dietrich Beheim and his son Hans of a further attack on cattle being driven to the Rhine (p. 157, no. 16). The affair continued with Nuremberg's case before King Frederick III against both Beheim and Rieneck,¹¹⁷² and the enmity was still public knowledge in 1446/47, when Nuremberg twice denied paying the nobleman Konrad von Bebenburg to arrest Beheim.¹¹⁷³ In the summer of 1441 the council were also concerned with the imperial ban pronounced against **Ludwig von Hutten**, who had feuded against Nuremberg from 1434 to at least 1437 over money owed by Emperor Sigismund to his father.¹¹⁷⁴ In February 1440 **Hans von Urbach** announced that over a year previously he had captured a Nuremberg citizen (Hans Ursenthaler) on account of another Nuremberger, Rotenhan's son, whom Urbach accused of cheating him of money.¹¹⁷⁵

1170. Vogel, *Fehderecht*, pp. 90-93, 283. BB 11 f. 64^v (31.7.1434).

1171. Vogel, *Fehderecht*, pp. 90-108. StAN Rep. 2c 25 f. 1^r (20.9.1437). BB 14 ff. 50^r (2.10.1439), 164^v-165^r (18.4.1440).

1172. Regesta Imperii 13.14 nos. 90 (10.3.1442), 189-190 (21.9.1443).

1173. BB 18 ff. 78^v-79^r (13.10.1446), 259^v-260^r (1.6.1447).

1174. Vogel, *Fehderecht*, p. 143. RB 1b ff. 6^r, 11^v.

1175. Müllner, *Annalen*, ii, 347. BB 14 f. 141^{r-v} (29.2.1440).

Also in February 1440 **Rudolf von Bopfingen** declared his feud. He had been employed by Nuremberg against the Riedheim brothers and Werner Roßhaupter at Kaltenburg in 1435 (see above, pp. 240, 263), but this relationship became troubled once the siege had ended. Bopfingen wanted to agree a bounty for Roßhaupter's capture, but the council would only permit Bopfingen to hold Roßhaupter in his own prison,¹¹⁷⁶ and in October 1437 four of Bopfingen's servitors were imprisoned in Nuremberg on charges including murder.¹¹⁷⁷ This followed Nuremberg's settlement with Werner Roßhaupter in August 1437,¹¹⁷⁸ as a consequence of which the council later claimed that Bopfingen still owed money which they had advanced to him.¹¹⁷⁹ Both sides envisaged Walter von Hürnheim as an arbiter, but there were still tensions over the imprisoned servitors.¹¹⁸⁰ An exchange of letters was followed by the feud declaration, in which Bopfingen was supported by Count Ulrich von Oettingen, who later claimed that he only wished to help Bopfingen to justice.¹¹⁸¹ The two parties could not agree on the terms of the arbitration by Hürnheim, and Nuremberg was concerned by the threat posed by Bopfingen.¹¹⁸² But no attacks are known to have taken place, and between September and December 1440 Konrad von Lentersheim succeeded in mediating a settlement (see p. 236).¹¹⁸³

Two ultimately phoney feuds played themselves out from July 1440 onwards. The *vester* (see p. 43) **Lorenz Wielacher** asserted claims originally made by Konrad Sarawer, burgher of Cilli (Celje), against Fritz Hutten of Nuremberg. He declared his feud, but seems to have taken no further action.¹¹⁸⁴ On 10 July

1176. BB 12 ff. 149^v (13.3.1436), 164^v (31.3.1436). Sporhan-Krempel, 'Roßhaupter-Fehde,' p. 35.

1177. BB 13 f. 54^v (3.10.1437). StAN Rep. 2a 864 (26.10.1437). See also Sander, *Haushaltung*, p. 459.

1178. Sporhan-Krempel, 'Roßhaupter-Fehde,' p. 41.

1179. BB 14 ff. 105^{r-v} (7.1.1440), 124^r-126^r (17.2.1440).

1180. BB 14 ff. 118^v-119^r (10.2.1440).

1181. BB 14 ff. 124^r-126^r (17.2.1440), 147^v-148^r (8.3.1440).

1182. BB 14 ff. 149^r-150^r (9.3.1440), 187^r-188^r (11.6.1440), 239^v-240^v (17.9.1440), 246^v-247^v (27.9.1440). StAN Rep. 54 11 f. 81^v.

1183. BB 14 ff. 248^v-249^r (28.9.1440), 251^r (10.10.1440), 263^{r-v} (31.10.1440), 271^v-272^r (8.11.1440), 283^r (3.12.1440).

1184. BB 14 ff. 198^v-201^r (11.7.1440), 266^r-270^r (5.11.1440), 301^{r-v} (3.1.1441), 304^v-305^r (7.1.1441). BB 15 ff. 72^r-73^r (31.7.1441), 154^r (13.12.1441).

1440 Nuremberg executed a Contz Sprenger as a *schädlicher Mann*, on charges of abducting Georg von Eltershofen from his castle near Schwäbisch Hall. (He also apparently confessed to knowledge of planned attacks on the imperial cities.)¹¹⁸⁵

Thomas von Rosenberg soon claimed that Nuremberg had withheld a horse that should have passed to Sprenger's widow (his dependent peasant), and a lengthy exchange of letters resulted in stalemate.¹¹⁸⁶ No feud was declared, but in March 1442 the council was concerned for merchants returning from Frankfurt because they had not received a reply from Rosenberg.¹¹⁸⁷ Nuremberg tried to involve Frederick III¹¹⁸⁸ and possibly Counts Palatine Ludwig and Otto,¹¹⁸⁹ but the final settlement (obliging Nuremberg to pay 99 fl. to Rosenberg) was made by Margrave Albrecht Achilles and Wilhelm von Rechberg.¹¹⁹⁰

Nuremberg now faced two much more serious but unconnected feuds from Bohemian nobles. We have already encountered **Aleš of Sternberg's** long dispute (1431–1437) with the council over his claims against Margarete Pirgerin, who seems to have been acting as a kind of agent for Sternberg in Nuremberg (pp. 74–75). Following Sternberg's threats in September 1437,¹¹⁹¹ Nuremberg apparently heard nothing more until March 1441, when two nobles from the Bohemian–Saxon border area – Aleš of Schönburg and Heinrich of Weidau – declared feuds in support of Sternberg.¹¹⁹² Nuremberg moved quickly to involve Heinrich von Plauen (who was married to Sternberg's daughter Katharina) and Duke Friedrich of Saxony, and ordered Pirgerin herself to go to Sternberg within three weeks.¹¹⁹³ Plauen took up the matter, but could not speak to Sternberg in person as he was

1185. BB 14 f. 202^{r-v} (11.7.1440)

1186. BB 14 ff. 206^r (19.7.1440), 210^{r-v} (26.7.1440), 226^r-227^r (23.8.1440), 234^v-235^r (7.9.1440), 233^v-234^r (8.9.1440), 242^v-243^r (19.9.1440), 313^v-314^v (6.2.1441). BB 15 ff. 179^v-180^r (26.1.1442), 188^v-189^r (15.2.1442), 206^r (7.3.1442), 213^{r-v} (16.3.1442).

1187. BB 15 f. 220^r (22.3.1442).

1188. BB 15 ff. 216^v-217^v (21.3.1442).

1189. BB 15 f. 220^v (22.3.1442).

1190. StAN Rep. 2a 908 (13.5.1442).

1191. StAN Rep. 2c 19 f. 6^v (1.9.1437).

1192. Rep. 2c 19 f. 7^v (24.3.1441). BB 14 ff. 347^v-348^r (3.4.1441).

1193. BB 14 f. 348^v (3.4.1441). BB 15 ff. 11^v-12^r (6.5.1441). RB 1b f. 2^{r-v} (10.6.1441).

not at his castle of Hradek in western Bohemia (near Elbogen (Loket)).¹¹⁹⁴ The city clerk Hans Dumm was sent on the first of several diplomatic missions to Bohemia in August; he returned between November and February and attended a diet in Prague where he negotiated with the Bohemian grandees Hašek of Waldstein and Ulrich of Rosenberg.¹¹⁹⁵

Meanwhile, Nuremberg also involved Frederick III from November 1441.¹¹⁹⁶ Following the failure of this intervention and the talks at Prague, Nuremberg had Count Palatine Johann of Pfalz-Neumarkt commissioned as imperial judge in the matter, but this was not acceptable to Sternberg: he simply declined to cooperate, on the grounds that he was a 'weighty man' (*Ein swerer man*).¹¹⁹⁷ But he also responded directly to Frederick III, asserting that Nuremberg's 'caprice' had driven him to 'war' (*kryege*), and that he was answerable only to a king of Bohemia or the Bohemian lords (politically a highly charged statement, as Frederick was at the time guardian of Ladislaus Posthumus, seen by many as the heir to the Bohemian throne).¹¹⁹⁸ The Bohemian nobles Aleš of Seeberg and Hanuš of Kolovrat offered their mediation, but Nuremberg declined.¹¹⁹⁹ Hans Dumm then set out for the Bohemian diet of January 1443, where he again made Nuremberg's case that they had offered justice before the king as was required of them.¹²⁰⁰ Negotiations continued through 1443 via Heinrich von Plauen, Ulrich of Rosenberg, Jakoubek of Vřesovice and Frederick III. Sternberg composed his reply to Frederick in Czech, perhaps to force home his point about his independence

1194. StAN Rep. 2c 19 ff. 11^v (16.6.1441), 12^r (29.6.1441), 13^v-14^v (6.8.1441).

1195. BB 15 ff. 60^{r-v} (8.7.1441), 137^{r-v} (16.11.1441), 158^{r-v} (18.12.1441), 174^{r-v} (18.1.1442). StAN Rep. 2c 19 ff. 17^r-18^r (31.1.1442, 7.2.1442, 15.2.1442)

1196. StAN Rep. 2c 19 ff. 23^v-24^v (28.11.1441). See Miloslav Polívka, 'Friedrich III. und Nürnberg im Konflikt mit dem böhmischen Adel und seinem Recht. Nürnbergs Fehde mit Alesch von Sternberg', in Paul-Joachim Heinig (ed.), *Kaiser Friedrich III. (1440-1493) in seiner Zeit: Studien anlässlich des 500. Todestages am 19. August 1493/1993* (Cologne, 1993), pp. 271-274.

1197. Regesta Imperii 13.14 no. 87 (10.3.1442). StAN Rep. 2c 19 f. 28^v (2.4.1442). See Polívka, 'Friedrich III. und Nürnberg,' pp. 274-275.

1198. StAN Rep. 2c 19 ff. 28^v-29^r (5.4.1442).

1199. BB 15 ff. 307^v-308^v (10.9.1442), 327^v-328^r (15.10.1442).

1200. BB 15 ff. 343^v-344^v (14.11.1442), 362^v-363^r (29.12.1442). StAN Rep. 2c 19 (unfoliated).

from Frederick's authority.¹²⁰¹ Nuremberg continued with the same strategy, however, and Hans Dumm was dispatched with further letters of introduction to Bohemian dignitaries in February 1445.¹²⁰²

In the midst of all this diplomatic activity, Sternberg carried out one robbery, in October 1441 (no. 17 on pp. 157-158; see also pp. 136-137). In 1447 he (or those close to him) tried to exert more pressure on Nuremberg through a feud declared by his son Peter, with the support of Peter of Wallsberg and Balthazar of Milen.¹²⁰³ Peter made further threats, but nothing more seems to have happened. The dispute was then partially laid to rest via the mediation of the Bohemian lords Burján of Guttenstein and Ulrich of Rosenberg at Frederick III's court at Wiener Neustadt in 1451, though Peter continued his feud until the following year – twenty-one years after the original disagreement between his father and Margarete Pirgerin.¹²⁰⁴

We have already seen that **Hynek Krušina of Schwanberg** had a mixed relationship with Nuremberg during the Hussite Wars, and then declared a feud in 1441 following the execution by *Reichsschultheiß* Werner von Parsberg of his servitor (p. 269). The condemned man, Nicholas Ochs, was (according to Nuremberg) accused by the city of Regensburg of murder, highway robbery and theft from churches.¹²⁰⁵ Schwanberg protested Ochs' innocence on the grounds that he had been pursuing a feud on Schwanberg's behalf against 'enemies' who had attacked Schwanberg with arson and murder.¹²⁰⁶ In a further letter, Schwanberg stated that Nuremberg was his enemy on this account, possibly referring to the previous disputes during the Hussite Wars, and he later accused Nuremberg of breaking the agreement between

1201. BB 16 ff. 51^r (29.4.1443), 95^{r-v} (24.7.1443). StAN Rep. 2c 19 (unfoliated) (8.4.1443, 13.7.1443, 12.11.1443, 15.11.1443, 28.11.1443). Regesta Imperii 13.14 no. 206 (after 25.10.1443). See Polívka, 'Friedrich III. und Nürnberg,' p. 270.

1202. BB 17 f. 218^v (19.2.1445).

1203. StAN Rep. 2c 19 f. 18^v (17.3.1447). BB 18 ff. 194^v-195^r (23.3.1447), 197^v-198^v (24.3.1447), 370^{r-v} (21.10.1447).

1204. Regesta Imperii 13.19 no. 94. StAN Rep. 2c 19 (unfoliated) (14.2.1451, 19.2.1451, 27.2.1451).

1205. StAN Rep. 2c 27 f. 1^{r-v}.

1206. StAN Rep. 2c 27 f. 1^v (12.6.1441): 'Sunder ich sie geschickt han meinen veyhenden zu schaden die mich vnd die meinen gemort vnd geprant haben widder got ere vnd recht on alle schulde'.

them.¹²⁰⁷ Schwanberg declared his feud in a letter (dated 25 July 1441) which was found in a pew in the Dominican friary in Nuremberg,¹²⁰⁸ and carried out robberies in 1441 and 1443 (nos. 14 and 35 on pp. 157, 161). In July 1443 Schwanberg accused Nuremberg of executing another of his retainers, Hans Frank, despite the state of feud between them (see above, p. 193).¹²⁰⁹ The council also feared that Schwanberg would support the Waldenfels brothers in the early months of 1444 (see also below, pp. 310-311) and already in 1441 Nuremberg had strengthened the defensive line known as the *Ordnung an der Schwabach* (see p. 175) in expectation of an attack by Schwanberg.¹²¹⁰ In September 1446 the council heard rumours that Schwanberg had negotiated himself free passage through the area around Amberg, which would allow him to attack Nuremberg's immediate surroundings.¹²¹¹ Hynek's activity was of particular concern because of his role as a mercenary recruiter: in 1447 he sent 520 men to support Duke Wilhelm of Saxony, and we have already seen that in 1450 he promised 190 men to Nuremberg (p. 259).¹²¹²

Diplomatic efforts to resolve the confrontation were wide-ranging, and ran parallel to the negotiations concerning Aleš of Sternberg. Numerous nobles from Bohemia and its border regions were involved as possible mediators: Zbyněk of Bečov and Děpolt of Riesenburg; Ulrich of Rosenberg; Hintze Pflugk, on the Bavarian-Bohemian border; Martin Förtsch in Upper Franconia; Jakoubek of Vřesovice; Menhard of Hradec; and of course Heinrich von Plauen, Schwanberg's father-in-law.¹²¹³ The

1207. StAN Rep. 2c 27 ff. 2^v (25.6.1441: 'die selben schulde geschehen sind in offner vehd die ich mit uch gehabt habe darvmb das ir mich vnd die meynen gemort vnd gebrant hett, vnd ward von uch darzu gedrunge'), 3^v.

1208. StAN Rep. 2c 27 ff. 3^v-4^r. BB 15 f. 102^r (8.9.1441).

1209. BB 16 ff. 86^v-87^v (9.7.1441). See StAN Rep. 2c 27 ff. 20^r-21^v (25/29.6.1443).

1210. StAN Rep. 54 12 f. 76^v. See BB 15 f. 128^v (31.10.1441).

1211. BB 18 f. 42^r (12.9.1446).

1212. Tresp, *Söldner*, p. 145.

1213. BB 15 ff. 137^{r-v} (16.11.1441), 210^v-211^r (14.3.1441), 228^v-230^r (17.4.1442), 241^{r-v} (14.5.1442); BB 16 ff. 96^r (23.7.1443), 106^{r-v} (13.8.1443), 134^v-135^r (3.10.1443), 179^v (13.12.1443), 238^v-239^v (11.3.1444); BB 18 ff. 308^v-309^v (5.8.1447). StAN Rep. 2c 19 27 ff. 5^v-6^r (8.11.1441), 11^v-13^r (18.11.1441, 11.2.1442), 14^{r-v} (28.2.1442, 6.3.1442), 16^v (29.3.1442, 2.4.1442), 19^{r-v} (4.5.1442), unfoliated (8.4.1443, 25.10.1443). For Plauen's relationship to Schwanberg, see StAN Rep. 2c 27 f. 3^v; Miloslav Polívka, 'The Self-Consciousness of the Czech Nobility Against the Background of Czech-German Relations at the End of the Hussite Period', *Historica*, 32 (1995), p. 93; Roman Freiherr von Procházka, *Genealogisches Handbuch erloschener böhmischer Herrenstandsfamilien* (Neustadt an der Aisch, 1973), p. 277.

town of Pilsen, 43 km east of Schwanberg's main castle at Bor, also played a role.¹²¹⁴ Many of these exchanges involved efforts to bring the matter to a hearing before one of the landgraves of Leuchtenberg, and late in 1443 Landgrave Leopold did indeed preside over an unsuccessful arbitration.¹²¹⁵ Frederick III was also involved in much the same manner as with Aleš of Sternberg, including through a commission for Count Palatine Johann.¹²¹⁶ In 1444 members of the Guttenstein family (local rivals of Schwanberg in south-western Bohemia) proposed an alliance with Nuremberg,¹²¹⁷ and new peace negotiations began when Hanuš of Kolovrat and Burján of Guttenstein established themselves as heads of the *Landfriede* in the Pilsen district (an office formerly exercised by Heinrich von Plauen (1425) and Hynek Krušina of Schwanberg himself (1426)). This led to a hearing at Eger on 1 May 1445 before Heinrich von Plauen, which also failed to achieve a settlement.¹²¹⁸ Further peace efforts continued sporadically, until in February 1449 Schwanberg called an end to his feud.¹²¹⁹ This was probably connected with George of Poděbrady's seizure of power in Prague (September 1448), which posed a serious threat to Schwanberg.

Throughout this period the exposure of Nuremberg's merchants and rural dependents to 'robbery' by nobles led to further antagonism. The Silesian **Gotsche Schoff** of Greiffenstein (35 km south east of Görlitz) declared a feud in May 1442: Nuremberg had been in contact with him over a year before concerning the debts of his son Georg to various craftsmen in Nuremberg, but the immediate cause of the feud was probably the claims of Kaspar Jonsdorfer of Münsterberg (Ziębice), whose property had been entrusted to Konrad Imhoff of Nuremberg and was caught up in the robbery by Konrad and Lienhard von Gumppenberg of 14

1214. BB 15 ff. 129^r-130^r (31.10.1441), 136^{r-v} (16.11.1441), 155^r (11.12.1441). BB 17 ff. 134^v-135^r (27.10.1444). StAN Rep. 2c 27 ff. 5^v-6^r (8.11.1441), 7^{r-v} (1/2.12.1441).

1215. BB 16 ff. 159^{r-v} (19.11.1443), 166^v (27.11.1443), 174^{r-v} (10.12.1443), 175^r (11.12.1443), 179^v (13.12.1443), 183^v (24.12.1443).

1216. StAN Rep. 2c 27 ff. 10^v-11^r (30.11.1441, 29.12.1441), 18^{r-v} (31.3.1442, 8/9.4.1442). Regesta Imperii 13.14 nos. 76 (28.11.1441), 86 (10.3.1442). Polívka, 'Friedrich III. und Nürnberg,' pp. 273-274.

1217. BB 16 ff. 210^v (5.2.1444), 254^v-255^r (23.3.1444); BB 17 ff. 11^v-12^r (27.4.1444), 26^v (19.5.1444), 30^v-31^v (23.5.1444). See also BB 18 f. 1^r (15.7.1446). See Tresp, *Söldner*, pp. 213, 457.

1218. BB 17 ff. 184^{r-v} (30.12.1444), 198^r-200^r (22.1.1445), 201^v-211^v (12.2.1445), 260^v-261^r (21.4.1445). StAN Rep. 2c 27 (unfoliated).

1219. StAN Rep. 2a 2077 (14.2.1449).

December 1440 (pp. 155-156 no. 8). Further Silesian nobles also intervened with Nuremberg for Jonsdorfer, but nothing more came of Schoff's feud.¹²²⁰ The unrest caused by the debts of the bishopric of Bamberg was also felt: **Hans, Bernhard** and **Georg von Schaumberg** declared feud on Franz Rummel of Nuremberg because he held fiefs from the bishop,¹²²¹ and Nuremberg warned their merchants returning from Frankfurt of Sigmund von Seckendorff's 'ill-will' (*unwillen*), though Sigmund himself claimed not to have targeted Nuremberg (see pp. 148, 169).¹²²² The council also had their concerns about the activity of Gerlach von Eberstein, whose relatives Georg and Asmus had been reconciled with Nuremberg by the bishop of Würzburg following robberies (nos. 33 and 49 on pp. 160, 163), after being informed by Hans von Seckendorff-Nold that Gerlach may have taken horses from Nuremberg citizens and engaged four spies or informers.¹²²³

None of these disputes came to much, but the **Waldenfels** feud shows what could result from complications following robberies.¹²²⁴ Its ultimate origins are unclear, however. In April 1441 Konrad Paumgartner of Nuremberg relayed Margrave Johann of Brandenburg-Kulmbach's report that Fritz von Waldenfels had been insulted and threatened in a tavern by councillors from Rothenburg and Windsheim, and had thereupon declared feud on both towns.¹²²⁵ Very soon an attack on citizens of Windsheim had been reported in Nuremberg, which was effectively a protector of the small town of Windsheim.¹²²⁶ It emerged that some of the Windsheimer had been taken captive, and Margrave Johann made several attempts to arrange a settlement;¹²²⁷ but an Augsburg citizen was captured and a Nuremberger's peasants were attacked.¹²²⁸ Nothing further is heard until the

1220. BB 14 ff. 255^v (14.10.1440), 325^v-326^r (4.3.1441); BB 15 ff. 196^v-201^r (5.3.1442), 247^{r-v} (13.5.1442), 248^r (28.5.1442).

1221. BB 15 f. 307^v (7.9.1442).

1222. BB 16 f. 126^r (12.9.1443).

1223. BB 17 ff. 94^v-95^r (13.8.1444).

1224. See in general ChrdtSt, ii, 57-92.

1225. Waldenfels, *Waldenfels*, p. 153.

1226. BB 14 f. 354^v (12.4.1441); BB 15 f. 1 (21.4.1441).

1227. BB 15 ff. 62^v-63^r (10.7.1441), 68^v-69^r (20.7.1441), 74^v-75^r (4.8.1441), 90^r (18.8.1441). RB 1b ff. 3^v, 14^v. StAN Rep. 54 12 f. 67^r. Waldenfels, *Waldenfels*, p. 153.

1228. BB 15 ff. 132^v (3.11.1441), 135^r (12.11.1441), 262^{r-v} (18.6.1442). StAN Rep. 54 12 f. 78^v.

summer of 1443, when further attempts were made to resolve the feud between Fritz von Waldenfels and Windsheim via Margrave Albrecht.¹²²⁹ Towards the end of the year Fritz and his brother Hans began a spectacular series of robberies (nos. 38, 41, 43, 44 on pp. 161-162). Fritz declared his feud after the first attack, claiming that he had not targeted Nuremberg in particular, but that their reaction to his offer of compensation had shown that he was 'insecure' against them.¹²³⁰ Fritz's brother Hans and many other nobles from Upper Franconia and the Vogtland now joined his feud,¹²³¹ and attacks on Nuremberg's dependents in Upper Franconia began.¹²³² But Nuremberg assembled their own force of local nobles (as we have seen, pp. 259, 276) and on 26 February 1444 the council dispatched 168 mounted men (including 28 from Rothenburg and Windsheim) together with artillery in order to, in their own words, 'hit back at and punish' the Waldenfels brothers.¹²³³ Their castle of Wartenfels was taken and destroyed, and they were besieged at Lichtenberg after the residents of the small town there had set fire to their own homes and withdrawn to the castle.¹²³⁴ Bad weather hampered the bombardment, and Nuremberg's force withdrew in early April after receiving 'false' warnings that reinforcements were approaching from Bohemia (see below, p. 311).¹²³⁵

As the expedition was setting out, Nuremberg wrote to thirty-three princes, towns and nobles in Franconia, Thuringia, Saxony, Brandenburg and Bohemia with their side of the story. In this letter the council refuted some allegations supposedly made by the Waldenfels brothers: that Heinrich Imhoff had retained a document which had been entrusted to him by their father, Kaspar von Waldenfels, as Kaspar's host (*wirt*; see p. 79 above); and that the council had confiscated 498 Gulden of their money in the city. To this the council replied that the money was

1229. BB 16 ff. 52^{r-v} (30.4.1443), 55^r (6.5.1443).

1230. ChrdtSt, ii, 71 (16.11.1441). BB 16 ff. 161^v-163^r (23.11.1443).

1231. BB 16 ff. 176^r (11.12.1443), 178^v (13.12.1443), 268^v-269^r (15.4.1444). BB 17 ff. 3^{r-v} (15.4.1444), 7^v-8^r (20.4.1444), 233^{r-v} (8.3.1445). Waldenfels, *Waldenfels*, pp. 154-155. ChrdtSt, ii, 58, 78-81. Müllner, *Annalen*, ii, 366, 369-370.

1232. Waldenfels, *Waldenfels*, p. 155.

1233. BB 17 f. 4^{r-v} (15.4.1444): 'widerumb zebeschedigen und zestraffen'.

1234. ChrdtSt, ii, 64-68 for the progress of the expedition.

1235. BB 16 f. 265^v (3.4.1444).

a ransom for a citizen of Augsburg, and therefore they had not allowed it to be collected.¹²³⁶ It seems that these demands against Nuremberg were added to the brothers' list of grievances once the feud which arose from their attacks on other towns was underway, but the objective of their feuding activity in general is far from clear. In particular, more research is needed on the Waldenfels brothers' relations with the chief princes of their region, Margrave Johann of Brandenburg-Kulmbach, the bishop of Bamberg, and the dukes of Saxony.

Margrave Johann was the only figure who was ever seriously considered as an arbiter: after an initial failure in November 1443 he succeeded in reaching a settlement in June 1445. (The Waldenfels brothers were not be enemies of Nuremberg for five years, unless as helpers or allies of a prince.)¹²³⁷ But the margrave did not necessarily have a good relationship with the brothers (he gave Nuremberg's army free passage through his lands),¹²³⁸ and in 1446 he seized his chance to incorporate their possessions into his territory. Late in 1445 Hans and Fritz von Waldenfels were both captured by the bishop of Bamberg; Duke Wilhelm of Saxony intervened for them, but it was Margraves Albrecht and Johann who made the peace (2 June 1446), under the terms of which all the brothers' allods became fiefs of Margrave Johann. In return, Fritz was made district governor of Hohenberg for five years.¹²³⁹ This was one of the most important local offices in the margraviate, and so in the short-term the arrangement worked to the brothers' advantage. In 1448 they were able to acquire the castle and town of Ziegenrück as a pledge from the dukes of Saxony, showing that (by this point at least) they were not impoverished knights forced to rob for a living.¹²⁴⁰

Yet the Waldenfels brothers apparently used their new political position to resume the feud with Nuremberg. A burgher called Hans Rotbusch was kidnapped in

1236. BB 16 ff. 228a-228f (2.3.1444).

1237. BB 16 f. 176^{r-v} (11.12.1443). StAN Rep. 2b 1796 (30.6.1445).

1238. BB 16 ff. 235^v-236^v, 237^v (9/10.3.1444), 240^r (11.3.1444).

1239. Waldenfels, *Waldenfels*, pp. 137, 158.

1240. Waldenfels, *Waldenfels*, pp. 138, 140.

November 1446, and then in September 1447 Nuremberg's servitor Peter Motter was captured.¹²⁴¹ Hans von Waldenfels apparently wrote to Margrave Johann saying that Rotbusch's imprisonment was known to most of the Thuringian knighthood, and although Johann obtained the release of Motter further negotiations foundered on supposed miscommunication, demands for money from the Waldenfels brothers, and allegations that Nuremberg had offered the king money to have the brothers killed.¹²⁴² The final settlement in the feud did not arrive until 1454.¹²⁴³ In the meantime the conflict had generated further disputes over compensation for third parties following the siege of Lichtenberg, including a fully-fledged feud by **Georg von Waldenfels**, a relative of Hans and Fritz in the service of Margrave Friedrich II of Brandenburg (see p. 146 and p. 315 below).

A further feud with clear connections to the Waldenfels conflict was that waged by **Heinz Röder**, a minor noble from the Vogtland. Nuremberg named Erhard Röder as a helper of the Waldenfels brothers,¹²⁴⁴ and this may be the reason that Heinz asked whether he was suspected by Nuremberg in November 1444.¹²⁴⁵ But it was not until October 1446 that he complained about Nuremberg's 'hidden words' in their reply (see p. 209), having already captured burghers on pilgrimage (no. 58 on pp. 164-165).¹²⁴⁶ What had happened to trigger Röder's attack and delayed response? It may have been connected to the outbreak of fighting between the brothers Dukes Wilhelm and Friedrich of Saxony over an inheritance partition they had tried to make in 1445. There was certainly a small cluster of feuds against Nuremberg by nobles on the fringes of the Saxon territory around this time: the *vester* **Heinrich von Gräfen Dorf** (no. 59 on p. 165); **Count Heinrich of Hohnstein**; and **Count Ludwig of Gleichen**; in this latter case, the council responded with their wish to remain neutral in the war

1241. BB 18 ff. 109^v (19.11.1446), 124^v-126^r (20.12.1446), 205^v-206^r (31.3.1447), 348^r (20.9.1447), 390^r (17.11.1447), 394^{r-v} (22.11.1447).

1242. BB 18 ff. 185^r (7.3.1447), 192^v-194^r (22.3.1447), 348^r (20.9.1447), 404^r (6.12.1447).

1243. ChrdtSt, ii, 62. See Waldenfels, *Waldenfels*, p. 167.

1244. ChrdtSt, ii, 80.

1245. BB 17 f. 148^v (12.11.1444).

1246. BB 18 ff. 72^v-74^r (8.10.1446).

in Saxony (see no. 60 on p. 165).¹²⁴⁷ Was this war also the reason why **Friedrich von Bieberstein**, who had been so angered in 1443 and 1444 by Hans Nagel's warnings against using his roads (see pp. 138-139 above), only asked Duke Friedrich of Saxony for permission to attack Nuremberg in Friedrich's territory in September 1446, and only carried out a robbery early in 1448 (no. 69 on p. 167)?¹²⁴⁸ In some cases the war provided an opportunity to attack, in others it created conflict where there had been none before. However, only Heinz Röder's feud amounted to very much. He held several hostages – the captured pilgrims and Hans Rotbusch, whom he gained from the Waldenfels brothers (no. 63 on p. 166) – but otherwise the feud consisted of a lengthy attempt by Nuremberg to get Duke Friedrich of Saxony and in particular Heinrich von Plauen to settle the matter in the council's best strategic interest.¹²⁴⁹

Other noble feuds originating during the second half of the 1440s were a result of Nuremberg's membership of the Swabian League. **Eberhard von Urbach** was a long-term opponent of the League, connected to the *Städtefeinde* group and in particular to the castle of Maienfels, which the League had captured in 1441 (see also p. 229 above).¹²⁵⁰ His relative Hans von Urbach had also feuded against Nuremberg before (see p. 288 above). But Eberhard did not pursue his conflict with Nuremberg too hard: after declaring his enmity in early 1448 he entered into a truce (along with Horneck von Hornberg) through the mediation of the bishop of Würzburg before the end of February.¹²⁵¹ A less prominent noble but a far more active opponent was **Georg Auer**, who was supported by Přibík of Klenová.¹²⁵² Auer carried out three robberies in Lower Bavaria during 1446 and 1447 (nos. 57, 65 and 68 on pp. 164, 166-167) and Nuremberg's letter to nineteen Lower Bavarian nobles and an open letter to all estates show how seriously the council

1247. BB 18 ff. 72^v-73^r (8.10.1446), 87^{r-v} (21.10.1446), 203^r (30.3.1447), 215^{r-v} (13.4.1447). Müllner, *Annalen*, ii, 382.

1248. StAN Rep. 2c 29, unfoliated (7.9.1446, 10.9.1446).

1249. BB 18 ff. 86^{r-v} (21.10.1446), 89^r-90^v (24.10.1446), 94^v-95^r (31.10.1446), 109^{r-v} (18.11.1446), 124^v-126^r (20.12.1446), 156^v-157^r (7.2.1447), 167^v-168^r (15.2.1447), 200^r (27.3.1447), 270^v (14.6.1447), 396^v-397^r (27.11.1447).

1250. See Blezinger, *Städtebund*, pp. 155-158, 162.

1251. BB 18 ff. 439^{r-v} (27.1.1448), 444^v-445^r (29.1.1448), 452^v-453^r (10.2.1448), 459^{r-v} (13.2.1448), 471^v (21.2.1448).

1252. BB 18 ff. 22^r (20.8.1446), 400^{r-v} (1.12.1447), 441^r-442^r (26.1.1447), 454^r-455^r (10.2.1448).

took the threat,¹²⁵³ as does the involvement of Frederick III and his counsellors.¹²⁵⁴ Auer was involved in quite a web of violence in south-eastern Upper Germany, having fought with Walter von Freyberg against the Society of St George's Shield in 1442, and then robbed citizens of Memmingen and Gmünd in May 1443.¹²⁵⁵ In February 1444 a reconciliation between the Swabian League and Auer was at least discussed,¹²⁵⁶ but the feud may have been particularly difficult to resolve because of the death of Wormund Rotauer, described by Auer as his 'friend', for which he may have blamed Nördlingen.¹²⁵⁷ The immediate cause of Auer's feud against Nuremberg seems to have been an attack by his servitor Lienhard Schertel on Jobst Spalter, councillor of Weißenburg, which led to Schertel's arrest at Passau on the initiative of some Nuremberg citizens. The arrest and the feud declaration seem to have happened almost simultaneously, however, and Auer claimed to have demanded that Nuremberg withdraw from the Swabian League as soon as the city had joined.¹²⁵⁸

The background to these feuds correlates with the areas of particular tension between town and nobility which we have already observed. Nuremberg's entanglement in political communities is the leading cause of feuds against the city, whether through conflicts which spread via alliances and allegiances (Hutten vs. Sigismund; Schwanberg vs. Parsberg; Schaumberg vs. Bamberg; Urbach and Auer vs. Swabian League), friction resulting from activity on behalf of a community (Schwanberg re. damages in Bohemia; Sternberg's original presence in Nuremberg at the imperial diet of 1431) or the consequence of conflicts between third parties (Gleichen; Gräfendorf? Hohnstein? Röder?). In earlier decades we also find feuds declared against Nuremberg in the course of conflicts with emperors and following *Landfriede*

1253. BB 18 ff. 469^r-473^v (21.2.1448).

1254. BB 18 ff. 477^v-478^r (21.2.1448?). Regesta Imperii 13.14 nos. 453, 476; 13.19 nos. 160, 334 (27.3.1453), 335 (28.3.1453). StAN Rep. 2c 30a, unfoliated.

1255. Obenaus, *Recht und Verfassung*, p. 44 n. 29. Blezinger, *Städtebund*, p. 156.

1256. Blezinger, *Städtebund*, p. 158.

1257. BB 18 ff. 347^r (18.9.1447), 416^{r-v} (27.12.1447).

1258. BB 18 ff. 22^r (20.8.1446), 29^{r-v} (31.8.1446), 31^{r-v} (4.9.1446), 32^r-34^r (5.9.1446), 50^r-51^r (20.9.1446), 442^{r-v} (26.1.1448).

operations.¹²⁵⁹ The majority of feuds which came to involve Nuremberg were not originally waged against other towns, but those which were seem to originate in the second major cause of feuds against Nuremberg: robbery and rural insecurity. In his own self-presentation, not even Fritz von Waldenfels originally intended to attack Nuremberg; his feud against Windsheim made it almost inevitable that eventually he would, however. Given the unrest in the Saxon sphere of influence in 1446 it is impossible to say whether Heinz Röder deliberately targeted pilgrims from Nuremberg. Again, there were many feuds before 1440 in which nobles demanded security following attacks and complained about Nuremberg's patrols or other 'policing' activity.¹²⁶⁰ To this category we could add 'secondary' feuds which were caused by feuding itself (Georg von Waldenfels, Röder?).

Nuremberg's close contact with nobles as their employer could inevitably generate tensions (Bopfingen). And there is a limited role for the town's specific commercial functions as the cause of feuds. The dispute with Friedrich von Bieberstein concerned his roads and tolls, and there was a business dimension to both the Sternberg and Waldenfels feuds. The Waldenfels brothers apparently complained about their father's relationship with Heinrich Imhoff, and wider business connections between the Waldenfels and Imhoff families are visible.¹²⁶¹ But it seems unlikely that these issues were the substantive cause of the feud, or that Aleš of Sternberg was interacting very closely with the commercial life of Nuremberg when his 'merchandise' was lost there (see pp. 74-75). Hans von Urbach complained that he had been cheated of money, but his feud was also part of the network of *Städtefeinde* feuds in Swabia. Otherwise we find feuds which result from nobles' patronage and lordship over third parties (Wielacher; Rosenberg; Schoff).

What about the causes of feuds which nobles did not necessarily state publicly? More research is needed on the political affiliations of all of these nobles to determine whether they might have been feuding against Nuremberg with a third

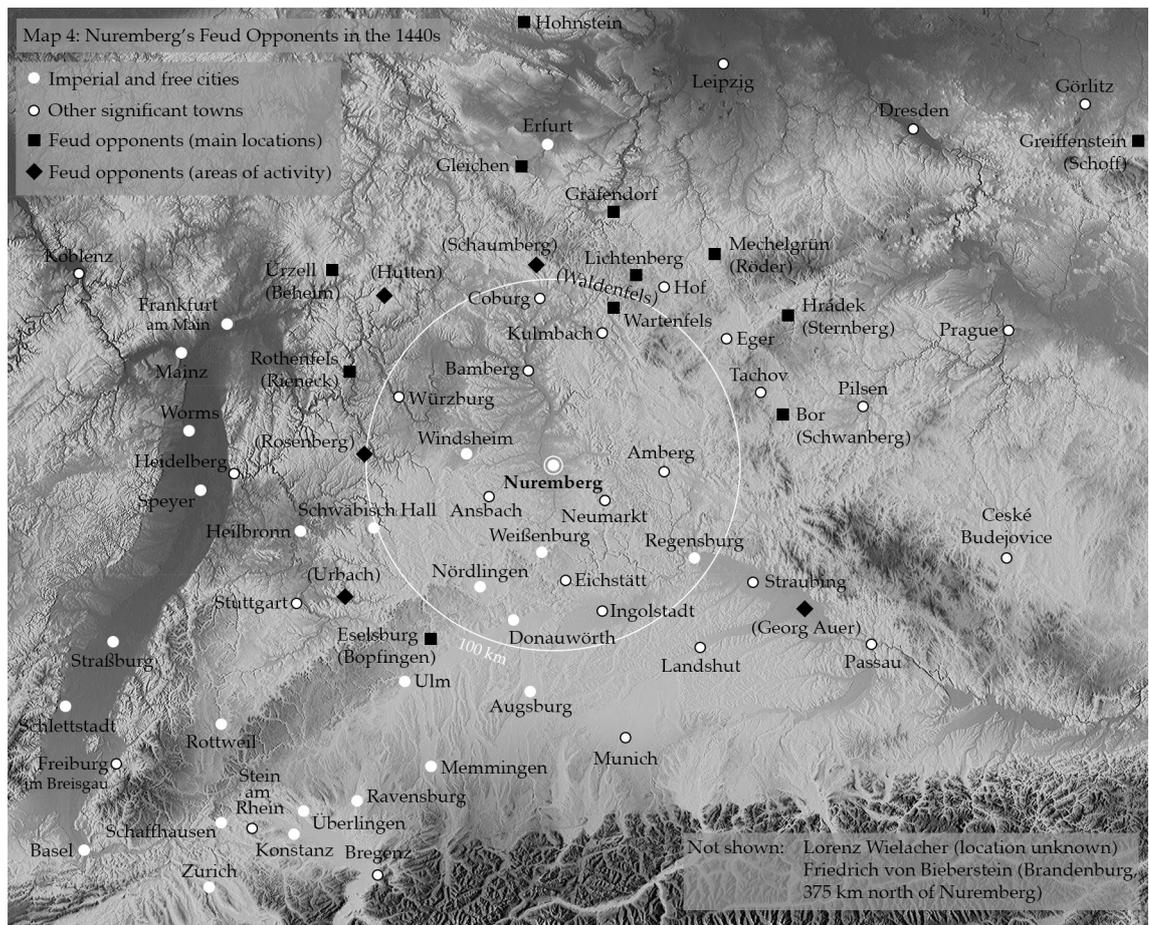
1259. e.g. Vogel, *Fehderecht*, pp. 143, 238, 266, 268, 281.

1260. e.g. Vogel, *Fehderecht*, pp. 144-148, 217-218, 270. StAN Rep. 2c 23.

1261. Waldenfels, *Waldenfels*, p. 160.

party in mind. Did the Waldenfels brothers, for example, use their apparently indiscriminate attacks on merchants from various towns to assert themselves in relation to either the bishop of Bamberg or Margrave Johann? Did Hynek Krušina of Schwanberg and Aleš of Sternberg use their feuds to assert Czech independence from the German-speaking Empire? Certainly none of these feuds appear to have been 'bespoke' feuds on behalf of princes who wished to attack Nuremberg by proxy (though plenty of these would begin in 1449). The influence of the *Städtefeinde* group with their particular anti-town rhetoric is clearly felt, but there is no evidence of this rhetoric spreading beyond these Swabian nobles. If nobles were declaring feuds as a cover for lucrative highway robbery it is hard to account for the sheer inactivity in most cases. Only the Waldenfels brothers and Georg Auer can be said to have pursued a campaign of robbery, and any financial gain for the former must have been nullified when Nuremberg destroyed their castles.

It is hard to draw firm conclusions from such a small sample of feuds, but the indications are that we may have to rethink our ideas about the specific dynamics of feuds between nobles and towns. They have traditionally been seen as either the most cynical of all feuds (waged purely for material gain) or, conversely, as conflicts driven by ideology. But our group of feuders had relatively clear demands or security needs which their feuds attempted to address. The most pronounced characteristic of noble feuds against Nuremberg is not greed or class-consciousness, but simple geography (see map 4). All of the feuders were based at a relatively safe distance from the city. (Even though Nuremberg attacked Waldenfels in force, the vulnerability of the city's army so far from home eventually spared the brothers when the siege of Lichtenberg was lifted.) Feuds against trading towns could also be pursued from almost any distance, at least in areas frequented by merchants. This possibility was used by some nobles – we might count the Bohemians Hynek Krušina of Schwanberg and Aleš of Sternberg amongst them – to engage in speculative feuds which could drag on for many years in constant hope of landing a decisive blow and gaining noteworthy compensation, but without incurring any very serious personal risk.



The Conduct of Feuds

Feuding was governed by many, mostly unwritten, rules, which have already been extensively studied.¹²⁶² We have already come across the most basic of these in relation to the inherent logic of feuding (see chapter four): the feud had to be openly declared before any hostile action was undertaken. In some form, this was ultimately necessary if the feud was to achieve its objective of creating pressure on the opponent to meet the feuder's particular demands. This declaration was also all that distinguished feuding violence from criminal violence, and hence it was (in theory) essential not only to the legitimacy of the feud, but also to the honour of the feuder; 'to preserve one's honour' was synonymous with declaring a feud. This rule was often asserted because it was often breached, but a feuder almost invariably declared himself and his claims at some point, if not in the proper form or at the proper time. (There were various different stipulations on how

1262. See in particular: Vogel, *Fehderecht*; Orth, *Fehden*; Obenaus, *Recht und Verfassung*.

much notice should be given ahead of a feud.) A harder rule to enforce, but one which certain authorities had more interest in establishing as standard practice, was the requirement that the feuder should try to make his case by peaceful legal means before resorting to legal self-help via a feud. But the most commonly observed feuding regulations were those which were entirely customary, and which restricted behaviour within the feud to certain forms of violence: robbery, arson, kidnap of dependents, but rarely an attack on the opponent's actual person (though this could happen when violence got out of hand). This might have been understood as a matter of honour, but it was ultimately another reflection of the fundamental logic of feuding: the opponent had to be able to meet the feuder's demands, and thus could not be harmed beyond his ability to do so.

These rules were clear enough in themselves, and universally recognized – but it was a common tactic to break the first two of them. It was obviously in the feuder's interests to declare his feud after he had landed a telling blow on his opponent using the advantage of surprise. It was very often not in his interests to accept his opponent's offers of justice and arbitration, which were the only realistic or accepted way of solving most disputes peacefully (see above, pp. 230-233). This resulted in a fierce battle over legitimacy and honour within the feud itself, as well as in relation to the dispute which originally sparked the feud. But although the general necessity of a distinction between feuding and criminal violence was upheld by everyone, it was always possible to argue for exceptions in any particular case. This was because the feud was not about might making right: it was a means for the relatively powerless to gain justice against or despite the powerful, when these powerful men had either failed those they were meant to protect or had unjustly arrogated power which did not belong to them. Thus some feuds (particularly those by nobles against princes and towns) were also a form of regulated rebellion, which had a slightly different set of rules: the feuding 'underdog' was supposed to use guile and stealth to overturn the injustice which had distorted raw power relations, and if necessary he was to break the letter of the rules in order to restore the spirit of justice.

The rules of feuding were further undermined when they became detached from the logic of the feuding as legal self-help. There is no doubt that many feuds were not fought primarily to bring about a particular judicial outcome, but for various political, economic and social ends. Historians have increasingly argued for the predominance of political and social motives over the more immediately economic. But although this 'misuse' of feuding rendered its conventions hollow, it certainly did not shatter these conventions. Feuds which lacked substantive legitimacy had all the more need of formal recognition as feuds. There is therefore no inherent link between the formal 'correctness' of a feud and its fundamental legitimacy as an act of legal self-help. There are, however, elements of the more general conduct of a feud which might provide clues to its motivation: how, for example, does its progress relate to wider political movements? How, when and where did feuders choose to pursue their claims through actual violence? What sort of settlement were they willing to accept or eager to impose? In the context of feuds between nobles and towns, all of these questions also have implications for wider town-noble relations, as the formal and customary (and propagandistic) behaviour associated with feuding could mask a wide range of conflicts of very different intensity. We must therefore move beyond the issues of rules, conventions and legitimacy which have hitherto dominated the discussion about feuding, and consider the feud in the round as another form of relationship between townspeople and rural nobles.

Diplomacy and Propaganda

The feud itself was always just a tactic within a wider contest with inevitable political dimensions. Any potential feuder had to take into account the political situation when deciding how best to pursue his claim (assuming that the feud was not an entirely political act in the first place). We can see the influence of external political factors very clearly in the feuds by Aleš of Sternberg and Hynek Krušina of Schwanberg. Sternberg began his feud nearly a decade after we first hear of his dispute with Margarete Pirgerin, but not so long after the

political networks which bound him to Nuremberg (and which had ultimately caused the feud) had begun to unravel. This process began with the death of Sigismund of Luxemburg on 9 December 1437 and continued under Sigismund's heir Albert of Habsburg, whose succession in Bohemia Sternberg opposed.¹²⁶³ He was also cool towards Frederick III, as guardian of Albert's son Ladislaus, and within his feud against Nuremberg he stridently asserted the independence of the Bohemian estates (see above p. 291). Whether or not the feud itself was part of this Bohemian self-assertion is unclear, but it was only made more likely (and perhaps altogether possible) by the dissolution of political structures in which Nuremberg and Sternberg were both active. External circumstances had an even more direct influence on Hynek Krušina of Schwanberg, whose feud had to be ended so that he could meet the threat posed by the rising power of George of Poděbrady (see p. 294). It goes without saying that feuds were not free-standing relationships and were subject to external influences and pressures, but it is worth noting that since feuds were in theory independent of politics and concerned only with justice and the fundamentals of social order, their entanglement in wider power relationships only aggravated issues of legitimacy.

With the question of legitimacy the war of words began. This always made up the overwhelming majority of the feuding 'action', even allowing for any tendency for the records of arguments and counter-arguments to survive better than the reports of actual events, as these events were instantly taken up into the storm of mutual allegations and recriminations. Nuremberg's first task when faced with any feud was to declare it to be illegitimate, as to concede that the noble feuder had a valid reason to seek redress from the city would be to concede defeat in the contest. But the council tended to attack supposed formal irregularities – especially late feud declarations and failure to seek a peaceful solution – rather than dispute the fundamentals of the case.¹²⁶⁴ The underlying issue was at most dismissed

1263. In June 1438 Albert named him first in a list of the leading Bohemian 'heretics' (Regesta Imperii 12, no. 210 (2.6.1438)).

1264. e.g. BB 16 ff. 228a-228f (2.3.1444, re. Waldenfels), where the time elapsed between robbery and feud declaration is specified as fifteen days.

simply as ‘no proper cause’¹²⁶⁵ or, where applicable, on straightforward legalistic grounds. (Eberhard von Urbach’s feud, for instance, was dismissed because his case against the Swabian League had originated before Nuremberg joined the League.)¹²⁶⁶ These arguments allowed Nuremberg to declare not only that a feud was ‘false’ or ‘improper’, but even that there was no feud at all, merely ‘sheer injustice’.¹²⁶⁷ Thus any attacks undertaken were nothing but (criminal) robbery.¹²⁶⁸ To avoid using the term ‘feud’, the council labelled events as a ‘dispute’ or ‘enmity’, or – with more polemical intent – as ‘perfidy and misdeeds’.¹²⁶⁹

This rhetoric naturally met with a strong response from many nobles, given that their honour and the basic legality of their actions were being called into question. In July 1443 Heinrich von Plauen’s secretary Jobst Ebran read to Aleš of Sternberg a letter from Nuremberg declaring his feud to be invalid, and reported the Bohemian’s response. ‘When he heard how you [Nuremberg] wished thereby to touch his honour and reputation, he became extremely serious and deeply angry about the matter, and said to [Ebran] that he would demonstrate that he had warned you three times and had written to you year after year, and had let the matter stand for so long for the sake of greater propriety.’¹²⁷⁰ As we have seen, the extreme length of time between Sternberg’s first letter of complaint and his feud declaration probably had more to do with the political situation than any desire to ensure ‘propriety’, but his argument does show how nobles could turn a potential problem for the legitimacy of their feud (a belated declaration) into a point in their favour. Sometimes nobles entered into a detailed rebuttal of particular allegations, especially when this allowed them to present Nuremberg

1265. e.g. BB 15 f. 128^v (31.10.1441, re. Schwanberg): ‘kein redlich ursache’.

1266. BB 18 ff. 444^v-445^r (29.1.1448).

1267. BB 14 f. 240^{r-v} (17.9.1440, re. Bopfingen): ‘Denn als Ir maynt ein vehe gen uns furgenomen zuhaben das mugen noch wellen wir für kein vehe niht halten sunder für ein lawter unrecht’.

1268. e.g. BB 16 f. 27^v (8.3.1443, re. Eitel Vogt); BB 17 ff. 131^v-132^r (26.10.1444, re. Waldenfels).

1269. BB 16 f. 229^v (5.3.1444, re. Waldenfels): ‘untrew und übeltat’.

1270. StAN Rep. 2c 19, unfoliated (13.7.1443): ‘Nu dar er hort, das Ir In dadurch sein Ere und glimppff beruren wölt und berürt da warde er gancz vast ernstlichen und zornig Inder sachen und hatt gesprochen zcu In Er wolde beweisen daz er eüch zcu dreien malen abgesagt hett und eüch y ein Iar nach den anderen y ein briff gesannt hett, und hett y das lanng also lassen ansteen durch merer gelimppfs wegen’.

in a bad light. Přibík of Klenová, for example, explained that his feud declaration had not been delivered because two of his messengers had heard that Nuremberg had imprisoned Georg Auer's messenger and had therefore turned back before they reached the city.¹²⁷¹ But a greater number of nobles sought to indirectly justify any formal inadequacies in their behaviour by asserting that Nuremberg had 'forced' them into a feud by its actions.¹²⁷² They thereby presented themselves as persecuted underdogs, shifting the set of unspoken rules against which their behaviour should be judged.

This tussle over the legitimacy of feuds was a major part of the wider battle for public opinion. In one way or another, the feud and its causes would have to be subjected to the judgement of third parties if a conclusion was ever to be reached, but it was never entirely clear exactly who the eventual arbiters or judges might be, let alone who might decide to support or frustrate one of the opponents in the meantime. The feud was also a touchstone of both sides' integrity and honour, and so a great deal was at stake even in relationships with otherwise disinterested bystanders. Therefore no chance was lost to put across a partial version of events. In August 1442 Michael von Seinsheim of Schwarzenberg asked for safe conduct for his daughter Anna, the wife of Peter of Sternberg (son of Aleš), on her journey out of Bohemia accompanied by Sternberg's retainers. Nuremberg granted this request, after describing the entire course of events with Sternberg from the council's perspective.¹²⁷³ Nuremberg's narrative barely changed according to the recipient, but the method of delivery varied, from opportunistic responses to full-scale propaganda campaigns using open letters which made a case to all who heard or saw them. Both Nuremberg and nobles composed such letters,¹²⁷⁴ but it may only have been the town which had the resources to deliver them to an extensive list of recipients: for example, a letter about the Waldenfels feud to thirty-three princes, towns and nobles in Franconia,

1271. BB 18 f. 454^r (10.2.1448).

1272. e.g. BB 18 ff. 452^v-453^r (10.2.1448. re. Urbach): 'genött und gedrengt'.

1273. BB 15 f. 302^{r-v} (29.8.1442). See also BB 16 f. 82^v (25.6.1443).

1274. e.g. BB 18 ff. 471^v-473^v (21.2.1448, re. Auer). Egloffstein, *Chronik*, p. 123.

Thuringia, Saxony, Brandenburg and Bohemia, and a letter about Georg Auer to nineteen nobles in Lower Bavaria.¹²⁷⁵ The council could also be more targeted in its efforts: for instance, a particular rebuttal of allegations by the Waldenfels brothers was sent to Heinrich von Gera, whose support in the feud Nuremberg had previously hoped to secure (see above, p. 276).¹²⁷⁶ In this letter the council asserted that it was well known that they were ‘not the type of people’ to unjustly take from others.¹²⁷⁷ Feuders naturally tried to exonerate and justify themselves, but the overwhelming majority of their rhetoric was negative and critical of their opponents. Allegations of illegal, dishonourable or underhand behaviour were standard, and often became stereotyped. Towns invariably used similar language to accuse nobles of declaring invalid feuds, whilst nobles regularly accused towns of planning secretive attacks. The Waldenfels brothers accused Nuremberg of plotting to have them killed or kidnapped,¹²⁷⁸ whilst Hans von Rechberg accused the Swabian towns of poisoning his fellow noble Heinrich von Eisenburg.¹²⁷⁹

The Spiral of Violence?

The danger of a constant cycle of tit-for-tat violence was not as great as might be assumed, as the feud was no vendetta in which every attack had to be avenged. Both parties had their objectives and their strategies for achieving them, and these could be relatively aggressive or relatively restrained depending on circumstances. But feuding strategies nevertheless tended to continually escalate the conflict as each side sought to bring more and more pressure to bear on the other. One means to exert pressure, potentially with minimal effort, was outright intimidation. The feud declaration itself was an important moment for this, and its effect could be heightened. Hynek Krušina of Schwanberg’s declaration for himself and sixty helpers was dated 25 July 1441, but was found (according to

1275. BB 16 ff. 228a-228f (2.3.1444). BB 18 ff. 469^r-471^r (21.2.1448).

1276. BB 17 f. 80^{r-v} (23.7.1444).

1277. *ibid*: ‘Es sey Wol lanndkundig, und offenbar, das Wir nicht solliche lewt sein, die ymands das sein Wider recht, oder unpillicherweise nemen’.

1278. See BB 16 f. 213^{r-v} (7.2.1444); BB 18 f. 348^r (20.9.1447).

1279. Konzen, *Aller Welt Feind*, pp. 232-233.

Nuremberg's record of events) on 8 September hidden inside a pew in Nuremberg's Dominican friary.¹²⁸⁰ Georg Auer went a stage further and cut off the finger of Hans Döbritsch of Wöhrd (an extra-mural suburb of Nuremberg) and forced him to carry Přibík of Klenová's feud declaration to Nuremberg. (Supposedly this had remained undelivered because Klenová's messengers were afraid of arrest in Nuremberg, as we saw on p. 308.)¹²⁸¹ Auer then threatened to 'take a hand and a foot as a pledge', which foreshadows the notorious mutilation of Wilhelm Derrer by Konrad Schott in 1499 (see p. 203).¹²⁸² Of course, the downside of such threats as a feuding tactic was that they also provided material for the opponent's campaign of propaganda and defamation.

With some exceptions, feuders generally stayed within the limits of 'acceptable' feuding behaviour so as not to alienate potential supporters, as a large number of 'helpers' in the feud was in many ways the best possible form of intimidation. (In theory, outrageous acts could also have served to bind together a group of feuders, but there is no clear evidence for this in the feuds against Nuremberg during the 1440s.) We have already noted the coalition of allies and servitors which Nuremberg assembled against Hans and Fritz von Waldenfels (pp. 259, 276), and the many nobles who in turn supported the brothers (p. 296). Nuremberg tried to bring further individuals into the feud on its side by offering bounty money.¹²⁸³ But the real danger in this case was the connection between the Waldenfels brothers and Hynek Krušina of Schwanberg, the exact nature of which is unclear. Nuremberg understood that three of Schwanberg's servitors (Hans, Georg and Leutold von Doberlitz) were supporting the Waldenfelser, and the council was concerned about forces coming out of Bohemia as they besieged Lichtenberg.¹²⁸⁴ The Bohemian noble Johann of Guttenstein, who was trying to interest Nuremberg in an alliance against Schwanberg, told the council that

1280. StAN Rep. 2c 27 ff. 3^v-4^r.

1281. StAN Rep. 2c 30a f. 2^r; BB 18 f. 388^{r-v} (16.11.1447).

1282. BB 18 f. 443^r (26.1.1448).

1283. Müllner, *Annalen*, ii, 370.

1284. ChrdtSt, ii, 78. BB 16 ff. 241^v-242^r (12.3.1444), 253^r (21.3.1444).

they had nothing to fear whilst they attacked Schwanberg's 'servitors' (i.e. the Waldenfels brothers).¹²⁸⁵ But Nuremberg's forces blamed their withdrawal from Lichtenberg on 'false' warnings from Bohemia and elsewhere.¹²⁸⁶ The council then refused to include the Waldenfels matter in negotiations with Schwanberg at Eger on 1 May 1445,¹²⁸⁷ and Margrave Johann's settlement between Nuremberg and Waldenfels in June 1445 ordered the release of the prisoners which the Waldenfels brothers had transferred to Schwanberg.¹²⁸⁸ But despite the obvious threat, all of this amounted to little in practical terms, certainly nothing comparable to the coalition of nobles who menaced the Swabian towns (see pp. 248-249 above). The danger that feuds might snowball with ever more 'helpers', and that originally separate feuds might join together with one another was a constant possibility, but it was less often realized.¹²⁸⁹

Feuding activity which could escalate the conflict was not always violent. In any substantial feud there was a parallel war of espionage and information-gathering. The councillor Karl Holzschuher warned Erhard Schürstab (leading the campaign against Waldenfels) about two 'spies' (*Kundschafter*) of Hynek Krušina of Schwanberg,¹²⁹⁰ whilst Nuremberg made notes on the characteristic appearance of the Waldenfels brothers and their men.¹²⁹¹ The city also captured the alleged *Kundschafter* Peter Tantmann, and told Fritz von Waldenfels that Tantmann had been living covertly in Nuremberg.¹²⁹² Acts of espionage (and the fear of them) obviously heightened tensions, but the constant suspicion of espionage also features in prosecutions of low-ranking feud helpers as supposed *Kundschafter*. Nuremberg pursued such cases at Saalfeld and Eisenach during the Waldenfels

1285. BB 16 ff. 254^v-255^r (23.3.1444). See also BB 16 f. 210^v (5.2.1444).

1286. BB 17 ff. 4^{r-v} (15.4.1444), 11^v-12^r (27.4.1444).

1287. BB 17 ff. 260^v-261^r (21.4.1445).

1288. StAN Rep. 2b 1796 (30.6.1445).

1289. Nuremberg often asked third parties not to support feuders, e.g. BB 17 f. 90^r (4.8.1444, re. Waldenfels).

1290. BB 16 f. 253^r (21.3.1444).

1291. ChrdtSt, ii, 78.

1292. BB 16 f. 227^v (27.2.1444).

feud, and executed several *Kundschafter* in Nuremberg itself.¹²⁹³ To what extent these men really were ‘spies’ will remain unknown, but clearly it was a convenient allegation to make against minor players in the feud. These executions were also the most extreme form of violence within any of the feuds, though of course the council were more concerned with the acts of ‘robbery’. These have been surveyed above (pp. 151-173), where we saw that the majority of robberies which affected Nuremberg were not part of feuds against the city. Neither did feuds always lead to robbery: around twenty feuds were opened during the 1440s, and ten involved a violent ambush at some stage. Even fewer feuders made more than two attacks, and some of the feuds which generated the most correspondence were the least active (for example, Aleš of Sternberg only attacked once). The only feuders who pursued their feuds with any intensity in terms of actual violence were Georg Auer and especially Hans and Fritz von Waldenfels, to whom Nuremberg responded with an even more devastating attack.

The campaign against the Waldenfels brothers was in its outward form very much a counter-feud, and was fought using the classic methods of feuding with the addition of Nuremberg’s firepower, which enabled it to lay siege to the castles at Wartenfels and Lichtenberg. How the brothers would have been treated had they been captured would probably have depended on the political situation, and in particular the attitude of Margrave Johann of Brandenburg-Kulmbach. But there was an important difference in the rhetoric around this campaign, beginning at the time of the withdrawal from the siege of Lichtenberg. In its *post hoc* justifications of the campaign, Nuremberg described its intent to ‘hit back at’ the Waldenfels brothers, and to ‘punish’ them.¹²⁹⁴ The expedition itself was also described as a ‘punishment’.¹²⁹⁵ In a letter to the towns in Brandenburg, Nuremberg implied that this ‘punishment’ was carried out according to the

1293. BB 16 ff. 191^r (7.1.1444), 251^v (20.3.1444). Müllner, *Annalen*, ii, 369, 376. Other ‘helpers’ of the Waldenfels brothers were prosecuted at Leipzig, Coburg and Sonneberg: BB 16 ff. 205^{r-v} (25.1.1444), 220^v (15.2.1444), 233^v (6.3.1444), 252^r (20.3.1444); Müllner, *Annalen*, ii, 370.

1294. Phrase first used BB 17 f. 4^{r-v} (15.4.1444): ‘sie umb sollich übeltat widerumb zebeschedigen und zestrafen’.

1295. BB 17 ff. 108^v-109^v (23.9.1444).

ordained laws of the Empire.¹²⁹⁶ Nuremberg had also claimed to be keeping the peace on behalf of the Empire when it executed Weimar von Muggenthal (see above pp. 183-184, 186). But the language of punishment in itself does not necessarily mean that the council envisaged a judicial punishment. It would also be consistent with revenge, to which the council's rhetoric also expressly refers.¹²⁹⁷ In addition, it seems likely that the council was talking up its success in the campaign following the embarrassing retreat from Lichtenberg. Whatever its background, however, the rhetorical colouring which Nuremberg gave to this particular violence blurred the boundary between the direct, personal animosity of a feud and the town's hostility towards feuding violence in general. This was another variation on the well-worn strategy of denying a feud's legitimacy, but in the context of Nuremberg's controversial policing operations this particular language represented a substantial escalation of the conflict, perhaps prompted by the failure to take Lichtenberg.

Settlements and Consequences

In order to bring the conflict to a satisfactory resolution, feuders had to continually exert pressure on their opponents. In practice this usually meant constantly heightened rhetoric, with the result that a solution of any sort became less likely. One of the most intractable problems was Nuremberg's repeated refusal to enter into truces on the grounds that this would legitimate the dispute as a genuine feud. As the council advised its representative Berthold Volckamer, who was in Dinkelsbühl leading negotiations during Rudolf von Bopfingen's feud: 'it would not be fitting for us to enter into a truce or arbitration through which this matter, in which we are so totally innocent, could become a feud (*veyntschaft*)'.¹²⁹⁸ The same strategic position could also restrain violence: the council ordered its servitors not to declare feuds

1296. BB 17 f. 180^v (22.12.1444): 'nach des heiligen Reichs geordneten gesetzten'.

1297. Konzen, *Aller Welt Feind*, p. 56 discusses Thomas Marolf's judgement that the expedition of the Swabian League in the Hegau in 1441/42 was no 'punishment for noble violence', but instead a 'a feud of pure revenge and destruction' ('blosse Rache- und Schadensfehde').

1298. BB 14 ff. 131^v-132^r (18.2.1440): 'so were unsers fugs niht stallung oder tag da mit dieser sache darynn uns so gantz unrecht beschiht zu einr veyntschaft komen möcht aufczunemen'. Similar: BB 14 ff. 148^{r-v} (9.3.1440), 193^r-194^r (28.6.1440); BB 16 f. 95^{r-v} (24.7.1443, re. Sternberg).

of their own and turned down offers of alliance in order to avoid creating an ‘open feud’.¹²⁹⁹ But once violence had taken place, a resolution could become harder to find. Nuremberg strongly advised Windsheim not to extend a peace between themselves and Fritz von Waldenfels whilst the latter was still holding their men prisoner.¹³⁰⁰

Even earlier, failed, peace negotiations could hamper a new process with a greater chance of success if one side clung to an agreement which the other did not recognize, as happened between Nuremberg and Eberhard von Dottenheim in 1435. Nuremberg rejected the mediation of Eberhard’s lord, Count Johann of Wertheim, in favour of a previous settlement by the counsellors of the archbishop of Mainz and the Count Palatine which Dottenheim refused to acknowledge.¹³⁰¹ And even if negotiations could actually be countenanced by both parties, it could still be a long and difficult road to find suitable arbiters through the processes outlined in chapter five above (pp. 230-233). There was also the possibility that the airing of grievances at a hearing could simply make matters worse. The speech of nobles at these events is rarely recorded, but we do have a report of Hynek Krušina of Schwanberg’s apparent bitterness at an arbitration in Eger before Heinrich von Plauen. This took place after Hans Frank, whom Schwanberg claimed as his man, had been executed for breaking into churches. Hynek’s spokesman told the hearing that it was well known that Hynek had spared neither his body nor his chattels in the fight against the heretical Hussites, and if he was to be accused now, in his old age, of ordering theft from churches, he would rather be dead.¹³⁰² Regardless of whether this position was a genuine reflection of Hynek’s feeling or a deliberate strategy (and probably it was something of both), such extreme language was still an escalation of the conflict.

1299. BB 17 ff. 131^v-132^r (26.10.1444): ‘zu dheiner offen vehde nicht machen lassen, Sunder, So es got und auch die zeit geben Wurdet, dartzu tun Wollen, Als sich zu sollichen Rewplichen sachen gepürt’. BB 17 ff. 30^v-31^v (23.5.1444): ‘Also ist es wol kuntlich und offenbar, das uns der von Swanberg lauter unrecht tut, das wir auch also fur ein unrecht halten, darumb uns nicht fuglich ist sollichermaße einzutetten und unser sache zu einer offen vehde zumachen’.

1300. BB 15 ff. 68^v-69^r (20.7.1441).

1301. StAN Rep. 2c 23 ff. 9^r (2.4.1435), 44^r (16.4.1435), 45^r (9.4.1435).

1302. StAN Rep. 2c 27, unfoliated: ‘Es wer aber wissentlich das der von Swannberg wider die hussen, und ketzer, sein leib und gut nicht gespart, sunder großlich dargelegt hett. Solt nü erst, in sein allten tagen, ein sollich wort uf in wachssen er wer lieber tode’.

Regional princes were best placed to resolve feuds. Nuremberg naturally sought to involve the king, but his intervention was rarely effective. Heinrich von Plauen was an excellent mediator between Nuremberg and Schwanberg and Sternberg, as he was closely related to both and apparently took every opportunity to put Nuremberg's case to them, but still he could not bring a solution to either conflict. Where no side could force a solution agreeable to itself, one had to be imposed by a prince or a territorial community of nobles. Ultimately, the main means to 'end' a feud from Nuremberg's perspective was simply to sit it out. Occasionally this strategy looked too risky, and a solution by naked force could be attempted, as in the Waldenfels feud. The council showed great tenacity in its refusal to compromise what it saw as its long-term interests for a short-term increase in security.

Feuds were not only difficult to end, they also created further feuds. Nuremberg praised Johann of Guttenstein for making war (against Hynek Krušina of Schwanberg) to bring future peace, but this was an empty hope even if it was at all genuine.¹³⁰³ Certain forms of settlement were more problematic than others, and the practice of obliging an opponent to make out a debt bond for compensation seems to have led to predictable complications over many years (see, for example, Werner von Parsberg and Wigeleis von Wolfstein's involvement with Hilpolt of Fraunberg's bond, p. 279 above). The likelihood that claims for compensation from third parties would arise from any concerted aggression within a feud is clear from our investigation in chapter four, and these claims could themselves become grounds for new feuds. Georg von Waldenfels, for instance, was not particularly closely associated with his distant relatives Hans and Fritz, as he had based himself in the Mark Brandenburg as a leading servitor of Margrave Friedrich II.¹³⁰⁴ But he still claimed Lichtenberg and Wartenfels as his paternal inheritance, and his feud was nonetheless a dangerous product of the Waldenfels conflict.¹³⁰⁵

1303. BB 17 f. 31^r (23.5.1444): 'denn das ewer Edel durch ewern kriege sucht künftigen fride zumachen, Daran tut Ir seliglich und Wol'.

1304. See Waldenfels, *Waldenfels*.

1305. BB 17 ff. 19^r-21^r (12.5.1444), 35^v-36^r (5.6.1444), 62^v-63^v (6.7.1444), 126^{r-v} (14.10.1444), 180^r-182^r (22.12.1444), 262^r-263^r (22.4.1445). ChrdtSt, ii, 67. Waldenfels, *Waldenfels*, pp. 157-158.

However, despite all of these complications and difficulties, relationships between feud opponents could about turn very quickly. If nothing else, bellicose feuding nobles could make excellent military allies. Hynek Krušina of Schwanberg was a well-known mercenary captain in Bohemia who was also opposed to George of Poděbrady; when Nuremberg needed support against Albrecht Achilles and his allies, with whom Poděbrady was aligned, they turned to Hynek and his recruiting 'business' partner Racek Janovice of Riesenberg.¹³⁰⁶ It is impossible to say whether the council's long experience of Schwanberg as a feud opponent made them more or less willing to enter this new relationship. Multiple such changes were possible: Bechtram Vilbel twice changed role from Frankfurt's enemy to its servitor, though the final act in this relationship was his execution for robbery in 1420.¹³⁰⁷ The theatrics of feuding need not imply an equivalent long-term bitterness, but they were no game either. They were tactics which feuders deployed whilst retaining a very clear view of the ultimate threat they sought to counter, which could be very serious indeed. For all that feuds were self-sustaining and tended to proliferate, we should not allow feuds in themselves to distract us from the underlying causes of feuding between townspeople and nobles.

Conclusion: feuders together and apart

Feuding was not just a cover for essentially criminal violence, and feuds between nobles and towns were not the same as feuds amongst nobles and princes with the addition of class-consciousness. They had quite specific dynamics: patronage feuds were relatively common, as many wealthy and well-connected burghers in dispute with their town or fellow burghers needed to ally with nobles who possessed rural castles in order to pursue a feud effectively; for imperial cities, their membership of the Empire as the broadest possible political community spread the potential for feuds over a wide geographical area; and townspeople's and nobles' differing rural security interests could always flare into feuds, especially as feuds were a normal part of nobles' security strategy, and they responded to

1306. See p. 259 above and Tresp, *Söldner*, p. 213 for Hynek and Racek's relationship.

1307. Orth, *Fehden*, pp. 109-110.

the threat posed by the towns' policing operations accordingly. If nobles already felt themselves to be 'insecure' in relation to a town because of existing feuding behaviour it could make sense for them to escalate this insecurity to an open feud in order to gain a full and formal reconciliation which would ultimately make them less at risk. In this way many noble feuds were a response to Nuremberg's rural policing, though they were not direct 'revenge' for the town's summary justice, as Klaus Graf has argued.¹³⁰⁸

Feuds resulting from disputes over rural lordship were surprisingly uncommon, especially in comparison to such feuds between nobles themselves. One reason for this may be that the rural property of Nuremberg and its citizens lay mostly within 'striking distance' of the town. No noble within this c.100 km radius of Nuremberg could risk a serious feud with the city without substantial backing (probably that of a prince). Conversely, nobles at a greater distance could conduct feuds more effectively against towns than against distant nobles or princes because of the town's exposed trading network. Elsbet Orth argued that nobles declared feuds against towns with less justification than they might feel necessary for a feud against fellow nobles because they did not see their honour to be at stake to the same extent in a feud against 'inferior' burghers, and some feuds by nobles against Nuremberg do indeed appear to be less than vital to the feuder's wider interests.¹³⁰⁹ For instance, the wealthy Aleš of Sternberg pursued compensation for supposed losses which he had suffered ten years earlier. But this could be a consequence of the interaction of motive and opportunity: the latter was conspicuously present for nobles far enough from Nuremberg, so the motive might be less prominent. And it was not just geographical distance which mattered: we have seen that most nobles were living at a certain social remove from the Nuremberg elite, and thus they could afford to feud against that elite without cutting into their own support network, as was potentially the case in feuds between noble neighbours.

1308. Graf, 'Feindbilder und Konflikte,' p. 202.

1309. Orth, *Fehden*, p. 81.

Given this opportunity, nobles could exploit feuds with towns to their political advantage under the right conditions. It seems likely that around 1500 these conditions were present in the form of Margrave Friedrich of Brandenburg-Ansbach, who sponsored nobles' feuds against Nuremberg as much to secure these nobles' allegiance as to strike at the city.¹³¹⁰ In light of the vigorous anti-town propaganda of Friedrich's father Albrecht Achilles it is therefore surprising that we do not find such Hohenzollern-sponsored feuds in the 1440s, and this may be an indication of the relative lack of identification amongst the Franconian nobility with the agenda which Achilles was pressing. Feuds arose, not from what divided townspeople and nobles, but from what brought them into contact: political communities and alliances in particular. But this is not the whole story, as differing rural security interests both sparked feuds and became enflamed within them as Nuremberg declared all feuds against the city to be robbery. Once a direct confrontation had begun the differing models of security faded into the background behind the mutual hostility, and nobles might have expected to encounter allegations of illegitimate feuding from princely and noble opponents as well. But it is important that we keep sight of the late medieval discourse, from which modern historiography is diverging. Whilst we increasingly argue that feuding was not about robbery, we can see that opponents of Werner Roßhaupter's feud-patron Georg von Riedheim were claiming (or were likely to claim) that his feud *was* robbery when he stated that his capture of the Nuremberger Burkhard Müfflinger was done 'not for the sake of ransom or robbery', but to help Roßhaupter to justice against the city.¹³¹¹

1310. Seyboth, "'Raubritter" und Landesherrn,' pp. 122-123.

1311. Sporhan-Krempel, 'Roßhaupter-Fehde,' p. 22. See also p. 152 above.

8. CONCLUSION

Studies of townspeople and rural nobles in late medieval Germany have up to now focused on their interaction and on their reactions to one another. Whether the emphasis has been on cooperation or conflict, on homogeneity or a clash of cultures, the relationship has been understood as one of active antagonism or constructive engagement. But in the case of Nuremberg we see that, alongside the multiple points of contact and the constant communication, there was a significant distance between burghers and nobles – even, and in some ways especially, between rural nobles and the urban elite. The two formed quite distinct groups at Nuremberg in the mid-fifteenth century, and this separation was further (and perhaps increasingly) heightened by factors outside of town-noble relations themselves. The council's desire for complete control of the space within the city walls ensured that nobles' regular visits to the town did not necessarily translate into closer relationships with its inhabitants, even though there was no deliberate attempt to exclude nobles. In the countryside, nobles accepted burghers as vassals and rural landowners, but rural lordship was inherently fragmented and fractious, and burghers were not well integrated into the political communities which bound rural nobles together. For access to these communities the town relied on the over-arching imperial community, but this was thinly spread and its centre of gravity was shifting away from Franconia after 1440. To a lesser extent Nuremberg connected with rural communities through its noble servitors, but they were not employed primarily for this purpose and consequently the city's service clientele was never developed as a network of regional contacts. Even Nuremberg's feud opponents were physically distant from the city.

The town was primarily concerned with its commerce and internal order, whilst nobles were concerned first and foremost with their relationships with neighbouring nobles and with princes. It is no coincidence that relations between

town and nobility have not always been an object of specialist historical study: they were not a priority for their protagonists, either. But just as historians of the eighteenth and nineteenth centuries found the apparent dichotomy between town and nobility inescapable as a way of explaining their own society, late medieval townspeople and nobles were profoundly shaped by the relationships between them. These relationships were created by their common membership of a society founded on the symbiosis of town and country, on the political community created by the belief in a universal empire and a common German identity, and on the mutual need for cooperation and exchange created by the radical decentralization of these same polities. For these reasons, relationships between townspeople and rural nobles always mattered, but there were certain areas where they had particular significance. Chief amongst these was the question of rural violence and security. For as long as burghers pursued their commercial interests through long-distance trade and nobles pursued their socio-political interests through feuds, the two were bound to come into conflict. This created a cycle of mutual resentment and recrimination with serious consequences.

However, this same cycle of resentment held the means for its own containment, as townspeople and nobles clashed not just because of their conflicting interests, but also on the basis of a principle which they both shared: that some violence was legitimate and some illegitimate, and that the two could be relatively easily distinguished, however divergent subjective distinctions between them may have been in practice. Likewise, away from Nuremberg, we could say that the disputes between rural nobles and the Swabian towns over the towns' paleburghers were an expression of the greater economic integration of town and country in Swabia, which also ultimately restrained antagonism between the town and the rural nobility. Therefore these points of conflict, as dramatic as they may sometimes have been, do not necessarily fully explain the discourse of antagonism between town and nobility; nor, quite clearly, were they produced by this discourse, though they may have been coloured and intensified by it. The discourse could feed on these direct antagonisms, but it was essentially a

product of circumstances beyond town-noble relations. There are signs that such external factors were at work in mid-fifteenth century Franconia through the actions of princes, above all Margrave Albrecht Achilles, who pursued their own agenda through ideas which had developed in the particular circumstances of the growth of the Swiss Confederation and had been elaborated by a particular group of nobles in Swabia. There is little sign that these ideas, which centred around the supposed 'oppression' of the nobility by the towns, had any following in Franconia either before or during Achilles' propaganda campaign. But the pre-existing social separation between Nuremberg and the rural nobility could have enabled their adoption as a model of town and nobility in relation to one another.

Further research should therefore investigate the fate of the 'oppression' of the nobility as a set of ideas beyond the Second Towns' War of 1449–50. In particular, we might look at the generation of nobles who created the anti-town tournament ordinances of the early 1480s. To what extent were these men influenced by ideas which they or their fathers had first encountered thirty years before, during a tumultuous and potentially formative experience? Clearly we also need a longer-term perspective on the social separation between Nuremberg and the nobility. This appears to have been gradually widening in the first half of the fifteenth century, and possibly during much of the fourteenth century and onwards through the later fifteenth century as well. It seems to be a precursor to an active discourse of antagonism between town and nobility, but was it also intensified by this discourse as time went on? What was the role of the conflict of interests around rural security in the long-term development of these ideas? This latter question now assumes particular importance, as our study has shown that this tension resulted from the interaction of burghers' and nobles' conflicting strategies for the advancement of their own interests, rather than from nobles' ideological hostility towards the towns. Certain further aspects of the social separation and integration of townspeople and nobles also deserve specialized study, especially the issue of sociability between them. The urban 'hosts' of nobles, for example, are an expression of the nobility's distance from the urban economy, but potentially

also a form of close personal relationship between townspeople and rural nobles. A different methodology would be required to collect the scattered traces of these relationships, which have hitherto hardly been recognized.

This present study also offers many counterpoints to the theories of Klaus Graf and Joseph Morsel, which did so much to shape it at the outset. We do see some further evidence of bloc-formation such as Klaus Graf observed in Swabia, where the towns referred to their noble enemies collectively as the 'towns' enemies' (*Städtefeinde*). The Nuremberg council seem to have internalized this perspective as well. In a letter to Ulm, they described the danger of the 'agitation between the nobility and the towns' (*bewegnuß zwischen dem Adel und den stetten*),¹³¹² and a Nuremberg citizen (Pancras Imhoff) advised a certain Kaspar Speiler that for his own sake he 'should have more to do with the towns than with the nobles'.¹³¹³ One of Nuremberg's servants made unguarded comments at the court of Count Palatine Otto, saying that his grace was running a costly establishment, and that he should have 'more to do with the towns' to avoid such expense.¹³¹⁴ This suggests that any bloc-formation between town and nobility was not (at this stage) clearly differentiated from conflicts between the towns and princes, except for the 'agitation' in Swabia, where the council was also clear that only 'some of the knighthood' were opposed to the Swabian League.¹³¹⁵ It also seems that this and related identity-formation followed in the wake of growing social separation, rather than proceeding simultaneously as Morsel argues. There is little evidence of the differing 'logics' of town and nobility which Morsel posited, especially on the question of feuding and rural violence, despite the clear clash of interests in this area. Instead we see the importance of princely propaganda in stimulating developments within town-noble relations, which were not so much of a closed system as Morsel implies. In addition, we have to do more to account for those

1312. BB 18 f. 13^{r-v} (30.7.1446).

1313. BB 15 f. 27^{r-v} (29.5.1441): 'daz du dich mer zu den Stetten dann zu den Edelen lewten halten soltest'.

1314. BB 15 f. 245^r (18.5.1442): 'wie sein gnade kostenlich hawse hielte, und bedeucht in, seinen gnaden nutze zusein, daz er es mit den Stetten hielte, sollich groß koste zuvermeiden'.

1315. BB 15 f. 140^{r-v} (22.11.1441): 'etlichen von der Ritterschaft an dem andern teyle'.

nobles whose interests ran against any process of antagonistic identity-formation, especially those such as Werner von Parsberg who formed constructive alliances with the towns. This body of opinion does seem to have been influential later in the fifteenth century, for instance in overturning the outright ban on nobles with close ties to towns taking part in tournaments which was briefly established at Heidelberg in 1481.

Nevertheless, we have found no evidence for other models of town-noble relations which were anywhere near as highly developed as the 'oppression of the nobility' narrative was, or was becoming. This supports the fundamental contention of those who see growing tensions between townspeople and rural nobles in the fifteenth century, and indeed the theory that the 1440s was a key decade in this respect, though much further testing of both hypotheses is still required. This work is justified by the importance of town-noble relations as a process in German history and in Germans' evolving self-understanding, but also by the intrinsic interest of their late medieval incarnation. This relationship became so embittered in certain quarters that the *Apology* for the nobles of the Schweinfurt League compared the towns to the Jews, the greatest outsiders of medieval German society – despite the fact that townspeople and nobles were not separated by religion, ethnicity or any of the principle characteristics which we today associate with xenophobia. This antagonism, and its background in the social separation between Nuremberg's citizens and the rural nobility, is therefore a valuable study in the formation of our identities and prejudices.

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