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RESEARCH ARTICLE

'To his utter undoing in this world': maintaining, contesting and crossing Hanseatic legal boundaries in medieval London and Bruges

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Abstract

The protection of privileges abroad was a recurring theme in Hanseatic conflict management. Trade rights were to be shielded from outsiders and internal mercantile conflicts were part of its own jurisdiction. However, efforts to maintain privileged trade relations in London and Bruges were complicated by the Hanse's own transregional organization and the diverging interests of its members. This article explores the tense dynamic between institutional and individual perceptions of the Hanseatic common good. While the increasingly strict rules of membership and jurisdiction were meant to serve Hansards abroad, these regulations were continuously contested by those the Hanse sought to protect.

On 24 May 1459, the sheriffs of London arrested the Hanseatic merchant Johan de Roide 'by English law and against the freedoms of the Hanse'.[1] The man responsible for placing him in a foreign prison was his former trade partner Heinrich Becker. Not only were both men members of the Hanse, they were also burghers of the same city, Cologne. Back home, the urban council reacted with stern disapproval to De Roide's imprisonment at the behest of one of their own. What made matters worse was that the dispute between Becker and De Roide had already been brought before Cologne's own urban court and was, as of yet, unresolved. As a citizen by birth and inheritance, Becker should have known well enough that he had broken an important rule of Hanseatic trade – that a dispute between Hansards should only be handled within the Hanse.[2] Moreover, foreign legal interference in conflicts between burghers should be avoided.[3] By bringing his dispute before the English Court of Chancery, Heinrich

[1]Historisches Archiv der Stadt Köln (HASK), Best. 30C Centralverwaltung, C 31 – Ratsprotokolle (Memorialbuch des Protonotars), fol. 38r.

[2]HASK/Best. 30C, C 31, fol. 38r.

[3]A. Cordes and P. Höhn, 'Extra-legal and legal conflict management among long-distance traders (1250–1650)', in H. Pihlajamäki, M.D. Dubber and M. Godfrey (eds.), *The Oxford Handbook of European Legal History* (Oxford, 2018), 509–27.

Becker disregarded the legal authority of his city of origin as well as the inter-regional fellowship to which he belonged. Consequently, the council accused Becker and the sheriffs of London of knowingly and maliciously acting in violation of Cologne's laws and against the privileges of the Hanse.[4] Cologne's urban council additionally requested an intervention from the English king, so that the dispute could return to Cologne's local court and jurisdiction. In this request, Cologne threatened that, if the sheriffs of London refused to release De Roide and thus continued to violate the Hanseatic rights, this would damage the old friendship between England and the Hanse.[5]

The crux of the outrage surrounding Johan de Roide's arrest was Becker's act of crossing Hanseatic legal boundaries by seeking out a foreign jurisdiction. In itself, the involvement of different jurisdictions and authorities in legal proceedings was part and parcel of long-distance trade in the late medieval period. Scholars of medieval legal conflicts have demonstrated that individual actors pragmatically made use of the legal pluralism provided to them by the fragmented political landscape of the Middle Ages.[6] Additionally, the contributions in this special issue demonstrate that traders often crossed legal boundaries and were more than capable, through pragmatism and flexibility, of successfully conducting business and managing their conflicts in different or overlapping jurisdictions. This article approaches the concept of crossing legal boundaries from the viewpoint of Hanseatic mercantile institutions, the *Kontore* (foreign trading posts) and urban councils, and their individual members. In particular, I examine how Hanseatic legal boundaries were maintained, controlled, contested and (re)negotiated in the foreign commercial cities of London and Bruges. In doing so, I shine light upon an additional layer of complexity to medieval urban legal culture that Hanseatic members had to face in order to handle their trade abroad. That is to say, the Hanse lacked an overarching ruler. The cities and towns that fell under the umbrella of the Hanse were subjects of different rulers.[7] As such, the legal boundaries and authority maintained by the Hanse abroad were not based on political authority. Instead, a certain kind of urban solidarity stood at the centre, namely the concept of a common good that transcended the confines of geographical or political origin: the shared interests of all merchants ('de ghemene copman').

This Hanseatic notion of a common good incorporated many aspects of the *bonum commune* of a medieval city – good government, public benefits, stability and preservation – to fit the large-scale protection of the economic interests of an inter-regional group of cities, towns and their merchants in long-distance trade.[8] In

[4]HASK/Best. 20A Briefbücher – 1367–1757, Ältere Serie, A 25, fol. 47r.

[5]*Hansisches Urkundenbuch* (*HUB*), vol. VIII, ed. W. Stein (Leipzig, 1899), no. 816.

[6]E. Frankot and M. Tveit discuss the concept of medieval legal pluralism in the Introduction to this special issue. Of importance for this contribution is the great variety of legal options – be it in the shape of local urban courts, mediation by mercantile institutions or royal overarching courts – that was available to foreign visitors in the commercial centres of medieval Europe. The promise of swift and easily accessible justice while conducting their business abroad was a strong incentive to maintaining and expanding trade relations with foreign regions.

[7]H. Brand, 'De bestuurlijke slagkracht van de stedenhanze', in H. Brand and E. Knol (eds.), *Koggen, Kooplieden en Kantoren. De Hanze: Een Praktisch Netwerk* (Hilversum, 2009), 26–43.

[8]On the subject of the premodern concept of the common good, see the contributions in E. Lecuppre-Desjardin and A.L. van Bruaene (eds.), *De bono communi: The Discourse and Practice of the Common Good in*

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particular, the Hanseatic institutions and their officials aimed to preserve stable and profitable trade abroad for all their members. One way they did so, as I will argue in this article, was by containing internal Hanseatic conflicts within legal boundaries abroad in order to minimize the influence of non-Hanseatic parties in mercantile conflicts. By doing so, disruptions to the carefully maintained trade interests in London and Bruges could be avoided. After all, the arrest of Johan de Roide led to political tensions between, on one side, the English king and the London sheriffs who had breached Hanseatic rights, and on the other side, the urban council of the disputing merchants' city of origin and the Hanseatic *Kontor* in London that protected Hanseatic interests in this region.

However, the priorities of the many Hanseatic cities and towns in northern Europe did not always align with the pragmatism of individual merchants, although they often did take precedence over problems that only affected one person or a small group of traders. The mobilization of foreign or local connections – be it a merchant's own ruler or the authorities of the trade region – could then tip the scale in an individual's favour, although the involvement of various legal and political parties could just as quickly escalate matters beyond the control of the Hanse. Through the analysis of various internal Hanseatic conflicts where legal boundaries were explicitly discussed – and were often part of the disputes and their escalation – I will show that Hanseatic mercantile conflicts in the cities of London and Bruges were handled through a constant strategic (re)negotiation of Hanseatic legal boundaries. The many overlapping and contrasting legal authorities offered not only a wealth of opportunities, but also challenges that Hanseatic institutions representing the common good of all merchants as well as individual traders seeking justice had to traverse and overcome. Individual Hansards pragmatically made use of 'forum shopping' by seeking out the many different legal institutions in order to handle their disputes in a way that fitted their personal interests while still adhering to the rules of their Hanseatic membership, although they often explored the flexibility of its boundaries.[9] Depending on the situation, the Hanseatic parties involved in internal disputes showed flexibility and adaptability as well as rigid attempts to maintain or regain control. It is through analysis of these specific situations where legal boundaries were the subject of discussion that we can learn more about how Hanseatic institutions of conflict management and individual merchants strategically operated within the complexities of the fragmented political and legal landscape of the late medieval period.[10]

Handling conflicts within the Hanse

The cities and towns assembled under the umbrella of 'the Hanse' worked together in order to protect their shared trade interests in Europe. In the early Middle Ages,

the European City (13th–16th c.) (Turnhout, 2010). The chapter by E. Isenmann about late medieval and early modern German cities is especially relevant.

[9]For recent publications examining practices of forum shopping, the contributions in the third part of J. Duindam, J. Harries, C. Humfress and N. Hurvitz (eds.), *Law and Empire: Ideas, Practices, Actors* (Leiden and Boston, 2013) are especially of interest.

[10]By focusing on the process of managing a conflict instead of only on what can be gleaned from its resolution, more insight can be gained into the way in which disputes were handled in the premodern period. In fact, many conflicts did not have an official resolution. J. Wubs-Mrozewicz, 'The late medieval and early modern Hanse as an institution of conflict management', *Continuity and Change*, 32 (2017), 59–84.

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foreign authorities had often grouped merchants from northern European and Baltic regions together for convenience, partially because of their shared language (Low German). The cities, seeing the advantage of strength in numbers, continued in this manner as a 'loose-jointed confederation with a complex structure and numerous protagonists, each with their own interests' that only found a common purpose by protecting their shared rights.[11] As such, Hanseatic long-distance trade in London and Bruges, two important commercial centres, offers scholars great insight into the machinations of medieval conflict management and legal pluralism. Hanseatic merchants had to navigate different and often overlapping legal systems and jurisdictions, such as the local courts and royal councils presiding over the cities they traded in, as well as the rules and codes of conduct of Hanseatic mercantile institutions.[12]

In the privileges they secured from foreign rulers, the cities belonging to the Hanse sought to maintain a legal sphere of influence and jurisdiction over internal matters in the regions they traded in, to ensure that foreign authorities did not get involved in individual spats between Hanseatic merchants.[13] For example, already in the fourteenth century the Hanse and the Bruges' urban council came to the agreement that Hansards within the Flemish city 'are allowed to correct and settle, among ourselves, all cases that are part of the Hanse'.[14] Not only did these boundaries keep foreign authorities at bay, they also aimed to lessen the influence of the rulers of individual Hanseatic cities. The *Kontore*, which oversaw the trade abroad, threatened their merchants with punishment in the form of fines and expulsion from the Hanseatic membership in London and Bruges if individuals brought internal conflicts before non-Hanseatic authorities.[15] As a result, the act of crossing the Hanseatic legal boundaries, and thus violating the rules of Hanseatic membership, was not taken lightly. After all, Hanseatic merchants profited greatly from the privileges obtained in

[11]C. Jahnke, 'The city of Lübeck and the internationality of early Hanseatic trade', in J. Wubs-Mrozewicz and S. Jenks (eds.), *The Hanse in Medieval and Early Modern Europe* (Leiden and Boston, 2013), 37–58. For recent research into Hanseatic history, see, among others: Brand and Knol (eds.), *Koggen, Kooplieden en Kantoren*; N. Jörn, *'With Money and Bloode'. Der Londoner Stalhof im Spannungsfeld der Englisch-Hansischen Beziehungen im 15. und 16. Jahrhundert* (Cologne, Weimar and Vienna, 2000); T.H. Lloyd, *England and the German Hanse, 1157–1611: A Study of Their Trade and Commercial Diplomacy* (Cambridge, 1991); M.M. Postan, 'The economic and political relations of England and the Hanse (1400 to 1475)', in E. Power and M.M. Postan (eds.), *Studies in English Trade in the Fifteenth Century* (New York, 1966), 91–153; Wubs-Mrozewicz, 'The late medieval and early modern Hanse as an institution of conflict management'; Wubs-Mrozewicz and Jenks (eds.), *The Hanse in Medieval and Early Modern Europe*, in particular the introduction.

[12]An interesting example of local mediation and representation in Bruges was the role of local *hosteliers*, who acted on behalf of their Hanseatic residents; see A. Greve, *Hansische Kaufleute, Hosteliers und Herbergen im Brügge des 14. und 15. Jahrhunderts, Hansekaufleute in Brügge*, vol. VI, ed. W. Paravicini (Frankfurt am Main, 2011).

[13]S. Ogilvie, *Institutions and European Trade: Merchant Guilds, 1000–1800* (Cambridge, 2011), 261.

[14]*Hanserecesse* (*HR*), vol. I:2., ed. K. Koppmann (Leipzig, 1872), no. 185 § 3.

[15]The merchants themselves often filled the ranks of these institutions for short periods alongside their trade businesses. These institutional actors, grouped together in region-based quarters so that all cities were represented, had to balance the general protection of trade abroad with their own – or their city of origin's – interests. For insight into the Hanseatic *Kontore*, see J. Wubs-Mrozewicz, 'De Kantoren van de Hanze: Bergen, Brugge, Londen en Nowgorod', in Brand and Knol (eds.), *Koggen, Kooplieden en Kantoren*, 90–107; E. Schubert, 'Novgorod, Brügge, Bergen und London: die Kontore der Hanse', *Concilium Medii Aevi*, 5 (2002), 1–20.

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London and Bruges.[16] It stands to reason that the merchants would not jeopardize their access to these rights in order to reach a solution for one trade problem. This explains why, despite the legal options available to merchants abroad and the lack of a political Hanseatic ruler, the source material obtained from urban and royal courts as well as correspondence between various involved parties rarely shows internal Hanseatic disputes brought before non-Hanseatic legal authorities. Moreover, the Hanse provided merchants with access to various institutions of conflict management that were specifically equipped to handle complex long-distance trade disputes. The *Kontore* gave its members a platform for informal mediation with the legal expertise of its officials. Similarly, the representatives of the Hanseatic cities that assembled at the *Tagfahrten* (diets), where internal Hanseatic matters were managed, could be approached for legal mediation if the *Kontore* did not provide a good solution.[17] Yet, this could not guarantee that internal matters were solved in a way that benefited the interests of individual merchants. As we will see in the following case-studies, the unsatisfactory management of internal disputes could lead to various challenges to the Hanseatic legal boundaries.

Maintaining boundaries, reclaiming conflicts

In the spring of 1498, Jürgen Voet, a merchant trading in London, wrote to the Hanseatic representatives who had gathered in Lübeck: 'I have made significant costs, expenses, efforts and I have suffered damages…that is why I have been forced by necessity to turn with my complaints to my lordship and my other good friends.'[18] He sent this letter 18 years after an English ship carrying Hanseatic goods was taken by a pirate called 'the child of Texel'. Voet, as the spokesperson for the Hansards who were impacted by the robbery, had pleaded his case before several Hanseatic urban courts and diets, from informal diplomatic meetings to litigations, to no avail.[19] Now he chose to step outside of the Hanseatic realm of legal influence and wanted to ask his ruler, the duke of Cleves, to intervene.[20] The merchant hoped that the Hanseatic representatives would acknowledge 'his utter duress in the matter' and that they would not judge him harshly. In addition, Voet still expressed explicit reluctance about contacting his ruler and begged, for the last time, that the representatives of the Hanseatic cities solve the problem so that further action would not be needed.[21] This interaction underlines the argument that Hanseatic legal boundaries were accepted and respected as a normal part of medieval trade. Voet emphasized that he had spent the 18 years handling the conflict within the Hanseatic legal boundaries 'for the good

[16]These privileges, among others, included important exemptions from tolls and assizes.

[17]Wubs-Mrozewicz, 'The late medieval and early modern Hanse as an institution of conflict management', 76–7.

[18]Stadsarchief Kampen (SAK), Stadsbestuur Kampen 1251–1813 (SK), no. 2118r. For a detailed analysis of the dispute, see D.E.H. de Boer, 'De zaak Jorien Voet. Een Kamper piraterijconflict aan het eind van de 15de eeuw', *Kamper Almanak*, 75 (2003), 67–97.

[19]These stolen goods consisted of 8 *terling* cloth, 650 English pewter and a chest with clothes and small valuables. According to Voet, the Kampen fleet obtained so many goods from the pirates that they could load them into 15 (rowing) boats. SAK/SK, no. 2118; *HR*, vol. III:4, ed. D. Schäfer (Leipzig, 1890), no. 71.

[20]Jürgen Voet was a citizen of Soest, a city that was part of the Westphalian Hanseatic quarter and in 1449 became part of the duke of Cleves' territory.

[21]SAK/SK, no. 2118.

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of all' and 'to honour' the Hanseatic representatives.[22] Only now, after a resolution had not been reached, did he consider the act of crossing the Hanseatic legal boundaries as a viable option – and one he argued was the only solution left to him if the Hanse could not help him further.

The complexities of legal boundaries were also at the heart of the entire conflict, as the parties involved could not agree on a legal way to handle Jürgen Voet's problems. The act of piracy that started it all in 1480 was barely mentioned during the 18 years of proceedings. Instead, the attention shifted to a question of legal jurisdiction and authority. At the time of the attack on the English ship by the pirates, a fleet from the Hanseatic city of Kampen was also present in Texel. Voet and his companions claimed that Hanseatic goods were traded on the island and brought back to Kampen to be sold there.[23] Kampen's council denied these claims but was willing to investigate the allegations in its own urban court, so that 'a good, swift and not delayed justice' could be provided to the troubled merchants. During these proceedings, Kampen's old rights, privileges and customs were to be recognized by all involved parties.[24] This meant that a resolution could only be reached if the merchants agreed not to seek any other court for appeal. With the general pragmatic use of legal pluralism by medieval merchants in mind, it is not surprising that Voet and his companions felt that this condition was too strict. They refused to accept it.[25]

Following the stalemate in Kampen's court – despite an intervention of the London *Kontor*'s secretary on Voet's behalf[26] – the merchant pleaded with Lübeck's council to bring the conflict to the attention of the other Hanseatic representatives. The dispute was subsequently discussed during the diet of 1490.[27] Kampen's council remained steadfast that the Hanse had to respect its local urban rights. In contrast, Voet's attempts to involve both the London *Kontor* and the Hanseatic diet via Lübeck, often considered the de facto 'head of the Hanse',[28] reveal the intentions of the merchant to maintain a strong connection to the Hanseatic institutions. Kampen's council was only willing to continue the case outside of its own court if 'neutral' parties were involved, meaning Kampen's ruler or the Hanseatic cities of its quarter (Cologne, Soest, Münster and Deventer).[29] Voet apparently did not consider this as a feasible solution and he refused to accept these conditions. Instead, the merchant

[22]SAK/SK, no. 2118.

[23]SAK/SK, no. 2118; *HR*, vol. III:4, no. 71.

[24]Archiv der Hansestadt Lübeck (AHL), ASA Externa, Batavica, no. 0037, doc. 4.

[25]AHL/ASA Externa, Batavica, no. 1075. In comparison to other Hanseatic cities such as Lübeck, Riga and Hamburg, Kampen's town law had developed completely separately and some of its maritime law regulations were in fact unique in northern Europe. See E. Frankot, 'Medieval maritime law from Oléron to Wisby: jurisdictions in the law of the sea', in J. Pan-Montojo and F. Pedersen (eds.), *Communities in European History: Representations, Jurisdictions, Conflicts* (Pisa, 2007), 154.

[26]Jürgen Voet had requested the *Kontor*'s secretary Gerwinus Brekenvelt to assist him during the proceedings, representing him on behalf of the London *Kontor*. SAK/SK, no. 2118.

[27]SAK/SK, no. 2118; *HR*, vol. III:2, ed. D. Schäfer (Leipzig, 1883), nos. 352, 355.

[28]While Lübeck's position within the Hanse was certainly influential, see for a critical analysis of Lübeck and the Hanse: C. Jahnke, 'Lübeck and the Hanse: a queen without its body', in W. Blockmans, M. Krom and J. Wubs-Mrozewicz (eds.), *The Routledge Handbook of Maritime Trade around Europe 1300–1600. Commercial Networks and Urban Autonomy* (London, 2017), 231–47.

[29]*HR*, vol. III:2, no. 353. It is interesting to note that Soest, despite Jürgen Voet being its burgher, was considered a neutral party in the context of Hanseatic co-operation and was approached by Kampen's council to mediate in the situation.

renewed his efforts to coax Kampen's urban council out of the boundaries of its own jurisdiction and old customs: he once again involved the London *Kontor*. In 1498, Voet authorized the experienced diplomatic actor Johann Prange as procurator before the assembled aldermen.[30] Voet's continuous agency in involving the *Kontor*, despite the conflict centring entirely around a Hanseatic city in the Low Countries, indicates his intent to use the influence of the Hanseatic institution in London and his ties to them as a member trading in England. After all, he did not involve the Bruges' *Kontor* at any time during the process. Although one of the main functions of the *Kontor* was to handle mercantile problems occurring in England and to thereby maintain a legal sphere of influence over Hanseatic matters abroad, members such as Voet and his companions also turned to the trading post to exercise influence over Hanseatic institutions across the Channel. Additionally, there is no evidence in the sources that Voet ever approached his own city of Soest for intervention. Perhaps this was because of the city's close connection to Kampen as a member of the same Hanseatic quarter.

By 1498, it was apparent that the two opposing parties were unable to find a solution. After abiding by the Hanseatic legal boundaries for many years and having contained his litigations to Kampen's urban court and mediation by the London *Kontor* and Hanseatic diet – despite the 'great suffering, that he had experienced for a long time with virtue and patience [that he] could no longer stand to persevere' – Voet warned the Hanse that he was now forced to seek out the help from the duke of Cleves.[31] As such, Voet's wording in his letter to the Hanseatic representatives suggests that the failure of the Hanseatic institutions to assist him successfully in his search for justice was the reason why he chose to finally cross the legal boundaries and violate the rules of his membership.

In the case of the aforementioned dispute between Heinrich Becker and his city of origin, Cologne, we seem to find a similar perceived failure of Hanseatic conflict management and, with it, the need to take matters into one's own hands. Heinrich Becker's allegations against Johan de Roide, though not specified in the available source material, were started before Cologne's urban council and were still unresolved when the sheriffs of London became involved. What makes this conflict even more intriguing is that, unlike Jürgen Voet, Heinrich Becker also clearly distanced himself from the Hanse when he chose to involve foreign authorities. In fact, he recanted his citizenship of Cologne and ended his membership of the Hanse in the same year as his arrest of De Roide in London.[32] In theory, this meant that Becker was no longer subordinated to the Hanseatic judicial authority and could bring De Roide before the English court. The timing of these different actions, however, gave Cologne's council the opportunity to simultaneously disregard Becker's newfound agency and draw the conflict back into

[30] *HR*, vol. III:4, no. 125. Prange was previously a secretary of Riga and had represented this Hanseatic city during negotiations with England. Additionally, he had acted as a diplomatic actor in London and Bruges relations. De Boer, 'De zaak Jorien Voet', 87.

[31] HASK/Best. 20A, Ältere Serie, A 36, fol. 344r–v.

[32] HASK/Best. 83K (Hanse Korrespondenz und Akten), Schrifgut 1453–60, fol. 131r–v. Becker explicitly cited previous problems with the Hanseatic aldermen during negotiations in Antwerp and family feuds in Cologne as the reasons for his decision. By no longer being a citizen of Cologne, Becker immediately lost his access to the Hanseatic privileges, but he also explicitly mentioned his decision to cut ties with the Hanse, indicating that losing his membership was not merely an unavoidable side-effect of breaking his bonds with Cologne.

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the Hanseatic sphere of influence. As it turns out, Becker had ended his citizenship shortly *after* the arrest of De Roide. On 24 May 1459, the London officials complied with his request to detain his opponent, while Becker's letter about his decision to leave the Hanse was written on 2 June and received by the council of Cologne on 11 June.[33] Therefore, he had still acted as a Hansard against a fellow member. Cologne's council accordingly ordered Becker to cancel the arrest in London and to continue the dispute before Cologne's legal arbiters.[34]

Although the arrest in London had seemingly been cancelled, Becker still appeared unwilling to abide by Cologne's authority and once again resorted to non-Hanseatic legal means. Following his choice to end his citizenship of Cologne, Becker had moved to the nearby non-Hanseatic city of Heinsberg, a territory within the Holy Roman Empire, and three months after the failed arrest in London, he brought his complaints about the unsolved case before the authority of the Lord of Heinsberg.[35] Cologne's council was once again quick to take charge of the conflict, writing to Becker's new ruler that the dispute concerned internal Hanseatic matters since 'at the time, [Becker had] forgotten his obligations' and therefore acted 'against the agreements and ordinances of the cities and freedom of the Hanse'. The Lord of Heinsberg was to ignore Becker's lies and leave the matter to Cologne.[36] The council was successful with this plea to the Lord of Heinsberg to respect Cologne's agency, rights and privileges. Though the conflict was still unresolved in 1462, it now took on the form of a civil process before Cologne's own court.[37] The council's continuous attempts to contain Heinrich Becker's search for justice within their own legal boundaries fit with the observations made by Christian Manger in this issue, in which he demonstrates that Hanseatic city councils were far more concerned with preventing, containing and de-escalating conflict than finding a quick solution. Indeed, from the viewpoint of protecting Cologne's urban rights and the Hanseatic privileges abroad, a swift resolution for Becker's complaints was not at the forefront of Cologne's strategy. It was deemed far more important to avoid foreign jurisdiction and to control the actions of a merchant who once belonged to the Hanse.[38]

Contesting legal boundaries, threatening the common good

The Hanseatic institutions, from urban councils and diets to *Kontore*, sought to provide security and a strong, united front for the merchants of the northern

[33]HASK/Best. 20A, A 25, fol. 47r; HASK/Best. 83K, fol. 131r–v.

[34]Since there is no evidence in the archives of the Court of Chancery which indicates that the dispute ever reached the chancellor, it is likely that either Becker himself recanted his plea or that the diplomatic pressure of the Hanseatic institutions on the English court successfully halted the process. For insight into the Hanseatic disputes that did appear before the Court of Chancery, see E. Zoomer, 'Representing the Hanse? The involvement of the London *Kontor* and Hanseatic community in chancery court proceedings, c. 1368–1545', in J.Á. Solórzano Telechea and J. Haemers (eds.), *Normativa y autoridad en la ciudad medieval atlántica (y más allá) / Law and Authority in the Medieval Atlantic City (and Beyond)* (Logrono, 2022), 117–38.

[35]Although the sources do not mention this directly, it is highly likely Becker obtained citizenship in Heinsberg before seeking support from his new local lord.

[36]HASK/Best. 83K, fols. 140r, 143r.

[37]HASK, Best. 120 (Zivilprozesse), A 171, A 175.

[38]C. Manger, 'The politics of reciprocity: urban councils and intercity conflict management in Reval (Tallinn) and Lübeck, *c.* 1470–1570', in this special issue.

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European and Baltic regions who traded abroad. Yet, as we have already seen, the interests and viewpoints of these institutions did not always align with the individuals that belonged to their jurisdiction. In the second half of this article, I ask the question: what were the consequences – for individuals as well as the broader Hanseatic community – when one of these institutions instead stood at the opposite end of a dispute with a member it was supposed to protect? Jürgen Voet's reluctance to involve his own ruler and Heinrich Becker's choice to end his citizenship and Hanseatic membership altogether have both shown that individuals did not treat the act of crossing Hanseatic legal boundaries lightly. On the contrary, it appears that the strategy mainly served as a final resort. How the Hanseatic institutions reacted to the breaching of their legal boundaries differed from case to case, and indicates a strong connection to perceived injustices perpetrated within the Hanse and the effects that lenience of legal authority could have on the common good of Hanseatic trade in London and Bruges.

The case of Hermann van A, a burgher from Cologne, underlines this strategic approach to flexibility of Hanseatic legal boundaries. Van A found himself threatened with exclusion from the Hanse by the London *Kontor* in 1492. He was accused of misconduct in Colchester, where he had boarded with the English 'hardwareman' John Ambrose for several months and had allegedly started a trade partnership with him during his stay. Setting up such a partnership with a foreign non-Hanseatic trader was already a breach of Van A's *Kontor* membership oath. With the added danger of him sharing the fiercely protected secrets of the Hanse with an Englishman, there was enough reason for the *Kontor* to withdraw his Hanseatic privileges. An additional accusation only worsened his case: Van A had apparently worked in Colchester as a goldsmith.[39] The increasingly strict regulation of Hanseatic membership rules meant that he could only access the Hanseatic rights ('koipmans recht') if he acted as a trader. If Hermann van A could not find a way to disprove these allegations, he was to be 'utterly excluded of the privilege of the said [*Kontor*] and so ejected from the fellowship thereof to his final undoing forever'.[40] In order to challenge the authority of the *Kontor*, which had declared him guilty and punished him as such, Hermann van A wrote a supplication to the English king to plead for his intervention. The king, claiming that he could not allow any injustice to harm visitors to his lands, called for an investigation of the *Kontor*'s claims. The bailiffs of Colchester set out to interview all those who had come into contact with Van A during his stay in their city, proving that Van A's exclusion was unlawful and that the *Kontor* should reinstate him. Despite this active involvement of a foreign authority in Hanseatic private trade matters, Cologne's urban council shared the results of the bailiffs' investigation with the other Hanseatic cities and supported its conclusions. This action by the Cologne's urban council highlights the ambiguity of how intrusions of legal boundaries were perceived and handled by the various urban and individual actors within the Hanse. Cologne's urban council firmly supported Hermann van A and decried the disregard of their burghers' rights. The fact that Van A was a member of one of Cologne's important mercantile families with strong ties to English trade would have certainly motivated this outcry.[41] As such, the urban

[39]AHL, Anglicana 265; HASK/Best. 20A, A 37, fol. 353r.
[40]AHL, Anglicana 265.
[41]HASK/Best. 20A, A 37, fol. 353r.

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council appeared to have accepted the foreign involvement – and the subsequent denouncement of the *Kontor*'s actions – as a strong bargaining tool to reinstate the rights of one of their own. Such a success for the urban council would also mean a stronger defence if a similar problem undermined the shared interests of their burghers in a later period. The judgment of the English king quickly led to the reinstatement of Van A's access to the privileges of the Hanse.[42]

A similar dispute between a Hanseatic merchant and the London *Kontor* took place in 1507, when another merchant from Cologne named Johan van Brugge was disenfranchised from the Hanse. The *Kontor* accused Van Brugge of selling non-Hanseatic goods as a Hanseatic factor in Antwerp and London. For this, he lost his membership and had to pay a fine of three gold marks.[43] Van Brugge presented the conflict before the Hanseatic diet but was met with a slow response. When Van Brugge pleaded once again for the intervention of the Hanseatic representatives during the diet of 1511, it ruled his expulsion as unlawful. If the *Kontor* officials disagreed, they could bring their objections to the next diet. Until then, Van Brugge's membership would not be reinstated.[44] However, unbeknownst to the Hanseatic representatives at the time, it took six years before the cities assembled again for a meeting.[45] With no resolution in sight, Van Brugge instead sent a plea to the Court of Chancery in 1512, stating that he had tried to get justice for five years within the Hanse but that the *Kontor* had not yet restored 'your said orator to his freedom and liberty to his utter undoing in this world'. He asked the chancellor to direct a subpoena at the *Kontor* aldermen so that the case could be continued before the English court.[46] Unfortunately, there is no evidence of any results of the Court of Chancery case in Hanseatic sources, but Van Brugge's very act of crossing legal boundaries may have emphasized the gravity of the situation. The involvement of a foreign authority in inter-Hanseatic matters would already have been a powerful incentive for the Hanseatic institutions to refocus their efforts on resolving the dispute, but Van Brugge's timing may also have been a strategic threat to the London *Kontor*. The Hanseatic claim to a highly privileged position abroad was under scrutiny by the English court and rival merchants. A court case where a member of the Hanse needed the assistance of English authorities against his own institutions would have further damaged the perception of Hansards abroad.[47] Although there is no source material that provides us with more insight into the thought process of Cologne's urban council during this period, like with the case of Hermann van A, it seems very feasible that Van Brugge found support from his city of origin. At no point did Cologne's urban council intervene while Van Brugge approached a foreign court and, by doing so, threatened the position of the Hanse

[42]Whether the Hanseatic representatives of the diet approved of this approach cannot be explicitly found in the source material, but they did not challenge the results of the investigation nor the use of this foreign legal document in the negotiations with the *Kontor*. AHL, Anglicana 265.

[43]HASK, Kopiënbuch 45, fol. 51r; *HR*, vol. III:5, ed. D. Schäfer (Leipzig, 1894), no. 429 § 1. For an analysis of the ensuing dispute, see also: Jörn, *'With Money and Bloode'*, 288–90.

[44]*HR*, vol. III:6, ed. D. Schäfer (Leipzig, 1899), no. 188 §§ 159, 161.

[45]*HR*, vol. III:7, ed. D. Schäfer (Leipzig, 1905), no. 39 § 117.

[46]The National Archives Kew, Court of Chancery, Equity Suits before 1558, C1/123/62. In the summer of 1517, the London *Kontor* presented its objections to the decision of the diet of 1511. This makes it clear that no agreement had been reached in the interim.

[47]Nils Jörn notes the strategic timing in his analysis of the dispute in Jörn, *'With Money and Bloode'*, 290.

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abroad. Since the diet had concluded that the merchant ought to be reinstated as a Hanseatic member, it would appear that Cologne's urban magistrates supported their burgher in his efforts to exert pressure on the *Kontor* officials and Hanseatic diet. This would, after all, rectify an injustice done to the interests of one of their own. During the new diet in 1517, Van Brugge was able to present his enduring complaints to the representatives, who again agreed that he should be reinstated as a Hanseatic member. This time, with the threat of foreign intervention most certainly influencing the Hanseatic decision-making process, the *Kontor*'s officials were forced to concede during the diet and did not get a chance to contest the decision. Van Brugge could once again claim the Hanseatic rights and privileges as his own.[48]

The mobilization of networks and personal connections, be it as burgher, subject or foreign visitor, was a powerful tactic that individuals could employ to pursue their desired legal results. It was also a tactic that was bolstered by legal pluralism, since overlapping and contrasting jurisdictions and authorities meant a bigger pool to pick and choose from. The examples discussed above already demonstrate the agency and willingness of individuals to (threaten to) seek out non-Hanseatic authorities and contest the legal boundaries that the institutions they belonged to imposed on them, especially when their dispute was with one of these institutions. Yet, as the following inheritance dispute will show, the Hanseatic attempts to avoid foreign interference in internal matters were not merely based on empty fears of endangering the common good of all those belonging to the Hanse. The legal actions of individuals could in fact have far-reaching consequences for Hanseatic trade abroad.

When Gerhard Lenczendijk died in Bruges in 1440, he left behind the two houses he had rented out to locals and the goods stored in them. As was agreed in the Hanseatic privileges obtained in Bruges as well as in Lenczendijk's testament, the *Kontor* took possession of the inheritance.[49] It would keep these goods, and ownership of the houses, until the rightful heirs presented themselves within one year and one day before the *Kontor* aldermen with a certificate from their city of birth.[50] The subsequent arrival of several of Lenczendijk's family members signalled the start of an extended inheritance dispute that impacted far more than just the Hansards residing in Bruges. In this case, two parties confronted each other within the context of the Hanse, invoking support for their claims from different authorities and institutions. The first party formed itself around the late Gerhard's siblings: his brother Johan Lenczendijk, a merchant from Danzig, and his sister Gertrude van Smerlike, a burgher from Soest. Gerhard, Johan and Gertrude were all born in the Hanseatic city of Soest and Johan presented the *Kontor* with Gerhard's 'letter of birth' and a certificate issued by Soest that confirmed that he and Gertrude were the lawful heirs of all property left behind by Gerhard. The *Kontor* accepted these legal documents and the siblings received their inheritance.[51] This decision encountered opposition from the other party, that of the Hanseatic merchants Heinrich and Godevaerd

[48]*HR*, vol. III:7, nos. 39, 45.

[49]A transcript of Gerhard's testament, written in September 1439 and provided by the Bruges *Kontor* in October 1455 as proof, is printed in *HUB*, vol. VIII, no. 253. The original source document can be found in HASK/Best. 80 (Hanse Urkunden), U 2/178.

[50]*HUB*, vol. VIII, no. 267.

[51]Geheime Staatsarchiv Preußischer Kulturbesitz (GStA PK), HA, OF, Nr. 17, Registrant des Hochmeisters Konrad von Erlichshausen, 1448–55, fols. 613r–614v; HASK/Best. 80, U 2/177. See also: *HUB*, vol. VII:1, ed. H.-G. von Rundstedt (Weimar, 1939), no. 645.

Lenczendijk, sons of Gerhard's brother Godscalc. Although they did accept the rulings of Gerhard's testament,[52] Heinrich and Godevaerd complained that there were goods not covered in the testament that the *Kontor* nonetheless had given to Johan and Gertrude. Since Heinrich had also arrived in Bruges within one year and one day, the brothers should receive their part of the inheritance. Heinrich and Godevaerd argued explicitly that no member of the Hanse should be denied their legal rights.[53] Although the inheritance was certainly a Hanseatic matter, the *Kontor* directed the brothers to Soest, claiming that the local urban inheritance customs of Soest carried the most weight in this matter. Heinrich had to challenge the certificate that legitimized Johan and Gertrude as the rightful owners of all of Gerhard's goods.[54] His brother Godevaerd remained in Bruges, where he appeared before the city's aldermen and requested the seizure of part of the late Gerhard's houses and goods. However, Bruges' council dismissed the case since Gerhard Lenczendijk was never a burgher of the city. Just as the *Kontor*'s officials had done before them, the aldermen referred Godevaerd to Soest's urban laws.[55]

All in all, the urban institutions involved dutifully referred the disputing parties to what they considered to be the correct legal authorities, both within Bruges and the Hanse itself. Matters were, however, complicated by subsequent events. Upon arrival in Soest, so Heinrich claimed, the urban officials arrested him and forced him to renounce his claim to the inheritance. Heinrich, stating that he had feared for his life, unwillingly complied with these demands.[56] After Heinrich was released, he turned to an influential authority outside of Hanseatic influence but closely connected to the trade in Bruges, that might rectify the situation in his favour. Heinrich wrote a plea to the Burgundian ducal council detailing the injustices done to him by the Hanseatic *Kontor*, his imprisonment in Soest and the fact that the Bruges aldermen – subjects of the Burgundian duke – had denied Heinrich and Godevaerd their rights as lawful heirs. In this new stage of the conflict, the focus of the accusers turned to the hierarchy of family ties. Since Gerhard Lenczendijk had not been married, Heinrich and Godevaerd pursued their right to his inheritance by tracing their paternal family ties to their uncle. Gerhard and Godscalc were brothers connected on their father's side. In contrast, Johan and Gertrude were Gerhard's siblings on their mother's side. The two brothers emphasized this by referring to Johan as 'Smerlinc', the last name of Johan's mother, instead of 'Lenczendijk'.[57] The Burgundian duke responded in 1450 with a ducal commission that investigated Heinrich's claims and scrutinized the privileges and rights of the Bruges *Kontor*.

The defence, led by the accused *Kontor* that was instructed in its decision-making process by the representatives of the Hanseatic cities, speaking on behalf of the

[52]The brothers were given 20 pounds each. HASK/Best. 80, U 2/178: 'item Hinrick Lentsendijck und Godeken Lentsendijck elken tvintich pond grote'.

[53]*HUB*, vol. VIII, no. 253.

[54]HASK/Best. 80, U 1/102A–C.

[55]L. Gilliodts-van Severen, *Cartulaire de l'ancienne estaple à Bruges. Recueil de documents concernant le commerce intérieur et maritime, les relations internationales et l'histoire économique ce cette ville*, vols. I–II (Bruges, 1908), no. 776; *HUB*, vol. VII.1, no. 645.

[56]Soest's council denied his accusation vehemently and procured a vidimus by Ghijsbrecht von Brederode, the bishop-elect of Utrecht, proving that Heinrich had willingly rescinded his right to the inheritance. GStA PK HA, OF, Nr. 17, fols. 613r–614v; *HUB*, vol. VIII, no. 253.

[57]*HUB*, vol. VIII, no. 253.

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perceived Hanseatic common good, also adapted its strategy during the ducal commission. The *Kontor* officials ceased to refer to Johan and Gertrude's rights and Soest's urban customs. Instead, they focused on the Hanseatic privileges and rights obtained in Bruges. Since the disputing heirs were all burghers of cities belonging to the Hanse, this was a matter that should be handled internally.[58] Despite this defence, the ducal commission legitimized Heinrich's claims and seized the late Gerhard's houses on Heinrich's behalf, dismissing the aldermen of Bruges' own judgment as well as the often-cited Hanseatic privileges. It is therefore not surprising that Bruges' urban council immediately spurned this move and reinforced its own legal boundaries. The aldermen deemed the act of ducal seizure unlawful since it went against the privileges, rights, laws, customs and usages of Bruges itself.[59]

This new setback of reaffirmed (urban) legal boundaries did not deter the side supporting Heinrich and Godevaert for long, as it sought out the advantages of its own legal authority. The toll point of Geervliet, which was frequented by Hanseatic merchants travelling with their goods to the fairs of Antwerp, fell under the jurisdiction of one of the ducal commissioners, Symon van Moerkerke. Since the Bruges *Kontor* represented the Hanseatic trade interests in both Flanders and Brabant, the toll point provided the Burgundian side with strong leverage against the Hanse. As a result, the long-held fears of the Hanseatic institutions that the involvement of foreign authorities could lead to the detriment of the common good of the Hanse came true. Van Moerkerke laid claim on all Hanseatic goods moving through Geervliet as substitution for the denied share of Lenczendijk's inheritance.[60] This meant that Heinrich and Godevaert's search for justice across different legal boundaries effectively disrupted unrelated Hanseatic trade in the Low Countries.

To counteract this new development, the Hanseatic representatives decided to return to their initial approach. The defence of their privileges in Flanders was cast aside in exchange for a far more contained legal approach. Although the Hanseatic representatives were unsuccessful in containing Heinrich and Godevaert's search for justice within their own legal boundaries – and the active involvement of the Burgundian duke discouraged any attempts to reclaim the case – their strategy focused on minimizing the involvement of Hanseatic institutions. Since the dispute revolved around a deceased burgher who originated from Soest, in addition to the fact that it was this city's officials that Heinrich accused of forcing him to relinquish his claim to the inheritance, the responsibility now lay entirely in this city's hands instead of the Hanse as a whole. The Hanseatic representatives advised Soest to approach its own ruler, the duke of Cleves, to mediate in the proceedings against Heinrich Lenczendijk at the Burgundian court in Lille. By making the inheritance dispute the responsibility of only one of its cities, the Hanse hoped that innocent merchants travelling through the Low Countries would now be spared the interference of foreign authorities.[61] Most intriguingly, when the results were still not satisfactory, the Hanseatic representatives allowed foreign interference themselves. While the Lenczendijk case continued in the background, the Hanseatic representatives and *Kontor* officials questioned the protection of their privileges in Flanders. In 1452, the *Kontor* and, thus, the Hanseatic staple, was moved to Utrecht. Negotiations with the Four

[58]GStA PK, HA, OF, Nr. 17, fols. 613r–614v.
[59]*HUB*, vol. VIII, nos. 253, 267.
[60]Stadtarchiv Soest, Bestand A, no. 1375.
[61]Stadtarchiv Soest, Bestand A, no. 1375.

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Members of Flanders followed, during which the Lenczendijk case, in particular the seizure of the house, was brought up as one of Bruges' failures to properly protect the Hansards within its city walls from ducal interference. As part of the agreed-upon terms for the Hanse's return to the city, the council of Bruges vowed in 1457 to handle any further disputes regarding Lenczendijk's inheritance in the city on behalf of the Hanse, even consenting to pay for the expenses.[62] No further information regarding the process of the dispute can be found in the source material. A letter in 1465, however, states that one 'Hans Smerlike also called Lentzendiiek of Soest' sold 'a house' in Bruges, indicating that the conflict was eventually resolved successfully for the Hanseatic representatives, the urban council of Soest and the Smerlike siblings.[63]

Conclusions

Mercantile conflicts were part and parcel of medieval long-distance trade relations. Hanseatic merchants residing in the major commercial centres of London and Bruges were faced with disruptions to their individual trade businesses in a myriad of ways, be it as a result of unclaimed debts, broken agreements or acts of violence at sea and on land. The legal pluralism that defined medieval Europe – before the increasingly successful centralization efforts of sovereigns – offered Hanseatic merchants access to a great variety of solutions, through informal mediation at their own mercantile institutions to urban civic courts in London and Bruges and the overarching royal jurisdictions. With such a wealth of possibilities to handle conflicts, legal boundaries had to be created to effectively handle mercantile conflicts abroad, not only to benefit the individuals involved but also the community to which they belonged. The Hanseatic legal boundaries were focused on internal matters: in the privileges obtained in London and Bruges, the *Kontore* trading posts had the authority to preside over internal conflicts. Foreign authorities were not to intervene in Hanseatic matters, and, in turn, the members were not allowed to involve non-Hanseatic authorities in their quarrels. For internal matters, the Hanse provided its members with institutions of conflict management such as the *Kontore* and Hanseatic diets, where internal conflicts could be handled through mediation and with the legal expertise of urban officials. The enforcement of these Hanseatic legal boundaries in London and Bruges was met with a fundamental challenge: the inter-urban co-operation that underpinned the Hanse could not, by its very inter-regional nature, implement any legal authority that could effectively control individual legal actions. One solution to this problem came in the form of shared ideology.

The Hanseatic institutions were first and foremost concerned with the protection of the common good of all Hansards. In the context of London and Bruges, this meant the continuation of good relations with the host region and prevention of disruption to trade. In the case of mercantile conflicts, this took the shape of strategies of containment, de-escalation and a preference for maintaining a status quo within the Hanse instead of a quick resolution. I argue that this particular iteration of the

[62]HASK, Best. 80 (Hanse Urkunden), U 2/189; *HUB*, vol. VIII, no. 526 § 12. The council fulfilled this promise in the following year, as can be concluded from Bruges' urban accounts. Bruges' burgomaster and an urban attorney were compensated for expenses made while handling the Lenczendijk case during negotiations in front of the Burgundian ducal council in Brussels *HUB*, vol. VIII, no. 756 § 5.

[63]*HUB*, vol. IX, ed. W. Stein (Leipzig, 1903), no. 273: 'van wegen eynes huszes, dat Hans Smerlike anders geheten Lentzendiiek van Soest in vorledenen tiiden etzliken juwen vorfaren vorkoft hadde'.

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common good was accepted, supported and respected by the individual merchants who belonged to the Hanse, if only because they reaped the benefits of the privileged trade positions of Hanseatic merchants in London and Bruges. Breaking the Hanseatic rules could lead to their exclusion from the rights and privileges of the Hanse. Both normative and practical experience, therefore, would have cautioned merchants against crossing legal boundaries.

At the same time, a balance had to be struck between the Hanse as a whole and the interests of its members. As a result, the flexibility of Hanseatic boundaries became a point of discussion and contention. We have seen that merchants claimed to be faced with utter ruination by the actions of their institutions and argued against the strict legal boundaries, while individual cities resisted the overarching Hanseatic interest in mediation in favour of the recognition of their own urban customs. Indeed, we can identify in sources related to trade conflicts a tension between the protection of the Hanseatic unique interpretation of the common good and the interests of merchants and other parties who were directly impacted by these conflicts. Hanseatic merchants such as Jürgen Voet, Johan van Brugge and Heinrich Lenczendijk first brought their problems before their own institutions – the *Kontore*, Hanseatic urban councils and diets – but turned to other, non-Hanseatic authorities when injustice, according to them, prevailed within the Hanse. In the case of the first two merchants, a considerable amount of time had passed before they made this decision. Hanseatic institutions often accepted legal agency if their members argued that they had spent time and effort respecting the legal boundaries, but were still faced by injustice within the Hanse.

Legal responsibilities and the boundaries between authorities shifted depending on the situation and could be renegotiated on a case by case basis if a certain injustice prevailed or presented an immediate threat to the Hanseatic common good. During the Lenczendijk process, the Hanseatic urban authorities changed their strategy from forming a united front to making the problem the responsibility of a single city that actively involved its own ruler – the same ruler who was used as a threat against the Hanseatic legal boundaries by Jürgen Voet. On the other side, Heinrich and Godevaerd Lenczendijk escalated their conflict with the *Kontor* and Soest through the use of acts of retaliation by a foreign authority against all Hanseatic trade. In this regard, the Lenczendijk inheritance dispute in particular proved that Hanseatic concerns regarding attacks on the common good – namely, that the action of individual merchants seeking non-Hanseatic legal authorities' assistance could cause a disruption to Hanseatic trade – were not unfounded. More than 20 years after the death of Gerhard Lenczendijk, merchants from Lübeck were still complaining about the loss of goods at Geervliet, even when they were only indirectly connected to the dispute as a member of the Hanse.[64]

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[64] *HUB*, vol. VIII, no. 1255. The goods taken at Geervliet were '22 vate warckes und ein tarling laken', estimated at the cost of 600 Rhine *guldens*, that were still not returned to them.

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