

Towns between Empires

Good Governance and “Police”
in Case Studies from
Transylvania, Wallachia, and Moldavia,
1500s–1800s

Edited by
Mária Pakucs-Willcocks and Julia Derzsi

CEU PRESS

Towns between Empires

Towns between Empires

*Good Governance and “Police” in Case Studies from
Transylvania, Wallachia, and Moldavia, 1500s–1800s*

*Edited by
Mária Pakucs-Willcocks and
Julia Derzsi*



Central European University Press
Budapest–Vienna–New York

The publication of this book is made possible by a grant from the Romanian Ministry of Research, Innovation and Digitization CNCS-UEFISCDI, within PNCDI III, PN-III-P4-PCE-2021-0376 GUTEPOL.

Cover illustration: Dimitrie Papazoglu, map of central Bucharest, 1871. BAR, Cabinetul de stampe DXVII-43.

Cover design: Sebastian Stachowski

Lay-out: Crius Group, Hulshout

ISBN 978 963 386 900 0 (hardback)
e-ISBN 978 963 386 901 7 (pdf)
e-ISBN 978 90 4857 206 9 (accessible ePub)
DOI 10.5117/9789633869000
NUR 697

Central European University Press is an imprint of Amsterdam University Press.



Creative Commons License CC-BY NC ND (<http://creativecommons.org/licenses/by-nc-nd/4.0>)

© M. Pakucs-Willcocks and J. Derzsi / Amsterdam University Press B.V., Amsterdam 2025

Some rights reserved. Without limiting the rights under copyright reserved above, any part of this book may be reproduced, stored in or introduced into a retrieval system, or transmitted, in any form or by any means (electronic, mechanical, photocopying, recording or otherwise).

Every effort has been made to obtain permission to use all copyrighted illustrations reproduced in this book. nonetheless, whosoever believes to have rights to this material is advised to contact the publisher.

Table of Contents

List of Figures and Tables	9
List of Acronyms	11
Introduction	15
<i>Mária Pakucs-Willcocks and Julia Derzsi</i>	

Part I. *Respublica*—Political Constructs and Governance

1. Defending the Town's Interest: The Council of the <i>Centumviri</i> and the Administration of Justice in Early Modern Cluj	33
<i>László Pakó</i>	
2. Urban-Rural Relationship in the Light of Political Statutes at the End of the Sixteenth Century	51
<i>Julia Derzsi</i>	
3. The Main Square outside the Town Walls and the Ruling Elites of Alba Iulia at the End of the Sixteenth Century	69
<i>Emőke Gálfi</i>	

Part II. Urban Elites and Nobility in Market Towns

4. A Salt-Mining Town in Transylvania: The Political Elite and Urban Governance of Dej between 1541 and 1600	91
<i>Anikó Szász</i>	
5. A Gold-Mining Town in Transylvania: The Political Elite of Baia Mare and the Structure of the Local Government in the Second Half of the Sixteenth Century	111
<i>Petra Mátyás-Rausch</i>	
6. <i>Residenza de nobili</i> : Nobility in the Administrative Structures of the Market Town of Caransebeș (Sixteenth-Seventeenth Centuries)	127
<i>Adrian Magina</i>	

Part III. Town Books and Town Statutes in Early Modern Transylvania

7. Representations of the Urban Political Order in a Written Context: The First Protocol Book of Sibiu (1522–1565) 145
Mária Pakucs-Willcocks
8. A Szekler Town in Transylvania: The Statutes and Town Book of Târgu Mureş in the Seventeenth Century 163
Árpád-Botond György

Part IV. The Many Faces of the Urban Elites: Identity and Representation

9. The Saxon Patriciate of Braşov in the Early Modern Period 183
Andor Nagy
10. Medieval Urban Autonomy of Câmpulung Muscel and Its Realignment in the Modern Period 203
Ştefan Ionescu-Berechet

Part V. Public Order and Public Safety in Towns

11. Keeping the City Alive: Managing Public Health Crises in the First Half of the Eighteenth Century in Sibiu 227
Oana Sorescu-Iudean
12. Shaping a Phanariot Town: “Good Order” in Eighteenth-Century Bucharest 247
Constanța Vintilă
13. The Role of Police in the “Good Governance” of Iaşi from the Seventeenth to the Mid-Nineteenth Century 269
Dan Dumitru Iacob
14. Scientific Expertise as a Tool for Urban Administration: Chemical and Bacteriological Analyses ordered by the Municipality of Bucharest, 1877–1914 289
Simion Câlția

Glossary of republican political terms in Transylvanian towns in the early modern period	311
Glossary of other historical terms	313
Bibliography	315
Index	331

List of Figures and Tables

Figures

Figure A.	Map of Moldova, Wallachia, and Transylvania	13
Figure 1.1.	Joris Hoefnagel, view of Cluj, print after copper engraving, 1618	35
Figure 1.2.	Franz Jaschke, The main square in Cluj, 1823, oleography	35
Figure 2.1.	The last page of the 1582 statute for Avrig	54
Figure 3.1.	A reconstruction of the town plan of Alba Iulia in the seventeenth century	71
Figure 3.2.	Town plan of Alba Iulia, by Giovanni Visconti, <i>Iknographia della Città Alba Iulia</i> , 1711	72
Figure 5.1.	Numerical dynamic of jurors and consuls (1569–1600)	124
Figure 5.2.	Number of judges and consuls in Baia Mare, according to professional group	124
Figure 5.3.	Tailors, furriers and goldsmiths as judges and consuls in Baia Mare (1569–1600)	124
Figure 7.1.	Preamble page of the first Sibiu town book, 1522	153
Figure 7.2.	The first sumptuary law of Sibiu, 1565	158
Figure 7.3.	The town council of Sibiu represented in a shield, 1534	160
Figure 8.1.	View of Târgu Mureş, engraving, 1827	165
Figure 8.2.	Town book of Târgu Mureş	167
Figure 8.3.	Title page of the town book: <i>Leges seu decreta</i> , 1604	174
Figure 9.1.	Celebratory print of the wedding between Martinus Albrich and Sara Crestels, 1695	187
Figure 9.2.	Print announcing the theological debate between Andreas Scharsius and Simon Draudt, 1693	189
Figure 9.3.	Genealogical tree of the Benkner family in the sixteenth and seventeenth centuries	197
Figure 10.1.	The Cross of the Oath today, in the wall of a townhouse in Câmpulung	206
Figure 10.2.	The church inscription of Matei Basarab's foundation in Câmpulung	209
Figure 10.3.	Page from the lists of native Câmpulung landowners, 1846	218

Figure 11.1.	Page from the 1717 register of the Sanitary Commission	236
Figure 11.2.	Funeral procession in Sibiu	241
Figure 12.1.	Miklós Barabás, View of Bucharest, 1832, watercolor	252
Figure 12.2.	Miklós Barabás, View of Bucharest, 1832, ink drawing	254
Figure 13.1.	Map of Moldavia and Wallachia, 1774	271
Figure 13.2.	The modernization of Agia as reflected in the change of uniforms. Details from the Agia headquarters yard in Iași, ca. 1830	279
Figure 13.3.	Public Promenade of Jassy, the British Vice Consul's Court, 1819	282
Figure 13.4.	The Green Bridge Gate in Copou, ca. 1830	284
Figure 13.5.	Friday (Sf. Vineri) market in Iași, 1845	285
Figure 14.1.	Map of municipal laboratories and markets in Bucharest	308

Tables

Table 4.1.	Town judges in Dej during the sixteenth century	96
Table 7.1.	List of notaries and their records the Sibiu town book, 1522–1565	154
Table 9.1.	The Draudt family of Brașov, sixteenth-seventeenth centuries	198

List of Acronyms

AERT PR	Arhivele Eparhiei Reformate din Transilvania, Cluj-Napoca, Parohia Reformată din Dej (Archive of the Transylvanian Reformed Church District, Cluj-Napoca, Reformed Parish of Dej)
AHG	Archiv der Honterusgemeinde, Biserica Evanghelică C.A. din România (Archive of the Honterus Community, Evangelical Church A.C. in Romania)
BAR	Biblioteca Academiei Române (Library of the Romanian Academy)
BNR BB	Biblioteca Națională a României, Biblioteca Batthyaneum, Alba Iulia (National Library of Romania, Batthyaneum Library, Alba Iulia)
CG	Cabinetul de Stampe (Prints Collection)
CI	Ședința Consiliului General al Municipiului București (Bucharest city council meeting)
CI	Consiliul de Igienă (Session of the Board of Hygiene)
KKOL	Kolozsmonostori Konvent Országos Levéltára (Archives of the Convent of Kolozsmonostor/Cluj Mănăstur)
MNL OL	Magyar Nemzeti Levéltár Országos Levéltára (National Archives of Hungary)
MOS	Magistratul orașului și scaunului Sibiu (Magistrate of the town and seat of Sibiu)
MPB	<i>Monitorul Primăriei București</i> (Bucharest City Hall Official Journal)
MTAK	Magyar Tudományos Akadémia Könyvtára (Library of the Hungarian Academy of Sciences)
OSZK	Országos Széchényi Könyvtár (National Széchényi Library)
POB	Primăria orașului Bistrița (Town Hall Bistrița)
POBM	Primăria orașului Baia Mare (Town Hall Baia Mare)
POBr	Primăria orașului Brașov (Town Hall of Brașov)
POC	Primăria orașului Cluj (Town Hall of Cluj)
POD	Primăria orașului Dej (Town Hall Dej)
PTM	Primăria Târgu Mureș (Town Hall of Târgu Mureș)

SANIC	Serviciul Arhivelor Naționale Istorice Centrale (National Central Historical Archives)
SJAN	Serviciul Județean al Arhivelor Naționale (Romanian National Archives)
SMBAN PMB	Serviciul Municipiului București al Arhivelor Naționale (Bucharest Municipal Department of the National Archives), Primăria Municipiului București (Bucharest City Hall)

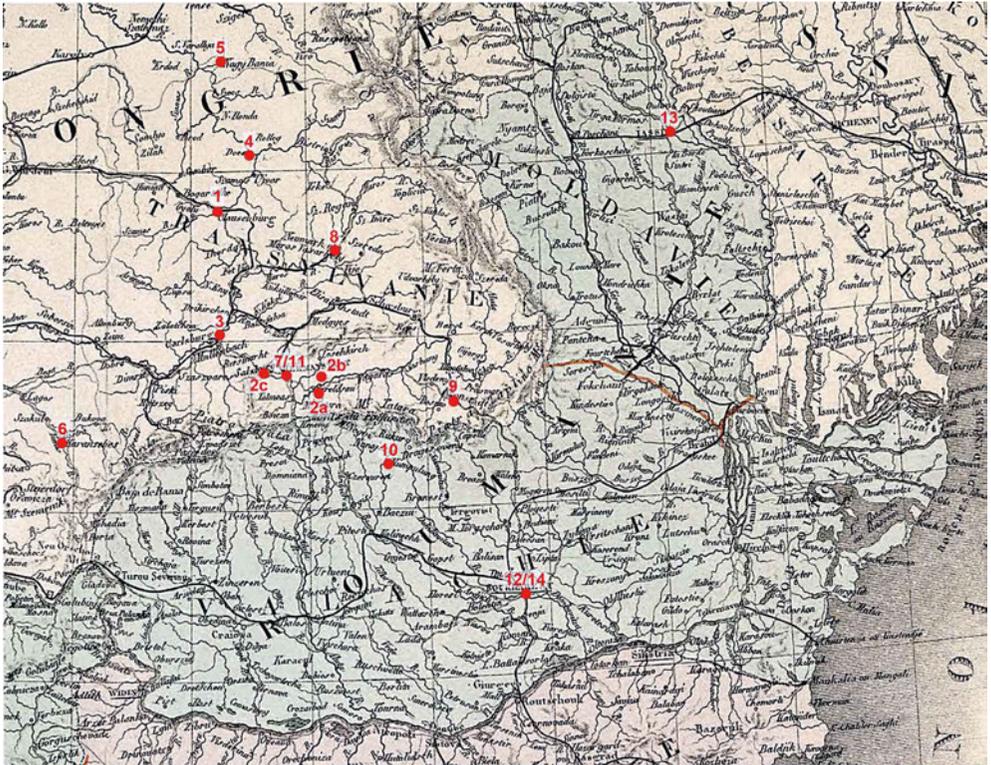


Figure A. Map of Moldova, Wallachia, and Transylvania (Detail from Adrien Hubert Brué, *Carte générale de la Turquie d'Europe, de la Grèce et des Iles Ioniennes*, Paris, 1816). With our gratitude to Mariana Vlad from the Institute of Social Sciences and Humanities, Sibiu.

List of places on the map: Romanian (Hungarian, German)

1. Cluj (Kolozsvár, Klausenburg)
- 2.a. Avrig (Freck, Felek)
- 2.b. Săcădate (Oltszakadát, Sakadat)
- 2.c. Rusciori (Oroszcúsir, Reußdörfchen)
3. Alba Iulia (Gyulafehérvár, Weissenburg/Karlsburg)
4. Dej (Dézs, Desch)
5. Baia Mare (Nagybánya, Großneustadt/Frauenbach)
6. Caransebeș (Karánszebes, Karansebesch)
- 7/11. Sibiu (Nagyszeben, Hermannstadt)
8. Târgu Mureș (Marosvásárhely, Neumarkt am Mieresch)
9. Brașov (Brassó, Kronstadt)
10. Câmpulung Muscel (Hosszúmező, Langenau)
- 12/14. București (Bukarest)
13. Iași

Introduction

Mária Pakucs-Willcocks and Julia Derzsi

The present volume is partly the outcome of a research project whose main objective was to discuss the concept of *gute Policey* or good governance in Transylvanian political discourse of urban elites in the early modern period and to compare their perceptions of order and good governance with Wallachian towns.¹

The concept of early modern *Policey* as “police” cannot be restricted to a mere administrative term. In the sixteenth and seventeenth centuries, its meaning was still connected to medieval doctrines and to the Aristotelian meaning of *politeia*. “Police” acquired its current definition at the end of the eighteenth century, when it designated the institution in charge of public order and the techniques and practices associated with this task.² By contrast, “police” in the early modern period was understood as a way of governance. Thus, *gute Policey* in the German-speaking territories (*bonne police* in France) referred to both governance and justice as well as institutions and legislation. Andrea Iseli asserts that “*Police* was the description applied to the desired state of good order. It also meant the instrument used in obtaining this order, with corresponding staff, mechanisms, and courts.”³ Early modern “Policey” is intricately connected to the gradual rise of the modern state administration, a process described by historians with various concepts, such as centralization, professionalization, secularization, rationalization, and the emergence of modern bureaucracy. Measures concerning public hygiene, road work, or social welfare have been known since the Middle Ages, but in the early modern period, central political authorities began issuing

1 The research was funded by the Romanian Agency for Research and Higher Education, project PN-III-P4-PCE-2021-0376 (GUTEPOL), <https://gutepol.ro/>.

2 Thomas Simon, “*Gute Policey*”: *Ordnungsleitbilder und Zielvorstellungen politischen Handels in der Frühen Neuzeit* (Frankfurt am Main: Klostermann, 2012), 111.

3 Andrea Iseli, “*Bonne Police*”: *Frühneuzeitliches Verständnis von der guten Ordnung eines Staates in Frankreich* (Tübingen: Bibliotheca Academica, 2003), 167.

legislation that encompassed the entire range of public life, from economic regulations to the social control of human interactions. Normative measures concerned public order and social life: celebrating Sundays, luxury and opulence, prostitution, gambling, public safety, begging and social welfare, public hygiene and public health, public construction works (roads, bridges, public buildings, plumbing, and fountains), regulating markets, printing and censorship, education and schools, agriculture, guilds and crafts, trade, and financial institutions.⁴ These norms were thus central instruments for establishing and maintaining social order, expressed in administrative rules, decrees, statutes, constitutions, charters, orders, decisions, instructions, or mandates, which therefore covered many subjects in the broad field of public order.

In Transylvania, a similar discourse of good governance was reflected in the norms and regulations issued by town councils, from the late fifteenth century onward.⁵ With the Reformation, the civic authorities in towns (especially Saxon towns and Cluj) were invested with a divine mission to instill in their citizens a social order informed by Christian virtues, and these efforts were more evident in the town statutes of the sixteenth and seventeenth centuries.⁶ Sumptuary laws, as the representative examples of civic regulations on morals and order, were sometimes infused with Christian discourse and admonitions. At the same time, the model of good governance served as an ideology for the authorities upon which to build their political legitimacy.⁷ It was during this period that the concept of *Obrigkeit* was established in the Transylvanian towns, as shown for the first time by Mária Pakucs-Willcocks in an administrative document from Sibiu dated 1541. The town council defined itself as legitimate authority in relation to the body of citizens (*Stadt mann*), who were called upon to participate in common tasks and duties and to adopt a set of rules of conduct that promoted moral standards in all aspects of life.⁸ The idea of the civic order (*civis ordo*) was implemented by the Târgu Mureş authorities in the early

4 Heinz Schilling, ed., *Institutionen, Instrumente und Akteure sozialer Kontrolle und Disziplinierung im frühneuzeitlicher Europa* (Frankfurt am Main: Vittorio Klostermann, 1999).

5 Júlia Derzsi, "A városi statútumok és a közrendészeti szabályalkotás kapcsolata az erdélyi városokban a 16. század második felében," *Certamen* 1 (2013): 225–26.

6 Mária Pakucs-Willcocks, *Sibiul veacului al XVI-lea: Rânduirea unui oraş transilvănean* (Bucharest: Humanitas, 2018), 59.

7 Mária Pakucs-Willcocks, "Transylvanian Civic Sumptuary Laws in the Early Modern Period: Preliminary Observations" *Revista Istorică* 29, nos. 1–2 (2018): 66–67.

8 Town statute of 1541, Serviciul Judeţean al Arhivelor Naţionale (Romanian National Archives, hereafter SJAN) Sibiu, Colecţia de documente medievale, U IV 485.

seventeenth century. The town's statute of 1604 invoked the long-established laws of other well-ordered towns and invited citizens to obey the rules as a pledge to maintain equality among themselves.⁹ In other towns, such as Cluj, the vocabulary of public order was formulated in the same spirit but in a different language: "jó rendészet."

Reference to the "common good" (*gemeiner Nutz*) appeared in the text of these statutes. With respect to the right of self-determination of a community, the concept referred to activities with multiple values of law enforcement, discipline, and control. The municipal laws and the police regulations developed by town councils were not separate from each other; in the contemporary sense of the concept, *gute Policey* comprised neither laws nor institutions, but rather a desirable state (i.e., a condition) of "good order and policing" (*gute Ordnung und Policey*)¹⁰ in a town and in the interaction between its authorities and its inhabitants. Even before this, disciplinary rules were similar in many areas of urban life: medieval guilds and fraternities, as well as neighborhoods, adopted numerous regulations establishing internal institutional procedures for controlling the behavior of their members. Although the urban authorities had already adopted such regulations, for example, the sumptuary law on the conduct of weddings and ceremonies in Bistrița,¹¹ it was not until the second half of the century that regulations covering entire areas of prohibition appeared. In 1551, under the influence of the Reformation, the *Universitas Saxonum*¹² issued a series of regulations prohibiting gambling at fairs and in villages (introduced in 1557 and renewed shortly after, in 1558). The first sign of the application of punitive measures to limit deviant behaviors was the erection of stocks (*Fedel, Pranger*) in town centers. In 1557, the Universitas published a decree on this subject—specifically related to church discipline—which stipulated that in places where there were no stocks, such should be erected and that "youths and fools who do not obey the teachings of the Church and the word of the Lord, who work in the fields during preaching, or who

9 *De Conditione Haereditatum in Castello Oppidi Zekeli Uasarheli existentium*. Sándor Kolozsvári and Kelemen Óvári, eds., *Corpus statutorum Hungariae municipalium* (Budapest: Magyar Tudományos Akadémia 1885), vol. 1: 30–31.

10 Karl Härter, "Statut und Polizeyordnung: Entwicklung und Verhältnis des Statutarrechts zur Polizeygesetzgebung zwischen spätem Mittelalter und Früher Neuzeit in mitteleuropäischen Reichs- und Landstädten," in *Von der Ordnung zu Norm: Statuten in Mittelalter und Früher Neuzeit*, ed. Gisela Drossbach and Ferdinand Schöningh (Paderborn: Schöningh, 2010), 127.

11 Otto Dahinten, *Geschichte der Stadt Bistritz in Siebenbürgen* (Cologne: Böhlau, 1988), 456.

12 The political, judicial, and religious governing body of all Saxon communities in Transylvania (Sächsische Nationsuniversität).

wander in the streets or in the squares, should be caught where they are found and put under the yoke, so as to be an example to others.”¹³ We find such statutes as early as 1565, in the sumptuary law issued by the Sibiu town council, together with the representatives of the community, to curb excesses in food and sumptuous feasts, and in the constitution of Braşov in 1577, which extended regulations not only to the typical areas of social discipline, namely, prohibiting night-time drinking in taverns (*nach der Stund*), the carrying of weapons in peacetime, and gambling, but also provided for safety measures against fires.¹⁴ Thematic summaries of police regulations covering all the specific areas of social discipline at the time only appeared later.¹⁵

For a much-needed comparative perspective, the GUTEPOL research project included two Wallachian towns: Bucharest and Câmpulung. Bucharest, the former capital of Wallachia, has contemporary urban legislation from the eighteenth century onward, revealing the role of the Wallachian prince in the town administration. Câmpulung, the oldest urban settlement in Wallachia, had strong connections with the Saxon towns of Braşov and Sibiu, and a Saxon community existed there until the mid-seventeenth century.¹⁶ This town’s political structures were modeled on those of Transylvanian towns. Ştefan Ionescu-Berechet’s research re-examines the town statutes and discloses how patrimonial disputes and administrative re-alignment in the 1830s reveal urban elite representations of identity, political responsibility, and the common good.

In other regions of East Central Europe, the strengthening of the state weakened the autonomy of towns,¹⁷ and the case studies in the present volume point to a similar conclusion. Bucharest is perhaps the most illustrative example of how the proximity of the ruler (even before the Phanariot princes of the eighteenth century) in effect obliterated the institutions of urban autonomy that had been in place in many Wallachian towns, namely judges and the councils of jurors. Constanţa Vintilă shows in her analysis that city governance was merged with the governance of the entire principality and all decision-making ended up in the hands of the Phanariot

13 *Corpus statutorum*, vol. 1: 555–56.

14 *Corpus statutorum*, vol. 1: 537, 539.

15 Julia Derzsi, *Delict şi pedeapsă: Justiţie penală în oraşele din Transilvania în secolul al XVI-lea* (Cluj-Napoca: Egyetemi Műhely, 2022), 74–75.

16 Alexandru Ciocâltan, “The Identities of the Catholic Communities in the 18th Century Wallachia,” *Revista Română de Studii Baltice si Nordice/The Romanian Journal for Baltic and Nordic Studies* 9, no. 1 (2017): 73–74.

17 Jaroslav Miller, *Urban Societies in East-Central Europe, 1500–1800* (Aldershot: Ashgate, 2008).

princes, while high officials of the court were charged with carrying out the rulers' orders.

The dissolution of the medieval kingdom of Hungary and the inclusion of the principality of Transylvania into the Ottoman Empire as a tributary state in the mid-sixteenth century, thus joining the two Romanian principalities, stalled the creation of a strong central authority at first. The new principality had to find its footing under constant pressure from the Habsburg court to establish a balance of powers between the king, the prince, and the estates working together in the Transylvanian Diet.¹⁸ The Lutheran confession embraced in the Saxon communities empowered town councils with the divine authority to rule and govern over the submissive citizens, while other towns in the principality experimented with different Reformed confessions (a situation described as a roller-coaster by Ulrich A. Wien) until Prince Stephen Báthory, a staunch Catholic, imposed dogmatic clarification and together with the Diet (1572) ordered that there could be no further "innovation" beyond the "four received religions."¹⁹

The inclusion of towns from Transylvania, Moldavia, and Wallachia into this paradigm is imperative and long overdue. The discourse of good governance can be traced in a variety of sources and in a variety of guises, which need to be brought to light. In our approach to urban governance, we follow the path of German historiography, but our latecomer status offers us the possibility to include in our methods and scope the recent interest in urban governance in English language history writing. For instance, studies from the recent volume edited by Simon Gunn and Tom Hulme connect urban governance with the study of town elites and administrative structures more than traditional analyses of *gute Policey*.²⁰ This broader perspective on early modern urban history thus boosts our decision to include such works on Transylvania and Wallachia in our volume. Furthermore, methodologically speaking, the compositional analysis of sixteenth-century town councils and of intergenerational political participation is conditioned by scarce or

18 Teréz Oborni, "State and Governance in the Principality of Transylvania," *Hungarian Studies* 27, no. 2 (2013): 313–24.

19 Ulrich Wien, ed., *Crossing Borders—Impact of Reformation in Transylvania since the 1520s* (Göttingen: Vandenhoeck & Ruprecht, 2022), 126–27, 245; Edit Szegedi, "Von der Undeutigkeit zur konfessionellen Konkurrenz im Fürstentum Siebenbürgen," in *Common Man, Society and Religion in the 16th Century/Gemeiner Mann, Gesellschaft und Religion im 16. Jahrhundert*, ed. Ulrich A. Wien (Göttingen: Vandenhoeck & Ruprecht, 2021), 112; Graeme Murdock, *Calvinism on the Frontier, 1600–1660: International Calvinism and the Reformed Church in Hungary and Transylvania* (Oxford: Oxford University Press, 2000), 111–12.

20 Simon Gunn and Tom Hulme, eds., *New Approaches to Governance and Rule in Urban Europe since 1500* (New York: Routledge, 2020).

one-sided sources, as town protocols have survived in meager numbers with large gaps between years. Reconstructing town councils and recreating lists of judges (Petra Mátyás-Rausch, Anikó Szász, and Emőke Gálf) is an evident option when historical sources are otherwise sparse. The case studies included here show a dissimilar type of cohesion among the urban elites in the Saxon towns and those towns outside their authority. In Sibiu and Braşov, the condition of citizenship was ownership of property in town as well as the rejection of nobility. Town statutes and constitutions insisted on keeping town properties within the community, forbidding outsiders (non-Germans, non-Lutherans) to inherit real estate in towns.²¹ This interdiction was extended to the villages which belonged under the juridical authority of Sibiu, as shown in Julia Derzsi's article. Other urban communities also vetted the sale of real estate to non-citizens, as shown in Anikó Szász's study on sixteenth century Dej, and in seventeenth-century Târgu Mureş, as discussed by Árpád-Botond György. In other urban settings, however, nobles were part of the social fabric: Alba Iulia, Caransebeş, Târgu-Mureş, and Bucharest. However mixed the social fabric of towns, the concerns of the officials were nevertheless similar: collecting sufficient taxes and maintaining social peace.

From a recent review article by Christel Annemieke Romein of recent scholarship on *gute Policey*, we would retain two salient points. The first is that *gute Policey* is a fertile field of research; far from being exhausted, many more realms and notions have been added to its inventory. The second is an observation of the author that there is no English language equivalent of the term *Policey*.²² The study by Constanţa Vintilă shows that in Romanian, more precisely in the political vocabulary of Wallachian eighteenth-century town ordinances, *police* was also used in its original Greek, Aristotelian, meaning of *politeia* as a community of citizens.

Our volume bridges gaps, be they territorial, temporal, linguistic, or national; it connects scholars and links the past to the present in more ways than we had envisaged initially. It offers a broad audience the history of towns in East-Central and South-Eastern Europe that little is known about outside, revealing many common traits of urbanity but also particularities that were local solutions to political or economic challenges and constraints.

The study of urban governance in pre-modern times is a fundamental domain of historical research; it has a rich past and enormous potential,

21 1589 town statute of Sibiu, *Corpus statutorum*, vol. 1: 545.

22 Christel Annemieke Romein, "Early Modern State Formation or *Gute Policey*? The Good Order of the Community," *The Seventeenth Century* 37, no. 6 (2022): 1031–56, esp. 1033.

attracting scholars from little-known regions and parts of the world.²³ In this respect, East-Central Europe and Southeastern Europe belong to historical territories that can benefit from more interaction with international scholarship.²⁴ Our volume reaches out to new audiences by offering these studies in English while at the same time intending to act as an incentive for local historians to engage with a wider readership in their scholarly output. The case studies included here offer an intrinsic comparison between urban contexts in the historical provinces that, to an extent, are currently part of modern Romania. However, our approach is not in the least teleological: the choice of case studies in the present volume partly responds to an expectation of the funding agency, but there was also a fortunate overlap between the goals of the GUTEPOL research project and the shared interest in urban elites and governance with our fellow historians who kindly agreed to publish their work here.

The volume contains both published and unpublished texts. The printed studies have appeared in Hungarian in journals that inherently have a limited readership, even though they discuss urban centers and their power structures that define small towns of East-Central Europe, with all their diversity of historical sources and political setups. They all represent highly original works based on unedited archival documents. Other studies have been written with the topic of our volume specifically in mind and convey the themes of interest more directly. Each author offers a microhistorical approach to a particular urban center; thus, an affinity between themes, historical periods, and professional connections played a significant role in constructing the present academic product.

The research grant and the funding of publications gave us the opportunity to realize an older idea of the editors to start a dialogue between two strands of scholarship dealing with urban history in our region—one divided by national lines. The texts included here reveal the stringency of this dialogue that starts now.²⁵ Urban history has always comprised a significant

23 See for instance the series Routledge Advances in Urban History; Brepols Studies in European Urban History (1100–1800); and *Städteforschung* at Vandenhoeck & Ruprecht. The International Commission for the History of Towns also coordinates a great series of atlases of individual towns, which follows the same format and content: European Project|Royal Irish Academy (ria.ie) On Eastern Europe, see Curtis G. Murphy, *City, State and the Enlightenment in Poland, Ukraine, and Belarus* (Pittsburgh, PA: University of Pittsburgh Press, 2018).

24 For a recent overview on the history East-Central Europe, see Martyn Rady, *The Middle Kingdoms: A New History of Central Europe* (New York: Basic Books, 2023).

25 For other endeavours integrating research on urban history in Romanian and Hungarian history writing, see Ionuț Costea et al., eds., *Orașe și orașeni/Városok és városlakók* (Cluj-Napoca:

segment of the medieval and early modern history of Hungary, of both the medieval Hungarian kingdom and its successor states. Transylvania, however, has often fallen between the cracks as a territory of national dispute and parallel historiographical production. Recent years have seen an increased interest in urban history, with the publication of case studies and archival discoveries. András Kubinyi, Teréz Oborni, Katalin Szende, and István H. Németh especially have produced solid scholarship exploring European urban history with reference to archival sources. Nevertheless, such scholarship needs to be interconnected and assessed within a regional and European framework.²⁶

The new focus on town political elites and urban governance based on archival sources has produced strong scholarship in Transylvania, but the results do not enjoy the readership they would deserve. One of the most influential Hungarian medievalists, András Kubinyi, in his methodological quest for a definition of towns, has created a points system for a spatial-hierarchical analysis of towns in (late) medieval Hungary.²⁷ Kubinyi's insights have opened a rich avenue of research that has shaped the following generations of urban historians. Teréz Oborni has applied Kubinyi's system to the period of Gabriel Bethlen's rulership over Transylvania (1613–1629) and discussed how previous juridical categories acquired new meanings after the Hungarian kingdom fell apart.²⁸ In the present volume, three authors make reference to Kubinyi's system and have even proposed adjustments to previous scores for their case studies. Thus, Dej, nowadays a small town

Argonaut, 2006); Mária Lupescu-Makó, ed., *Cluj—Kolozsvar—Klausenburg 700: Várostörténeti tanulmányok/Studii de istorie urbană* (Cluj-Napoca: Erdélyi-Múzeum Egyesület, 2018).

26 András Kubinyi, "Városhálózat a késő középkori Kárpát-medencében," *Történelmi Szemle* 46, nos. 1–2 (2004): 1–30; Teréz Oborni, "A fejedelemség-kori erdélyi várostörténet kérdéseiről," *Urbs: Magyar Várostörténeti Emlékkönyv 1* (2006): 133–58; Katalin Szende, *Trust, Authority and the Written Word: Royal Towns in Medieval Hungary* (Turnhout: Brepols, 2018); István H. Németh, "Pre-Modern State Urban Policy at a Turning Point in the Kingdom of Hungary: The Elections to the Town Council," in *Urban Elections and Decision-Making in Early Modern Europe, 1500–1800*, ed. Rudolf Schlögl (Newcastle upon Tyne: Cambridge Scholars Publishing, 2009), 276–99; Enikő Rüszt-Fogarasi, "Központi helyek az erdélyi középkori vármegyékben," in *Erdélyi várostörténeti tanulmányok*, ed. Judit Pál and János Fleisz (Miercurea Ciuc: Pro-Print, 2001); Ágnes Flóra, *The matter of honour: The Leading Urban Elite in Sixteenth Century Transylvania* (Turnhout: Brepols, 2019).

27 András Kubinyi, *Városfejlődés és városhálózat a középkori Alföldön és az Alföld szélén* (Szeged: Csongrád Megyei Levéltár, 2000), 49–50. For a more recent overview of the methods of categorizing urban centers, see Mara Albrecht, Judit Majorossy, and Susanne Rau, "Typologising Cities: Historical and Methodological Reflections," *Religion and Urbanity Online* 2023, <https://www.degruyter.com/database/URBREL/entry/urbrel.24882548/html>.

28 Oborni, "A fejedelemség-kori," 149.

in the orbit of Cluj-Napoca, has been re-instated in its historical role as a mining town with a mining chamber and as a market town “of significance” in sixteenth and seventeenth century Transylvania in the study by Anikó Szász. However, Kubinyi’s method and interpretations of town hierarchies have been ignored by other scholars, especially in Romania. Apart from those authors who have chosen to score the towns they have studied according to Kubinyi’s methodology, the methodology itself is not essential for our volume, although it provides a good example for illustrating our argument that studies on urban history can remain loyal to certain approaches and interpretations that in turn keep them insulated.

Another more researched thematic area, the history of urban elites and patricians, has been studied since the 1970s and 1980s, yet the topic has gained ground in Eastern Europe only in recent decades. Therefore, we offer here an English version of the research of our colleagues on Transylvanian towns. Transylvanian Hungarian scholars are in the unenviable position in which their rich and innovative contributions to urban history remain little known to those scholars or students of Transylvanian history who cannot read Hungarian. There is a language barrier at play but also a lack of mutual interest and communication as a result of decades of political and ideological manipulation of Transylvania’s past. One exception to this lack of scholarly dialogue is Adrian Magina’s text in the present volume, whose analysis of nobility living in the town of Caransebeș continues a similar investigation by Bálint Lakatos for a previous historical period.²⁹

The history of Romanian towns has been stifled since the nationalist historiography of the twentieth century. The monograph by Laurențiu Rădvan on medieval towns of Wallachia and Moldavia³⁰ and Simion Câlția’s book discussing the nature of pre-modern Wallachian towns, available only in Romanian,³¹ cannot replace a generation of urban historians, absent from scholarly dialogue and disconnected from internationally accepted ideas and methods. In this respect, there is an even larger gap to overcome, and the studies published here are a new departure in this respect. They explain the types of sources that have survived from Wallachian and Moldavian towns, whose administrations kept records (protocol books and various account books) but which are unfortunately not extant before the eighteenth century.

29 Bálint Lakatos “Városi nemesek Karánsebesen a 15–16. század fordulóján,” *Urbs: Magyar Várostörténeti Évkönyv* 3 (2008): 71–94.

30 Laurențiu Rădvan, *At Europe’s Borders: Medieval Towns in the Romanian Principalities* (Leiden: Brill, 2010).

31 Simion Câlția, *Așezări urbane sau rurale? Orașele din Țările Române de la sfârșitul secolului al 17-lea la începutul secolului al 19-lea* (Bucharest: Editura Universității București, 2011).

Local history writing on towns, especially in Romanian, is either fragmented or displays little interest in the inner life of late medieval and early modern towns (i.e., in their juridical status and the internal dynamic of their political and social relations), mostly due to linguistic barriers in accessing archives, or is set in rigid frameworks that exclude comparisons with other cultural settings. Furthermore, urban history has often been construed as the study of urban development in terms of topography, morphology, monuments, or architecture,³² with less focus on the inner social and political dynamics, apart from the analysis of guild life and the publication of statutes.³³ The present volume has the ambitious goal of filling in some of these gaps. We propose to study towns from the perspective of the internal workings of their political, administrative, and social structures, in accordance with current trends in international scholarship. The main topic of our research is good governance, known in the theoretical and juridical discourse of early modern societies as *gute Polickey*. Our intention is to introduce and establish in Romanian and Hungarian historiography alike the theory of early modern *police* as a conceptual tool for analyzing governance and politics in urban settings from 1500 to 1800.³⁴ We also intend to examine the steps and measures taken by political authorities to build an ideal order, the ‘good’ order of society. This systematic examination is based mostly on collecting and processing town ordinances, including all decisions made by town councils, comprising not only constitutive statutes but also connected decisions, such as decrees regulating public order and establishing the tasks of departments performing “policing” functions within towns.

The studies in this volume are divided into five parts. Part One consists of contributions examining the theoretical construction of the *respublica* and the institutional framework of urban governance and related processes with respect to privileged towns. The role of the *centumviri* in Cluj, the powerful external council of the town, is examined in László Pakó’s study.

32 Examples of such publications include the website Historical Atlas of Romanian Towns (<https://icsusib.ro/en/historical-atlas-romanian-towns>) and the journal *Historia Urbana*, which publishes studies in the fields of urban history, architectural history, and urban planning.

33 Lidia Gross, *Bresle și confrerii sau despre pietatea urbană în Transilvania medievală (secolele XIV-XVI)* (Cluj-Napoca: Argonaut, 2014); *Comerț și meșteșuguri în Sibiu și cele Șapte Scaune (1224–1579)/Handel und Gewerbe in Hermannstadt und den Sieben Stühlen (1224–1579)* ed. Monica Vlaicu et al. (Sibiu: hora, 2003).

34 To date, we know of only one study in Hungarian literature mentioning the term and its decade-long scholarship in German historiography: Katalin Péter, “Werbőczy anyanyelvi fordításainak tanulságai—értelmiségi feladatvállalás a 16. században,” *Történelmi Szemle* 54, no. 3 (2012): 427.

Julia Derzsi tackles the novel question of how the town of Sibiu extended its authority over the villages under its juridical administration and issued statutes similar to urban ones.³⁵ Emőke Gálfi presents the particular case of the princely residence town of Alba Iulia, where the burghers and the urban elite created a second central square outside the town walls. Part Two contains studies focused on distinct types of government and elite composition. Anikó Szász focuses on governance in the market town of Dej, where a salt mine was located, and discusses all the administrative powers that distinguished this town from other salt mining settlements in Transylvania. Petra Mátyás-Rausch analyzes the composition of the town council of Baia Mare, located in the center of the gold mining region of northwestern Transylvania. Adrian Magina presents the example of the market town of Caransebeș, on the southwestern border of the principality of Transylvania, where Romanian nobility not only settled but were incorporated into the town council. After Mária Pakucs-Willcocks discusses the formal aspects of town administration and the use of the protocol book of Sibiu, Árpád-Botond György provides insights into the administration of Târgu-Mureș, which broke away from the jurisdiction of the Szekler seats at the beginning of the seventeenth century, and examines the town's earliest statutes. Part Four of the volume is dedicated to the political and juridical definition of urban elites, along with contemporary definitions marking inclusion and exclusion from this social group. Andor Nagy describes the network of families involved in the governance of early modern towns, using the example of Brașov, while Ștefan Ionescu-Berechet deals with the key moments defining the urban community of Câmpulung Muscel. The final part of the volume includes four studies that provide an outlook on instances of public order and public safety on the cusp of modernity and in modern times. Oana Sorescu-Iudean presents the institutional background of public health measures taken in Sibiu to control plague epidemics during the Habsburg government. Constanța Vintilă's study analyzes the urban policy of Bucharest, the capital of Wallachia, during the rule of the Phanariot princes, who controlled urban life through institutions of public order. Dan Dumitru Iacob studies the modernization of the police force in Iași, the capital of Moldavia, until the mid-nineteenth century and discusses how the rules adopted for the supervision of public order transformed a medieval military institution—the *agia*—into a local police force with regulated tasks. Finally, Simion Câlția presents the case of a chemical-bacteriological

35 For the imperial territories, see Wolfgang Wüst, ed., *Die lokale Policey: Normsetzung und Ordnungspolitik auf dem Lande; Ein Quellenwerk* (Berlin: Akademie Verlag, 2008).

laboratory established in cooperation with Bucharest local city government and in response to public interest in food and food security as an example of the professionalization of public administration in Romania in the late nineteenth century.

Readers who are less familiar with the history of our region will undoubtedly notice that authors use terminology that is particular and difficult to translate with the right English equivalents. We must bear in mind that the English terms do not always convey the full meaning and content of the local concepts; these include geopolitical terms that refer to local states and realms. Transylvania, for example, as an autonomous but tributary state to the Ottoman sultan, is referred to as a principality, with its official name being *regnum Transylvaniae*. This is because, after protracted negotiations between the Habsburgs and the Szapolyai family, a powerful Hungarian family of Croatian-Slovenian origins, the ruler of this territory, who was elected by the Transylvanian Diet and then appointed officially by the sultan, was called a *princeps*. Following the wars and treaties of the sixteenth century, the principality gained additional territories to the west, which had not been part of the medieval province of Transylvania and were called “the annexed parts of Hungary” or, in short, the Partium.³⁶

The political events concerning the principality of Transylvania that are often alluded to in the volume begin with the confrontations between the Ottoman and the Habsburg empires, specifically the so-called Thirteen Years War or the Long Turkish War (1593–1606). Following the peace of Zsitvatorok of 1606, Habsburgs claims on Transylvania eased, allowing the Transylvanian princes, or princeps, to assert their power and influence over the region while remaining under the sultan’s protection. In the eighteenth century, after the Ottomans were banished from Hungary, the principality of Transylvania became a province of the Habsburg Empire. Incorporation into the Habsburg Empire brought overall benefits for the Transylvanian towns on account of greater political and financial predictability. Smaller towns, especially, benefited from this stability, although there was a greater inference in their autonomy and decision-making. Sibiu, the former capital of the Transylvanian Saxons, became the seat of the governor and thus the capital of what was now called the Grand Principality of Transylvania,

36 Felicia Roşu, *Elective Monarchy in Transylvania and Poland-Lithuania, 1569–1587* (Oxford: Oxford University Press, 2018), 25–26; Teréz Oborni, “Between Vienna and Constantinople: Notes on the Legal Status of the Principality of Transylvania,” in *The Ottoman Tributary States of the Ottoman Empire in the Sixteenth and Seventeenth Centuries*, ed. Gábor Kármán and Lovro Kunčević (Leiden: Brill, 2013), 69–71.

increasing its prestige and influence.³⁷ After 1699, upon becoming a province in the Habsburg monarchy, the political vocabulary of police regulations (*Policeyordnungen*) in Transylvania became more precise under the influence of central statutes, and more towns began issuing their own clothing laws and political ordinances. The sumptuary legislation of Wallachia, albeit present only after the early nineteenth century, had a similar intention of enforcing social order and the observance of official hierarchy.

One of the main political actors of the early modern period was the Ottoman Empire, and its hegemony and legacy are strongly visible in the history of Wallachian and Moldavian towns. The translation of both high and petty officials' names in Bucharest or Iași, a mixture of Slavonic, Greek, and Turkish, into English does not do them justice. The translation difficulties are further compounded by the fact that the tasks and authority of various offices overlapped more than their English counterparts would suggest. The body entrusted with keeping public order, the *agia*, was often assisted by the military, the *spătăria* and the *hatman*, especially for the perils of the night (see Constanța Vintilă's contribution). However, the eighteenth-century wars with the Austrian and Russian Empires inevitably weakened the hold of the Ottoman sultans over the peripheries of their empire, and Wallachia and Moldavia came first under Russian influence and then, from 1830 onward, were no longer occupied.³⁸ The years 1830 and 1832 were turning points in the history of the two Romanian principalities, as their administration and legislation were reformed according to modern constitutions, the so-called Organic Regulations (*Regulamentele Organice*). The capital cities, Bucharest and Iași, were also restructured according to principles of modern administration, with new urban institutions independent of the princely court and the inconsistencies of the personal decision-making of the Phanariot lords. Towns in the Romanian principalities stand out among European urban centers: they first appeared as colonists from the Hungarian kingdom and developed into interethnic and multiconfessional urban communities with institutions of autonomous government, such as judges and councils.³⁹ Gradually, these Central European customs and practices of urban self-governance were replaced with other political and institutional structures, ones under the control of the central authorities.

37 Gábor Sonkoly, *Erdély városai a XVIII–XIX. században* (Budapest: L'Harmattan, 2001).

38 Cristian Ploscaru, "The Danubian Principalities (1829–1835): Autonomy and Constitutional Features in the Comparative European Context," *Analele Universității din Craiova: Istorie* 27, no. 2(42) (2022): 59, 63.

39 Rădvan, *At Europe's Borders*, 133, 151.

This shift became more evident in the eighteenth-century Bucharest,⁴⁰ when central control over the country's territory became more efficient, with the princely court acting as a centralizing factor and the nobility striving to acquire properties in the capital. Bucharest as a *Residenzstadt* in the eighteenth century is a topic that still has a lot to offer, but Constanța Vintilă has taken the first step on this path of research.⁴¹

The influence of the princely court on the urban topography and inner dynamics of the political elites are presented in Emőke Gálfi's study on Alba Iulia. This former bishopric seat became the residence of the Transylvanian Princes, and the central power needed its own area of influence in relation to the town. Thus, it should not be overlooked that at the end of the Middle Ages, the town had two owners (the bishop of Transylvania and the Transylvanian Chapter), but after the secularization of church property in 1556, the prince became the sole landlord. Despite hosting the princely palace within its walls, Alba Iulia retained the legal status of a market town (*mezőváros*) throughout the period of the principality. The reason for not upgrading the town's status was that the princes did not want to undermine their own authority by having their seat in a free royal town.⁴² The leading families of the urban elite were naturally drawn to the court and sought to be in its vicinity, but wanting to govern over their own community, they created a second square outside the town walls where they lived as citizens of their own town.

The legal status of Transylvanian towns, reflected in the privileges and "liberties" they had received from the Hungarian kings and later from the princes of Transylvania, remained a crucial issue for town elites both for fiscal reasons and for participation in the Transylvanian Diet.⁴³

In short, there were free royal towns, which enjoyed full internal autonomy to organize and elect their own local institutions and officials, and the major Saxon towns (Sibiu, Braşov, Mediaş) remained in this category throughout the period. Târgu Mureş received this status in 1616 (Árpád-Botond György),

40 Dana Harhoiu, *Bucureşti, un oraş între Orient şi Occident/Bucarest, une ville entre Orient et Occident* (Bucharest: Simetria 1997), 49–56, with a visual explanation of the transition from a Central European town towards Ottoman urbanism.

41 Gerhard Fouquet, Jan Hirschbiegel, and Sven Rabeler, eds., *Residenzstädte der Vormoderne: Umriss eines europäischen Phänomens* (Ostfildern: Jan Thorbecke, 2016); Gerhard Fouquet et al., eds., *Residenzstädte im Alten Reich (1300–1800)—Ein Handbuch, Abteilung III., Repräsentationen sozialer und politischer Ordnungen in Residenzstädten* (Ostfildern: Jan Thorbecke, 2022).

42 Emőke Gálfi, "Miért maradt mezőváros a fejedelmek székvárosa?," in *Arte et ingenio: Tanulmányok Kovács András hetvenötödik születésnapjára*, ed. Emőke Gálfi, Zsolt Kovács, and Klára P. Kovács (Cluj-Napoca – Budapest: Erdélyi Múzeum-Egyesület, Bölcsészettudományi Kutatóközpont Történettudományi Intézet, 2021), 241–51.

43 Teréz Oborni, *Erdélyi országgyűlések a 16–17. században* (Budapest: Országház Kiadó, 2018), 173.

while Cluj, which had been a free royal town since the fifteenth century, lost this position in 1660 when it became a border town following the Habsburg-Ottoman conflict and the fall of Oradea. Cluj would regain its status and privileges only in 1709.⁴⁴ Other towns, such as Baia Mare, discussed here by Petra Mátyás-Rausch, benefited from becoming border towns because they became points of entry and exit along with a customs station, which in turn increased their economic standing. Some market towns had an overlord, who in certain cases was the prince of Transylvania himself. These towns paid a collective tax to the treasury and were called *loca taxalia*.⁴⁵ As free royal towns, however, they could exercise the privilege of lordship over an estate or group of estates. In addition to their legal dependence, the social and public affairs of the villages, which were often ethnically and religiously diverse, were regulated by means similar to those of the urban population, as Julia Derzsi shows in the case of the settlements under the administration of Sibiu, which extended the rules of the municipality to the village population.

The studies collected in this volume reflect a wide range of methodological questions and theoretical perspectives on urban history while shedding light on certain aspects of urban governance in our region in terms of legal status, size, and geopolitical role. Although most of the studies do not focus primarily on *gute Policey* but on related issues (administrative structures, political elites and cultures, public policy, and public order), all of them fundamentally address the topic of early modern governance. Given the variety of approaches, the selection for inclusion in this volume remained random from the outset, but in the editors' opinion, it reflects well the historical setting and possibilities of our region, the particularity of urban development, the inequality of urbanization, the lags in attempts at modernization, as well as the institutional limitations of urban governance and diverse responses to social and geopolitical challenges.

A note on the translations

All the studies in this volume, except for that written by Oana Sorescu-Iudean, were translated from either Hungarian or Romanian by Mária Pakucs-Willcocks.

44 András Kiss, "18. századi erdélyi utak a szabad királyi város státus felé," *Szabolcs-Szatmár-Bereg Megyei Levéltári Évkönyv* 17 (2006), 94.

45 Judit Pál, *Városfejlődés a Székelyföldön, 1750–1914* (Miercurea-Ciuc: Pro-Print, 2003), 42.

Towns and localities are presented here in their current usage, although many East-Central European places have had multiple historical names, provided in the gazetteer. The original names of certain urban institutions, for better clarity, are provided in their original form in parentheses.

To navigate the divergent uses of terms designating urban institutions, we have included a glossary at the back of the volume.

About the authors

Mária Pakucs-Willcocks is a senior researcher with the “Nicolae Iorga” Institute of History and a research fellow of the New Europe College in Bucharest. Her research has focused on trade and merchants between Transylvania and the Ottoman Empire in the early modern period, and on urban history and political discourse. Most recent publications include “Trade Routes and Commercial Networks in Early Modern South-Eastern Europe in the Light of Transylvanian Sources,” in *Cities and Economy in Europe. Markets and Trade on the Margins from the Middle Ages to the Present*, ed. Katalin Szende et al. (Abingdon: Routledge, 2024), 266-284 and the edition of the customs accounts of Sibiu, *Zwanzigstrechungen aus dem Archiv der Stadt Hermannstadt (1536-1623)* (Sibiu: Honterus, 2023).

Julia Derzsi is a senior research fellow at the Romanian Academy, the Institute for Social Sciences and Humanities Sibiu. Her main research interests are institutional, economic and urban history in premodern Transylvanian, particularly Saxon towns. Her previous publications include *Delict și pedeapsă: Justiție penală în orașele săsești din Transilvania în secolul al XVI-lea* [Crime and punishment: The functioning of criminal jurisdiction in the Transylvanian Saxon towns in the 16th century] (Cluj-Napoca: Egetemi Műhely Kiadó, 2022).

Part I.

Respublica—Political Constructs and Governance

1. Defending the Town's Interest: The Council of the *Centumviri* and the Administration of Justice in Early Modern Cluj¹

László Pakó

Abstract: The study focuses on the role of the Council of the Hundred in the judicial activity of Cluj during the time of the Transylvanian Principality. The utilized primary sources—town protocols and tax registers—diverge from existing scholarship and show that in certain cases, despite the regulations, the Council of the Hundred did supervise judicial cases which involved other officeholders. Moreover, the centumvirate could overrule previous judges with the aim of preserving the privileges that granted free judicial practice to the town and preventing the interference of other municipalities. There was no conflict between the centumviri and the inner council, but rather a cooperation between the two governing bodies in order to conserve the town's self-governance and independent judicial control.

Keywords: Council of the Hundred, centumviri, Cluj, inner council, sixteenth century, town autonomy

Cluj, called *Transilvaniae civitas primaria* (“the capital city of Transylvania”) on a well-known engraving by Georg Hoefnagel from 1617, was one of the most influential towns of the Principality of Transylvania. As a royal town

1 This study was supported by the HTMKNP FAEK MTA National Program. A shorter version of the paper was published under the title: “Hatalmi konfliktus vagy testületi összefogás? A kolozsvári százférfiak tanácsa és a városi igazságszolgáltatás a 16. század második felében,” *Erdélyi Múzeum* 72, nos. 3–4 (2010): 73–87.

from 1316, then as a free royal town from nearly a century later (1405), it was an urban settlement, which in political, diplomatic, economic, and cultural terms competed with other important cities of the principality, such as Sibiu, Braşov, and Bistriţa. Based on medieval traditions but influenced by later political, religious, and economic changes, by the second half of the sixteenth century, the town had developed its own system of self-governance and jurisdiction. Apart from the princely authority, Cluj became independent of the influence of any other institution or jurisdiction of the principality. Thus, the community governed its affairs according to its own internal regulations. Having a mixed population of mainly Hungarian and Saxon citizens—equal in number from around the middle of the fifteenth century—all officeholders were elected based on a parity system introduced in 1458 that allowed equal representation for both ethnicities in the town government. The most important governmental and legislative body of the town was the Council of the Hundred (*centumvirátus*, *százférfiak tanácsa*; hereafter, the *centumvirate*), with its members elected equally from the two ethnic groups. The executive and judicial authorities that administered justice and managed the daily life of the city were members of the inner council, elected among the members of the assembly (hereafter, the *centumviri*). The two important offices of head judge (*judex primarius*, *főbíró*) and royal judge (*királybíró*, *judex regius*) were also filled by yearly rotation, meaning that if the first judge was Hungarian, then the royal judge was Saxon, and vice versa. The twelve jurors or sworn citizens (*senatores*, *esküdt polgárok*) of the town, forming the small or inner council, were elected on a similar basis—half of them Hungarians and the other half Saxons.²

In this study, I examine the role of the centumvirate in the administration of justice in Cluj in the second half of the sixteenth century, drawing primarily on data from the protocol book of the assembly sessions. Using the example of Cluj, Ágnes Flóra recently compiled a detailed examination of the functioning and jurisdiction of medieval and early modern city councils, both inner and outer councils alike.³ Therefore, in the following, I will focus solely on the aspects of the topic that concern the centumvirate. According to the provisions of the local urban legislation, legal matters in Cluj, when

2 András Kiss, "Kolozsvár város önkormányzati fejlődése az 1458-as 'unióig' és kiteljesedése az 1568-as királyi ítélettel," *Erdélyi Múzeum* 59, nos. 3–4 (1997): 291–93. The town had two representative bodies: the small or inner council (also called the council of the sworn citizens in the sources) and the large or outer council (i.e., the council of the hundred, the council of the centumviri).

3 Ágnes Flóra, *The Matter of Honour: The Leading Urban Elite in Sixteenth Century Transylvania* (Turnhout: Brepols, 2019), 31–40.



Figure 1.1. Joris Hoefnagel, view of Cluj, print after copper engraving, 1618 (Georg Braun, *Theatri praecipuarum totius mundi urbium liber sextus*, 41, Cologne, 1618).



Figure 1.2. Franz Jaschke, The main square in Cluj, 1823, oleography (Collections of the National Brukenthal Museum, Sibiu, MNBS 2171).

brought to court, were resolved in first instance by the head judge and the royal judge, and in appeal by the sworn citizens. The centumviri had the task of establishing the juridical norms for the administration of justice, but we know of exceptional cases, when the centumvirate became involved in the judicial process, although the town privileges detailing the election and

authority of the assembly do not mention its judicial duties. In this regard, there is a statement from 1568 of the central court of justice of Transylvania, which, while clarifying the conflict between the Hungarian and the Saxon citizens of the town regarding the use of the main church and the town priest, also mentioned the centumvirate when describing the judicial system of Cluj. It emphasized once again that when a case was brought to the judicial court of Cluj, the first instance consisted of the head and the royal judges, and the instance of appeal was the council of the twelve jurors, whence a case had to be taken to the central court of justice of the principality—and not to the centumvirate.⁴

The *centumviri* and their role in the election of the judicial officials of the town

Historical sources offer abundant information about the functioning of the centumvirate as a legislative body, its role in establishing the composition and regulations for the judiciary of Cluj, as well as specifying its members' duties and remuneration. Their exclusive right to elect the head judge and the twelve sworn citizens is known.⁵ Their caution in the election of judges and jurors is illustrated by a decision from November 1586: the *centumviri* had decreed that the election of new members of the centumvirate should precede the election of the head judge and jurors by several days in order to give the new members time to reflect on the persons to be elected to the judiciary.⁶ This is the reason why the *centumviri* rarely approved any attempt of an early retirement from office. For example, in June 1590 they complained because the prince of Transylvania had forced the head judge to stay in Alba Iulia for half a year. The *centumviri* argued that the extended absence of their head judge would not only delay the administration of justice and disrupt the work of the judiciary, it would also damage the reputation

4 Elek Jakab, ed., *Oklevéltár Kolozsvár történetéhez* (Budapest, 1888), vols. 2–3: 88 (doc. XLI).

5 Elek Jakab, ed., *Oklevéltár Kolozsvár története első kötetéhez* (Buda, 1870), 192–93 (doc. CXV), 280–85 (doc. CLXXVII), 379–83 (doc. CCXLII); Jakab, *Oklevéltár* vols. 2–3: 133–37 (doc. LXV). For literature see András Kiss, “Primăria municipiului Cluj-Napoca,” in *Îndrumător în Arhivele Statului: Județul Cluj* (Bucharest: Arhivele Statutului, 1985), vol. 2: 61–64; Kiss, “Kolozsvár város,” 293–97; László Blazovich, “A budai jog és Kolozsvár egy 1488-as oklevél alapján,” in *Városok és városalakók*, ed. Ionuț Costea et al. (Cluj-Napoca: Argonaut, 2006), 343–44; Flóra, *The Matter of Honour*, 63–68.

6 Serviciul Județean al Arhivelor Naționale (Romanian National Archives, hereafter SJAN) Cluj, Primăria orașului Cluj (Town Hall of Cluj, hereafter POC), Protocoale de ședință, I/5, 20.

and authority of the judge and endanger the peace of the entire urban community.⁷ In April 1578, the head judge and the centumviri resorted to the same arguments when they forbade certain sworn citizens from leaving Transylvania for personal trading purposes, arguing that their departure would impede both the functioning of the city governance and the judiciary.⁸

In the event that the departure of a head judge or a royal judge was unavoidable, the centumviri had to appoint a substitute (*hagyott bíró, substitutus*) to fill their place. In 1652, for instance, a prisoner tried to postpone his trial with the excuse that the judge was ill, but the centumviri rejected his attempt, replying that a substitute judge could oversee the proceedings.⁹ In the event that a royal judge were to pass away, the centumviri would decide upon his successor as well. One centumvirate decision, dated June 4, 1602, emphasized that the duties of a deceased royal judge had to be assigned to the next sworn citizen from his ethnicity (i.e., Hungarian or German) in rank. The other jurors were also called upon to support the smooth transition of office and to prevent lapses in the administration of justice.¹⁰

The centumviri also intervened in cases of disagreement between the head judge and the sworn citizens. In May 1571, they called upon the judge and the jurors to end one such disagreement: the judge was asked to direct the activity of the jurors without giving cause for dispute, while the sworn citizens were reminded to follow the instructions of the head judge unconditionally and to be present when summoned without delay. The following year, at the renewed request of the head judge, the centumviri again warned the sworn citizens and made their departure from the town dependent on the judge's permission. The balancing of the complex relationship between the judge and jurors required continued attention from the centumviri, which is why similar decisions were made in 1575, 1585, and 1592, as well.¹¹

The centumviri were also responsible for creating the oath of office for town officials, with special reference to the judicial duties of the head judge, the sworn citizens, and the town notary.¹²

7 SJAN Cluj POC, Protocoale de ședință I/5, 75.

8 SJAN Cluj POC, Protocoale de ședință I/3, 165^v–166.

9 SJAN Cluj POC, Protocoale de judecată II/19, 71.

10 SJAN Cluj POC, Protocoale de ședință I/5, 207; Sándor Kolosvári and Kelemen Óvári, eds., *Corpus statutorum Hungariae municipalium: A magyar törvényhatóságok jogszabályainak gyűjteménye* (Budapest: Magyar Tudományos Akadémia, 1885), vol. 1: 248–49.

11 SJAN Cluj POC, Protocoale de ședință I/3, 39, 54^v, 115^v, 116^v, 118–119; I/5, 6^v, 94^v.

12 SJAN Cluj POC, Protocoale de ședință I/3, 263^v; Elek Jakab: *Kolozsvár története*, vol. 2 (Budapest: Magyar Királyi Egyetemi Könyvnyomda, 1888), 199; SJAN Cluj POC, Protocoale de ședință I/3, 264^v; Jakab, *Kolozsvár*, 198.

In certain areas, the duties of the centumviri overlapped with those of the judges and the jurors, such as in the appointment of notaries and procurators (*prokátorok*) and the supervision of their activity. In May 1582, after the town notary left office, the centumviri could not reach a decision among the many suitable candidates; therefore, they asked the head judge and the jurors to choose “the one who seems to be the best and most appropriately versed in this profession.”¹³ The position was offered to Gergely Diósi, who remained in office until his death in 1596. Explaining why the centumviri decided to leave the appointment of the town notary to the judge and the jurors, an entry in the protocol book noted: “Since the notary has to attend to the council and the judge all the time, they should choose the person whom they deem worthy and satisfactory.” The centumviri were involved both in the inauguration of the chosen notaries and in the drafting of their instructions as well. In early 1596, for instance, the judge and the jurors appeared in front of the centumviri together with the elected town notary, where they read aloud the instructions for the notary, after which he took the oath and was installed in his office.¹⁴ The centumviri were the ones who intervened in 1570 as well, when the town notary wanted to resign his office, and they firmly requested he carry out his one-year mandate.¹⁵

For the efficient and unimpeded operation of the judiciary, the centumviri urged the hiring of scribes to assist the town notaries and to fill in if the latter were absent or ill. In certain cases, as at the end of September 1604, they could also request the head judge to suspend the activity of the judiciary so the notary could assist in the preparation of the town’s annual accounts.¹⁶

The centumviri took on a similar role in the case of procurators employed in the service of the town. These procurators were members of the intelligentsia familiar with the legal system, the laws, and the statutes of the principality and of the town, who were hired usually for a one-year period by the town magistrate. They had to represent the town in trials at different levels of the judicial system of Transylvania, and in trials started *ex officio* at the local court against those who endangered the internal peace of the town.¹⁷ In selecting these procurators, on certain occasions the centumviri entrusted the head judge and the jurors to appoint them, on other occasions they made the choice themselves. There were even cases when they made

13 SJAN Cluj POC, Protocoale de ședință I/3, 253^v.

14 SJAN Cluj POC, Protocoale de ședință I/5, 139, 139^v.

15 SJAN Cluj POC, Protocoale de ședință I/3, 4.

16 SJAN Cluj POC, Protocoale de ședință I/5, 158.

17 On more data about the town procurators of Cluj, see: László Pakó, “Prókátorok Kolozsváron a 16. század utolsó évtizedeiben,” *Certamen* I (2013): 251–255.

a joint effort in appointing these town representatives.¹⁸ Regardless of who chose the procurators, the centumviri always monitored their activity.

The same occurred in the case of procurators who did not represent the town itself but rather private individuals before the law. The town statute of 1577, which incorporated regulations about the judicial process as well, was drafted by the judge and the sworn citizens, but the centumviri reviewed it and requested changes in the articles concerning the procurators.¹⁹ Yet again, there were occasions when the centumviri made sole decisions on matters regarding procurators: they forbade local procurators from representing foreigners before the law, ordered them to pay damages if their client suffered a loss through their own fault, or limited the extent of their financial claims.²⁰

The centumviri were instrumental in the supervision of the *directores causarum* (the modern-day public prosecutors; hereafter, the directors), the town's legal representatives who, in accordance with their writ, initiated legal proceedings against public offenders, in addition to acquiring and managing, on the town's behalf, the property of townspeople who died without heirs. Thus, the directors played an important role both in the area of public safety and in financial matters on behalf of the city. They were elected from the ranks of the centumviri, who also appointed their advisers and assigned them their duties.²¹ The directors were called upon in numerous situations to take action against those accused of fornication, adultery, murder, blasphemy, disturbing the public order, bothering town officials, breaking and entering, smuggling foreign wine into town, defecting to the enemy, and finally all those who, having committed capital crimes, "are not worthy of being in the community of the virtuous."²² As protectors of the town's assets, the directors were often called upon to deal with those who failed to pay their taxes or other town debts and were constantly encouraged to obtain for the town the property of townsfolk who died without heirs.²³

The centumviri decided on matters concerning town employees as well, including the executioners and their assistants and the town bailiffs

18 SJAN Cluj POC, Protocoale de ședință I/5, 5^v, 31, 184^v.

19 SJAN Cluj POC, Protocoale de ședință I/3, 147; I/5, 243.

20 SJAN Cluj POC, Protocoale de ședință I/3, 8^v.

21 SJAN Cluj POC, Protocoale de ședință I/5, 158.

22 László Pakó, "A kora újkori kolozsvári jogügyszervezők perindítási hatásköréről," in *Közösségben közösségért: Tanulmányok Kiss András születésének 100. évfordulójára*, ed. Ágnes Flóra and László Pakó (Cluj-Napoca: Erdélyi Múzeum-Egyesület, 2023), 242–44.

23 Pakó László, "Zur Rechtspflege und Vermögensverwaltung im Siebenbürgen des 16.–17. Jahrhunderts: Fiskaldirektoren im frühneuzeitlichen Klausenburg (1584–1660)," *Ungarn Jahrbuch: Zeitschrift für Interdisziplinäre Hungarologie* 34 (2019): 79–80; Pakó, "A kora újkori," 244–46.

(*poroszlók*). They set their salaries and paid for their clothes, for the construction or renovation of their houses, and even for their firewood. They also gave assistance in personal matters, such as in 1591, when the centumviri paid a ransom to free the executioner's wife and child.²⁴ They also decided that the servants who carried out court summonses should remain under the authority of the bailiff, and not of the head judge. However, the proceedings would have to be reported to the town council.²⁵

The urban administration of justice and its legal scope

The council of the centumviri, together with the head judge and the sworn citizens, drafted and issued statutes and resolutions concerning the legal procedures for the administration of justice in Cluj. Just to mention the most important ones, the centumviri participated in the writing and issuing of statutes in the following years: 1513, 1537 (with nearly 50 articles), 1577, 1578 (about the punishment of fornicators), 1585 (12 articles), and 1588 (the most detailed code of legal procedures).²⁶

Several entries in the protocol book of the centumviri meetings illustrate how long and drawn-out the process of drafting a regulation could be. In early 1584, the centumviri mandated that the “elected leaders” write “proper laws for the town,” emphasizing that as soon as

this fine and useful work was done, to bring it forth to the town [leaders], and at last, when all things are considered, if the booklet of law is clean and approved, we should have it confirmed by His Highness [i.e., prince of Transylvania] to have and abide within our community for all time.²⁷

The work on the statute was protracted, as on January 5, 1585, the centumviri asked the head judge to urge the eight individuals entrusted with the work to finalize “the articles of law.” On January 23, the work was still proceeding, as the centumviri had stated that until they were informed about the

24 SJAN Cluj POC, *Protocoale de ședință* I/3, 213; SJAN CJ POC, *Socoteli* 3/V, 14; 3/XVIII, 21, 40; 3/XXII, 53, 56; 6/XVII, 232; 5/I, 9.

25 SJAN Cluj, *Protocoale de ședință* I/5, 8^v; Kolozsvári and Óvári, *Corpus Statutorum*, I, 206.

26 Kolozsvári and Óvári, *Corpus Statutorum*, I, 186–95, 202–4, 210–31. Elek Jakab, ed., *Oklevéltár Kolozsvár története I. kötetéhez* (Budapest: Magyar Királyi Egyetem Nyomdája, 1870), 379–83 (doc. no. CCXLII). Elek Jakab, eds., *Oklevéltár Kolozsvár története II. és III. kötetéhez* (Budapest: Magyar Királyi Egyetem Nyomdája, 1888), 133–37 (doc. no. LXV); Kiss, “Kolozsvár város,” 294.

27 SJAN Cluj POC, *Protocoale de ședință* I/4, 11.

new and approved articles, the “head judge should refrain from any final decision in lawsuits.”²⁸ It was at their February 6 session that the centumviri finally got the chance to read through the new articles and to adopt them. They immediately ordered the judge and the council to administer justice according to the new law and to have its provisions observed by all litigants.²⁹

There were situations when the judge and the jurors tried to modify the legal procedures without the approval of the centumviri, but these attempts were met with fierce opposition. In a March 1570 decree, the centumviri stated that they had no intention of interfering in the judicial process but nevertheless objected to the judge and jurors enacting a new statute without their consent.³⁰

These two cases presented in detail reveal the balance of powers within the town of Cluj, where the judges, the sworn citizens, and the centumviri were all involved in the shaping of judicial activity in the town, while all parties were vigilant in ensuring that their authority was not undermined.

The centumviri as overseers of judicial activity

In addition to electing the judiciary and contributing to the drafting of statutes and legal procedures, the centumviri also monitored the administration of justice and intervened when necessary. According to article 12 of the 1537 municipal statute, if the centumvirate made a decision the judge and town council had to respect and execute it by all means.³¹ Compliance with this regulation was not always a given: in April 1561, for instance, the centumvirate declared that they would no longer respond to the judges’ summons if said judge persisted in refusing to carry out the centumvirate’s decisions.³²

Several resolutions of the assembly show that the centumviri intervened in questions regarding the administration of justice as well. In one case they requested the head judge to settle a dispute between two townspeople over a house, while in another case they urged the judge to reach a verdict in a trial that had stalled in the evidentiary stage. In yet another case, the centumviri warned the judge to sentence some soldiers serving in the town

28 SJAN Cluj POC, *Protocoloale de ședință* I/5, 2, 3v.

29 It is not clear whether this princely confirmation took place. SJAN Cluj POC, *Protocoloale de ședință* I/5, 5, 5^v.

30 SJAN Cluj POC, *Protocoloale de ședință* I/3, 7^v, 8–8^v.

31 Jakab, *Oklevéltár* I, 381–82 (doc. no. CCXLII); Jakab, *Oklevéltár*, II–III, 135–36 (doc. no. LXV).

32 Jakab, *Kolozsvár története*, 126.

who were fighting and slinging swords at one of the town's gate.³³ They also asked the head judge to sentence an individual who rebelled against the town officials and the town law by shouting: "Damned be whoever works in the vineyard of a centumvir!"³⁴ When the shepherds of Feleac (a nearby village under the jurisdiction of Cluj) attacked a sworn citizen, it was the centumviri who instructed the head judge to arrest the culprits and to bring them to justice. They wanted to demonstrate that no attack against town officials would be tolerated, especially from a tenant peasant. In a similar case, when head judge Antal Ferenci informed them of the disgrace he had to endure, the centumviri ordered him to appoint a deputy judge in his place and to file a lawsuit against his offender through the town procurators. That same year, the centumviri intervened to protect Cluj officials a third time as well. They admonished the judge and the sworn citizens not to overlook an attack on a bailiff on duty collecting taxes, because "the fact concerns the dignity of our town." On other occasions, the centumviri intervened with the head judge, requiring the trial of a fishermen's wife who had assaulted the market judges and the punishment of a person who had leaked secrets of the council. There were times when, in order to protect the judicial privileges of Cluj, the head judge was asked to prosecute individuals collecting witness evidence without a mandate (*compulsoria*).³⁵ In 1604, the centumviri stepped in because the prisoners held in the prisons were starving to death due to delays in trials. They instructed the head judge and the council to follow the provisions of the town statutes on legal procedures.³⁶

The head judge was often asked to punish troublemakers, drunkards disturbing the peace, mask-wearers, card and dice players, rowdy and loud individuals, or people caught fornicating.³⁷ The sale of houses or town lots also had to be closely supervised by the head judge. In May 1592, the centumviri decreed that the judge had to summon and punish all townsfolk

33 SJAN Cluj POC, Protocele de ședință I/3, 24, 136^v, 67^v.

34 SJAN Cluj POC, Protocele de ședință I/1, 61.

35 SJAN Cluj POC, Protocele de ședință I/3, 173, 173^v, 175^v–176, 138, 214^v, 217^v.

36 SJAN Cluj POC, Protocele de ședință I/5, 240, 241.

37 Several decisions of this kind are recorded in the protocol book: SJAN Cluj POC, Protocele de ședință I/3, 143; I/4, 3, 15, 15^v; I/5, 2, 3, 6, 21^v, 22, 31, 35^v, 49^v, 61^v, 63, 64^v, 84, 88, 105, 106–106^v, 111^v, 113^v, 115, 116, 116^v, 122^v, 137^v–138, 146^v, 148^v, 154, 156^v, 183–183^v, 248; I/6, 7. From issues arising from disregard of thereof: Jakab, *Kolozsvár története*, 113–14, 187–88; András Kiss, "Farsangolás Kolozsvárt—1582-ben," in *Források és értelmezések*, ed. András Kiss (Bucharest: Kriterion, 1994), 103–9. Gyöngy Kovács Kiss, "A játékos város," in *Megidézett múlt*, ed. Gyöngy Kovács Kiss (Cluj-Napoca: Komp-Press, 2008), 9–26; Gyöngy Kovács Kiss, "Pletyka, becsületsértés, rágalmazás a fejedelemség kori Kolozsváron," in *Megidézett múlt*, ed. Gyöngy Kovács Kiss, 27–41. SJAN Cluj POC, Protocele de ședință I/1, 13, 161^v, 249^v; Jakab, *Kolozsvár története*, 114.

who intended to sell their houses to nobles from the countryside and not to fellow citizens.³⁸

The 100 men voiced their disagreement with the activity of the judge and the sworn citizens as well. In February 1578, they declared that the judge and jurors were not only given the power to punish crime, they were also expected to fulfill their obligations to the fullest.³⁹

The centumviri had the authority to assign new duties to the judges and sworn citizens. In 1558, they requested them to erect a pillory and wheel to scare off potential offenders,⁴⁰ while in 1586, they warned local authorities to be vigilant and not allow the county to extend its authority over the city under the pretext of investigating criminals taking refuge there.⁴¹ They instructed the judges to keep an eye on the procurators,⁴² but also warned to them to keep the old rules and not to take money from them.⁴³ Furthermore, in this respect the centumviri admonished the judges when they charged too much judicial tax from the litigants, arguing that this affected the prestige of the town's authority.⁴⁴

There are cases in which the centumviri vetoed the decisions of the judge and jurors or at least tried to sway them in favor of a more moderate point of view. In May 1572, they did not allow a judge to be represented by a procurator because the centumviri thought that the case required the personal presence and decision of the head judge. A few years later, in 1581, the judge was asked by the centumviri not to stir up new hostilities in retaliation for his grievances.⁴⁵

The centumviri oversaw the activity of the procurators as well, reminding them repeatedly to follow the old statutes of Cluj and not to overcharge their clients. In January 1592, the centumviri admonished the judge and jurors to watch over the procurators because there were many complaints being made against them. In March 1604, the procurators were warned directly not to ask for futile adjournments.⁴⁶ Similar attention was given

38 SJAN Cluj POC, *Protocoloale de ședință I/5*, 95; László Pakó, "Városi polgár—vármegyei nemes? Nemesek ingatlanszerzése Kolozsváron a fejedelemség korában," in *A reneszánsz Kolozsvár*, ed. András Kovács and Gyöngy Kovács Kiss (Cluj-Napoca: Erdélyi Múzeum-Egyesület, 2008), 232.

39 SJAN Cluj POC, *Protocoloale de ședință I/3*, 161.

40 SJAN Cluj POC, *Protocoloale de ședință I/1*, 16^v; Jakab, *Kolozsvár története*, 114.

41 SJAN Cluj POC, *Protocoloale de ședință I/5*, 13^v.

42 Such were instructions given in 1570, 1580 and 1592. SJAN Cluj POC, *Protocoloale de ședință I/3*, 18, 88, 207; *I/5*, 89.

43 SJAN Cluj POC, *Protocoloale de ședință I/3*, 6, 8^v, 18.

44 SJAN Cluj POC, *Protocoloale de ședință I/3*, 29^v; Jakab, *Kolozsvár története*, 134.

45 SJAN Cluj POC, *Protocoloale de ședință I/3*, 63, 240^v.

46 SJAN Cluj POC, *Protocoloale de ședință I/5*, 89, 236.

to the bailiffs and the guards, who were disciplined if their behavior was deemed unsatisfactory.⁴⁷

The centumviri also had crucial influence over the administration of justice by imparting advice to the judiciary in unclear cases or by drafting decisions with legal authority in the event of a legal vacuum. In 1570, at the request of the head judge, the centumviri offered counsel that in the event of a person suffering injury, the initiation of proceedings fell under the responsibility of the injured party—and not the city.⁴⁸ Due to a lack of applicable law, the centumviri introduced new procedural decisions as well in the case of two individuals sued by the town's procurator for debt.⁴⁹ In 1579, the centumvirate, convened at the request of the sworn citizens, and decided to start proceedings against a reappointed but corrupt procurator of the town.⁵⁰ If conflict arose from a hasty arrest or prosecution, the judges and the council would turn again to the centumviri for instructions. For example, the centumviri advised one judge not to try to reach an agreement with a wrongfully arrested person because a retrial was anticipated, under which circumstances they were willing to shift the burden of unlawful arrest onto someone else. In many cases, it is likely that the judges and sworn citizens implicated the centumviri so that the responsibility for making uncertain decisions did not fall solely on their own shoulders. The centumviri also stood by the judges and the jurors in cases when they were accused of misconduct even in cases when their decisions were correct. In April 1580, for example, the judge and jurors summoned the centumviri to their side against Gergely Balásfi whose goods had been pledged for unpaid debts and who threatened retaliation at the princely court.⁵¹

The cases presented so far show that centumviri lived up to the role assigned to them by legal custom: they took part in appointing the judge and

47 SJAN Cluj POC, *Protocoloale de ședință* I/4, 4^v.

48 The case shows that in 1570's criminal trials in Cluj could still only be started by a private person, not ex officio. However, the fact that the judge asked for further advice on this matter indicates that in this respect the attitude of the officials was changing. See András Kiss, "Ante Claram Bóci (Egy 1565-beli ismeretlen kolozsvári boszorkányper)," in *Más források—más értelmezések*, ed. András Kiss (Târgu Mureș: Mentor, 2003), 301; SJAN Cluj POC, *Protocoloale de ședință* I/3, 27^v.

49 The entry in the protocol book does not offer details on the case: SJAN Cluj POC, *Protocoloale de ședință* I/5, 94.

50 SJAN Cluj POC, *Protocoloale de ședință* I/3, 184–184^v.

51 SJAN Cluj POC, *Protocoloale de ședință* I/3, 189^v, 218–18^v. Balásfi had been litigating with his cousins since 1579 over family charters and possessions, but we cannot ascertain whether the pledged goods from Cluj were connected to the family feud. See Zsolt Bogdándi, "A kolozsvári Balásfiak. Egy deákcsalád felemelkedése a 16. században," *Református Szemle* 6 (2003): 809.

jurors and were actively involved in regulating, supervising, and assisting them in their duties, in drafting legislation, and in ensuring legal unity and continuity.

The centumviri as conflict mediators

The protocol books of the centumviri record entries for situations when they took on a role outside their statutory authority. In January 1585, the centumviri were presented with the case of head judge Gáspár Herceg, who sold foreign wine in Feleac. Because the village was under the jurisdiction of Cluj, his actions were against the town's ban on importing and selling wine,⁵² so the judge had to be punished. Since he was the one who usually administered justice, the case was discussed by the centumviri. The culprit swore that he was not aware that the ban was valid in Feleac as well, but his ignorance was not accepted as a defense, and he was fined double the usual sum on account of his office.⁵³ The centumviri accepted the task of sentencing in this case, although in a similar situation from 1570 they had decided otherwise. Then a certain citizen had imported wine against the law, but the head judge and council decided that the case concerned the privilege of the town, so it had to be solved by the centumvirate. The centumviri, however, returned the decision to the elected officials, arguing that they were elected to defend the city's liberties.⁵⁴ The crucial difference between the two situations was more likely the person of the head judge of Cluj himself.

The more problematic cases for the centumviri were when they had to settle disputes between town officials. In 1588, the centumvirate had several sessions involving the case of György Túri, a sworn citizen and tithe collector, who appropriated a quarter of the tithe donated by Queen Isabella to the town school and hospital. The centumviri tried to force Túri to surrender the money and, at the same time, wanted to remove him from office. They probably even arrested him. However, Túri complained to the queen, who ordered the town of Cluj to come to the court of her personal presence. On the other hand, the centumviri instructed the town delegates to take the matter to the Transylvanian central court of law, i.e., to the Princely

52 László Pakó, "Bor, kocsmá és emberölések a kora újkori Kolozsváron," *Urbs: Magyar Várostörténeti Évkönyv* 16 (2022): 274–76.

53 SJAN Cluj POC, *Protocoale de ședință* I/5, 4^v–5.

54 SJAN Cluj POC, *Protocoale de ședință* I/3, 3^v.

Table (*tabula*), and not directly to the queen's personal presence, and to let them know that Túri "called the judge a thief and made other unpleasant insults." At the same time, the delegates were instructed to ask the queen to allow the case to continue before the town magistrate because Túri had insulted the head judge.⁵⁵ We do not know whether the trial took place in front of the town judge, and if so, who took over the role of adjudicator from the aggrieved judge. It is certain, however, that on April 21, 1561, the king, John II Sigismund, ordered Túri to return the quarter of the tithe to the town judge and jurors of Cluj for its intended purpose.⁵⁶ In 1588, Katalin András wanted to summon the head judge of Cluj and two centumviri to the queen's court. The centumvirate intervened and instructed the judge and the sworn citizens that two persons chosen from their ranks should plead with the queen to respect the old judicial privileges and statutes of Cluj. We do not know the outcome of the intercession, nor who judged the case of the accused head judge of Cluj. What is clear, however, is that in this case, too, the centumviri sought to ensure that trials against town officials would not be brought before any other court, even if the defendants were those responsible for administering justice in the town. Furthermore, in a session of the centumviri from the beginning of 1589, they decided that the delegates should urge the queen, in the future, not to allow any cases from Cluj in her court that were taken there in contravention of the town's statutes.⁵⁷

András Ötvös, an active member of the Cluj establishment, having been a member of the centumvirate since 1575 and having been employed in the service of the town in several guises,⁵⁸ was suspended in 1587 from the centumvirate because he was a suspect in an attempted murder.⁵⁹ The decision, although made in accordance with the 1537 statute of Cluj, had its opponents, but the centumviri did not change their mind even after the parties made peace. The centumviri argued that the compromise made it possible to avoid legal punishment but did not prove Ötvös's innocence.⁶⁰ In reaction to the decision, Ötvös sued the centumviri. After a period of uncertainty, the centumviri decidedly rejected the application, stating that

55 SJAN Cluj POC, Protocoale de ședință I/1, 21, 22, 23, 52.

56 Jakab, *Oklevéltár II-III*, 67 (doc. no. XXXV).

57 SJAN Cluj POC, Protocoale de ședință I/1, 24v, 26v.

58 Pál Binder, *Közös múltunk: Románok, magyarok, németek, délszlávok feudalizmus kori falusi és városi együttéléséről* (Bucharest: Kriterion, 1982), 289; SJAN Cluj POC, Protocoale de ședință I/5, 24^v-25.

59 SJAN Cluj POC, Protocoale de ședință I/5, 26^v; Jakab, ed., *Oklevéltár I*, 380 (doc. no. CCXLII).

60 SJAN Cluj POC, Protocoale de ședință I/5, 29^v; I/3, 178^v.

neither the laws of the country nor the customary law of Cluj permitted such an action. Moreover, the senior centumviri were not aware of such a case in which “a private person summoned the centumvirate, and as a consequence the entire community, in front of the judge and council.” They explained that the centumviri, the head judge, and the council of the sworn citizens were a common body (*corpus*) in charge of protecting the town liberties together, and whoever was wronged by the *corpus* should “summon them where the laws of the country and the custom of the town summoned the community.” The decision regarding Ötvös was that he was a person who had sinned against the unity of the town and that he should be sued by the town officials. In the end, Ötvös took the entire government of Cluj to the princely court, where in May 1588 the process ended: the prince acknowledged the legitimacy of the decisions of the town officials but nevertheless instructed the head judge to take steps towards allowing Ötvös back into the centumvirate. At present, we do not know whether András Ötvös really proved his innocence before the prince and in the presence of the envoys from Cluj and whether they were forced to reinstate him among the centumviri by princely order.⁶¹

Presumably encouraged by this decision, Kálmán Nyíró, former head judge, royal judge, and sworn councilor, made an attempt as well to return to the centumvirate in 1588. He had been expelled from the town council in 1582 when it became public knowledge that he had impregnated two servants, as a result of which the council itself initiated legal proceedings and demanded punishment.⁶² In 1588, Nyíró argued that his conviction was unlawful and asked for it to be annulled. The centumvirate dealt with the case themselves and examined the verdict but found it justified, so they rejected Nyíró's request.⁶³ Thus, the centumvirate deliberated over a judicial sentence, something that was not within their purview.

In 1590, the centumviri were confronted with a similar situation. Four sworn councilors requested centumvir Gergely Bornemissza and his wife be punished. According to the charges, the jurors fined them 20 florins for

61 SJAN Cluj POC, *Protocoale de ședință I/5*, 34^v, 38^v–39, 40–40^v, 41, 41^v, 42^v.

62 András Kiss, *Boszorkányok, kuruzslók, szalmakoszorús paráznák* (Cluj-Napoca: Kriterion, 2004), 80–96.

63 They argued that since Nyíró had asked the prince for clemency in 1582, before the sentence was passed, he had effectively admitted his guilt. His exclusion from the town council was therefore considered justified. They were only prepared to agree to his reinstatement to the council if the prince declared that the pardon would restore the guilty party's honor, despite the town's rules. The prince, however, gave an evasive answer. *Protocoale de ședință I/5*, 46^v, 48; Kiss, *Boszorkányok*, 36.

illegal wine sales, while in response the wife accused several of the sworn councilors of embezzling fines and engaging in illegal wine sales.⁶⁴ The centumviri decided that anyone who addressed the sworn councilors with “shameful speech or words” would be fined without exception. Furthermore, they stated that “if an honorable man mocks and reviles the entire council in a manner of a common man,” then a councilor who was not present at the incident should be placed as judge. Moreover, because the council of jurors was the instance of appeal, it was decided that if there were not sufficient unscathed councilors left to render the judgment on appeal, then a number of centumviri should be appointed with the consent of the prince to administer justice.⁶⁵ The centumviri were well aware that their decision contradicted the town statutes; otherwise, they would not have made this solution subject to the approval of the prince, but they tried to solve the predicament on their own, without the involvement of an outside authority. Their indecision would suggest that the situation was unusual for them, and it is plausible that they were more interested in settling the conflict quickly rather than applying their decision. In this regard, there were several attempts to reconcile Gergely Bornemissza and the councilors without recourse to trial, and the centumviri pleaded with the head judge to avoid reference to legal proceedings in this case, especially with the prince. The aggrieved sworn councilors, however, did not give in, so the centumviri declared that they would seek a legal way to enforce their decision, although the request was against the town regulations.⁶⁶ The sentence of the centumviri was delayed as they repeatedly postponed the appointment of the right persons to finalize the case.

64 SJAN Cluj POC, Protocole de ședință I/5, 61–61^v.

65 The principle of impartiality, referred to above, was not applied in the present case. Protocole de ședință I/5, 61^{r-v}. In the judicial practice of Cluj, we found no traces of the “impartial” courts of the Upper Hungarian League of Towns or of the Union of Market Towns of Western Transdanubia. The examples of Košice, Kőszeg, and other towns show that the right to decide on defamation cases against town councils was entrusted to ad hoc tribunals without executive powers, thus enforcing the principle of impartiality. Article 53 of the Diet of 1659 legalized this practice, stating that “if the whole council is interested, other judges from neighboring towns (...) should be summoned in full number to hear such a case.” See István Bariska, István Bariska, “Bűn és büntetés a pártatlan bíróság és Kőszeg 15–17. századi büntető fórumain” *Győri tanulmányok* 24 (2001): 5–7; István H. Németh, *Várospolitika és gazdaságpolitika a 16–17. századi Magyarországon: A felső-magyarországi városszövetség* (Budapest: Gondolat kiadó, 2004), vol. 2: 199–200. In the case of Cluj, the role of a similar institution could have been played by the court of the University of Saxons, but the growing desire of Cluj to become independent from the union of the Saxon towns in the second half of the sixteenth century was a major obstacle to the operation of such an institution.

66 SJAN Cluj POC, Protocole de ședință I/5, 61–61^v; 64^v; 66^v; 66^v, 71.

We do not know the outcome of this case, but it is likely that a lengthy procedure followed.

Conclusions

The cases discussed in this study nuance our understanding of the role of the centumviri in the administration of justice in early modern Cluj. They closely monitored the town's judiciary and officials, and if the situation required it, they intervened decisively in reaching a sentence. In the case of András Ötvös, for example, both the head judge and the sworn citizens acted only with the approval of the centumviri, and it was the centumviri themselves who stopped Ötvös's lawsuit, arguing that it was contrary to the town statutes. The case of Kálmán Nyíró shows that, if they saw the need to do so, the centumvirate also undertook to review previous court sentences. In cases of illegality committed by members of the magistrate, the centumviri initiated judicial action against them directly. Both the case of centumvir Gergely Bornemissza, his wife, and the aggrieved jury citizens and that of the head judge who sold illegal wine show that in order to preserve city privileges, the centumviri also made decisions concerning the administration of justice that did not necessarily fall within their competence. The principle of impartiality was not applied consistently: if in the Ötvös case it was emphasized that the town's judges could not rule when a centumvirate was the defendant, in the Bornemissza case the centumviri no longer refused to preside in a case where the plaintiff was a sworn citizen.

In complicated juridical situations, the centumviri repeatedly turned to the central authority—as acquiring the prince's prior approval both in their decision in the case of András Ötvös and their intervention in the Bornemissza case attest. In 1593 as well, they asked the prince for guidance in the questions of princely pardon and recognition of innocence. However, they received no definite answer in either case. Presumably, the central authority was wary of making a decision that, in addition to interfering with the political order of the city and the balance of power between the town's institutions, had the potential of becoming a precedent for Cluj and for other towns or juridical instances in Transylvania. The fragile balance between the laws of the principality and the privileges of towns and communities could be easily disrupted if the prince favored one party or the other.

The centumviri interfered with the administration of justice in certain legally unclear situations, even if it meant overriding the authority of the

town judge and the sworn citizens. However, this was a preferable solution to the intervention of external elements into the town's judicial system, which could have threatened the town's autonomy in this respect. The centumviri warned the town judiciary on several occasions not to allow the county office to meddle in the town's justice. The delegations sent to the prince in order to preserve the privilege of the town judiciary and the measures taken in the Gergely Bornemissza case served the same purpose. We must therefore rethink the terms of the relationship between the centumviri on the one hand and the town judge and twelve councilors on the other, and we must emphasize that it was not a power struggle between them but rather a collegial alliance with the shared goal of preserving the autonomy of Cluj's urban institutions, including its right to the independent administration of justice.

About the author

László Pakó is a researcher with the “Zsigmond Jakó” Research Institute, Transylvanian Museum Association. His publications deal with the urban, institutional and social history of the Transylvanian Principality, with a special focus on the judicial practice and criminal history of the early modern period. He is also responsible for the publication of the sources of the early modern witch trials in Cluj/Cluj-Napoca (*Kolozsvári boszorkánypercek, 1564–1743*. Budapest, Balassi kiadó, 2014. = *Quellen zur Ungarischen Hexerei/ Stathistorische Quellen* 4.)

2. Urban-Rural Relationship in the Light of Political Statutes at the End of the Sixteenth Century¹

Julia Derzsi

Abstract: The study examines three political statutes on public order and common peace in the villages of Avrig, Săcădate, and Rusciori, enacted in 1582 by the Sibiu town council. The texts of the statutes are almost identical and formulate several characteristic rules concerning the general conditions of social life, proving that the town council applied the rules of good governance not only within the walls of the town, but also outside them. The study explores how the town reconciled its regulatory requirements with measures designed to maintain public order in the villages under its jurisdiction. Additionally, it examines the methods the town employed to oversee the authority of local leaders and the new roles assigned to them. The study further outlines areas for additional research regarding societal responses to the various expressions of power.

Keywords: Sibiu, public order, village statutes, town council, good governance

Among the material of the archives in Sibiu, three statutes can serve as a starting point for analyzing and understanding social phenomena of the early modern period. Two rural communities in the jurisdiction of the seat of Sibiu, Săcădate and Avrig, were given political statutes on

¹ Published with the financial support of research grant PN-III-P4-PCE-2021-0376 GUTEPOL of the Ministry of Research, Innovation, and Digitization CNCS-UEFISCDI, within PNCDI III. An extended version of the study was published as “Szeben szék falubírái: Falu és város viszonya a hatósági rendszabályok tükrében,” *Korall* 78 (2019): 76–92.

the same day, October 13, 1582, while the village of Rusciori, from the same jurisdiction, received a similar regulation in the same year. All three statutes convey the idea of common peace and public order (*gute Ordnung*), mirroring the laws and statutes of the town of Sibiu. These village ordinances are significant because their primary goal is not to provide answers to issues within the competence of the village, nor do they only settle the legal relationship between the town and the villages under its administration. Instead, they formulate some characteristic rules concerning public order, such as curfew and the interdiction of night walking, the use of pastures and common land, measures to appease social and religious tensions, and control over nobles or peasants from noble estates moving into town. Thus, the Sibiu town council applied the rules of good governance and related statutes not only within the town walls but outside of them as well.

However, the three village ordinances merit attention from another point of view as well. They indicate precisely the period when, through official regulations, competences of village jurisprudence underwent a series of changes: both the territories of local administration and the duties and powers of the village judges together with the trial process were established at that time. The authority of the village judge extended over litigation among the inhabitants, whereas the town was competent for major private and for criminal cases as appellate court or, in the case of villages under its authority, as landlord. Therefore, these statutes not only document the relationship of villages to the town but also reveal how the village authorities and social order came about. Furthermore, in the villages belonging to the seat of Sibiu, the community elected the village steward (*Hann, villicus*) and the council (*Rat*) annually. Although there is no data about the practices of nomination and election for office, the legislation for electing local representatives can be considered an expression of autonomous administration.

In this study, I examine the areas covered by the provisions of the village statutes and how they connect to the Sibiu town council's effort to issue statutes and regulations. Furthermore, I will examine the question of how the town reconciled its requirements to supervise the villages under its jurisdiction or landlordship with the measures taken in the interest of public order. Another matter for investigation is the means by which the town extended its official power to the communities under its administration, namely, by establishing or renewing the competences of local officials. Finally, I shall put forward opportunities for future research based on the societal reactions which accompanied these actions and manifestations of power.

Scholarship has noticed the almost verbatim similarity between the statutes of Avrîg and Săcădate;² separately, the statute for Avrîg has been discussed extensively by Gernot Nussbächer and Pál Binder,³ while the statute of Săcădate has been analyzed in Géza Vámszer's village monograph.⁴ However, the striking similarity of the articles for Rusciori to the previous two statutes has escaped the attention of researchers, although the statute, albeit still unpublished, is known in the literature.⁵ The Rusciori statute stands out primarily because of the inclusion of the Slavic population within the Lutheran community, as opposed to the other three villages in Sibiu seat inhabited by Bulgarians: Cergău Mare, Cergău Mic, and Bungard.⁶

Historians have focused on the village statutes of 1582 mostly because of the status of non-Saxon groups living in the Saxon urban administration and have placed greater emphasis on the election of the village judges and council (*Dorfalterschaft*—the elders, as Georg Müller called it) on a parity basis and on the services owed to the town of Sibiu as their landlord. Furthermore, although scholars have acknowledged that the Sibiu council issued the statutes,⁷ they have nevertheless considered them to be the expression of rural autonomy. Ferenc Pozsony, for instance, following the ideas of Vámszer, named them “village rules.”⁸ All three statutes have been preserved in their originals, those for Avrîg in two copies.⁹ These two copies were handwritten by Isaac Hendel, notary and scribe of the Sibiu judiciary (*iuratus notarius*

2 Robert Csallner, “Deutsche Texte aus dem Archiv der Stadt Hermannstadt und der sächsischen Nation. Urkundenabteilung (von 1429 bis 1600). Fortsetzung,” *Korrespondenzblatt* 39, no. 1 (1906): 39; Georg Eduard Müller, “Die ursprüngliche Rechtslage der Rumänen im Siebenbürger Sachsenlande,” *Archiv des Vereins für Siebenbürgische Landeskunde* 38, no. 1 (1912): 201, 204.

3 Gernot Nussbächer, “Zweyerlei Nationes in *Affrica*,” in *Aus Urkunden und Chroniken: Beiträge zur siebenbürgischen Heimatkunde*, ed. Gernot Nussbächer (Bucharest: Kriterion, 1981), 95–96; Pál Binder, *Közös múltunk: Románok, magyarok, németek és délszlávok feudalizmus kori falusi és városi együttéléséről* (Bucharest: Kriterion, 1982), 59–62.

4 Géza Vámszer, *Szakadát: Egy szebenmegyei magyar szórvány* (Cluj-Napoca: Erdélyi Enciklopédia kiadása, 1940).

5 Georg Eduard Müller, *Stühle und Distrikte als Unterteilung der Siebenbürgisch-Deutschen Nationsuniversität 141–1876* (Sibiu: Krafft & Drotleff, 1941), 155; András Bándi, “Bulgarian Lutheran Congregations in Transylvania,” *Philobiblon* 24, no. 2 (2019): 384, 396.

6 Helmut Klima, “Die Slawen von Reußdörfchen,” *Siebenbürgische Vierteljahrschrift* 59 (1936): 10–23.

7 Csallner, “Deutsche Texte,” 39, 40.

8 Ferenc Pozsony, “Egy Szeben megyei magyar szórványközség,” *Erdélyi Múzeum* 62, nos. 3–4 (2000): 185.

9 Avrîg: Serviciul Județean al Arhivelor Naționale (Romanian National Archives, hereafter SJAN) Sibiu, Documente medievale U IV. 1197; SJAN Sibiu, Colecția Brukenthal 5–BB 108. Săcădate: SJAN Sibiu, Documente medievale U IV. 1196. Rusciori: SJAN Sibiu, Documente medievale U IV. 1127. The statutes of Avrîg contain 11 articles, those of Săcădate 12, and those of Rusciori 13.

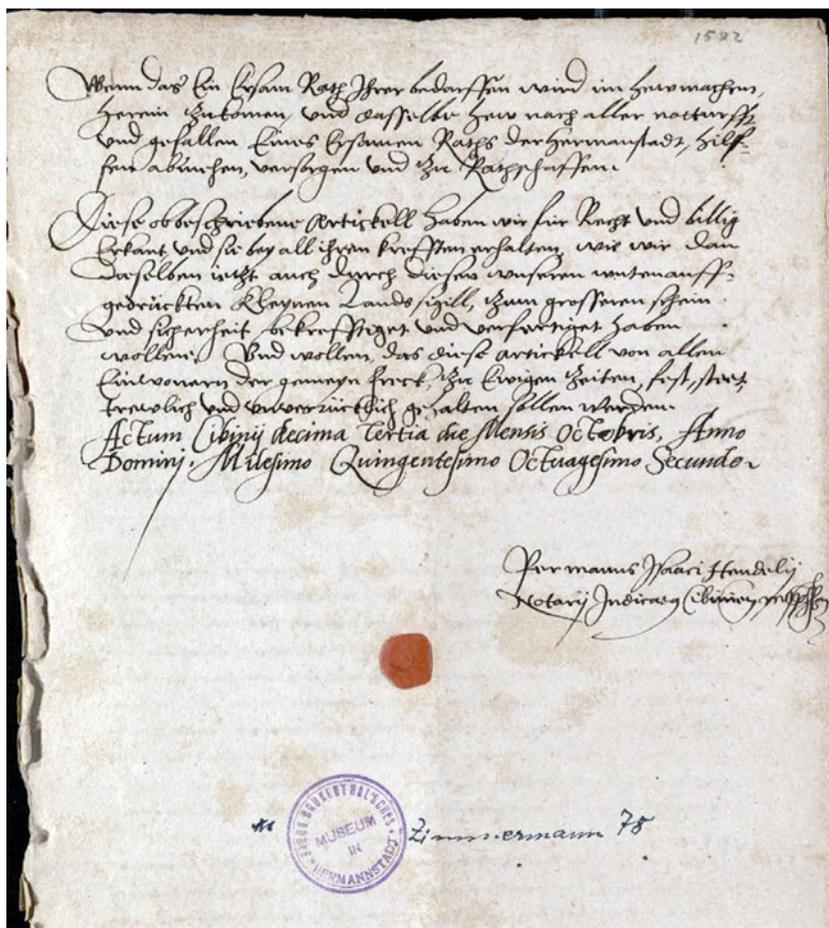


Figure 2.1. The last page of the 1582 statute for Avrig (SĀAN Sibiu, Colectia Brukenthal, 5-BB 108).

iudicatus Cibiniensis, secretarius), who was active there between 1579 and 1585.¹⁰ The handwriting suggests that Hendel also drafted the articles for Rusciori.¹¹ The writer of the statutes for Avrig has not been identified to date.

The involvement of the judicial scribe suggests that the statutes were copied because they were regarded as court documents, containing elements of the judicial system and the administration of justice. The circumstances

10 Julia Derzsi, "Notarii orășenești la sașii din Transilvania în secolul al XVI-lea," *Analele științifice ale Universității "Al. I. Cuza" din Iași, Istorie* 66 (2020): 116, 127.

11 The statutes of Rusciori were written by the same hand that drafted the document for one of the trials before the court of Sibiu, Isaacus Hendelius *secretarius*. SĀAN Sibiu, *Documente medievale* U V. 999.

behind the writing of these regulations are explicit only in the statutes for Avrig and Săcădate, while the statute for Rusciori is missing the preamble as well as the date. The texts of the statutes for Avrig and Săcădate state directly that they were written by judge Blasius Weiß and Sebastian Czumpolius, a sworn citizen of Sibiu, in response to numerous complaints from the inhabitants of both villages. Czumpolius was present on account of his professional expertise; it is known that before being elected to the town council of Sibiu he had been a notary of the *province* of Sibiu (Sibiu town and the seven seats of the Saxons¹²) between 1578 and 1580, and before that, between 1565 and 1569, he had worked as a judicial clerk for both the royal judge and the head judge of Sibiu and for the town council as an appellate body.¹³ Knowledge of the law and his skills as a learned individual could explain why Czumpolius was chosen to formulate the 1582 statutes instead of the town notary, Michael Han.¹⁴ As mentioned, the statute of Rusciori lacks the preamble that would have mentioned the officials involved in its writing, but there is no doubt that the text is similar in its wording to the other two,¹⁵ with seven of the thirteen articles almost identical with the ones from the Avrig and Săcădate statutes. Based on this evidence, it can be deduced, in accordance with the intentions of the lawmakers, that one regulation had, in effect, been adapted to the local conditions of the three villages. It was not uncommon for the town council to use formulaic texts. For example, when revising the guild regulations between 1539 and 1582 at the behest of the Saxon University (*Universitas Saxonum*),¹⁶ a revision termed *die grosse Regulation* by Gustav Seivert,¹⁷ the approved new guild statutes followed the same pattern both in the wording of the preamble

12 The seven seats (*Sieben Stühle*) refers to seven historic Saxon fortress towns in Transylvania, the present-day towns of Sibiu, Braşov, Mediaş, Sighişoara, Sebeş, Rupea and Bistriţa.

13 Ernst Wagner, *Die Pfarrer und Lehrer der Evangelischen Kirche A.B. in Siebenbürgen* (Cologne: Böhlau, 1998), 128; Ágnes Flóra, "Hivatal vagy hivatás: Városi jegyzők a kora újkori Erdélyben," in "...éltünk mi sokáig 'két hazában'...": *Tanulmányok a 90 éves Kiss András tiszteletére*, ed. Dáné Veronka et al. (Debrecen: Debreceni Egyetemi Kiadó, 2012), 123–34, 133; Derzsi, "Notarii orăşeneşti," 116.

14 In Sibiu, it was not unusual for the town notary to continue working in the chancellery after being appointed to the town council. Müller, *Stühle und Distrikte*, 52.

15 Müller dates the statute to the year of 1599. Müller, *Stühle und Distrikte*, 155. The date 1582 is written in pencil on the back of the document.

16 The Saxon University (*Universitas Saxonum*) does not refer to an educational institution but rather a medieval estate of ethnic (Saxon) composition.

17 Gustav Seivert, ed., *Hermannstädter Lokal-Statuten: Festgabe den Mitgliedern des Vereins für siebenbürgische Landeskunde gewidmet im Jahre 1869* (Sibiu: Th. Steinhaußen, 1869), 251n1; Monica Vlaicu et al., eds., *Handel und Gewerbe in Hermannstadt und in den Sieben Stühlen (1224–1579)/ Comerţ şi meşteşuguri în Sibiu şi în cele Şapte Scaune (1224–1579)* (Sibiu: Hora, 2003), 10.

and in their language; moreover, five of the articles are identical in each guild regulation.¹⁸

In terms of their normative and declared purposes, the three documents from Avrig, Săcădate and Rusciori clearly attest that they were “laws and statutes” (*Gesetz und Statuta*) and not the expression of some form of rural autonomy or customary law. They were regulations aimed at curbing disorderly behavior and securing good order. Similarly to town or even church constitutions of that time, the preambles proclaim that they aim at avoiding litigation and contention within the community, with prohibitions and punishments being the sole means of enforcement. The regulations applied to the entire communities of all three villages, regardless of ethnicity or legal status. Moreover, they were established for perpetuity and had to be fully respected, having their authority and legitimacy from a council of higher offices, namely the mayor (*Bürgermeister*), the royal judge, the judge of the seat, and the town council of Sibiu.¹⁹ Therefore, the presumption of village autonomy or self-governance can be excluded because the regulations were not a creation of the community or their officials²⁰ but of a higher authority. Thus, we can consider these statutes as official regulations (*Ordnungen*).

In essence, the regulations cover eight separate issues: public administration, agricultural land use, rules of settlement of outsiders, public order, religious discipline, marriage regulations, and rights pertaining to forestry and farming. Cohesion between the various stipulations is ensured by the concept of “good order,” as they can be interpreted together, beyond the ethnic, legal, or confessional specificity of each village. The public authority assumed by the town government over the villages is an extension of the previous juridical and statutory authority Sibiu had over them either as free or subservient communities.

The statutes of Avrig, Săcădate, and Rusciori are similar to town constitutions, not only in language but also in content, especially to the 1589 statutes of Sibiu.²¹ However, some of their stipulations are also similar to ecclesiastical

18 Julia Derzsi, “Despre prerogativele disciplinare ale breslelor din Transilvania în secolul al XVI-lea: Breslele din Sibiu și Brașov,” *Historia Urbana* 22 (2014): 225–27.

19 SJAN Sibiu, Documente medievale U IV. 1197, 2r; SJAN Sibiu, Colecția Brukenthal 5–BB, 108, 105r; SJAN Sibiu, Documente medievale U IV. 1196, 1r. The text relating to Rusciori is shorter here and only lists the issuers of the Regulation. SJAN Sibiu, Documente medievale U V. 1127, 1r.

20 For the difference between village laws as a product of peasant self-determination and other types of regulation, see the Hungarian Ethnographic Dictionary’s article on “Village Law,” in Gyula Ortutay, ed., *Magyar Néprajzi Lexikon*, vol. 2. (Budapest: Akadémia Kiadó, 1979).

21 Seivert, *Hermannstädter Lokal-Statuten*, 63; Friedrich Schuler von Libloy, ed., *Materialien zur Siebenbürgischen Rechtsgeschichte enthaltend. 1. Merkwürdige Municipal-Constitutionen der Siebenbürger Sekler und Sachsen* (Sibiu: Th. Steinhaußen, 1862), 75; Sándor Kolosvári and

statutes and both guild and neighborhood regulations. The primary areas covered by the three village statutes can be categorized as follows:

1. There was a prohibition against outsiders settling in the community and that of girls marrying individuals from the nobility. The statute for Rusciori, however, allowed outsiders to remain in the village if they had lived there before, be they German—from *Königsboden* (Royal Land), as inserted later in the text—or if they were Bulgarian in origin. Under penalty of death, it was also forbidden to conclude any transactions with the nobility or their tenant peasants or effect the sale or inheritance of a house in the village without the prior knowledge and approval of the Sibiu council. The sale of hay, grass, or cattle, as well as the grazing of outsiders' cattle and the keeping of sheep pens were placed under the supervision of the village steward and the village council. It is difficult to interpret the extension to the villages of a particular rule of Sibiu, decreed in 1546²² and repeated several times, prohibiting Hungarians from entering guilds and inheriting real estate. In a rural context, an influx of new settlers would have increased the economic potential and the number of services available to the town. This ordinance most probably reflected the caution with which the Saxons protected their national privileges and legal status, primarily from the county nobility. In this regard, the reply to a letter sent from Bistrița on April 9, 1568, is noteworthy. Officials in Bistrița had inquired from the mayor of Sibiu, Simon Miles, what was his stance regarding individuals from noble estates who had settled and married in Saxon lands but who were now reclaimed by their former landlords. Simon Miles replied that the practice and the custom in Sibiu were not to allow anyone to enter a guild or contract a marriage until it was certain that they were free men.²³

The prohibition on the settlement of foreigners was expounded upon in detail in the constitution of Sibiu of 1589,²⁴ which was drafted by royal judge Albert Huet, the same official who certified the statutes of Avrig and Săcădate (and Rusciori, most likely). The article in the

Kelemen Óvári, eds., *Corpus Statutorum Hungariae Municipalium*, vol. 1. (Budapest: Magyar Tudományos Akadémia, 1885), 542.

22 Mária Pakucs-Willcocks, *Sibiul veacului al XVI-lea: Rânduirea unui oraș transilvănean* (Bucharest: Editura Humanitas, 2018), 65.

23 Albert Berger, ed., *Urkunden-Regesten aus dem Archiv der Stadt Bistritz in Siebenbürgen, 1203–1570*, vol. 2 (Cologne: Böhlau, 1986), 828.

24 Pakucs-Willcocks, *Sibiul veacului al XVI-lea*, 63.

Sibiu statute forbade outsiders from buying houses without the assent of the town council (*Verboth der Heuser-Kauff [...] mit Verlobung oder Vermischung czwaier Personen in czwaierley Nation, einhiemischer und ausweltziger*);²⁵ those who acted against the town's interests, against the "order and *police*," were punishable with expulsion and dismissal from all official positions. Houses owned by outsiders could only be inherited by their direct descendants; in the absence of such heirs, they had to sell them to "Germans," to those who had in fact built those houses, as the ordinance puts it. In addition, a hefty fine was set for anyone contracting marriage with a non-Saxon;²⁶ the steward of the respective neighborhood (*Nachbarschaftshann*) and the town priest (who was paid from public funds) had to report such cases to the town authorities.

2. Church attendance and participation at Sunday and feast day mass were mandatory,²⁷ with absence from the sermon and communion punishable by one silver mark. The fine was payable to the seat court (*iudicatum*),²⁸ with two-thirds going to the royal judge and one-third to the judge of the seat, according to the Sibiu statute of 1541, stipulating the payments due to official positions.²⁹ One of the articles of the Rusciori statute (paragraph two) concerning this issue stands out because it does not feature in the other two statutes, on the one hand, and because it formulates an usual prescription, on the other: the villagers were advised to learn German in order to understand the teachings of the Gospel but also to enhance their chances of managing their daily lives because it was the language of the authorities.³⁰
3. Nighttime gatherings and rowdiness were forbidden and entrusted to the supervision of the village steward with a penalty of half a mark of silver. The schoolmaster was responsible for making the order known. The curfew was set at eight o'clock on Saturdays and feast days. Due to the problems associated with them (drunkenness, games, lewd behavior,

25 Kolozsvári and Óvári, *Corpus statutorum*, vol. 1, 542.

26 Pakucs-Willcocks, *Sibiul veacului al XVI-lea*, 65.

27 Rusciori: Article 1, cf. SJAN Sibiu, Documente medievale U V. 1127, 1r. Avrig and Săcădate: Article 3, cf. SJAN Sibiu, Documente medievale U IV. 1197, 2v; SJAN Sibiu, Colecția Brukenthal 5–BB 108, 105r; SJAN Sibiu, Documente medievale U IV. 1196, 1r.

28 For more information about this institution, see Müller, *Stühle und Distrikte*, 29–30.

29 Kolosvári and Óvári, *Corpus statutorum*, vol. 1: 511.

30 See also Bándi, "Bulgarian Lutheran," 384.

prostitution, fighting), taverns were a source of concern for both the civil and ecclesiastical authorities. The repetition of a regulation was not necessarily an indication of its inefficacy but could be a tool for disciplining subjects and instilling the idea of order.³¹

The first prohibition against taverns, the *publica conventicula* (*vulgo spyll stuben*), dates from November 28, 1545, in a decision issued by the Saxon University.³² It was repeated on January 10, 1557, in an extraordinary meeting in Sibiu, when the representatives of the Saxon communities also decided on church discipline, banning nighttime gatherings and urging church attendance under penalty.³³ The *Burzenland*³⁴ articles of 1550 regarding visitations expressly forbade tavern drinking, gambling, nighttime disturbances, and nighttime walking (*sauffen, spilen, nacht umrayen, spielstuben, frue auffstehen*), setting a fine of 10 florins.³⁵ The political and ecclesiastical authorities of the Saxons agreed together that the punishments be carried out by local officials.³⁶

4. Profit-making activities are touched upon in all three village statutes. In the Rusciori regulations, the priest was also allowed to sell wine, and the village steward could not forbid or restrict either the villagers or the priest; otherwise, he should pay one mark of silver to the town court. The villagers of Săcădate were obliged to use the mill in Avrig but could ask for reimbursement from the miller if the flour was inadequate.³⁷ The Romanians of Săcădate were bound to provide people to harvest the fields when called upon by the town fathers of Sibiu.³⁸
5. Building beyond the village boundaries carried a capital sentence unless it had the approval of the Sibiu authorities. The statute of Săcădate allowed living on lands already in use from forest clearances—lands

31 Pakucs-Willcocks, *Sibiul veacului al XVI-lea*, 133. In the same study, Mária Pakucs-Willcocks also identifies two other reasons for repeating the norm: personnel changes in the town administration and administrative obstacles in applying the regulations.

32 Martin Armgart and Karin Messe, eds., *Die evangelischen Kirchenordnungen des XVI. Jahrhunderts, Vierundzwanzigster Band: Das Fürstentum Siebenbürgen; Das Rechtsgebiet und die Kirche der Siebenbürger Sachsen* (Tübingen: Mohr Siebeck, 2012), 204.

33 Armgart and Messe, *Die evangelischen Kirchenordnungen*, 260.

34 Burzenland: a historic, ethnographic area of southeastern Transylvania with a mixed population of Hungarians, Germans, and Romanians.

35 Armgart and Messe, *Die evangelischen Kirchenordnungen*, 257.

36 Armgart and Messe, *Die evangelischen Kirchenordnungen*, 437.

37 Vámszer, *Szakadát*, 81.

38 See also Vámszer, *Szakadát*, 29.

designated as the new part of the village (*das neue land*). The crop tax payable for the land (*meddem*)³⁹ was due to the church,⁴⁰ but for the sake of order, the town authorities requested that the churchwardens keep records of this income.⁴¹

6. The shared burdens of the two “nations” concerned public buildings, namely, the church, the parsonage, and the school, as well as the upkeep of the schoolteacher. The Avrig statute prescribes that even those Romanians who settled later in the village had to participate in the building expenses. Although this is not spelled out, it can be supposed that these were non-Lutheran Romanians. The one silver mark fine probably went to the village steward. According to the Rusciori statute, the schoolmaster could only be employed with the knowledge and approval of the priest, and he had to have his living quarters in the school. Furthermore, in keeping with old customs, the upkeep of the schoolmaster was a duty for the entire community: each house contributed three-quarters of a measure of wheat, one-quarter of oats, and one loaf of bread, while the village steward paid his annual wages.
7. The judicial procedure was also set forth in the three statutes: the first instance was the village steward, who could not be circumvented. If the fine or punishment did not exceed 1 florin, the plaintiff paid the penalty to the village steward. All trials exceeding that sum went to the town magistrate.⁴²
8. Finally, one regulation shared by all three village statutes concerned the election of village officials and the criteria for eligibility for office. In all statutes, an article prescribed that elections could not take place on Christmas day under penalty of 40 florins,⁴³ and established the time for the village stewards to give an account of their office in front

39 For the emergence of the “meddem” as an annuity for the use of common land in the Burzenland, see Julia Derzsi, ed., *Das Gerichtsbuch des Kronstädter Rates (1558–1580)* (Braşov, Heidelberg: Aldus, AKSL, 2016), 202, 348, 62, 103.

40 Vámszer, *Szakadát*, 29.

41 Armgart and Messe, *Die evangelischen Kirchenordnungen*, 163, 466.

42 Săcădate: Article 7, Avrig: Article 6, Rusciori: Article 9. SJAN Sibiu, *Documente medievale* U IV. 1196, 1v; 1197, 2v; Colecția Brukenthal 5–BB 108, 105v; *Documente medievale* U V. 1127, 2r. This is also stated in the Church’s rules. See Armgart and Messe, *Die evangelischen Kirchenordnungen*, 326.

43 Săcădate: Article 11, Avrig: Article 9, Săcădate: Article 6 and 7. SJAN Sibiu, *Documente medievale* U IV. 1196, 1r; 1197, 3v; Colecția Brukenthal 5–BB 108, 106r; *Documente medievale* U

of the village council. These councils comprised 32 villagers in Avrig and Săcădate and 24 in Rusciori (*24 mann, welche man die 100 manpflegt zunemen*) and were set up on the same model as the council of the hundred men (*centumviri*) in the towns.

The composition of the village councils was established as well, based on a parity principle, with each ethnic group represented in equal parts: in Avrig there were Germans and Romanians, in Săcădate—Hungarians and Romanians, while in Rusciori there were German and Bulgarian (*Zirwesch*) members. For the latter village, its statute also stipulated that in case there were not enough German councilors, they could be replaced with Bulgarians, on condition that they spoke German. The councils elected the village steward (*Hann*), the jurors, and the churchwarden (*Kirchenvater*). In Rusciori, the judge could be alternately German and Bulgarian.⁴⁴ The statutes of Săcădate and Avrig are not specific about the ethnicity of the village steward, but the editors of the sources argued that in Avrig only Germans were eligible for this office, while in Săcădate it was limited to Hungarians;⁴⁵ furthermore, the judge of Avrig elected one Romanian and two German jurors, and that of Săcădate chose two Romanians and two Hungarians to be jurors.⁴⁶

In the following section, I will focus on a crucial contribution of the three village statutes to historical research, namely, establishing the tasks and duties of the village judge and the subordination of this office to the town authorities both in administrative and juridical matters. Thus, the town limited the power of the village judges by regulating the circumstances of their election,⁴⁷ establishing the eligibility criteria,⁴⁸

V. 1127, 1v–2r. The date of the judge's election was traditionally Christmas Day in the villages of the Szeklers. See István Imreh, *A törvényhozó székely falu* (Bucharest: Kriterion, 1983), 60.

44 Rusciori: Article 6, cf. SJAN Sibiu, *Documente medievale U V. 1127, 1v*.

45 Vámszer, *Szakadát*, 90.

46 In the version of the Avrig text in the Brukenthal Collection, the number of jurors who could be elected for the German *Hann* was initially set at two but was later corrected to one. This is probably an indication that the Săcădate text was written earlier. Săcădate: Article 11, Avrig: Article 9. SJAN Sibiu, *Documente medievale U IV. 1196, 1r; 1197, 3v; Colecția Brukenthal 5–BB 108, 106r*.

47 Information on the election of village judges in general is provided by the joint decree of the Saxon (municipal and territorial) secular and ecclesiastical authorities of July 8, 1587, which regulates the election of village judges under Saxon jurisdiction and their accountability to the local church, the obligation of church stewards to account for their activities, the additional ecclesiastical punishment of incorrigible offenders, and the accounting of the fine to the local church. Armgart and Messe, *Die evangelischen Kirchenordnungen*, 163, 463.

48 In Avrig, for example, the eligibility of judges was linked to “German” origin, and Romanians who arrived later in the settlement and who provided various services to the town were excluded

prescribing the composition of the village council, and imposing the duty of accountability.⁴⁹ At the same time, the town also limited their jurisdiction: the village judges could not decide over matters concerning the territory of the village, and the value of fines in cases tried before their court could not exceed one florin. This amount, presumably from 1572 onward, was similar in all free communities of Saxon seats and districts, in market towns and villages, and in manorial courts,⁵⁰ but in Transylvania it was considered the lowest value compared to the power of village judges to impose fines.⁵¹

The authority of the market town and village stewards (*Hann*) was first set in writing in the 1572 ordinance regarding discipline, marriage, and inheritance rules issued jointly by the Braşov council and the district delegates, which was valid for the entire Burzenland.⁵² The very first point of this ordinance stipulated that since the steward was not authorized to decide on civil matters dealing with monetary and real estate cases above one florin, either in the town or in the market towns of Burzenland, the settlements belonging under the jurisdiction of the town and the district, as well as the administrative areas of the two market towns of Râşnov and Feldioara, were obliged to obey this order. They could not examine witnesses or judge either in inheritances or in cases involving offenders.⁵³ The statutes of the three villages from the Sibiu seat analyzed here clearly illustrate that this value was the upper limit for lower judiciary, not only in Burzenland but in the territory of Saxon seats as well.

In discussing the statutes of Avrig, Săcădate, and Rusciori, it is relevant to highlight another aspect: the statutes not only regulated the competences of the village stewards but also narrowed their powers and made them personally punishable for negligence of duty. This restriction strengthened the village judge's subordination to the town and seat judiciary. At the same time, the role of the village officials in maintaining public order became more prominent: they monitored compliance with regulations,

from the possibility of holding the office. A similar phenomenon can be observed in Bungard, where in 1607, at the request of the local Bulgarians, the town council decided that Romanians could not hold the office of rural steward. Müller, "Die ursprüngliche Rechtslage der Rumänen," 197.

49 Müller, *Stühle und Distrikte*, 155.

50 Müller, *Stühle und Distrikte*, 44.

51 In the territory of the counties, village officials could judge cases worth 1–4 florins: Anikó Szász, "A kolozsvári református egyházközség úriszéke (1676–1695)," *Erdélyi Múzeum* 72, nos. 3–4 (2010): 88–105, 91.

52 Armgart and Messe, *Die evangelischen Kirchenordnungen*, 326.

53 Armgart and Messe, *Die evangelischen Kirchenordnungen*, 326.

acted in cases of disorderly and moral disruptions, petty theft, and damage,⁵⁴ supervised the use of common lands, pastures, forests, and hayfields, and the sale of wine.⁵⁵ In cases of disorderly conduct, the judges had to act but also, as shown in the judicial records, had to report offenders to the higher authorities. Minor criminals were put under arrest and made to pay the head fee (*Sünne, homagium*, as an atonement); the arrest could not be longer than three days according to the laws of the country. Within this period, the village judge had to hand over the accused to men acting on the behalf of higher officials (the burgrave, the acting judge, or the bailiffs) and ask the town for soldiers for supervision.

The actual functioning of the village courts, in the absence of relevant sources, can be inferred from indirect information. The judges imposed sentences with the jurors, with village elders taking part in the trials in exceptional circumstances. Trials before the village court were verbal and usually brief, and no written records have survived of these.⁵⁶ The administrative accounts kept by the Avrig village steward were first preserved starting in 1731,⁵⁷ although the instruction sent out by the mayor of Sibiu regarding the keeping and inspecting of records about salaries and debts concerned not only the officials of the Saxon seats but also those of the villages.⁵⁸

However, it is not by chance that we learn about the role of the village judges as lower courts precisely because of the penalties they exacted. In this regard, information is found in the registers of the incomes from fines, kept by the judge of the Sibiu seat.⁵⁹ Among the accounts named *Register der Strafen* or the *Strafrechnungen* (Penalty records), the first having been started in 1615–1616, during the office of Koloman Gotzmeister, royal judge, and Peter Khamer, judge of the Sibiu seat. The entries mostly concern

54 On the issue in general, see David Prodan, "Judele satului iobăgesc în Transilvania în secolele XVII și XVIII," *Anuarul Institutului de Istorie și Arheologie Cluj-Napoca* 4 (1961): 217–35; Szász, "A kolozsvári református," 91.

55 In this regard, we can find a wealth of information in Sibiu's judicial records: SJAN Sibiu, Magistratul orașului și scaunului Sibiu (Magistrate of the town and seat of Sibiu, hereafter MOS), *Protocoloale judecătorești* 1.

56 A record of the judicial activity of the steward of a market town or village, one of the settlements of the Sibiu seat, survives for Cisnădie from 1577: in a letter to the Bistrița town judge and council, dated February 14, Miniges Velten, *han czu der Heltaw sammt dem ganzen Rath*, reports on a case before his instance. SJAN Cluj Primăria orașului Bistrița (Town Hall Bistrița, hereafter POB) I. 4093.

57 SJAN Sibiu, Acte fasciculate D 76.

58 SJAN Sibiu, Acte fasciculate D 90, 43.

59 SJAN Sibiu, MOS, SE, Socotelile amenzilor 770, 41v.

penalties for theft, bodily harm, fornication, and slander, but often there are recorded fines imposed by the higher authority on village officials for negligence or abuse of office. The entry from August 11 in the 1615–1616 account book mentions that the village steward of Avrig was sentenced to pay a fine of 12 florins by the seat judge because, in the case of a certain Rosen Hannes, the steward ordered that the accused swear an oath.⁶⁰ Because the village officials did not have the authority to order oath-swearing,⁶¹ the accused steward could not contest the fine. In 1641, the seat judiciary fined the village steward of Avrig, Georg Nösner, for negligence in fulfilling his duty; the reason was that together with his “burghers” (i.e., jurors), he had set free a Romanian arrested for theft.⁶² Nösner was fined again in the same year because two Romanians who had been caught fornicating had been allowed to go free by the village judge.⁶³ The village judge of Bradu paid a 40 florin fine because he freed a Romani accused of stealing a horse.⁶⁴ In a 1634 trial over a brawl, whereby certain villagers of Avrig hit and wounded a fellow villager on Easter Tuesday, it was revealed that the village steward did not report the situation to the town authorities.⁶⁵ A special case is that of the judge (*Schude*)⁶⁶ from Poplaca, who was ordered to pay a fine of 12 florins for failing to report to the higher court that a villager had beaten him. Instead, in exchange for his silence, the village judge asked the culprit to shear his sheep.⁶⁷

Village judges were charged not only with negligence but occasionally with disorder as well. In 1543, the judge of the Sibiu seat sentenced the village judge of Cîsnădie twice: the first time for 20 florins because he threatened his accusers with arms in front of the judge and the second time for 5 florins for punching his opponent.⁶⁸

60 SJAN Sibiu, MOS, SE, Socotelile amenzilor 770, 18v–19r. In 1641, the village steward of Gales was also fined 12 florins, but the record does not say for what offence. SJAN Sibiu, MOS, SE, Socotelile amenzilor 773, 6r.

61 The Saxon legal code, ratified in 1583, precisely regulates the administration of the oath, which is considered a fundamental test of proof. Matthias Fronius, *Das Eigen-Landrecht der Siebenbürger Sachsen: Unveränderte Wiedergabe des Erstdruckes von 1583* (Munich: H. Meschendörfer, 1973), I.9.1–7.

62 SJAN Sibiu, MOS, SE, Socotelile amenzilor 773, 7r.

63 SJAN Sibiu, MOS, SE, Socotelile amenzilor 773, 7v.

64 SJAN Sibiu, MOS, SE, Socotelile amenzilor 773, 9r.

65 SJAN Sibiu, MOS, SE, Socotelile amenzilor 772, 8r.

66 *Jude*, judge in Romanian.

67 SJAN Sibiu, MOS, SE, Socotelile amenzilor 770, 30v–31r.

68 SJAN Sibiu, MOS, SE, Socotelile amenzilor 773, 8r.

There are several cases of opposition to the village judges when the villagers came into conflict with the individuals performing their official duties either well or unsatisfactorily. According to the records from 1634 from the Sibiu seat judiciary, a certain Hannes Tüß from Nou was fined for scolding the village steward for the way he had distributed the hay.⁶⁹ In the same year, Merten, son of Crestell Kappo Feltes, was fined 40 florins for drawing a sword at judge Bloß Weis; the records show that the young man paid only 24 florins of the fine, despite the fact that he was fined a further 20 florins for speaking with disrespect in front of the seat judge.⁷⁰ Jacob Teuffer from Şelimbăr was sued by the village steward and his jurors because Teuffer had called all the village officials dogs; the seat judiciary fined him 20 florins.⁷¹

The village statutes presented above document the changes in the jurisdiction of village judges in the sixteenth century. The duties of the village judge and the juridical process were established within the regulations set by the Sibiu authorities but without undermining the essential element of local autonomy: the judge and the village council continued to be elected by the community. At the same time, the activity of the village officials in Sibiu seat came under strict control: the village judge could not decide independently on matters concerning land sale, inheritance, or extending the settlement limits, and his sentencing powers extended to a litigation value of up to one florin (which was considered the lowest compared to the counties and Szekler villages). Furthermore, village judges and stewards were fined for neglecting their duties of office. These aspects of control from the town authorities would become significant in the social evolution of the Saxon communities. The most salient element is the strict control over the sale of real estate, which is closely related to preserving the legal status of free individuals of the Transylvanian Saxons. The fines imposed by the Sibiu seat could serve as a starting point for examining this question.

The registers of fines reveal an interesting practice: the village judges often acted as guarantors for their fellow villagers in trouble. In 1616, the village steward of Şelimbăr was a guarantor for Barb Fleischer/Fleischarul, who had cut Dan Woyka's two fingers, who was a villager from Veştem. The steward even bailed out Barb from the town hall's prison cell. The village judge of Bradu, Matthes Weedt, together with two villagers, redeemed the village's shepherd and swineherd from the town jail because they had been sentenced to pay a 40 florin fine each for sheltering thieves. The entries

69 SJAN Sibiu, MOS, SE, Socotelile amenzilor 772, 3v.

70 SJAN Sibiu, MOS, SE, Socotelile amenzilor 772, 11v–12r.

71 SJAN Sibiu, MOS, SE, Socotelile amenzilor 772, 13v–14r.

in the judicial account book on the payment of the fine reveal that the steward's intervention on behalf of the villagers had a positive effect on the reduction and payment of the fine, although it can be supposed that the two wrongdoers could not have paid such a hefty sum in full in any case.⁷² The village steward of Daia, Paul Konnert, together with covillagers Jerch Franck and Weys Hannes, were guarantors for a girl from their village sentenced for fornication,⁷³ while the steward from Ruși with two other villagers pledged for a young man, Martin Wenckler, who was fined 24 florins by the seat judiciary for fornication committed with the daughter of a certain Paul Mihaly.⁷⁴ The village steward of Vurpăr in 1641, Merten Gelem, was a guarantor for his own priest, who was fined 35 florin for theft.⁷⁵

The spread of the legal institution of the guarantor was related to the financial and social situation (as discussed by Cătălina Chelcu for the principality of Moldavia) of the individuals who were not able to pay the elevated fines set by the courts. For larger fines, such as those for capital punishment, guarantees for reparations or judicial fines were undertaken by the local officials. In return, the accused or a member of their family voluntarily surrendered to peasant servitude. If required, the accused and their family pawned (mortgaged) their estates or temporarily relinquished their property rights. The mortgaged properties could not always be redeemed by their previous owners or their surviving relatives, not even through lawsuits, and the estates often went into the ownership of the very persons who provided the loan. Overall, this practice resulted in a dynamic restructuring of the local ownership structures.⁷⁶

Voluntary "serfdom" was practiced in the Szekler communities as well, reflected in the first preserved military surveys (*lustra*) from the beginning of the seventeenth century (1614). The surveys recorded the reasons for which captains, horsemen, footmen, freemen, serfs, tenants, and servants were absent from military review (*muștra*).⁷⁷ There are many examples demonstrating that voluntary peasant servitude was a widespread practice: subjects sought protection from local power, giving their personal and legal

72 SJAN Sibiu, MOS, SE, Socotelile amenzilor 770, 8v–9r.

73 SJAN Sibiu, MOS, SE, Socotelile amenzilor 770, 28.

74 SJAN Sibiu, MOS, SE, Socotelile amenzilor 770, 36v–37r.

75 SJAN Sibiu, MOS, SE, Socotelile amenzilor 773, 4r.

76 Cătălina Chelcu, "Consecințele economice ale răscumpărării pedepsei în Moldova (secolele XVI–XVII)," in *Pedeapsa în Moldova între normă și practică. Studii și documente*, ed. Cătălina Chelcu (Iași: Editura Universității Alexandru Ioan Cuza, 2015), 41–69, 69.

77 Lajos Demény, ed., *Székely oklevéltár IV: Székely népesség-összeírások (1575–1627)* (Cluj-Napoca: Erdélyi Múzeum-Egyesület, 1997), 197–562.

capacity in the process. The reasons given for this choice were varied: lack of money, avoidance of extreme poverty, escaping military duty, but also inability to pay fines for offenses against public order. For instance, in the village of Dămieni in the Mureș County, a certain “Deák Mihály gave himself to János Dersi because he was fined. Annorum 6.”⁷⁸ The practice of mortgaging land against cash loans is documented in the Szekler communities as well, although it is not specified whether payments of judicial fines were the reason behind it.⁷⁹

The examples from the registers of fines from Sibiu also attest to the practice of pledging for a fined individual in communities under Saxon jurisdiction, either free villages or estates of towns. Most offenders could only pay the high fines in installments, only partially, or in kind. The delays in payments or even nonpayment prompted the judges themselves to waive the fulfillment of the obligations. What benefit this practice brought to the guarantor, including the village steward, cannot be ascertained based on the sources analyzed here. The local officials who stood as guarantors probably used the opportunity for their own benefit. Even if the fined subjects were not personally dependent on the local official, their services must have been frequently abused. The records of fines examined for this study offer no examples of liens on property. Their use was hampered by the strong control of the Sibiu authorities to limit property alienation. The Saxon communities succeeded in avoiding a stark social stratification and inequality compared to the villages of Szeklerland or Moldavia, and we can infer that the official regulations and statutes shaped interpersonal relationships and the villagers’ perception of their community.

About the author

Julia Derzsi is a senior research fellow at the Romanian Academy, the Institute for Social Sciences and Humanities Sibiu. Her main research interests are institutional, economic and urban history in premodern Transylvanian, particularly Saxon towns. Her previous publications include *Delict și pedeapsă: Justiție penală în orașele săsești din Transilvania în secolul al XVI-lea* [Crime and punishment: The functioning of criminal jurisdiction in the Transylvanian Saxon towns in the 16th century] (Cluj-Napoca: Egyetemi Műhely Kiadó, 2022).

⁷⁸ Demény, *Székely oklevéltár* IV, 235.

⁷⁹ Demény, *Székely oklevéltár* IV, 250, 236.

3. The Main Square outside the Town Walls and the Ruling Elites of Alba Iulia at the End of the Sixteenth Century*

Emőke Gálfi

Abstract: The study examines the social dynamics of the political elites of Alba Iulia after the town became the seat of the royal court, and then the princely court, in the mid-sixteenth century. In the second half of the sixteenth century, the town of Alba Iulia had two main squares: the first one, within the town walls, was surrounded by the mansions of the court nobility, while the second was located outside the walls. The latter was a real reflection of the town's social structure and functioned as its market square. The outer square was shared by three fundamental layers of urban society: the court nobility, the courtly military, and the wealthy townspeople. The political elite of the town was invested in purchasing real estate in the square outside the town walls, where they exerted their judicial prerogatives, though they were also keen to receive noble titles from the Transylvanian princes.

Keywords: Alba Iulia, town walls, main squares, political elite, princely court

It is widely known that Alba Iulia was the political center of Transylvania during the age of the principality, from where the country was governed. However, Alba Iulia was never a princely seat, nor even a voivode's seat, before the fall of Buda. During the Middle Ages, ever since the foundation

* This study was supported by the HTMKNP FAEK MTA Program and by UEFISCDI—project number PN-III-P4-PCE-2021-0376. A shorter version of the paper was published as: "Gyulafehérvár falakon kívüli főtere és a városvezető réteg a 16. század végén," *Történelmi Szemle* 60, no 1 (2018): 3–15.

of the bishopric, the town was the seat of the Transylvanian bishops. A succession of events following the fall of Buda into Ottoman hands in 1541 led to the arrival of Queen Isabella Jagiellon to Transylvania, and her occupation of the vacant episcopal palace contributed to the establishment of the princely seat in Alba Iulia. At the end of the Middle Ages, the town had two owners: the Catholic bishop of Transylvania and the Transylvanian Chapter. After the secularization of the former properties of the Catholic Church (1556), the prince became their sole landlord. The Transylvanian rulers were thus able to establish their seat in a town over which they ruled almost at will in all aspects of social, economic, or legal matters. The large estate created around Alba Iulia as a result of the secularization further catalyzed this absolute rule of the princes over the town.

Alba Iulia was never elevated to the rank of a royal free city during the era of the Transylvanian principality, and the reasons may partly lie in the situation of Buda prior to 1541. A royal free city enjoyed autonomy that limited the full implementation of the monarch's will. Alba Iulia, which served as the seat of the Bishopric of Transylvania and later the "residence and metropolis" of the Transylvanian princes, was not considered a royal free town, although the documents refer to it as a *civitas* from the end of the fifteenth century, but only as a market town (*mezőváros*). At the end of the Middle Ages, Alba Iulia, as the seat of the bishopric, was a *civitas* according to the canon law, but its inhabitants were tenant peasants (*iobagiones*) by status and remained so even after the town became the princely seat. Based on the three main characteristics of medieval cities—privileged settlement, existence of a magistrate, and a walled enclosure—Alba Iulia would have qualified to be a free town, yet its legal situation remained unchanged in the early modern period.¹

There is a strong correlation between the main squares of medieval and early modern cities and the location of homes and property of the urban elite. In many cities, even in the modern period, the wealthier residents and leaders of the city sought to acquire houses on the main squares. Before examining in detail the relationship between the main square of the seat of the Transylvanian princes and the magistrate that governed Alba Iulia, we must take two aspects into account: the town's topography and its government.

1 Emőke Gálfi, "Miért maradt mezőváros a fejedelmek székvárosa?," in *Arte et ingenio: Tanulmányok Kovács András hetvenötödik születésnapjára*, ed. Emőke Gálfi, Zsolt Kovács, and Klára P. Kovács (Cluj-Napoca–Budapest: Erdélyi Múzeum-Egyesület, Bölcsészettudományi Kutatóközpont Történettudományi Intézet, 2021), 241–51.

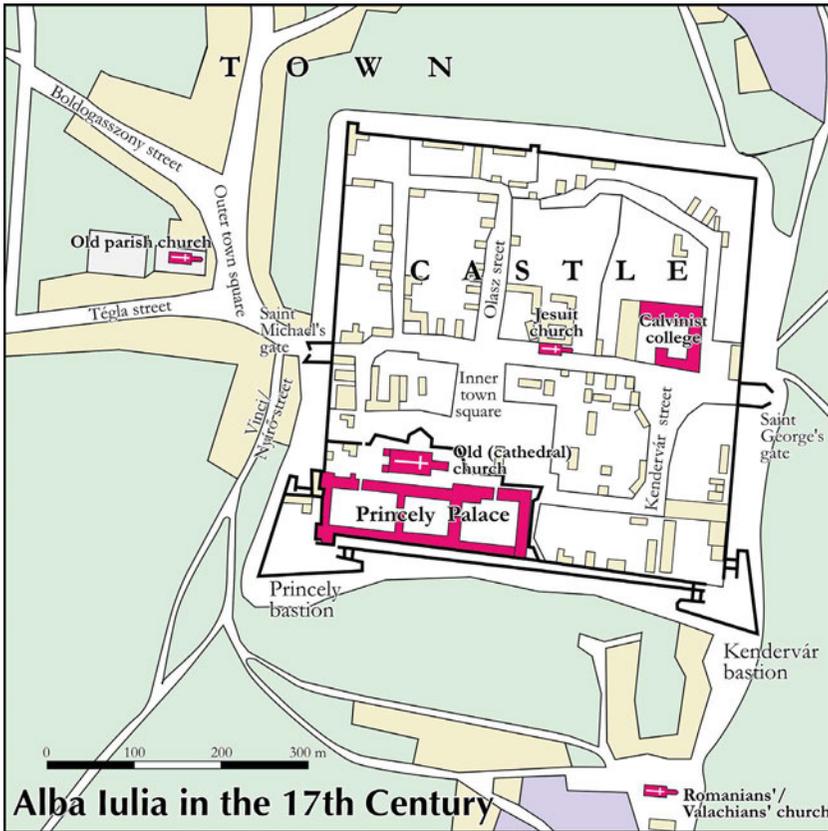


Figure 3.1. A reconstruction of the town plan of Alba Iulia in the seventeenth century (Courtesy of Béla Nagy).

Alba Iulia has Roman origins, and the layout of the town was determined by the fact that the castle was built during the Middle Ages on the walls of the Roman legionary camp of the legion Gemina XIII. The four parts/neighborhoods of the town (*fertály* or *quarters*) were located around the castle district, mostly from north-west to south-west, but there was also a southern one.²

In the period under discussion, Alba Iulia had two main squares. One was located inside the city walls, while the other, as a counterpart of the inner one, lay outside the walls, in front of the western city gate, then called St.

² Comp. *Magyarország történeti atlasza 1526–1711*, maps by Béla Nagy, ed. Teréz Oborni, Géza Pálffy, and Szabolcs Varga (Budapest: Bölcsészettudományi Kutatóközpont Történettudományi Intézet, 2023), 304.

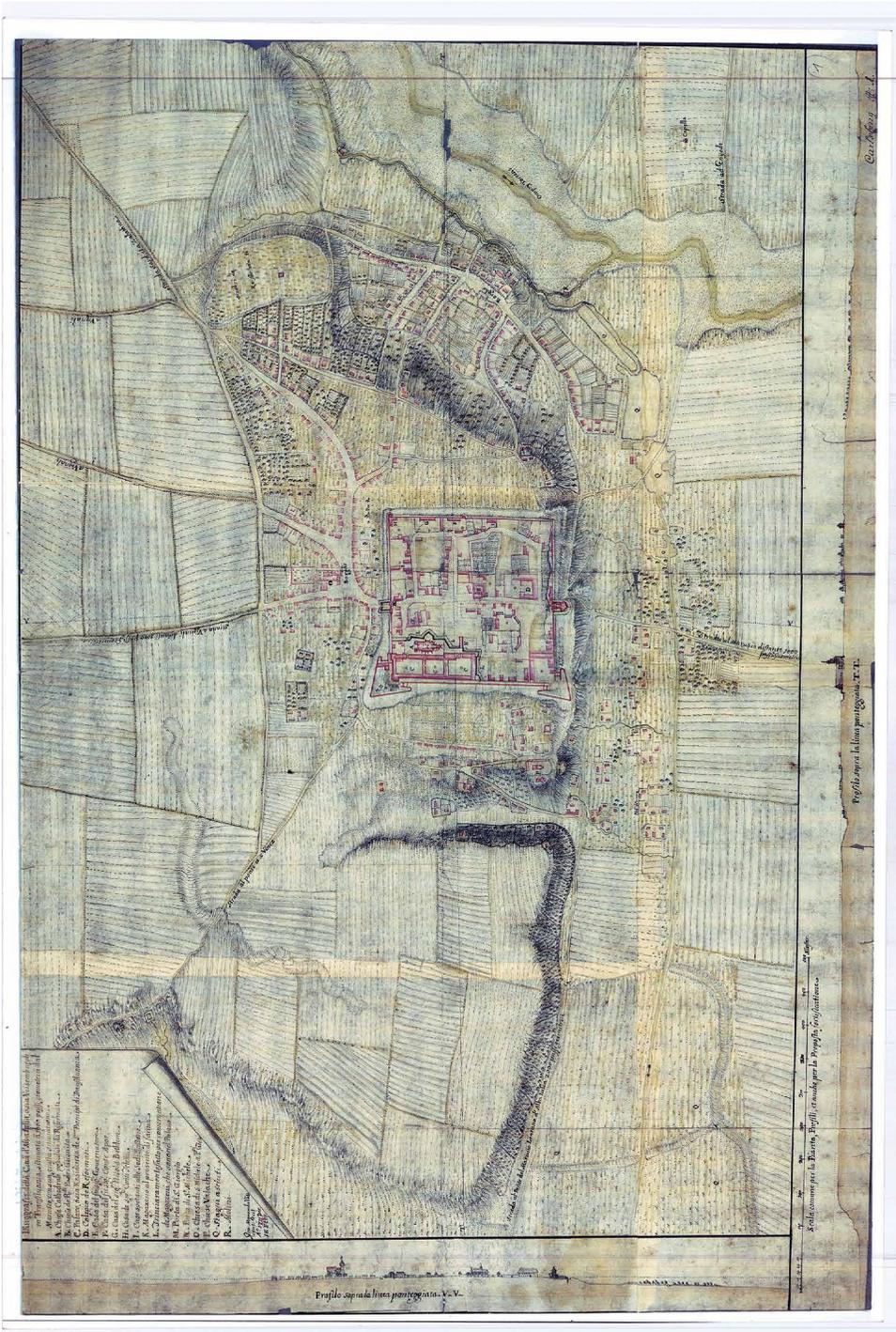


Figure 3.2. Town plan of Alba Iulia, by Giovanni Visconti, *Iknoграфия della Città Alba Iulia*, 1711 (Hadrtörténeti Múzeum, Budapest).

Michael's Gate. The elongated outer square was also the town's marketplace during the Middle Ages.³ It was in this outer square that the town's three annual fairs and the weekly market were held.

As a manifestation of the power of the prince and of the sharing of common space, the revenues from the administration of justice during the annual fairs and weekly markets constituted the income of the town treasury only in the absence of the prince. When the prince and his court were in town, this income was paid to the princely treasury.⁴ The outer town square was defined by the various stalls and shops run by the town citizenry or rented out by the townsfolk just for the duration of the fairs or annually.⁵ In addition to the shops, taverns also played an important role in the town's economic and social life. Townsfolk who owned vineyards were allowed to sell their wine in their houses, so the taverns were not exclusively located in the market square, but everyone tried to sell their wine at the best time and place, during the busy times of the year.⁶ Craftsmen practiced their trade in front of their workshops, in the open, such as the blacksmiths who shod horses in the square.⁷ Last but not least, this outer square was also the institutional center of the town, as it was the site of the town's cemetery, the parish church, which before the Reformation was dedicated to the Virgin Mary, and of the town hall itself, first mentioned on November 8, 1590: *domus huius civitatis nostrae*.⁸

In the sixteenth century, the composition of the town's council changed several times. Three periods can be distinguished in the course of the century, based on variations in the number of members of the city's inner and outer councils. At the end of the Middle Ages, the city was represented by the judge and four jurors (sworn councilors), plus an unknown number of

3 András Kovács, "Gyulafehérvár, az erdélyi fejedelmi udvar színtere a 16. században," in *Idővel paloták...: Magyar udvari kultúra a 16–17. században*, ed. Nóra G. Etényi and Ildikó Horn (Budapest: Balassi, 2005), 672, fig. VII.

4 Gálfi, "Miért maradt mezőváros," 249.

5 András Kovács, ed., *Gyulafehérvár város jegyzőkönyvei: Gyulafehérvár városcopyve 1588–1674; Gyulafehérvár város törvénykezési jegyzőkönyvei (1603–1616)* (Cluj-Napoca: EME, 1998), 28.

6 In 1591, Gáspár Szigeti allowed Ferenc Kádas Köleséri and his wife Anna Szócs to store their food and two barrels of wine in his wine cellar in the outer main square for the rest of their lives, and to weigh out 11 barrels of wine for their own use: Zsolt Bogdándi and Emőke Gálfi, eds., *Az erdélyi káptalan jegyzőkönyvei (1222–1599)* (Cluj-Napoca: EME, 2006), doc. 859.

7 Magyar Nemzeti Levéltár Országos Levéltára (National Archives of Hungary, hereafter MNL OL) F 4. Comit. Alb. Cista 5. Fasc. 1. no. 20.

8 Tamás Fejér, Etelka Rác, and Anikó Szász, eds., *Az erdélyi fejedelmek királyi könyvei: Báthory Zsigmond királyi könyvei, 1582–1602* (Cluj-Napoca: EME, 2005), doc. 1298.

external councilors.⁹ After the secularization of the properties of the Catholic Church (1556), the council's membership was increased to six jurors and 20 *consuls*, headed by the head judge (*főbíró*).¹⁰ However, the part of the town with a Romanian population, called *Maior* (farm), had its own governing body under the leadership of a *cneaz* (judge, village steward). Similarly, there was a separate magistrate in charge of the part of the town called *Lippa Fertály* (i.e., the “Quarter of Lipova”), where inhabitants of Lipova and Timișoara, who had fled after the surrender of their hometowns to the Ottomans in 1552, were settled. The neighborhood of the Lipova refugees had two judges for each community, for those from Lipova and for those from Timișoara. The two judges administered their part of the town together with a joint council composed of six jurors.¹¹

After the death of John II Sigismund (1571), Prince Stephen Báthory retained Alba Iulia as his seat. Because of its growing population, in the last third of the sixteenth century the town's governance increased to a head judge, twelve jurors, and forty external councilors, called senators.¹² We do not know exactly when the town administration was reorganized, but it is certain that by 1585 more than six jurors can be found in the sources. The date is hard to pinpoint because the charters of legal transactions list only the name of the head judge and that of one or two, or, in rare cases, three jurors, and often they are the same individuals.¹³ The *forty men* were most likely chosen from among the townsmen of the five neighborhoods of the town, namely: *Vár* (Castle), *Tégla* (Brick), *Bódog* (from “Boldog Asszony”), *Lippa* (Lipova, after the settlement), and *Tövís* (Teiuș, after the settlement),

9 Bálint Lakatos, *Mezővárosi oklevelek: Települési önkormányzat és írásbeliség a késő középkori Magyarországon, 1301–1526* (Budapest: Bölcsészettudományi Kutatóközpont Történettudományi Intézet, 2019), 329–32; Bálint Lakatos, “Mezővárosi és falusi önkormányzati testületek Magyarországon a késő középkorban,” *Századok* 148 (2014): 515.

10 MNL OL F 4. Comit. Alb. Cista 4. Fasc. 5. no. 61.

11 Serviciul Județean al Arhivelor Naționale (Romanian National Archives, hereafter SJAN) Sibiu, Documente medievale U IV. 1123; Emőke Gálfi, “A gyulafehérvári Lippa fertály és a lippai menekültek a 16. század közepén,” in *Testimonio litterarum: Tanulmányok Jakó Zsigmond tiszteletére*, ed. Veronka Dáné et al. (Cluj-Napoca: EME, 2016), 143–50; Emőke Gálfi, “Az egyházi javak szekularizációja és az erdélyi fejedelmek székvárosának születése,” *Erdélyi Múzeum* 78, no. 1 (2016): 27–28.

12 The earliest data we have on them is from July 12, 1581, Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, doc. 286.

13 MNL OL F 4. Comit. Alb. Cista 5. Fasc. 1. no. 18. and MNL OL F 3. D. 7.; Emőke Gálfi, ed., *Az erdélyi káptalan jegyzőkönyvei (1600–1613)* (Cluj-Napoca: EME, 2016), doc. 426; Biblioteca Națională a României, Biblioteca Batthyaneum, Alba Iulia (National Library of Romania, Batthyaneum Library, Alba Iulia, hereafter BNR BB) VI. 81, 82.

as entries from the early seventeenth century town book illustrate.¹⁴ After 1571, the neighborhood of Lippa/Lipova no longer elected a separate judge; instead, it sent representatives to the town council similarly to the other parts of town. The Romanian suburb,¹⁵ the former part of town that belonged to the Transylvanian chapter, remained a separate entity, with its *cneaz* directly subordinated to the town council.¹⁶

The onomastics of the members of the inner council, the twelve oath-swearing councilors (Szabó—Tailor, Borbély—Barber, Nyíró—Furrier, Mészáros—Butcher, Kovács—Smith), suggest that most individuals were craftsmen and traders. We can assert that most of them were literate and were knowledgeable of the town privileges and legal customs, as well as the rules and mechanisms of services and dues owed to the Transylvanian princes. From the practice in the town of Turda, we can infer that the jurors were appointed from among the forty senators, although there is no source for this practice in Alba Iulia.¹⁷

For those who held the office of head judge, it was a rule of practice, if not of principle, to serve for a few years in the town council, during which time they could learn the ins and outs of town administration. Of the twelve persons who were head judges from 1581 to 1600, some being elected multiple years,¹⁸ seven are known to have been previous members of the town council as sworn jurors. A juror was required to serve an average of 7.7 years before being elected head judge.¹⁹ However, the scarcity of sources would suggest that even more time serving the town as jurors was needed for advancement. The town notary wrote about János Szakmári Szígyártó, who was first

14 Kovács, *Gyulafehérvár város jegyzőkönyvei*, 30–31.

15 *in suburbio Valachali eiusdem civitatis Albensis Maior vocato*: Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, doc. 717.

16 Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, doc. 426, for the composition of the city council see also Emőke Gálfi, “The Society of the Residence of the Transylvanian Princes in the Second Half of the Sixteenth Century,” *Hungarian Historical Review* 7, no. 4 (2018): 768.

17 *iuratus civis e numero quinquaginta electorum patrum*: Zsolt Bogdándi, ed., *A kolozsmonostori konvent fejedelemségkori jegyzőkönyvei, 1326–1590* (Cluj-Napoca: EME, 2018), doc. 670.

18 Gyógyi Péter, Mészáros/Németi Márton, Vajda Ferenc, Nyíró István, Csányi Ferenc, Betlen/Szabó László, Mészáros Gergely, Mészáros Bertalan, Kovács János, Lippai Szűcs/Siska János, Nyíró János, Baranyai Szabó István. SJAN Cluj, Primăria orașului Bistrița (Town Hall Bistrița, hereafter POB) I. no. 5435; BNR BB VI. 42.; MNL OL F 3. C. 36., D. 7., D. 9., Hh. 79.; MNL OL. F 4. Cista 4. Fasc. 5. no. 61 and F 4. Cista 5. Fasc. 1. no. 61 and Comit Alb. Cista 4. Fasc. 5. no. 63; Fejér, Rácz, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, doc. 192; Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)* docs. 268, 441, 451, 676, 743; Kovács, *Gyulafehérvár város jegyzőkönyvei*, 18–19, 22–24, 26–27; István Szamosközy, *Erdély története (1598–1599, 1603)*, trans. István Borzsák (Budapest: Magyar Helikon, 1977), 293.

19 Gálfi, “The Society,” 771.

elected to the town council in 1598.²⁰ He became head judge only in 1614, sixteen years thereafter. In the case of Mátyás Mészáros, service in the town council took even longer: he was a sworn citizen for 19 years, with minor interruptions, until he was finally elected head judge in 1604.²¹ Head judges could return to the town council as jurors or serve the city as senators (members of the outer council).²² The town notary had an important role in urban administration: he kept the town books and the records of the law in addition to recording the various legal transactions and last wills that were brought before the judge.²³

The head judge was elected usually at the beginning of the year, around the feast of the Epiphany,²⁴ and the rule of not electing the same person for the office two consecutive years was respected throughout. However, after a one-year break, a head judge deemed competent could be re-elected for office.²⁵ Head judges could be seconded by the bailiff (*kisbíró*).²⁶

Of all the judges we know of, Márton Mészáros Némethi was re-elected the most often; he was certainly not undeserving of his five terms at the head of the city.²⁷ Nevertheless, the town protocol books held him responsible for the loss of the town archives in 1599. In accordance with the town statutes, the council summoned him to face charges, but the then frail and ill man could not put up any defense.²⁸ Furthermore, the fate of his family mirrors the downfall of the town. The Thirteen Years War was a dark period in the history of Alba Iulia. Márton Mészáros's only daughter, Anna, remained in the care of her stepmother.²⁹ Both women had to flee the town together with the citizenry after the destruction of 1603,³⁰ escaping to Caransebeș,

20 Kovács, *Gyulafehérvár város jegyzőkönyvei*, 37.

21 MNL OL F 3. D. 7, Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, doc. 743; MNL OL F 4. Cista Alb. Cista 4. Fasc 5, no. 30; Kovács, *Gyulafehérvár város jegyzőkönyvei*, 29, 31.

22 For example, Bányai András, head judge in 1578, senator in 1581. SĴAN Cluj, Bethlen de Criș (documents sorted by year). Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, doc. 286; Nyírő/Szabó János head judge in 1598, juror in 1600; Kovács, *Gyulafehérvár város jegyzőkönyvei*, 27.

23 Kovács, *Gyulafehérvár város jegyzőkönyvei*, 4, 10–11.

24 Kovács, *Gyulafehérvár város jegyzőkönyvei*, 22, 26–27

25 The rotation of judges can be demonstrated from 1556 to the beginning of the seventeenth century. Gálfi, "Az egyházi javak," 27; Gálfi, "The Society," 77; Kovács, *Gyulafehérvár város jegyzőkönyvei*, 18–27.

26 Kovács, *Gyulafehérvár város jegyzőkönyvei*, 30, 250.

27 In 1581, 1588, 1592, 1596, and 1599.

28 Kovács, *Gyulafehérvár város jegyzőkönyvei*, 38–39.

29 Kovács, *Gyulafehérvár város jegyzőkönyvei*, 47, 65.

30 Szamosközy, *Erdély története*, 293–322, 381–92, 405–16; Kovács, *Gyulafehérvár város jegyzőkönyvei*, 5–6.

where the gravely ill Anna died.³¹ In 1604, the heirs fought over the late head judge's property, but the only certainty from the dispute is that most of the valuables had been lost and that two hundred measures of wheat were left in the fields unharvested.³²

Customarily, in January, the outgoing head judge would give an account of the previous year's activities and hand over to his successor the archive of the town and the two swords representing the jurisdiction of the town council.³³ The chest with the town archive contained: a book with red leather covers, which was identified by art historian András Kovács to be the protocol book of the town; "an old black book with clasps," which could have held the town statutes; a copy of István Werbőczy's *Decretum Tripartitum*; and privilege charters, such as the documents regarding the fairs and the arable lands of the town, "together with some protocol books," most likely those of the judiciary.³⁴

The cases of the town inhabitants were tried in first instance in front of the head judge and the small (inner) council. The great (outer) council of 40 members (*negyven emberek*) was the court of second instance, as in other Transylvanian towns,³⁵ although we only have information about this practice from the seventeenth century.³⁶ Litigants could appeal to the *provisor* (court judge, *udvarbíró*). As was typical of market towns, Alba Iulia "had not received the fullness of urban judiciary,"³⁷ i.e., in major cases it was the provisor—and not the head judge—who passed sentence.

I argue that in the second half of the sixteenth century, the town hall on the outer square of Alba Iulia was where hearings were held.³⁸ In disagreement with the main thinking in literature,³⁹ I put forward that similar to the developments in Sibiu, Braşov, and Cluj, where during the fifteenth and sixteenth centuries urban communities had established or purchased the appropriate buildings to house the town hall,⁴⁰ Alba Iulia must have

31 Kovács, *Gyulafehérvár város jegyzőkönyvei*, 47.

32 Kovács, *Gyulafehérvár város jegyzőkönyvei*, 65.

33 Kovács, *Gyulafehérvár város jegyzőkönyvei*, 27.

34 Kovács, *Gyulafehérvár város jegyzőkönyvei*, 27; Gálfi, "The Society," 771–72.

35 For example, Orăştie/Broos SJAN Sibiu, *Documente medievale* U V. 669.

36 Kovács, *Gyulafehérvár város jegyzőkönyvei*, 70, 75, 191, 286.

37 Erik Fügedi: "Mezővárosaink kialakulása a XIV. században," in *Kolduló barátok, polgárok, nemesek*, ed. Idem (Budapest: Magvető, 1981), 353–54.

38 Fejér, Rácz, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, doc. 1298.

39 Kovács, *Gyulafehérvár város jegyzőkönyvei*, 8; ed. József Vonyó and Márta Font, eds., *Pécs története*, vol. 2, *A püspökség alapításától a török hódításig* (Pécs: Kronosz, 2015), 188.

40 Petre Beşliu, *Primăria veche din Sibiu: Casa, oamenii, muzeul* (Sibiu: Muzeul Brukenthal, 2006), 59–61; Gernot Nussbacher, *Das Kronstädter Rathaus* (Kronstadt: Aldus, 1996), 1–26;

had a town hall, at least from the mid-sixteenth century onward. Thus, the document from 1590 that mentions the “*domus huius civitatis nostrae*” refers to a town hall and not to a house of a deceased citizen who had died heirless, as the text would suggest, since it would have reverted to the landlord, i.e., to the prince, and not to the town.⁴¹ This assumption is supported by the fact that the much smaller town of Șard, near Alba Iulia, also had a council house in 1583,⁴² which stood on the main square.⁴³

The jurisdiction of the governing bodies of Alba Iulia extended only over the citizenry of the town, who in turn represented one of the social strata of the urban community. The most precise description of the social groups of the town was given by the town officials in 1604. In the entry from the town protocol book, the wording indicates that contemporaries distinguished between “the nobility, the townspeople, and the trabants,” namely, the noblemen, the inhabitants of the town, and the soldiers in the service of the Transylvanian prince, respectively. There was a further distinction between those who lived in the town’s neighborhoods and “the Romanian folk from the *Major*.”⁴⁴

These three groups lived together in town, and although the nobility dominated the territory inside the town walls, there were burghers and soldiers who owned property there, too.⁴⁵ While the character of the main square and the streets within the town walls was dominated by the grand and sophisticated residences of the magnates, which were renovated versions of the former canons’ and altar deans’ houses,⁴⁶ on the outer main square

Kovács András, “Kolozsvár városképe a XVI–XVII. században,” in *Kolozsvár 1000 éve*, ed. Tibor Kálmán Dáné et al. (Cluj: EME, 2001), 47; Ágnes Flóra, “Symbols, Virtues, Representation: The Early Modern Town Hall of Kolozsvár as a Medium of Display for Municipal Government,” *Hungarian Historical Review* 1, nos. 1–2 (2012): 5–6.

41 For instance, after the extinction of his family, the house of the former head judge István Sipos did not become the property of the town but of the princely treasury before 1602. Fejér, Rác, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, doc. 1806.

42 *domus publica eiusdem oppidi*: SJAN Cluj, Documente cu peceti atârinate, 130; Fejér, Rác, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, doc. 389.

43 *in theatro oppidi*: SJAN Cluj, Documente cu peceti atârinate no. 130, Gálfi, “The Society,” 772.

44 Kovács, *Gyulafehérvár város jegyzőkönyvei*, 32; Gálfi, “The Society,” 772–73.

45 Fejér, Rác, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, doc. 1356; MNL OL F 4. Comit Alb. Cista 4. Fasc. 5. no. 46, SJAN Cluj, POB. I. 5435.

46 Emőke Gálfi, “The Secularization of the Castle District in Alba Iulia (second half of the 16th century),” in *Common Man, Society and Religion in the 16th Century: Piety, morality and discipline in the Carpathian Basin*, ed. Ulrich A. Wien (Göttingen: Vandenhoeck & Ruprecht, 2021), 79–89.

the lower court nobility, the court military, and the wealthier members of the urban elite of the market town tried to acquire houses.⁴⁷

The comparison of house prices from various locations in town shows that they varied across neighborhoods and time. In the 1560s, the prices were much lower than at the end of the century. In 1568, the house of the former canon dean Ferenc Gárdonyi, situated within the town walls, was worth 95 florins.⁴⁸ Another former canon's house inside the town walls was worth 150 florins before 1581, but in 1583 was sold to another buyer for 200 florins.⁴⁹ The house of salt chamberlain (*camerarius*) of the Ocna Sibiului salt mines, László Boronkai, was sold in 1591 by his brother to István Jósika, the future chancellor of Transylvania, for the sum of 800 florins, but without the land and the pastures that belonged to it; the house with its full belongings would have been valued at 1000 florins.⁵⁰ In 1597, the town of Braşov bought a house inside the town walls from the sons of György Lencsés for 700 florins.⁵¹ Houses on the main square of Cluj, one of the most important towns of Transylvania, were sold for 1500 and 1053 florins.⁵² A huge sum by Transylvanian standards was paid for the Wolphard-Kakas house in the main square of Cluj in 1602, when it sold for 3700 florins.⁵³

Apart from the main square, the value of real estate in Alba Iulia depended naturally on the location and the neighborhood. At the end of the century, the variation in prices can be followed in the recorded transactions: in 1594, Máté Imrefi *viceprovisor* (vice court judge, *aludvarbíró*) bought an exempt house in Lipova Street for 150 florins.⁵⁴ The exemption or ennobling of a house mostly brought financial benefits to its owner, but the meaning of the term varied periodically. In 1571, John Sigismund donated a former canon's house to his loyal serviceman, András Székesfejérvári, together with all its privileges, and thus was enjoyed by ecclesiastical and lay owners alike. Later, the donation charters specified precisely what exemptions were given to the new owners along with the town house. These could be for instance

47 András Kovács, "A gyulafehérvári fejedelmi nyomda és szomszédsága," in *Testimonio litterarum*, 178–88; András Kovács, "Gyulafehérvári séta Bethlen Miklós kancellárral," in *MO-NOKgraphia: Tanulmányok Monok István 60. születésnapjára*, ed. Judit Nyerges et al. (Budapest: Kossuth, 2016), 418–23.

48 MNL OL F 4. Comit. Alb. Cista 4. Fasc. 5. no. 33.

49 Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, doc. 355.

50 Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, doc. 829.

51 MNL OL F 4. Comit. Alb. Cista 5. Fasc. 1. no. 39.

52 Bogdándi, *A kolozsmonostori konvent fejedelemségkori jegyzőkönyvei*, docs. 319, 326.

53 MNL OL F 15. XV. 148. Kovács, "Kolozsvár városképe," 55–58, 59.

54 MNL OL F 4. Comit. Alb. Cista 4. Fasc. 5, no. 70.

an exemption from billeting, from ordinary and extraordinary taxes, from urban duties, or from all of these combined.⁵⁵

In 1597, Jakab Ajtonyi, then customs exactor in Lipova, who had a successful career later at the princely court,⁵⁶ bought a house in the Lipova Street for 100 florins, “together with a garden and a yard,” because its owner, István Fejérvári, could not pay his debts.⁵⁷ However, in 1598 Márton Kaproncai bought a house with all its belongings in Cemetery Street for mere 19 florins; the house was nevertheless the last one on the street, at the edge of town.⁵⁸ In 1601, Gábor Zákány *requisitor* (archivist of secularized chapter) purchased for 200 florins the large stone house of Lady Stanca, the widow of Petru Cercel, former Prince of Wallachia.⁵⁹ The house with its sizable plot and several outbuildings was destroyed a few years later, probably as soon as two years thereafter, and Prince Gabriel Bethlen used the stones to build one of the town bastions.⁶⁰

In comparison to the examples above, the houses on the outer square were in a different price bracket. Benedek Mindszenti bought a house here for 500 florins in 1591.⁶¹ The house of town lawyer Miklós Sárdi, located on the outer square, which had previously been the residence of the former head judge Gergely Igeni,⁶² was sold together with its vineyards for 700 florins because of the lawyer’s debts; in 1585, it ended up in the ownership of János Boronkai, *camerarius* (chamberlain) of the salt revenues.⁶³ The house next to this one, which belonged to another head judge, István Sipos, was sold together with the vineyard by his widow, Zsófia Gyulai, for 647 florins in 1589.⁶⁴ The figures therefore show that the houses on the outer town square sometimes caught up with those within the town walls. The fact that they could not have been much behind in terms of spaciousness is proved by István

55 MNL OL F 3. D. 26., D. 7. és D. 46., SJAN Cluj POB I. 5430.

56 Emőke Gálfi, “Bethlen Gábor hitelezője, Ajtonyi Jakab deák,” in *A magyar arisztokrácia társadalmi sokszínűsége, változó értékek és életviszonyok*, ed. Klára Papp and Levente Püski (Debrecen: Debreceni Egyetem Történelmi Intézete, 2013), 115–26.

57 As Fejérvári was preparing for war at the time, Ajtonyi also gave him a helmet. MNL OL Radák 565, documents sorted by year.

58 MNL OL F 3. D. 52.

59 MNL OL F 4. Comit. Alb. Cista 4, Fasc. 5. no. 40.

60 Emőke Gálfi, *A gyulafehérvári hiteleshely levélkeresői (1556–1690)* (Cluj-Napoca: EME, 2015), 74.

61 Fejér, Rácz, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, doc. 1487.

62 MNL OL F 4. Comit. Alb. Cista 5, Fasc. 1. no. 61.

63 Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, doc. 384. Fejér, Rácz, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, doc. 1806.

64 MNL OL F 4. Comit. Alb. Cista 5, Fasc. 1, no. 52.

Szamosközy's description of the house of István Szabó/Nyíró, also known as István Fületlen (Earless), town patrician (head judge in 1586)⁶⁵ near the St. Michael's Gate. Szamosközy states that in April 1603, before the later prince Gabriel Bethlen stormed the town walls, he hid 50 Thracians, i.e., Serbs, in it;⁶⁶ thus, it was spacious enough for 50 people to hide in undetected.

The houses of the outer main square stood close to each other, according to István Szamosközy: "neighboring houses shared walls and many were thus connected with each other" and, as it is clear from the above, they were owned by members of the three social groups.⁶⁷ Only the most well-off of the citizenry of Alba Iulia were able to acquire property here, and there is a great overlap between members of this class and the head judges. We know the names of the town judges from 1563 onwards, with some gaps, and occasionally the names of the jurors and those of the consuls and senators, respectively. From 1563 to 1600, of the 18 head judges,⁶⁸ nine had their houses on the outer main square,⁶⁹ and one lived within the town walls.⁷⁰ Three others had two houses each, either on the outer main square or in its proximity.⁷¹

65 Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, doc. 441.

66 Szamosközy, *Erdély története*, 297.

67 "erant enim contiguae domus, intergerinisquae [!] parietibus, pleraque inter se coniunctae," in Sándor Szilágyi, ed., *Szamosközy István történeti maradványai, 1566–1603*, vol. 3 (Budapest: Magyar Tudományos Akadémia, 1877), 56.

68 Székely Máté, Szabó János, Sipos István, Szász Márton, Ötvös András, Igeni Gergely, Bánai András, Gyógyi Péter, Mészáros/Németi Márton, Vajda Ferenc, Nyíró István, Csányi Ferenc, Betlen/Szabó László, Mészáros Bertalan, Kovács János, Lippai Szűcs/Siska János, Nyíró János, Baranyai Szabó István; *Programm des ev. Untergymnasiums und der damit verbundenen Lehranstalten in Mühlbach am Schlusse des Schuljahres 1888/89* Hermannstadt (1889): 95; SJAN Sibiu, Documente medievale U IV. 1123; SJAN Cluj, Colecția generală de documente, 57; SJAN Cluj Fond familial Gyulay-Kún, 216; SJAN Cluj POB I. 5435; SJAN Cluj Fond familial Bánffy, fasc. 61. no. 2; SJAN Hunedoara AOD, Colecția de documente IX. 9; BNR BB VI. doc. 42.; MNL OL F 3. C. 36., D. 7., D. 9., Hh. 79; MNL OL. F 4. Cista 4. Fasc. 5, no. 61 and F 4. Cista 5. Fasc. 1. no. 61, and Comit. Alb. Cista 4, Fasc. 5, no. 63; Tamás Fejér, Etelka Rác, and Anikó Szász, eds., *Az erdélyi fejedelmek királyi könyvei: János Zsigmond, Báthory Kristóf királyi könyvei, 1569–1581* (Cluj-Napoca: EME, 2003), docs. 96, 222; Fejér, Rác, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, doc. 192; Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, docs. 268, 441, 451, 676, 743; Kovács, *Gyulafehérvár város jegyzőkönyvei*, 18–27; Szamosközy, *Erdély története*, 293.

69 Sipos István, Igeni Gergely, Pontyos Ferenc (judge of Lipova neighborhood), Csányi Ferenc, Szabó/Nyíró István, Bethlen/Szabó László, Baranyai Szabó István, Szilágyi Nyíró János, Mészáros Gergely, Kovács, *Gyulafehérvár város jegyzőkönyvei*, 18–19, 22, 29–30, 180, Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, docs. 594, 866, 936; Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1600–1613)*, doc. 39. MNL OL F 4. Comit. Alb. Cista 5. Fasc. 1. no. 52 and 61.

70 Lippai Szűcs/Siska János, Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1600–1613)*, doc. 117.

71 Csányi Ferenc, Szabó/Nyíró István, Bethlen/Szabó László. Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, doc. 384, 866, 936; Gálfi, *Az erdélyi káptalan jegyzőkönyvei*

A closer examination of certain individuals can provide a better understanding of this social group, and what better choice than a prominent lady? Her name was Anna Pécsi;⁷² she was born in Cluj as the daughter of István Pécsi, a goldsmith in the city.⁷³ The family name indicates that her ancestors were not locals but moved to Transylvania from Pécs. The father was not only a member of the goldsmiths' guild but also the mintmaster of Cluj in 1566.⁷⁴ Anna arrived in Alba Iulia through marriage; until her death sometime after 1609, we know that she had five husbands, most of them members of the town's elite.

Anna's first husband, Boldizsár Benő Borbély, was listed in 1571 among the twelve sworn councilors.⁷⁵ As his name suggests, he was a barber from Lipova, likely a member of the jurors of the neighborhood of Lipova before 1571. The only son of Anna Pécsi, Mihály Benő, who had a flourishing career, was born from this husband. Her next marriage was to another barber, also born outside Transylvania: János Harcsás Borbély from Békés County, in Hungary. In 1586, he is listed as a town councilor,⁷⁶ but he died soon thereafter,⁷⁷ probably victim of the plague epidemic.⁷⁸ Harcsás must have been affluent, since he owned a house on the outer square, which Anna inherited and then donated to her son, Mihály Benő, in 1589.⁷⁹ By this time, however, she was a widow for the third time. Her third husband was Péter Csókás Laskai, who had attended the universities of Wittenberg and Geneva⁸⁰ and is a known personality of Transylvanian culture.⁸¹ Péter Csókás was a native of Laskó in Baranya County, a fact that he always emphasized with his

(1600–1613), doc. 39; Fejér, Rácz, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, docs. 877, 1488.

72 Fejér, Rácz, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, doc. 1290.

73 Zsolt Bogdándi, *A kolozsmonostori konventfejedelemségkori jegyzőkönyvei X. 1*, doc. 791; Flóra, "Kolozsvári ötvösregezesztrum (1554–1790)," *Lymbus: Magyarasztudományi Forrásközlemények 1* (2003): 29.

74 Magdolna Bunta, *Kolozsvári ötvösök a XVI.–XVIII. században* (Budapest: Magyar Nemzeti Múzeum, 2001), 59.

75 MNL OL. F 4. Comit. Alb. Cista 4. Fasc. 5. no. 61.

76 Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, doc. 451, 465.

77 MNL OL. F 3. I. 51; Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, doc. 520.

78 Ladislaus Lukács, ed., *Monumenta Antiquae Hungariae*, vol. 2. (1580–1586) (Rome: Institutum Historicum Societatis Jesu, 1976), 966–72.

79 Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, doc. 594; Fejér, Rácz, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, doc. 877.

80 Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, doc. 520.

81 For more on him, see the latest summary of literature in András Szabó, *Coetus Ungaricus: A wittenbergi magyar diákság 1555–1613* (Budapest: Balassi, 2017), 184–85.

name: Petrus Monedulatus Lascovius Barovius/de Barovia. It is very likely that he began his schooling in his native town of Laskó, which had already become Protestant by the middle of the sixteenth century. The pastor of this settlement was István Kis Szegedi; in 1555 Hans Dernschwam reported on Kis Szegedi's activities and described his outstanding education.⁸² At that time, Laskó was a thriving market town in Baranya County, whose good school was described in Marc' Antonio Pigafetta travelogues from 1567.⁸³ Laskai, after his studies abroad, is mentioned in 1580 as the rector of the school in Târgu Mureş, and one year later in Făgăraş as an invited priest. In the same year, however, he went abroad again, twice until 1585, visiting Wittenberg, Geneva, Italy, and France.⁸⁴ After his return to Transylvania in 1586, he was priest in Alba Iulia and married Anna Pécsi. The marriage did not last long, because Laskai died before October 4, 1587, at a young age,⁸⁵ leaving a lasting legacy to his wife and her son, Mihály Benő. It was Laskai who probably set his stepson on the path for his intellectual career and left him part of his library, of which ten volumes are known.⁸⁶ Furthermore, this explains the fact that the widow of Laskai occasionally sold her late husband's books,⁸⁷ although I argue that the stepfather, who took part in theological disputes with the Jesuits,⁸⁸ would not have approved wholeheartedly the career choices of Mihály Benő. After a short stint in Alba Iulia as a scribe in the great chancellery of the court (1589),⁸⁹ Benő joined the inner circles of cardinal Andreas Báthory and converted to Catholicism.⁹⁰ In 1591, he was the secretary and later the private secretary of the cardinal.⁹¹ The duties of the secretary entailed the administration of the chancellery of the Miechów monastery

82 Szakály Ferenc, *Mezőváros és reformáció: Tanulmányok a magyar polgárosodás kérdéséhez* (Budapest: Balassi, 1995), 99–100.

83 Péter Hanák, ed., *Hogyan éltek elődeink? Fejezetek a magyar művelődés történetéből* (Budapest: Gondolat, 1980), 53.

84 Tamás Fejér, "A fogarasi partikuláris iskola fejedelemségkori rektorai," *Erdélyi Múzeum* 72, nos. 3–4 (2010): 110–11.

85 Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, doc. 520.

86 Ádám Dankanits, "Laskai Cs. Péter könyvei," *Lymbus: Művelődéstörténeti Tár* 2 (1990): 34.

87 Dankanits, "Laskai Cs. Péter," 33–34; *Anno* 88. *Erat hic liber Cuiusdem [!] Petri Laskai viri satis docti tametsi Juvenis. Qui fato nidesperato cedens, ab uxore illius relicta Emptus est florenis quattuor*

88 Szabó, *Coetus Ungaricus*, 184.

89 Fejér, Rácz, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, docs. 884, 1074.

90 A donation charter from 1598 emphasizes his Catholicism. MNL OL F 15. XV, 20r–26v.

91 Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, doc. 866.; Sándor Szilágyi, ed., *Szamosközy István történeti maradványai 1542–1608*, vol. 4 (Budapest: Magyar Tudományos Akadémia, 1880), 91.

in Poland, where Báthory served as a provost to the Augustine monks.⁹² In 1598, in recognition of his services, the cardinal rewarded Benő with the office of Schultheiss of Kamenczicze village, owned by the monastery, and with several estates. Benő still owned these properties in 1600, at the time when his stepfather, István Szabó/Nyírő, had the deed letter confirmed by the convent at Cluj-Mănăstur.⁹³ This information tells of Anna Pécsi's fourth husband, whom she married around 1590.

István Szabó/Nyírő was a member of the most prominent family in Alba Iulia, the Betlen Szabó/Nyírő family, who gave the town the head judge in 1589 in the person of László Betlen Szabó (ennobled in 1591 by Sigismund Báthory).⁹⁴ Anna Pécsi's fourth husband, István, was head judge of Alba Iulia in 1586⁹⁵ but is documented as a nobleman in 1590;⁹⁶ he is the same István Szabó the Earless, mentioned above with the large stone house that could fit fifty soldiers.⁹⁷ The historian Szamosközy, who wrote down this episode, explains that the sobriquet "Earless" was given to Szabó/Nyírő because he had lost half of an ear during a fight.⁹⁸ He was the leader who, in April 1603, convinced the town to side with the young commander of Moses Székely's vanguard, Gabriel Bethlen, later prince, and was forced to flee after the defeat of Moses Székely in battle in the same year.⁹⁹

István Szabó Betlen, besides the mentioned house, had another one on the outer square, while his wife Anna also had two houses there. The wealth of the family can be assessed from a document from 1591 when Anna and her son, Mihály Benő, divided their properties. They exchanged houses, because the house next to Anna's belonged to her brother-in-law, László Betlen Szabó, and the one after it to her new (fourth) husband, István the Earless. At that time, mother and son owned two vineyards in addition to the main houses, as well as a considerable amount of gold and silverware. The movables listed included a total of 13 gold rings (decorated with amethyst, turquoise, jasper, agate stones, and cameos) and 6.7 marks of silverware

92 Ildikó Horn, *Báthory András* (Budapest: Új mandátum, 2002), 58, 81.

93 MNL OL F 15, XV, 20r–26v.

94 Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, doc. 676; Fejér, Rác, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, doc. 1577.

95 Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, doc. 441, 451.

96 Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, doc. 787.

97 The identity of István Szabó the Earless among the many persons with the same name (István Szabó) living in Alba Iulia was established through Anna Pécsi. Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1600–1613)*, doc. 226.

98 Szamosközy, *Erdély története*, 293.

99 Szamosközy, *Erdély története*, 293–306, 377, 388.

(cups, belts, spoons, etc.), representing about 1.5–2 kg of silver. The goods were divided between them almost equally.¹⁰⁰

István Szabó and most probably his entire family fled to Caransebeș together with other townspeople at the end of July in 1603.¹⁰¹ We find no more traces of him, while we know that in 1609, Anna was the wife of a nobleman named Miklós Nagy, her fifth husband.¹⁰² In fact, this is the last piece of information on her.

Anna Pécsi had one son who reached adulthood; although some documents mention her expecting children, later sources do not provide information about their existence. The low number of children typical of urban elite families is not only found in the case of Anna Pécsi but also among the members of the ruling class of the city of Alba Iulia.¹⁰³ For instance, in the case of the head judge Márton Mészáros Németi, we have also seen above that he had only one daughter despite having been married several times.¹⁰⁴ The situation was similar for Péter Gyógyi, who had been head judge two times.¹⁰⁵ The last will of his widow, written in 1586, contains the estate (townhouse, plot of land, jewelry) left to their only daughter, Annók.¹⁰⁶

Conclusions

This study examines the connections between the main square of Alba Iulia located outside the town walls and the town's political elite at the end of the sixteenth century. The town of Alba Iulia, as the scene of the Transylvanian princely court, had two main squares: the one within the walls was surrounded by the high-quality houses of the court nobility; the other, situated outside the town walls, was a real reflection of the town's social structure. The outer square was shared by the three layers of urban society,

100 Fejér, Rácz, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, docs. 1488, 1577; Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, doc. 866.

101 Szamosközy, *Erdély története*, 388.

102 Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1600–1613)*, doc. 226.

103 András Kubinyi offers concrete data on this phenomenon from the Jagiellonian Era. Analyzing the data of 80 citizens from Buda, Kubinyi showed that 24 of them died childless. The remainder had 115 children in total, of which only 59 became adults, with only 8 grandchildren. András Kubinyi, "Budai és pesti polgárok családi összeköttetései a Jagelló-korban," *Levéltári Közlemények* 37 (1966): 233.

104 Kovács, *Gyulafehérvár város jegyzőkönyvei*, 47.

105 In 1579 and in 1583. MNL OL F 3. C. 36.; BNR BB VI. 42; Fejér, Rácz, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, doc. 192.

106 MNL OL F 3. I. 51.

namely, the court nobility, the court military, and the wealthy members of the townsfolk. At the end of the sixteenth century, the town was governed by a head judge, twelve jurors/sworn citizens, and forty external councilors called senators. The self-governance of the Lipova neighborhood ceased after 1571, whereas the cneaz of the Romanian neighborhood continued to function. Only the richest members of the townspeople were able to acquire real estate on the outer square, and the connections between this layer and the town magistracy are evident. A closer analysis of the life of Anna Pécsi and her numerous marriages revealed certain characteristics of the urban elite of Alba Iulia and other Transylvanian small towns, where the nobility retained their privileges but were integrated into urban life and governance as well.

The demographic decline of the early modern urban population can be attributed to the inheritance practices whereby females inherited equally, but also to the overcrowding and insanitary living conditions in towns. The dwindling number of offspring was influenced by epidemics and high infant mortality, in addition to the social practices described. However, an influx of population from the territories conquered by the Ottomans or from the neighboring landed estates counterbalanced the demographic decline in Transylvanian towns.¹⁰⁷

The proximity of the princely court and the high number of nobles gravitating towards it certainly provided not only a social and cultural model to follow but also an opportunity for all levels of the society of the market town. In addition, personal nobility also brought considerable financial benefits and privileges, as did the exemption of a house from various taxes and services. Of the head judges of Alba Iulia in the second half of the sixteenth century, five were ennobled,¹⁰⁸ and two of these judges became assessors of the provisoral judiciary court of the prince.¹⁰⁹ Sometimes they were also given nobility as a reward for their skillful practice of the craft. Chronicler István Szamosközy said of the inhabitants of Alba Iulia that “having long since erased the stain of their lowly origin, they were

107 Zsolt Bogdándi, “Jobbágyok Kolozsvárra költözése a fejedelemség korában,” *Erdélyi Múzeum* 74, no. 3 (2012): 68–87.

108 Sipos István, Bethlen Szabó/Nyíró István, Betlen Szabó László, Lippai Szócs/Siska János, Baranyai Szabó István: MNL OL F 4. Comit. Alb. Cista 5. Fasc. 1. no. 61; Fejér, Rác, and Szász, *Az erdélyi fejedelmek királyi könyvei*, doc. 1577, Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*, doc. 787; Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1600–1613)*, docs. 117, 171, 172.

109 Lippai Szócs/Siska János, Baranyai Szabó István, the latter also served for many years as notary of provisoral judiciary court of the prince. Gálfi, *Az erdélyi káptalan jegyzőkönyvei (1600–1613)*, docs. 97, 138.

elevated to the rank of nobles, and regained their full freedom deriving from natural law.¹¹⁰

About the author

Emőke Gálfi is a researcher with the “Zsigmond Jakó” Research Institute, Transylvanian Museum Association. Her research concentrates on the research and publication of sources related to the history of the Transylvanian Principality. She publishes studies on the history of early modern society, with a special regard to urban society and institutions. His publications include: *Gyulafehérvár és uradalma a 16. század második felében* [Alba Iulia and its estate in the second half of the 16th century] (Cluj-Napoca: Erdélyi Múzeum Egyesület, 2021)

110 Szamosközy, *Erdély története*, 293.

Part II.

Urban Elites and Nobility in Market Towns

4. A Salt-Mining Town in Transylvania: The Political Elite and Urban Governance of Dej between 1541 and 1600*

Anikó Szász

Abstract: Drawing on documents preserved in the archive of the market town of Dej (Inner Solnoc county), the study provides an overview of its governance during the sixteenth century. Like other settlements in Transylvania with salt mines, Dej benefited from extensive administrative and judicial autonomy due to privileges granted in previous centuries. By examining data on the composition of its governing institutions, specifically the council of elders or consuls and the council of jurors, as well as their respective competences and duties, it is evident that Dej's structure closely resembled that of other towns in Transylvania. The study also analyzes the various responsibilities of the council of jurors and how these were enacted.

Keywords: Dej, market town, urban governance, town council, jurisdiction, sixteenth century

Currently, we know little about the evolution and governance of Transylvanian market towns in the period of the autonomous principality. The main obstacle to in-depth research is the disappearance and destruction of archives, but in this respect, the extant archives of Dej are an exception to the rule.¹ Thus, based on the favorable situation of the source material, it is

* This study was supported by the HTMKNP FAEK MTA National Program, A previous version of this study was published under the following title: "Dés városvezetése 1541–1600 között," *Erdélyi Múzeum* 80, no. 1 (2018): 54–70.

¹ Serviciul Județean al Arhivelor Naționale (Romanian National Archives, hereafter SJAN) Cluj, Primăria orașului Dej (Town Hall Dej, hereafter POD), no. 116–120, 133–137, 145–266. In the

known that at the end of the Middle Ages, Dej enjoyed many privileges as a royal salt mining town. Its economic well-being was built on it because salt was one of the main sources of revenue for the Hungarian kings. In turn, the monarch consistently made sure that towns with salt mines received economic advantages and that their population did not dwindle. Among these were the most important salt mining towns of Transylvania: Dej, Ocna Dejului, Turda, Ocna Sibiului, Sic, and Cojocna. Transport fees were a significant source of income for the Dej inhabitants, to which the profits from the free sale of salt were added from 1542 onwards. It is true, however, that the locals traded in salt even before that year, especially since their medieval privileges granted salt carriers the exemption from customs duties within the realm, and the local merchants had built extensive trading connections.²

At the turn of the sixteenth century, Dej was a populous market town; in 1495, Dej and Ocna Dejului together had a population of 2700–3000 inhabitants,³ while Turda had a population of 3700–4500 inhabitants.⁴ However, the period after 1526 (after the battle of Mohács) was not favorable to the development of the town. Due to excessive burdens, mainly those imposed by George Martinuzzi, its population gradually decreased. Under the reign of John Szápolya, there were 322 tax-paying units (houses), and under Martinuzzi there were 170, while in 1552 there were barely 100, and in

archives of the town of Dej there are 115 documents from the period of the medieval Kingdom of Hungary and another 131 documents from the period 1526–1600.

2 Zsigmond Jakó, "Újabb adatok Dés város legrégibb kiváltságleveléinek kritikájához," in *Társadalom, egyház, művelődés*, ed. Zsigmond Jakó (Budapest: METEM, 1997), 9–26; István Draskóczy, "Szempontok az erdélyi sóbányászat 15–16. századi történetéhez," in *Studia professoris—professor studiorum: Tanulmányok Érszegi Géza hatvanadik születésnapjára*, ed. Tibor Almási et al. (Budapest: Magyar Országos Levéltár, 2005), 83–117, 93; Katalin Szende, "Mennyit ér a kiváltság? Városprivilegiumok kibocsátása és rendelkezéseik betartása I. Károly alatt," in *Pénz, posztó, piac: Gazdaságtörténeti tanulmányok a magyar középkorról*, ed. Boglárka Weisz (Budapest: MTA Bölcsészettudományi Kutatóközpont Történettudományi Intézet, 2016), 285–339, 307–8; Teréz Oborni, *Erdély pénzügyei I. Ferdinánd uralma alatt 1552–1556* (Budapest: Szentpétery Imre Történettudományi Alapítvány, 2002), 71–84; Enikő Rüszt-Fogarasi, "Dés mint Szolnok és Doboka vármegye központi helye," in *Tanulmányok Erdély újkori történelméről: Magyarai András Emlékkönyv*, ed. Judit Pál and Enikő Rüszt-Fogarasi (Cluj-Napoca: Erdélyi Múzeum-Egyesület, 2002), 179–85; Rudolf Wolf, "Adatok az erdélyi sóbányászok (sóvágók) fejedelemség korabeli helyzetéről," *Korunk* 1, no. 12 (1990): 1631–36; Horvat Marian Alexandru, "Considerații privind elita urbană a Dejului în a doua jumătate a secolului al XV-lea," *PhiloHistoriss* 4, no. 6 (2018): 34–48.

3 The historical development of Dej and Ocna Dejului are intertwined in many ways, cf. SJANCJ, POD, no. 145, 154, 157, 171, 173; Jakó, "Dés," 9–26; Zsolt Bogdándi, ed., *A kolozsmonostori konvent fejedelemség kori jegyzőkönyvei I. (1326–1590)* (Cluj-Napoca: Erdélyi Múzeum-Egyesület, 2017), 16, 36.

4 Draskóczy, "Szempontok," 91; Oborni, *Erdély pénzügyei*, 78.

1554 only 108 were counted. Compared to the situation in 1495, the population of Dej had fallen to a quarter by the middle of the sixteenth century.⁵

The officials of Dej

During the period analyzed here, Dej, inhabited by a Hungarian population, was definitely a market town (*oppidum*). This term is used most often in charters, although occasionally *civitas* was applied to Dej.⁶ The interchangeable use of the two terms is not unique; it often appears in the case of market towns that were already royally owned in the fourteenth century or that had obtained extensive privileges from the monarch at the same time as the royal free towns. Leaving aside a detailed discussion of the debates on the topic,⁷ I would quote Vera Bácskai's summary statement regarding the main characteristics of the most significant group of *oppida*, including Dej:

The widest autonomy was enjoyed by the *oppida* that dated back to the twelfth and fourteenth centuries, which received from the kings roughly at the same time similar privileges with the later towns (*civitates*). For the most part, they had full self-government: only their own judges could administer justice, and their superior appellate forum was the court of the king or treasurer.⁸

These conditions were met by market towns such as Dej, Debrecen, Körmend, Miskolc, and Satu Mare.

5 Oborni, *Erdély pénzügyei*, 82; Draskóczy, "Szempontok," 91.

6 *Civitas*: 1528, SJAN Cluj POD, no. 118; 1548 – Magyar Nemzeti Levéltár Országos Levéltára (National Archives of Hungary, hereafter MNL OL), Kolozsmonostori Konvent Országos Levéltára (Archives of the Convent of Kolozsmonostor/Cluj Mănăştur, hereafter KKOL) Cista Comitatum, Com. Solnok Interiori M, 16; 1553 – SJAN Cluj POD, no. 149, 150, 152.

7 To mention just a few: Erik Fügedi, "Mezővárosaink kialakulása a XIV. században," in *Kolduló barátok, polgárok, nemesek: Tanulmányok a magyar középkorról*, ed. Erik Fügedi (Budapest: Magvető, 1981), 336–63, 515–19; Vera Bácskai, *Magyar mezővárosok a XV. században* (Budapest: Akadémiai Kiadó, 1965); András Kubinyi, "Városhálózat a késő középkori Kárpát-medencében," *Történelmi Szemle* 46, nos. 1–2 (2004): 12–22; Bálint Lakatos, "Mezővárosi és falusi önkormányzati testületek Magyarországon a késő középkorban," *Századok* 148, no. 2 (2014): 495–30; László Szabolcs Gulyás, *Városfejlődés a középkori Máramarosban* (Cluj-Napoca: Erdélyi Múzeum-Egyesület, 2014); László Szabolcs Gulyás, *Mezővárosi önkormányzat a középkori Hegyalján* (Budapest: Magyar Nemzeti Levéltár, 2017).

8 Vera Bácskai, "A mezővárosi önkormányzat a 15. században és a 16. század elején," in *Városok és polgárok Magyarországon*, vol. 1, ed. Vera Bácskai (Budapest: Budapest Főváros Levéltára, 2007), 137–38.

Returning to terminology, the Hungarian language charters always use the term *város*, i.e., town (“we want to carry the same burden as the town,” “the liberty of the poor town,” “at the court of the town”). There is a noticeable duality in the designation of the legal status of the town inhabitants, who are in turn citizens and tenant peasants. In the Latin documents, they are *cives*, *cives et inhabitatores*, *incolae*, *iobbagiones*, *subditi* (*prudentes et circumspecti, providi*), while in Hungarian they appear as “townspeople” or “peasants.”⁹

In Dej, the judge was titled *iudex* and *bíró*; rarely though we come across the names of *iudex primarius*,¹⁰ *főbíró*, or *főpolgár* (head judge, head citizen).¹¹ During the Middle Ages and in the sixteenth century, twelve jurors are documented together with the judge.¹² The full lists of jurors are known from several years: 1552, 1559, 1560, 1574, 1575, 1580, and 1597. In most lists, there are twelve names,¹³ except for 1575, when in three documents only eleven jurors were mentioned with the judge.¹⁴ In other documents, only one or two jurors are mentioned and are commonly referred to as *iurati* or *iurati cives*. In 1553 and 1559, they are named *senators*: “*iudex civitatis ac iurati et senatores totaque civitas Desiensis*.”¹⁵ Hungarian language texts used the terms “sworn citizens” (*esküdt polgár*) or simply “citizens,” whereby their having sworn the oath is implied. The council declared in two known documents that they were twelve in number: “*duodecim iurati cives*” (1582, 1597).¹⁶

In regard to the number of councilmen on town council, twelve was the most common in late medieval Hungary.¹⁷ This composition was characteristic for towns and larger market towns. In Transylvania, disregarding the Saxon towns, councils with 12 members functioned in Turda since 1424,¹⁸

9 SJAN Cluj POD, no. 202, 241, 246.

10 1576: SJAN Cluj POD, no. 194; 1589: SJAN Cluj POD, no. 224; 1590: SJAN Cluj POD, no. 229; 1591: SJAN Cluj POD, no. 232. See also József Kádár et al., eds., *Szolnok-Doboka vármegye monographiája* (Dej: Demeter és Kiss, 1900), vol. 3: 206–7.

11 SJAN Cluj POD, no. 206, 254.

12 Lakatos, *Mezővárosi oklevelek*, 67, 284–88.

13 1552: MNL OL Teleki 68, no. 7629; 1559: SJAN Cluj POD, no. 171, 173; 1574: MNL OL Teleki 68, no. 79; 1597: MNL OL Teleki 68, no. 7653). See also in 1560 and 1580: Kádár, *Szolnok-Doboka*, vol. 3: 206–7.

14 1575: SJAN Cluj POD, no. 187–89.

15 SJAN Cluj POD, no. 149, 171, 173.

16 SJAN Cluj POD, no. 209; MNL OL Teleki 68, no. 7653.

17 Lakatos, *Mezővárosi oklevelek*, 62.

18 Rudolf Wolf, ed., *Torda város tanácsülési jegyzőkönyve 1603–1678* (Cluj-Napoca: Erdélyi Múzeum-Egyesület, 1993), 6; Bálint Lakatos, “Torda város öngazgatási szervezete és működése a 16. század végéig,” *Erdélyi Múzeum* 85, no. 1 (2023): 30–32.

in Aiud since 1524,¹⁹ in Abrud since 1568,²⁰ in Hunedoara since 1569,²¹ in Teaca since 1580,²² and in Alba Iulia since the reign of Stephen Báthory.²³

In addition, the outer council, namely the council of elders or consuls, is mentioned only in the text of a 1559 decision: “iudex, [...] cives iurati ac universi *consules* et tota communitas oppidi Dees.”²⁴ There is no data on the number of consuls from the period under discussion, but we know of 40 consuls in 1490 and 50 in 1497, and 100 elected elders besides them.²⁵

The offices of judges and jurors were presumably re-elected annually, but we do not know when or how the elections took place. It is clear from the sources that in successive years it was possible to re-elect the same person as a judge. Because of the scarce sources, we cannot determine to what extent the salt chamberlain, representing the overlord of Dej, influenced the free election of judges. We consider it conceivable, although there is no direct evidence, that based on the model of other market towns in Hungary, only the tax-paying citizens of Dej could vote in the elections and not the entire population. The legal basis for this may have been that the local nobles who did not pay taxes and the poorer strata (salt cutters, Romanies) were deprived of this right.²⁶

For the period between 1527 and 1600,²⁷ there are 24 judges known by name in Dej; the data is comprised in the following tables. Before 1540, data is less abundant; however, it can be established for the following period that a condition for election to the office of judge was membership in the council of jurors, where they acquired the necessary administrative experience. Some of them spent many years in the council before being elected judges.

19 For the complete list of the council members, see Tamás Fejér, Etelka Rácz, and Anikó Szász, eds., *Az erdélyi fejedelmek királyi könyvei. Báthory Zsigmond királyi könyvei, 1582–1602* (Cluj-Napoca: Erdélyi Múzeum-Egyesület, 2005), no. 35.

20 *Cosmas Sarctor iudex ac duodecim cives iurati Abrudbaniensis*, 1568: SJAN Cluj Colecția generală de documente, I/2, no. 57.

21 SJAN Sibiu, Documente medievale U IV. 1123.

22 Albert Berger, ed., *Urkunden-Regesten aus dem Archiv der Stadt Bistritz in Siebenbürgen, 1571–1585*, ed. from the manuscripts by Ernst Wagner, vol. III (Cologne: Böhlau, 1998), no. 4883.

23 Fejér, Rácz, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, no. 35; Emőke Gálfi, *Gyulafehérvár és uradalma a 16. század második felében* (Cluj-Napoca: Erdélyi Múzeum-Egyesület, 2021), 53.

24 SJAN Cluj POD, no. 171, 173.

25 *electi seniores*: MNL OL Diplomatikai Fényképgyűjtemény, 234745; Lakatos, *Mezővárosi oklevelek*, 72.

26 Vera Bácskai, *Gyula gazdasága és társadalma a XV–XVI században* (Gyula: Békés Megyei Levéltár, 1991), 32; Lakatos, “Önkormányzati testületek,” 498–500, 509.

27 For the judges before 1526, see Lakatos, *Mezővárosi oklevelek*, 282–88; Kádár, *Szolnok-Doboka*, vol. 3: 204–5.

János Ötvös waited the longest, i.e., 15 years, until he moved up from juror to judge. In the case of judge János Lapuhas, duty on the council took 24 years, but it is also plausible that there were two different people with the same surname. At the same time, we have evidence that after serving as judges, officials remained members of the town council.

Table 4.1. Town judges in Dej during the sixteenth century

Name of judge	Year in office	Offices other than judge
Tamás Mészáros	1528	
Miklós Serjéni	1527–1529	
Márton Sós	1531	
Péter Mészáros	1536	
Gergely Szíjgyártó	1539, 1540, 1555	town councilor 1543
Bálint Szilágyi	1549, 1550	town councilor 1540
Lukács Szabó	1552, 1553	
Gergely Szócs	1558	town councilor 1553, 1569
Márton Gyulai deák	1557, 1559, 1560	town councilor 1553
Máté deák	1562	town councilor 1560
Tamás Kalmár	1563	town councilor 1559, 1560
István Belawar	1563	
Miklós Serjéni	1570	town councilor 1559, 1560 notary of Inner Solnoc county 1563, 1569, 1571
István Török	1569, 1571	town councilor 1557, 1559, 1560
Fábián Szabó	1573, 1574, 1578, 1580, 1582, 1583, 1586, 1590	town councilor 1576
Gergely Máglyás	1575, 1576	town councilor 1574
Máté Kozárvári	1577	
Gergely Székely	1580, 1591	town councilor 1574, 1575, 1576, 1582
Mihály Mészáros	1583, 1584	town councilor 1574, 1575, 1578
János Ötvös	1585, 1588, 1589	town councilor 1570, 1574, 1575, 1580
János Temesvári deák	1592, 1593	town councilor 1580, 1588, 1590 town notary 1583; county notary 1584
Lőrinc Patai deák	1594, 1597	town councilor 1589, 1590
János Lapuhas	1598	town councilor 1574
Sámuel Bélteki	1592	

Sources: Kádár, *Szolnok-Doboka*, vol. 3, 206; SJAN Cluj POD, nos. 133, 152, 171, 173, 178, 187–89, 203, 210, 229; Fejér, Rácz, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, no. 33; MNL OL Teleki, fasc. 68, no. 79; Bogdándi, *A kolozsmonostori konvent jegyzőkönyvei, 1326–1590*, no. 746.

There is scarce further information on these judges outside their term of office. With regard to their occupation, the surnames of the judges mainly indicated professions such as saddler, furrier, tailor, butcher, or goldsmith.

They represented the wealthier group of artisans in the council. Unfortunately, not all names point to the judges' original profession. Gergely Mátyás's name also referenced his previous occupation because a *máglyás* was an employee of the salt chamber, who kept records of the extract of salt and its sale at the mine. Therefore, he was part of the educated elite, together with Miklós Serjéni and János Temesvári, who also held the positions of town and county notaries, respectively. Fábíán Szabó held the office for the most years, eight in total, and in a charter from 1594, he was listed as a nobleman.²⁸ From the sources, we learn a little more about the identity and origin of two judges: Miklós Serjéni may have been the son of Miklós Serjéni, who was a juror in 1513 and later served as a judge in Dej for several years (1520, 1522, 1527–1529, 1532).²⁹ In 1528, he acted alongside judge Tamás Mészáros as a nobleman of Dej on behalf of the town,³⁰ but in the same year he also served as a judge. In 1532, he was vice-chamberlain of Dej.³¹ In turn, the grandfather of János Ötvös was the same Tamás Mészáros, who was elected judge systematically between 1508 and 1516 and was a juror on the town council under the name of judge Tamás in 1526.³² The example of these two judges, who were re-elected several times, suggests that there was a political elite in a stable position in Dej during that period. The son of the aforementioned Miklós Serjéni of the same name was a sworn citizen (juror) in the second half of the century, in 1559 and 1560, and a judge in 1570.³³ In 1556, he was mentioned as a nobleman,³⁴ then in 1563, 1569, and 1571 as a notary of Inner Szolnok County.³⁵ In 1585, the prince of Transylvania ennobled Serjéni's widow and his sons, Miklós and János.³⁶ His son Miklós was mentioned several times between 1587 and 1598 among the nobles living in Dej, precisely in the years when the conflict between the burghers and nobles intensified, resulting in frequent litigation in court between the two

28 SJAN Cluj POD, no. 246.

29 1513 (SJAN Cluj POD, no. 93), 1520 (SJAN Cluj POD, no. 111), 1522 (Kádár, *Szolnok-Doboka*, vol. 3: 163), 1527–1529 (Albert Berger, ed. *Urkunden-Regesten aus dem Archiv der Stadt Bistritz in Siebenbürgen, 1203–1570*, vols. 1–2 (Cologne: Böhlau, 1986), no. 997, 1081, 1118), 1532 (Kádár, *Szolnok-Doboka*, vol. 3, 205). See also Lakatos, *Mezővárosi oklevelek*, 287.

30 SJAN Cluj POD, no. 118.

31 Draskóczy, "Erdély sótermelése," 51–52, 65.

32 SJAN Cluj POD, no. 86, 88, 93, 104, 115. He was also a member of the town council in 1520 (SJAN Cluj POD, no. 111). He became a judge again in 1528 (SJAN Cluj POD, no. 118); see also Kádár, *Szolnok-Doboka*, vol. 3, 205; Lakatos, *Mezővárosi oklevelek*, 287–88.

33 SJAN Cluj POD, no. 171, 178; Kádár, *Szolnok-Doboka*, vol. 3, 206.

34 Kádár, *Szolnok-Doboka*, vol. 3, 49.

35 Berger, *Urkunden*, vol. 2, no. 2855, 3351; vol. 3, no. 3634.

36 Fejér, Rác, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, no. 635.

estates.³⁷ In 1602, however, the family died out, and their country house was donated by the prince.³⁸

The careers of the Serjénis indicate that a town office could be held simultaneously with employment at the salt chamber or with the county administration. Furthermore, noblemen were eligible for the office of judge inasmuch as they enjoyed the trust of the urban community. The youngest Miklós Serjéni had lost this trust and entered into a conflict with the town inhabitants and with the council, even though his father had sat among them.

Contrary to Miklós, János Ötvös, who was also a descendant of a member of the medieval elite, did not rise to the ranks of the local nobility. His grandfather was judge Tamás, also known as Tamás Almási Mészáros, who held the office of judge for a long time at the beginning of the sixteenth century. According to the testimony of one trial,³⁹ after judge Tamás's death, his sons pawned their stone townhouse because of poverty, while his grandson János, who was still a child at the time, was sent from Dej to Cluj to learn the goldsmiths' trade (*Colosvaratt tanulta az myvet*).⁴⁰ He took the surname of Ötvös, became a member of the inner council from 1570 onward,⁴¹ then was elected judge several times (1585, 1588, and 1589).⁴² Moreover, the sources reveal that judge Tamás had a stone house on the main square of Dej, which he pledged to a nobleman named Zaloki, who later joined Menyhárt Balassi (a renowned Transylvanian nobleman opposed to John Sigismund and Stephen Báthory).⁴³ Therefore, János Ötvös was an artisan who was elected judge. His grandfather held the office, too, while being an active member of the butchers' guild. Judge Tamás provided his sons with an education (they could write Latin—*deákok*) in the hope of securing a better livelihood and social advancement, but their impoverishment resulted in the loss of their status in Dej. János managed to retake his grandfather's place in the town administration, but as far as we know, he

37 SJAN Cluj POD, no. 225, 228, 230, 232, 246, 255.

38 Fejér, Rácz, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, no. 1863

39 Attila T. Szabó, "Adatok Temesvári János deák oklevelezéséhez," *Magyar Nyelv* 57 (1961): 98–103, 101–2.

40 He could be the same person as János Pataki, a goldsmith who was recorded in 1570 as a member of the Cluj guild and town councilor of Dej at the same time. SJAN Cluj Colecția bresle [Collection of Guild Documents], Breasla aurarilor din Cluj, no. 15.

41 1570 (SJAN Cluj POD, no. 178), 1574 (MNL OL Teleki, 68, no. 79), 1575 (SJAN Cluj POD, no. 187, 188, 189), 1580 (Kádár, *Szolnok-Doboka*, vol. 3, 206).

42 SJAN Cluj POD, no. 215–17, 220, 222, 224, 228. He reclaimed his grandfather's house in 1588, when it was bought by Máté Pathai, a clerk in the chancellery. SJAN Cluj POD, no. 222.

43 SJAN Cluj POD, no. 222. See also T. Szabó, "Adatok," 101–2.

did not obtain nobility, and during his office he took a hard stance against the nobles living in Dej.⁴⁴

The names of the jurors are known from several charters issued by the town council (1552, 1559, 1560, 1574, 3x1575, 1580, 1597). Their surnames partly reflect their profession, partly their place of origin (Temesvári, Törpöni, Kozárvári, Szalai). Regarding their occupation, most of them were artisans (cooper, wheelwright, blacksmith, stonemason, butcher, goldsmith, tailor, tanner, furrier, bricklayer, shoemaker), but other professions were represented as well (trader, salt counter).⁴⁵

Little is known about other officials of Dej; in 1594, the “town servant,” the “guardian of the town limits,” the “town guardians,” and the “wine keeper” are mentioned.⁴⁶ However, we know more about the town notaries, who were skilled in administrative language and writing in Latin, had juridical knowledge, and kept minutes of the council meetings, which they eventually formulated in legal wording. Although in the Middle Ages, most market towns did not employ notaries permanently, their existence can be proved in certain places, such as Turda, Beiuș, and Caransebeș, although we can only assume that they were full-time employees.⁴⁷ The internal and external characteristics of the charters of Dej, as well as the mention of a town protocol book in 1553, suggest that Dej had a permanent notary in the second half of the sixteenth century.

Sessions of the town council and the issuing of diplomas by the town council

We can surmise that the town council met regularly during the period examined here, although there is scant data about that, such as this preamble from a charter issued in 1585: *iuxta consuetudinem nostram pro discussione et determinatione causarum coram nobis ventilatarum pro tribunali consedisemus*. Other mentions refer to the “town’s judgment” or an inhabitant having had a trial “before the town.”⁴⁸ Furthermore, there is no clear information on when the council held its sessions for the administration of justice. There are several charters issued on Christmas day, but apart from these, we know

44 SJAN Cluj POD, no. 219, 228.

45 SJAN Cluj POD, 171–73, 187–89.

46 SJAN Cluj POD, no. 246.

47 Lakatos, *Mezővárosi oklevelek*, 107–9.

48 SJAN Cluj POD, no. 217. In the Hungarian-language documents there is a reference to trials: the “town” judged or a resident “sued before the town court.” 1594: SJAN Cluj POD, no. 246.

of only four other charters, of which two were issued on a Monday and the other two on a Friday.⁴⁹ We can tentatively conclude that probably these were days for the official gatherings of the town council.

Information is also scant about the existence of a town hall in the sixteenth century. It would seem that there was none, since in 1594, the town servant had to deliver the wine confiscated during the special wine-selling time (*borfogás*) to the “house of the judge.”⁵⁰ The first mention of a council meeting room or house (*ad domum senatoriam*) is from 1611, when an inhabitant swore the oath in front of the town fathers.⁵¹ The council was in session on dates closely related to “sealing day.” At the end of the fifteenth century, the practice in Hungarian market towns was that the charters with sale contracts were not sealed immediately following their writing up but on a specially designated day, allowing the buyers to take ownership and exercise their newly acquired property rights. However, the deal became official and valid for eternity only after the charter was sealed. Thus, town councils had one or several days dedicated to sealing charters, which often happened on feast days. On those occasions, the town officials and the inhabitants gathered at the town hall or on the square; the charters were read aloud and, if there was no contradiction, they were sealed. In Dej, we know that the ceremony of sealing charters took place on Christmas.⁵²

There are six charters from the second half of the sixteenth century (1552, 1574, 1575, 1597), of which we know that they were drawn up on sealing day. One of the charters was issued on the first day of Christmas, while the other five on the second day of Christmas, on St. Stephen’s Day.⁵³ We can infer that the medieval practice was continued during the sixteenth century, Christmas being the official day for sealing charters and real estate sale contracts were also sealed on that day. The charter of 1574 provides evidence to this; at the request of a local burgher, the town council had issued a charter on his behalf for lands that he had bought a while ago: *litteras nostras pro iurium suorum tuitione dare et concedere velimus*. The contract was valid, and no one had voiced their opposition to the sale: *nullo contradictione apparente*, suggesting that any dispute had to be settled between the agreement and Christmas.

49 SJAN Cluj POD, no. 149, 173, 209, 217.

50 SJAN Cluj POD, no. 246.

51 Arhivele Eparhiei Reformate din Transilvania, Cluj-Napoca, Parohia Reformată din Dej (Archive of the Transylvanian Reformed Church District, Cluj-Napoca, Reformed Parish of Dej, hereafter AERT PR Dej) C1, 20.

52 Lakatos, *Mezővárosi oklevelek*, 97–102.

53 MNL OL Teleki 68, no. 7629, 79; SJAN Cluj POD no. 188, 187, 189; MNL OL Teleki 68, no. 7653.

The right to the administration of justice was expressed in the protocol books (town books) of the town council sessions and through the charters issued by the judge and jurors and certified with the official seal of the town. The protocol books of Dej are not extant; however, a 1553 document refers to a protocol book from which the document was copied out: “ex prothocolo civitatis de verbo ad verbum desumpta.” Since the excerpted letter is in Latin, I suggest that the protocol book was kept in Latin⁵⁴ and also that a town book existed already in the Middle Ages. Attila T. Szabó mentioned in one of his articles that in 1905, Imre Lukinich had seen a protocol book from Dej and even published an excerpt from the early seventeenth century. This protocol book together with a great part of the archives were lost in 1945–1946.⁵⁵

The letters issued by town officials are fundamental sources for the development of Dej. Letters patent, dealing mainly with transactions in real estate, had a preamble stating the issuers, usually the town council and rarely the outer council or the community. The individual names could be written out either in full or in part, but sometimes they were left out entirely. We know of 29 documents that were issued by the town council of Dej in the Middle Ages, while from the period between 1527 and 1600 only ten are extant (1552,⁵⁶ 1553,⁵⁷ 1559,⁵⁸ 1574,⁵⁹ 1575—three,⁶⁰ 1582,⁶¹ 1585,⁶² 1597⁶³).⁶⁴ They cover a variety of subjects: agreements (*transactio seu compositio*—1553), council decrees and statutes (*deliberatio et constitutio*—1559), judicial sentences (1585), and certifications of sales and exchange contracts (1552, 1574, 1575—three, 1582, 1597). From the perspective of their content, it can be established that the town council could only issue documents and letters in matters pertaining to the inhabitants of Dej. This fact is evidenced by the large number of documents issued by the *loca credibilia* and arbiters

54 ... *transactio seu compositio totius universitatis oppidi cum universis salicisoribus in oppido Des commorantibus ... Deliberatio sedis Desiensis*. SJAN Cluj POD, no. 149.

55 Attila T. Szabó, “Temesvári János deák,” *Nyelv- és Irodalomtörténeti Közlemények* 2 (1958): 99, 118.

56 December 26, 1552. MNL OL Teleki 68, no. 7629.

57 January 6, 1553. Unstamped copy. SJAN Cluj POD, no. 149.

58 January 16, 1559. SJAN Cluj POD, no. 173.

59 1574. December 26, 1574. MNL OL Teleki 68, no. 79.

60 December 25, 26, 1575. SJAN Cluj POD, no. 187–89.

61 October 15, 1582. SJAN Cluj POD, no. 209. See also T. Szabó, “Adatok,” 99.

62 May 28, 1585. SJAN Cluj POD, no. 217.

63 December 26, 1597. MNL OL Teleki, 68, no. 7653.

64 In the monograph of Solnoc-Dăbâca County, the names of all 12 members of the council are given for the years 1560 and 1580. In their case, they are probably the documents issued by the officials. We do not know anything about them except for the year of writing and their names. Therefore, they are not included in the above group.

(*fogott bírák*) and preserved in the archives of Dej. The arbiters, in many cases, were members of the town council or the salt chamberlain.⁶⁵

One of the symbols of urban autonomy was the town seal. Dej may have had two seals already in the Middle Ages, a small and a large one, the latter being first mentioned in 1349.⁶⁶ Some of the pre-Mohács charters show the larger seal depicting the towered church (e.g., in 1516 and 1520).⁶⁷ This seal was in use until 1574, and it was used, for instance, on a town decree in 1559 and to certify a sales contract in 1574.⁶⁸ In 1575, however, three diplomas were sealed with a different large seal.⁶⁹ The small seal is preserved on two diplomas (1582, 1585), one depicting a towered church and the other a salt cutter, which was published in the monograph of Solnoc-Dăbâca County.⁷⁰ The larger seal must have been used to seal perpetual charters, the smaller one to seal less significant documents.

The functions of the inner council

The jurisdiction of Dej was based on a crucial privilege obtained in the Middle Ages. According to the charter issued in 1261, the inhabitants of Dej were freed from the jurisdiction of the voivode (who was also the *ispán* of Solnoc) and had the liberty of being judged by their own steward (*villicus*).⁷¹ During the period of the Transylvanian principality, their privilege stood valid: the citizens of Dej could be brought to justice only in front of the town council and not the county court.⁷² Their appellate court was that of the voivode in the Middle Ages and later the princely court. This ancient privilege was confirmed several times and reference is made to it in various charters.

65 SJAN Cluj POD, no. 213, 234.

66 Zsigmond Jakó, "Sigilografia cu referire la Transilvania," in *Documente privind istoria României: Introducere*, vol. 2 (Bucharest: Editura Academiei, 1956), 615; Rűsz-Fogarasi, "Dés," 185.

67 SJAN Cluj POD, no. 104; MNL OL Diplomatikai Fényképgyűjtemény, 253398, 253405; Lakatos, *Mezővárosi oklevelek*, 287.

68 SJAN Cluj POD, no. 171; MNL OL Teleki, 68, no. 79: *sigillo maiore et autentico oppidi*.

69 SJAN Cluj POD, no. 187, 188, 189: *sigillo oppidi maiore, sigillo maiore et autentico oppidi*.

70 1582: SJAN Cluj POD, no. 209, 217: *sigillo nostro*. Kádár, *Szolnok-Doboka*, vol. 3, 164.

71 Jakó, "Dés," 2–26; Boglárka Weisz, "A tárnokmester jogköre az Anjou-korban," in *Pénz, posztó, piac: Gazdaságtörténeti tanulmányok a magyar középkorról*, ed. Boglárka Weisz (Budapest: MTA Bölcsészettudományi Kutatóközpont Történettudományi Intézet, 2016), 192.

72 In 1556, Governor Peter Petrovich confirmed the old privilege that the inhabitants of Dej and salt transporters travelling anywhere in the country could be tried only before their own judges. SJAN Cluj POD, no. 162. In 1557, Queen Isabella ordered the county not to bring the inhabitants of Dej before the county court, disregarding their old privileges. SJAN Cluj POD, no. 167.

The town judge and council of Dej had jurisdiction not only over the burghers but over the nobles, salt cutters, and Romanies as well. The salt cutters had their own judges and deans, but these could judge only cases where the damage was under 1 florin; more serious litigations were brought before the town council.⁷³ This is one evidence that the salt cutters represented a separate entity in the market town. Their judge had similar functions to village judges.⁷⁴ The nobles of Dej were also judged in local matters by the town officials. In the already mentioned testimonial of 1594, the noblemen aimed to prove that they were fulfilling the duties expected of them, were following the rules, were not interfering with the work of the town officials, and were subjecting themselves to the decisions of the town council: “the judges rule and decide in all matters among noblemen like they do with townfolk.”

The town fathers' primary duty was to protect the rights and privileges of Dej against other institutions and towns. In such cases, delegates representing Dej in dealings with the central authorities were naturally members of the inner council. A number of charters have survived attesting to these activities. For instance, when Martinuzzi curtailed the ancient privileges of Dej, the town council turned to Ferdinand I with their grievances, obtaining in 1552 the confirmation of the old privileges of the salt cutters and salt carters. At the same time, the community of about ten tens (extended families) of Romanies that Martinuzzi had taken from Dej and settled in the fortress of Gherla were returned to the town and were exempted from paying taxes.⁷⁵ Ferdinand I further confirmed the privileges of Dej and of the salt chamber in 1553 and the right of free settlement obtained in the fourteenth century in 1554.⁷⁶ The town fathers of Dej addressed Voivode Andreas Báthory, Governor Péter Petrovics,⁷⁷ Queen Izabella,⁷⁸

73 In 1553, the salt cutters made a promise before the council that in the event of a dispute over a florin, the salt cutters would be brought before the court of the market town, in which case the judge of the salt cutters could receive 1 florin of the fine, otherwise the judge of the market town could take full compensation from the salt cutters' goods. SJAN Cluj POD, no. 149.

74 The village judge in Transylvania could decide on cases punishable by a fine of 1–4 florins. Anikó Szász, “A kolozsvári református egyházközség úriszéke (1676–1695),” *Erdélyi Múzeum* 72, nos. 3–4 (2010): 88–105, 91.

75 The Romani people were in the employment of the salt chamber and thus were exempt from taxes.

76 SJAN Cluj POD, no. 145, 146, 147, 150, 154, 157. Besides Dej, the name of Ocna Dejului is also mentioned in the letters of privilege.

77 Customs duty exemption (1552, SJAN Cluj POD, no. 147); judicial privilege (to sue only before their own judge), tax exemption for Romanies (1556, SJAN Cluj POD, no. 162, 163).

78 Judicial privilege (cannot be sued before the county court – 1557, SJAN Cluj POD, no. 167); tax exemption for Romanies (1557, SJAN Cluj POD, no. 168); limitation of the wine tasting (1559, SJAN Cluj POD, no. 173)

and, in 1560, John Sigismund with their demands and grievances.⁷⁹ In 1571, Stephen Báthory confirmed all the privileges of the inhabitants of Dej, without detailing what the privileges were.⁸⁰ Several privilege diplomas and confirmation charters are extant from the rules of Christopher and Sigismund Báthory.⁸¹

Another important task of the inner council was to represent the claims of the entire community or of individual citizens against other towns at the court of the prince or the higher ecclesiastical court, even in matters of civil law. One of the privileges of the town inhabitants was that they could not be summoned at the county court, and their appellate court was the princely one. The members of the town council were responsible for managing and defending the common possessions of the town, including the annual division of the shared land among the citizens, while protecting the privileges and interests of the well-to-do against other social groups in Dej. To these privileged groups belonged the nobles living in town, but also the salt cutters, who coalesced into a separate community owing to their generous exemptions from the duties incurred by Dej as a market town. Furthermore, the town fathers supervised and assured the fulfillment of duties (services and taxes) owed by the inhabitants but also mitigated internal conflicts, especially with the salt cutters, who in turn appealed to the Transylvanian princes with their grievances. Conflict with the salt cutters started in 1553 because of the juridical authority of their judge. The town and salt cutters settled that year, but in 1594, the officials of Dej addressed Sigismund Báthory to have their privileges and interests protected.⁸²

The fundamental characteristic of nobles residing in market towns compared to the citizens was that individuals and lands raised to nobility rank were exempt from paying taxes in town. Prince Stephen Báthory issued a decree, at an unknown date, granting nobles who resided in certain market towns (Aiud, Turda, and Dej) exemption from any taxes, tithe, and

79 Customs duty exemption (1560), rules on the fiscal obligations of nobles (1564), remedies for infringements (1567, 1568). SJAN Cluj POD, no. 174–77. I In 1569, John II confirmed the privilege of King Matthias, who granted the parish priest and the schoolmaster 1,000 and 400 stones of salt respectively per year from the Dej salt chamber. Cf. AERT PR Dej C, 2, 27.

80 SJAN Cluj POD, no. 180.

81 Instructions on wine sales period (1578, MNL OL K. Papp Miklós hagyatéka, 6. box, no. 14–15; SJAN Cluj POD, no. 200). Tax exemption for three years (1591, SJAN Cluj POD, no. 231). Grant of privilege to salt transporters (1591, SJAN Cluj POD, no. 328; Fejér, Rácz, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, no. 1623). Confirmation of salt cutters' rights (1594, SJAN Cluj POD, no. 243). Donation of the income from the wheat to the salt transporters (1599, SJAN Cluj POD, no. 262).

82 SJAN Cluj POD, no. 149.

services owed for having a house, declaring them free entirely (*per totum*).⁸³ However, in addition to their exempted houses, they also had the use of fish ponds and mills built by themselves. The nobles' access to the arable land, pastures, and forests that were common property of the town had to be granted by the community.⁸⁴

At the end of the sixteenth century, there were many nobles living in Dej. The archives of Dej contain the names of more than thirty nobles from this period, but since the sources are fragmentary, we can infer that their number must have been higher. Some of them were raised from the ranks of citizens and obtained the nobility because of their education, while others sought to rise to a higher social level, entering the service of the prince or of landlords.⁸⁵ For instance, in 1548, Queen Isabella ennobled Mihály Mátyus Dési and exempted his house in town with all its appendages from all taxes and services.⁸⁶ In 1557, the queen granted to nobleman Ferenc Csakor a house pertaining to one of the altar servers in Dej.⁸⁷ In 1560, the queen donated the house of the altar server of the Mary Magdalene altar to *deák* Kristóf Keresztúri, who was a *familiaris* of Stephan Báthory, a councilor at the court at the time.⁸⁸ Keresztúri went on to become the chamberlain of the salt chamber between 1571 and 1574,⁸⁹ while from 1583, he was captain of the Chioar castle.⁹⁰ These are only a few of the persons endowed with nobility for their service to the Szapolyais or Báthorys, and in the 1570s especially many ennoblements happened among the inhabitants of Dej, including salt chamberlains and learned individuals.

Conflict ensued because of the fiscal exemptions of the nobles. The predicament of the citizens was aggravated by the fact that in 1573, Stephen

83 The date of Stephen Báthory's decree is unknown, there is only mention of it in a letter of complaint from the citizens of Cluj in 1594: Elek Jakab, ed., *Oklevéltár Kolozsvár története második és harmadik kötetéhez*, vol. 2 (Budapest: Magyar Királyi Egyetemi, 1888), 170, no. LXXVI.

84 SJAN Cluj POD, no. 258; Wolf, *Torda*, 16.

85 For more details, see Anikó Szász, "Nemesek Désen (1541–1600)," in *Peregrináció és erudíció: Tanulmányok Tonk Sándor tiszteletére*, ed. Zsolt Bogdándi and Mária Lupescu Makó (Cluj-Napoca: Erdélyi Múzeum-Egyesület, 2020), 423–34.

86 SJAN Cluj POD, no. 135.

87 There is no mention of the altar servers: SJAN Cluj POD, no. 165–66.

88 AERT PR Dej C 1, 7 (copy); Kádár, *Szolnok-Doboka*, vol. 3, 115.

89 SJAN Cluj POD, no. 179, 182.

90 Fejér, Rácz, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, no. 1112, 1113; Berger, *Urkunden*, III. no. 3782, 3794, 3926; Zsolt Trócsányi, *Erdély központi kormányzata 1540–1690* (Budapest: Akadémiai Kiadó, 1980), 30, 392; Ildikó Horn, "A hatalom pillérei: A politikai elit az Erdélyi Fejedelemség megszilárdulásának korszakában (1556–1588)" (PhD diss., ELTE BTK. Budapest, 2013. real-d.mtak.hu/581/7/dc_105_10_doktori_mu.pdf, 121); SJAN Cluj Mike Sándor, no. 40.

Báthory donated the town of Dej and the salt mine, which had never been in private hands before, to one of the wealthiest aristocrats of Transylvania, Kristóf Hagymási.⁹¹ After his death in spring 1577, the family fortune was inherited by his son, Miklós Hagymási, but he too died soon after; therefore, their possessions, including Dej, were claimed by the treasury.⁹² It is plausible that between 1573 and 1578, the urban governance had weakened to the extent that the citizens had no means to curb the number of noblemen moving into town or stop the ennoblement of richer burghers.

After a judgment held during the diet of Cluj, Prince Christopher Báthory issued a sentence in May 1578, by which the nobles only had to pay a tithe and build village enclosures.⁹³ This violated the rights of the citizens of Dej in many ways, and it was only in 1589 the town managed to obtain from Prince Sigismund Báthory a charter that stipulated that all nobles should take part in bridge and road construction and in the upkeep of the priests.⁹⁴ Furthermore, the nobles were instructed to follow the statutes and rules of the town in matters not pertaining to their nobility status. The nobles complained against this decision that same year, requesting that the provisions of the 1578 charter be reinstated.⁹⁵

The town fathers of Dej were mostly unsuccessful in their conflicts with the nobility, and their litigation was a drawn-out process at the princely court.⁹⁶ The grievances of the town citizenry of Dej and the efforts of the town council are illustrated in a draft of a letter addressed to the prince in 1593:

Our gracious lord, you know too well how much we suffer because of the nobility among us, who even now are not ceasing to disrupt and impede the decisions made by yourself and your predecessors [...] because they

91 Szász, "Nemesek Désen," 427–28; Sándor Szilágyi, ed., *Erdélyi Országgyűlési Emlékek / Monumenta Hungariae Historica*, vol. 2 (Budapest: Akadémiai Kiadó, 1877), 438; Horn, "A hatalom pillérei," 226, 346; Kádár, *Szolnok-Doboka*, vol. 3: 23.

92 Zsolt Bogdándi and Emőke Gálfi, eds., *Az erdélyi káptalan jegyzőkönyvei (1222–1599)* (Cluj-Napoca: Erdélyi Múzeum-Egyesület, 2006), I. no. 283; Fejér, Rácz, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, no. 97, 98, 298, 605; SJAN Cluj POD, no. 222; Szász, "Nemesek Désen," 427–28.

93 SJAN Cluj POD, no. 304.

94 SJAN Cluj POD, no. 223; Fejér, Rácz, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, no. 1035.

95 MNL OL KKOL, Protocolla, vol. 12, 166–67.

96 SJAN Cluj POD, no. 215, 216, 219, 220, 221, 228, 246, 248, 255, 256, 260. Anikó Szász, "Gesellschaftliche Konflikte im Siebenbürgen des 16. Jahrhunderts. Das Beispiel des Marktflleckens Desch (1541–1600)," *Ungarn-Jahrbuch: Zeitschrift für interdisziplinäre Hungarologie* 34 (2019): 30–41.

want to enjoy all the liberties of the town, such as trading in wheat, wine, oats, and salt, using our forests and fields together with us, all the while wanting to extract themselves from carrying the common burdens, against the orders, and not agreeing to settle with us on anything.⁹⁷

Frictions between burghers and nobles were documented in other market towns of Transylvania: Turda,⁹⁸ Ocna Sibiului,⁹⁹ Aiud,¹⁰⁰ Cojocna,¹⁰¹ and Abrud.¹⁰² The historical sources indicate that the massive migration of nobles into towns was a generalized phenomenon in the second half of the sixteenth century.

The citizens and the town fathers or judges representing them sometimes came into conflict with representatives of the voivode or princely power. In 1554, for example, they had a dispute with Voivode István Dobó.¹⁰³ Around 1596, their complaint against salt chamberlain János Székely to the prince was that the former had unlawful claims against the common law, such as imposing higher penalties for thievery and “taking unusual [*insolita*] exactations against all our old immunity” at the fairs.¹⁰⁴ In 1599, the citizenry asked Sigismund Báthory to instruct the captain of Gherla, György Hamvai, to hand over the 10 *cubuli* of wheat allocated from the castle, which, according to their “donation letter,” was ordered annually by Voivode Christopher Báthory for the people of Dej. The transfer had taken place smoothly every year; however, the captain refused.¹⁰⁵

The town officials were responsible for the management and protection of the shared properties of Dej. Every year, the judge conducted the distribution of plots from the commons land. Because of the conflict with the nobles, the judge refused to give shares of the commons to them. In 1598, the nobles of Dej complained to the prince that they did not receive their share of land and forest that came with the town houses, although they were exempt

97 SJAN Cluj POD, no. 241.

98 MNL OL KKOL, Cista Comit., Com. Thordensis, fasc. T, no. 1, fol. 555; Éva Gyulai, ed., *Erdélyi királyi könyvek*, DVD (Budapest: Arcanum, 2005), vol. 17, fol. 43r–44r.

99 Fejér, Rácz, and Szász, *Az erdélyi fejedelmek királyi könyvei, 1582–1602*, no. 288; Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei, 1222–1599*, no. 345, 759.

100 Gyulai, *Királyi Könyvek*, vol. 15, fol. 53r–54v; Bogdándi, *A kolozsmonostori konvent jegyzőkönyvei*, no. 195; Gálfi, *Gyulafehérvár*, 114–16.

101 MNL OL KKOL, Protocolla, vol. X, fol. 327r–v, 232r–v.

102 MNL OL KKOL, Cista Comitatum (Com. Albensis) A, no. 9; Gálfi, *Gyulafehérvár*, 108.

103 Oborni, *Erdély pénzügyei*, 126–29.

104 SJAN Cluj POD, no. 249.

105 SJAN Cluj POD, no. 261.

from paying local taxes. The prince instructed the town fathers of Dej to fulfill the demands of the nobles.¹⁰⁶

The judge and council of Dej oversaw the construction of roads and fences around the arable land¹⁰⁷ and supervised the fair. Of the latter, we have one item of information from a complaint letter of the Dej nobles, who in 1585 approached Sigismund Báthory because the town officials had stopped them from selling goods at the Saturday weekly fairs.¹⁰⁸ From the charter of Christopher Báthory from 1578, we learn that the judges of Dej started the practice of selective wine sales (*borfogás*) during the annual fair.¹⁰⁹

The sale of wine was an important source of revenue for the vineyard owners, namely, the richer citizens, and it was closely supervised by the town officials. According to the aforementioned 1559 decision, the sale of foreign wine was limited in Dej and Ocna Dejului: no one could bring in wine from elsewhere, counting from the first day of harvest until only ten barrels of the town wine remained. Furthermore, the imported wine had to be sold before the next harvest and could not be stored in secret.¹¹⁰ In 1578, Dej received a new privilege from Christopher Báthory, whereby there were two or three designated days in a year when no one was allowed to sell their own wine, and only the wine of the town could be sold. This rule concerned both the nobles and the non-nobles living in Dej,¹¹¹ and it was difficult to enforce, since one month later the prince had to send a reminder to the nobles of Dej to observe it.¹¹² The nobles were hoping to extricate themselves from the provision of the special wine-selling days when they approached the prince in 1585, claiming that the town officials restricted the sale of local wines. Prince Sigismund Báthory, in response to the complaint, admonished the officials of Dej to cease the actions against the nobles.¹¹³

The conflicts around the sale of wine continued to divide the inhabitants of Dej. A witness hearing from 1594¹¹⁴ shows the differences of opinion on the matter, as the practice of preferential sale of wine created confusion and misunderstandings about when the nobles were allowed to open their barrels and to whom they were allowed to sell their wine. There are hints

106 SJAN Cluj POD, no. 258.

107 SJAN Cluj POD, no. 246.

108 September 25, 1585. SJAN Cluj POD, no. 218.

109 MNL OL K. Papp Miklós, 6. box, no. 15.

110 This was confirmed by Queen Isabella in the same year. SJAN Cluj POD, no. 171, 173.

111 May 12, 1578. MNL OL K. Papp Miklós, 6. box, no. 14.

112 June 5, 1578. MNL OL K. Papp Miklós, 6. box, no. 15.

113 SJAN Cluj POD, no. 218.

114 SJAN Cluj POD, no. 246.

at the dispute between the burghers and the nobles spilling over into the wine sales: one witness claimed that when nobles started to offer their wine, the townspeople did not buy from them; only the peasants or the salt cutters did. The “town servant” declared that he had orders from the judge to confiscate any wine sold by the nobles during the special wine-selling days, when only town wine could be sold.

One important duty of the Dej officials was to supervise the transactions with real estate and to certify sales contracts. If a noble wanted to purchase the goods of a burgher, a salt cutter, or a tenant (*inquilinus*) or wanted to buy a plot of the common land, he had to apply for the council's permission. There were cases when such a transaction was not approved.¹¹⁵ During the 1570s and 1580s, many nobles approached the town council and promised to pay tax on purchased real estate.¹¹⁶ On one occasion, a sale contract between a nobleman and a citizen was drafted by the county judge and a town councilor and included the offer and the permission of the town judge.¹¹⁷ In 1582, a nobleman was sold a piece of the common land, covered in shrubs, under the promise that he would clear it.¹¹⁸ In general, however, the town council had no right to intervene in matters regarding property rights of Dej real estate when this belonged to a nobleman or the treasury, although the council was usually represented by delegates to witness the vesting of possession.¹¹⁹ The town council was obliged to send witnesses to vesting in the nearby localities,¹²⁰ when usually the judges and one or two councilors attend the proceedings. In 1592, two councilors represented the town, “in the name and for every person of the entire senate of the town of Dej” (*universitatis senatus eiusdem oppidi Dees nominibus et in personis*).¹²¹

Conclusions

During the period under discussion, the salt mining town of Dej, owned by the Transylvanian treasury, was one of the most important market towns in the principality. It was headed by an annually elected judge, who presumably was always selected from among the sworn councilors. The inner council

115 SJAN Cluj POD, no. 197, 202.

116 1580, 1584: SJAN Cluj POD, no. 206, 214. See also T. Szabó, “Adatok,” 100–101.

117 1579: SJAN Cluj POD, no. 205.

118 SJAN Cluj POD, no. 209.

119 SJAN Cluj POD, no. 194.

120 Bogdándi and Gálfi, *Az erdélyi káptalan jegyzőkönyvei*, no. 789.

121 SJAN Cluj Kornis, fasc. I, no. 31.

consisted of twelve members, but little is known about the outer council. During this period, there is evidence of the existence of town protocol books, but none survived. The notaries, of whom only four are known by name, played a key role in keeping the protocols of the council meetings and issuing official documents, mostly concerning transactions with real estate. The market town had two seals, which is typical of the more significant settlements. The duties of town officials were complex, and the functions of the town council followed the patterns of larger towns but adapted to local circumstances and customary law. The main tasks of the Dej officials consisted in the administration of justice, defense of the urban privileges against other settlements, institutions, and social groups, and representation of the community and individual citizens in other courts. It was also the duty of the town officials to manage and protect the common property of the market town, to monitor and hold accountable the fulfillment of the duties (services and taxes) of the market town, to supervise fairs, wine sales, and real estate transactions, and to notarize wills and contracts.

About the author

Anikó Szász is a researcher with the “Zsigmond Jakó” Research Institute, Transylvanian Museum Association, where she is working on the publication of the protocol books (*libri regii*) of Transylvanian princes. Her research focuses mainly on the market towns of the Transylvanian counties and on topics related to town law, town administration and justice. One of her recent publications is *A mezővárosi előljárók feladatköreiről Erdély hét vármegyéjében (1540–1600)* [The responsibilities of the market town officials in the 7 counties of Transylvania (1540–1600)], in Certamen X, ed. Emese Egyed, László Pakó, and Attila Weisz (Cluj-Napoca: Erdélyi Múzeum Egyesület, 2023), 301–19.

5. A Gold-Mining Town in Transylvania: The Political Elite of Baia Mare and the Structure of the Local Government in the Second Half of the Sixteenth Century*

Petra Mátyás-Rausch

Abstract: The study examines the structure of the local government in Baia Mare and the social composition of the ruling elite of the time, supplementing prior research with new archival sources. Utilizing the town book and other written sources, the aim of the research was to determine whether the community of guilds—primarily composed of furriers, tailors, and smiths—constituted the main political force in Baia Mare, as observed in other towns with similar status and privileges in the early modern period. In addition to these professions, the analysis identified two other socio-professional groups involved in the town's governance, namely miners and the learned. Despite the important role of gold mining in the town's life, the miners did not manage to convert their economic affluence into significant political capital.

Keywords: Baia Mare, gold mining, political elite, local government, royal free town, sixteenth century

“Since they too have been included into our realm and enjoy the privileges of the free towns” are the words introducing the order of Gabriel Báthory from August 5, 1609, whereby the prince granted the customs exemption

* This study is a revised edition of the Hungarian version published as “Nagybánya városvezető elitje és az önkormányzati testület szerkezete (1569–1600),” in *CERTAMEN III*, ed. Emese Egyed and László Pakó (Cluj-Napoca: EME, 2016), 271–83.

to the town of Baia Mare.¹ From the point of view of our topic, the second half of the sentence is significant, as it is clear from the words of the prince that the mining town in question, located in the border zone between the kingdom of Hungary and the principality of Transylvania, belonged to the list of “free towns.” It is not by chance that I have quoted the information above, because although Baia Mare had a long history and its first known letters of privilege came from King Louis I, the contemporary assessments of the legal status of the town and its role in the settlement hierarchy were not consistent. Article 3 of the 1514 decision listed Baia Mare among the inalienable possessions of the crown,² while Article 1 of the decision of 1608, after the coronation, attributed the town the right to send deputies to the Diet.³ In addition, contemporaries considered it a *regia libera civitas* (royal free town),⁴ although its exact privileges and rights were subject to debate. This confusion was probably caused by the fact the Baia Mare’s legal status and territorial belonging had changed multiple times during those decades. In this study, I examine the entanglements of the legal status of this mining town as well as its urban government in the second half of the sixteenth century.

Juridical framework and functions of the town

From the end of the sixteenth century until the middle of the seventeenth century, with a few interruptions, Baia Mare was in private hands: first it was owned by the Báthorys,⁵ then by the Bethlens,⁶ and finally by the Rákóczi. The privileged rank of the town might have been affected by the private ownership, despite the fact that the overlords confirmed its urban privileges and preserved its autonomous urban institutions.⁷

1 Magyar Nemzeti Levéltár Országos Levéltára (National Archives of Hungary, hereafter MNL OL) E554. Fol. Lat. 2234, fol. 46–7.

2 Dezső Márkus, *Corpus Juris Hungarici: Magyar Törvénytár 1000–1895* (Budapest: Franklin-Társulat, 1899), 709.

3 András Kubinyi, “Szabad királyi város—Királyi szabad város,” *URBS Magyar Várostartörténeti Évkönyv* I (2006): 58.

4 István H. Németh, “A szabad királyi városi rang a kora újkorban,” *URBS Magyar Várostartörténeti Évkönyv* I (2006): 110.

5 Petra Mátyás-Rausch, *Ércbányászat a Báthoryak korában: A szatmári és az erdélyi bányavidék arany-, ezüst- és higanybányászata (1571–1613)* (Budapest: Bölcsészettudományi Kutatóközpont, 2017), 25–47.

6 MNL OL E210, 68. box 46, no. 4.

7 Kaprinai collection, series B, vol. 16, no. 38. (114–15),

https://library.hungaricana.hu/en/view/B2_Coll_Kapr_B_006/?pg=0&layout=s

Furthermore, the difficulty of assessing the correct legal status of the town is well illustrated by the fact that in the mid-twentieth century, it was included among the royal free towns that were elevated to the rank of towns of the *personalis* (*személynöki város*).⁸ Historical sources confirm the hypothesis that Baia Mare belonged under the direct jurisdiction of the *personalis* but this status was bestowed upon the town only at the end of the sixteenth century, as is revealed, among others, from the privilege charter of 1580 granted by Rudolf I as Hungarian king.⁹ The fact that the town could appeal directly to the *personalis* does equate with the rank of free royal town. The research by András Kubinyi has shown that the latter term can be used only for the “tavernical towns,” while for the other towns listed in a document from 1514, the more apt term would be “royal free towns.”¹⁰ Nonetheless, the status of royal free town represented an elevated rank for the contemporary community of the mining town, since the sources reveal consistently that they made use of their most important privilege, that of participating at the Diets, and therefore were considered an established political estate of the realm.¹¹ Several extant invitations to participate at the Diet, including one from Gabriel Bethlen in 1620 for the upcoming Diet in Bratislava, evidence this status.¹²

Further proof for the privileged status of Baia Mare, along with a presence at the Diet, consisted of the right to elect and operate urban structures of governance,¹³ the right to elect their own priest,¹⁴ and the administration of justice. The latter was similar to other towns under the jurisdiction of the *personalis*, namely, that there were three instances in the juridical process:¹⁵ the first instance was the town council, the second instance was the council of the Chamber of Spiš (Szepes), which administered all the fiscal properties of Upper Hungary, together with elected assessors, and the third instance

8 Ibolya Felhő, “A szabad királyi városok és a magyar kamara a XVII. században,” *Levéltári Közlemények* 24 (1946): 210.

9 MNL OL A 57 LR, vol. 4, 208–211.

10 Kubinyi, “Szabad királyi város,” 58.

11 Németh H., “A szabad királyi városi rang,” 113.

12 Országos Széchényi Könyvtár (National Széchényi Library, hereafter OSZK) Kézirattár Quart. Hung. 3253/II, fol. 156^v; Kaprinai collection, series B, vol. XVI, no. 29, 102–3.

https://library.hungaricana.hu/en/view/B2_Coll_Kapr_B_006/?pg=0&layout=s

13 Németh H., “A szabad királyi városi rang,” 117–19.

14 For the medieval privileges of Baia Mare, see Weisz Boglárka, “A bányaváros, mint önálló várostípus a 14. században,” *Bányászattörténeti Közlemények* 10 (2015): 36–42, 49–50, 53–54, 56–57.

15 Barna Mezey, *Magyar jogtörténet* (Budapest: Osiris Kiadó, 2007), 427.

was that of the *personalis*.¹⁶ The privileged status of a town consisted not only of its internal urban autonomy or its “liberty” to administer justice but also of certain economic advantages. The town of Baia Mare, similar to other centers with the same status, was granted the right to hold a fair and was exempted from customs duties. The latter exemption was partial, namely, it was valid only on the territory of the neighboring counties and only for certain types of goods.¹⁷ The partial exemption is specific to that period, when an exemption from paying the thirtieth customs was difficult to obtain.¹⁸ In securing its privileges, the town had to defend its rights from the central financial institutions on the one hand and to compete with the privileges of the nobility of the county on the other.¹⁹

With regard to the urban privileges, the status of a bordertown created at the end of the sixteenth century brought with it both difficulties and certain advantages for Baia Mare. It can be ascertained that in the second half of the sixteenth century there was a functioning thirtieth customs office in town.²⁰ Its existence prompts our investigation to move beyond the legal status of the town to questions regarding urban network analysis and the town’s function within it. Such an approach is crucial for the analysis of the elite of Baia Mare. As can be read in the Introduction to the present volume, András Kubinyi devised a system of criteria concerning the functional role of settlements and their place in the urban hierarchy of the time. Thus, Baia Mare obtained 29 points based on its situation in the late medieval period, placing it in the third group of towns, that of a *smaller town or market town with a significant function*, with the mention that it was at the top of this

16 MNL OL A 57 LR vol. 4, 208–11. This situation changed in the first half of the seventeenth century, partly due to the fact that the influence of the Chamber of Spiš in the region decreased significantly, most of the previously managed assets having fallen into the hands of Transylvanian princes, including Gabriel Bethlen. This change is well illustrated by the list compiled in the early 1630s, according to which the court of one of the mining towns of Lower Hungary (Banská Štiavnica, Banská Bystrica, Kremnica) was to adjudicate on the litigation of the citizens of Baia Mare in the second instance, followed by the court of *personalis*. MNL OL E210, 61. box 21, no. 6.

17 Serviciul Județean al Arhivelor Naționale (Romanian National Archives, hereafter SJAN) Maramureș, Documente privilegiale I, no. 6, 7, 35.

18 Németh H., “A szabad királyi városi rang,” 119–20.

19 In 1592, Sigismund Báthory called upon the thirtieth customs officials of the border region to respect the privilege of Baia Sprie: MNL OL Másolatok gyűjteménye (X szekció), SJAN Maramureș, Primăria orașului Baia Sprie, doc. 4694, no. 4. In 1601, after Rudolf I confirmed the privileges of Baia Mare, the county opposed it. See István Balogh, *Regeszták Szatmár vármegye jegyzőkönyvéből (1593. május 1–1616. augusztus 6.)* (Nyíregyháza, 1986), 41.

20 OSZK Kézirattár Quart. Hung. 3253/II. fol. 189^v.

group, therefore close to the lower limit of the second category of towns.²¹ According to Kubinyi's analysis, Baia Mare was considered a central place in the late Middle Ages, with an estimated population of 5000 inhabitants.²² The 29 points he gave this town were based on the following characteristics: Baia Mare had a castle, it was a financial center (the chamber of the mines), it had an exempt parish, a Franciscan friary, and a hospital. Furthermore, 27 local people went to university, there were several guilds active in the town (goldsmiths, tailors, furriers, and butchers), there was a weekly market, and it was a hub in the road network. Kubinyi also took into account the legal status of the town and the number of its privileges.²³

How much did the situation in the late Middle Ages change by the second half of the sixteenth century? The analysis can follow only two paths: on the one hand by re-examining the fulfillment of Kubinyi's criteria in the early modern period, and on the other hand by considering factors that are difficult to quantify. Most of the functions regarding Baia Mare's real functional role in the settlement hierarchy did not change even after the Hungarian kingdom was divided into three parts; its legal status, the right to hold fairs, and its location in the road network largely remained in place.²⁴ There are no reliable data that would allow estimates of the increase or decrease of the urban population; we can only assume that precious metal mining continued to be an attractive prospect for enterprising workers and craftsmen in the sixteenth century. We can also infer that the guild of the goldsmiths attracted members from other Transylvanian towns, because several goldsmiths from Transylvania became members of the town council, especially at the end of the sixteenth century and the beginning of the seventeenth.²⁵

However, there is a discernible shift in several areas compared to the situation at the end of the fifteenth century, such as the landed property of the town, the role of the mining chamber, and the composition of the artisan guilds. Compared to the Middle Ages, the commons land owned by Baia Mare

21 András Kubinyi, *Városfejlődés és vásárhálózat a középkori Alföldön és az Alföld szélén* (Szeged: Csongrád Megyei Levéltár, 2000), 60; Bálint Lakatos, *Mezővárosi oklevelek: Települési önkormányzat és írásbeliség a késő középkori Magyarországon (1301–1526)* (Budapest: Bölcsészettudományi Kutatóközpont, 2019), 195.

22 Kubinyi, *Városfejlődés*, 16.

23 Kubinyi, *Városfejlődés*, 44, 68.

24 It is certain that the hospital was functional already in the seventeenth century, as we know of donations of townspeople for the upkeep of the hospital. SJAN Maramureș Primăria orașului Baia Mare (Town Hall Baia Mare, hereafter POBM), *Protocoloale de ședință I* 303, 310.

25 SJAN Maramureș POBM, *Protocoloale de ședință I*, 262–79.

shrank toward the end of the sixteenth century, mostly because of the newly created border fortification line that was established in the vicinity of the town and the transfer of several estates from the town to the lands of Sătmar castle.²⁶ The role of the locally based mining chamber increased compared to the late Middle Ages, and the rule of private landlords, who were mostly Transylvanian princes, greatly improved the quality and volume of precious metal exchange and coin minting. In the Báthory era, Baia Mare was one of the main centers for minting silver thalers, and it can be ascertained that by the end of the sixteenth and beginning of the seventeenth century, the town had acquired national importance regarding princely coin minting.²⁷ The flourishing minting chamber had a direct influence over the dynamic of the town guilds. In the late Middle Ages up to the mid-sixteenth century, the three politically dominant guilds were the furriers, the tailors, and the butchers.²⁸ It is a model similar to other European cities where merchants did not exclude the artisans from the town council.²⁹ Toward the end of the sixteenth century, the goldsmiths had joined them and even surpassed the others in running the town, especially since they could represent the interests of the town better in their relationship with the Chamber of Spiš and the administrators of the mining chamber. Returning to the financial function of the town according to the Kubinyi's criteria, in addition to the chamber of mines, at this time a thirtieth customs office operated in Baia Mare, which was usually leased by the town from the Spiš Chamber or from the princes of Transylvania.³⁰

Among the factors that hinder a quantifiable development of the town from the late medieval period onward is the geographical position of Baia Mare. The creation of the thirtieth customs office in town was a result of the new border on which Baia Mare and the entire mining region of Sătmar found themselves in the second half of the sixteenth century. The town was also confronted with the fact that in its immediate vicinity the castle of Sătmar was rebuilt into a modern stronghold and was given a large estate around it. These new "vicinity relationships" are mentioned in privileges

26 István Kenyeres, *Uradalmak és végvárok: A kamarai birtokok és a törökellenes határvédelem a 16. századi Magyar Királyságban* (Budapest: Új Mandátum Kiadó, 2008), 289–94.

27 János Buza, *Magyarországi és erdélyi pénzürtékek a 16–17. században: Közép-európai kitekintéssel* (Budapest: Bölcsészettudományi Kutatóközpont, 2021), 73–76.

28 Kubinyi, *Városfejlődés*, 60.

29 Ágnes Flóra, "Polgári karrier—polgári lét Kolozsváron a reneszánsz korában," *Történelmi Szemle* 51 (2009): 483.

30 The annual lease under Gabriel Bethlen was 800 florins. OSZK Kézirattár Quart. Hung. 3253/II. fol. 192^v.

granted to Baia Mare at the end of the sixteenth century, which were closely connected to the castle and castellans of Sătmar. Rudolf I recognized and confirmed the privileges of Baia Mare on several occasions, as, for instance, in 1580 and 1601. In the former, he sanctioned customary laws that had long been in practice according to the text, which, however, had not been included in earlier letters of privilege. These liberties included the right of the town that neither the captain of Sătmar castle, nor the judge (*udvarbíró, comes curialis*) of Sătmar, nor any other official working at the castle could apprehend any delinquent or offender on town territory (more precisely, within the town walls); only the Baia Mare authorities had the right to do so.³¹ A stipulation of the privilege letter from 1601 guaranteed that neither the captain of the Sătmar castle, nor the steward, nor any other military official could stay in Baia Mare for more than three days.³²

Naturally, the geographical location of Baia Mare and the resulting political and military factors influenced not only the privileges granted to the city but also the town's elite and its composition.

Urban governance

The first charter giving the townsfolk of Baia Mare the right for the free election of a judge as head of the town government dates from 1376, and this can be considered the beginning of its urban autonomy.³³ The privilege charter, confirmed several times over the centuries,³⁴ does not provide details about the process of election, but we can draw certain conclusions by comparing Baia Mare with the electoral practices of towns with a similar juridical status. Among others, the town of Cluj, which András Kubinyi also listed among the royal free cities, can serve as a good reference.³⁵ In addition to the fact that both towns legally belonged to the same group, there are other similarities that justify the parallel. One or two partial data show that the parity system used in Cluj was in use in Baia Mare as well; at least this is what a report written in 1552 by Ferdinand I's two commissioners,

31 MNL OL A57 LR, vol. 4, 208–211.

32 MNL OL E210 box 61, part 21, no. 6.

33 SJAN Maramureş POBM, Documente privilegiale I.6, 7/a, 35.

34 The rights of a town were usually contained in several successive and complementary letters of privilege according to each stage of development. Erik Fügedi, "Középkori magyar városprivilegiumok," in *Kolduló barátok, polgárok, nemesek: Tanulmányok a magyar középkorról*, ed. Erik Fügedi (Budapest: Gondolat, 1981), 238–311.

35 Kubinyi, "Szabad királyi város," 51–61.

György Werner and Pál Bornemisza, suggests.³⁶ The Werner-Bornemisza report mentions that in earlier times, the judge of Baia Mare was German one year and Hungarian the next. Hungarian and German jurors were elected in equal shares for the inner council. In support of this, the two commissioners cited a report from 1480 mentioning six councilors from the *Natio Alemanica* and six from *Natio Hungarica*, further claiming that this practice was ended by George Martinuzzi for political reasons. The treasurer of Queen Izabella, who yielded great political influence, interfered with the inner life of the autonomous town in order to oust German citizens from the town council, as he feared they would collude with the influential pro-Habsburg aristocrat, András Báthory (of the Ecsed branch of the family). The 1552 report stated further that around 1548 Martinuzzi had expelled most of the German inhabitants from Baia Mare, and after that the judges and jurors were all from the Hungarian “nation,” who in turn were mostly artisans and manual laborers.³⁷ Although the parity system is only mentioned in this report, it is likely that this was the electoral practice in Baia Mare at the time, since this principle of parity, which was specific to Cluj as well, was a system of representation put in place to prevent and manage conflicts in multiethnic urban communities.³⁸ Its earlier existence and abolition may be related to a princely mandate from 1597. The Germans of Baia Mare had complained to the town council that they wanted to elect a German judge to preserve their rights, but the Hungarian officials forwarded this request to the prince. Sigismund Báthory replied that the townspeople, be they Germans or Hungarians, should keep to the old privileges of Baia Mare and refrain from any innovation.³⁹

Following this argument, it can be stated that in Baia Mare a council of one hundred men (*centumvires*, outer council) was elected from the men with civic rights, which in turn elected the inner council of twelve members and the judge (*iurati, iudex*). Analysis of the Baia Mare rosters

36 András Kiss, “Kolozsvar város önkormányzati fejlődése az 1458-as ‘unóig’ és kiteljesedése az 1568-as királyi ítélettel,” in *Más források, más értelmezések*, ed. András Kiss (Târgu Mureș: Mentor, 2003), 161–66.

37 Pál Binder, *Közös múltunk: Románok, magyarok, németek és délszlávok feudalizmus kori falusi és városi együttéléséről* (Bucharest: Kriterion, 1982), 242–43; Teréz Oborni, *Erdély pénzügyei I. Ferdinánd uralma alatt (1552–1556)* (Budapest: Fons Könyvek, 2002), 68.

38 Flóra, “Polgári karrier,” 481–82.

39 OSZK Kézirattár Quart. Hung. 3253/II. fol. 156^r. Based on the name lists in the conscriptions, Pál Binder suggested that Baia Mare’s governance was also based on a parity arrangement, and only in the last third of the sixteenth century was the ethnic balance of the town disrupted by the waves of immigration connected to the opening of new mines at Cavnic and Chiuzbaia: Binder, *Közös múltunk*, 245.

reveals that a sworn councilor could usually become a judge after six years on the council.⁴⁰ The exact date of the election in 1579 is recorded; in that year the town officials were elected on September 6. Until 1583, the elections took place in September. Beginning in 1583, they happened on the first day of January, except for 1599, when the elections for town officials took place on January 10 due to war.⁴¹ The time of the election remained constant, and it can be supposed that other electoral procedures remained unchanged, too. Sources indicate that after the forceful intervention of George Martinuzzi, there seems to have been no other significant modifications to the structure of the urban government before 1579. However, marginal notes next to the name list of the town jurors and judge for the year 1579 in the Baia Mare protocol book mention that six members of the inner council were evicted because of a riot (*rebellio*), and six new jurors were elected in their place.⁴² There is no more detail about the rebellion, but it is certain that honorable artisans were part of the plot, including János Szegedi Szabó, Lőrinc Ötvös (*goldsmith*), Demeter Szűcs (*furrier*), and Miklós Péchy, who was a goldsmith as well. Historians Béla Balogh and Kálmán Oszóczki put forward that the guild masters rebelled against the regulations of the town officials and were therefore punished.⁴³ Unfortunately, it is not clear what measure triggered the revolt, but we can draw cautious conclusions from the subsequent composition of the inner council. Prior to 1579, the number of the inner council fluctuated in certain years, usually numbering 12 (not counting the judge), but there were also years (1571, 1574, 1578) when it consisted of 11 members.⁴⁴ After the “rebellion,” for many years, at least until 1600, which is the last one analyzed here, the council had 12 members constantly. However, besides the number of members, the structure of the council is also significant, and this is where the explanation for the expulsion of council members might be found. In the years following the incident, the judge regularly selected two members of the council, who were not listed as *iurati* in the protocol book but as *consules* (consuls).⁴⁵ There is not enough information about how these consuls were selected; only the

40 Bálint Lakatos, “Mezővárosi és falusi önkormányzati testületek Magyarországon a késő középkorban,” *Századok* 148, no. 2 (2014): 495–530.

41 SJAN Maramureş POBM Protocoale de şedinţă, 228.

42 SJAN Maramureş POBM, Protocoale de şedinţă, 159.

43 Béla Balogh and Kálmán Oszóczki, “A nagybányai ötvöscéh a 15.–17. században,” in *Művelődéstörténeti Tanulmányok*, ed. Elek Csetri (Bucharest: Kriterion, 1980), 126.

44 For this period: SJAN Maramureş POBM, Protocoale de şedinţă, 47–229.

45 At the end of the sixteenth century, namely, in 1592–1593 and between 1596–1598, the jurors appear as *proconsules* in the sources. SJAN Maramureş POBM, Protocoale de şedinţă, 220–29.

statute issued in 1587 by the council of Baia Sprie, considered a sister city of Baia Mare, can serve as a guide. The fifth point of the statute regulating election procedures decreed that the citizens of Baia Sprie had the right to elect a judge and a council, with the judge then choosing two members to serve by his side.⁴⁶ That the choice of the two members lay exclusively with the judge and not with the outer council is reinforced by the fact that the addressees on the privilege charter are only the judge and the sworn councilors (*iudex et iurati cives*).⁴⁷ The town protocol book does not inform how this selection of the two consuls took place, nor are there any statutes on this matter. Recourse to other sources, including requests sent to the Chamber of Spiš, the superior financial authority, can shed light on their duties. The two members selected by the judge probably had a controlling function and, in some cases, could replace the judge. They also appear in cases of executing last wills, the settling of debts, and the tutelage of orphans.⁴⁸ It could be concluded that the selection of the consuls, which had become regular but went against the elective rights of the citizens of Baia Mare, might have been the reason for the riot. The jurors excluded in 1579 were reelected to the town council only in 1581.⁴⁹

Urban elite

For the investigation of the urban political elite, namely, the members of the inner council, I have used the protocol book of Baia Mare (*liber civitatis*) as a primary source because, as a general rule, such town books contain the most important transactions concerning towns and their inhabitants (property contracts, interdictions, loans, real estate), as well as decisions of the town council and the results of the elections, written up by the town notary.⁵⁰ The first entry in the protocol book of Baia Mare dates from 1569, when

46 Gusztáv Wenzel, *Magyarország bányászatának kritikai története* (Budapest: Magyar Tudományos Akadémia, 1880), 420–25.

47 SJAN Maramureş POBM, Documente privilegiale I, no. 19.

48 MNL OL E szekció, Szepesi kamarai levéltár. Szepesi Kamara (adminisztráció) regisztraturája, Representationes, informationes et instantiae no. 28, bundle 5.

49 SJAN Maramureş POBM, Protocoale de şedinţă, 171.

50 Katalin Szende, "Towns and the Written Word in Medieval Hungary," in *Writing and the Administration of Medieval Towns*, ed. Marco Mostert and Anna Adamska (Turnhout: Brepols, 2014), 123–48; Katalin Szende, "Királyi kényszer vagy közösségi akarat? Hivatali írásbeliség a magyarországi bányavárosokban a 13–14. században," in *Márvány, tárház, adomány: Gazdaságtörténeti tanulmányok a magyar középkorról*, ed. István Kádás, Renáta Skorka, and Boglárka Weisz (Budapest: Bölcsészettudományi Kutatóközpont, 2019), 521–34.

the lists of the town councilors and judges start. Other entries dwindled after 1590, but these name lists continued to be recorded. As a prologue to the analysis, a few facts can be established: the urban elite of Baia Mare came from a narrow circle, with power concentrated in the hands of one or two prominent families and artisan alliances. The turnover in the council membership was moderate, and exceptions were mostly caused by epidemics, such as in 1576, when half of the council died.⁵¹ It was not uncommon for the same person to be judge for three years in a row (János Lakatos between 1569 and 1571) or for two judges to alternate, such as when Gáspár Deák and Lukács Mészáros passed the position of judge from one to another between 1572 and 1579.⁵² In a similar way, the position of *consul* was assumed by the Péchy family and by Lukács Mészáros and Kilián Mészáros, respectively, during this period. The same names appear in the lists of the jurors, among whom a burgher was elected only three or four times (Ferenc Szegedi, Ambrus Tóth, Imre Cementes).⁵³

In analyzing the composition and social structure of the urban elite of the town, two important questions arise: first, what was the most significant element in building a career in local government, and second, can we distinguish between various groups within the political elites? As in other Hungarian and Transylvanian cities, wealth played a prominent role in enabling a citizen of Baia Mare to have a successful public career.⁵⁴ Beyond the legal requirements,⁵⁵ there were practical reasons for this condition, as election to the town council did not entail direct payment or salary, and the offered post had to be accepted under penalty of a heavy fine.⁵⁶ In the case of Baia Mare, considering its status as a mining town, the wealth composition of the town ruling elites, their profession, and thus their social affiliation were somewhat different from those of their peers. In my previous research,⁵⁷ I was able to identify three groups, distinguished by their profession: craftsmen, miners, and a group labeled “others,” because

51 SJAN Maramureş POBM, Protocoale de şedinţă, 123.

52 SJAN Maramureş POBM, Protocoale de şedinţă, 47, 54, 63, 68, 82, 104, 115, 123, 140, 148, 159. In 1621, after the judge was involved in a scandal, the community decided that a judge could not be elected for two years consecutively. SJAN Maramureş POBM, Protocoale de şedinţă 286.

53 For a detailed analysis of the conscriptions, with diagrams, see Petra Mátyás-Rausch, “A nagybányai politikai elit és a helyi bányászatban betöltött szerepe a kamarai kezelés évei alatt 1569–1579,” *URBS Magyar várostörténeti évkönyv* 8 (2013): 65–68.

54 Flóra, “Polgári karrier,” 481–82.

55 The Buda code of law prescribed that poor men were not suitable for political office in town; Flóra, “Polgári karrier,” 481–82.

56 MNL OL A 57 LR, vol. 4, 208–11.

57 Mátyás-Rausch, *Ércbányászat*, 120–31.

their occupation could not be determined. With regard to the composition of wealth, it can be ascertained that guildsmen (not even goldsmith masters) could not acquire significant wealth in the mines near the town; besides property in town, they mostly owned vineyards and other agricultural land, similarly to the “others,” who included the local economic learned,⁵⁸ the *literati*. The wealth occasioned from mining, which represented the greater part of the town’s economy, was in the hands of the rich miner citizens (Simon Nagy, Ferenc Szegedi).⁵⁹

Although wealth facilitated entry for public careers in the case of citizens of Baia Mare, the amount of owned wealth was not directly proportional to the success of a public career. This is especially true for miners, as they were able to hold the post of judge only twice during the period under consideration—once at the beginning and once at the end. János Lakatos was judge of the town between 1569 and 1571, while János Forintverő and István Bozo, who is assumed to have been engaged in mining himself only because of his father’s mining property, were judges of the town after 1594.⁶⁰ A similar argument can be made for the position of consuls: the two prominent mine owners, Simon Nagy and Ferenc Szegedi⁶¹ could only fill this position twice in the early 1570s. Furthermore, in the 1580s, the mining families were usually able to have one or two jurors in the town council, whereas at the end of the century they virtually disappeared from among the jurors.⁶²

In contrast to the miners, the guild masters and artisans dominated the offices of judge, consuls, and jurors, representing the most powerful group in the town during the period. Their wealth and ability to protect their group interests contributed to their controlling the town of Baia Mare. In examining the council lists according to which guild elected citizens belonged to, the conclusions are that the positions of judge and consuls generally went to the tailors’ guild. Even though there was a mining chamber operating in Baia Mare, the goldsmiths played a negligible role compared to that of the tailors for the top offices. For jurors, however, the goldsmiths were most represented, followed by the furriers’ guild; tailors were rarely elected as council members.

Among the artisans who held offices during that period, there are noteworthy career paths. One of the highest-ranking families were the Péchys.

58 Zsigmond Jakó, “Az erdélyi értelmiség kialakulásának kezdetei,” in *Írás, könyv, értelmiség*, ed. Zsigmond Jakó (Bucharest: Kriterion, 1976), 23–24.

59 Mátyás-Rausch, “A nagybányai politikai elit,” 80–89.

60 SJAN Maramureş POBM, *Protocoloale de şedinţă*, 224–29.

61 Mátyás-Rausch, *Ércbányászat*, 120–31.

62 SJAN Maramureş POBM, *Protocoloale de şedinţă*, 47–229.

János Péchy, tailor by profession, was once a judge, four times a juror, and twice a consul. Pál Péchy, who was a goldsmith, was a consul three times and a juror for six years.⁶³ At the end of the century, János Szamosszeghi, master of the goldsmiths' guild, had a successful career: between 1589 and 1597, he was constantly in office, either as a judge or as a consul.⁶⁴ Among the goldsmiths, not only masters from local families were eligible for town council, but those from other towns: János Ötvös from Oradea, András Ötvös from Deva, and János Ötvös from Sătmar.⁶⁵

The third group that, for the lack of a better label, I have named "others" was dominated by the learned *literati* (*deákok*). They belonged to the financial and economic learned, who built an official career thanks to their work experience. Most of them held positions at the mining chamber or the customs office, respectively; they provided most of the town notaries, who, in turn, can be considered the first salaried employees of the town.⁶⁶ Among the learned, Gáspár Károly Deák had a successful career in the early 1570s, serving as judge for three years in a row. Tamás Zalai Deak was a member of the Baia Mare town administration for an even longer period of time; he was elected to the inner council every year between 1581 and 1596 and acted as both a juror and a consul.⁶⁷ Most of the *literati*, however, Imre Lippay, Jakab Olasz, Péter Herges, and György Diószegi, although they held the office of juror for many years, did not reach the position of consul or judge.⁶⁸

A statistical analysis of the name lists according to the town protocol book shows that, from 1569 to 1600, the top offices of judge and consul were filled in 38% of the time by members from the artisan and guild master group. On average, this meant two persons from this group filling these positions each year. The miners were represented 29% of the time, with an average of one of their members filling these positions each year. The "others" group recorded figures of 34% and two persons per year on average, respectively. Using a similar method, the breakdown in the composition of the town council reveals the following results: The category of "others"

63 Mátyás-Rausch, "A nagybányai politikai elit," 67–68.

64 SJAN Maramureş POBM, Protocoale de şedinţă, 47–159.

65 The goldsmiths' guilds of Oradea and Baia Mare entered into an alliance in 1601, according to which the goldsmiths who made a great fortune in Oradea could settle in Baia Mare with the certificate of the guild and join the goldsmiths' guild of Baia Mare after paying the mandatory entrance money: Balogh and Oszóczki, "A nagybányai ötvöscéh," 125.

66 Szende, "Királyi kényszer," 525–26.

67 SJAN Maramureş POBM, Protocoale de şedinţă, 54–240.

68 SJAN Maramureş POBM, Protocoale de şedinţă, 47–229.

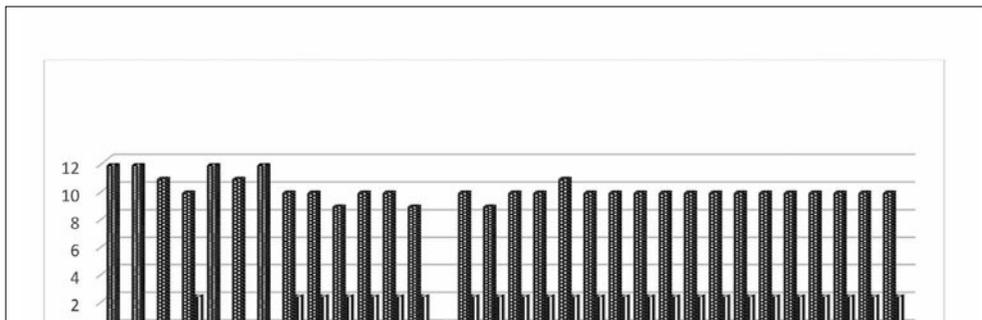


Figure 5.1. Numerical dynamic of jurors and consuls (1569–1600).

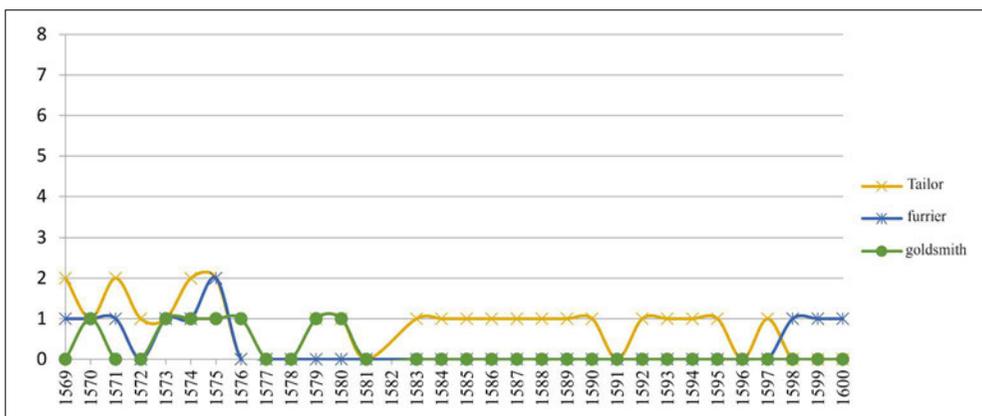


Figure 5.2. Tailors, furriers and goldsmiths as judges and consuls in Baia Mare (1569–1600).

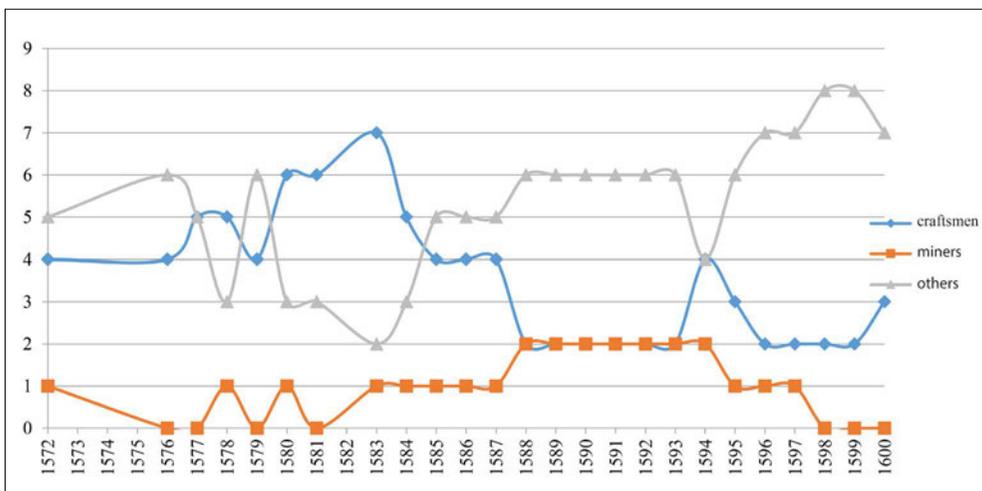


Figure 5.3. The jurors in Baia Mare, according to professional group (1569–1600).

had the highest share (54%) of jurors, the second highest was the artisans' group with a figure of just below 50%, with the underrepresentation of the miners' group being especially evident here, with a figure barely reaching 10%. In terms of the average number of jurors per year, whereas both the "others" group and the artisans had a figure of around four jurors per year, the miners' recorded one juror per year on average.

In conclusion, it can be argued that within the urban ruling elite of Baia Mare, the strongest group with the best ability to assert their interests was formed by the guild members, namely, the tailors', furriers', and goldsmiths' guilds, in line with developments in other towns of that period, such as Cluj.⁶⁹ The literate individuals, who were included in the category of "others," managed mostly to be members of the town council (jurors), and their numbers increased significantly after 1588, when they had six jurors on the council. Beginning in 1596, the number of the learned on the town council rose to seven. The extensive participation of the economic intellectuals is not surprising, as the mining chamber and the customs office employed many educated officials. However, the numbers were not sufficient in themselves to yield influence in the governance of the town, considering that the learned rarely reached the positions of judge or consul. The latter position especially required an outstanding status along with social and financial capital that was available primarily to the guild masters. The miners were underrepresented in the urban government for several possible reasons. The political events of the second half of the sixteenth century and the wars of the 1560s⁷⁰ had a negative impact on the mining of Baia Mare, and only a few entrepreneurs managed to stay afloat. Only a few, such as Simon Nagy, succeeded in amassing wealth from mining, but miners also had trouble with the lack of successors.

The generational change went hand in hand with the impoverishment of the entrepreneurs: Ferenc Szegedi, Simon Nagy's successor, had to sell his mine eventually. Mining and wealth creation were greatly hindered by the fact that viticulture in the region, in which most miners were vested, underwent a crisis during this period, partly because the distribution market was shrinking. The soldiers of the Sătmar castle did not drink much wine, they preferred beer, whereas the steward of the castle, when he decided to buy the wine, was often late with the payments, if he paid at all, causing losses to the people of Baia Mare. Moreover, in the 1580s, Western European

69 Flóra, "Polgári karrier," 483.

70 Imre Lukinich, *Erdély területi változásai a török hódítás korában (1541–1711)* (Budapest: Magyar Tudományos Akadémia, 1918), 127–28.

mine investors showed interest in the region, starting with the Herberstein family of Styrian origin, who bought up the mines from the local owners, albeit on credit. This further weakened the miners' social influence and undermined the position they had in the urban government.⁷¹

About the author

Petra Mátyás-Rausch is researcher at the Institute of History, Research Centre for the Humanities, Budapest. Her research deals with the financial and mining history of the Principality of Transylvania, and with the governance of mining towns. Her latest monograph analyzes the theme of gold, silver and mercury extraction in the regions of Sătmár and other mining regions of Transylvania during the rule of the Báthory princes: *Ércbányászat a Báthoryak korában: A szatmári és az erdélyi bányavidék arany-, ezüst- és higanybányászata (1571–1613)* (Budapest, MTA Bölcsészettudományi Kutatóközpont, 2017).

71 Mátyás-Rausch, "A nagybányai politikai elit," 80–83.

6. *Residenza de nobili*: Nobility in the Administrative Structures of the Market Town of Caransebeş (Sixteenth-Seventeenth Centuries)

Adrian Magina

Abstract: The study examines the history of the town of Caransebeş and its urban elite after the fall of Timișoara into Ottoman hands in 1552. Integrated into the Principality of Transylvania, Caransebeş remained the main urban agglomeration in the south-west of the Principality, preserving its status as a market town throughout the period. The inhabitants were mostly Romanian, but also comprised a large number of nobles who chose to live in the town. The noble families, established in the town since the fifteenth century, entered the town council in large numbers; by the sixteenth and seventeenth centuries, this noble elite controlled almost all the administrative functions of the town, with none of the head judges being elected among the townsfolk.

Keywords: Caransebeş, early modern period, Romanians, nobility, urban administration, Principality of Transylvania

The history of the towns in the area between the rivers Mureș, Danube, and Tisa and the Carpathian Mountains (today's Banat region) has come to the attention of researchers relatively recently. Following the typology of urban centers of the medieval Hungarian kingdom, the towns in the Banat were autonomous communities with well-defined legal rights.¹ It is well

¹ András Kubinyi, "Városhálózat a késő középkori Kárpát-medencében," *Történelmi Szemle* 46 (2004): 28–29, https://tti.abtk.hu/images/kiadvanyok/folyoiratok/tsz/tsz2004-1-2/001-030_Kubinyi.pdf

known that most of the urban centers in medieval Hungary originated in settlements built by invited colonists (*hospites*) of German origin. Buda, the capital of the kingdom, followed the same pattern.² In the case of the present-day Banat, it is difficult to reconstruct the past as documentary sources are largely lacking. The significant urban centers of the medieval and early modern Banat were, in order of administrative and economic importance, Timișoara, Lipova, Caransebeș, and Lugoj.³

In this study, I intend to provide an overview of the current scholarship on the history of towns in this region in the early modern period, with an emphasis on the urban governance of the town of Caransebeș. This town stands out among the other urban centers of the Transylvanian principality because it had a Romanian majority and its inhabitants were mostly nobles. I will examine the functioning of the urban institutions and how the nobles who had settled in the town took over its administrative structures in the late medieval and early modern times.

A brief historical overview of the historical context of the Banat is necessary to understand the evolution of both the nobility and the towns since the medieval kingdom of Hungary. Information about the inhabitants of the various towns south of the Mureș River is recorded sporadically in documents from the fourteenth century onwards. For example, in 1331 and 1344, the townspeople and settlers of Șemlacu Mare (*cives et hospites de Mezeusomlyo*) were embroiled in a dispute with the Himfy family over a possession claimed by both sides. Around the same period (1341–1342), we also have the first documents about the townspeople and colonists of Timișoara (*cives et hospites de Themeswar*).⁴ During the following centuries, the information becomes more consistent, as the sources record various members of the guilds of the towns of Banat. In Timișoara, a cloth weaver, a tanner, a furrier, a shoemaker, and a saddle maker were mentioned, while in Lipova, in addition to these occupations, we find mentions of tailor,

2 Katalin Szende, "Iure Theutonico? German Settlers and Legal Frameworks for Immigration to Hungary in an East-Central European Perspective," *Journal of Medieval History* 45, no. 3 (2019): 1–20; Enikő Spekner, "Buda before Buda: Óbuda and Pest as Early Centers," in *Medieval Buda in Context*, ed. Balázs Nagy et al. (Leiden: Brill, 2016), 86–87.

3 István Petrovics, "Foreign Ethnic Groups and Urban Development in the Medieval Kingdom of Hungary: The Cases of Temesvár/Timișoara and Szeged," *Anuarul Institutului de Cercetări Socio-Umane "Gheorghe Șincai"* 12 (2009): 200.

4 Adrian Magina and Livia Magina, "Medieval Banat," in *O istorie a Banatului: Compendiu*, ed. Ioan Bolovan and Rudolf Gräf (Cluj-Napoca: Școala Ardeleană, 2023), 216–17; István Petrovics, *A középkori Temesvár: Fejezetek a Béga-parti város 1552 előtti történetéből* (Szeged: JATEPress, 2008), 31–32; István Petrovics, "Urban development in the Danube–Tisa–Mureș Region in the Middle Ages," *Analele Banatului: Serie nouă; Arheologie-Istorie* 9 (2001): 390–97.

goldsmith, silversmith, merchant, potter, miller, shield maker, butcher, carpenter, and swordsmith artisans. Furthermore, the number of four or five craftsmen present in the town council of Lipova remained constant throughout the first half of the sixteenth century, an indication of the direct participation of the guilds in the urban government. Townspeople can be found in various real estate transactions involving property within or adjacent to the town, when houses and land parcels, vineyards, and arable fields were sold or bought, the most valuable being the properties near the main roads or the central market square. The extant last wills of the townspeople of Lipova reveal they owned considerable wealth, consisting of houses, clothes, and various assets. Moreover, the financial strength of those on their deathbed allowed them to make donations to churches, convents, and to the poor, of whom unfortunately we have no other records.⁵

In the sixteenth century, inhabitants of South Slavic origin settled in Timișoara and Lipova, some of them being refugees from the Ottoman advance; others, like merchants from Dubrovnik (Ragusa), settled in Timișoara for trade. The Christian townspeople of Timișoara were able to maintain their own urban institutions even after the occupation of the town by the Ottomans, their judge being among the signatories of letters to the Holy See in 1578 and 1582.⁶

Next to Timișoara and Lipova, we must take into account the forty odd market towns (*oppidum/oppida*) mentioned in the documents of the period for medieval Banat, most of which were established in the plains of the province. Among the most representative of such urban agglomerations were Cenad, until 1552 the center of a Catholic bishopric, Carașova, Căvăran (today Constantin Daicoviciu), Hodoș, *Chery* (now disappeared), Recaș, Berini, Becicherecul Mare, Frumușeni (Sződi), Marginea, and Făget. These are, in fact, rural settlements which at one time obtained the right to hold weekly or annual fairs (*forum hebdomadale* or *forum annuale*), and this privilege propelled them into a category legally superior to villages, but which did not in any way change the demographic or architectural setup of the settlement. The market towns enjoyed a certain degree of autonomy, depending on the legal status or privileges they had obtained over time. The history of the small urban centers in Banat is not well known, as there are

5 Adrian Magina, "Inventories of Assets in Wills from Medieval and Early Modern Banat," in *Arrangements before the "Great Passage": Testamentary Practices and their Implications (Western Europe and the Romanian Lands, 16th–19th Centuries)*, ed. Gheorghe Lazăr (Kostanz: Hartung Gorre, 2023), 111–26.

6 Magina and Magina, "Medieval Banat," 217.

not many surviving historical records of them. Thus, only a few documents issued by the local authorities or in favor of these small urban communities have survived to date.⁷

The town of Caransebeș, located at the confluence of the Sebeș and Timiș rivers, is mentioned for the first time in documents as early as 1289. It is likely that the future market town (*oppidum*) was formed around the royal fortress of Sebeș, mentioned in the first half of the fourteenth century. Sometimes called *civitas nostra regia*, from the end of the fifteenth century Caransebeș enjoyed the liberties of the customary law of Buda, in the sense that the inhabitants were free to elect their own administration and council, which had positive consequences on urban development.⁸ A major event took place in the middle of the sixteenth century, which changed the historical course of the urban centers in the present Banat area. In the summer of 1552, following an Ottoman campaign, the towns of Timișoara and Lipova, together with the surrounding regions, were conquered and integrated into the Ottoman Empire.⁹ The territory around the towns of Caransebeș and Lugoj remained outside the direct Ottoman conquest, but in a system of vassalage to the High Porte, being considered *de jure* an area under the jurisdiction of the sultan. By virtue of this right, Suleyman the Magnificent granted the territory to Prince John Sigismund Szapolyai in 1554.¹⁰ From this moment, Caransebeș was integrated into the autonomous Principality of Transylvania and remained the most important urban center in the south-western Transylvanian frontier area, not far from the demarcation line between Christian and Ottoman lands.

The administrative structure of Caransebeș was composed of a head judge (*iudex primarius*), six sworn councilors (*iurati cives*), and an outer council that probably did not exceed 50 people, a typical situation for a market town. The size of the inner and outer council is a good indicator that Caransebeș was not a *civitas*, i.e., a town with economic and political autonomy. Caransebeș remained a market town throughout the period; because of its geographical

7 Livia Magina, "The Memory of Writing in the Banatian Municipal Institutions during the 15th–17th Centuries," *Transylvanian Review* 22, supplement no. 4 (2013): 285–87.

8 Martyn Rady, "The Government of Medieval Buda," in *Medieval Buda in Context*, ed. Balázs Nagy et al. (Leiden: Brill, 2016), 316–20.

9 The history of the town can be traced in broad outline through the works of Frigyes Pesty, *A szörényi bánság és Szörény vármegye története*, vol. 2 (Budapest, 1878), 115–269 and Andrei Ghidiu, Iosif Bălan, *Monografia orașului Caransebeș* (Caransebeș, 1909).

10 Cristina Feneșan, *Constituirea principatului autonom al Transilvaniei* (Bucharest: Ed. Enciclopedică, 1997), 84. For the gradual integration of the territory into the Principality, see Pesty, *A szörényi bánság*, vol. 1, 433–41.

position, it enjoyed a few privileges and exemptions without ever losing its character of royal or princely property. This fiscal status of the town was confirmed on September 27, 1615, when the Transylvanian Diet listed the market towns of Caransebeș, Lugoj, and Căvâran among the fiscal assets of the Transylvanian Prince.¹¹ Although it was the main urban agglomeration in the southwest of the principality, Caransebeș failed to rise to the economic and demographic level of the Transylvanian towns, having a peripheral location and whose population did not exceed 3000 inhabitants. However, it was the only center in the region of Banat that has a mention of a town hall (*domus civitatis*), most probably located in the central square, in the area where the former Catholic parish church was located, which became Calvinist in the sixteenth century.¹²

Once it became part of the principality of Transylvania, the town experienced its maximum development in the seventeenth century. However, Caransebeș had a different setup from the other Transylvanian towns, both in terms of its ethnic composition, with a Romanian majority, and in terms of its social and administrative organization. The main difference, especially when compared to the Saxon towns, was that a numerous nobility lived in the market town, a fact which prompted the Italian Jesuit Antonio Possevino to consider it a residence of the nobles (*rezidenza di nobili*).¹³ The missionary's observations, dating from the second half of the sixteenth century, brought to the fore a significant process, namely, the transformation of the social structure of the urban center and the changes in the status of the Romanian nobility in the area from a landed social group to one with urban aspirations.

There existed an organic relationship between Caransebeș and the local elites from the surrounding area, because the town brought together the political, social, and economic life of the highlands of today's Banat. Since it was not one of the privileged and exclusive urban centers, Caransebeș was a place open for people of all social groups, even from the countryside, to settle there.¹⁴ Evidence suggests that initially, as elsewhere in medieval Hungary, the town had a population of Western European colonists (*hospites*).

11 Magina, "Memory of Writing," 286.

12 Costin Feneșan, "Caransebeșul la începutul celei de-a doua stăpâniri habsburgice (1688)," *Revista Istorică* 1–2 (1996): 76; Livia Magina, "Tranzacții imobiliare într-un oraș de frontier: Caransebeșul în secolele XVI–XVII," *Historia Urbana* 23 (2015): 181.

13 Maria Holban et. al, eds., *Călători străini despre Țările Române*, vol. 2 (Bucharest: Ed. Științifică, 1970), 557.

14 Bálint Lakatos, "Városi nemesek Karánsebesen a 15–16. század fordulóján," *Urbs: Magyar Várostörténeti Évkönyv* 3 (2008): 71–72.

German-sounding names appear sporadically in the fifteenth-century documents, but an actual assessment of their numbers is not feasible. Hungarian and Romanian inhabitants existed from the very beginning of the town. Certainly, an empirical estimation of the names recorded in medieval and early modern documents reveals that Romanians were numerous in the town and became the majority as more and more nobles from the area settled in the town.

Three main reasons seem to have pushed the nobility toward living in the town. First, the political and administrative function of the town meant that it was the residence of the chatelain (*castellan*) and the judges of the nobles, most of whom were appointed from among the Romanian nobles from the highlands of Banat. The town was also where the district assemblies were held, especially those of the Sebeș district. Caransebeș was a natural choice for such political occasions because an urban center, even with the status of a market town, was logistically suitable for such events. During the fifteenth century, about 30 assemblies are documented, both of a single district and of all districts together. Sometimes assemblies met annually, as was the case between 1418 and 1420.¹⁵ Their frequency probably motivated the nobles who attended to find ways to live in town. The most convenient solution was buying a plot of land or even a house. In 1429, the noble Bizere (Bizerey) family obtained royal reconfirmation for ownership over a yard and mill site located near the Franciscan monastery in town, which led them to change their patronymic from “of Bizere” to “Bizere of Caransebeș.”¹⁶ Other noble families, such as the Marga (Margay), Gârliște (Gerlestey), and Fiat families, chose to move into the town in the second half of the fifteenth century, during the reign of Matthias Corvinus, or at the beginning of the following century, such as the Racoviță (Rakoviczay) family.

A second reason for nobles choosing to live in town was religious. The confessional measures promoted by King Louis of Anjou in the fourteenth century and reactivated by Sigismund of Luxembourg in 1428 resulted in the majority of the Romanian nobility in Banat converting from Orthodoxy to Catholicism.¹⁷ By the second half of the fifteenth century, the process was mostly complete, and the families who tried to return to the old religious

15 Ioan Aurel Pop, *Instituții medievale românești: Adunările cneziale și (boierești) în secolele XIV–XVI* (Cluj-Napoca: Dacia, 1991), 69.

16 Pesty, *A szörényi bánság*, vol. 3, 23; Dragoș Lucian Țigău, “Familia Bizere-Găman în secolele XV–XVII,” *Banatica* 15, no. 2 (2000): 49, 65.

17 Viorel Achim, “Catholicismul la românii din Banat în Evul Mediu,” *Revista Istorică*, nos. 1–2 (1996): 45–50.

customs were at risk of losing their nobility rank and landed possessions.¹⁸ Caransebeș became the most important Catholic center in the area, the site of a parish church, the seat of the archdeaconry of Sebeș, and the location of a Franciscan convent.¹⁹ In the absence of a network of territorial Catholic parishes, access to Catholic divine services was only possible by moving into town. There is some evidence of noblemen who interacted with Catholic institutions of the town or the kingdom, such as several members of the Măciçaș (Matskási), Gârliste, and Bizere families. John of Mátnc and his wife Dorothea were even accepted into the Franciscan confraternity for their generosity towards the church.²⁰

The third reason for choosing the town over a manor house in the countryside was the security offered by the urban center and its fortifications in the face of frequent Ottoman attacks against Banat. During these attacks, some nobles lost family members and property documents when the Ottomans destroyed their residences in the countryside.²¹ The gradual settlement of the nobility in the town meant, on the one hand, a relative increase of the Romanian population—because the nobles did not come alone, but with their families and probably with various servants—and, on the other hand, a change in the social structure, with the nobility becoming a significant percentage of the total population.

The beginning of the changes in the urban social structure can be put to the time of Sigismund of Luxembourg, but the phenomenon increased during the reigns of Matthias Corvinus and the Jagiello dynasty. Initially, the nobles living in the town were under the authority of the magistrate and owned property as citizens of the town, not as nobles.²² In the mid-fifteenth century, the administration of the town was still in the hands of the townspeople, who had professions specific to an urban center: *sartor* (tailor), *lutifigulus* (potter), and *nyirö* (clothcutter).²³ It is possible that some

18 Ligia Boldea, *Nobilimea românească din Banat în secolele XIV–XVI (Origine, statut, studiu genealogic)* (Reșița: Editura Banatica, 2002), 60, 65, 133.

19 Dragoș Lucian Țigău, “Câteva considerații despre arhidiaconia de Caransebeș,” in *Itinerarii Istoriografice: Studii în onoarea istoricului Costin Feneșan*, ed. Dumitru Țeicu and Rudolf Gräf (Cluj-Napoca: Center for Transylvanian Studies, 2011), 87–106.

20 Ligia Boldea, “Înnobilare și confesiune în lumea feudală românească din Banat (sec. XIV–XVI),” *Banatica* 13, no. 2 (1995): 39.

21 Adrian Magina, “In the Hands of the Turks: Captives from Southern Hungary in the Ottoman Empire (14th–16th centuries),” in *State and Society in the Balkans before and after Establishment of Ottoman Rule*, ed. Srđan Rudić and Selim Aslantaş (Belgrade: The Institute of History Belgrade, 2017), 67–68.

22 Lakatos, “Városi nemesek,” 77.

23 Lakatos, “Városi nemesek,” 81.

names refer to a certain ethnicity (probably *hospites*, descendants of the Western colonists), as in the case of Ladislaus and Ludovic Zaz/Zaaz (Saxon), mentioned in 1493, but whose family belonged to the nobility.²⁴ The names of the members of the town council in the fifteenth century were not at all typical of Romanian onomastics: Emeric, Dominic, and Thomas, which may be an indication of their descent from the *hospites* community. However, towards the end of the century, other names became more frequent: Lazăr, Knesa, Supa (*Zwppa*), Ciuca (*Chwka*), and Olah, chosen from the Romanian community of the town. In a document from 1500, a clear distinction was already made between the two social groups in the town: the nobles and the common townspeople (*nobiles et inhabitatores*), both of whom were in dispute with the Bishop of Cenad over the payment of the tithe due to him.²⁵

The Romanian noble elite that settled in town had traditionally held high positions at the level of the Caransebeș district and the county of Severin. Therefore, the nobles gradually began to get involved in urban administrative matters, too, and, with time, to take over the town council, a process that lasted for several decades. In 1498, Stephen (Ștefan) Stoica, *iudex et vayvoda* of the town, obtained an extension of Buda's town law to Caransebeș,²⁶ and he was among the few nobles who reached the head of the town governance at the end of the fifteenth century. The royal privilege of the Buda law allowed the local community to elect its own administration, but only those who owned property in the town were eligible for office. This condition prevented the castellan's interference in the appointment of the town council. What could be regarded as a victory for the townspeople against outside intrusion in fact favored the seizure of power by the nobility established in the town. First of all, it made permanent the election of certain members of the nobility to the office of head judge (*iudex primarius, iudex supremus, fő bíró*), a dignity which involved a multitude of competences in administrative, legal, economic, military, and even religious matters.²⁷ The elevation of the *hospites* and their integration into the noble category, as

24 Pesty, *A szörényi bánság*, vol. 3, 112–13, 129.

25 Viorel Achim, "Disputa în legătură cu dijmele bisericești din Caransebeș și Căvăran (1500)," in *Itinerarii Istoriografice: Studii în onoarea istoricului Costin Feneșan*, ed. Dumitru Țeicu and Rudolf Gräf (Cluj-Napoca: Centre for Transylvanian Studies, 2011), 185.

26 Pesty, *A szörényi bánság*, vol. 3, 123–25; Lakatos, "Városi nemesek," 86–87 discusses the possible implications of the title of "voievod," which might indicate the first overlap of an urban office function with one within the Caransebeș district, a situation that would later become common.

27 Dragoș Lucian Țigău, "Aspecte din activitatea prim-juzilor orașului Caransebeș în secolele XV–XVII," in *Studii bănățene*, ed. Valeriu Leu, Carmen Albert, and Dumitru Țeicu (Timișoara: Mirton, 2007), 86–130.

in the case of the Zaz family, favored their election to these administrative and urban offices.

The noble elite became fully integrated into the urban world, but certain legal differences persisted between those from the town and the community of nobles from the district of Caransebeș and the county of Severin, even though socially they belonged to the same elite group. In a mid-sixteenth-century document, the nobility of the Caransebeș district called itself a *universitas* (community) or, more expressively, in Hungarian, *nemes nepek* (a noble people) and projected itself as a distinct community, although among them there were individuals who were present in the town council. For example, Gregor (Grigore) Vaida, the head judge of Caransebeș in 1561, was one of the many nobles who owned possessions both in the district and in the town, his family being one of the most representative in the area.²⁸

What kind of status did these members of the elite have within the urban community? Were they simply assimilated into the townsfolk, or did they retain their legal and fiscal privileges? Unfortunately, we don't have much evidence of such information. The urban community of Caransebeș benefited, similarly to the nobility, from a series of tax exemptions. In 1497, King Vladislav II reconfirmed the town's exemption from certain taxes, as it had been in the past, which was most probably a recognition of the participation of the Caransebeș town in the anti-Ottoman campaigns.²⁹ The market town privileges were confirmed in 1597 by Prince Sigismund Báthory,³⁰ but they did not cover exemptions from all taxes; however, some nobles did receive personal exemptions from taxes and contributions. This was the case with Sigismund and John Fiat, but also with Ioan Criciovan, to whom in 1633 Prince George Rákóczy I reconfirmed the tax exemption for all property owned in the town.³¹ Wolfgang Szörényi, who was ennobled in 1634, was also exempted from paying any taxes for his house in Caransebeș,³² but his case seems rather atypical, as many other ennoblements do not contain this clause of exemption.³³ In one case it is indicated that the person in

28 Adrian Magina, "Despre hotare, comunitate urbană și ethos nobiliary: Delimitarea teritorială a Caransebeșului în a doua jumătate a secolului al XVI-lea," *Banatica* 30, no. 2 (2020): 160.

29 Costin Feneșan, "Despre privilegiile Caransebeșului până la mijlocul secolului al XVI-lea," *Banatica* 2 (1973): 157–63.

30 Adrian Magina, "Reconfirmarea privilegiilor Caransebeșului în anul 1597," *Revista Arhivelor*, no. 1 (2009): 100–105.

31 Costin Feneșan, *Documente medievale bănățene (1440–1653)* (Timișoara: Facla, 1982), 158–61.

32 Costin Feneșan, *Diplome de înobilare și blazon din Banat* (Timișoara: Editura de Vest, 2007), no. 18.

33 Feneșan, *Diplome de înobilare*, nos. 31, 32, 33, 35, 37, 40, 41, 45, 47, 49, 50, 51, 52, 53.

question, although recognized as a nobleman, had to pay the taxes specific to townspeople.³⁴

It can be seen, therefore, that the nobles, once they settled in the town, retained their legal status but not necessarily their fiscal privileges, which, I believe, contributed to the coagulation of a fairly close-knit community, as there are no documented litigations between nobles and townspeople during the sixteenth and seventeenth centuries.

In the early modern period, nobles came to control almost all the administrative functions of Caransebeș. From the end of the fifteenth century, none of the head judges were elected from among the townspeople, but only from among the noble families established in town.³⁵ Of the 26 known mayor judges in the sixteenth and seventeenth centuries, seven were elected from the Vaida family, three from the Racoviță family, and two each from the Peica, Bucoșnița, Micșa, Florea, Fiat, Gârliște, and Kun families.³⁶

In the seventeenth century, the highest office of urban administration remained in the hands of a small number of noblemen. As everywhere else in the Transylvanian principality, the elections for office took place annually, but there were nobles who held the office of first judge for several years. The most representative case is that of judge Mihail Fodor, who came from a middle-class noble family from the village of Nevrincea, near Lugoj. Through kinship with the Fiat and Moise families, the Fodor nobles entered the families that formed the elite of Caransebeș-Lugoj banate. Mihail was born at the end of the sixteenth century, from the marriage of Francisc Fodor to Elisabeta Pribek. His father was killed in 1604 by Serbian mercenaries in the service of General Giorgio Basta; Wolfgang Bethlen, writing about the death of Francisc, noted with regret that an important man from the ranks of the urban nobility (*ex urbana nobilitate*)³⁷ had died, so it can be concluded that at the time the family was well anchored in the urban environment. Mihail Fodor ran a particular *cursus honorum*, as he held offices both in town and for the county. In 1622, he was head (*comes*) of the county of Severin, while between 1626 and 1643 he held the office of first judge of Caransebeș, alternating with that the office of vice-*ban* of Caransebeș-Lugoj (1635, 1640, 1642, 1643, 1644).³⁸ His career is perhaps the most representative of that area, but other nobles of Caransebeș also

34 Feneșan, *Diplome de innobilare*, no. 28.

35 Lakatos, "Városi nemesek," 85–86.

36 Țigău, "Aspecte," 131–36.

37 Dragoș Lucian Țigău, "Familia nobililor Fodor (sec. XVI–XVII)," *Banatica* 19 (2009): 86.

38 Țigău, "Familia nobililor Fodor," 92.

alternated between administrative functions at the urban level and those of the county or *banat*. For example, as early as 1584, the noble Nicholas (Nicolae) Micşa (Mixa) held the office of judge of Caransebeş as well as that of customs officer of Caransebeş.³⁹ Another example is that of Sigismund Fiat, a member of one of the wealthiest and most powerful noble families, who, in addition to holding the position of first judge of Caransebeş, was also the comes of Severin, vice-ban of Severin, and customs officer of Caransebeş, Lugoj, and Zeicani between 1617 and 1640.⁴⁰

The oath-swearing councilors, in turn, were also chosen from among the nobility, or at least most of them. Some came from the middle and lower nobility, others from the townspeople (who had nobility titles or not); therefore, it is hard to estimate what percentage of the town's administrative structures consisted of unprivileged townsfolk. The families that certainly belonged to the minor noble elite present in the town council in the sixteenth and seventeenth centuries are as follows: Giuraca (*Gyuraka*), Halici (*Halics*), Loncea (*Loncza*), Ciorcioc (*Chorchok*), and Bobic (*Bobik*), but their number is probably higher. Among the jurors and members of the town council, representatives of prominent families such as Peica (Peyka), Vaida, Gârlişte, and Floca (Floka) were elected. The structure of the town council underwent structural changes that are evident from the mid-sixteenth century. In 1544, a document records 56 names of jurors and council members who swore an oath in support of their judge, the nobleman Ladislau Racovita.⁴¹ Analyzing this document, Bálint Lakatos concluded that only one-third of the listed jurors could have been exclusively townsmen. It is certain that about 30% of them were urbanized nobles, but another third is difficult to identify in terms of a social category.⁴² On closer inspection and by comparing these names with those recorded towards the end of the sixteenth century or in the first half of the following century, we can see that a good part of the families with uncertain status were in fact nobles: Tóth, Frenda, Domsa, and Basarab. With this new insight, it is evident that about half of the council members in 1544 came from the noble elite. Among the nobles with definite nobility rank, we find members of the Peica, Lazăr (*Lázár*), Micşa (*Miksa*), Jósika, Moise, and Plugoviţa (*Plugovicza*) families, who would later become a constant presence among the jurors and members of the

39 Țigău, "Aspecte," 98.

40 Dragoş Lucian Țigău, "Familia Fiat de Armeniș în secolele XV–XVII," *Banatica* 14 (1996): 29–30.

41 Pesty, *A szörényi bánság*, vol. 3, 233–34.

42 Lakatos, "Városi nemesek," 79–80.

town senate. A document issued five decades later, in 1594, shows that the town council of Caransebeş had three members of the Peica family, two from the Jósika family, and one each from the Gârlişte, Moise, and Fodor families. Out of the 23 people mentioned as being part of the council in that year (if we include here the former judge Ludovic Fiat), no less than nine belonged to the great noble families of the town. Most of the other council members came from the minor middle nobility: two from the Lumota and Tóth families, one of whom was a substitute for the head judge, and one each from the Căstruţ (*Kastrucz*), Giuraca, Olah, and Ciorcioc families. For the remaining six persons, membership in a particular social category cannot be ascertained.⁴³ The 1594 document therefore indicates that the balance in the mid-sixteenth century had shifted in favor of the nobility and, moreover, that the Caransebeş town council was dominated by nobles from the most important families of the highlands of the Banat.

This situation seems to have continued into the next century, with the caveat that, as with the head judge, some of the six jurors were elected more than once to the position. Thus, among the jurors during Mihail Fodor's tenure as head judge, we find, with slight fluctuations, the same people over almost two decades: Grigore Muraska, Valentin Aurarul (Aurifaber), Daniel Lugasi, Ioan Kozma, George Iantul, Francisc Gurguiat, Nicolae Halmagy, Laurențiu Giuraca, Ladislau Domşa, Nicolae Szabó, and Nicolae Nicola.⁴⁴ Ioan Kuzma/Kozma, for example, had a long career in the town council, spanning more than three decades,⁴⁵ while Valentin Goldsmith ("Aurifaber") and Gregor Muraska also had careers spanning more than two decades.⁴⁶ Of these council members, Laurențiu Giuraca, Grigore Muraska, Ladislau Domşa, and probably Francisc Gurguiat, so about half of them, were noblemen, although it cannot be excluded that those of the Szabó, Halmagy, and Lugasi families had the rank of minor nobles.

In parallel with the taking over of the town council by the nobility, in the seventeenth century the practice of cumulating the position of notary of the county with that of town notary of Caransebeş was established,

43 Magyar Tudományos Akadémia Könyvtára (Library of the Hungarian Academy of Sciences, hereafter MTAK) Kézirattár. Pesty Frigyes gyűjteménye: the document, preserved only in a nineteenth-century copy and dated March 6, 1594, was issued by the town council in favor of the head judge as a testimony that he had fulfilled his duties during office.

44 Magyar Nemzeti Levéltár Országos Levéltára (National Archives of Hungary, hereafter MNL OL), F 234 Erdélyi Fiscalis Levéltár, XXII, fasc. Q; Feneşan, *Documente medievale*.

45 He is mentioned among the jurors from 1610: MNL OL, F 234, XXII, Q, f. 20, the last document in which he appears is from 1642, see Feneşan, *Documente medievale*, 175–80.

46 Feneşan, *Documente medievale*, 147–48 (1619); 175–80 (1642).

and the occupants of the notary office came exclusively from two noble families established in the market town: the Bobic (Bobik) and Ivul (Ivuly) families. In both cases, they comprised specialized, literate individuals who also held other positions and dignities in the administrative structures of the area that required literacy (judges of nobles, assessors, members of the town council).⁴⁷ In the seventeenth century, practically the entire administration of the town of Caransebeș, the county of Severin, and the Banat of Caransebeș-Lugoș was made up of the same body of civil servants, most of whom came from among the noble families established in the town of Caransebeș.

The preeminence of the nobility was evident in all other public spheres, not only in administrative positions. Through various real estate transactions, the noble elite from the town amassed a series of properties and land within the town walls and in their vicinity. The transformation of part of the great noble families into an urban elite was a process that began in the fifteenth century and was a model to be followed by all the minor nobles in the Banat highlands.⁴⁸ In the sixteenth century, many middle and minor noble families (Vaida, Peica, Fodor, Ivul, and Bobic.) would also settle in Caransebeș, where they acquired houses, land, mills, and vineyards. Of the more than 100 documents issued by the town magistrate during the sixteenth and seventeenth centuries, most, as in the previous period, were still deeds of sale and purchase. A closer examination of the social origin of people engaged in the real estate transactions, however, reveals that the nobility predominated by far, being present in almost all cases of sale, purchase, or exchange of property in Caransebeș. Of the buyers who managed to amass urban domains, the most skillful seems to have been Sigismund Fiat, who, as we have seen, held positions for a long time at town, county, and Banat level. Similarly, the purchases made by the vice-*ban* Nicolae Măcițaș, worth about 280 florins, can be traced over a period of fourteen years (1633–1647); the same can be said of those by Francisc Măcițaș or Peter Ivul. A statistic from the end of the seventeenth century counted the existence of about 170 buildings within the town walls, most of them owned by families of noble origin established in the town in the Middle

47 Adrian Magina, "Notarii Caransebeșului în secolul al XVII-lea," *Analele Banatului, S.N., Arheologie-Istorie* 19 (2011): 303–9 and Adrian Magina "Nobility and Written Culture in the South-Western Borderland of the Principality of Transylvania," *Anuarul Institutului de Istorie Cluj-Napoca*, Supplement 24 (2015): 377–88.

48 Of the fourteen documents issued by the town council between 1456 and 1544, only three do not concern real estate transactions, and about half of the individuals involved in them were nobles. See Lakatos, "Városi nemesek," 74–76.

Ages or ennobled during the sixteenth and seventeenth centuries.⁴⁹ For the urban elite, belonging to the nobility, like for the other nobles, was a source of pride. Mihail Halici the Younger called himself *nobilis Romanus civis de Karansebes*, embodying three social, cultural, and political identities: that of a nobleman, of a Romanian, and of a citizen of Caransebeș.⁵⁰ However, until late in the seventeenth century, the differentiation between the urban community, albeit largely noble, and the noble community of the district/county persisted, although the two were intertwined and almost indistinguishable as a social category. Thus, in 1688, the entire community of the Caransebeș and Lugoj area (*tam nobilium quam civitatensium*) addressed their grievances to Emperor Leopold. The difference between the groups, at least at the semantic level, but certainly legally, is best captured by the Hungarian expression in the same document: *Karansebesi nemesi és városi rend* (the noble and urban status of Caransebeș).⁵¹ The members of the urban community, however, as is clear from all the documents discussed here, were still largely nobles, even when designated as townspeople. This is clearly stated in a document from 1695, in which, within the *totius communitatis civitatis* Caransebeș, we find members of the noble families Fiat, Fodor, Măciçaș, and Gârliște.⁵²

In conclusion, the main argument of this study is that the political language of the documents concerning Caransebeș uses two distinct social categories: the nobles (territorially subsumed to the district/county) and the townspeople. Among the latter we nevertheless largely find members of the noble elite. What makes the former socially (and legally) different from the latter, although their nobility was never in question, as they were all recognized as such? The answer to this question lies in the history of the district and the town of Caransebeș in the Middle Ages. In the district of Caransebeș, later overlapped by the county of Severin, the group consciousness and pride of being noble originated from the medieval tradition to which this elite was linked. The nobility of that area was a well-knit community, attached to certain social values since the fourteenth century. The privilege obtained by the Romanian districts of Banat in 1457 only officialized the rights and freedoms the nobility already used and enjoyed in the territory

49 Magina, "Tranzacții imobiliare," 182–87.

50 Nicolae Draganu, "Mihail Halici. Contribuție la istoria culturală românească din sec. XVII," *Dacoromania* 4 (1924–1926): 84.

51 MTAK Pesty gyűjteménye.

52 Costin Feneșan, "Comitatul Severinului la sfârșitul secolului al XVII-lea," *Tibiscum* (1988): 211–12.

of the district of Caransebeș.⁵³ The town of the same name, on the other hand, had a different, non-privileged status at that time. It was granted the Buda town law only at the end of the fifteenth century, during the office of Stephen Stoica, whereby the community obtained the right to elect its own magistrate. It can be considered that the semantic and legal difference was not a question of social belonging; rather, it depended on the position assumed publicly by each noble, either as representatives of the town or of the district/county community. Regardless of whether they were noble, when a person took official positions within town governance, they became subsumed to the urban community; the same was valid for offices within the district. Nobiliary pride for those who represented the district community was self-evident, for although they belonged to the town's elite, as mere representatives of the urban center they did not enjoy a high social status. The town, although heavily populated by nobles, remained a legal and social entity with a different social rank from that of the nobility, reflected in the terminology of documents of the time. It was an atypical situation, perhaps unique in the whole Principality of Transylvania, a situation that survived until 1658, when the town was conquered by the Ottomans.

About the author

Adrian Magina is an associate professor at the West University of Timișoara and senior researcher with the "Titu Maiorescu" Institute for Studies on the Banat in Timișoara. He has published extensively on the medieval and early modern history of the Banat region and has edited collections of primary sources. Most recent contributions include: *Acta et documenta partes Regni Hungariae inferiores concernentia*, collegit et edidit Hadrianus Magina, (Cluj-Napoca: Editura Mega, 2020), "Nos Christiani qui habitamus in hac urbe Temesuar. Christians and Ottomans in Timișoara in the second half of 16th century," in *Eastern European History Review*, 5 (2022): 95-110.

53 Cosmin Popa-Gorjanu, "From *kenezii* to *nobiles valachi*: the Evolution of the Romanian Elite of the Banat in the Fourteenth and Fifteenth Centuries," *Annual of Medieval Studies at CEU* 6 (2000): 125.

Part III.

Town Books and Town Statutes in Early Modern
Transylvania

7. Representations of the Urban Political Order in a Written Context: The First Protocol Book of Sibiu (1522–1565)*

Mária Pakucs-Willcocks

Abstract: The study focuses on the first extant protocol book of Sibiu and the Transylvanian Saxons and its various uses in the early modern period. It argues that the town book of Sibiu was a powerful tool for projecting the idea of good governance and for promoting the town council's role as defender of the common good. The entries are analyzed from different perspectives, highlighting the notarial role of the protocol book for safekeeping public and private documents, which became increasingly significant over the course of the sixteenth century. The town book reflects the shift in the Transylvanian Saxons' language of administration from Latin to German after the Reformation.

Keywords: Sibiu, Transylvanian Saxons, town book, town council, notaries, sixteenth century

As part of my research with the Nicolae Iorga Institute of History, I undertook to publish the first preserved town protocols of Sibiu. With the support of the Arbeitskreis für Siebenbürgische Landeskunde and the Institut für deutsche Kultur und Geschichte Südosteuropas in München, the work was printed under the title “*zu urkundt in das Stadbuch lassen einschreiben*”: *Die*

* The writing of this text was supported financially by the research grant PN-III-P4-PCE-2021-0376 GUTEPOL of the Ministry of Research, Innovation, and Digitization CNCS-UEFISCDI, within PNCDI III.

ältesten Protokolle von Hermannstadt und der Sächsischen Nationsuniversität (1522–1565).¹

The protocols of Sibiu are part of a group of specific products of medieval and early modern urban chanceries in Central Europe, created for political, administrative, and economic purposes.² The publication of these town protocol books and account books since the nineteenth century has produced cornerstone editions of primary sources and has maintained the interest of researchers ever since. In the age of the digital humanities, many of the printed editions are now compiled in the *Index Librorum Civitatum* and coordinated by Professor Andreas Raft from the Martin Luther University in Halle-Wittenberg. The web page and database bring together editions of town protocol books and secondary literature relevant to medieval and pre-modern cities in Europe; it includes the Saxon towns of Transylvania (Sibiu, Braşov, and Bistriţa), towns for which there is a bibliography accessible to German scholars.³

In this study, I present the first protocol book of Sibiu, started in 1522, and analyze its significance for the town officials as a tool of governance but also for their self-representation as legitimate authority (*Obrigkeit*) for their submissive (*gehorsam*) citizens.

Town chanceries and town books

The practice of urban writing in the medieval kingdom of Hungary was studied recently by Katalin Szende,⁴ who argued that administrative literacy was the result of a process of building the autonomy of a town and its institutions, such as obtaining a town seal or employing a town notary

1 A shorter version of the text was published as an introduction to the town book of Sibiu, Mária Pakucs-Willcocks, ed., “zu urkundt in das Stadbuch lassen einschreiben”: *Die ältesten Protokolle von Hermannstadt und der Sächsischen Nationsuniversität (1522–1565)* (Sibiu: Schiller, 2016), 7–14.

2 Konrad Beyerle, “Die deutschen Stadtbücher,” *Deutsche Geschichtsblätter* 11, nos. 6–7 (1910): 146. For more, see Julia Derzsi, *Delict și pedeapsă: Jurisdicția penală în orașele săsești din Transilvania în secolul al XVI-lea* (Cluj-Napoca: Egyetemi Műhely Kiadó, 2022), 29–30; For the Vienna town book as an example of source analysis, see Ferdinand Opll, *Das Wiener Eisenbuch: Zum Quellentypus und den im Zuge der Restaurierung neu gewonnenen Erkenntnissen*, in *Daz si ein recht puech solten haben ... Kodikologische, kunsthistorische, paläographische und restauratorische Analyse zum Wiener Eisenbuch (14.–19. Jahrhundert)*, ed. Idem (Innsbruck: Studien Verlag, 2010), 149.

3 Accessed June 30, 2024: <https://www.stadtbuecher.de/>.

4 Katalin Szende, *Trust, Authority, and the Written Word in the Royal Towns of Medieval Hungary* (Turnhout: Brepols, 2018).

as a permanent employee of the chancery.⁵ Recently, the publication of medieval urban registers and account books from towns in Western Hungary has made significant strides, reflecting a constant interest in this type of historical source.⁶ Similar efforts of editing urban chancery books have been fruitful for the medieval city of Warsaw in the volumes published by Agnieszka Bartoszewicz.⁷ Furthermore, the full edition of the first protocol book of Lviv was published recently by Myron Kapral and Bohdana Petrushak.⁸

For Transylvania, town protocol books have garnered attention as well.⁹ The Transylvanian Museum Association (Erdélyi Múzeum-Egyesület) and its researchers have edited the town books of Turda (1993) and Alba Iulia (1998).¹⁰ The town book of Târgu Mureș, which contains the statutes and laws of this town since 1604, has been partially published in the compendium of pre-modern legislation edited in 1885 by Sándor Kolozsvári and Kelemen Óvári and later edited by Sándor Pál-Antal (2006).¹¹ For the urban centers of Wallachia and Moldavia, there are early mentions of town registers (*catastifele târgului*), although none have survived before the eighteenth century.¹²

5 Ágnes Flóra, “Laborem circumspecti domini notarii: Town notaries in early modern Transylvania,” in *Writing and the Administration of Medieval Towns. Medieval urban literacy*, ed. Marco Mostert, Anna Adamska, vol. 1 (Turnhout: Brepols, 2014), 313–35.

6 Jenő Házi and János Németh, eds., *Gerichtsbuch: Bírósági könyv (1423–1531)* (Sopron: Győr-Moson-Sopron Megye Soproni Levéltára, 2005); Károly Mollay and Károly Goda, eds., *Gedenkbuch: Feljegyzési könyv (1492–1543)* (Sopron: Győr-Moson-Sopron Megye Soproni Levéltára, 2006); Judit Majorossy and Katalin Szende, “Libri civitatum: Városkönyvek a középkori Magyar Királyság közigazgatásában,” in *Tiszteletkőr: Történeti tanulmányok Draskóczy István egyetemi tanár 60. születésnapjára*, ed. Gábor Mikó et al. (Budapest: ELTE, 2012), 319–30.

7 Agnieszka Bartoszewicz, ed., *Album civium Civitatis Antiquae Varsaviae: Księga przyjęć do prawa miejskiego Starej Warszawy 1506–1586* (Warsaw: Naczelna Dyrekcja Archiwów Państwowych, 2020); Agnieszka Bartoszewicz, ed., *Księgi ławnicze Starej Warszawy z lat 1453–1535* (Warsaw: Wydawnictwa Uniwersytetu Warszawskiego, 2020).

8 Myron Kapral and Bohdana Petrushak, eds., *Liber consulum civitatis Leopoliensis (1460–1506)* (Lviv: National Academy of Sciences of Ukraine, 2020).

9 András Kiss, “A kolozsvári városi könyvek,” in *Emlékkönyv Jakó Zsigmond nyolcvanadik születésnapjára*, ed. Gábor Sipos (Cluj-Napoca: EME, 1996), 214–29.

10 Rudolf Wolf, ed., *Torda város tanácsijegyzőkönyvei (1603–1678)* (Cluj-Napoca: EME, 1993), <http://mek.oszk.hu/02800/02882/02882.pdf>; András Kovács, ed., *Gyulafehérvár város jegyzőkönyvei: Gyulafehérvár városkönyve (1588–1674); Gyulafehérvár város törvénykezési jegyzőkönyvei (1603–1616)* (Cluj-Napoca: EME, 1998), <http://mek.oszk.hu/02800/02844/02844.pdf>.

11 Pál-Antal Sándor, *Marosvásárhely XVII–XVIII. századi jogszabályai és polgárnévsorai* (Târgu Mureș: Mentor, 2006), 47–238; Árpád-Botond György, “A város és igazságszolgáltatása: Marosvásárhely a 17. században,” PhD diss., ms. (University of Cluj-Napoca, 2021), 49 sqq.

12 Laurențiu Rădvan, *At Europe's Borders: Medieval Towns in Romanian Principalities* (Leiden: Brill, 2010), 404; Daniel Botezatu, “Catastiful târgului Botoșani,” *Acta Moldaviae Septentrionalis* 18 (2019): 177–81.

The situation of the Saxon towns is a particular one in the Transylvanian context and in the editorial landscape of these types of historical sources. Local archiving efforts, which began as early as the sixteenth century, ensured the preservation of rich archival fonds.¹³ Furthermore, the early interest of local historians and archivists in source publications resulted in series dedicated to the late medieval account books of Braşov and Sibiu.¹⁴ In the case of Braşov, the most important commercial town of Transylvania, the account books and various financial records from the late Middle Ages to the mid-sixteenth century were edited in several volumes in the nineteenth century.¹⁵ A new generation of historians has now taken on the task of transcribing and publishing documents from the Saxon archives. Thus, the series on Braşov has continued into the 2000s with the most recent addition by Julia Derzsi, who has edited the judicial protocols of the town council (1558–1580),¹⁶ while Zsolt Simon and András Péter Szabó have published the medieval account books of Bistriţa online as part of a project at the Ungarn-Institut in Munich.¹⁷ Excerpts from the protocol book of Mediaş (1508–1698) have been published, while the original has been maintained in the archives of Sibiu.¹⁸ We also know of extant and yet unpublished protocol books from the late Middle Ages for the towns of Bistriţa and Sighişoara.¹⁹

The focus of my research is the town of Sibiu, whose early account books and town registers were printed in 1880 in a single volume of a subsequently

13 In 1546, Christian Pomarius compiled the first ledger of the charters kept in the town hall of Sibiu: Gernot Nussbächer, “Din activitatea arhivistică a lui Christian Pomarius,” *Revista Arhivelor* 8, no. 2 (1965): 169–80.

14 A full catalogue of the town archive of Sibiu was edited by Franz Zimmermann, *Das Archiv der Stadt Hermannstadt* (Sibiu, 1881). See also Peter Moldovan, “Privire retrospectivă asupra arhivelor oraşeneşti Sibiu, Bistriţa, Braşov,” *Revista Arhivelor* 86, no. 1 (2009): 87–88.

15 *Quellen zur Geschichte der Stadt Kronstadt in Siebenbürgen*, vol. 1 (1503–1526) (Braşov, 1876); vol. 2 (1526–1540) (Braşov, 1889); vol. 3 (1541–1550) (Braşov, 1896).

16 Julia Derzsi, ed., *Das Gerichtsbuch des Kronstädter Rates (1558–1580)* (Braşov, Heidelberg: Aldus Verlag, AKSL, 2016).

17 See introductory study to Zsolt Simon and András Péter Szabó, eds., *Die mittelalterliche Stadt Bistritz/Nösen in Siebenbürgen und ihre Rechnungsbücher*, accessed June 30, 2024, https://www.ungarisches-institut.de/images/content/projekte/bistritz/einleitung_rechnungen_bistritz.pdf.

18 Joseph Bedeus von Scharberg, “Mittheilungen über ein Medwischer Stadtbuch aus dem 16. und 17. Jahrhundert,” *Archiv des Vereins für Siebenbürgische Landeskunde* 3 (1858): 30–120; Serviciul Judeţean al Arhivelor Naţionale (Romanian National Archives, hereafter SJAN) Sibiu, Manuscrise Varia II, 139.

19 SJAN Cluj, POB, IIIa, nos. 1–3, with many thanks to Julia Derzsi for her generosity in offering information and data. See also András Péter Szabó, “Beszterce város levéltárának történetéhez,” *Levéltári Közlemények* 78, no. 1 (2007): 104; Sighişoara: SJAN Braşov, Primăria Sighişoara, Protocolul oraşului Sighişoara nr. 2, with thanks to Liviu Cîmpeanu for his kind support in providing the information.

incomplete series dedicated to the town's archives.²⁰ I am especially interested in certain types of urban protocols, those containing administrative, political, and juridical decisions of the highest authorities in town: the council and the elected officials (mayor or judge). Eberhard Isenmann has argued that these types of documents, known in the vernacular as *Stadtbücher*, represented specific instruments of medieval urban governments for practical reasons of administration in addition to generating legitimacy and authority for the town fathers.²¹ The symbolic power of these town protocols was conveyed in their appearance: in many towns, *Stadtbücher* had covers bound in expensive red leather. Hence, in the German cities, such protocol books were commonly called "red books."²² In Transylvania, the protocol book of Alba Iulia was known under the same name (*vörös könyv*).²³ The nineteenth-century editor Anton Kurz noted that a precious red leather-bound register was kept in the Braşov archives, which contained the decisions of the town council and centumvirs from 1577 to 1652. He described the decorations on the cover, containing the engraved portraits of Martin Luther, Philip Melancton, and Erasmus of Rotterdam.²⁴ Today it is known as the protocol book of the centumvirs from 1602, *Acta et decreta communitatis centumviris*.²⁵

The first town book of Sibiu (1522–1565)

In the introduction to this first published edition of the town book, I stopped short of addressing questions such as administrative literacy and urban chancery, which are topics of great interest in current scholarship,²⁶ since

20 *Quellen zur Geschichte Siebenbürgens aus sächsischen Archiven*, vol. 1, *Rechnungen aus dem Archiv der Stadt Hermannstadt und der sächsischen Nation* (Sibiu, 1880).

21 Eberhard Isenmann, *Die deutsche Stadt im Mittelalter, 1150–1500* (Cologne: Böhlau, 2014), 434.

22 Beyerle, "Deutsche Stadtbücher," 189; more recently, Krzysztof Fokt, "Liber primus: Anmerkungen zum Roten Buch als dem ersten Stadtbuch von Görlitz," *Krakowskie Studia z Historii Państwa i Prawa* 11, no. 4 (2018): 427, accessed July 21, 2024, doi:10.4467/20844131KS.18.037.9479

23 Kovács, *Gyulafehérvár*, 3.

24 Anton Kurz, "Das rothe Büchel der Stadt Hermannstadt," *Magazin für Geschichte, Literatur und alle Denk- und Merkwürdigkeiten Siebenbürgens* 1 (1844): 239–40.

25 Bernhard Heigl, Petra Rezac, and Thomas Şindilariu, eds., *Archivführer zur Geschichte der Deutschen in Kronstadt und dem Burzenland* (Oldenbourg: deGruyter, 2016), 68; Elisabeta Marin, "Jurământul arhivarului, regăsit în primele Instrucţiuni pentru arhivarul oraşului Braşov," *Arhiva românească* 1, no. 2 (1995): 162 refers to the eighteenth-century book of statutes of Braşov "the red town book."

26 Mostert and Adamska, *Writing and the Administration of Medieval Towns: Medieval Urban Literacy*, vols. 1–2 (Turnhout: Brepols, 2014); Mathias Franc Kluge, *Die Macht des Gedächtnisses:*

my focus was on the protocol book as a documentary source and its symbolic meaning for the town authorities.

The original of the first Sibiu protocol book is kept in the County Archives of Sibiu, in the fonds “Magistratul oraşului și scaunului Sibiu,” Inventory no. 211, doc. 1. The book has 231 folios, with brownish leather binding (it might have been red originally). Dual-page numberings are visible on the pages, one in black ink, dating probably from the nineteenth century, and the second one in pencil, made in 1984. There are 362 entries, written in Latin and, beginning with 1556, in German.

Historians saw the potential of the Sibiu protocol book in the nineteenth century, when statutes and juridical entries were extracted and published selectively; however, with few exceptions, this crucial document for urban history remained unknown for many generations of researchers. Friedrich Schuler von Libloy, the first historian of customary law in early modern Transylvania, provided a taxonomy of the decrees and statutes from the protocol book, based on whether they were voted by the town council or the Saxon University.²⁷ Furthermore, von Libloy classified the decisions of the council according to the designation of its members as *senators* or *consuls*, distinguishing between “senatorial” and “consular” decisions. Such a fine distinction, however, is superfluous and inconclusive, because the political vocabulary of the notaries who oversaw the town book varied, and the terms mentioned above were used interchangeably to designate the same political entity—the town council.²⁸

German-language entries, especially those from before 1559, have attracted the attention of historians since the nineteenth century. As noted above, Friedrich Schuler von Libloy published 22 documents, selected

Entstehung und Wandel kommunaler Schriftkultur im spätmittelalterlichen Augsburg (Leiden: Brill, 2014). For Poland, see Agnieszka Bartoszewicz, *Urban Literacy in Late Medieval Poland* (Turnhout: Brepols, 2017), with a chapter on the medieval Polish town books, 108–18.

27 Friedrich Schuler von Libloy, *Das Privatrecht der Siebenbürger Deutschen (Sachsen) im systematischen Grundrisse* (Sibiu, 1858), 345–48; Gustav Seivert, *Hermannstädter Lokal-Statuten: Festgabe den Mitgliedern des Vereins für siebenbürgische Landeskunde gewidmet im Jahre 1869* (Sibiu: Th. Steinhausen, 1869), 24–30; Sándor Kolozsvári and Kelemen Óvári, eds., *Corpus statutorum Hungariae iurium municipalium/A magyar törvényhatóságok jogszabályainak gyűjteménye*, vol. 1 (Budapest: Magyar Tudományos Akadémia, 1885), 509–10, 513, 518, 537–39; Andreas Scheiner, “Die Sprache des Teilschreibers Georg Dollert: Beitrag zu einer Geschichte hermannstädtischer Geschäftssprache,” *Archiv des Vereins für Siebenbürgische Landeskunde* 47 (1933): 8–32.

28 There is no discussion in the scholarship of Transylvanian towns about the republican political vocabulary, inspired by ancient Rome, and which has been in use since the Middle Ages. See Martin van Gelderen, Quentin Skinner, eds., *Republicanism: A Shared European Heritage*, vol. 1, *Republicanism and Constitutionalism in Early Modern Europe*, and vol. 2, *The Values of Republicanism in Early Modern Europe* (Cambridge: Cambridge University Press 2009, 2012).

to illustrate his monograph on the laws of the three political nations of Transylvania.²⁹ Gustav Seivert extracted several statutes from the protocols and published them in 1869,³⁰ while several statutes and regulations were included in the corpus of legal documents of historic towns in Hungary, edited by Sándor Kolozsvári and Kelemen Óvári.³¹ Philologist Andreas Scheiner used the protocol book as evidence for the existence of an urban chancery in Sibiu in the early sixteenth century and published the entries written in German before 1556.³²

The abstracts of the entries in this town book were compiled in 1958; the work had the merit of bringing forth the rich content of the document, but ideological constraints tainted the methodology of transcribing the original names into Romanian.³³ A digital edition of the document has been available on CD-ROM since 2007, thanks to the digitizing project led by Thomas Şindilariu.³⁴ Thus, under the aegis of the events dedicated to Sibiu as European Capital of Culture in 2007, the scanned images of the protocol book in high-resolution imagery were a huge editorial leap forward for the publication of medieval and early modern sources in Romania. Now, the fully-digitized protocol book is available online, on the *arhivamedievala.ro* portal. Dana Janetta Dogaru has been the only scholar who has shown recent professional interest in the Sibiu town books, exploring the immense potential of this historical document from a linguistic point of view.³⁵

In this study, I take a multifaceted approach to the town book as a historical source, as an administrative tool, and as a symbolic item for representing good governance. Historically, a mention from a marriage contract from 1419 refers to a *statpuch*,³⁶ possibly indicating that some form of official protocol book of Sibiu might have existed then, but it was

29 Schuler von Libloy, *Das Privatrecht*, 345–48.

30 Seivert, *Hermannstädter Lokal-Statuten*, 24–30.

31 Kolozsvári and Óvári, *Corpus statutorum*, vol. 1: 509–10, 513, 518, 537–39.

32 Scheiner, “Sprache,” 8–32.

33 Gheorghe Duzinchevici, Evdochia Buta, and Herta Gündisch, eds., *Inventarul protocoalelor primăriei Sibiu, 1521–1700* (Bucharest: Arhivele Statului, 1958).

34 Käthe Hienz, Bernd Heigl, and Thomas Şindilariu, eds., *Hermannstadt und Siebenbürgen: Die Protokolle des Hermannstädter Rates und der Sächsischen Nationsuniversität (1391–1705)* (Sibiu: Honterus, 2007).

35 Dana Janetta Dogaru, “Zur syntaktischen Ausprägung der deutschen Amtssprache in Hermannstadt in der zweiten Hälfte des 16. Jahrhunderts: Der Verbalkomplex,” *Zeitschrift der Germanisten Rumäniens*, 29–30/31–32 (2006–2007): 509–20; Eadem, “Deutsche Kanzleisprache in Siebenbürgen,” in Albrecht Greule, Jörg Maier, and Arne Ziegler, eds., *Kanzleisprachforschung: Ein internationales Handbuch* (Berlin: De Gruyter, 2012), 571–88.

36 Gustav Gündisch et. al., eds., *Urkundenbuch zur Geschichte der Deutschen in Siebenbürgen*, vol. 4 (Sibiu, 1937), 116; Hienz, Heigl, and Şindilariu, *Hermannstadt und Siebenbürgen*, 17.

not found in the town archives when modern archival arrangement began in the nineteenth century.³⁷ Thus, the protocol book started in 1522 by Georg Reicherstorffer is the first extant one, and it bears no indication to the existence of a previous town book.

The town notaries of Sibiu used different terms to refer to the protocol book: *codex*, *prothocollon*, *protocolon urbis*, *liber civitatis*, and *Stadbuch*, of which the latter two were the most common. The symbolic power of this official town book was extolled upon in the preamble to the actual entries, masterfully formulated by Reicherstorffer: oblivion threatens the laws that need to be remembered; therefore, all the decrees and juridical sentences of the town council should be preserved in writing. This political validation was afforded not only by the work done for justice and for the common good³⁸ but also by the place where the sentences and decrees were pronounced, namely, the town house (*consistorium*, *Rathaus*). The council and its meeting hall were poles of power and responsibility.³⁹ Similar formulae and references from the preamble are found in the protocol book of Bistrița, started in 1525 by town notary Christianus Pomarius but preserved only in the copy made by Georg Seraphini in 1542.⁴⁰ In this year, the highest Saxon officials had gathered in Bistrița to pacify the city after two turbulent decades and decided together to burn the old protocol book and start a new one in order to herald social peace and a harmonious common living. It is highly likely that Georg Seraphini adapted the preamble of the Sibiu town book.

Initially, the town book was also used to record the minutes and decisions of the Transylvanian Saxon University (*Universitas Saxonum*). Owing to Sibiu's status as the seat of the *Universitas*,⁴¹ the protocol book served this institution as well until 1544. This might explain why a different, smaller protocol book was created for writing down the town statutes of 1541, 1589, and 1631.⁴² In 1544, a separate protocol book was begun for the Saxon University,⁴³ separating urban affairs from those of the entire Saxon com-

37 Scheiner, "Sprache," 48.

38 István M. Szijártó, "A közjő fogalma a kora újkori politikai diskurzusokban," *Történelmi Szemle* 58, no. 4 (2016): 499–503.

39 Isenmann, *Die deutsche Stadt*, 327; Mária Pakucs-Willcocks, *Sibiul veacului al XVI-lea: Rânduirea unui oraș transilvănean* (Bucharest: Editura Humanitas, 2018), 59–60.

40 On the town notaries of Bistrița see Julia Derzi, "Notarii orașenești la sașii din Transilvania în secolul al XVI-lea," *Analele Științifice ale Universității "Alexandru Ioan Cuza" din Iași* 66 (2020): 115–16.

41 Enikő Rüszt-Fogarasi, "Nagyszeben, a százok 'fővárosa'?" *Urbs: Magyar Várostörténeti Évkönyv* 8 (2013): 48.

42 SJAN Sibiu, *Documente medievale U IV. 595*, available on arhivamedievala.ro. Statutes published in Seivert, *Hermannstädter Lokal-Statuten*.

43 Hienz, Heigl, and Șindilariu, eds., *Hermannstadt und Siebenbürgen*, 16.

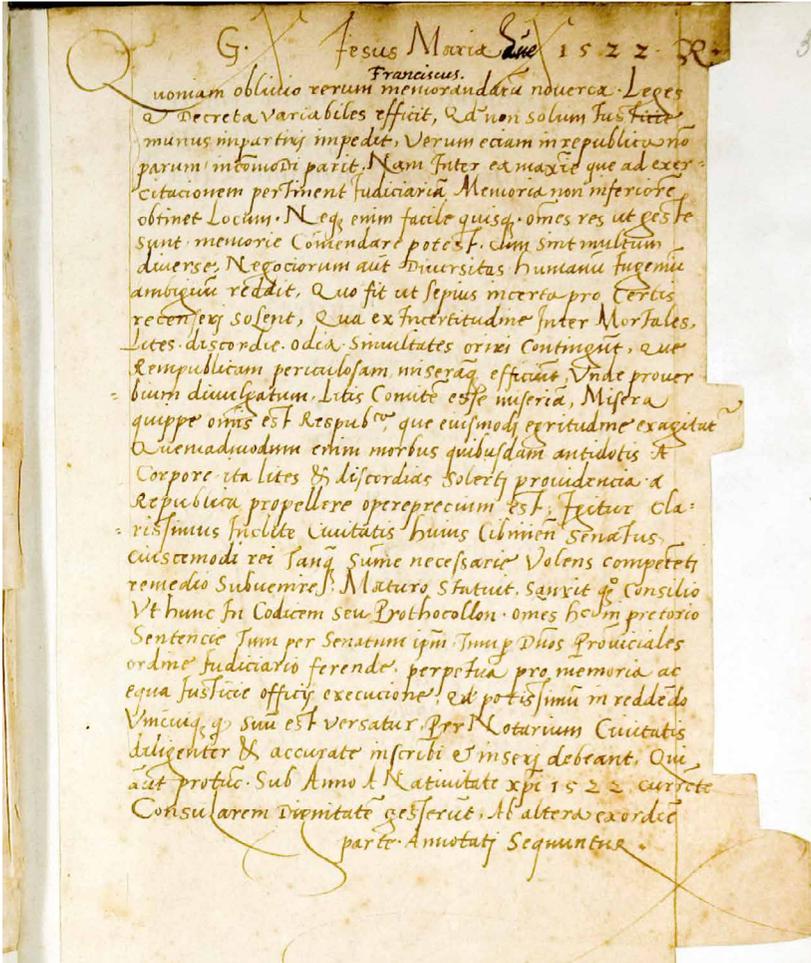


Figure 7.1. Preamble page of the first Sibiu town book, 1522 (SJAN Sibiu, MOS, Protocele de sedință, no. 1, 2r).

munity in Transylvania. The double role played initially by the protocol book is reflected on its title page: *Prothocollon provincie Saxonum necnon civitatis Cibiniensis sub anno 1522 feliciter ceptum et congestum* (Protocol book of the Saxon territories and of the town of Sibiu joyously begun in the year 1522).

The purpose and use of the protocol book crystallized over the years: it remained a strong representative tool for the town council, containing the list of the elected officials every year, while its role of legal record keeping became dominant. Thus, the inhabitants of Sibiu turned increasingly to the town notary to write down in the protocol book their agreements, sales contracts, and last wills and testaments. The town council was first instance

in minor civil cases;⁴⁴ therefore, it decided in disputes over property, which, upon request, were consequently recorded in the protocol book. For the interested parties, the protocol book offered extra guarantees for safekeeping as opposed to single documents,⁴⁵ which could be lost (doc. 227 in my edition) or perish in fire (doc. 193 and 303 in my edition). In the subsequent protocol book of Sibiu, covering the period between 1566 and 1637, notaries began to write a summary of the entry on the page margins, also specifying whether it concerned an urban or rural case. This practice suggests that the protocol books were used more as archives and official depositories, and the marginal notes eased the searching of data, but also reveals that inhabitants from the villages under the authority of Sibiu resorted to the town book to notarize their legal transactions.

As mentioned above, town notary Georg Reicherstorffer was instrumental in the inception of the Sibiu protocol book in 1522. He remained in the service of the town council until 1525, when he moved to Buda as the personal secretary of Queen Mary and joined the court of Ferdinand I after the Mohács disaster. All notaries that followed in this office were individuals with great contributions to the cultural history of the Transylvanian Saxons in the sixteenth century. Each notary had his own juridical terminology and diplomatic formulae, thus leaving their individual mark on the entries in the Sibiu town book. Town notaries enjoyed great regard in the Sibiu government, as their names were included in the official page with the annual composition of the town council, which was not the case in Cluj, for instance.⁴⁶

Table 7.1. List of notaries and their records in the Sibiu town book, 1522, 1565

NOTARY	Years active in Sibiu	Entries in the town book
Georg Reicherstorffer	1522–1525 (?)	Doc. 1–29 (?)
Johannes Mildt (Myldt)	1526–1530	Doc. 30–66
Lucas Trapoldianus	1531–1546	Doc. 67–233
Christian Pomarius	1547	Doc. 234–240
Thomas Bomelius	1548–1554	Doc. 241–296, 298–301
Emanuel Trapoldianus	1555	Doc. 297
Johannes Rhyssus	1556–1562	Doc. 302–341
Michael Siglerus	1563–1565	Doc. 342–362

44 Derzsi, *Delict și pedeapsă*, 109.

45 For a similar argument regarding Dresden, see Thomas Kübler and Jörg Oberste, eds., *Das sechste und siebente Stadtbuch Dresdens (1505–1535)* (Leipzig: Leipziger Universitäts Verlag, 2011), 27.

46 Ágnes Flóra, *The Matter of Honour: The Leading Urban Elite in Sixteenth Century Transylvania* (Turnhout: Brepols, 2019), 83.

The only entries in the protocol book that have the *manu propria* signature of Georg Reicherstorffer are the preamble, discussed above, and the first list of town officials of 1522. I can infer that Reicherstorffer wrote all the entries in the town book until 1525. For doc. 33, the signature belongs to a certain *vicegerens notarii*, meaning that Reicherstorffer had left Sibiu for Buda to work at the royal court by that time.⁴⁷ Nevertheless, my assumption is that Johannes Mildt had begun to enter records into the protocol book before that, as his squared lettering can be recognized beginning with doc. 30.

After Johannes Mildt, Lucas Trapoldianus (or Trapoldner, as he was also known) was called into the office, serving many years for the town chancery but also for the advancement of printing culture in Transylvania. Owing to the scholarship of Zsolt Simon, we know that Lucas Trapoldianus used the first printing press in Transylvania as early as 1525 and went on to become one of the most productive printers of his time.⁴⁸ Christian Pomarius, who came to Sibiu from Bistrița, organized the town archives and compiled the first archival register.⁴⁹ In turn, Thomas Bomelius is known for his juridical expertise in finalizing the written code of law of the Transylvanian Saxons, *Statuta iurium municipalium Saxonum in Transsylvania*, or in German translation, *Das Eigen-Landrecht der Siebenbürger Sachsen*, printed in 1583.⁵⁰

Whereas there are evident limitations inherent to the concept and registration of the Sibiu protocol book, it also holds insights into juridical practices that are not known to scholarship to date. The most salient example is an inheritance custom identified as *unio puerorum* in the protocol book. So far, I have been unable to find any other reference to this practice, which seems to have consisted of joining the estates of children in subsequent marriages

47 In October 1525, Queen Mary of Hungary had requested Sibiu officials to assist Georg Reicherstorffer in his departure for Buda by providing him the necessary paperwork. The letter mentions that Reicherstorffer was going to be accompanied by “his wife, children and the entire family.” SJAN Sibiu, Documente medievale U IV. 297, arhivamedievala.ro.

48 Zsolt Simon, “Primele tipărituri din Transilvania (Sibiu 1525),” *Anuarul Institutului de Istorie George Barițiu din Cluj-Napoca* 46 (2007): 89–106; Klaus Popa, “Neue Erkenntnisse über den siebenbürgischen Buchdrucker Lucas Trapoldner,” *Magyar Könyvszemle* 112 (1996): 358–62, arguing that Trapoldianus studied in Cologne.

49 Konrad Gündisch, “Christian Pomarius und die Reformation in Nösnerland,” in *Luther und Siebenbürgen: Ausstrahlungen von Reformation und Humanismus nach Südosteuropa*, ed. Georg Weber and Renate Weber (Cologne: Böhlau, 1985), 115.

50 Gernot Nussbächer, “Zur Biographie von Thomas Bomelius,” *Zeitschrift für Siebenbürgische Landeskunde* 29 (2006): 137–141; Julia Derzsi, “Párhuzamos életrajzok: Thomas Bomelius és Matthias Fronius; Értelmiségi pályák a közösség szolgálatában,” in *Hivatalnok értelmiségi a kora újkori Erdélyben*, ed. Zsolt Bogdándi and Tamás Fejér (Cluj-Napoca: Erdélyi Múzeum-Egyesület, 2016), 50–52.

of their parents (doc. 66 and 116).⁵¹ Thus, the shares of the inheritance of all the children in the rearranged families became equal, but to the detriment of those minors who had more wealth passed onto them by their deceased parent. I assume that this was the reasoning behind the law adopted in 1538 by the Saxon University (doc. 146), forbidding recomposed families to unify the estates of their underage offspring. Cases from 1553 (doc. 282) and 1557 (doc. 314) show, however, that this practice continued to be used. It is not clear why the Saxon officials wanted to eradicate this practice; what is sure is that the *unio puerorum* was not included in the 1583 code of law, the *Eigen-Landrecht*. With the present data, I cannot gauge whether the omission from the written law ended the practice. Known in German as “Einkindschaft,” this practice is documented in the German-speaking territories in the Middle Ages.⁵² In the Austrian Civil Code of 1811, it was still mentioned, although as a legally invalid contract.⁵³ According to my research thus far, recent literature interest has shown no interest in the customary law of Transylvanian Saxons, and it has escaped the attention of legal historians as well.⁵⁴

In the protocol book, several town statutes are written down, reflecting the concern for good governance and the social order: eight town laws (doc. 205, 224, 2265, 266, 353, 355, 352) and two regulations approved by the Saxon University (doc. 146 and 196). We know that these were put into practice from a few cases referring to the town laws. For example, a house sale was annulled in 1549 (doc. 254), because the sellers failed to announce the sale publicly three times, as required by the town statute of 1544 (doc 245).⁵⁵

We know from the town statute of 1589 that public officials were keen on controlling transactions with real estate (houses and land) in Sibiu, with the aim of maintaining a tight grip on immigration into town. The main concern was to keep the town Lutheran and German-speaking; thus, only kin of the burghers were allowed to own property in Sibiu. Any other individuals who happened to have an inheritance in town had to sell it to townsfolk.⁵⁶ The

51 It was 1/3 of the deceased mother's estate or 2/3 of the father's estate.

52 “Einkindschaft,” *Deutsches Rechtswörterbuch*,

<https://drw.hadw-bw.de/drw-cgi/zeige?index=lemmata&term=einkindschaft>

53 *Allgemeines bürgerliches Gesetzbuch für die deutschen Erbländer der österreichischen Monarchie*, vol. 1 (Vienna: 1811), 364, <http://www.literature.at/alo?objid=11585>.

54 Kolozsvári and Óvári, *Corpus statutorum*, vol. 1, where the editors explain that the practice favored the parents.

55 See also the study by Árpád-Botond György in this volume.

56 Kolozsvári and Óvári, eds., *Corpus statutorum*, vol. 1, 561.

goal was to prevent individuals with a different legal status, namely nobles, from owning property in town. We know from other Transylvanian towns that mixed communities comprised of citizens with duties and nobles with exemptions created frictions between the inhabitants and financial difficulties for the town officials.⁵⁷

Townfolk reported to the town council the inheritance of orphaned children when the houses or plots had to be sold on because the family could not afford to keep them. In these situations, the council approved the sale of property to other relations or to neighbors. Such cases were numerous in 1556, when a great fire destroyed a large part of the city.⁵⁸ More than ever, the houses inherited by children were in ruins; therefore, many families turned to the council for permission to sell the homes and plots inherited by their underaged relations (doc. 303, doc. 305, doc. 306).

The Sibiu protocol book also holds the first preserved sumptuary law of the town. In 1565, a decision of the council (doc. 355) imposed the number of guests and tables allowed at celebrations and festivities, i.e., Ash Wednesday feasts, acceptance into a guild, or engagement and wedding receptions. The main goal of the statute was to rein in excess and senseless spending.⁵⁹

The second part of this council regulation provides a list of recommended wages for daily laborers and maids. This is the first instance of such a measure by the town council and is a strong indicator of its efforts towards regulating labor relations. While we have no data about the effectiveness of these measures, they nevertheless reflect the concern of the town authorities for good governance and for the common weal.

While the notarial function of the town book increased over time, there are on average only eight entries per year, not counting the lists of officials. Thus, the town book does not cover the entire administrative and juridical work and output of the Sibiu town council. The official discourse of serving the *res publica* notwithstanding, I argue that not everyone in Sibiu had access to the protocol book, as not all the sentences of the town council were registered in it. It is my conjecture that, although not documented in the protocol book, any transcription of a private legal document into the town book incurred a certain fee, as this was a widely spread practice in late medieval and early modern chanceries. Furthermore, fees were paid

57 See the studies by Anikó Szász, Adrian Magina, and Árpád-Botond György in this volume.

58 Gustav Gündisch, "Der Hermannstädter Aufstand des Jahres 1556," in *Aus Geschichte und Kultur der Siebenbürger Sachsen: Ausgewählte Aufsätze und Berichte*, ed. Gustav Gündisch (Cologne: Böhlau, 1987), 213–14.

59 Mária Pakucs-Willcocks, "Transylvanian Civic Sumptuary Laws in the Early Modern Period: Preliminary Observations," *Revista Istorică* 29, nos. 1–2 (2018): 62.

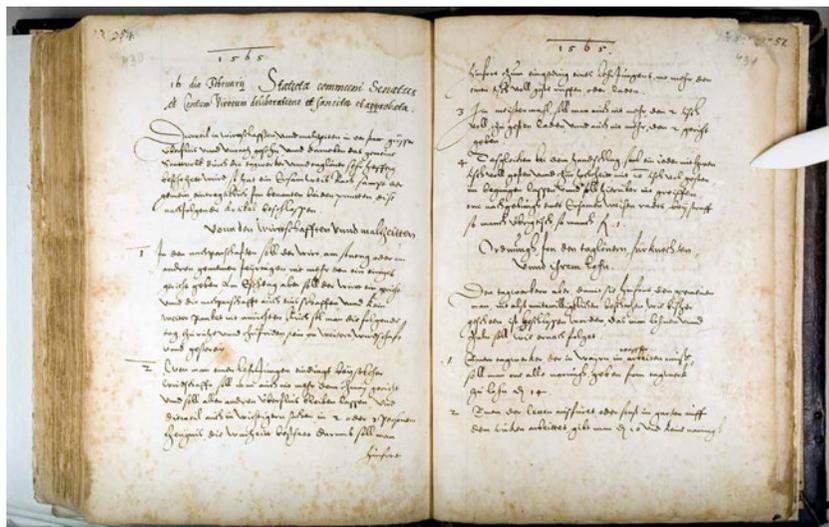


Figure 7.2. The first sumptuary law of Sibiu, 1565 (SJAN Sibiu, MOS, Protocele de ședință, no. 1, 216r).

for transcriptions into the princely protocol books (*librii regii*), which had a notarial role similarly to the Sibiu town book.⁶⁰ This fee, in turn, restricted the access of the citizenry to this extra safety of their transactions. The expression used was “we asked that this should be written into the town book” (*aufbittlich anlangen solchs ins stadbuch haben einlassen schreiben*, doc. 328), which could indicate that the registration was made on request and against payment. We know that the town book of Alba Iulia mentions this notarial fee.⁶¹

The town book of Sibiu offered the guarantee of safekeeping as compared to loose papers.⁶² There are a few cases recorded when townsfolk appealed to the town book when they replaced their misplaced documents (doc. 227) or had lost them to fire (docs. 193 and 303). An unfortunate case of losing important documents happened to the judge of Alba Iulia, Márton Némethi Mészáros, who fled his town in the turmoil of the year 1600 and lost all “the liberties and privilege charters from the old Christian princes and kings given to Alba Iulia.”⁶³ The town book served as a safeguard for such incidents—both for locals and for persons from other parts of Transylvania.

60 Tamás Fejér, Etelka Rácz, and Anikó Szász, eds., *Az erdélyi fejedelmek királyi könyvei. I. Báthory Zsigmond királyi könyvei, 1582–1602* (Cluj-Napoca: EME, 2005), 14.

61 Kovács, *Gyulafehérvár*, 3, note 6.

62 A similar argument is made by the editors of the Dresden town book, see Kübler and Oberste, *Das sechste und siebente Stadtbuch Dresdens*, 27.

63 Kovács, *Gyulafehérvár*, 38. See also the study by Emőke Gálfi in this volume.

For the first instance, we have an undated letter to the town council showing that Georg Schirmer, an inhabitant of Sibiu, had appealed to them with the following request:

be kind and look in the town book for the contract concerning my house and that of my neighbor's and give me a copy; your lordships will find it between the years 1529 and 1539, around 1532, when owners were doctor Sebastian Pauschner and Georgius Fenischer.⁶⁴

In its current form, the town book of Sibiu does not contain such a contract. As for families who had no direct connection to the town book but nevertheless resorted to it for safekeeping of their transactions, there is the case of a noble from the Bánffy Losonczy family from the year 1555: Nicolaus and his wife, Anna, had appealed to the Saxon University to record the declaration of Margareth, whereby she donated a stone house in Cluj to Anna, her daughter. The couple had already registered this donation with one of the Transylvanian places of authentication in Cluj-Mănăştur, so the entry in the Sibiu town book was an extra security measure. In another case, in 1573, Prince Stephen Báthory mandated the town officials to search into the town book (*in protocollo dicte civitatis Cibiniensis diligenter requirere et reinvenire*) for several charters on behalf of Margareth Maylath for her possessions in the neighboring counties.⁶⁵ As far as I could research, in the extant protocol books of both the town of Sibiu and the Saxon University, there is no entry with such content.

Along with these practical aspects that served the town council and the citizens, the town book had a strong symbolic role, visually expressed in several ways in the appearance of the register (the leather binding mentioned before) and in its content.⁶⁶ The town book was an instrument for legitimizing the governance of the town council, and over time its authority and power grew because of the memory stored within its covers.

The hierarchy in the town council was further made explicit when notary Christian Pomarius created numbered lists of the sworn citizens in 1547; this became a custom that was kept until 1564.⁶⁷ Ágnes Flóra has discussed how the seating order in the council was decided by the judge of Cluj and that an implicit hierarchy existed among its members. The place in the hierarchy

64 SJAN Sibiu, Acte fasciculate H 27, f. 1.

65 SJAN Sibiu, Documente medievale U V, 826.

66 Pakucs-Willcocks, *Sibiul veacului al XVI-lea*, 67.

67 Pakucs-Willcocks, "zu urkundt," 171, 176.

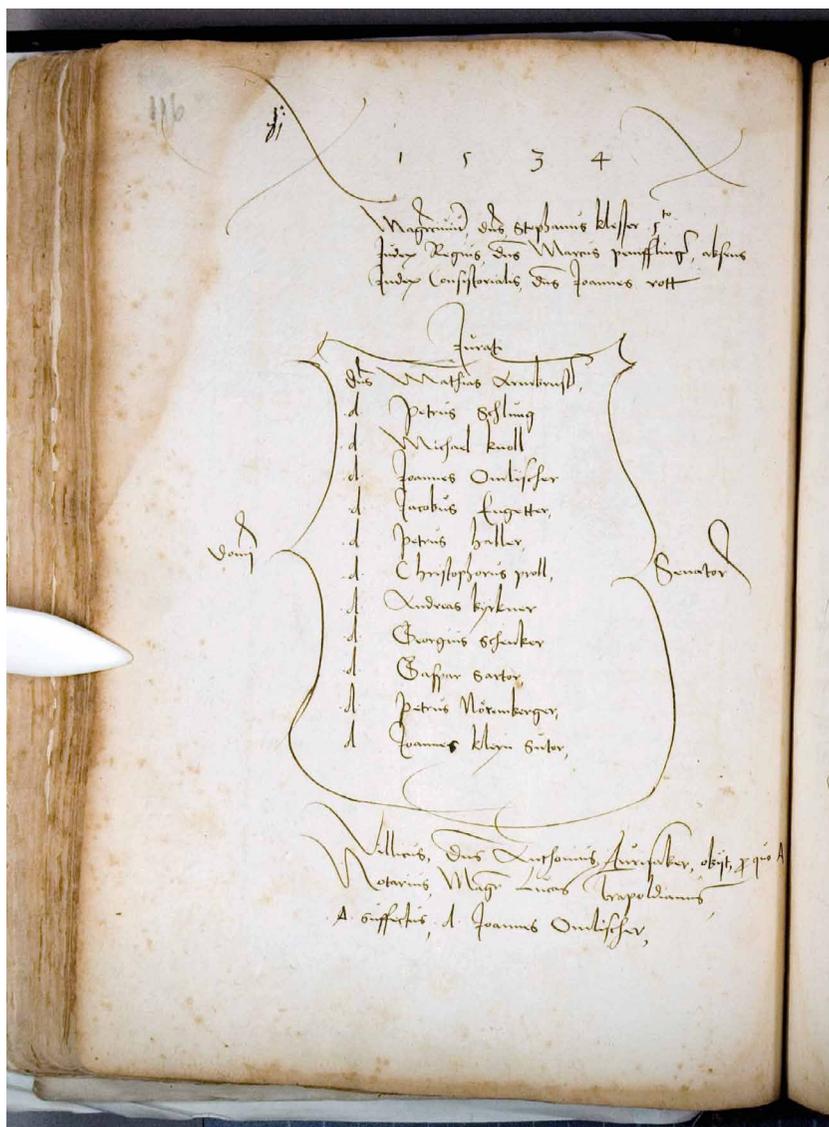


Figure 7.3. The town council of Sibiu represented in a shield, 1534 (SJAN Sibiu, MOS, Protocoale de ședință, no. 1, 58v).

was a function of the year of the election and length of service, but more importantly of the individual's prestige in the community.⁶⁸

It is certain that the contemporary expression of “noteworthy things” was not a mere stylistic form but carried a meaning. The town book of Alba Iulia

68 Flóra, *The Matter of Honour*, 176.

especially has several instances when the notaries entered events and facts from previous times, such as the already noted incident from 1600 with the lost privilege charters, which was recorded in 1617. The new town notary had learned about the incident and “reckoned it to write down this thing in this book, to be remembered.”⁶⁹ The preamble of Sibiu declares that the protocol book was meant to record all the memorable decisions and laws issued by the town fathers. However, to paraphrase Valentin Groebner’s argument for court records, I would suggest that the town book of Sibiu also expresses “the aspirations and intentions of the authorities”⁷⁰ for a well-governed community.

In this study, I have presented a few characteristics of the first town book of Sibiu, the most important urban center, from a political perspective, of the Transylvanian Saxons. Its late inception in the 1520s, in comparison with other East-Central European towns, reflects the influence of the learned notaries on the council’s perceived and projected role in the community. The Reformation was a further catalyst for this process of evolution of the town council into a legitimate authority.⁷¹

About the author

Mária Pakucs-Willcocks (maria.pakucs@iini.ro) is a senior researcher with the “Nicolae Iorga” Institute of History and a research fellow of the New Europe College in Bucharest. Her research has focused on trade and merchants between Transylvania and the Ottoman Empire in the early modern period, and on urban history and political discourse. Most recent publications include “Trade Routes and Commercial Networks in Early Modern South-Eastern Europe in the Light of Transylvanian Sources,” in *Cities and Economy in Europe. Markets and Trade on the Margins from the Middle Ages to the Present*, ed. Katalin Szende et al. (Abingdon: Routledge, 2024), 266-284 and the edition of the customs accounts of Sibiu, *Zwanzigstrechungen aus dem Archiv der Stadt Hermannstadt (1536-1623)* (Sibiu: Honterus, 2023).

69 Kovács, *Gyulafehérvár*, 39.

70 Valentin Groebner, *Defaced: The Visual Culture of Violence in the Late Middle Ages*, trans. Pamela Selwyn (New York: Zone Books, 2004), 232.

71 Pakucs-Willcocks, *Sibiul veacului al XVI-lea*, 173.

8. A Szekler Town in Transylvania: The Statutes and Town Book of Târgu Mureş in the Seventeenth Century

Árpád-Botond György

Abstract: The study discusses the town statutes and protocol book of the only royal town of the Transylvanian Szeklers, Târgu Mureş, which acquired the status of a free royal town in 1616. The governance structure consisted of elected officials, including a judge and a council. The town's statutes, first written down in 1604, aimed to regulate urban life, enforce legal norms, and ensure equality in taxation and duties among residents. Key figures like Tamás Borsos shaped its progress, securing privileges and promoting codified urban laws. However, governance challenges persisted, particularly in integrating the suburbs beyond the fortified walls, which retained noble privileges. The final section presents several case studies where the normative texts are confronted with the practice of the judiciary, aiming to assess the jurisdiction of the written town statutes.

Keywords: Târgu Mureş, town book, market town, royal town, seventeenth century, Szeklers

In the early modern period, the Szeklers (*székelyek*) were one of the three estates of the Transylvanian principality, a political *natio* that took part in the Diet and had its own fiscal status. Their military duty to defend the easternmost border of the medieval kingdom of Hungary influenced their privileged status and their separate political and social trajectory within Transylvania.¹ They were organized in administrative and juridical districts

¹ Pál Engel, *The Realm of St Stephen: A History of Medieval Hungary*, transl. Tamás Palosfalvi (London: Tauris, 2001), 115–16.

called seats. As opposed to the counties and the Saxon seats, the Szeklers did not have a free royal town for a long time.² Târgu Mureș, known as Szeklerburg (*Székelyvásárhely*, i.e., the market town of the Szeklers) before 1616, the year of its being designated a royal free town, had been the most developed urban center among the Szekler seats since the end of the Middle Ages.³ As a market town, Târgu Mureș had obtained the right to organize fairs and had several guilds but remained under the jurisdiction of the Mureș seat.

At the beginning of the seventeenth century, the town received permission to repair and surround with walls that part of town called *Castell*, which was in fact the former wall of the Franciscan monastery. Thus, the privileged walled town and the town outside the walls represented separate political entities. In the fortified part of town, elected officials (a head judge and a council of 24 senators) were in charge of governance, while the outskirts remained a market town, under the jurisdiction of the Mureș seat and considered a suburb (*hóstát*) by the others.⁴ The nobles settled in the walled town and enjoyed exemption from taxes and services. The market town officials tried to apply the statutes of the *fortified town* to their part of town but without success.

This double legal status of Târgu Mureș was a predicament hard to solve for the town officials, of whom the activity of Tamás Borsos stands out. Borsos was the town notary, judge, and Prince Gabriel Bethlen's envoy to Istanbul on several occasions; he was, therefore, a learned and experienced man with the right contacts at the court in Alba Iulia.⁵ It was Borsos who obtained the status of free royal town for Târgu Mureș in 1616 and strove to

2 Judit Pál, *Városfejlődés a Székelyföldön, 1750–1914* (Miercurea Ciuc: Pro Print, 2003), 42; Balogh Judit, "A székely város a 16–17. században," *Város és társadalom: Studia Miskolcensia* 1 (1993): 28.

3 Elek Benkő, István Demeter, and Attila Székely, *Középkori mezőváros a Székelyföldön* (Cluj-Napoca: EME, 1997), 11–16, 41–43. Sándor Pál-Antal, *A Székelyföld és városai* (Târgu Mureș: Mentor, 2003), 11. Teréz Oborni, "A fejedelemség-kori erdélyi várostörténet kérdéseiről," *Urbs: Magyar várostörténeti évkönyv* 1 (2006): 145.

4 Sándor Pál-Antal, *Marosvásárhely története: A kezdetektől 1848-ig* (Târgu Mureș: Mentor, 2009), 65.

5 Balázs Rénes, "Két 'protestáns' diplomata karrierlehetőségei a kora újkori Konstantinápolyban: Henry Lello és Borsos Tamás összehasonlítása," in *Metszéspontok: Tanulmányok a középkorról és a kora újkorról*, ed. Zoltán Véber and Ágnes Virágh (Debrecen: Debreceni Egyetem Történelmi és Néprajzi Doktori Iskola, 2023), 212–13; Gyula Barts, *Marosvásárhelyi Borsos Tamás élete és történeti szereplése* (Cluj-Napoca: Gombos F, 1912); Gábor Kármán, "Identity and Borders: Seventeenth-Century Hungarian Travellers in the West and East," *European Review of History—Revue européenne d'histoire* 17, no. 4 (2010): 572n92.



Figure 8.1. View of Târgu Mureș “Libera regiaque civitas/siculica Maros Vásárhely,” engraving by Samuel Nagy, 1827 (Collections of the National Brukenthal Museum Sibiu, MNBS XV/622).

follow the model of towns with written statutes (*jó rendelt városok*).⁶ The goal was to create the institutions of urban autonomy based on regulations and statutes, which would eventually include the population outside the fortification as well. The present study examines the process of creating a regulated urban community in Târgu Mureș, as reflected in the protocol book (town book), which was started in 1604, while also offering a closer analysis of the town statutes contained within it.

The town book of Târgu Mureș

The extant town book was not the first such document produced in the town chancery. A charter from 1487 mentions that the judge and council of the market town went to the court of István Báthory, the *comes* of the Szeklers, to complain about the abuses of the Mureș seat officials. The delegates of Târgu Mureș presented in evidence a register (*quodam registrum*) containing the ancient privileges, rights, and duties of the town's inhabitants.⁷ There is

6 Oborni, “A fejedelemség-kori,” 140, 151.

7 Lajos Szádeczky, ed., *Székely oklevéltár*, vol. 5, 1296–1603 (Cluj-Napoca: Ajtai K. Albert Könyvnyomdája, 1896), 27, doc. no. 992.

no similar information from the sixteenth century, and it would seem that all the written output of the town's officials and any other documentation, such as correspondence, was destroyed or lost.

The first protocol book was begun in 1604, when Tamás Borsos was a judge. The town book has leather covers with rich ornamentation, and its title indicates its purpose: *Leges seu Decreta oppidi Székely-Vásárhely* (Laws or decrees of Székelyvásárhely market town).⁸ The statutes were edited for the first time by Sándor Kolozsvári and Kelemen Óvári in their collection of municipal statutes, but they arranged the source material chronologically, not following the original order of the entries in the town book.⁹ A second edition of the protocol book, more complete than the previous one, was published by Sándor Pál-Antal. This author included in his edition all the statutes and regulations before the nineteenth century, organizing the material into two parts: the decisions of the town council between 1603–1730¹⁰ and a list of individuals who obtained citizenship in the town between 1733–1815.¹¹ The edition contains all the significant entries in the town book, except for later insertions of office oaths, proofs of certain payments, and financial accounts.

Apart from these editions, scholarship has ignored the inner structure of the town book and its codicological characteristics, although they are fundamental for understanding this historical document. The binding of the town book was restored several times over the centuries, and the order of the pages was changed, which in turn poses difficulties for research. Therefore, in the following, I will attempt to analyze the early modern town statutes of Târgu Mureş according to the current presentation of the town book.

In its current condition, the protocol book has a faded leather cover, decorated with Renaissance-style geometric and flower ornaments. The ornament of the central decoration is worn; on the top half of the partial title, few letters are visible, while on the lower half, the year 1570 can be seen. Art historian András Kovács is of the opinion that the binding was the product of a Cluj workshop and has dated it to the turn of the sixteenth and

8 Serviciul Judeţean al Arhivelor Naţionale (Romanian National Archives, hereafter SJAN) Mureş, Primăria Târgu Mureş (Municipal Archives of Târgu Mureş, hereafter PTM), Actele de şedinţă, no. 109 (*Leges seu Decreta*).

9 Sándor Kolozsvári and Kelemen Óvári, eds., *Corpus statutorum Hungariae municipalium: A magyar törvényhatóságok jogszabályainak gyűjteménye*, vol. 1 (Budapest: Magyar Tudományos Akadémia, 1885) 28–30; 31–39; 78–89; 103–4; 118; 157–63.

10 Sándor Pál-Antal, *Marosvásárhely XVII–XVIII századi jogszabályai és polgárnévsorai* (Marosvásárhely: Mentor Kiadó, 2006), 47–71, 101–64.

11 Pál-Antal, *Marosvásárhely*, 304–24.



Figure 8.2. Town book of Târgu Mureş (SJAN Mureş PTM, Actele de şedinţă, no. 109).

seventeenth centuries.¹² It should be noted, however, that it is not certain whether the current cover is the original. From the inside inscription on a turquoise page, inserted in the nineteenth century, it would appear that the town book was rebound in 1833; this year is written together with the names of the judge, János Lázár, the councilors, the notaries, the spokesperson of the outer council, and the archivist. It is conjectured that loose sheets from the book were reglued to the spine in this year, and it was around this same time that the pages were mixed up and their original order lost. Some pages were glued to the covers, while others were inserted upside down, although we cannot rule out that the notary reversed the book in haste, because this change affects only the last 20 pages containing the names of registered citizens from 1740.¹³

¹² Verbal contribution by art historian András Kovács, whose kindness is greatly appreciated.

¹³ SJAN Mureş PTM, Actele de şedinţă, no. 109; f. 146v.

The protocol book has 153 folios in total, of which more than 100 are blank. From the extant book, the statutes of 1617 dealing with the houses in the fortified part of town are missing, although they were published in 1885.¹⁴ Similar to the carefully edited title page, the first page of the town book is also decorated, mirroring the decorations of the cover. The paper is of good quality, much better than the paper used in other protocol books of the town (such as judiciary books). On the back of the title page, the notary wrote a short Latin poem in which the laws and customs of Târgu Mureş were entrusted to the memory of future generations. The watermark is a Gothic letter *P* with a disc shield with two *S* letters on the sides of the shield and an arrow in the middle; on some pages the letters are missing. This watermark would indicate primarily a Carinthian origin of the paper, although Bratislava could also have been a source of supply.¹⁵

The town book contains primarily the town statutes, which organized the political governance of Târgu Mureş and thus represent the town's *constitutions* in the early modern sense of the word.¹⁶ The first group of statutes dates from 1604 and were noted by town notary Dániel Decsi. The composition of the town magistrate, i.e., the name of the head judge and of the sworn citizens, followed the paragraphs and articles of law.¹⁷ Decsi recorded in the town book other decisions of the town officials, such as a 1605 decree about their salaries; decisions from 1606 and 1607 on the relationship between the town and the nobility with the aim of blocking the purchase of real estate by the latter in town; and a decision from 1614 exempting town officials from paying taxes.¹⁸ The last entry written in Dániel Decsi's handwriting dates from 1611 and concerns a regulation on pledging land in the newly acquired town possession of Bărdeşti.¹⁹

The next statute is dated March 9, 1634, and comprises a council decision written down by István Kézdivásárhelyi concerning the division and

14 Kolosvári and Óvári, *Corpus statutorum*, 81–82; Pál-Antal, *Marosvásárhely*, 59.

15 Charles-Moïse Briquet, *Les Filigranes: Dictionnaire historique des marques du papier dès leur apparition vers 1282 jusqu'en 1600 avec 39 figures dans le texte et 16 n2 fac-similés de filigranes*, vol. 3 (Paris: A. Picard, 1907), 447, watermarks no. 8856, 8857, 8867.

16 Heinz Schilling, *Religion, Political Culture, and the Emergence of Early Modern Society* (Leiden: Brill, 1992), 4. See also Marten Praak, "Urban Governments and Their Citizens in Early Modern Europe," *London and Beyond: Essays in Honour of Derek Keene*, ed. Matthew Davies and James A. Galloway (London: University of London Press, 2012), 285.

17 SJAN Mureş PTM, Actele de şedinţă, no. 109, f. 1r–11r; Pál-Antal, *Marosvásárhely XVII–XVIII. századi*, 47.

18 SJAN Mureş PTM, Actele de şedinţă, no. 109, f. 12v.

19 SJAN Mureş PTM, Actele de şedinţă, no. 109, f. 13r–14; Pál-Antal, *Marosvásárhely XVII–XVIII. századi*, 28.

sale of land behind the walled part of town.²⁰ Next follows a regulation from January 3, 1703, on the elimination of taxes on urban vineyards.²¹ Because of the disorderly collation of the pages, this ordinance is followed by a major town statute dated October 20, 1634, on the juridical standing of the two parts of the town—the one enclosed within the walls and the suburb (*Hóstát*) that lay beyond them: *Leges seu Articuli intra Muros civitatis Marus-Vásárhely*.²² Following this town constitution comes a decision of the town council from June 3, 1711, in which the status of the widows of former councilors was established: widows could retain their late husband's names and continued to have priority in the distribution of the arable land.²³

The subsequent entries contain less significant council decisions that were taken to deal with particular situations. For instance, there was the decision on the protection of local traders and the exclusion of foreigners from the market, which was voted on in 1623, when György Olajos Litteratus was town judge, but was written down in the protocol book only on March 29, 1647, by Péter Horváth Dési. On September 8, 1647, another council decision set the prices for products made by local coopers.²⁴

In August 1649, two distinct ordinances were issued: one stipulated the observance of Sunday as a holy day and thus forbade all trade in town until the morning service was over, except for fruit, which could not be sold at all, under penalty of 3 florins. The second was the first sumptuary law that we know of in Târgu Mureș, which forbade the playing of instruments and the making of music on Sundays, both in private homes and in taverns alike. Violators were to be put into the cage (*kalitka*) and have their fiddle confiscated.²⁵

Two statutes were written down in 1651, by the hand of the same Péter Horváth Dési. The first was aimed primarily at curbing the increase in theft and fraud and banned the sale or use of gooseberries (green grapes) as food. The second statute supplemented the rules of judicial procedures, clarifying the rule for case citations and establishing the judge's right to

20 SJAN Mureș PTM, Actele de ședință, no. 109, f. 15r.

21 SJAN Mureș PTM, Actele de ședință, no. 109, f. 15r-v; Pál-Antal, *Marosvásárhely XVII–XVIII. századi*, 51–53.

22 SJAN Mureș PTM, Actele de ședință, no. 109, f. 16r–20r; Pál-Antal, *Marosvásárhely XVII–XVIII. századi*, 60.

23 SJAN Mureș PTM, Actele de ședință, no. 109, f. 20r; Pál-Antal, *Marosvásárhely XVII–XVIII. századi*, 67.

24 SJAN Mureș PTM, Actele de ședință, no. 109, f. 21r–22r.

25 SJAN Mureș PTM, Actele de ședință, no. 109, f. 22r–23v.

keep pledged property if it was not claimed after a year.²⁶ The first section of the town book ends with the town statute of January 1, 1649, when the decision was made that the council meet at the “town house bought with their own money” and not to hold the meetings at the judge’s house. While the judge had to keep the town’s chest in his own house, the accounts had to be held in the town hall.²⁷

The next section of the protocol book contains a cluster of entries dating from the eighteenth century. The ordinances and regulations of 1731 reflect a turbulent time in the history of Târgu Mureş, when the town council was obliged to accept Catholic councilors, despite the opposition of the Reformed members.²⁸ Because of these structural transformations, the name lists of the town council members were written down, as well as other related administrative issues, such as the fees paid for newly accepted citizens and a detailed account of tax collection.²⁹

The next entries date from the period between 1758 and 1764.³⁰ They were mostly recorded when the town fathers defended themselves against encroachment upon their autonomy, such as during the period after the appellate tribunal was moved from Mediaş to Târgu Mureş in 1754, although this move had a generally positive effect on the social and economic life of the town.³¹ The royal tribunal to Târgu Mureş took over some buildings belonging to the town without any remuneration. An entire series of decrees were issued afterwards, such as those regulating the use of common forests (1759), setting customs duties and taxes on taverns and wine sales, prohibiting the sale of imported wine, and establishing the right to sell iron, along with regulating beer brewing and the leasing of the wool mill.³² During this period, the construction of the impressive Toldalagi Palace took place, but the town was not content with the process. According to the town council, the construction started on land having nobility status but crossed by one ell (ca. 60 cm) into the territory of the town, thus violating its liberties. Furthermore, the council was also disturbed by the fact that

26 SJAN Mureş PTM, Actele de şedinţă, no. 109, f. 23v–25r.

27 SJAN Mureş PTM, Actele de şedinţă, no. 109, f. 27r–v; Pál-Antal, *Marosvásárhely XVII–XVIII. századi*, 65–66.

28 Sándor Pál-Antal, *Marosvásárhely története a kezdetektől 1848-ig* (Târgu-Mureş: Mentor Kiadó, 2009), 174–76. See also Avram Andeea, “Instituțiile orăşeneşti,” in *Istoria românilor*, vol. 6, ed. Paul Cernovodeanu (Bucharest: Univers Enciclopedic, 2012), 368.

29 SJAN Mureş PTM, Actele de şedinţă, no. 109, 28v–32r; f. 33r–35v.

30 SJAN Mureş PTM, Actele de şedinţă, no. 109, f. 38r–83r.

31 Pál-Antal, *Marosvásárhely története*, 157–58.

32 SJAN Mureş PTM, Actele de şedinţă, no. 109, 40v–45r; 47r; 48v–49r.

the owner of the palace, László Toldalagi, also built a mill on the town's commons.³³

The nobles who moved into town had no regard for the urban privileges, causing a significant loss of income to the citizens. At the same time, with the social change of the eighteenth century, the old rules slowly became obsolete, while the central authorities increasingly interfered in the legislative autonomy of the town.³⁴ In 1764, the committee of the Transylvanian Government, in their attempt to address the discontent of the population, called for the introduction of new measures. The *Constitutio Szilágyiana* invalidated the previous laws, and the town book lost its role as a law book. Afterwards, the town book recorded only oaths taken by new citizens, pledging to serve the town.³⁵

During the nineteenth century, the modern administration of the town continued to hold the protocol book in high esteem; in 1833, the book was restored and its pages recollated. In 1848, the town notary Mihály Ajtai wrote down the year 1004, the supposed year of the foundation of the town, taken from the Saxon chronicles.³⁶ The last entry in the town book is from 1867; it is the text of an oath.³⁷

The written constitutions of the town

In the following section, I will examine in more detail the structure of the two main town statutes, the constitutions, with the aim of discerning the main concerns of the town officials of Târgu Mureş and their responses to the town's general and specific issues. The town book contains the laws and codes that were deemed worthy of being written down.³⁸ Town statutes were preserved not only in the official town book but also in separate documents of the council or in other protocol books.³⁹

33 SJAN Mureş PTM, Actele de şedinţă, no. 109, f. 45v–48v.

34 Pál-Antal, *Marosvásárhely története*, 167.

35 SJAN Mureş PTM, Actele de şedinţă, no. 109, f. 86r–89r, f. 104r–105v.

36 Leges seu Decreta, f. 1r; Josephus Trausch, ed., *Chronicon Fuchsio-Lupino-Oltardinum sive Annales Hungarici et Transilvanici, opera et studio ... Simonis Massae et Marci Fuchsii ... nec non Christiani Lupini et Joannis Oltard, ... concinnati, quibus ex lucubratinibus Andrea Gunesch, ... aliisque manuscriptis fidedignis quaedam adjecit Johannes Ziegler* (Braşov, 1847), 3.

37 SJAN Mureş PTM, Actele de şedinţă, no. 109, 89v–91r.

38 Gerhard Jaritz, *Zwischen Augenblick und Ewigkeit: Einführung in die Alltagsgeschichte des Mittelalters* (Vienna: Brill, 1989), 16–17.

39 Pál-Antal, *Marosvásárhely története*, 62.

As discussed above, the commencement of a town book for Târgu Mureș was initiated by town judge Tamás Borsos, who presumably also contributed to the drafting of the early town ordinances.⁴⁰ During the first half of the seventeenth century, two comprehensive town constitutions were drafted, one in 1604 and the other in 1634; their content and editorial peculiarities suggest that the town fathers were interested in having written procedures and rules to guide them in their duties. The town statutes took into account the previous customary laws, the laws of the land, as well as the statutes of other “well-ordered” Transylvanian towns.⁴¹ Many provisions of the statutes, especially those of a juridical nature, were reiterated and reformulated over the years, probably because the actual juridical situation required such refinements and clarifications.⁴² In their broad outline, the statutes remained valid until the middle of the nineteenth century.

The subject matter of the 1604 town statutes can be analyzed according to three major themes, each of them dealing with the organization of urban governance and the administration of justice. Further, the statutes regulated the conditions for outsiders to obtain citizenship in Târgu Mureș, established rules for inheritance, and set fines in civil and penal cases.

In order to obtain the right to reside officially in Târgu Mureș, i.e., to become a townsman, one had to swear the allegiance. The town book contains the oath for new citizens, together with the oaths taken by officials upon election and appointment. Sándor Pál-Antal has argued that these provisions of the 1604 statute include in fact the legal customs in use at the time.⁴³ At the same time, the 1604 statute introduced new rules for the burghers living within the town walls, as the council was given the right to oversee the sale and inheritance of houses and plots.⁴⁴ New citizens owning a house, after taking the oath of allegiance, had to carry the burdens of the city in taxes and services. The town council had the prerogative to approve any transactions (sales, inheritance, or exchange) involving houses or land

40 SJAN Mureș PTM, Actele de ședință, no. 109, f. 2v.

41 Pál-Antal, *Marosvásárhely XVII–XVIII. századi rendszabályai*, 55. See also Júlia Derzsi, “A városi statútumok és a közrendészeti szabályalkotás kapcsolata az erdélyi városokban a 16. század második felében,” in *Certamen I.—Előadások a Magyar Tudomány Napján az Erdélyi Múzeum Egyesület I. szakosztályában*, ed. Emese Egyed et al. (Cluj-Napoca: Erdélyi Múzeum Egyesület, 2013), 223–35.

42 István Tringli, “A kora újkori kodifikáció és a Hármaskönyv,” in *Szokás és szabadság. Tanulmányok a középkori magyar jogszokások és kiváltságok történetéhez*, ed. István Tringli (Budapest: Line Design Kiadó, 2017), 85–100, 86.

43 Pál-Antal, *Marosvásárhely története*, 62.

44 SJAN Mureș, PTM, Documente administrative și juridice, no. 262, f. 25r.

in the designated territory within the town walls, in an attempt to control the entry of tax-exempt nobility into the community.

The town officials were also bound to take the oath when taking office. According to the texts of the oath recorded in the town book, the urban government consisted of the judge, the sworn councilors, and the town notary. The stewards of the town mills swore an oath, too. Another employee of the town was the *pristaldus*, the bailiff, who ran errands for the judge and judiciary but who also acted as ward for the arrested.⁴⁵ During the later decades of the seventeenth and into the eighteenth centuries, the statutes began regulating the activity of more town officials, indicating that the urban administration had grown over time.⁴⁶

The third section of the 1604 statutes of Târgu Mureş deals with the succession of property through the creation of a set of rules to end the multitude of customs and to curb the rise in the number of claimants under various jurisdictions. The absence of clear rules of inheritance was detrimental to the town and its community:

We should remind everyone from the start how much harm and trouble we have suffered because of unentitled individuals entering our midst and under various guises, either by claims of marriage or by patrimonial inheritance, or by entering the service of a nobleman, or by buying nobility or other exemptions from the prince with money, bringing ruin and confusion to the town and to the community of citizens (*civilis societas*).⁴⁷

The importance of inheritance in urban communities has been discussed in the research by Enikő Rűsz-Fogarasi, who states that the transmission of assets between generations secured the material well-being of family members.⁴⁸ For the town officials, it was also crucial that tax-paying properties not be inherited by individuals with exemptions, especially nobles or other privileged people, which would lead to imbalances in the tax collection and urban finances.

The next comprehensive constitution was drafted three decades later, in 1634, when the internal order of the free royal town became more established, although still under the jurisdiction of the Mureş seat. The town

45 SJAN Mureş PTM, Actele de şedinţă, no. 109, f. 4r–5v.

46 Pál-Antal, *Marosvásárhely története*, 91–97.

47 SJAN Mureş PTM, Actele de şedinţă, no. 109, f. 9v–10r.

48 Enikő Rűsz-Fogarasi, “A fejedelemségkori Marosvásárhely örökösödési mechanizmusai,” in *Emlékkönyv Egyed Ákos születésének nyolcvanadik évfordulójára*, ed. Pál Judit and Sipos Gábor (Cluj-Napoca: Erdélyi Múzeum Egyesület, 2010), 288–89.

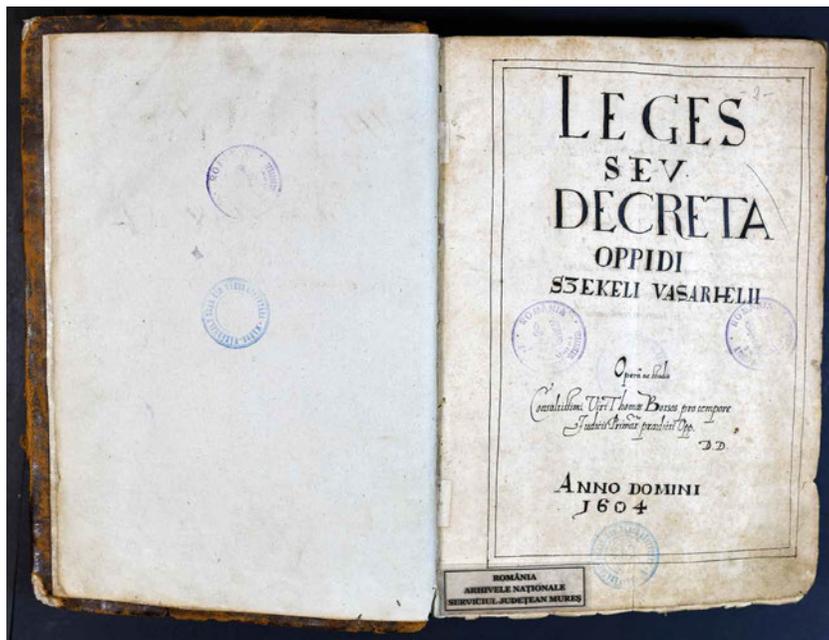


Figure 8.3. Title page of the town book: *Leges seu decreta*, 1604 (SJAN Mureș PTM, Actele de ședință, no. 109, 1r).

was constantly at odds with the authorities of the seat, especially because of the tax exemption for the nobles living within the town walls. Is it likely that the town fathers needed to address the political relationships within the Târgu Mureș community, which had stalled after the initial enthusiasm created by the building of the outside wall. The statutes were written and voted on in 1630, but they were recorded in the protocol book only in 1634, under the title *Leges seu articuli intra muros civitatis Marosvasar (heliensis)*.⁴⁹

The preamble to the 1634 statute praises the achievements of the Târgu Mureș citizens, who strengthened their town not only with a stone wall but also with privileges for the community: the former market town had become a free royal town (1616). The introductory paragraph also indicates that there were conflicts within the community, in particular that not everyone agreed to shoulder the burden of the city equally. With the privilege of a free royal town, the old part of the town that lay outside the fortification remained a suburb and fell outside the control of the town officials, who were unable to collect taxes from the nobles residing there. The preamble includes the intention of the town fathers to follow the model of other Transylvanian free royal towns:

49 SJAN Mureș PTM, Actele de ședință, no. 109, f. 16r. Pál-Antal, *Marosvásárhely története*, 62.

This town of Târgu Mureş was developed into a fortified town with a gate-key, and this fortification is not only made of stone and wooden walls but also with the beautiful privilege of a royal town, which it has enjoyed for a few years already. It has had to change in many ways from its former status as a market town, while other things have remained in place. What concerns the old status of a market town, this is now only kept for those in the suburbs, where a few exempt noble people live as well, and we approve the preservation of their old status unless there are other contradictory laws. Since we know that our status as a free royal town is justified and necessary for our preservation, we confirm it and reaffirm it, knowing that it is appropriate that we follow the form, ways, and customs of other Transylvanian fortified towns.

The first article of the 1634 statute reiterates the distinction in legal status between the fortified town and the suburb. In the case of the former, the building and maintenance of the town walls were so costly that there could be no further extension of the town. Furthermore, the inheritance of houses within the town walls could not pass to those from the suburb unless certain conditions were met. The second article was written in the same vein, establishing the status of inherited and purchased houses in the fortified town. The privilege of 1616 was the cut-off point, when the former parts of the town were separated juridically, although there were citizens who owned estates in both districts. The town fathers mention that certain townfolk accumulated more than one house in the town, while others, especially new inhabitants, were homeless (*haylekot maganak nem talal*). This situation had the potential to undermine the social peace. Therefore, the statute prescribed that each house carried its own burdens and that people who owned additional real estate had to pay taxes and make contributions to the town wall on each of them. Regardless of their economic standing, all bore an equal share of the burden (*egyenlő terhet viselliunk*).⁵⁰ The town officials of Târgu Mureş were hereby enforcing policies similar to those of other towns.⁵¹

The third article continues to regulate the situation of houses and plots of land in the fortified town and the associated duties and public services. Because many house owners were either young or away on their studies,

50 SJAN Mureş PTM, Actele de şedinţă, no. 109, f. 17r–18r.

51 István Tringli, "Vásártér és vásári jog a középkori Magyarországon," in *Szokás és szabadság: Tanulmányok a középkori magyar jogszokások és kiváltságok történetéhez*, ed. István Tringli (Budapest: Line Design Kiadó, 2017), 152.

on the one hand, or were old and sick, on the other hand, they could not fulfill their duties toward the town. The duties of the town inhabitants were important not only for tax revenue but also for public works and participation in the night watch. Such duties were tied to house ownership, and any avoidance of duties meant additional burdens for the other residents. The distribution of duties took into account the age of the homeowners and the size of their property, thus aiming to create a balance between the citizens. An exception was made for office holders who were exempted from paying taxes on their property while in office. In the case of public works and night patrols, those who did not wish to carry out the duties themselves could hire anyone in their place. Those who did not participate in any way in the common duties and burden-sharing were punished with confiscation of property.⁵²

The fourth article of the town statute establishes the jurisdiction of Târgu Mureş officials in litigations involving the town's inhabitants. In order to avoid lengthy trials, the fourth article proposes that the first instance in any process to be the head judge and the appellate instance to be the judge with the town council, without further instance of appeal. The judge of Târgu Mureş was also the instance for retrials, and litigants were dissuaded from appealing to the seat or the prince's court.

The final article of the statute, the *Conclusio*, reserved the right of the town to purchase the land and houses of residents who had acquired nobility or who repeatedly violated the internal rules of the community and the town (*civilis ordo*); recalcitrant townspeople were to be stripped of their citizenship and excluded from the community (*civilis status*).⁵³

Over the following decades, entries into the town book concerned solutions to particular issues or cases. These regarded mostly juridical procedures, such as the decree of 1649, when it was voted that hearing and sentencing should take place at the town hall and not at the judge's house. The town hall was to be the designated place where the "internal and secret deliberations" took place, where the town had to be governed, and that this in turn would ensure that the decisions and laws voted by the council would be valid.⁵⁴

52 SJAN Mureş PTM, Actele de şedinţă, no. 109, f. 18r–v; Pál-Antal, *Marosvásárhely XVII–XVIII. századi*, 64.

53 SJAN Mureş PTM, Actele de şedinţă, no. 109, f. 19r–20r; Pál-Antal, *Marosvásárhely XVII–XVIII. századi*, 65.

54 SJAN Mureş PTM, Actele de şedinţă, no. 109, f. 24v–25r; Pál-Antal, *Marosvásárhely XVII–XVIII. századi*, 66.

Other regulations for the urban life of Târgu Mureş

As elsewhere in Europe, a significant cluster of town regulations were introduced to protect the interests of the townsfolk.⁵⁵ On September 10, 1606, under the leadership of Tamás Borsos and before the 1616 royal town privilege, the town council dealt with the situation of those townspeople involved in agricultural work. The council considered that the townsfolk were being overcharged by the nobles from whom they leased the land; therefore, the limit for land lease was set at the tithe without extra agricultural work.⁵⁶

In the following year, judge Borsos and the council decreed that townspeople who pledged their property to foreign creditors and could not repay their debts could not be treated as serfs but only as debtors, and the judge had to witness the repayment of the debt and the lifting of the mortgage. The final clause of this decree forbade local traders from committing to equal-party contracts with foreigners, under great penalty.⁵⁷

Smaller issues were addressed in the statute of 1647 which brought in a number of market-associated regulations. First, there was an ordinance that official weights and measures be used during fairs and that foreign traders were only allowed to do business with locals. Second, retail sale by foreign traders was only allowed by permission of the judge. These measures reinforced the partial staple right of the local merchants and retail sellers, an economic privilege which the town had obtained in 1488 and which allowed for a depot.⁵⁸ In 1649, the town fathers issued another market regulation in connection with the observance of Sunday church service and the keeping of market day afterward. The sale of goods was allowed between the morning and midday service, while the sale of fruit was forbidden altogether.⁵⁹

The town statutes of Târgu Mureş: norm and practice

In the following section of this study, I will present a few cases when the citizens of Târgu Mureş and the town officials applied the articles of the

55 István Tringli, "Vásártér és vásári jog," 169–70.

56 SJAN Mureş PTM, Actele de şedinţă, no. 109, f. 11v.

57 SJAN Mureş PTM, Actele de şedinţă, no. 109, f. 11v–12r.

58 SJAN Mureş PTM, Actele de şedinţă, no. 109, f. 21r–v; Árpád-Botond György, "A város és igazságszolgáltatása: Marosvásárhely a 17. században" (PhD diss., Babeş-Bolyai University Cluj-Napoca, 2021), 74; Boglárka Weisz, *Markets and Staples in the Medieval Hungarian Kingdom* (Budapest: Research Centre for the Humanities, 2020), 112–13.

59 Pál-Antal, *Marosvásárhely XVII–XVIII. századi*, 68–69.

town statutes to their personal affairs. In 1626, the wife of Miklós Szabó accused the town officials of not allowing her to exchange her house. The judge and the jurors decided that the officials had acted in accordance with the town's laws and that the charges against them were not valid.⁶⁰ In 1634, the sale of a house was referred to the customs of the town: the wife of István György opposed István Körtvélyfájai's acquisition of a house and called him to trial. The question was whether the sale was agreed to in line with the customary law, namely, whether the family had been offered the house first, whether the sale had been publicly announced three times, or whether the agreement of the sale had been sealed with a drinking toast (*áldomás*).⁶¹

Litigations between townspeople were also settled in accordance with the town statutes, such as disputes between neighboring properties. In 1607, for instance, the wife of Mihály Szabó Nagy took János Szűcs Nagy senior to court because of the distance between their gutters and the boundary of their land plots. The judge ruled that the town law required a certain distance, and János Szűcs Nagy had to repair his roof to keep the rainwater from dripping onto his neighbor's land.⁶² The statutes also required that boundaries had to be maintained with fences. Thus, in 1677, István Szép sued György Fekete Kádár because he did not erect a fence and animals thereby trespassed into the adjacent property. Moreover, the lack of fence also made it impossible to determine the boundary. According to the defendant, it was not his job to build the fence between the properties, but the judge ordered him to erect one within 15 days.⁶³ We also know that other central European towns experienced such boundary disputes at that time, as documented, for example, in the protocol books of Sibiu and Braşov. It should also be noted that disputes also reflected a concern for the protection of personal honor and personal boundaries.⁶⁴

Other disputes between neighbors concerned the peace and quiet in the streets. Such was the case of Simon Horváth Csizmadia, who gave the testimony about an obnoxious journeyman:

60 SJAN Mureş PTM, Documente administrative şi juridice, no. 260, f. 251r.

61 SJAN Mureş PTM, Documente administrative şi juridice, no. 262, f. 27r.

62 SJAN Mureş PTM, Documente administrative şi juridice, no. 261, f. 11v–12r.

63 SJAN Mureş PTM, Documente administrative şi juridice, no. 263, f. 253v.

64 Mária Pakucs-Willcocks, ed., *“zu urkundt in das Stadtbuch lassen einschreiben”: Die älteste Protokolle der Stadt Hermannstadt und der sächsischen Nationsuniversität (1522–1565)* (Sibiu: Schiller, 2015); *Das Gerichtsbuch des Kronstädter Rates (1558–1580)*, ed. Julia Derzsi (Braşov: Aldus, 2016). For property disputes and their symbolic meaning in Prague, see James Palmitessa, “Arbitration of Neighborhood Ties and Honor: Building and Property Disputes before the Six-Man Council of Prague, 1547–1611,” *Sixteenth Century Journal* 34, no. 1 (2003): 123–45.

The day before, Péter Csizmadia complained to me that my journeyman, to his great annoyance, walks under his window and sings loudly, to which I replied, if he goes under your window and sings to defy you, perhaps you can find a piece of wood and rebuke him well with it, but if he walks on the street and sings along, you should leave him in peace, because everyone is free to walk the streets of the town and sing.⁶⁵

Disturbances in the street were an urban phenomenon addressed in the town and guild statutes of Transylvanian towns of this period.⁶⁶

Another situation is illustrated by a case from 1670 between family members: György Ugrai sued the widow of János Ugrai, then the wife of András Nagy, because she ignored her first husband's will and failed to return to her first husband's relatives the lands that had been pledged to her. As punishment for disregarding the town laws, a sizeable portion of the woman's land was confiscated on behalf of the town.⁶⁷

Conclusions

This study has discussed two significant pillars of the expression of urban autonomy in the case of Târgu Mureș: the town statutes created by the local urban institutions and the town book kept by the town notary. The urban institutions of governance (the judge and the sworn citizens) preceded the formalized manifestation of urban autonomy. Nevertheless, the writing down of the town's statutes consolidated this institutional development. Owing to the intervention of the learned town judge Tamás Borsos, who was on good terms with the prince's court, the inner part of the market town was able to free itself from the juridical authority of the Szekler seat. The town was surrounded by a wall and, as with other free royal towns in the principality, the elected officials issued rules for all areas of the administration. The elected representatives of the town deliberately followed the example of the union of *well-ordered* towns (i.e., the towns belonging to the Saxon University) in drawing up the town's rules of order. They saw in the legislation an instrument for resolving issues related to town life, the

65 SJAN Mureș PTM, Documente administrative și juridice, no. 262, f. 41r.

66 Emese Bálint, "Mechanisms of Hue and Cry in Kolozsvár in the Second Half of the Sixteenth Century," *Journal of Early Modern History* 12 (2008): 235–36; Mária Pakucs-Willcocks, *Sibiul veacului al XVI-lea: Rânduirea unui oraș transilvănean* (Bucharest: Humanitas, 2018), 164.

67 SJAN Mureș PTM, Documente administrative și juridice, no. 263, f. 180r.

equal distribution of fiscal burdens, and thus the unity of the community. They were concerned with matters of public interest, mainly the creation of not only a legal framework for urban life but also the regulation of litigation. The statutes refer to the civil order in connection with the right of self-determination of the community. However, the town administration was faced with the fact that it could not apply the rules to the territory outside the walls that remained under the jurisdiction of the seat, where, despite all efforts, noble privileges of taxation and other exemptions remained in force. Regulation was therefore a priority in the attempt to keep houses and other real estate, and thus the equal distribution of taxes and public burdens, under the jurisdiction of the town (by strictly controlling inheritance and the sale of real estate).

About the author

Árpád-Botond György is an assistant lecturer at the Babeş-Bolyai University, Cluj-Napoca. His research interests include the history of medieval and pre-modern towns, everyday life and the history of mentalities. His recent publications are “Marosvásárhely archontológiája” (1603–1700) [Archontology of Târgu Mures (1603–1700)] *Erdélyi Múzeum* LXXXV no. 1 (2023): 53-80 and *A város és igazságszolgáltatása* (Cluj-Napoca, 2024).

Part IV.

The Many Faces of the Urban Elites: Identity and
Representation

9. The Saxon Patriciate of Braşov in the Early Modern Period¹

Andor Nagy

Abstract: The present study examines the question of power elites as patricians in the early modern town of Braşov. Through a comparative analysis, the study analyzes whether the families who dominated the governance of Braşov at the end of the Middle Ages could carry over their power into the early modern period. A prosopographical approach identifies the most influential families in the seventeenth century and their marriage strategies. In particular, the investigation addresses the question of whether the entire political elite of the city can be classified as patricians, or only some of the families, whose members can be followed for several generations in the town council.

Keywords: Braşov, patriciate, political elite, seventeenth century, Transylvanian Saxons

From the sixteenth century, members of the prestigious and wealthiest families were increasingly called patricians in autonomous Western European cities. The general characteristics of the early modern patriciate were their social exclusiveness and their participation in urban government. The patriciate developed primarily in the Italian city-republics and the German imperial cities, where the patriciate defined itself as invested in the affairs of the city. At the same time, the patriciate also developed as a social and political group in larger commercial cities where urban republicanism was

¹ This study was published in Hungarian as “A brassói szász patríciusság a kora újkorban,” in *Akit Clío elbűvölt: In honorem Romsics Ignác*, ed. József Pap and Attila Verók (Eger: Líceum, 2021), 235–52. The research was supported by the project OTKA, K 134378 entitled Parliamentarism in the era of Dualism from a regional perspective.

kept under princely authority (for example, in Rostock and Breslau).² In a similar way, the term patrician is also used for the highly influential stratum of town leaders in early modern Transylvanian Saxon towns.

The first author to write about them in Hungarian was Balázs Orbán (1829–1890) in his 1873 monograph on the Szeklerland. In the final volume, dedicated to Țara Bârsei (Burzenland/Kronstädter Distrikt), Orbán identified four social groups in Braşov: the patricians, the pastors, the merchants, and the artisans. With regard to the patrician class, he wrote deplorably that by feigning democracy in the city, they in fact excluded other ethnic groups and monopolized power. Furthermore, families that belonged to this group were closely intertwined and supported one another, keeping official positions among themselves.³ The uses of the term *patrician* have not been sufficiently debated and clarified regarding how it was used in the early modern period and which families can be considered as part of this social category. In this study, I intend to examine these questions as a case study on the Saxons of Braşov. Braşov was one of the most important commercial, economic, and cultural centers of the Transylvanian Saxons in the early modern period. This settlement in Southern Transylvania was the southernmost point of Western Christianity, which followed a pattern of organization similar to the patrician layer of Western European merchant cities.⁴ As a result, an examination of the city's leading society can provide interesting additions to a more precise understanding of the phenomenon of patricianism in Transylvania and, more broadly, in Europe.

The Transylvanian Saxon concept of “patrician”

In the early modern period, the governance of the town consisted of an inner council (*Magistrat*), whose members (*Senator, Ratherr*) were elected and re-elected every year between Christmas and New Year. The community was represented by 16 members, with four elected councilors for each of the four neighborhoods (*quartalia*). The two most powerful officials

2 Helga Schultz, “Patriziat,” in Friedrich Jaeger, ed. *Enzyklopädie der Neuzeit*, vol. 9 (Stuttgart–Weimar: Verlag J. B. Metzler, 2009), 938.

3 Balázs Orbán, *A Székelyföld leírása: Történelmi, régészeti, természetrajzi s népismereti szempontból* (Budapest: Tettey Nándor és Társa Bizománya, 1873), 264–66.

4 Harald Roth, *Kronstadt in Siebenbürgen: Eine kleine Stadtgeschichte* (Cologne: Böhlau Verlag, 2010); Paul Niedermaier, *Siebenbürgische Städte: Forschungen zur städtebaulichen und architektonischen Entwicklung von Handwerksorten zwischen dem 12. und 16. Jahrhundert* (Cologne: Böhlau, 1979), 8.

of the town council—the town steward (*Stadthann*) and the town judge (*Stadtrichter*)—were elected.⁵

A comparative analysis can reveal which powerful medieval families were able to carry their influence over into the next centuries and which comprised part of the political elite in the sixteenth and seventeenth centuries only. I will devote special attention to the question of whether the entire political elite can be classified as patricians or only some of them. Exploring these avenues of research first requires a definition of the term.

The urban citizenry of the Saxon towns has had its interested historians since the Enlightenment age. The German historian August Ludwig Schlözer (1735–1809) published a three-volume work between 1795 and 1797 with the title *Kritische Sammlungen zur Geschichte der Deutschen in Siebenbürgen* (Critical collections on the history of the Germans in Transylvania) as the first historical text that emphasized urban autonomy as the main characteristic of the Saxon burghers.⁶ Afterwards, Saxon historians too started to be interested in urban citizenry. In the middle of the nineteenth century, Saxon historical research gained new momentum—now within an organized framework—with the establishment in 1840 of the *Verein für siebenbürgische Landeskunde* (Association of the Transylvanian Saxons) and its primary publication forum, the *Archiv des Vereins für siebenbürgische Landeskunde* (Archive of the Association of the Transylvanian Saxons), which still exists today. The works of Georg Daniel Teutsch (1817–1839), a Lutheran bishop and historian who played a decisive role in the association, and his son Friedrich Teutsch (1852–1933) created the idea imbued with romanticism that the Saxons, both urban dwellers and peasants, were a homogenous ethnic group that enjoyed a similar life, in freedom and equality (*Freiheit and Gleichheit*).⁷ However, other historians, among them Balázs Orbán, Richard Schuller (1860–1932),⁸ and Georg Eduard

5 Gernot Nussbächer, “Brassó és a Barcaság közigazgatása a kora újkor küszöbén” *Aetas: Történettudományi Folyóirat* 26, no. 2 (2011): 172.

6 August Ludwig Schlözer, *Kritische Sammlungen zur Geschichte der Deutschen in Siebenbürgen: Unveränderter Nachdruck der Ausgabe Göttingen 1795–1797* (Cologne: Böhlau Verlag, 1979), 258–59.

7 Georg Daniel Teutsch, *Geschichte der Siebenbürger Sachsen für das sächsische Volk*, vol. 1, *Von den ältesten Zeiten bis 1699* (Sibiu: W. Krafft, 1925), 2; Konrad Gündisch, *Das Patriziat Siebenbürgischer Städte im Mittelalter* (Cologne: Böhlau Verlag, 11; Pál Binder, “A középkori erdélyi városok patriciussága,” *Erdélyi Múzeum* 57, nos. 1–2 (1995): 141–42.

8 Richard Schuller, “Andreas Beuchel: Ein Beitrag zur Bistritzer Stadtgeschichte in Zeitalter des Thronstreites zwischen Ferdinand I. und Zápolya,” *Archiv des Vereins für siebenbürgische Landeskunde* 23, no. 1 (1890): 5–72; Richard Schuller, “Das Patriziergeschlecht der Polner in Schäßburg: Zur Kultur und Geschichte der Siebenbürger Sachsen in dem Zeitalter der Auflösung des ungarischen Reiches,” *Archiv des Vereins für siebenbürgische Landeskunde* 23, no. 3 (1890): 344–407.

Müller (1866–1944)⁹ pointed out their social differences and were mostly interested in the leading role of the urban elites (patricians). Research on the Transylvanian urban communities resumed in the second half of the twentieth century. In 1961, the series *Siebenbürgisches Archiv* was launched, dedicated to volumes with the latest research results; it was followed in 1981 by another book series, *Schriften zur Landeskunde Siebenbürgens*, which also published works on the Saxon historians who dealt with urban history. It was at this time that Gustav Gündisch (1907–1996) turned his attention to the patricians of Sibiu,¹⁰ while Maja Philippi (1914–1993)¹¹ and György Granasztói (1938–2016)¹² focused on Braşov, and Konrad Gündisch¹³ dealt with patricianism in Bistriţa and Cluj—all with an emphasis on the medieval period. The synthesis of this research was provided by Konrad Gündisch's monograph on the patricians of medieval Transylvanian towns (*Das Patriziat Siebenbürgischer Städte im Mittelalter*), published in 1993 but still fundamental today. Gündisch explains that the patricians, strengthened by the economic progress of Transylvanian towns, consisted of three social groups: the first were the *lokatores* (*Grafen*), the urban version of the local Saxon nobility, whose members eventually became integrated into the Hungarian nobility. The second group comprised foreign merchant patricians, whose representatives came first from Florence and later from the southern German cities and settled in Sibiu, Abrud, Baia Mare, and Cluj owing to their involvement in ore mining, currency exchange, and international trade. The third constituent element of the Transylvanian

9 Georg Eduard Müller, *Stühle und Distrikte als Unterteilungen der Siebenbürgisch-Deutschen Nationsuniversität (1141–1846)* (Sibiu: Krafft et Drotleff, 1941); Georg Eduard Müller, "Die sächsische Nationsuniversität in Siebenbürgen: Ihre verfassungs- und verwaltungsrechtliche Entwicklung, 1224–1876," *Archiv des Vereins für siebenbürgische Landeskunde* 44, no. 2 (1928): 227–424.

10 Gustav Gündisch, "Zur Geschichte und Genealogie siebenbürgisch-sächsischer Geschlechter, vol. 3, Die Gotzmeister," *Siebenbürgische Familienforschung* 1 (1984): 2–14; Gustav Gündisch, *Aus Geschichte und Kultur der Siebenbürger Sachsen: Ausgewählte Aufsätze und Berichte* (Cologne: Böhlau Verlag, 1987), 3–35, 128–47, 182–200.

11 Maja Philippi, "Die Bevölkerung Kronstadt im 14. und 15. Jahrhundert: Siedlungsverhältnisse und ethnische Zusammensetzung," in *Beiträge zur Geschichte von Kronstadt in Siebenbürgen*, ed. Paul Philippi (Cologne: Böhlau Verlag, 1984), 91–155; Maja Philippi, *Die Bürger von Kronstadt im 14–15. Jahrhundert* (Bucharest: Kriterion, 1986), 7–276.

12 György Granasztói, "Társadalmi tagozódás Brassóban a XV. század végén," *Századok* 106, no. 2 (1972): 350–99.

13 Konrad Gündisch, "Patriciatul oraşenesc medieval al Bistriţei până la începutul secolului al XVI-lea," *File de istorie* 4 (1976): 147–93; Konrad Gündisch, "Die Führungsschicht von Klausenburg (1438–1526)," in *Forschungen über Siebenbürgen und seine Nachbarn: Festschrift für Attila T. Szabó und Zsigmond Jakó*, ed. Kálmán Benda (Munich: Ungarisches Institut, 1987), 67–92.

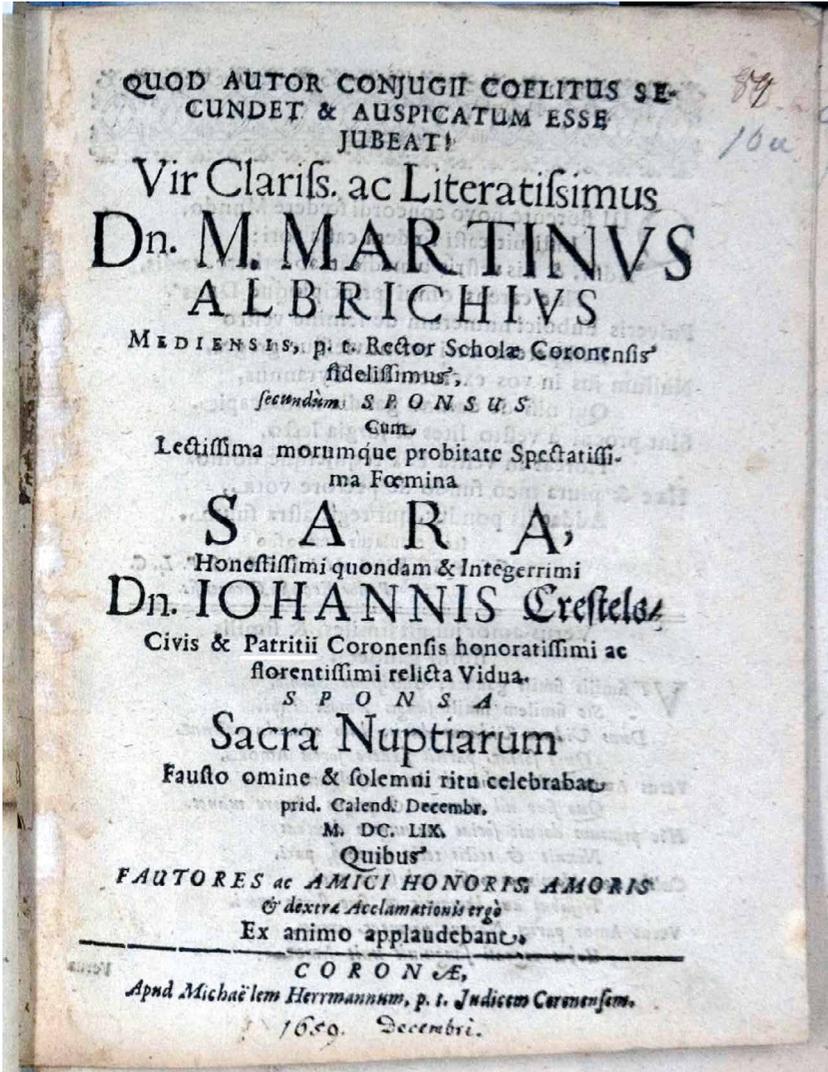


Figure 9.1. Celebratory print of the wedding between Martinus Albrich and Sara Crestels, 1695 (AHG IV.F.1.Tq.135/10.a.).

patricians were the local traders and artisans, whose evolution Gündisch analyzed for Bistrița, Sighișoara, and Brașov.

In these works, as in Eastern and Central European urban historiography in general, the question arises from time to time whether the use of the term patrician as a *terminus technicus*, borrowed from antiquity, is justified in relation to Transylvania. For this reason, I first examine whether the Saxons used the term patricians for themselves. Konrad Gündisch was the first to

notice that the term *patricius* appears in the protocols of the Cluj council of 1587: *in numere ceterorum huius civitatis verorum civium patriciorum*.¹⁴ It should be noted that there are similar instances for the townsfolk of Braşov as well. In the archives of the Black Church in Braşov (AHG) there are two printed works that contain the term *patricius* in their titles. The first is a wedding poem printed in 1659 for Martin Albrich (1630–1694) and his bride, Sara Schneeweiss (1632–1678) from Braşov. The author of the print mentions the first husband of the bride, Johann Chrestels (1635–1658?), as *civis and patricii Coronensis*, honoring his service as town judge.¹⁵

The second, from 1693, is a theological disputation thesis by Simon Draudt (1673–1729), who references himself as *patric[i] Coronen[sis]*.¹⁶ As these examples show, the Saxons used the term among themselves. However, the meager results suggest that it was not used very often. Based on my research on the occasional prints in the Braşov archives, I can mention one more example: Michael Gottlieb Agnethler (1719–1752), doctor of medicine from Sibiu, is also mentioned as a patrician (*nobilis Transylv[anus] Patric[ius] Cibin[iensis]*) in his funeral oration prepared for his death in Helmstädt.¹⁷ However, we have still not arrived at a precise determination of what the term *patricius* meant.

The early modern usage of the term “patrician” originated from the humanist thinkers and jurists, who designated thus those social groups enriched through trade and later engaged in finance.¹⁸ In her study on the elite of Cluj in the early modern period, Ágnes Flóra mentions that some conditions can be formulated that are generally met among the patricians of different cities.¹⁹ One of them is the eligibility to serve as a council member (*ratsfähig*).²⁰ In Braşov, the prerequisites for filling this position of councilor were full citizenship, payment of taxes, and an untarnished genealogy. Another criterion was a family’s considerable financial background.

14 Gündisch, *Patriziat*, 20. However, Ágnes Flóra mentions an example of using the term among the citizens of Cluj already from 1582. See Ágnes Flóra, “A kora újkori kolozsvári elit portréja,” *Urbs: Magyar Várostörténeti Évkönyv* 3 (2008): 140.

15 Archiv der Honterusgemeinde, Evangelical Biserica Evanghelică C.A. din România (Archive of the Honterus Community, Evangelical Church A.C. in Romania, hereafter AHG) IV.F.1.Tq.135/10.a.

16 AHG IV.F.1.Tq.139/38.

17 AHG IV.F.1.Tq.138/8.

18 Flóra, “A kora újkori,” 140; Schultz, “Patriziat,” 937–38.

19 See: Flóra, “A kora újkori,” 133.

20 For more information see Sándor Mika, *Weiss Mihály, 1569–1612: Egy szász államférfiú a XVII. századból* (Budapest: Magyar Történelmi Társulat, 1893), 20–24; Granasztói, *Társadalmi tagozódás*, 395; Gernot Nussbächer, “Brassó és a Barcaság közigazgatása a koraújkori küszöbén,” *Aetas: Történettudományi Folyóirat* 26, no. 2 (2011): 172; Philippi, *Die Bürger*, 131.

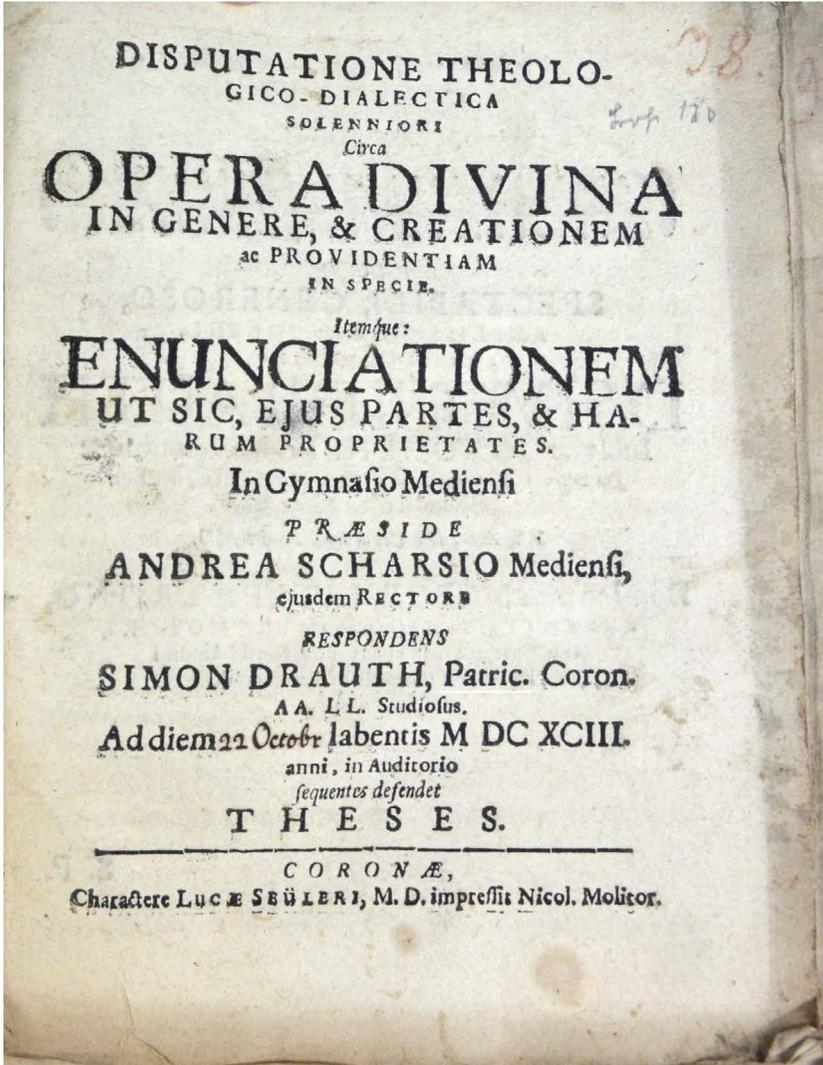


Figure 9.2. Print announcing the theological debate between Andreas Scharsius and Simon Draudt, 1693 (AHG IV.F.1.Tq.139/138).

Furthermore, prestige and reputation based on wealth were expected, a visible measure of which was house ownership in town.²¹ Patrician families were connected by strong marital bonds, which in turn created a close social group within the community. Finally, a condition for election was

²¹ Zsuzsanna Cziráki, *Az erdélyi századok története: Erdélyi századok irodalomtörténet* (Kozármisleny: Imedias Kiadó, 2006), 104.

that at least four male members of the family had to have served on the town council continuously for several generations.²²

Although the existence of an upper (patrician) elite circle among the Saxons has never been doubted, István H. Németh drew attention in his recent study to the need to distinguish between patricians in the towns of the former Hungarian kingdom and patrician groups of German imperial cities. The status of patricians of Hungarian cities and towns was legally different from that of German cities; whereas in the West they formed a separate estate, in Hungary they represented only the top stratum of the bourgeois elite. By extension, the patricians in Transylvania were not legally different from the other townfolk with full citizenship rights.²³ The rank of “patrician” was recognized only in imperial cities. It would seem that in Transylvania, by using the term, they tried to distinguish themselves from other citizens (burghers) of their towns. Therefore, in looking for patrician families in Braşov, we must start from the criteria mentioned above, that is, by examining first of all who were the families that provided members for the inner council for four generations. The list of the town officials of Braşov published at the beginning of the twentieth century, corroborated with the genealogies preserved in the archives of the Black Church, allows us to identify these patrician families.²⁴ Since the historical sources are in fact available from the sixteenth century onward, the research focuses on the early modern period. However, in order to map the elite within the elite, it is necessary to briefly summarize the main moments of the evolution of the Braşov patriciate.

The formation of the patriciate in Braşov

The medieval privileges granted to the Saxons and the favorable geographical position of the town were decisive factors in the creation of the urban elites of Braşov. Despite the fact that Braşov was the last urban settlement to be founded by the Saxon colonists, it caught up with the others at a fast pace. Braşov became the commercial hub of the region, with many important trade routes leading to it. Commercial exchange was one of

22 Flóra, “A kora újkori,” 136.

23 István H. Németh, “Pozsony centrális szerepköreinek hatásai és jellegzetességei a magyarországi városhálózatban,” *Történelmi Szemle* 2 (2018): 185.

24 Friedrich Stenner, *Die Beamten der Stadt Brassó (Kronstadt) von Anfang der städtischen Verwaltung bis auf die Gegenwart* (Braşov: Schneider et Feminger, 1916).

the main sources of prosperity for the town and its inhabitants alike. While there is no extant documentary evidence from the first half of the fourteenth century concerning the urban institutions of Brașov—an omission that could be attributed to dynastic strife within the Kingdom of Hungary²⁵—historians agree that King Charles of Anjou (1308–1342) conferred the first privilege on Brașov in 1353.²⁶ This status was facilitated by Brașov's emerging role as a commercial and manufacturing center. The products of the local guilds were sold across the Carpathians and in other regions of the Hungarian kingdom. In this regard, Zsigmond Pál Pach has shown that in the Middle Ages, the Levantine trade routes connecting Central Europe to the Black Sea and the Balkans passed through Brașov and Sibiu. Pach has drawn attention to the fact that King Louis I (1342–1382) encouraged this trade with a 1358 privilege,²⁷ which in turn was confirmed with similar favorable trading privileges granted to Brașov merchants for the Wallachian realm by Voivode Vladislav I (1325–1377).²⁸ These charters demonstrate that Brașov merchants were present in the Wallachian and Moldavian trade since the mid-fourteenth century. They were active on the routes from the Black Sea to Vienna, Nuremberg, and Augsburg, trading oriental luxury goods for manufactured Western goods.²⁹ The 1369 charter of Louis I secured the staple right for the cloth trade for Brașov,³⁰ followed by the privilege of 1377, which placed all thirteen free Saxon settlements under the jurisdiction and administration of the Brașov town council.³¹ This decision enriched not only the town but also its inhabitants and fostered

25 Granasztói, "Társadalmi," 354.

26 See Zsuzsanna Cziráki, *Autonóm közösség és központi hatalom: Udvar, fejedelem és város viszonya a Bethlen-kori Brassóban* (Budapest: ELTE, 2011), 24; Gernot Nussbächer, "Von Cron zu Cronstadt: Kronstadt in Urkunden des 14. und 15. Jahrhunderts," in *Aus Urkunden und Chroniken: Beiträge zur siebenbürgischen Heimatkunde*, vol. 13, part 1 (Kronstadt: Aldus Verlag, 2013), 35; Philippi, *Die Bürger*, 33; Roth, *Kronstadt in Siebenbürgen*, 56; Franz Zimmermann et al., eds., *Urkundenbuch zur Geschichte der Deutschen in Siebenbürgen*, vol. 2 (Hermannstadt: In Kommission bei Franz Michaelis, 1897), 93–96 (doc. no. 677).

27 Zimmermann et al., *Urkundenbuch*, vol. 2, 152–53 (doc. no. 736).

28 Zsigmond Pál Pach, *Magyarország és a levantei kereskedelem a XIV–XVII. században* (Budapest: MTA Történelemtudományi Intézet, Országos Pedagógiai Intézet, 1986), 5–8; Șerban Papacostea, "Trade Routes and State-Building: The Early Commercial Policy of Medieval Wallachia and Moldavia," *Revista Istorică* 29, nos. 5–6 (2018): 428–30.

29 Cziráki, *Autonóm közösség*, 21.

30 Granasztói, "Társadalmi tagozódás," 354–56; Zimmermann et al., *Urkundenbuch*, vol. 2, 336 (doc. no. 937); Boglárka Weisz, *Vásárok és lerakatok a középkori Magyar Királyságban* (Budapest: MTA Bölcsészettudományi Kutatóközpont–Történettudományi Intézet, 2012), 60–62, 80–81.

31 Nussbächer, "Brassó és a Barcaság," 172; Zimmermann et al., *Urkundenbuch*, vol. 2, 479–81 (doc. no. 1085).

local culture.³² As a consequence, the initially rural-like community of Braşov, as with other Transylvanian Saxon towns, became more urbanized over time, with the rich merchants gaining greater influence over political matters.

In the early period of Braşov, the leading group was selected from the lokators who organized and conducted the colonization into Transylvania. Until the middle of the fifteenth century, the members of this social group were separate from the nobility, although their status and lifestyle were close to that of nobles. Through military service and financial support of war, the lokators acquired land outside the Saxon territory, where they were landowners and could even relegate the local Saxons to tenant peasantry, in a manner similar to the nobility.³³ The change in the urban elite of Braşov took place in the fifteenth century, when the Saxons revolted against the presence of the lokator families among them.³⁴ Having their commercial fortunes as a secure base, the merchant burghers of Braşov took control over the town and the neighboring villages.

Family names from the end of the fourteenth and fifteenth centuries, analyzed by Maja Philippi and György Granasztói, reveal that the majority of them were professional names, such as Schneider (tailor), Fischer (fisherman), Kürschner (furrier), Wagner (cartwright), and Schuster (cobbler). From this period, we know that several town judges were nobles, such as a certain *comes* Jacobus from 1352–1368, *comes* Johannes Seydenschwanz from 1391–1412, and Valentin Gotfard, Petrus Comes, and Petrus Sander de Santa Agatha from the 1420s and 1430s.³⁵ The burgher elites of Braşov gained strength in the following period, from the middle of the fifteenth century, at the moment when the town was removed from under the authority of the royal *comes* and the urban community was granted autonomy in governing their town. The power structures were rearranged entirely: the nobles who owned land in the area were removed from their offices, their place being taken by merchants with increased political influence. In addition

32 The fourteenth century saw the development of guilds and a boom in trade: Philippi, *Die Bürger*, 122–30.

33 Barna Mezey, “Erdély a Magyar Királyságban (1000–1540),” in *Erdély jogtörténete*, ed. Emőd Veress (Kolozsvár: Forum Iuris, 2018), 107.

34 Cziráki, *Autonóm közösség*, 34.

35 Maja Philippi, “Die Sozialstruktur Kronstadts im Mittelalter,” in *Beiträge zur Geschichte von Kronstadt in Siebenbürgen*, ed. Paul Philippi (Cologne: Böhlau Verlag, 1984), 165; Gernot Nussbächer, “Kronstädter Stadtrichter, Stadthannen und Bürgermeister,” in *Kronstadt: Eine siebenbürgische Stadtgeschichte*, ed. Harald Roth (Munich: Universitas Verlag, 1999), 286; Cziráki, “Az erdélyi szászok,” 63.

to merchants, members of the guilds participated in the town government: butchers, furriers, tailors, and goldsmiths, who also engaged in the lucrative long-distance trade. The fifteenth-century account books hold the names of some merchant families, such as Czeidner, Tartler, Rosenauer, Rotenbacher, Seidlin, Kylhaw, and Rewel.³⁶

Based on the account books of 1475, published in the *Quellen zur Geschichte der Stadt Kronstadt*, György Granasztói recovered the names of the wealthiest families in Brașov: Schirmer, Clompe, Bogner, Kimmel, Sadler, Roth, Turk, Concz, Rothkyrschys, Bruledrer, Hoffgrebe, Rotschin, and Veltes.³⁷ Members of these families were elected to the town council as oath-swearing citizens (*civis juratus*). The names we encounter the most often in the last decades of the fifteenth century are Valentinus Schirmer, Vincentius Augustinus, Johannes Benckner, Melchior Schlosser, and Bartholomäus Schunkebung. Granasztói argues that the elite holding political power had distinguished themselves topographically within the city by that time. The senators owned homes mostly on the main square (*Marktplatz, Piața Sfatului*), on Gate Street (*Purzengasse, Strada Republicii*), on Hirscher Street (*Hirschergasse, Strada Apollonia Hirscher*), on Horse Market Street (*Rossmarkt, Strada Gheorghe Barițiu*), and on Cloister Street (*Klostergasse, Strada Mureșenilor*).³⁸ This custom was preserved in the following century, as shown by the probate inventories from the end of the seventeenth century.³⁹ The town judges, the town stewards, the council members, and some of the pastor families had their homes on the main square or on the streets leading to it.⁴⁰

The social stratification in Brașov, as in other Central European and Hungarian towns, divided the inhabitants into three groups.⁴¹ The most important criteria were house ownership and property taxes.⁴² Citizens

36 Philippi, "Die Bevölkerung," 110–12; Cziráki, *Az erdélyi szászok*, 63–64.

37 For the complete list, see Granasztói, "Társadalmi tagozódás," 394.

38 The concept of *Ringbürger* was not applied to the citizens of Brașov, but the location of their houses suggests that they were central.

39 Serviciul Județean al Arhivelor Naționale (Romanian National Archives, hereafter SJAN) Brașov, Primăria orașului Brașov (Town Hall of Brașov, hereafter POBr), IV.F.1, IV.F.2, IV.F.3.

40 The houses of the town judge Johann Manckesch (1635–1699) and of the town steward Bartholomäus Hirscher (1622–1682) stood on the market square; the house of Stephan Letz (?–1690), senator (town councilor) of Brașov, stood on Gate Street (today Republicii); the deacon Michael Schmeizel (1640–1685) from Brașov had his house in *Heiligelechnamasse* (Strada Poarta Șchei), according to the inventory of the estate made after the death of his wife Catharina Klöskesin (?–1692): SJAN Brașov POBr, IV.F.2, 98–102, 331–35, 557–59, 985–91

41 However, their social structure in Transylvania remained unchanged until the eighteenth century. See Granasztói, "Társadalmi tagozódás," 399.

42 György Granasztói divided the taxpayers of Brașov into four wealth groups: poor, moderately poor, moderately rich, and rich taxpayers. Granasztói, "Társadalmi tagozódás," 397–98.

with full rights (*cives*) represented the first group, who paid the highest taxes. In the Middle Ages, the term *cives* had a more restrictive meaning in the sense that it designated those individuals who were eligible for high office on account of their wealth or social prestige.⁴³ The second group of inhabitants was the most numerous, comprising tax-paying home-owners, the ordinary townfolk (*incolae, inhabitatores*), who were the decisive actors in urban life: small traders, guild members, and artisans. The third group of inhabitants included the urban poor, who did not own their home (*populus, incolae plebesani*) and who paid the lowest tax.⁴⁴

The Saxon “patricians” of Braşov in the early modern period

For the early modern period, there is more source material available for studying the families of Braşov. Apart from the account books and tax registers from the turn of the fifteenth and sixteenth centuries published in the series *Quellen zur Geschichte der Stadt Kronstadt*, Zsolt Simon's study on the merchant families of Braşov is a significant contribution to the topic.⁴⁵ The former Braşov archivist Friedrich Wilhelm Stenner (1851–1924) compiled a nominal list of the town's officials,⁴⁶ which is essential in reconstructing the political families of the town. Further, the collection diligently put together by Thomas Tartler (1700–1770), pastor from Prejmer,⁴⁷ and the work of Gernot Nussbächer (1939–2018) on the judges of Braşov are of great support for our endeavor.⁴⁸ Nevertheless, they need to be complemented and confronted with genealogical data.⁴⁹

43 Cziráki, *Az erdélyi szászok*, 104; Cziráki, *Autonóm közösség*, 34.

44 Philippi, *Die Bürger*, 131; Cziráki, *Autonóm közösség*, 34.

45 Zsolt Simon, “Brassó kereskedőelitje az 1503. évi huszadnapló alapján,” *Urbs: Magyar várostörténeti évkönyv* 3 (2008): 349–70.

46 Stenner, *Die Beamten*.

47 Thomas Tartler, *Collectanea zu einer Particulär-Historie von Cronstadt*, British Library, EAP040/1/3/71, <https://eap.bl.uk/archive-file/EAP040-1-3-71>. The original material is held by the Archive of the Evangelical Parish of Braşov, AHG, IV.F.1.Tq.100.

48 Nussbächer, “Kronstädter Stadtrichter,” 286–92.

49 I have mainly used the typewritten work *Genealogie Kronstädter Familien* by Erich Jekelius (1889–1970), as the author has tried to collect and use all relevant sources in his nine-volume opus with exemplary thoroughness. Its sources are: 1. the registers of the Archives of the Evangelical Parish of Braşov (baptismal registers 1684–1852; marriage registers 1737–1861; death registers 1712–1869); 2. the genealogical register of the former Saxon Museum of Burzenland (1700–1939); 3. the family correspondence fund of the Archives of the Evangelical Parish of Braşov; 4. the genealogies of important families compiled by Georg Michael Gottlieb von Herrmann (1737–1807), Transylvanian Saxon archivist and historian (*Genealogie der angesehensten Familien in Kronstadt*);

Official data show that beginning in 1500, a new elite began to coalesce in Brașov. Zsolt Simon's study, mentioned above, features traders from the prominent families of the town at the beginning of the sixteenth century, such as Benkner, Hirscher, Rhener, Schirmer, Schramm, and Schwarz. Their descendants can be identified over the following centuries in the lists of public officials. However, the family names from medieval times, such as Beer, Lang, Mwesch, Pereczwthew, Rewel, Sartor, and Themerdek, disappear from the sources. Exceptions to this rule are the Benkniers and the Schunkabunks, together with a few merchant families who, as far as we can identify them, did not hold public office in the earlier period, having entered the town council later on. Later in the sixteenth century, the families that were providing judges and council members had realigned again, including new names together with the old: Benkner, Bogner, Draudt, Fronius, Fuchs, Gockesch, Goldschmidt, Graeff, Greissing, Heltner, Hirscher, Jeckel, Schramm, Schunkabunk, Schwarz, and Weiss. Among these, the most influential were, already going back to the fifteenth century, the Benkniers and the Hirschers. Members of these families held the office of town judge for nearly two-thirds of that century. A closer inspection of the marriage relations reveals that these two families chose marriage partners from the other families who were represented in the town council, in a mutual enhancement of their prominent political and social role in Brașov.

The Benkner family, as mentioned, ran the town since the fifteenth century.⁵⁰ Between 1511 and 1519, Johann Benkner (†1534?) was the judge of

5. Franz Joseph Trausch's genealogical tables; 6. the genealogical tables of the Brașov families compiled by Otto von Albrichsfeld and Emma Jekelius; 7. Eduard Morres' manuscript memorial book of the inhabitants of Burzenland (*Burzenländer Gedenkbuch*); 8. the printed sources *Quellen zur Geschichte der Stadt Kronstadt* 1–7; Joseph Trausch' *Schriftsteller-Lexikon der Siebenbürger Deutschen* 1–4; Gyárfás Tihamér, *A brassai ötvösség története*; Christoph Gusbeth's (1842–1913) genealogical records of families from Brașov (*Stammtafeln einiger Familien aus Kronstadt*). For more information, see Erich Jekelius, *Genealogie Kronstädter Familien: Kronstadt* [Typescript], 1965, I–IX. Here: I. [1–3], cf. AHG IV.F.57. Microsoft Access was used to search thousands of family relationships for hundreds of individuals, correlating official positions and linking these relationships according to various criteria. For the research methodology, see József Pap, "Relációs adatbázisok felhasználási lehetőségei a történeti kutatásokban," in *Hagyományos források, új megközelítések: A digitalizáció kínálta lehetőségek a történeti kutatásokban*, ed. Dániel Ballabás (Eger: Liceum Kiadó, 2019), 9–32; Dániel Ballabás, "Családfákon innen és túl. Genealógiai kapcsolatok detektálása a hálózatok segítségével," in *Hagyományos források*, 33–67.

50 Johann Benkner (?–?) town steward of Brașov in 1428; Johann II Benkner (?–?) judge of the town from 1472 to 1488; Christian Benkner (?–?) senator from 1480 to 1504; Johann III Benkner (?–?) judge of the town from 1501 to 1504; Johann IV Benkner (?–?) judge of the town in 1528; Johann V Benkner (?–1565) judge of the town from 1547 to 1560, with some years of absence. See Stenner, *Die Beamten*, 9; Jekelius, *Genealogie*, vol. 1, 48.

Braşov, and his three sons, Johann, Michael, and Paul, were members of the council. This information, albeit lacunary, suggests the continuous presence of the family in the administration of Braşov. The son of Johann, another Johann (†1565), was a councilor between 1535 and 1540, a town steward between 1543 and 1546, and then town judge, with a few gaps, until his death. His wife was a certain Apollonia Knecher from Sibiu, who gave Johann Benckner four sons, all traceable later in the town council, and a daughter, whose husband was a senator.⁵¹ Apollonia entered a second marriage in 1566 with Lucas Hirscher (1519–1590), town judge, and bore him five sons and a daughter. One of the men became a town priest; the others were members of the town council.⁵² Genealogical data account for thirteen children born from Apollonia, whose descendants in turn continued to be part of the urban government. The criteria for being considered “patricians” were met by both families, the Benckners and the Hirschers alike. Furthermore, genealogical investigations show many relationships with other families represented in the town council. For instance, the brother-in-law of town judge Johann Benckner (†1565) was Michael Fronius (1575–1615), whose father was Matthias Fronius (1522–1588), senator, town steward, and notary, who drafted the code of law of the Transylvanian Saxons, the *Eigenland-recht*.⁵³

As a representative example of contemporary marriage practices was the union between Sara Benckner (1553–1600) and town councilor Georg Jeckel (†1590), whose father was Jeremias Jeckel (1490?–1554), the town priest of Braşov. The marriage customs of the political families of Braşov indicate that connections with the pastoral families serving in town or in the communities of Burzenland were seen as just as prestigious. The marriage links between the Benckner and Hirscher families reveal the names of other patrician

51 Johann Benckner (1551–1590) was senator of Braşov from 1571 to 1580; Paul Benckner (1561–1620) senator in 1605; David Benckner (1556–1598) senator from 1590 to 1598; Marcus Benckner (1563–1597) notary. See Stenner, *Die Beamten*, 9–10 and Jekelius, *Genealogie*, vol. 1: 48–56. The husband of Sara Benckner (1553–1600), Georg Jeckel (?–1590), was senator of Braşov from 1581 to 1586. See Stenner, *Die Beamten*, 73. and Jekelius, *Genealogie*, vol. 1: 49.

52 Lucas Hirscher (1567–1608) held a permanent position in the town government between 1588 and 1608; Johann Hirscher (1572–1615) was senator and town steward between 1596 and 1602; Paul Hirscher (?–?) was senator between 1609 and 1611; Valentin Hirscher (?–1603) was senator, notary, town steward, and judge between 1578 and 1603; Georg Hirscher (?–1603) was priest in Codlea. The husband of Barbara Hirscher (1546–1616), the only known daughter of the couple, was senator from 1576 to 1588. See Stenner, *Die Beamten*, 68–70; Jekelius, *Genealogie*, vol. 4: 98–100.

53 Júlia Derzsi, “Párhuzamos életrajzok: Thomas Bomelius és Matthias Fronius; Értelmiségi pályák a közösség szolgálatában,” in *Hivatalnok értelmiségi a kora újkori Erdélyben*, ed. Zsolt Bogdándi and Tamás Fejér (Kolozsvár: Erdélyi Múzeum-Egyesület, 2016), 43–61.

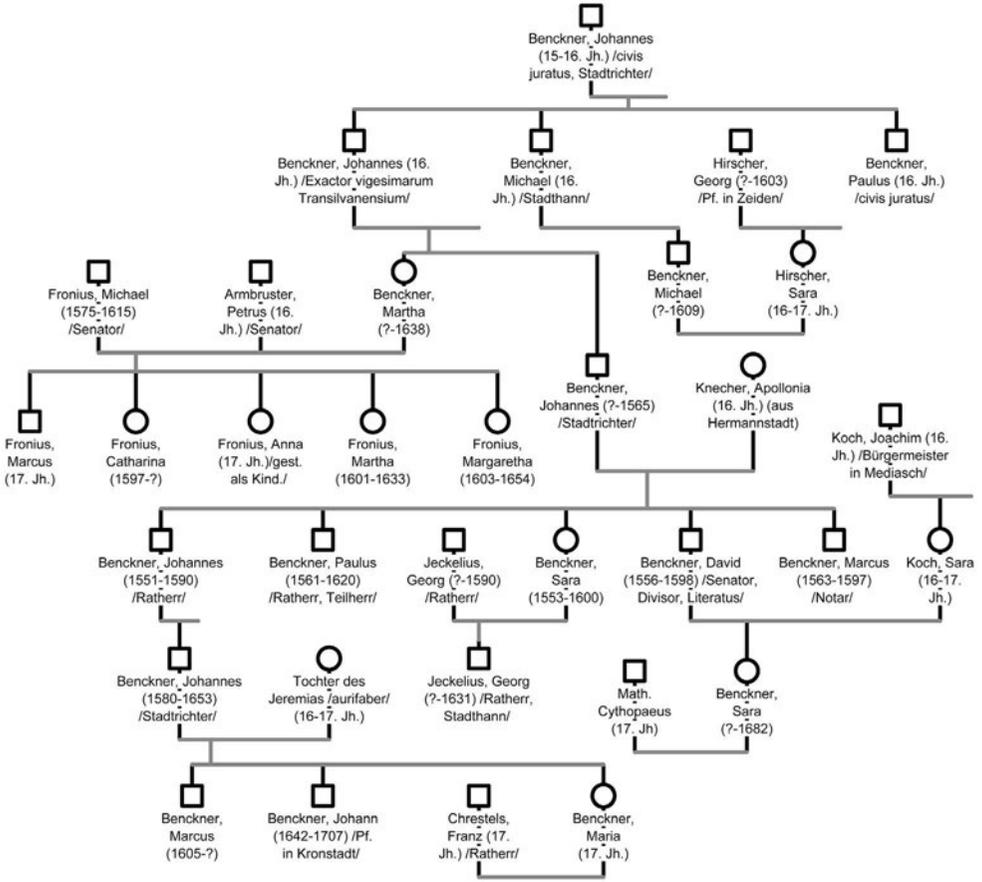


Figure 9.3. Genealogical tree of the Benckner family in the sixteenth and seventeenth centuries.

families: Chrestels, Draudt, Fuchs, Jeckel, Greissing, and Schunkabunk. However, their dominance in urban governance varied over time.

The Benckners and the Hirschers were gradually removed from the town government in the course of the seventeenth century. Johann Benckner (1580–1653) served as town steward for the last time in 1615–1616, excluded from political roles most likely because of his part in the conspiracy against Gabriel Bethlen. The family took part in the town council through the husbands of the daughters.⁵⁴ Among the Hirschers, the last member able

54 For the political career of Johann Benckner, see Zsuzsanna Cziráki: “Két világ határán: Johannes Benckner 17. századi erdélyi százsz politikusi bécsi és konstantinápolyi diplomáciai tevékenysége,” *Belvedere* 24, no. 3 (2012), 17–35. The later descendants of the family were able to represent themselves in the town council with one person per generation, albeit intermittently,

to retain the family's influence on town affairs, Lucas Hirscher (1613–1674), served on the council from 1657 to 1672, but the family died out politically with him.⁵⁵ Dominance in the public administration of Braşov was taken over instead by families that had marriage connections to these two families. At the same time, the two main public offices, judge and steward, were more evenly distributed among the prominent families. The Chrestels, Draudt, and Fronius families, as well as several families newly involved in the town council, such as the Bolthosch, Czako, Dietrich, Filstich, Frantzen, Goldschmidt, Gorgias, Herrmann, Plecker, Rauss, and Schneeweiss families, gained ground in local politics. By the end of the century, the Mankesch, Rheter, and Seuler families also played a decisive role in the town council. In the first third of the eighteenth century, members of the Czako, Draudt, Filstich, Mankesch, Rheter, and Seuler families filled the main offices of the town. The Closius, Enyeter, Herberth, Neidel, Tartler, and Seewald families followed in their footsteps, while the Chrestels and Fronius families returned to be elected to high offices in Braşov.

Without aiming for exhaustive detail and family data, I inventory the marriages of the Draudt family, who were called patricians in the prints announcing the theological disputation from 1693, with a focus on the family members who were elected to the town council or other offices.

Table 9.1. The Draudt family of Braşov, sixteenth-seventeenth centuries*

Draudt family member and their role	Spouses and their ancestors
Draudt, Johann (1557–1627) /town judge/	1. Justina (?–?), daughter of Marcus Uberger (?–?) 2. Margaretha, daughter of priest Simon Massa (1536?–1605)
Draudt, Jacobus (1590–1641) /senator/	1. Daughter of tailor Lucas Mankesch (?–?) 2. Sara (?–1640), daughter of priest from Feldioara, Jacob Fischer (1558–1601)

even in the seventeenth and eighteenth centuries. Through the marriages of the Benkner daughters, the family was able to maintain a continuous representative presence. See Jekelius, *Genealogie*, vol. 1: 50–56.

55 One of her daughters was Catharina Hirscher (?–?), who was married in 1655 probably to Johann Chrestels (1622–1676), who later became a senator and town steward. The other daughter, Agnetha Hirscher (?–?), was married in 1660 to Valentin Plecker (1638–1689), son of Petrus Plecker (1582–1655), a former town steward. Valentin himself would rise to the position of town steward in the town. Two other branches of the Hirscher family are known from the fifteenth and sixteenth centuries, but they did not obtain a position in the magistrate's office. See Jekelius, *Genealogie* vol. 4: 100–103.

Draudt family member and their role	Spouses and their ancestors
Draudt, Martin (?-?) /senator/	Catharina, daughter of senator Johann Honter (1569–1614)
Draudt, Michael (?–1615) /senator/	Martha, daughter of senator Caspar Dilg (?-?)
Draudt, Georg (?–1627) /senator/	1. Anna, daughter of priest from Prejmer, Johann Fischer (†1615) 2. Catharina (†1619) daughter of priest Marcus Fuchs (1557–1619)
Draudt, Marcus (?–1618?) /senator/	No data
Draudt, Simon (1615–1664) /town judge/	Agnetha (1621–1701), daughter of town judge Johann Chrestels (1576–1625)
Draudt, Georgius (1633–1687) /town judge/	Martha (1632–1687), daughter or senator Stephan Greissing (?–1647)
Draudt, Simon (1647–1693) /town judge/	1. Sara (1655–1717), daughter of senator Petrus Barthosch (†1657) 2. Agnetha (1621–1701), daughter of town judge Johann Chrestels (1576–1625)
Draudt, Georg (1654–1691) /senator/	Margaretha (1666–1718), daughter of priest from Härman, Lucas Seuler (1617–1667)
Draudt, Georgius (1661–1728) /town judge/	Martha (1665–1718), daughter of priest from Rotbav, Johann Blum (1637?–1670)
Draudt, Johann (1672–1730) /senator/	1. Anna Catharina (?-?), daughter of Georg Jeckel (1635–1708) judge of Brașov 2. Catharina (1697–1756), daughter of senator Valentin Kaulengräber (?-?)
Draudt, Johann (1679–1733) /town steward/	Margaretha (?-?), daughter of town judge Johann Mankesch (1635–1699)
Draudt, Georgius Constantin (1691–1735) /senator/	Anna Margaretha (1707–1776), daughter of hospital supervisor Petrus Plecker (1673–1719)
Draudt, Simon (1703–1736) /town captain/	Anna Catharina (1709–1763), daughter of town judge Paul Chrestels (1679–1745)

* Names are entered chronologically by birth, when possible, or by death.

The marriage strategies of one of the self-identifying patrician families of Brașov reveal a close relationship with the town's highest decision-makers and the priests from Burzenland. If we add to this fact the marriages of other family members, who were priests or teachers, and the marriages of the daughters, the family entanglements become even more complex. If we were to cumulate the results of this single family into the possible web of relations of the other prominent families in town, the results would increase in geometric progression.

It should be noted that in the seventeenth and eighteenth centuries, the town council of Braşov seated representatives of nearly 150 families, such as Boes, Braller, Czerbes, Gaatz, Hintomacher, Katzendörfer, Kaulengräber, Leis, Meneges, Mergler, Niemescher, Repser, Retsch, Schweiger, Stentzel, Theilisch, and Wallusch. They cannot be followed in the sources for several generations; therefore, the contemporary definition of “patricians” did not apply to them.

Conclusions

This study has presented the most prominent families in Braşov in their historical evolution, tracing the beginnings of the urban elites in the *locator* families and the merchant families from the fourteenth century. The account books of Braşov from the fifteenth century reflect the strong economic activity of the elite families, which disposed of financial capital and extended their influence over the town and the surrounding Burzenland. A wealth gap appeared between these families running the city and the middle and lower strata of urban society. The more generous historical sources from the sixteenth century onward indicate that the prominent families of the city had recourse to marrying among themselves in order to preserve their hold over the urban government. Evidence corroborated with data from Cluj suggests that the term “patrician” could have been used for self-identification purposes. However, the notion does not imply a separate estate, as in the German imperial cities, but as a sign of distinction from the other citizens of their town.⁵⁶

The present analysis had the aim of analyzing the notion of patrician in order to identify the wealthiest (patrician) families in Braşov. However, the criteria generally formulated in the literature on urban history do not fit all the families represented in the Braşov town council and governance, and this topic requires further investigation. Mapping the narrower circle of decision-making families has enabled us to see Braşov’s early modern society and political functioning more accurately, and it has helped us understand what career opportunities families with less prestigious ancestry could expect among the town’s patricians. Further deep sampling may provide

56 For the officials and the priests of the town of Braşov at the end of the seventeenth and the beginning of the eighteenth century, see Andor Nagy, *Tisztviselői életpályák: A brassói szász vezető elit társadalmi érvényesülése (1650–1750)* (Budapest: Korall, 2024).

an answer to the question of whether the urban patriciate was an open group and whether social mobility was possible in early modern Brașov.

About the author

Andor Nagy is a research fellow at the Department of Modern and Contemporary History of the Károly Eszterházy Catholic University, Eger (Hungary). His research focuses on the history of the Transylvanian Saxons in the early modern period, social history and social network analysis. His previous publications include “Data on the Social Network of Peregrines from Brasov on Occasional Printed Papers from the Early Modern Era,” *Hungarian Studies* 34, no. 2 (2020): 147–62.

10. Medieval Urban Autonomy of Câmpulung Muscel and Its Realignment in the Modern Period

Ștefan Ionescu-Berechet

Abstract: The study aims to analyze the profound mutations that the urban autonomy of Câmpulung underwent at the dawn of modernity in Wallachia. The town's medieval privileges, which its judges made sure to renew periodically, were immortalized in stone on the Cross of the Oath in the seventeenth century. In the eighteenth century, the charters were collected and copied into a collection known as the *Cloth of the Town of Câmpulung* and confirmed by Prince Constantin Mavrocordatos in 1747. The Organic Regulations of 1831–1832 introduced administrative changes that undermined the old notions of “townsman” and “town privileges” and reconfigured the community of landowners.

Keywords: urban autonomy, urban privileges, Câmpulung, Cross of the Oath, Cloth of the town

As one historian has justly stated, the town of Câmpulung¹ “was the town with the oldest privileges and the broadest autonomy in Wallachia.”² This

¹ Laurențiu Rădvan, *At Europe's Borders: Medieval Towns in the Romanian Principalities*, trans. Valentin Cârdei (Leiden: Brill, 2010), 264 argues that the name of the town, which translates literally as “long plain,” is mentioned in various forms in medieval documents (Latin: *Longo Campo* or *Campo Longo*; German: *Langenau* or *Langnaw*; Hungarian: *Hosszúmező*; Slavonic: *Dlăgopole*) and features on the map of Fra Mauro (ca. 1450) as *Campolongo*, does not refer only to the flat land between two hills but was an administrative unit comprising several villages, similar to Moldavia or Maramureș.

² Alexandru Ciocâltan, *Comunitățile germane la sud de Carpați în Evul Mediu (sec. XIII–XVIII)* (Brăila: Istros, 2015), 81.

fact can still be evidenced today, in opposition to other Wallachian urban settlements. From the surviving documents it can be established that there were two main types of privileges granted to the town: the first concerned urban autonomy, similar to Transylvanian towns, allowing townsfolk to organize their own institutions and administration of justice, while the other privilege was related to the town's ownership over mountains and valleys. Over the centuries, these privileges were renewed by the Wallachian princes at the request of the town judges (*judet*), and in the seventeenth century they were carved in stone in what is known as the Cross of the Oath (*Crucea Jurământului*). In the eighteenth century, all the parchments and charters were collected and copied into a collection known as the *Cloth of the Town of Câmpulung*, confirmed and certified by Prince Constantin Mavrocordatos in 1747. The collection has 27 charters and 12 princely charters from 1599–1747, attached to a piece of cloth over 7 meters long, rolled up, and kept in a metal cylinder.³ One century later, the political and administrative reforms of the Organic Regulations became the starting point for dramatic shifts in the local community, beginning with 1831–1832, whereby the terms “townsman” (*orășean*) and “town privileges” were redefined, leading to the creation of a Community of the Denizens of Câmpulung (*Obștea Moșnenilor*). In this study, I examine the stages that led from medieval urban autonomy to the coalescence of the town inhabitants under the pressure of modernization into newly created social categories that nevertheless relied on their urban past.

The Cross of the Oath and the swearing in of town judges

Of the sixty votive stone crosses erected between the sixteenth and the twentieth centuries in Câmpulung Muscel, the Cross of the Oath stands out for several reasons: the significance of its inscription; the position of the cross in the urban topography (in the center of town, now in the façade of a house); and the complex decors of its top arms, with Greek monograms and Slavonic initials combined with vegetal, geometrical, and stellar motifs.⁴

3 Constantin Șerban, “Lupta orășenilor din Câmpulung-Muscel împotriva asupririi feudale în sec. al XVII-XVIII-lea,” *Studii: Revistă de istorie* 15, no. 4 (1962): 955n1; Ioan Răuțescu, *Câmpulung Muscel: Monografic istorică*, facsimile ed. (Bucharest: Ars Docendi, 2009), 32–33; Gheorghe Pârnuță and Ștefan Trâmbaciu, *Documente și inscripții privind istoria orașului Câmpulung-Muscel*, vol. 2 (Bucharest: Semne, 1999), 57, 146.

4 For a more detailed description of how the cross was erected and its inscription, decorations, and role, see Ionescu-Berechet, “Un monument emblematic și istoria sa uitată: Crucea

Because of its position over the previous centuries, the cross was known as the “Cross from the Center of the Market,” but now it is called the “Cross of the Oath” on account of its ceremonial function during the swearing in of town judges. Newly appointed judges pledged to protect and defend the town’s liberties while standing in front of the cross, which displayed the town’s old privileges, carved in stone.

A detailed description of this political ritual, as it took place at the beginning of the nineteenth century, on the third day of Easter, is published in the monograph on the history of Câmpulung by C.D. Aricescu.⁵ According to this author, the ceremony in the church of the Câmpulung monastery was followed by another one in the town square, where the judge arrived at the head of an impressive procession. In front of the Cross of the Oath, the judge “repeated the pledge of faith” that he had first taken at the altar of the church, “kissed the cross,” and afterwards was lifted three times on the shoulders of the burghers, while everyone shouted, “Long live the lord judge!”⁶

On the day of the election, possibly in front of the cross, the new judge received from his predecessor, through the burghers, the seal of the town, the privilege charters, and the protocol books.⁷ In the confirmation letter of August 18, 1785, whereby Prince Michael Soutzos acknowledges the election of Judge Sterie Postelnicul, it is stated that the new judge would receive all the old charters and the town seal, with the proviso that the judge was allowed to use the seal only for “the affairs of the town community” (*treaba Obștii orașului*) and only with “the knowledge of the *epistat* of all the burghers and the representatives of all the neighborhoods.”⁸

The significance of the cross in the urban rituals and the townsmen’s wish to preserve the privileges carved in stone prompted the town fathers to make a copy of the cross after the original one was damaged during the riot of 1787–1791. Nicolae Iorga called this copy, arbitrarily, the Cross of the Burghers (*Crucea pârgarilor*), only to differentiate it from the original. The

Jurământului din Câmpulung Muscel,” *Argesis* 24 (2015): 147–78.

5 The father of the author, the treasurer Dimitrie Aricescu, was town judge for several years between 1822 and 1828, thus Aricescu himself witnessed this ceremony in his childhood.

6 Constantin D. Aricescu, *Istoria Câmpulungului, prima residență a României*, vols. 1–2 (Bucharest: Imprimeria Ferdinand Om, 1855–1856); reprint ed. Adrian Săvoiu and Gh. Pârnuță (Bucharest: Ars Docendi, 2007), 107–9.

7 Aricescu, *Istoria*, 111. Emil Vîrtosu stated that the judge was given these “insignia of urban governance” at the Cross of the Oath. Emil Vîrtosu, “Din sigilografia Moldovei și a Țării Românești,” in *Documente privitoare la istoria României: Introducere*, vol. 2 (Bucharest: Editura Academiei, 1956), 486.

8 Răuțescu, *Câmpulung Muscel*, 144.



Figure 10.1. The Cross of the Oath today, in the wall of a townhouse in Câmpulung (photo by Cristina Aurelia Berechet)

copy of the Cross of the Oath stands today in the town's marketplace. It reproduces the 1674 original with slight differences in the inscription and decoration and has a few additional lines that acknowledge the context and the town officials involved in its creation.⁹

The Cross of the Oath and its inscription

The first known charter containing the town privileges of Câmpulung is the diploma issued on May 7, 1615, by Prince Radu Mihnea. The liberties

9 Răuțescu, *Câmpulung Muscel*, 144, 353. The added inscription is on the left arm of the cross.

granted to the town and its inhabitants included an exemption from certain taxes and services (*de găleată, de slujba domnească and vama pârcălabilor din oraș*); the exclusive right of owning property in town and in the common land and forests along with the right to hereditary transmission; the exclusive right to buy the property of a deceased burgher who had debts with foreign creditors; and the right to the administration of justice and the right of townsfolk to be judged by the town judge, the 12 burghers, and the town elders. This diploma makes reference to the “foundational privilege” (*așezământul orașului*) that was written in the old charters (*vechile hrisoave*) from voivodes Mihail I (1391/1392), Vlad Dracul (1438/1439), and Vladislav II (1451/1452).¹⁰ The same succession of medieval voivodes that presumably endowed Câmpulung with urban privileges is replicated in the charter of April 12, 1636, by Prince Matei Basarab, which also adds to the top of the list a “charter from Voivode Radu Negru” of the year 1291/1291 (year 6800 in Byzantine calendar).¹¹ None of these “ancient charters” is known or preserved today.

The inscription on the Cross of the Oath reproduces the charter of Prince Gheorghe Duca from December 1674, whereby he confirmed the privileges and liberties of the townsfolk of Câmpulung.¹² Thus, this cross belongs to the rare category of princely “confirmations” set in stone, the so-called “charter crosses.”¹³ The liberties reaffirmed in this privilege were the exemption from taxes (bread tax, customs duties, and sales tax). Moreover, the charter makes reference to the liberties granted by Radu Negru (1215) and Alexandru Iliăș (1626), as in the “old privilege diplomas and the inscription of the holy monastery, which stands over the church door and was confirmed by the late Voivode Matei under heavy curse.”¹⁴

A closer study of the inscription on the cross reveals that this stone charter compiles and adapts provisions from older diplomatic and epigraphic sources. The privilege of juridical autonomy was copied, with few

10 Pârnuță and Trâmbaciu, *Documente și inscripții*, vol. 1: 160–62.

11 *Documenta Romaniae Historica*, series B, vol. 25, ed. Damaschin Mioc et al. (Bucharest: Editura Academiei, 1985) 250, 263.

12 The inscription has been transcribed and published in several editions: Constantin Bălan, *Inscripții medievale și din epoca modernă ale României: Județul istoric Muscel*, mss. at the Nicolae Iorga Institute of History, doc. no. 386, 800–801; Calinic Argeșeanul and Grigore Constantinescu, *Monumente memoriale din județul Argeș: Cruci de piatră* (Pitești: Ed. Europroduct, 1999), 139–40; *Inscripții din bisericile României*, ed. Nicolae Iorga, vol. 2 (Bucharest: Institutul de Arte Grafice, 1908), 103; Aricescu, *Istoria Câmpulungului*, 185–86; Răuțescu, *Câmpulung Muscel*, 353–54.

13 Vasile Drăghiceanu, “O tocmeală a lui Matei Basarab,” *Buletinul Comisiei Monumentelor Istorice* 4 (1911): 148.

14 Răuțescu, *Câmpulung Muscel*, 353.

alterations, from Radu Mihnea's charter of 1615, while the fiscal liberties reproduce exactly the votive inscription on the church door of the Câmpulung monastery, which was installed on August 20, 1634, at the mandate of its founder, Prince Matei Basarab.¹⁵ Both stone monuments, namely the cross and the church inscription, transcribe the same text from a source that no longer exists today. C.D. Aricescu presumed it to be "an excerpt from the ancient charter of the founder of Wallachia,"¹⁶ while D. Papazzoglu identified in it the "charter of Negru-Vodă or the old privileges of Câmpulung."¹⁷ Prince Matei Basarab transformed the former court church into a monastery church, therefore a church open to the public, and as the new founder, he placed the dedication inscription inside the new church. A paragraph from this inscription was later carved into the stone charter of the Cross of the Oath.

Therefore, we can identify two crucial moments in the evolution of medieval Câmpulung, when the privileged status of the urban community was confirmed: the time when the princely court settled in town and the time of the foundation of the monastery, both institutions established in the middle of the town.

The Cross of the Oath and the dispute over urban autonomy

Prince Matei Basarab's foundation of the monastery laid the path for inevitable conflicts between the monastery and the townspeople, as inscribed in the stone charter of the cross: "And in the days of my reign, the judge and the townsfolk came to me with their lament, that the monks were ruining the privileges that the town has had since the ancient rulers."¹⁸ Conflict ensued because of the privileges bestowed upon the monastery, which violated the town's own interests and old privileges.

In the charter of April 10, 1657, Prince Matei Basarab endowed the monastery with half of the income of the customs at Dragoslavele, the duties from the weekly fair, and the bread and wine tax during the annual fair (of

15 Bălan, *Inscripții Muscel*, no. 249–50; Iorga, *Inscripții*, vol. 1: 128–30.

16 Aricescu, *Istoria Câmpulungului*, 107–9. By using the term "excerpt," Aricescu indicates that the stone charter reproduces only a part of the original charter, namely, the section with the fiscal privileges.

17 Dimitrie Papazoglu, "Excursiune arheologică la trei vechi reședințe ale României: Câmpulung, Curtea de Argeș și Târgoviște, făcută în anul 1874," in *Câmpulungul în mărturiile vremii*, ed. Adrian Săvoiu (Bucharest: Ars Docendi, 2009), 94.

18 Răuțescu, *Câmpulung Muscel*, 353.



Figure 10.2. The church inscription of Matei Basarab's foundation in Câmpulung (photograph by author).

St. Elias), which, moreover, was relocated to the vicinity of the monastery in specially opened stalls.¹⁹ This foundational charter was renewed by Prince Grigorie Ghica in his diploma of April 16, 1661.²⁰ During the second reign of this prince in Wallachia, in 1672–1673, the long series of lawsuits between the town officials and the abbots of the monastery began regarding the granting and removal of privileges.

The first episode took place when Prince Grigorie Ghica, responding to the complaint of Igumen Vasile, confirmed in the charter of April 12, 1672, the privilege of the monastery to collect taxes at the weekly fair, about which the charter states that it had been usurped by Andrea, the town judge, who “interfered in collecting taxes without any princely mandate.”²¹

Months later, the same Judge Andrea went to the princely court for his trial with Igumen Vasile to have the 1647 privilege, which stipulated that townspeople had to pay the monks a tax on fish and meat, revoked. Arguing

19 Răuțescu, *Câmpulung Muscel*, 78–79.

20 Răuțescu, *Câmpulung Muscel*, 86.

21 Pârnuța and Trâmbaciu, *Documente și inscripții*, vol. 1: 292–93. It is likely that this practice of the town judge was the reason why the interdiction of collecting taxes from the townsfolk was included in the inscription on the Cross of the oath.

that the old liberties of the inhabitants of Câmpulung were written in the votive inscription at the monastery, Judge Andrea won the trial, and Matei Basarab's diploma was repealed in the charter of June 27, 1672.²²

The conflict was reignited after the ascent to the throne of a new prince, Gheorghe Duca. Judge Andrea obtained at first a favorable sentence from the princely council when Igumen Gavriil was absent from the hearing, but the latter succeeded in convincing the prince to reaffirm the privileges of the monastery. In a privilege charter from July 8, 1674, Gheorghe Duca reinstated the monastery's rights, granted by Matei Basarab, to collect taxes from the townspeople—both the tax on wine sales and the tax on fish and meat sales. However, in the same year, Judge Andrea persuaded Prince Gheorghe Duca to revoke this charter and to confirm the privilege from Grigorie Ghica of June 27, 1672.²³ Furthermore, the sovereign's reinforcement of the urban privileges of Câmpulung prompted the urban community and its Judge Andrea to erect the Cross of the Oath “in the middle of the town square” on Christmas day, 1674.

On January 14, 1675, only three weeks after the cross was placed, the same Prince Duca gifted the monastery of Câmpulung and Igumen Gavriil the right to collect tax from the tavern keepers in town, including from the townspeople; this was a privilege that was not among the original donation of Matei Basarab from 1647.²⁴ Moreover, the monks had been collecting taxes on the sale of fish and meat, a right which had been revoked in 1672 by Prince Grigorie Ghica and in 1673 by Prince Gheorghe Duca. Because of the “discord and bitter strife” that had ensued between the townsfolk represented by Judge Andrea on the one side and Igumen Gavriil on the other, all parties addressed the princely court for justice. Prince Duca, trying to appease both parties, chose a compromise, whereby in a new charter on January 17, 1675, he confirmed both his own privilege of January 14, 1675, and the privilege charter of his predecessor on the throne, issued on June 27, 1672. Thus, the monks were confirmed the right to collect taxes on wine sales but lost the right to claim taxes on fish and meat sales.²⁵

The legal proceedings were reopened six years later by the townspeople and Judge Scarlat. Prince Șerban Cantacuzino, in his charter of May 23, 1681, chose a compromise as well: the town inhabitants were removed from the jurisdiction of the monks and exempt from the taxes on meat,

22 Pârnuță and Trâmbaciu, *Documente și inscripții*, vol. 1: 134, 296–97.

23 Pârnuță and Trâmbaciu, *Documente*, vol. 1: 140, 304.

24 Pârnuță and Trâmbaciu, *Documente*, vol. 1: 142, 307.

25 Pârnuță and Trâmbaciu, *Documente*, vol. 1: 143, 308.

but had to pay the wine and fish tax.²⁶ The conflict between the town and the monastery continued throughout the eighteenth and the beginning of the nineteenth centuries. The princes obliged the townspeople to pay the monastery a tax on the St. Elias annual fair, a tax on fish transports, and a tax on wine sales, which in turn led to dissent and noncompliance, and even to the banishment of the monastery's employees. The victory of the townspeople in 1786, when Prince Nicolae Mavrogheni exempted them from all taxes due to the monastery, was short-lived.²⁷

Urban autonomy and the Saxon community of Câmpulung

The inscription on the Cross of the Oath ends with the names of the town officials who erected it on the main square: "Judge Andrea and the 12 burghers." As shown above, the relationship between this judge and the cross-enshrining urban autonomy surpasses his mere status as a town steward. In fact, Judge Andrea is the one who achieved the triumph of the townspeople by convincing Prince Gheorghe Duca to issue the charter and to order the inscription on the most important stone monument of the town. Andrea Păulescu was a key figure of the Saxon and Catholic elite of Câmpulung; he was elected town judge for more than six mandates between 1658 and 1680. He was one of the longest serving and most popular officials in the town's history.²⁸ I argue that the essential role of Andrea in affirming and having the town privileges acknowledged indicates in fact the close connection between the Saxon community of Câmpulung and urban autonomy. A similar argument was made by Laurențiu Rădvan, who stated that Transylvanian Saxon colonists played a key role in the urban development of medieval Câmpulung.²⁹

While we have no documentary evidence from the early centuries, certain historical sources from the seventeenth and eighteenth centuries can supply information in this respect. An *Anonymous Report* ("Relație anonimă") from

26 Pârnuță and Trâmbaciu, *Documente*, vol. 1: 154, 320.

27 For a detailed presentation of this conflict at Șerban, see *Lupta orășenilor*, 958–61. See also Pârnuță and Trâmbaciu, *Documente*, vol. 2: 145, 242–45.

28 Ciocîltan, *Comunitățile germane*, 118–23 with more details on Judge Andrea.

29 Rădvan, *At Europe's Borders*, 264–68: The similarity in symbolic topography and urban privileges to those of Transylvanian towns would indicate a colonists' settlement (*locatio*) on the edge of an older settlement. Thus, the urban nucleus was then surrounded with the neighborhoods of other communities, such as the Romanian communities in the north and south of the town and the groups of Bogomils and lepers (*mîșei*).

1688, which describes in detail how Prince Șerban Cantacuzene humiliated Judge Andrea in public for being a Catholic, also provides the crucial information that the Catholics in Câmpulung “keep the seal of their community, although they had to fight hard for it in every prince’s court.”³⁰ This piece of information is retold in Blasius Kleiner’s *Chronicle of the Franciscans*, where the author stated that “the seal of the market town” had always been kept with the Catholic monks and that the judge and the burghers could seal their official documents only with the knowledge of the monks and at the monastery.³¹

Based on the Latin inscription on this seal, scholars have stated without much evidence that it was a “prestigious tradition, probably started in the thirteenth century with the Latin writing of diplomas, a language that was inaccessible to locals but known to the Catholic monks.”³² This assumption is contradicted by Emil Vârtosu’s analysis of the town seal and its inscription (*Sigillum* † *Campo* † *Longo* †), stating that the fact that the seal was kept in the Catholic church in Câmpulung indicates that “until the beginning of the eighteenth century, town governance was in the hands of the local Catholics” and that church superiors, owing to their literacy and knowledge, “were part of the urban authorities.” The church superior was a keeper of the seal (*conservator sigilli*) but also applied the seal to documents (*sigillator*).³³ E. Vârtosu’s theory is supported by the old record of Franz Joseph Sulzer (1781–1782), who wrote that “Prince Radu the Black” had given the Saxons of Câmpulung “the right to elect their own leaders from among themselves, which the Germans had done for a long time and continued to do until the last century without any hindrance.”³⁴ This privilege of autonomy would explain why the Catholic priests were in possession not only of the seal but of the old privilege charter of the town as well. A diploma from February 25, 1735, given by Judge Iorga to the Franciscan monks of Câmpulung reveals that “of the ancient customs of this town, in charters from all the Christian lords of blessed memory, it can be seen that these charters had been in the

30 “Relația anonimă latină despre Țara Românească,” in *Călători străini despre Țările române*, ed. Maria Holban et al., vol. 7 (Bucharest: Editura Științifică și Pedagogică, 1980) 452, 460. Original Latin by Johann Christian von Engel, *Geschichte der Walachey, Geschichte der Moldau* (Halle, 1804), 106, 110.

31 George Georgescu, “Câmpulung-Muscel în Cronica franciscanilor de la 1764,” *Argesis* 9 (2000): 256.

32 Ion Hurdubețiu and Flaminio Mirțu, “Câmpulungul-Muscel medieval,” *Studii și articole de istorie* 11 (1968): 40.

33 Vîrtosu, *Introducere*, 488.

34 *Câmpulungul în mărturiile vremii*, ed. Adrian Săvoiu (Bucharest: Ars Docendi, 2008), 43.

keep of the monastery.” In this diploma, the abbot of the Franciscan friary (*Bărăția*) gave over to Judge Iorga the seal of the town and six privilege charters (1599–1670), after all the other charters had already been handed to Judge Lațcu a few years previously. The year 1735 was, therefore, the date when the urban privilege charters and the seal of Câmpulung entered the custody of the town judges, where they would remain until 1831.

Although he did not indicate the role of the Saxons in the foundation of Câmpulung, Blasius Kleiner, the Franciscan monk, wrote that this “town has its beginning in the time of Voivode Radu Negru, around the year 1299,” its first inhabitants being “Catholic Saxons mixed with Wallachians, but the Saxons were more numerous.”³⁵ C.D. Aricescu explained with a similar demographic superiority the presence of the Saxons in the urban governance, stating that between the fifteenth and seventeenth centuries they “started to multiply” and the “commune chose the judges and the burghers one year from among the Catholics and the other year from the Bulgarians and the Romanians.” We can surmise that this practice had been introduced under the influence of the Catholic wives of the Wallachian princes.³⁶ Aricescu mentions Judge Andrea as “the Catholic who was a judge for at least 20 years,” while supporting the argument that “a judge could be elected for several years in a row if he enjoyed the trust of the community.”³⁷ Following the local tradition of the founding of Wallachia (*descălecat*—dismounting), written down in the *Cantacuzene Chronicle*, Aricescu pinpoints the arrival of the Saxons to Câmpulung to the founding of the town and the country. In 1290, Voivode Negru descended from the mountains over from Transylvania together with the Hungarians, “and occupied the empty middle of the town, and thus formed its body, whose arms were the Bulgarians and the Romanians.”³⁸

This demographic distribution of the settlers was maintained by C. Rădulescu-Codin³⁹ in the 1920s and confirmed more recently with a topographical analysis of the medieval town of Câmpulung by Paul Niedermaier. The latter author argues that the Saxon colonists from Transylvania founded the settlement between 1230 and 1270 around the Catholic church (*Bărăția*).⁴⁰

Historical sources from the seventeenth and eighteenth centuries attribute the migration of the Saxons to Câmpulung either to the fertility of

35 Georgescu, *Câmpulung-Muscel în Cronica franciscanilor*, 254.

36 Aricescu, *Istoria Câmpulungului*, 106, 68; Răuțescu, *Câmpulung Muscel*, 345.

37 Aricescu, *Istoria Câmpulungului*, 114.

38 Aricescu, *Istoria Câmpulungului*, 66.

39 Constantin Rădulescu-Codin, *Câmpulungul Muscelului, istoric și legendar: Privire asupra trecutului* (Câmpulung-Muscel: Editura Librăriei Ioan N. Staicu, 1925), 78–80.

40 Paul Niedermaier, “Nucleele orașului Câmpulung,” *Historia Urbana* 24 (2016): 237–41.

the land⁴¹ or to the persecution of the Transylvanian Hussites.⁴² In turn, Nicolae Iorga put forward the theory that the Saxons were brought across the mountains from Transylvania to Wallachia by the Teutonic Knights, and many historians have accepted this explanation. Among them was I. Răuțescu, who claimed that the Saxon colonists led by the Teutonic Order founded the town together with the local population in 1215–1225. Tihomir (Voivode Negru) rebuilt the town before 1300, which preserved its Saxon character for a long time, given that the privileges and the town seal were kept by the Catholic priests.⁴³

Petre P. Panaitescu stated in 1947 that the Saxons “played an essential role in the foundation of the first towns,” which were Saxon “not only on account of their population but through their organization.”⁴⁴ This theory has also been adopted by Alexandru Ciocîltan, who asserts that “the autonomy of the Saxon community was the basis of the urban autonomy of Câmpulung, because the urban privileges contain fundamental liberties specific to German settlers,” privileges and liberties that were later confirmed and extended when the Wallachian rulers established their residence in the town.⁴⁵

Communist historiography heavily criticized the theory of a foreign role in the urbanization of Wallachia, including Câmpulung, and in a historical treatise of the Romanian Academy of the Popular Republic of Romania published in 1962, a new scheme of evolution from “village to market town to town” was postulated.⁴⁶ Following this paradigmatic shift, P.P. Panaitescu abandoned his previous ideas and stated that Câmpulung was a “Romanian creation” and a “rural town,” where agricultural activities were dominant, similar to rural communities.⁴⁷ Minimizing the demographic and institutional contribution of the Saxons to the history of Câmpulung reached absurd heights in a study by Gr. Constantinescu from 1999, where the author claimed that “of the 119 judges in office between 1521 and 1831, only three were Catholic, representing 2.5% of the total.”⁴⁸ There is no documentary

41 This hypothesis was put forward in 1640 by Angelo Petricca da Sonnino, see. Al. Ciocîltan, *Comunitățile germane*, 45.

42 Ciocîltan, *Comunitățile germane*, 46, discussing the theory of Johann Filstich.

43 Răuțescu, *Câmpulung Muscel*, 3–6.

44 Ciocîltan, *Comunitățile germane*, 47.

45 Ciocîltan, *Comunitățile germane*, 91.

46 Ciocîltan, *Comunitățile germane*, 47.

47 Ciocîltan, *Comunitățile germane*, 48.

48 Grigore Constantinescu, “Relațiile interetnice româno-germane în arealul de constituire a Țării Românești,” *Argesis* 8 (1999): 104.

evidence for the above figures and percentage, since until 1600, there is only one judge from Câmpulung who is identified by name, that of Vlaicu (1545–1546),⁴⁹ and after 1600 the list of known names is incomplete.

Alexandru Ciocîltan has reviewed the historiographical production of Romanian historians between 1968 and 2008 that purported the retroactive theory of the foundation of Câmpulung in which the city's founding supposedly preceded the formation of medieval Wallachia. In this sequence of events, there was a "community of free people" with "immemorial origins, and it was with them that the Saxons integrated after their emigration from Transylvania in the thirteenth century." Moreover, according to this theory, Câmpulung was no longer a village at this point but had already progressed to a "market town," and thus the Saxons were only the catalysts of still further urbanization.⁵⁰ A later arrival of the Saxons and their peaceful integration into the older, rural local community would be supported by the alternate election of the Saxon and Romanian judges until the eighteenth century.⁵¹ The rural origin of Câmpulung is the main argument of the *Atlas of Towns—Câmpulung*, published in 2008 under the aegis of the Romanian Academy and its Commission of Town History. In the absence of any historical proof, the authors of the atlas state that in the ninth to twelfth centuries, along the valley of the *Râul Târgului* (Romanian: River of the Town), a territorial structure, a "union of communities," existed that evolved into the community of the free townsmen of Câmpulung. From a rural nucleus labeled by these historians as a "field" (*câmp*) or a "valley lordship" (*cnezat de vale*), Câmpulung underwent a demographic increase in the second half of the thirteenth century with the arrival of the Saxon settlers and developed into a town, which in turn justified the urban privileges and the alternate election of judges.⁵²

The major issue of the village-market town-town scheme applied to the evolution of Câmpulung, starting with a peasant community, is that there is no evidence to sustain it. Al. Ciocîltan demonstrates convincingly that the arguments that the proponents of this theory use are anachronistic and based on later historical documents. Thus, the name of *Râul Târgului* was first attested to only in 1774; the previous toponym was "Water" (*Apa*) or "River of Câmpulung" (*Râul Câmpulungului*), which does not support the

49 Ciocîltan, *Comunitățile germane*, 113.

50 Ciocîltan, *Comunitățile germane*, 48–49.

51 Hurdubețiu and Mîrțu, *Câmpulungul-Muscel medieval*, 28–29.

52 *Atlas istoric al orașelor din România*, Seria B, Țara Românească, fasc. 2: *Câmpulung*, ed. Gh. I. Cantacuzino, Șerban Dragomirescu, and Dan Dumitru Iacob (Bucharest: Ed. Enciclopedică, 2008), II, V.

“market town” phase of the scheme. The expression “which is within the village’s commons” (*care iaste din șăzutul satului*) referring to the surrounding territory belonging to the townspeople is found in the charter from August 16, 1630, granted by prince Leon Tomșa; however, this is a scribal error from 1747. In the original charter, which is preserved to date and was published in 1969, the correct expression is “which is since the realm was founded.” Furthermore, the phrase “folk of the town,” used in the charters of 1615, 1630, and 1636, does not suggest a rural original of Câmpulung but instead emphasizes the legal status of its inhabitants, that of a free people, who had the right to inherit and pass on their inheritance in town.⁵³

The townsfolk of Câmpulung (“moșnenii orașeni)

Alexandru Ciocîltan reconsidered the definition put forward by Constantin Giurescu in 1943, whereby one of the most common terms used in medieval Romanian charters for small tenure holders was that of *moșneni*. *Moștean* or *moșnean* thus means “an individual with an inherited property,” but over time its meaning was narrowed down to mean the people who owned a common. To these small tenants, the word signified a social distinction in a Wallachian society where most of the population was bound to the land in serfdom.⁵⁴

In the documents of Câmpulung, the expression “folk of the town” (*moșnean din oraș*) was entirely synonymous with that of citizens, certified in the princely charters that granted the privileged status to the town. At the beginning of the nineteenth century, a new social category appeared in the documents, that of “boyars and traders of the town,”⁵⁵ “upper class” (*clasul de sus*) inhabitants who were different from the “lower class” (*clasul de jos*) residents of Câmpulung. Henri Stahl stated that this distinction had a conflict-generating dichotomy in the background: the plebs and the

53 Ciocîltan, *Comunitățile germane*, 67–70.

54 Constantin Giurescu, *Studii de istorie social: Vechimea româniei în Țara Românească și legătura lui Mihai Viteazul. Despre rumâni, Despre boieri*, 2nd revised ed. (Bucharest: Universul, 1943), 336–48.

55 Two documents appear to support this: a report to the prince from Muscel county officials from April 8, 1826, where the terms used are *nobles/boyars of the town, towndwelling boyars (boierii locuitori ai orașului Câmpulung and boierii oroșani)* and a complaint from June 20 to the national administration of the schools, signed by the *boyars and tradesmen inhabitants of Câmpulung (boierii și neguțătorii locuitori în Câmpulung)*: Pârnuță and Trâmbaciu, *Documente și inscripții*, vol. 4, doc. 58, 137–38 and doc. 109, 204).

“lower class” were the previous “folk of the town,” while the boyars and rich merchants who had recently arrived in town were foreign yet grouped as “patricians” and “the upper class.”⁵⁶ This self-appointed urban elite succeeded in taking over the town leadership in the final period of the autonomous administration of Câmpulung, known as the time of the “boyar judges,” between 1822 and 1831.

Foreigners could obtain township rights through marriage, and a petition to the Wallachian lord from 1766 reveals that this was a widespread practice in Câmpulung. The document argued that since 1742 a large number of foreigners had settled in the town, “bound by blood ties and paying all the dues to the treasury”; therefore, the document argued, they should be allowed to stay on, otherwise “the town will break apart if our sons-in-law, brothers-in-law, and our children were to be banished.” The petition was granted by Prince Alexandru Scarlat Ghica, who gave citizenship to all newcomers to Câmpulung.⁵⁷

As Henri Stahl pointed out, however, the process of the foreigners settling among the town dwellers was more complex: “[they] slip through actual or fictitious kinship, as tenant farmers, tithe farmers, or creditors. Paying the town dues together with the old townspeople, interfering with all the litigations, they melt into the local community little by little.” (translation by MPW)⁵⁸

The charter of Matei Basarab of March 25, 1633, supports Stahl’s conjecture, as it contains the mandate that “any person who had paid the tax in the town of Câmpulung until [the reign of] Alexandru Iliaș four years ago should become a townsman (*oroșan*).”⁵⁹ Thus, residence and tax payment allowed foreigners to join the town. Significant groups of people were added to the locals this way.⁶⁰ These observations by Stahl are confirmed by the town census (*Catagrafia obștească*) of Câmpulung from 1833; under the heading of *corvée*, many foreigners who had lived in the town for a long time are listed as local townsfolk. These names are also found in the *Table of the Townspeople* of 1846. The group of foreigners consisted mostly of immigrants from Transylvania, called “Hungarians” (*ungureni*, i.e., from the Hungarian realm), who were allowed into the commons of Câmpulung as *corvée* laborers

56 Henri H. Stahl, *Contribuții la studiul satelor devălmașe românești*, 2nd revised ed. Paul H. Stahl, vol. 2 (Bucharest: Cartea Românească, 1998), 312.

57 Răuțescu, *Câmpulung Muscel*, 370.

58 Stahl, *Contribuții la studiul*, 311.

59 Pârnuță and Trâmbaciu, *Documente și inscripții*, vol. 1, doc. 42, 174. Alexandru Iliaș was a ruler of Wallachia between 1616–1618 and 1628–1629.

60 Stahl, *Contribuții la studiul*, vol. 2: 311.

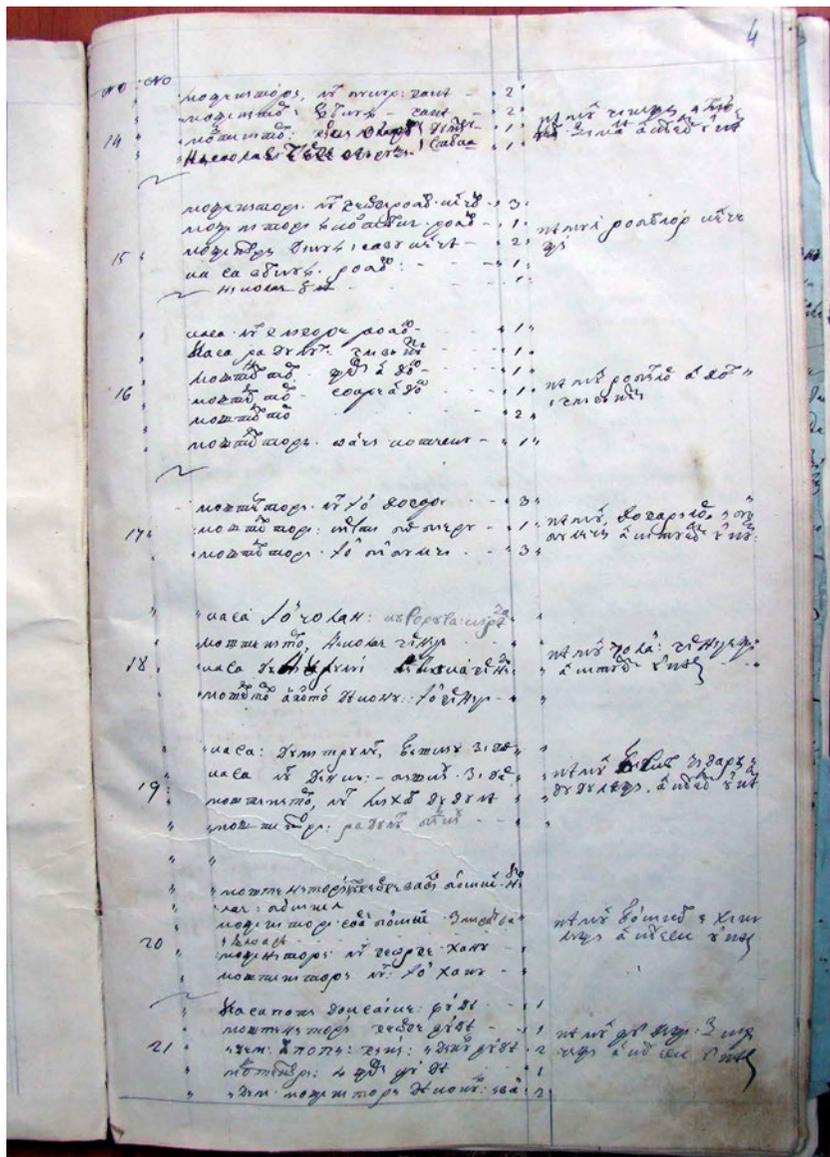


Figure 10.3. Page from the lists of native Câmpulung landowners, 1846 (ȘJAN Argeș, Obștea moșnenilor câmpulunghi, no. 6/1846, f. 3).

in the marginal *mahale* of the town. These included such names as Vișoi, Valea Mare, Bughea, Mărcuș, Bărbușa, Ochești, and Voinești de Jos.⁶¹ Some of them became townsmen after a lengthy process of integration.

61 Răuțescu, *Câmpulung Muscel*, 370.

The reforms of the Organic Regulations included the dissolution of the institution of the town judge and the creation of the town magistrate. In turn, this change ignited a dramatic dispute between the “lower-class” townspeople and the “upper-class,” comprised of boyars and merchants. The first group identified themselves as the true town dwellers and claimed exclusive ownership over the commons and the urban privileges, while calling the other group foreign and not native. Their dispute was settled in court through a lengthy trial known as “the trial of the townsfolk of Câmpulung for the mountains and the common land of the town.”⁶²

The conflict started on October 26, 1831, on the day when the annual budget was discussed. The boyars and the merchants requested that the seven mountains of the commons be entered as revenue for the town council; the mountains had been leased out since 1826 to Logothetes Nicolae Rucăreanu by the townsfolk. Constantin D. Aricescu states that Rucăreanu convinced the representatives of the lower classes to oppose the boyars, with the argument that “the mountains are a possession of the townsfolk of Câmpulung, confirmed by ancient princely charter, and not of the boyars.” The trial against the magistrate and 73 boyars and merchants was brought to the Tribunal of Muscel County. The tribunal ruled, in that same year of 1831, that the mountains were under the administration of the magistrate as a public good.⁶³ The townspeople appealed the sentence and won in the higher instances. The boyars argued that Logothetes Rucăreanu had leased the mountains only from “the townsfolk and not from all the people of Câmpulung,” and asked the highest court to investigate whether “the mountains and the commons belong only to the defendant townsfolk, or to everyone who lives in Câmpulung, including the boyars.” The court examined the “Cloth of the Town” (*Pânza oraşului*) that held all the privileges of Câmpulung. In November 1833, the court decided that the mountains and the commons were the sole property of the indigenous townspeople, who had leased them to Rucăreanu and took the revenue from the lease, and “not of the boyars and strangers who had moved to Câmpulung over time.”⁶⁴

The trial was resumed in 1845 at the High Appellate Court, with the magistrate and the boyars claiming that “the charters were given to the town and not to individuals” and that the income from the commons and the mountains had always been used to pay the collective taxes. In turn, the townsfolk stated that the commons and the mountains were not the

62 Aricescu, *Istoria Câmpulungului*, 253.

63 Aricescu, *Istoria Câmpulungului*, 253–54.

64 Răuţescu, *Câmpulung Muscel*, 381–82.

property of the town but rather their own, even before the foundation of Wallachia; that the boyars and the foreigners were not allowed to own property in town; and that only the townsmen had enjoyed income from the commons. Furthermore, the townsmen referred to a charter from 1568, which evidenced that “the mountains and the commons were given by the princes to certain individuals from whom the townsmen are descended, and not to the town and the people who settled therein later.” The High Appellate Court decided in favor of the townsmen and confirmed the previous decision of the High Court from 1833. Prince Gheorghe Bibescu in turn confirmed this sentence on August 25, 1845.⁶⁵

The formalized community of the townsmen of Câmpulung

The above protracted trial prompted 117 townsmen to write down a “common agreement” on June 16, 1841. The first article stipulated that “it should be determined how many of the inhabitants and townsmen are entitled to the revenues of the mountains and the commons, excluding the foreigners and those who are not entitled to the shared income.”⁶⁶ Five years later, on June 10, 1846, this initial agreement was extended into a more detailed “Regulation for the Committee of Câmpulung for the Administration of the Income from the Mountains and the Commons of the Townsmen,” comprising some 53 articles.⁶⁷

After 1831, there was a fundamental shift from the old forms of urban organization. The town judges, the burghers, the elders, and the priests, who used to form the governance of Câmpulung since the sixteenth century, were replaced by the magistrate and the town council. Separately and in opposition at first to the new institutions, a community of the townsmen was organized, based on modern principles. From this moment on, the notion of *townfolk* was separated from that of *inhabitant of the town* and designated an “ancient inhabitant.”

On January 27, 1846, the protocols of the assembly of the townsmen record that the first article of the 1841 agreement, in discussing the mountains and the commons and the income derived therefrom, stated that it is “the true townsmen, who deserve to have a share from the mountains and the commons, in all their income, which is descended from the heritage of

65 Răuțescu, *Câmpulung Muscel*, 391–92.

66 Răuțescu, *Câmpulung Muscel*, 383–84.

67 Răuțescu, *Câmpulung Muscel*, 385–90.

the ancestors, and it concerns only the townsfolk who are descendants from the oldest inhabitants of the town.”⁶⁸ The specialty literature calls this document “The Table of the Townspeople of Câmpulung.” This list of names essentially enshrined the end of the old urban community and its division into kinships (*neamuri*) descendant from ancestors (*moși*). Thirty-five kinships were established, including 72 families and 185 people in total. The protocol mentioned that the list remained open for one year, during which time anyone could apply to the committee to be included. A council of twelve people, including both priests and laypersons, from all the *mahalale* (neighborhoods) were entrusted to analyze each case, and if the applicants were considered “lawful, they were to be added to the kinship to which they were related.”⁶⁹

The decisions of the heads of the assembly of the townsfolk displeased a large part of the inhabitants of Câmpulung, who considered themselves unjustly excluded from public property. Constantin D. Aricescu argues that “the representatives kept the revenues from the mountains in their account, sharing it with a small minority of their blood relatives... and shut out the absolute majority from the just sharing of the income from the town’s mountains.”⁷⁰ This situation caused another series of lawsuits between 1853 and 1868, and many inhabitants obtained in court the recognition of their status as townspeople and their admission into the community.

Court files from the Appellate Court of Bucharest from 1868 reveal the criteria for admission to the community of the new townsfolk and the categories established by the court. Thus, in 1854, the county court of Muscel reviewed the claims of 660 plaintiffs and set three categories: townsfolk with a share in the revenues of the mountains and the commons; townsfolk who had to swear an oath to be admitted to sharing rights; and those who “do not pay any tax to others, making a living freely from the commons.” The criteria for the separation of the categories consisted of the relationship of the plaintiffs to the established 185 townsfolk and of a “written proof” from the assembly. A final criterion was the historical evidence of the plaintiffs’ or of their parents’ names being recorded in two registers from the end of the eighteenth century and from the beginning of the nineteenth century. These were the lease contracts for the common mountains (1797–1828), where 647 signatures of townspeople are found,

68 Răuțescu, *Câmpulung Muscel*, 395.

69 Răuțescu, *Câmpulung*, 395.

70 Aricescu, *Istoria Câmpulungului*, 254.

and the register of 1824 of the tax-paying inhabitants of Câmpulung with 590 names of *moșneni*.⁷¹

In the end, nine more kinships were added to the original 35 established in 1846. These included nos. 36–40 in the table, consisting of blended families, and nos. 41–44 for families from the marginal *mahalale* (Malu; Malu-Ochești; Bughea de Sus and Măgureni; and Mărcuș and Bărbușa).⁷²

Conclusions

In this study, I have examined the major pillars of the urban autonomy of Câmpulung Muscel, included in the privilege charters preserved in the “Cloth of the Town.” My analysis focused, however, on the “Cross of the Oath,” a stone charter of the utmost importance in the political life of the town. It was a focal point of the inauguration ceremony for the town judges, elected annually, but it was also the bearer of the oldest urban privileges contained in its inscription. Thus, it constitutes one of the few “cross charters” of medieval Wallachia. I discussed the erection of the cross in 1674 in the context of the community’s conflict with the monastery of Câmpulung in the struggle to maintain urban autonomy. Judge Andrea played an essential role in this dispute; he was a Catholic Saxon, which is why the connection between the Saxon community and urban autonomy became significant for my study. Documentary evidence from the seventeenth and eighteenth centuries mention that the privilege charters and the seal of the town were in the keep of the Catholic priests of Câmpulung, a historical fact that highlights the role of the Saxon community in the development of urban life. This argument was and has been embraced by numerous Romanian and foreign researchers before 1948 and after 1989 but was unanimously rejected by the historiography of the communist period.

Through the contributions of previous scholarship, I have analyzed the transformations of the concept of townsmen (*moșnean*) and the foundation of the community of the townsmen after 1831. Through the written statute of the community and the establishment of accepted kinships following protracted judicial proceedings between 1831 and 1868, the ancient urban community was profoundly transformed at the dawn of Romanian modernity.

71 Arhivele Naționale Istorice Centrale (ANIC), Curtea de Apel București, secția a II-a, dosar 24/1868.

72 Răuțescu, *Câmpulung*, 399.

About the author

Ștefan Ionescu-Berechet is lecturer at the Department of Orthodox Theology, University of Bucharest. His interests are in religious art and in the history of his family's native town of Câmpulung. Recent publications include: "Les inscriptions de l'église Șubești de Câmpulung-Muscel," *Revue des Études Sud-Est Européennes* LV (2017), pp. 277–92, and *Arhitectul Dimitrie Ionescu-Berechet. Viața și opera* (Bucharest: Monitorul Oficial, 2022).

Part V.

Public Order and Public Safety in Towns

11. Keeping the City Alive: Managing Public Health Crises in the First Half of the Eighteenth Century in Sibiu¹

Oana Sorescu-Iudean

Abstract: This study analyzes the management of public health—what would later become the domain of “medizinische Policey”—during the first half of the eighteenth century, as seen through the lens of the authorities’ responses to the plague epidemic that enveloped Sibiu in 1738–1739. It also examines the institutional structures that were set up to deal with the plague in Sibiu, either created ad hoc or already present in the urban milieu, mainly focusing on the city health board and the provincial sanitary commission. By chronicling the process of plague management, it argues that the design and implementation of “gute Polizey” during epidemic crises were the result of a complex, non-linear process of negotiation that balanced both the particular interests of the actors involved and the need to strive for the “common good.”

Keywords: plague epidemic, eighteenth century, Transylvania, city health board, urban history

Introduction

On November 29, 1738, as a final measure to end the spread of the plague that had been ravaging the Transylvanian capital for the past several months, General Johann Georg Christian, Prince of Lobkowitz, issued orders for

¹ The present study was supported by the STAR-UBB-N Postdoctoral advanced fellowship, PFE-550-UBB, contract no. 21 PFE/ 30.12.2021.

a complete lockdown (*Sperr*) of Sibiu. This was necessary, as the general noted, because “each and every one of the previous measures passed by our Sanitary Commission, drafted either within or outside the city and concerning it, [which] were somewhat more lenient, were followed in an objectionable manner.”² By the end of November, however, the plague had already incurred almost 98% of the victims it would account for in Sibiu; local authorities would record a mere 21 deaths due to this sickness during its last two months of transmission, between December 1738 and the end of January 1739. The complete closing off of the city—ordered but not yet enforced—was the conclusion of a protracted process of negotiation between different levels of authority, each with a particular view of what “gute Polizey” meant in terms of public good, governance, and healthcare. This paper argues that the 1738–1739 plague outbreak witnessed a gradual shift in the character of healthcare policy in the province, which had been primarily a “circumstantial” reaction to epidemic challenges in the centuries prior.³ While it has been argued that a non-reactive, more concerted attitude towards public urban health emerged only after the mid-nineteenth century,⁴ other works seeking to historicize public health efforts of urban communities have emphasized long-term “continuities” and “intensifications of previous routines.”⁵ On the one hand, the plague policies discussed and implemented during the 1738–1739 epidemic in Sibiu⁶ show that previous

2 Serviciul Județean al Arhivelor Naționale (Romanian National Archives, hereafter SIAN) Sibiu, Magistratul orașului și scaunului Sibiu (Magistrate of the town and seat of Sibiu, MOS), Acte fasciculare H 50 (1738–1828), unnumbered document, “*Verwaltungs=Ordnung von der vorzunehmenden Sperr Antwort von der Kaysl. Sanitäts Commission d 29 gbre 1738*,” fol. 58r–60v, here fol. 60r: “9^{no}: Und letzligen sollen alle und jede von unserer Sanitäts Commission den hinein- und herauß Laß der Stadt betreffend-verfaßte vorige etwas laxiora Puncta, weilen hierauß die übele Erfolgung geschehen, mit diesen gänzlich aufgehoben, und also die Stadt völlig gesperret seyn, und niemandt mehr herauß gelaßen.”

3 Teodora Daniela Sechel, “Contagion Theories in the Habsburg Monarchy,” in *Medicine within and between the Habsburg and Ottoman Empires, 18th–19th centuries*, ed. Teodora Daniela Sechel (Bochum: Dr. Dieter Winkler, 2010), 65–66.

4 Richard Rodger, *Urban Public Health: A Historical Perspective* (Oxford: Oxford University Press, 2019), 177–78.

5 See Guy Geltner, *Roads to Health: Infrastructure and Urban Wellbeing in Later Medieval Italy* (Philadelphia: University of Philadelphia Press, 2019), 27–31, who argues against the “teleological” character of much literature that locates public health advances only after the crisis-event of the Great Plague.

6 The paper discusses primarily measures designed to halt the spread of plague once it had entered the confines of the city. On this distinction, see Janna Coomans, *Community, Urban Health and Environment in the Late Medieval Low Countries* (Cambridge: Cambridge University Press, 2021), 218–19.

lines of reasoning and the resulting measures meant to halt the advance of plague were gradually put into question by various historical actors. On the other hand, the way in which policies were drafted and negotiated suggests that a dichotomous “top-down” or even “bottom-up”⁷ perspective is insufficient in highlighting the shifts that occurred in public health management in areas where multiple points of authority interacted, such as the urban spaces of eighteenth-century Transylvania.

This study locates the shift in plague-related policies at its most visible point, namely, at the intersection of urban-level, local responses to plague and the province-wide, state-driven approach to the epidemic. This suggests that both threads of health policy development should be considered in tandem when examining the emergence of “medical policing” in the Habsburg Monarchy. In doing so, it documents another level at which the contagion-miasma debate occurred, in this case implicitly rather than explicitly, prior to the path-breaking works by physician Adam Chenot and the later adopted eighteenth century regulations of the *cordon sanitaire*. In line with other research focusing on the understanding of causal chains of plague transmission in German imperial towns during early modernity, the present paper examines the intertwined, apparently “inconsistent” but nevertheless functional relationship between the two understandings of plague emergence and transmission.⁸

The response to early modern plagues in Transylvania has been discussed in various surveys of medical history, beginning as early as the nineteenth century.⁹ An overarching view of the different waves of plague to hit Transylvania has been provided by Paul Binder, who has covered Transylvanian *Landeskunde* literature pertaining to epidemics from the sixteenth to the eighteenth centuries in a comprehensive manner.¹⁰ More recently, a facsimile edition of several sixteenth-century plague treatises

7 Coomans, *Community, Urban Health and Environment*, 218.

8 Annemarie Kinzelbach, “Infection, Contagion, and Public Health in Late Medieval and Early Modern German Imperial Towns,” *Journal of the History of Medicine and Allied Sciences* 61, no. 3 (July 2006): 369–89.

9 Heinrich Herbert, “Die Gesundheitspflege in Hermannstadt im siebzehnten Jahrhundert,” *Archiv des Vereins für Siebenbürgische Landeskunde* 30, no. 1 (1901–1902): 254–303.

10 Paul Binder, “Epidemiile de ciumă din Transilvania în secolul al XVIII-lea (1709–1795),” in *Retrospective medicale: Studii, note și documente*, ed. Gheorghe Brătescu (Bucharest: Editura Medicală, 1985), 173–88; Paul Binder, “Epidemiile de ciumă din Transilvania în secolul al XVI-lea (1511–1603),” in *Momente din trecutul medicinei: Studii, note și documente*, ed. Gheorghe Brătescu (Bucharest: Editura Medicală, 1983); Paul Binder, “Epidemiile de ciumă din Transilvania în secolul al XVII-lea,” in *Apărarea sănătății ieri și azi*, ed. Gheorghe Brătescu (Bucharest: Editura Medicală, 1984).

originating from Transylvanian Saxon cities has returned these works—and the early modern understanding of the plague in the area—to the forefront of historiographic attention.¹¹ The 1510 plague epidemics and the response to the health crisis led by Hans Saltzmann in Sibiu were recently discussed by Katalin Szende and Ottó Gecsér.¹²

Heinrich Herberth, who has diligently scoured and synthesized the town council minutes for Sibiu's small council, has also delved into the matter of healthcare during the eighteenth century.¹³ Thus, the 1738–1739 plague makes a limited appearance in broader works, despite the unparalleled quantity and quality of historical records it has left behind, compared both to earlier bouts of plague in the same city and to other cities in Transylvania (and, indeed, throughout the Kingdom of Hungary). However, most of the literature concerned with plague control in Transylvania centers its focus on the goal of the Habsburg state in preventing epidemics from entering the province. Ranging from the pioneering works of Lesky¹⁴ to more recent contributions,¹⁵ the systematic concerns with healthcare management during the spread of epidemics mainly draw on Habsburg efforts to establish a functional quarantine system as an integral part of the process of border medicalization.¹⁶ While both the earlier phases of plague control during the sixteenth century and the gradual refinement of the *cordon sanitaire* after the mid-eighteenth century have been addressed in the literature,¹⁷ with a growing emphasis on population control implied by the medicalization of the Southeastern military borders of the Empire,¹⁸ the epidemics

11 Robert Offner and Thomas Şindilariu, eds., *Schwartzter Tod und Pestabwehr im frühneuzeitlichen Hermannstadt: Pestordnungen der Stadtärzte Johann Salzmann (1510, 1521), Sebastian Pauschner (1530) und Johann Stubing (1561)* (Sibiu: Schiller Verlag, 2020).

12 Szende and Gecsér, "Hans Saltzmann, az 1510-es pestisjárvány és a nagyszebeni vesztegár," *Századok* 156, no. 1 (2022): 9–24.

13 Heinrich Herberth, "Die Gesundheitspflege in Hermannstadt zur Zeit Karls VI.: Mittheilungen aus den Hermannstädter Magistrats-Protocollen," in *Programm des Evangel. Gymnasiums A.B. und der Damit Verbundenen Realschule, sowie der Evangel. Elementarschule A.B. zu Hermannstadt 1892/93* (1893): 1–34.

14 Erna Lesky, "Die Österreichische Pestfront an der k.k. Militärgrenze," *Saeculum*, 8 (December 1957), 82–106; Erna Lesky, "Die josephinische Reform der Seuchengesetzgebung," *Sudhoffs Archiv für Geschichte der Medizin und der Naturwissenschaften* 40, no. 1 (1956), 78–88.

15 Sechel, "Contagion Theories," 55–78.

16 Sabine Jesner, "Habsburg Border Quarantines until 1837: An Epidemiological 'Iron Curtain'?", in *Medicalising Borders: Selection, Containment and Quarantine since 1800*, ed. Sevasti Trubeta, Christian Promitzer, Paul Weindling (Manchester: Manchester University Press, 2021), 31–55.

17 Lesky, "Die Österreichische Pestfront."

18 Jovan Pešalj and Josef Ehmer, "'Hard Border' Facilitates Migrations: The Habsburg-Ottoman Border Control Regime in the Eighteenth-Century," in *Borders and Mobility Control in and between*

that occurred during the first few decades of the eighteenth century have largely escaped detailed scrutiny from an internal, provincial vantage point.¹⁹ What is more, limited insight has been provided into the matter of healthcare management during the onslaught of early eighteenth-century epidemics from a primarily urban perspective.²⁰ Exceptional in this sense is the comprehensive and path-breaking study by Alexandru Lenghel, who examined both the governmental measures and the urban response to the 1738–1739 plague in Cluj (Koložsvár/Klausenburg), while also providing a series of highly useful descriptive statistical overviews of the urban register of plague deaths kept by the local town council.²¹

This study analyzes the management of public health—what would later become the domain of “medizinische Policey”—during the first half of the eighteenth century, as seen through the lens of the authorities’ responses to the plague epidemic that enveloped Sibiu in 1738–1739. By chronicling this undertaking, it argues that the design and implementation of “gute Polizey” during epidemic crises were the result of a complex, non-linear process of negotiation that balanced both the particular interests of the actors involved and the need to strive for the “common good.”

The present study is a preliminary approach to disentangling this process. For now, I will examine the institutional structures that were set up to deal with the plague in Sibiu, either created ad hoc or already present in the urban milieu: the *Stadt Directorium*, the equivalent of the city health board, the urban authority that represented most closely the interests of Sibiu’s political leadership and those of its citizen corps; the *Kaysrerliche Sanitäts Commission*, or Sanitary Commission, established as a sub-department of the Transylvanian Government, and serving as the mouthpiece and executor of the Habsburg policy on public health in the province; and finally, the Military Commando, headquartered for most of its existence in Sibiu, present in the efforts to stave off epidemics in the person of an *interims-Commander*, but operating under the guidance of the general commander.²² Although the

Empires and Nation-States, ed. Jovan Pešalj, Annemarie Steidl, Leo Lucassen, and Josef Ehmer (Leiden: Brill, 2023), 66–114.

19 Sechel’s work starts in the 1740s.

20 Binder, “Epidemiile de ciumă din secolul XVIII” and Herbert, “Die Gesundheitspflege im in Hermannstadt zur Zeit Karls VI” have managed to provide some insight into the urban anti-plague policies in Transylvania and the extent of their limited success.

21 Alexandru Lenghel, *Istoricul ciumei la Cluj la 1738/39* (Cluj-Napoca: Tipografia” Corvin,” 1930).

22 Rolf Kutschera, *Landtag und Gubernium in Siebenbürgen 1688–1869* (Cologne: Böhlau, 1985), 311. No fewer than four high commanders of the Habsburg Military in Transylvania also served

commission and directorate had been created specifically to deal with the plague, they drew on existing structures of authority, a reason for which a closer investigation of their staffing is useful. Who decided what constituted “gute Polizey” was a decisive matter in its successful implementation.

“Ein rechtschaftener, verständiger und ernsthafter Mann”

From the Renaissance onwards, how a city’s leadership managed plague epidemics began to be seen as “an indication of the strength and sophistication” of an urban community’s “civic cohesion.”²³ In many ways, as the most cohesive urban settlements in the area, the Transylvanian Saxon cities spearheaded the attempts to formulate a concerted response to epidemics since early in the sixteenth century, aided by their placement in a similar legal-administrative milieu and their strong inter-urban networks. This is evidenced on the one hand by their early and consistent attempts to hire and retain city physicians, the main actors able to ensure a systematic response to the plague.²⁴ By the mid-fifteenth century, such civic doctors were commonplace in the cities of the Italian peninsula, one of the hardest-hit areas of Europe in terms of plague spread; however, it would take until the middle of the next century for most Western European cities to include this position in the roster of their urban staff. The establishment of the office of civic doctor was the first and most significant administrative measure taken by cities across Western Europe to halt the spread of the plague.²⁵

It was in Transylvanian Saxon urban milieus that this position was primarily created and staffed; although this office was generally held by individuals of non-Transylvanian background during the fifteenth and sixteenth centuries, the two main cities in the area—Sibiu and Braşov—eventually managed to ensure that their own native “Stadtkinder” obtained some form of medical training at specialized institutions abroad.²⁶ The stringent need for qualified individuals to cover the position of town physician is evidenced by late sixteenth-century urban statutes, which distinguished

as presidents of the Transylvanian Government during their tenure, between 1730 and 1770. Thus, these two Habsburg authorities—civil and military—did not always operate separately.

23 Vivian Nutton, *Renaissance Medicine: A Short History of European Medicine in the Sixteenth Century* (London: Routledge, 2022), 50.

24 Offner and Şindilariu, *Schwartzter Tod*, 31.

25 Nutton, *Renaissance Medicine*, 46–47.

26 Offner and Şindilariu, *Schwartzter Tod*, 33–47; see also Arnold Huttmann, “Începuturile medicinii raţionale în Braşov în sec. XV–XVII,” *Revista Medicală* 12, no. 4 (1958): 367–74.

those qualified in the “medical arts” as part of the group of citizens of foreign descent admitted into the city owing to their performance of “necessary services” (*nothwendiger Dienst halben*).²⁷ Almost a century later, this need was still as dire as before: a 1697 statute from Sibiu explicitly noted “Medicos” and “Chirurgos” among those professionals who were to be admitted to the ranks of the citizenry without having to fulfill any additional criteria that might be formulated for those who were not performing such a beneficial service.²⁸

During the eighteenth century, a certain Samuel Kotzi covered the office of city physician for a wage of 200 Hungarian florins *per annum*. During the 1719 plague wave, his wages were increased by another 100 florins, making him one of the city’s richest in terms of income.²⁹ Kotzi was replaced in 1734 by Johann Georg Schuller, who in turn ceded the office of civic doctor to Jacob Hutter, who had served as a physician in Wallachia and had experience in imperial service. Hutter entered the service of the small council of Sibiu after having obtained approval from the Commander General von Wallis and was soon faced with a renewed plague epidemic that raised his wages to the same level as his predecessor, Kotzi, had obtained.³⁰ Serving alongside the physician was the city surgeon (*Wundartz*), in this case a certain Johann Bruckner, who received wages equivalent to those of *Trabant*, as well as other victuals; his payment also increased during times of plague. In addition, Johann Michael Popp, who had served as *Feldscherer* for a lengthy period in the Wallis and then Brown regiments, was appointed to the office of plague surgeon in 1737.³¹

Although the government and the urban leadership had initially worked together to stem the emergence of the plague in Sibiu, once it became clear in June 1738 that this would no longer be possible, two separate authorities were established to handle the plague response. This signaled that the implementation of appropriate measures required a double focus, both inside and outside the city.

27 Sándor Kolozsvári and Kelemen Óvári, eds., *Corpus statutorum Hungariae iurium municipalium/A magyar törvényhatóságok jogszabályainak gyűjteménye*, vol. 1 (Budapest: Magyar Tudományos Akadémia, 1885), 544.

28 Kolozsvári and Óvári, *Corpus Statutorum*, 580.

29 For more information on Samuel Kotzi’s economic position in the 1720s, see Oana Sorescu-Iudean, “Dividing Society, Dividing Estates: Probate and Will-Making in Hermannstadt, 1720–1800: A Social, Economic, and Administrative Perspective” (PhD diss., University of Regensburg, 2021), 219–20.

30 Herbert, “Die Gesundheitspflege in Hermannstadt zur Zeit Karls VI.,” 5–6.

31 Herbert, “Die Gesundheitspflege in Hermannstadt zur Zeit Karls VI.,” 28.

The shape of the departments designed to handle the plague in the urban environment drew on several threads that spanned beyond the need for medically qualified personnel and individuals willing to come into close contact with the sick. The staffing policy pursued during epidemics also highlights an important aspect of the Habsburg approach of assuming control over local power structures, one that is usually not taken into account in traditional “elite-building” narratives, which privilege the counter-Reformation perspective.³² Those who wished to occupy an office in times of plague needed to exhibit themselves as “upright, judicious, and earnest” individuals, as was emphasized in one ordinance project issued by the military sometime during the autumn of 1738.³³ In this case, such an individual was not to be appointed merely *blätterdings* (“because of paper[work]”), as might have been the case in other situations, but had to actually provide the services the city required of him—to monitor individuals’ whereabouts, to ensure that travel in and out of the city was done according to regulations, etc. At the highest levels, where the responses to the plague’s progress in the urban fabric were formulated and further negotiated, part of the staffing choices were dictated by individuals’ experience in the sanitary field as well as by their political and personal allegiances. Moreover, from the Imperial perspective, which was essential in staffing the highest-level offices, a demonstrated favorable attitude towards Habsburg interests and a willingness to follow appropriate guidelines in case of conflicting orders were also necessary.

The small (12 members) and great (the *centumvirs*, the hundred men) councils of Sibiu oversaw the public health of the city through the offices of a *consilium sanitatis* (“health board”), normally assembled during times of plague. Otherwise, the health of the city’s inhabitants was overseen by the city physician and the city surgeon.³⁴ Other offices in the city administration, such as that of *inspector xenodochialis* (“hospital inspector”) and *Spitalsvater* (“hospital overseer”),³⁵ were concerned with the management of specially designated urban spaces that lay at the intersection of healthcare and the provision of welfare for the less fortunate.

32 Sever Cristian Oancea, “Die ‘Wahl’ des Sachsegrafen Stefan Waldhütter von Adlershausen,” *Zeitschrift für Siebenbürgische Landeskunde*, 38 (2015): 81–103.

33 SJAN Sibiu, Acte fasciculare H 50 (1738–1828), unnumbered document, fol. 50r, “*Puncta, so der Löbl. Sanitäts Commission, und Respective Directorio zur genauen Vollziehung annerinert werden.*”

34 Herberth, “Der innere und äussere Rath Hermannstadts zur Zeit Karls VI. Mittheilungen aus den Hermannstädter Magistratsprotocollen,” *Archiv des Vereins für Siebenbürgische Landeskunde* 17, no. 2 (1883): 411–12.

35 Herberth, “Der innere und äussere Rath,” 412.

During the eighteenth century, the first city-led sanitary council was assembled by the decree of the magistrate (small council) on June 19, 1719, to handle the newly emerged wave of plague. The expressed purpose of the sanitary council was to remain in the city in the event of a plague and provide further guidance; all other members of the urban community, including its leadership, could safely retreat to villages that had not been affected by the sickness.³⁶ It was presided over by Thomas Schmidt von Scharffenbach, venerable senator, joined by the lower-ranked senator Stephanus Waldhütter von Adlershausen. From the ranks of the great council, it gathered seven further individuals, drawn from various skilled trades: two goldsmiths, one soap boiler, a clockmaker, a weaver, and a furrier. One further member, a certain Stephan Friedrich, who served as scribe to the commission, was designated simply as “Schäsburgl,” i.e., a native from the neighboring city of Sighișoara (Schäsburg).³⁷ The president of the commission could likely boast with the lengthiest experience in the urban administration, but was likewise not a native of Sibiu: he had served as the seat judge of the nearby Seat of Mühlbach (Sebeș) during the last decade of the seventeenth century and had then entered the small council of Sibiu at the explicit recommendation of General Rabutin, in 1704. It appears that Scharffenbach’s track record as part of the magistrate was less than stellar, having been expelled as a “*vir malae famae*” (“a man of ill repute”) from the leadership of the city only to be readmitted a year later after a *Grationalbrief* (“letter of pardon”) had been issued.³⁸

A second sanitary directory was established by the decree of the small council on July 26, 1738, after the plague had reentered the city sometime during the summer of the same year.³⁹ Presiding over this directory was the same Stephan Waldhütter of Adlershausen who had previously battled

36 Herbert, “Die Gesundheitspflege in Hermannstadt zur Zeit Karls VI,” 15.

37 SJAN Sibiu, Acte fasciculare H 53, *Prothocollum Contagionis 1717–1720*, fol. 4r.

38 Herberth, “Innere und aussere Rath,” 472.

39 SJAN Sibiu, Acte fasciculare H, doc. 54, Pest Protocol ab Anno 1738 den 21sten Juny, bis Anno 1739 den 6 Marty, 134 folios. The complete title page contains the following information: “Das traurige Denkmahl des erschrecklichen Pestilentialischen Gerichts das der gerechte Gott über die Siebenbürgische Hauptherrmannstadt ergehen laßen. Wie dieße aufsteckende Seüche angefangen, wie sie sich ausgebreitet, welche sie angegriffen, welche durch dieselbe dem Todt überantwortet; hingegen aber auch, welche durch Gottes Erbarmung wider gesund worden. Und welcherley Vorkehrung, zu deren aberredung, Linderung, und reinigung, gemacht worden. Der Nachwelt zum Bericht, und Besserung, schriftlich auffgesetzt. Ab Anno 1738 den 21sten Juni bis 1739 den 6ten Marty. Von Samuel Dobosi, pi: Actuario.” I thank Julia Derzsi for signaling the existence of this source to me and for very kindly providing me with photographs of the original register.

15/1717

An der Pestentialischen Contagion gestorbene
in der Stadt Hermannstadt vom 18ten
Septbr 1717. nach einem des Consilii
Sanitatis, hi Schrift gefaßt.

1

Monats und Tag:	Paß:	In welchen Hauss od. Familie:	Wer gestorben:
Septemb.			
d. 21	Klein Platz	Valentini Kistings	1 Knichtler Jung von 11 Jahr.
25	Klein Platz	Thoma Schafel Salbir.	1 Malchys Handmagd.
26	Groß Zurgass	Joh. Hofmann Schafel	1 Mann des Leib.
Octob.			
d. 1	Groß Zurgass	Nich. Zacharias Pfister	1 Mann des Zerstörer.
2	ibid.	Eusdem	1 Kuchler von 10. Jahr.
7	Helmgr. Hof	Kind ist am Tisch gefallen den Hof, hi sich ab gewundenen Stücken, haben ausgespielt Pfister.	1 Knichtler Jung von 7. Jahr.
8	ibid.		1 Knichtler Junger Stallknecht
9	ibid.		1 alt Knichtler Kind des Leib.
10	ibid.		1 Kind von 3. Jahr des Leib.
15	Groß Zurgass	Nich. Zacharias	1 Kind des Knichtler.
17	Groß Platz	J. Dan. Anckler	1 so der Stadt Apothekerin
18	Unter des Hof	Steph. Meyl Schiffler	1 Knichtler Mann
15	8. Platz		1 Kind des Jatz. Schenkler.
16	Unter des Hof	Steph. Meyl Pfister	1 Knichtler des Hof. Handmagd.
17	Markt Gass	so. Handmagd	1 alt Knicht.
18	Unter des Hof	Math. Gieschaff Pfister	1 Knicht von 7. Jahr des Hof.
18	Ledern Gass	Mech. Biltz Kutter	1 Knicht Knicht.
18	8. Platz		1 Mann des Leib. Handmagd.
18	8. Platz	Georg Moch Pfister	1 Kind
20	ibid.	Eusdem	1 Knicht des Hof. Handmagd.
	ibid.	Eusdem	1 Knicht des Hof. Handmagd. 29. 11. Jaßon

STADT DER STADT HERMANNSTADT
SIBIU
UND DER SÄCHSISCHEN NATION

Figure 11.1. Page from the 1717 register of the Sanitary Commission (SJAN Sibiu, Acte fasciculare H 53, Prothocollum Contagionis 1717–1720, 1r).

the *leidige Seüche* (“vexatious pestilence”) almost two decades earlier. Staffing continuity and career progress were also visible in the case of Adlerhausen’s direct subordinate, the assessor and soap boiler Andreas Herrmann, who had been a member of the previous sanitary commission on behalf of the great council.⁴⁰ The remaining eight members of the directory were again drawn from the great council. Although Adlerhausen’s likely conversion to Catholicism in 1739 and his ulterior professional pathway, which culminated in his election as Transylvanian Saxon Count in 1740 with Habsburg intervention, have attracted the limelight in historiography, his role in fighting for the health of the city’s inhabitants has remained largely understudied.

Those who managed the health crisis at the highest decision-making level were joined in their efforts by an entire host of lower officials, commissioners, and individuals holding healthcare and public hygiene positions that likewise emerged in the urban milieu periodically as a specific response to the contagion. The cleaning of infected homes involved the activity of a designated *Reinigungs-Auffseher* (“cleaning overseer”), supported by a variety of subordinates who were charged with disposing of any material items—especially bedding—that an individual who had passed from the plague had owned. Likewise, a preacher was specially appointed to work in the lazaret during the plague. Medical personnel were even supplemented by the appointment of a plague midwife. Plague corpse-bearers were likewise employed and increased their charges for disposing of bodies through burial.

In the military field, information on those who directed the plague response in the city is much scarcer. Most of the correspondence held by the military authorities in Sibiu comes from the office of Oberst Baron von Formentini, the temporary commander of the city garrison and part of the Regiment of Harrach. Formentini had been stationed with the regiment in the area of Sibiu for quite some time prior to the outbreak of the plague and had already led tense negotiations with the Transylvanian Saxon authorities concerning their dues for the billeting of the Habsburg military in Saxon villages.⁴¹ The oberst was quick to anger when his desired quarters in Tal-matsch were not immediately put at his disposal and expressed significant material pretenses.⁴²

40 SJAN Sibiu, Acte fasciculare H 53, *Prothocollum Contagionis 1717–1720*, fol. 4r.

41 Heinrich Herbert, “Der Haushalt Hermannstadts zur Zeit Karls VI. Mittheilungen aus den Hermannstädter Magistratsprotokollen,” *Archiv des Vereins für siebenbürgische Landeskunde* 14 (1892–1893): 94–96.

42 Herbert, “Der Haushalt Hermannstadts zur Zeit Karls VI.,” 97.

It is no wonder then that various ordinances issued during the unfolding of the plague had to repeatedly emphasize that the maintenance of “good order and harmony” between institutions—the Sanitary Directorate and the interims-commander—was essential to ensure the “common good” of the city. This could only hint at the tense relationship between these partners.

At the same time, while the balance of power weighed more heavily towards the Habsburg authorities, both military and civil, it was checked by the urban leadership on several occasions. A late ordinance from the end of November emphasized that both the military commander and interims-commander were no longer to visit the city only on monthly occasions; from thereon, they would be compelled to remain in the city “vorbeständig” (consistently over time), with the explicit reason of avoiding that plague be spread through the circulation of the military, “de homine in hominem” (from person to person). Likewise, as the constant changing of the military commander was deemed “completely unprofitable for the *Publico*,” the presence of this official would be required in all decision-making pertaining to sanitary matters, alongside the local city directorate, on whom “das Onus zu schwer fallet, alle Emergentia Contagionis allein zu besorgen” (to take care alone of all emergencies engendered by the contagion was too heavy a burden). All such measures were to be taken “pro communi bono” (for the common good).⁴³

Measures

The numerous plague treatises published by physicians employed by Transylvanian Saxon cities evidence the town councils' constant preoccupation with halting the emergence of plague in the urban fold. During the 1530s, Sebastian Pauschner, a physician hailing from Levoča, in the Spiš region, who reportedly worked both in Braşov and Sibiu,⁴⁴ counseled the town's “Ehr-samer Rat” (“honorable council”) to halt various customary pious displays during funerals, which might have contributed to spreading the sickness. Later on, Trostfried Hegenitius, a native of Görlitz (Silesia) who served as city physician in Braşov during the 1660 plague wave,⁴⁵ emphasized the urban leadership's responsibility in protecting its citizens and recorded several measures already taken by the great council for the purpose of preventing

43 SJAN Sibiu, Acte fasciculare H 50 (1738–1828), unnumbered document, fol. 58r–58v.

44 Offner and Şindilariu, *Schwartzte Tod*, 41–42.

45 Huttmann, “Începuturile medicinei raţionale în Braşov,” 372–73.

the spread of the disease. These included the prohibition of motet singing in front of deceased individuals' houses, the isolation of an infected person for 14 days in their own home, as well as mandating that the local pharmacist remain in place and supply the population with all necessary medication, sold at a "reasonable price." However, as Hegenitius noted, it was "doubtful" whether these and other measures "would likewise be upheld, because both in spiritual as in political matters, a great disorder is in swing."⁴⁶

Beyond these general guidelines, which showcase the long-term continuities in public healthcare provision in early modern Transylvanian cities, other more specific ordinances meant to prevent or ultimately diminish the effects of plague outbreaks were passed over time.

How the disease was understood to emerge and spread was the decisive factor in setting the balance between cautiousness and the maintenance of the urban community's economic and social life, the bases of the "normal" social order.⁴⁷ During the sixteenth and seventeenth centuries, many Transylvanian medical authorities blamed the emergence and transmission of plague on "foul air," or *miasma*.⁴⁸ Over time, other causal chains that implied contagion through various items or even through other persons were either implicitly or explicitly suggested.⁴⁹ During the first half of the eighteenth century, both concepts often featured in the same physician's work without causing any dissonance.⁵⁰

The main concern was to attempt to locate any potential causal chains responsible for the spread of plague in order to prevent the extremely high number of casualties it had been responsible for between the sixteenth and early eighteenth centuries.⁵¹ By the second half of the eighteenth century, the economic effects of long-term quarantines along the military border would also come into question.⁵² As Sechel has pointed out, academic debates centered on plague transmission should also be viewed from a center—periphery perspective. Transylvanian physicians increasingly

46 Trostfried Hegenitius, "Chronik," in *Quellen zur Geschichte der Stadt Brassó*, vol. 6 (Braşov: Schneider und Feminger, 1915), 225: "Dieses ist zwar zu diesemmal beschlossen worden, ob es aber ins künftige würde gehalten werden, ist zu zweifeln, weil in allen sowohl geistlichen als politischen Dingen ein grosse Unordnung im Schwang gehet."

47 Coomans, *Community, Urban Health, and Environment*, 217–18.

48 Samuel Kline Cohn, *Cultures of Plague: Medical Thinking at the End of the Renaissance* (Oxford: Oxford University Press, 2011), 192–93.

49 Kline Cohn, *Renaissance Cultures of Plague*, 37.

50 Sechel, "Contagion Theories," 59.

51 After the establishment of the military quarantine along the southern border of the Habsburg monarchy in 1726–1728, the number of plague deaths in the province dropped sharply.

52 See Lesky, "Die Österreichische Pestfront," 82–106.

documented direct contagion and efforts to quell it during plague epidemics, while Viennese medical circles remained staunch in their adherence to a miasmatic understanding of disease transmission.⁵³ In the plague policies put forward by the urban authorities in Sibiu and the Habsburg civil and military leadership in the province, both concepts coexisted and were used in an “inconsistent” manner, as will be shown in the present section.⁵⁴

According to both civil and military reports, the plague first emerged in the gardens neighboring the city (the so-called *Mayerhoffe/Meyerhoffe*), owned by the urban elite and upper middle classes but inhabited by individuals of various social, ethnic, and legal backgrounds. In 1720, a fiscal conscription of the city and the villages in the seat suggested that most of the (tax-paying) residents of the city gardens were of Wallachian (Romanian) origin.⁵⁵ On June 20, 1738, an ordinance passed by the small council of Sibiu mentioned the “suspect Mayerhoffe” and its inhabitants from the area of the “Große Tranchement,” a part of the city’s sprawling suburbs during the eighteenth century.⁵⁶ All those who had already been exposed to a sick person, were suspected of having contracted the disease, or were already showing signs of sickness were to be placed under observation in the nearby woods of Bungard (Baumgarten). All *Meyrer* and *Zigeuner* (Romanies) living in the area were compelled to quarantine for fourteen days, while the owners were prohibited from visiting their gardens or contacting their tenants. No one could be accommodated in the gardens, and all inhabitants were prohibited from attending church services.⁵⁷ Despite these precautions, one day later, on June 21, the plague had made its first confirmed victim, a Wallachian woman who lived in one of the “Mayerhoffe” in question.⁵⁸

The Sanitary Commission and the military authorities were quick to act on the small council’s propositions. After acknowledging the outbreak

53 Sechel, “Contagion Theories,” 64.

54 Kinzelbach, “Infection, Contagion, and Public Health,” 369.

55 Friedrich Schuller, “Zwei Konskriptionen des einstigen Hermannstädter Stuhles aus dem Beginne des 18. Jahrhunderts,” *Archiv des Vereins für Siebenbürgische Landeskunde* 32, nos. 1–3 (1903–1904): 460–74 lists 211 individuals under the heading of “villici civitatis Cibiniensis.” As these individuals were not included under the previous headings pertaining to the four main city gates, it can only be surmised that they were living outside the city walls.

56 Paul Niedermeier, *Städte, Dörfer, Baudenkmäler: Studien zur Siedlungs- und Baugeschichte Siebenbürgens* (Cologne: Böhlau, 2008), 186.

57 SJAN Sibiu, Acte fasciculare H 50 (1738–1828), unnumbered document, “*Verordnung. So der löbl. Hermannstädter Magistrat, pro hic & nunc wegen der suspect gewordenen Mayerhoffen zu ertheilen nöthig erachtet hat*,” fol. 16r.

58 SJAN Sibiu, Acte fasciculare H (1530–1891), no. 54, *Pest Protocol ab Anno 1738 den 21sten Juny, bis Anno 1739 den 6 Martii*, 7, 108–9.

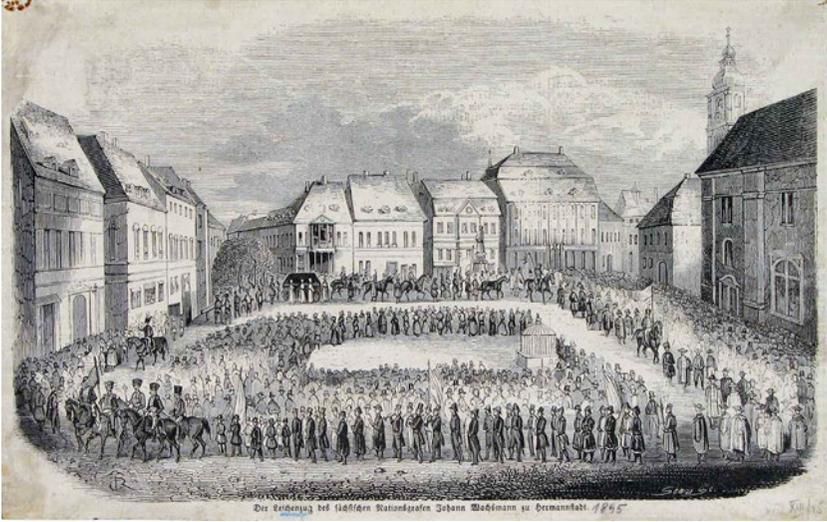


Figure 11.2. Funeral procession in Sibiu. Theodor Glatz, *Der Leichenzug des sächsischen Nationsgrafen Johann Wachsmann zu Hermannstadt*, 1845 (Collections of the National Brukental Museum, Sibiu, MNBS XIII/15).

of the *Contagiosen mali* (“contagious evil”) in the local “Mayerhoffen,” the commission ordered the raising of a hut at the foot of the bridge over the Cibin river, which was intended to house an adequate watch appointed by the military commando. Additionally, patrols comprising one corporal and four servicemen were to hold guard in the area day and night, assisted in their endeavors by a representative of the town, who would be charged with performing the necessary visits to any “suspect” households. Authorities were to be notified concerning any burials of Wallachians who had died “in a suspect manner,” while the urban leadership was tasked with ascertaining “who and what kind of priest (*Popa*) performed the burial ceremony for the suspected deceased as well as attended their so-called *pomana*.”⁵⁹ Finally, as the court had ordered the commission to proceed “punctually and sharply” in all plague-related matters, it was necessary to establish “how and through what means of communication did this *malum* infiltrate the *Mayerhoffen*.”⁶⁰

Based on previous experiences, the town council had reason to fear contagion from crowded areas just outside the city walls, places where the urban authorities exerted limited control and where individuals of varied extraction could settle without official status. In July 1717, a smaller wave of plague had reportedly started in the suburbs near the Heltner

59 Pomana: a shared meal in the honor of the deceased in Romanian and Orthodox tradition.

60 SJAN Sibiu, Acte fasciculare H 50 (1738–1828), unnumbered document, fol. 17r–17v.

Gate, “where various retired soldiers and other German persons had built huts and shacks,” provisional and unsanitary buildings that were all burned to the ground to prevent further contagion.⁶¹ Upon further rumors of plague in neighboring seats and counties, in 1718 and 1719, the small council ordered that movement through the city gates be limited to half capacity and that “all outgoing and incoming individuals be examined and absolutely no beggars or foreign ‘Romany-like’ vagrants be admitted therein”; additionally, no citizens were to provide lodgings to “unknown persons,” while all “*extranei*” (literally, “outsiders”) had to undergo “diligent examination.”⁶² In this sense, the suburbs presented a breeding ground for contagion, drawing together individuals of unclear background in cramped surroundings, various materials that could transport infection, and general disorder. In the Austrian Crownlands, the distrust present in the province towards Romanians was mirrored towards Jews; a 1754 ordinance prohibited them from “living together” too closely “in order to prevent infectious diseases.”⁶³ A person’s character, status, and surroundings were to blame for the spread of sickness, if not necessarily for its emergence, as one city physician of neighboring Braşov noted in 1720 in reference to the plague’s continued onslaught in the suburbs as opposed to its easing in the city:

there is no other cause for it except the fact that, in these rambling suburbs, where [there are] many obstinate misers who suffer great deprivation, no adequate separation of individuals, nor any proper cleaning of infected houses and equipment...can be undertaken; not only can the foolhardy people not be stopped from entering infected homes or from taking things out of them, but also there are many who are forced to risk their lives for a piece of bread, driven by hunger pangs.⁶⁴

Later, after the spread of the plague in 1738 was confirmed, the government would argue that “always, all plagues break out among Wallachians (Romanians) and Jews and then seize all other people, as has occurred

61 Herbert, “Die Gesundheitspflege in Hermannstadt zur Zeit Karls VI,” 14.

62 Herbert, “Die Gesundheitspflege in Hermannstadt zur Zeit Karls VI,” 20–21: “alle Aus- und Eingehende examinieren und gar keine Bettler oder frembdes zigeunisches Gesindl admittiren mögen.”

63 Ramón Reichert, “Auf die Pest antwortet die Ordnung: Zur Genealogie der Regierungsmentalität 1700:1800,” *Österreichische Zeitschrift für Geschichtswissenschaften* 7, no. 3 (1996): 340.

64 Johann Albrich, quoted in Herbert, “Die Gesundheitspflege in Hermannstadt zur Zeit Karls VI,” 21.

already in Temeswar and the Banat.⁶⁵ However, despite the incipient “spatial pathologization”⁶⁶ inherent in such lines of thought, it did not appear that a direct causal connection between miserly living conditions in Transylvanian city suburbs, foul air, and the emergence of plague cases was explicitly made at this time. Rather, the source of the plague was “as always, nothing else except the evil pestilence (*Pest Übel*) carried over from the Turkish lands, which spreads further.”⁶⁷ By 1738, the original locus of plague emergence was most clearly established to be the Ottoman Empire, and all those who might seek to pass through it into Habsburg-controlled areas were bound to be potential (if not certain) carriers of disease. Already two decades earlier, a plague edict had been passed by Joseph I (1710), followed by measures to create a truly medicalized military border system in 1726/1728, required by the looming threat of “contagion from the Turkish Empire.”⁶⁸ Such measures were successful in halting the progress of the plague into Transylvania until 1737,⁶⁹ but once the sickness had reached the urban fold of the province, contagion could no longer be effectively checked as military and civil Habsburg control gradually dissipated.

Both notions of contagion and miasma underpinned authorities’ understandings of plague transmission. While various attempts to prevent the emergence of disease in the first place—including plague—were recorded over the course of the sixteenth and seventeenth centuries, the town council’s efforts were either insufficient or did not meet the standards of public hygiene that began to be regarded as an integral part of “administration” by the representatives of the Habsburg state.⁷⁰ In Sibiu, arguably the model administration for Transylvanian Saxon urban milieus, a 1662 ordinance discussed the market judge’s obligation to ensure that the main squares be cleaned of any garbage, which was to be disposed of outside

65 SJAN Sibiu, Acte fasciculare H 50, unnumbered and undated document, entitled *Extractus*, fol. 13r–14v, likely a translation of the September 2, 1738, ordinance issued by the Transylvanian Government, which had retreated from the plague to nearby Mediaș. See the Latin version published in Lenghel, *Istoricul ciuimei la Cluj*, 95.

66 Lukas Engelmann, John Henderson, and Christos Lynteris, “Introduction: The Plague and the City in History,” in *Plague and the City*, ed. Lukas Engelmann, John Henderson, and Christos Lynteris (Abingdon, New York: Routledge, 2019), 3–4.

67 SJAN Sibiu, Acte fasciculare H 50, unnumbered and undated document, entitled *Extractus*, fol. 13r.

68 The main study for this period of the establishment of the *cordon sanitaire* remains Gunther E. Rothenberg, “The Austrian Sanitary Cordon and the Control of the Bubonic Plague: 1710–1871,” *Journal of the History of Medicine and Allied Sciences* 28, no. 1 (1973): 15–23.

69 Pešalj and Ehmer, “‘Hard Border’ Facilitates Migrations,” 70–71.

70 Reichert, “Auf die Pest,” 340.

the city by wagons, noting that this area was already paved. The same ordinance allowed for hefty fines for those who might befoul the water, for instance, by throwing cabbage into it, or those who did not properly remove the residues left after feeding cattle in the main square. Still, the matter of the stagnant waters surrounding the city—a proxy for the general uncleanness dominating the suburbs especially—was apparently not addressed appropriately; the hierarchy of priorities exhibited by the small council in ensuring public hygiene stopped rather firmly at the gates of the city, and more precisely, in its Great Square. Repeated statutes in 1673, 1674, and 1682 advised that measures be taken to fill in “the quite large morasses” located around the square, which caused “very foul odors.”⁷¹ The city was perceived as unkempt and environmentally conducive to the emergence of disease, a further sign of the disordered province that befuddled Habsburg officials with its host of autonomies, entitlements, and legal contexts.

Over the course of the eighteenth century, the numerous ponds and morasses that surrounded the city, and especially those belonging to various guilds—the weavers’ pond to the north, the tanners’ pond to the southeast, the tailors’ pond to the south, and the shoemakers’ pond near the Burger Gate—reached a state of unkemptness that was explicitly regarded as detrimental to the health of the urban population.⁷² The situation was not much improved by the 1770s, when General Commander Auersperg regarded the issue as sufficiently important to report it to Joseph II, recommending “tapping off the pools surrounding the city, whose uncleanness and effluvia are harmful to the health of Sibiu’s inhabitants.”⁷³ During his walks around the city in 1773, Joseph was likewise ill-impressed by its “morasses and ponds, mostly reedy and filthy, most of which also stink, and thus must considerably contribute much to the sickness in the city through its fetid vapors.”⁷⁴ As Leopold von Clary had expressed with dismay in a 1772 report, Sibiu must have been “the most awfully administered (*policirte*) capital in civilized lands.”⁷⁵

71 Herbert, “Die Gesundheitspflege in Hermannstadt im siebzehnten Jahrhundert,” 261–62.

72 Georg A. Schuller, “Hermannstadt um die Mitte des 18. Jahrhunderts: Ein kulturgeschichtliches Bild,” *Archiv des Vereins für siebenbürgische Landeskunde* 34, no. 5 (1905): 87–88.

73 Ileana Bozac and Teodor Pavel, *Die Reise Kaiser Josephs II. durch Siebenbürgen im Jahre 1773*, vol. 1, 2nd ed. (Cluj-Napoca: Editura Academiei, 2007), 209.

74 Bozac and Pavel, *Die Reise*, 679: “mehrere Moräste und Teiche, welche aber mehrestens schülfigt und schmutzig sind und auch stinken, also dass sie wirklich zur Ungesundheit der Stadt durch üble Ausdünstungen vieles beytragen müssen.”

75 Bozac and Pavel, *Die Reise*, 570.

Conclusions

This study examined the management of public health, focusing on policy design and implementation as a response to plague during the first half of the eighteenth century in Sibiu, then the capital of the Habsburg province of Transylvania. Although plague epidemics in Sibiu and other Transylvanian cities have long featured in historiographic discourse, with early efforts to disentangle urban governments' response to this scourge dating back to the late nineteenth century and the interwar period, this entangled topic still holds great analytical potential for the interrelated subjects of healthcare, urban governance, and the evolution of responses to epidemic crises.

Throughout the early modern period, Transylvanian Saxon cities such as Sibiu and Braşov appeared to be at the forefront of public healthcare management during times of epidemic. Urban councils strove to attract qualified civic doctors from abroad and supported the publication of plague treatises, mirroring developments in Western and Northern Europe. Local political elites in Transylvanian Saxon cities worked together to disseminate knowledge regarding the plague and seem to have acknowledged that the need to employ medical staff even outside of epidemic crises trumped the need to maintain stringent criteria for acceding to the corps of the urban citizenry. Thus, by the eighteenth century, there was an implicit but clear understanding that public health was to be prioritized over rigid political norms meant to safeguard the provincial inter-estate balance. Nevertheless, by the mid- and late-eighteenth century, the efforts made by the urban councils of Transylvanian cities such as Sibiu were no longer attuned to the standards of governance and administration the Habsburg authorities expected. Healthcare management during times of epidemic outbreaks became yet another domain of public life where provincial and urban practices and interests clashed.

Staffing higher decision-making offices during epidemics was an essential means of ensuring that measures decided upon in Vienna were enacted properly in the provincial environment. Continuity in staffing—evidenced by the appointment of “*genehm*” individuals, who were inclined to cooperate with the authorities, in key positions on urban health boards—appeared to be prized over other qualifications.

The management of public health during plague epidemics also made the urban councils question the backgrounds of their inhabitants as well as the limits of public authorities' actual power to enforce regulations, especially regarding population movement or accessing private living quarters. The early to mid-eighteenth-century city in Transylvania was in many ways still

predicated on sixteenth and seventeenth-century legal hierarchies (citizens vs. non-citizens) that no longer left room for the complexities engendered by increased migration from the empire and occupational diversification. The social, confessional, and ethnic structure of the city would become difficult for the urban leadership to manage and oversee, especially during times of crisis, such as plague outbreaks.

These same times of health crisis also emphasized the growing urban-rural interdependence: cities such as Sibiu had consistently grown over the course of the first half of the eighteenth century, despite setbacks in population numbers due to wars and epidemics, mainly developing sprawling suburbs. A more dynamic and stratified population clamored for increased support from its leadership during waves of plague, while the city's ability to survive such trials by simply following earlier sets of measures was consistently put to the test. The 1738–1739 epidemic in Sibiu shows an implicit shift in how epidemics were managed at the urban level, mirroring the changes that had occurred with the introduction of the quarantine system a decade earlier at the province's borders.

About the author

Oana Sorescu-Iudean is a researcher with the Babeş-Bolyai University in Cluj-Napoca, Centre for Population Studies. Her research focuses on the social history of inheritance and probate, on family history, and on urban history in eighteenth century German-speaking Transylvania. Recent contributions include “Patterns in the Timing of Widows’ Remarriage in an 18th-Century Transylvanian City” *Romanian Journal of Population Studies* XVI no. 2 (2022): 9-26 and *Elites, Groups, and Networks in East-Central and South-East Europe in the Long 19th Century* (Leiden: Brill, 2022), co-editor.

12. Shaping a Phanariot Town: “Good Order” in Eighteenth-Century Bucharest

Constanța Vintilă

Abstract: This study examines the urban policies implemented by the Phanariot Princes in Bucharest prior to the Organic Regulations. The emphasis of the analysis is placed on decrees and orders (*nizams*) pertaining to public order, hygiene, and nighttime safety. The Phanariot Princes consistently endeavored to regulate urban expansion, seeking to maintain city boundaries, prevent fires and epidemics, and ensure public order. Attempts were made to keep immigrants from surrounding villages from entering and settling in Bucharest. Lighting the main streets and squares at night was also a constant concern. At the end of the eighteenth century, the Phanariot Princes established new institutions responsible for road safety and food security in their attempt to streamline urban administration and improve living conditions for the residents of Bucharest.

Keywords: Bucharest, Phanariots, urban administration, public order, eighteenth century

This chapter examines the notions of order and disorder in the city of Bucharest during the time of the Phanariot rulers. My investigation focuses on the urban policies created by the Phanariots before the city received a coherent administrative and legislative structure in the 1830s. Thus, the upper chronological limit of my study is the period of the administrative reforms generated by the Organic Regulation, which gave rise to urban

institutions designed to control urban life in terms of health, economy, society, and politics.¹

The source material consists of the decrees and regulations issued by the Phanariot princes of Wallachia to manage and control urban life in the capital city. In addition, the analysis will draw upon cases recorded in the judicial archives concerning daily life in the city and the observance of community rules and official prescriptions. In a broad sense, this approach will reveal what urban issues were subject to central regulation and the impact of official laws on the daily lives of the inhabitants. Other avenues of inquiry will seek to understand who had legitimacy in governing the city and how regulations were followed up on for efficiency. Furthermore, the analysis of the legislative texts will determine whether they were responding to the actual needs of the city of Bucharest or were simply replicating models and formularies. This question in turn will determine who the intended addresses of the decrees were and what were the motives for the Phanariot princes in taking over the administration of Bucharest. In the final section, I will try to examine the role of the night in regulating order and social control in the city of Bucharest, a subject that has attracted little attention in Romanian historiography.

Although the history of Bucharest has enjoyed the attention of scholars,² few have compiled and analyzed the series of *nizams* (royal decrees) as instruments of the Phanariot princes in the establishment of a social discipline of urban life. Housing the royal court and the main institutions of the country, the city of Bucharest was of crucial interest for the Phanariots and was an appropriate territory for the manifestation of their royal authority. Beyond the concern for the collection of taxes, the princes feared for their personal safety and that of their families. At the same time, frequent epidemics of plague forced the princes to take sanitary and hygiene measures aimed at securing the health of the taxpayers. Our study will therefore focus on three aspects of urban life: the regulation of urban buildings, the upkeep of roads and streets, and the taming of the night.

On March 4, 1716, Nicolae Alexander Mavrokordatos wrote that “those who are graced by God with power and dominion” have the duty “to govern

1 Ioan C. Filitti, *Principatele române de la 1828 la 1843: Ocupația rusească și Regulamentul organic* (Bucharest: Fundațiunea “Regele Ferdinand,” 1834); Constanța Vintilă, *Changing Subjects, Moving Objects: Status, Mobility, and Social Transformation in Southeastern Europe, 1700–1850* (Leiden: Brill, 2022), xxii.

2 Dan Berindei, *Orașul București, reședință și capitală a Țării Românești 1459–1862* (Bucharest: Editura Științifică, 1963); Florian Georgescu, ed., *Istoria orașului București* (Bucharest: Muzeul de Istorie a Orașului București, 1965); Constantin C. Giurescu, *Istoria Bucureștilor din cele mai vechi timpuri până în zilele noastre* (Bucharest: Editura pentru Literatură, 1966).

the people and the *politia*.³ Phanariots applied the fundamental principles of the common good and public weal in their administrative and economic policies. Good governance over the people contributed to an increase in the number of taxpayers and ensured prosperity and the economic resources necessary to support the ruling families and the taxes to the Porte. For this reason, the Phanariots sought to impose order on the city by regulating important aspects of life in urban communities. Beyond the constantly pressing financial reasons, moral and philosophical principles of that era motivated the Phanariot princes. Preambles of the princely decrees (*nizam*) expounded these principles, whereby administrative measures took on recognizable elements of a political discourse and social philosophy. As Alexander Ypsilantis wrote in his decree of October 1, 1779, the capital city, Bucharest, was the showcase of good governance' therefore, he called for focusing on "useful [things] that adorn the polity and make a good living for the people."⁴ Alexander Moruzi argued that Bucharest had to be a safe and orderly city, given its standing as a royal court: "it is fitting that the city should have good order and security for being the head of all."⁵

The measures and regulations of the urban space had utilitarian purposes, but the Phanariots considered aesthetic aspects as well. Ottoman pressure was another reason for good management of the city, as the visits from the Ottoman authorities (*venire de mosafiri*—coming of the guests) demanded that the roads be clean and functional and that the city inspire security and stability.⁶ The Phanariot rulers on the thrones of Wallachia and Moldavia were an integral part of the Ottoman administrative system. Their collective name was derived from the neighborhood of Fenar in Istanbul, where most of them had their family homes. The Phanariots had been high officials at the Porte and with the Patriarchate of Constantinople, but beginning with the eighteenth century they managed to be appointed to the thrones of the Romanian Principalities as Ottoman dignitaries.⁷

3 George Potra, ed., *Documente privitoare la istoria orașului București (1594–1821)*, ed. Florian Georgescu, vol. 1 (Bucharest: Editura Academiei RSR, 1961), 267.

4 Vasile Alexandru-Urechia, *Istoria românilor. Curs făcut la Facultatea de litere din București* (Bucharest: Carol Göbl, 1896), vol. 9: 120: *cele folositoare și cu laudă de podoabă la starea politiei și spre buna petrecere a norodului*.

5 Urechia, *Istoria*, vol. 6: 276, March 3, 1793; Serviciul Arhivelor Naționale Istorice Centrale (National Central Historical Archives, hereafter SANIC), Manuscrise, ms. 22, f. 14v: *se cuvine a avea orașul acesta bună orânduială și paza ca o stare de domnie ce este*.

6 Urechia, *Istoria*, vol. 5: 382, document of April 10, 1793, when Alexander Moruzzi asked for the rebuilding of Mogoșoaiei Street "without any delay" for the "coming of the guests."

7 For details see Christine Philliou, *Biography of an Empire: Governing Ottomans in an Age of Revolution* (Berkeley: University of California Press, 2011); Vintilă, *Changing Subjects*, xvi–xx.

Regulations and social discipline

The city of Bucharest was often referred to in documents by the Greek term *politeia*. *Politeia* did not only refer to the urban agglomeration but also to human behavior that was labeled “good” or “bad.” Unlike in European cities and the closer Transylvanian towns, the term was not extended to designate policies and measures for the establishment of a “good order” (*gute Policey*).⁸ Nevertheless, the ideas of good order and the control of subjects inform the governance of the Phanariot princes and were formulated through regulations (*nizam, pitac*) or royal decrees. In its Turkish-Ottoman meaning, the term *nizam* meant order, and the German historian Gottfried Hagen wrote that for the Ottomans “order was more important than justice.”⁹ Taken over from the Ottoman administration by the Phanariot rulers, the term *nizam* appears in the documents of the time, taking on the broad meaning of a rule designed to impose and control order. Thus, on June 14, 1776, Alexander Ypsiantis announced that “he had given the perfect *nizam*,” from which he hoped “to bring forth wellbeing to all the people,” while laying down in detail the financial obligations of each inhabitant and striving to eliminate disorder and the numerous abuses of petty officials.¹⁰ At the same time, *nizam* was the term used for guild statutes or the regulations of an institution (the captaincy, the town administration), with the aim of reforming and maintaining order. Prince Nicolae Mavrogheni gave such a *nizam* to the hegumen Timothy of the Stavropoleos monastery in Bucharest, who was given control of the adjacent inn under the obligation to keep order and with the right to expel clients who “did not behave honorably” and to disarm those who carried weapons. The great aga, the head of the military, was charged with offering support in keeping order.¹¹

As in the Ottoman Empire, the notion of order was recurrent in the documents of the Phanariot administration.¹² “*Nizams* are given unceasingly,” wrote Prince Alexander Soutzos on April 4, 1820, asking the *ispravnic*

8 Mária Pakucs-Willcocks, *Sibiu veacului al XVI-lea: Rânduiala unui oraș transilvănean* (Bucharest: Humanitas, 2018); Andrea Iseli, “*Bonne Police*”: *Frühneuzeitliches Verständnis von der guten Ordnung eines Staates in Frankreich* (Eppendorf: Bibliotheca Academica Verlag, 2003); Andrea Iseli, *Gute policy: Öffentliche Ordnung in der Frühen Neuzeit* (Ulm: UTB, 2009).

9 Gottfried Hagen, *Legitimacy and World Order*, in *Legitimizing the Order: The Ottoman Rhetoric of State Power*, ed. Hakan T. Karateke and Maurus Reinkowski (Leiden: Brill, 2005), 55–85.

10 *Muzeul Municipiului București*, no. 31348, ff. 12–13.

11 Potra, *Documente*, 549–50; February 28, 1782, Bucharest.

12 Alp Eren Topal, “Order as a Chronotope of Ottoman Political Writing,” *Contemporary Levant* (2020): 1–10.

(prefect) to keep order and protect the subjects from robbers after he had given a *nizam* on firearms and a *nizam* for posses and captains, for bailiffs, and against those sheltering thieves.¹³

Urban offices and institutions

As Paul Cernovodeanu pointed out, the city lost its urban semi-autonomy with the reign of Constantin Brâncoveanu when the judge and jurors, representatives of urban government, ceased.¹⁴ The prince became the head of the urban administration, in charge of the administrative policy and control over the city's population. He was assisted by two high officials: the great *aga* and the great *spătar*, each of whom had armies of subordinates, made up of captains, flagbearers, sheriffs, soldiers, and *arnău*t (the princely guard made from former Albanian mercenaries).¹⁵ The powers of the two great officials were established in writing in the legal draft of Mihai Fotino and introduced into the code of law known as the *Pravilniceasca Condiță*.¹⁶ The code of laws set the framework of the legal powers of the two officials: they had the right to judge small matters in the city, to run prisons, and to walk with rods and phalanx on the streets to catch and punish offenders.¹⁷ Their effective duties can be deduced from archival documents and can be found in the *History of Dacia*, written by Dionisie Fotino at the beginning of the nineteenth century. The great *spătar* oversaw the exits from the city as well as the bridges, customs tolls, foreigners, lighting of the streets, and fire prevention. The great *aga* watched over "good order" and was the town administrator, supervising the provisioning of the markets, prices, and taxes. He also organized fire prevention, controlled building regulations for houses and mills, and was in charge of maintenance of the main roads.¹⁸ Both departments had to keep accounts and had a logothetes (*logofăt*) in charge of drafting reports (*anafora*). The duties of the two high officials

13 Urechia, *Istoria*, vol. 12, 159–60.

14 Paul Cernovodeanu, "Considerații privitoare la organizarea administrativă a orașului București în secolele XVI–XVII," in *București. Materiale de Istorie și Muzeografie* 1 (1964): 159–76.

15 See a description of them in Friedrich Wilhelm von Bauer, *Mémoires historiques et géographiques sur la Valachie* (Frankfurt, 1778), 54, 58.

16 Valentin Al. Georgescu and Emanuela Mihuț, *Legislația urbană a Țării Românești, 1765–1782* (Bucharest: Editura Academiei RSR, 1975), 221–23.

17 *Pravilniceasca Condiță (1780)* (Bucharest: Editura Academiei RSR, 1957), 74.

18 Dionisie Fotino, *Istoria Generală a Daciei sau a Transilvaniei și a Moldovei*, ed. George Sion (Bucharest, 1859), 275–77, 283–84.



Figure 12.1. Miklós Barabás, View of Bucharest, 1832, watercolor (Private collection, Budapest).

often overlapped, and the only certain boundary between the scope of their attributes was the topography of the urban space, divided into center and periphery. This spatial demarcation can be identified by means of the royal orders (*pitac*) that were issued, sometimes in the same form but with different recipients: one to the great *aga*, the other to the great *spătar*.

The administrative apparatus was continually being upgraded under the Phanariots: the *Epitropia obștească* (public council) was created under the reign of Alexander Ypsilantis (1774–1782). The new institution supervised a wide range of urban activities: widening and maintaining streets, roads, and bridges; inspecting the water and food supply; supervising and setting the official prices (*nart*); fire inspections; managing institutions of public interest (schools, hospitals, pharmacies); managing the health and welfare system by hiring doctors; and granting financial support from the alms box. The heads of the *Epitropia*, who also had the highest salaries, were chosen from among the boyars with experience in administration. Other members were from the merchants and craftsmen and the four scribes (*logofeței*), employed in the chancellery.¹⁹

The development of Bucharest was reflected in the creation of new institutions and offices with duties in urban administration. The Administration

19 For the structure of the *Epitropia* of 1783–1784 and the respective salaries, see Urechia, *Istoria*, vol. 1: 493–94.

of Roads (*Epistășia podurilor*) maintained the roads and streets in the city. For ensuring food security, the new Administration of Meats (*Epistășia cărnii*) was in charge of the supply of meat, while the "director of the bread" (*starostele pâinii*) monitored the quality of bread. The *vornic* of the city, established by the royal decree of March 5, 1794, was responsible for collecting taxes.²⁰ The grand *hatman* (military commander) was also given tasks in the urban sphere, because he had to supervise couriers who arrived and stayed in the city with post (*menzil*). The decree regarding foreigners mentioned a captain of the city (*ispravnic*), who kept a register of all those staying in the city. The Turks had a separate supervisor, the *baş-beșleaga*.²¹

The archives of these departments have been preserved in part, mostly for the first part of the nineteenth century, with the Department of the Spătaria having two codicils preserved for the period 1805–1849 and *Agia* having a protocol book from 1822. The absence of a town hall and its own urban archive increased the dependence of Bucharest on the ruler of the country, leading to the disappearance of urban autonomy and the absence of a separate chancery and archive.²²

From the suburbs toward the center: urban borders and Bucharestians

"Bucharest is the capital of Wallachia and the residence of the prince. It is a large and beautiful city, very populated, with more than 120,000 inhabitants; there are very beautiful public buildings and especially imposing inns and lodging houses, occupied by rich merchants doing business, and where you can find all kinds of goods from all the countries of the world." This testimony comes from the French diplomat Charles-Claude de Peyssonnel, who spent a few months in Bucharest in the winter of 1758.²³ This description of the large city with vast gardens and numerous churches, merchants, and shops, stately homes, and a diverse population often appears in travel literature. The Franciscan friar Blasius Klein spoke in 1761 of the "diversity of nations and languages," finding in Bucharest "all the nations of Europe and many parts of Asia." He also put forward some rather curious figures: the city had

20 Urechia, *Istoria*, vol. 5, 182; SANIC, ms. 27, inventory 3, f. 9.

21 Urechia, *Istoria*, vol. 7, 486.

22 On November 8, 1794, the *nizam* for the safety and security of the city of Bucharest mentions that all the written orders and the royal decrees were written down in the books of the *agia*. Urechia, *Istoria*, vol. 5, 414–15; SANIC, ms 23, f. 292.

23 Charles-Claude de Peyssonnel, *Traité sur le commerce de la Mer Noire*, vol. 2 (Paris: 1787), 178.

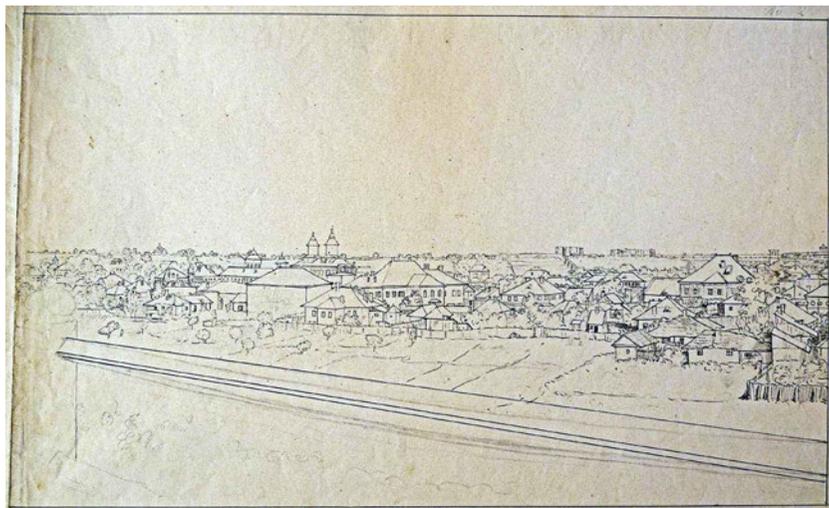


Figure 12.2. Miklós Barabás, View of Bucharest, 1832, ink drawing (Private collection, Budapest).

more than 3,000 taverns, more than 20,000 shops, and some 95 churches, on which he dwelt at length, describing the buildings and the materials used.²⁴

Wars, fires, and numerous plague outbreaks played a key role in the demographic changes. Thus, after the Russo-Austrian-Ottoman war of 1769–1774, traveler Leonardo Panzini noted on July 26, 1776, that Bucharest had around 7,000 houses and 20,000 inhabitants along with 300 churches: “every ten steps, you come across a small church, a chapel, or a small monastery.”²⁵ The number of inhabitants and the social and ethnic categories are harder to estimate, and while some travelers offer various figures, most preferred to use the vague phrase “large city.”²⁶

The city of Bucharest grew continuously during the eighteenth century, without urban planning rules or building measures to protect it from natural disasters. Prince Alexander Ypsilantis was concerned for its security and public hygiene when he decided to set boundaries beyond which the city could not grow. Peasants, Romanis, and foreigners had built dwellings on the outskirts of the city, bringing mud, disease, and disorder into it. In the absence of legislation and control, newcomers mingled with the

24 *Călători străini despre țările române*, vol. 9, ed. Maria Holban, Maria Magdalena Alexandrescu-Dersca Bulgaru, and Paul Cernovodeanu (Bucharest: Ed. Academiei Române, 1997), 433.

25 *Călători străini despre țările române*, vol. 10, part 1, ed. Maria Holban, Maria Magdalena Alexandrescu-Dersca Bulgaru, Paul Cernovodeanu (Bucharest: Ed. Academiei Române, 2000), 214.

26 Constantin Dapontes put forward the figure at 40,000 in his 1759 work describing Wallachia. See *Călători străini*, vol. 9: 389.

local "Bucharestians," building huts and shacks on the city's land without permission or supervision. The prince entrusted the great *spătar* and the great *aga*, together with the lower rank bailiffs, to set the city's boundaries. The task involved expelling those who could not justify their stay in the city and tearing down the hovels erected beyond the established city limits. Drawing a border brought a controllable area under the authority of the ruler, with barriers at the entrance and exit of the city, where guards checked individuals and levied taxes on the wagons transporting goods. The city was fenced off with crosses and markers to separate the "Bucharestians" from an outer population considered dangerous. Among those who remained outside the borders were fugitive peasants, Romanis who had fled from their masters, and foreigners. They were all evading the taxation of the princes and their control of the urban world. The princely decrees do not define who the "Bucharestians" were; rather, it was a term used in the text only to oppose those who did not belong to the city.²⁷

A few years later, under Prince Mihai Soutzos, the question of the city's boundaries was taken up again. Officials noticed that the city had extended beyond the crosses set by Alexander Ypsilantis. The *nizam* of July 19, 1784, mentions that Prince Ypsilantis had made a census of the population within the city limits, which unfortunately is not extant. Mihai Soutzos ordered the great *spătar* to set up a new city boundary, incorporating into the urban area everything that had exceeded the old boundary. Thus, the great *spătar* had to erect new crosses within 40 days and to make a census of the population settled at the peripheries between 1776 and 1784. These steps were justified because of the perceived promiscuity of the people at the periphery, consisting of "peasants from abroad," "unknown and strange foreigners," "Romanis with their beasts," "wicked people," "wild beasts," and "servants." This motley population had supposedly caused "trouble and deceit," "heavy mud," contagion, disorder, and insecurity. New city limits were set up to allow officials to swiftly identify the "Bucharestian," the privileged beneficiary of living inside the city. The princely order established four main roads that led into the city and were guarded, while with a new census and with the help of local petty officials (soldiers, priests, militia), any deviation from the prescriptions of the *nizam* could be verified. Buildings erected outside the new city boundary were to be torn apart and the people threatened with harsh punishments.²⁸ A new border was enforced in the form of a huge fence surrounding the city. Again, we learn about this fence as a physical

27 Georgescu and Mihut, *Legislația*, 230.

28 Urechia, *Istoria*, vol. 1: 496–97.

boundary from a later *pitac* of Prince Nicolae Mavrogheni, from October 28, 1788. The prince ordered the locals from the neighborhoods to repair the fence that had broken down and fallen into disrepair, letting people and wagons pass through unchecked.²⁹

The regulations for Bucharest from March 3, 1793, addressed the question of the city's borders: the guards were instructed to close the roads that had been opened clandestinely and to watch the exits and entrances at the ends of the main roads. "Good men do not wander away from the guarded roads and walk astray," the *nizam* argued, whereas "bad men" slipped through the yawning gaps of the bramble fences, disappearing into the night.³⁰

The census of Bucharest made by Prince Alexander Ypsilantis also separated urban inhabitants from the rural neighboring area. The original 67 neighborhoods (*mahala*) grew to 93 in 1798, and a further increase was registered under the Russian occupation of the city in 1810, when the new census counted 98 *mahala*.³¹ Those who lived within the city's boundaries, between the crosses, obtained the status of townspeople. They were organized in neighborhoods (*mahala*), which in turn gathered around a church and were bordered by streets and lanes. Larger neighborhoods had one or more churches; some smaller ones had none. Therefore, the parish did not always overlap with the neighborhood, and the parishioners were not always members of the same *mahala*.³² The Phanariot era saw a high mobility of people, which contributed to the settlement of a quite significant number of Serbs, Bulgarians, Greeks, Armenians, and Jews in Bucharest. When such a community grew in number, it loaned its ethnonym to the entire neighborhood, for instance, the mahala of the Serbians (*Sârbi*), the Armenian street (*ulița Armenească*), and the Greek neighborhood (*mahalaua Grecilor*).³³ Expanding like a honeycomb, the city added other communities on the outskirts, which were eventually integrated by moving the city boundaries.³⁴

29 Urechia, *Istoria*, vol. 3: 69, SANIC, ms. 17, f. 338.

30 Urechia, *Istoria*, vol. 6: 273.

31 Constantin Giurescu, *Istoria Bucureștilor: din cele mai vechi timpuri până în zilele noastre* (Bucharest: Editura pentru Literatură, 1966), 105.

32 Adriana Scripcaru, "Evoluția zonei Mântuleasa din vremea mahalalei până astăzi," *București-Materiale de Istorie și Muzeologie* (2003): 377–78.

33 See also Marius Chelcu, "Ulițe și mahalale: sensuri urbanistice (secolele XVII și XVIII)," *Anuarul Institutului de Istorie "A.D. Xenopol"* 49 (2012): 71–78; Iuliana Brătescu, "Mahalaua în Țările Române: Date privind originea și evoluția ei în secolele XVI-XVIII," *Historia Urbana* 25 (2017): 159–72.

34 Scripcaru, "Evoluția zonei Mântuleasa," 378.

The uncontrolled growth of the city was a concern to the princes and the officials.³⁵ After the fire of 1804, which razed almost half of the city to the ground, Prince Constantine Ypsilantis wrote with dissatisfaction that "the inhabitants of the *politia* of Bucharest do not restrain themselves from building houses on the outskirts of the *politia*, haphazardly erecting wooden shacks on empty lots," stretching the city on all sides. The chaotic development resulted in "uncontrolled diseases," caused by the stale air that could not refresh itself and the numerous fires that burned through the promiscuous pile of wooden shacks. Population growth could not bode well; food was getting more expensive, and the needy townspeople, wanting homes, warmth in their houses, and good food, were cutting down the forests and raising firewood prices. "They have all rushed to make their homes here in the *politia*," wrote the prince angrily in his *nizam* of May 10, 1805, and a time will come "when they will no longer be able to take advantage of the food or firewood." Constantine Ypsilantis's *nizam* is the first documented awareness of the environmental disaster caused by disorganized consumption.³⁶

Control over the periphery was a constant challenge for the Phanariot rulers. In 1815, the great boyars of the *divan* asked the prince to intervene to stop the growth of the city beyond the crosses of Ypsilantis and to control the incoming foreigners and outsiders. The boyars blamed the newcomers for "spoiling the city" with their mud and their unpredictability. According to them, immigrants could neither be counted nor taxed: "extending the city is to the detriment of the treasury and the corruption of the *politia*, because they cannot be reached to pay their taxes and their dues." They also claimed that "the rise in the number of people" created inflation and drove up the price of food, in addition to blocking the roads and access into the city. However, the boyars were agreeable to allow dwellings beyond the city limits if the roads were widened.³⁷

The opposition between the local city inhabitants and the outsiders had returned. By making the city boundaries more flexible, the high officials included the migratory population into the urban community of Bucharest, thus gaining taxpayers, although many of the peasants and Romanis were sent back to their villages or to their landlords. The "security" and protection

35 This policy of accepting and rejecting newcomers at the same time is typical of all cities. See Daniel Roche ed., *La ville promise: Mobilités et accueil à Paris, fin XVIIIe-début XIXe siècle* (Paris: Fayard, 2000).

36 Urechia, *Istoria*, vol. 8: 675.

37 Potra, *Documente*, vol. 1: 696–70.

of the subjects from thieving and violent foreigners slowly but surely took on a major role in the vocabulary of princely decrees, on par with the European governing principle of the “good order.”³⁸

Empty land and vacant grounds: maidan and the shared use of public space

On March 15, 1783, a conflict arose in the mahala of the traders (*Neguțătorilor*) between Petcu Dristoreanul and the rest of the neighborhood dwellers over the purchase and enclosure of a common piece of land: an empty lot on Vergului Street. This piece of land had been used by the locals as a shortcut out of the neighborhood and by out-of-town peasants selling firewood. By buying this lot next to his house, Petcu wanted to extend his property and to fence it off, but in doing so he blocked access to Vergului Street for others. The neighbors joined forces and raised money to buy back the site and return it to communal use. Petcu refused to help his community and kept putting up fences, defending his property rights. The mahala inhabitants petitioned the court, claiming “the benefit of the community and especially of the neighborhoods” in keeping the vacant lot (*maidan*) in common use. They offered a bargain to the prince: he was to use his authority to buy back the land and to donate it to the *Neguțători* monastery, to whom they, the locals, would pay rent. The mahala inhabitants also promised to build a well, at their own expense, for the benefit of travelers and animals. Although Petcu would not “listen” and shouted that “where the seller’s enclosure was, that’s where he would keep his,” the ruling prince, nevertheless, was able to change the use of a property. The community convinced him of the significance of the vacant lot in the economy of the *mahala*; thus, the prince put the common weal first. By a royal decree on May 1, 1783, Petcu lost to his neighbors and the common ground was returned to the community.³⁹ This incident is relevant to my analysis because it highlights practices regarding the use and administration of public spaces. It specifies that the *Epitropia de obște* kept several lots of empty land near the larger streets, where the peasants who came with carts carrying wood, hay, or timber could stop and where the peddlers could sell their wares. Two years later, the *Epitropia de obște* inspected the city, reporting that “in the city of Bucharest, in many places, there are plenty of empty lots (*maidan*) where the

38 Karl Härter, “Security and ‘Gute Policey’ in Early Modern Europe: Concepts, Laws, and Instruments,” *Historical Social Research* 35, no. 4 (2010): 43.

39 Georgescu and Mihut, *Legislația*, 137–38.

wagons of the community gather." The vacant lands were located along the main roads. They belonged to the ruler, and therefore to the city, and were used by the townspeople and the population to store or sell their carts full of wine, timber, and hay. The town officials also noted that many of these places "had been enclosed with various sheds and outbuildings."

In a similar case, a merchant had taken over the *maidan* next to the princely court and set up a shop and stored timber and other household goods on it. Although the great *aga* had asked him to vacate the place so that it could be given back to the community, especially as it blocked access between the *mahala* Foișor and that of Șelari, the merchant "did not obey but kept collecting lumber." It was necessary for the prince's intervention to order the great *aga* to go and "raze all the sheds and shacks to the ground and clean the place of any dust."⁴⁰ This case highlights again the fact that officials had no inventory of the city's public spaces, and only a conflict revealed the encroachment of a community right. However, the 1768 town law specified that those erecting buildings had no right to encroach on "public places and roads."⁴¹

The term *maidan* was and is a loanword from Turkish, from *meydan*, and appeared in various corrupt forms in Wallachian documents: *medean*, *meidan*, *maidan*.⁴² The meaning of the word is an empty place; hence, it's another synonym of *viranea*, also taken from Turkish-Osman. From the above examples, we can see that maidans and viranele played an important economic and social role in the life of the urban community. They were similar to public squares, bringing people together, linking the local community to political authority, but also serving as places of commercial exchange. Found near central places, such as the princely court or the main roads, these *ad hoc* markets served several neighborhoods, providing supplies and opportunities for socializing. The four main roads of the town had four vacant grounds, "places set aside" where wagons of goods were gathered to await their customers. According to a 1783 princely order, merchants with goods were not allowed to enter the town but had to wait at these spaces for their buyers to arrive, and only then could they go directly to the "buyer's house."

The large *maidans* appear to have been larger marketplaces where bulky goods such as wood, timber, hay, and wine bottles were traded.⁴³ The *viranea*

40 Urechia, *Istoria*, vol. 1: 200, July 4, 1785.

41 Georgescu and Mihuț, *Legislația*, 138.

42 For the use of the term in Iași, see Dan Dumitru Iacob, "Piețele orașului Iași în secolele XVIII–XIX: 'Medeanul' de la Sfântul Spiridon," *Historia Urbana* 21 (2013): 163–211.

43 Urechia, *Istoria*, vol. 1: 200.

seem to have denoted smaller marketplaces that appeared between the neighborhoods, at the confluence of the streets. If the large *maidans* were under the care of the *Epitropia de obște*, the smaller marketplaces between the streets and the neighborhoods belonged to the respective communities, which were in charge of cleanliness and order. The collective responsibility for infrastructure used in the community gave a sense of belonging to the neighborhood.⁴⁴ Locals joined forces when they saw abuses or usurpations of their common right, and the prince placed collective responsibility on them when it came to the maintenance of streets and shared spaces.

Regulating the night

The night remained out of the strict control of the authorities, although many daytime activities continued late into the night, while others only began after dark. Street lighting was a concern of that period and authorities made attempts to light up the darkness, but the first technological solution became available only in the mid-nineteenth century. Prince Yanko Caradja ordered, on April 25, 1814, that the main street of the city, Mogoșoaiei Road, be illuminated at the expense of the inhabitants: every seven houses had to light a lantern in the evening. The measure was aesthetically justified: “for the adornment” of the city (*politia*).⁴⁵

Avner Wishnitzer argues that the sultan used the night to reassert his power and utilized it as a “stage for spectacles of power,” an arena where authority tested its limits.⁴⁶ This statement is valid for late eighteenth-century Bucharest. The night guards were not able to control every corner of the neighborhoods nor to penetrate every establishment that did not close its shutters at nightfall. So, inns, pubs, coffeehouses, public baths, and even parts of alleys continued to be animated by people eager to socialize. The records of the princely court preserve numerous examples of late-night parties that brought together quarrelsome, armed, or drunk individuals. Regulating this nighttime sociability was difficult enough to control and even more difficult to discipline. While in times of plague the pretext of

44 On the *mahalagii* and their obligations see also Iuliana Brătescu, “Forme de manifestare a solidarității urbane: mahalagii,” *Anuarul Institutului Istorie AL Xenopol* 55 (2018): 65–82; Constanța Vintilă, *Evgheņiți, ciocoi, mojiți: Despre obrazele prima modernității românești (1750–1860)* (Bucharest: Humanitas, 2023), 121–62.

45 Urechia, *Istoria*, vol. 10a, 710–14.

46 Avner Wishnitzer, “Into the Dark: Power, Light and Nocturnal Life in 18th Century Istanbul,” *International Journal of Middle East Studies* 46, no. 3 (2014): 516.

contagion could be used to close such establishments, in times of peace the Phanariot princes needed stronger arguments to keep them under check. Moreover, the operation of public establishments contributed financially to support various political projects, as taxes on baths, taverns, shops, and coffeehouses were important sources of income for them. Therefore, the princes interfered in their operation only when they felt that these gathering places posed a threat to their political power rather than to peace and the rest of the populace.

On November 3, 1798, Constantine Hañçerli issued "a *nizam* for the organization of coffeehouses, grocery stores, and taverns, letting it be known until what time of the night, in the evening, they can linger open for the sake of their affairs (*alışveriş*).” Thus, the great *aga* had the task of announcing "with a loud voice" in the streets and alleys of the neighborhoods the permitted opening hours; coffeehouses, pubs, and baths had to close four hours after dusk, while groceries could only stay open one and a half hours after nightfall.⁴⁷ Nighttime hours were fixed at two o'clock after the fall of darkness, when all taverns in the town had to be closed; anyone who dared to sell wine after this time was threatened with being taken to the *Agia* jail.⁴⁸

Neighbors were entrusted with vigilance during the night, too. Official control by means of night watchmen and *nizams* of all kinds was reinforced by the watchful eye of neighbors invited to keep watch and denounce perpetrators. The people of Bucharest prepared for sleep as soon as the sun went down, and the rhythm of the drums at the crossroads announced the end of the day and the beginning of the night. The shop shutters were closed and the townspeople hurried to their homes, where they crept into their beds, bedsteads, porches, haylofts, and stalls by candlelight. The day did not end for everyone at nightfall, so the prince had guards watching over the sleep of their subjects.⁴⁹ Neighbors had the task of supporting the work of the princely guards and were an important element in maintaining social order, similar to other cities of that time.⁵⁰

47 Urechia, *Istoria*, vol. 7: 485; SANIC, ms. 29, f. 103.

48 Urechia, *Istoria*, vol. 5: 414, the *nizam* for the protection of the city from November 8, 1794; Urechia, *Istoria*, vol. 8: 490, the *nizam* of July 18, 1803.

49 On the organization of night watch in Iași, see Dan Dumitru Iacob, "Din istoria străjilor urbane ieșene: culuccii (secolul XVIII–mijlocul secolului XIX)," *Ioan Neculce: Buletinul Muzeului de Istorie a Moldovei* 2–3 (1996–1997): 125–48.

50 Arlette Farge, *Vivre dans la rue à Paris au XVIIIe siècle* (Paris: Gallimard, 1979); David Garrioch, *The Making of Revolutionary Paris* (Berkeley: University of California Press, 2004); Eyal Ginio, "The Administration of Criminal Justice in Ottoman Selvânîk (Salonica) during the Eighteenth Century," *Turcica* 30 (1998): 185–209; Shirine Hamadeh, "Mean Streets: Urban Order and Moral Space in Early Modern Istanbul," *Turcica* 44 (2012–2013): 249–77; Shirine Hamadeh, "Invisible

Neighborhoods and neighbors collaborated with the political authorities in providing nighttime security, denouncing those who disturbed their sleep, those who posed a danger, and those who did not belong to the community and whose faces were unfamiliar. On October 21, 1783, Prince Mihai Soutzos decided, by a *pitac*, that no one was allowed to walk in the streets without a lantern. The light served a double purpose: it helped travelers find their way in the dark, but it also allowed the guards to identify people by the light reflected on their faces. The *pitac* ordered that everyone “shall be obliged to carry a lit lantern should they need to be outside.” It was also the duty of night travelers “to answer the night watchmen and their messengers when called upon.” Anyone who disobeyed the command was to be immediately detained and imprisoned to be investigated as to their identity and purpose of their journey.⁵¹ Ten years later, in 1793, Prince Alexander Moruzi reiterated the obligation to use a lantern at night, arguing that those who did not obey the commandment had something to hide and should be treated as such: “those who walk without a lantern, because they resemble those who have thoughts of evil deeds,” should be brought to the *Agie* and questioned.⁵² The regulation for Bucharest (*nizam*), issued on the same date, March 3, 1793, introduced a little more light into a city of darkness: every shop had to have a lantern lit “every night until dawn, without fail.”⁵³ Nevertheless, the streets of Bucharest remained shrouded in darkness, despite the repeated calls for light in the alleyways at night. Prince Constantine Hançerli reinforced the previous *nizam*, stating that “because there have been repeated orders that it is forbidden to walk at night without a lantern,” he now ordered the great *aga* to announce to all inhabitants of the city that “after one and a half hours after dark, no one should be allowed to walk without a lantern.”⁵⁴

Delinquency and nighttime criminality were real threats to the good order of the urban community. The *Spataria* and *Agia* were constantly reorganizing to meet the challenges of nighttime, but the departments were too understaffed to control the ever-expanding city. Moreover, the princely decrees often mentioned members of the night guard being careless about

City: Istanbul's Migrants and the Politics of Space,” *Eighteenth-Century Studies* 50, no. 2 (2017): 173–93.

51 SANIC, ms. 12, f. 56v. The same *pitac* was issued again on October 28, 1791. See Urechia, *Istoria*, vol. 4: 375–76.

52 Urechia, *Istoria*, vol. 6: 275, March 3, 1793.

53 Urechia, *Istoria*, vol. 6: 275.

54 Urechia, *Istoria*, vol. 7: 485, SANIC, ms. 29, f. 103v.

their duties, spending the night in taverns and coffeehouses.⁵⁵ The "*nizam* for the protection of the city of Bucharest" listed the duties of the street guards, who had to wander night after night through the neighborhoods and streets, awake at all times, checking to see if the lanterns were lit, searching travelers, and inspecting their bags and travel documents. The prince threatened to sneak upon the guards stealthily to check if they were doing their duty. Alexander Ypsilantis wrote, after having done such a surreptitious control, that in fact anyone could pass through the city, the guards letting in good and bad individuals, cattle rustlers and criminals, Christians and Jews, Turks and Armenians, troublemakers and armed men, soldiers, and runaways. Ypsilantis's experience is worth inserting in its entirety because it shows the lack of proper instruction of the city officials and, at the same time, the absence of a sense of duty that would incentivize the employees to perform their tasks. In August 1779, Prince Ypsilantis wrote as follows:

In those days, as we were coming from outside [the city] with a carriage and a few men on horseback, not during the daytime and with a retinue, to say that we were not searched because they [the guards] recognized us, but at three or four hours past nightfall, and they did not ask us anything. And we saw others pass through before us, pulling some horses with them, and we paid attention, especially to see whether the guards would make any inquiries, but they did not, so the men went on without restraint, with their cattle.

Because too many "bad people" often slipped through the checks of the watchmen, Alexander Ypsilantis ordered that all those who entered or left the city should be recorded in a book:

They [the guards] must investigate and ask anyone who enters and leaves Bucharest, be it grand or lesser boyar, or hegumen, or whoever it may be. Even my lordship must be asked when we are out and about in town, and they must require an answer from each passerby as to who they are. It shall not diminish the reputation of anyone to answer the guard.⁵⁶

55 Many of the orders complained about the slow pace at which the police did their job, but research on policing in Europe shows that there were many factors at work, from insufficient numbers of employees to too much space for surveillance to a lack of specific training. See Dominique Kalifa and Vincent Milliot, eds., *Métier de police: Être policier en Europe, XVIIIe-XXe siècle* (Rennes: PUR, 2008).

56 Gheorghe Cronț et al., eds., *Acte judiciare din Țara Românească 1775–1781* (Bucharest: Editura Academiei Române, 1973), 816–19.

The registration of travelers was a failed project, although the prince threatened ignorant guards with inspections and punishments.

Prince Ypsilantis's decree was repeated almost word for word in the *nizam* "for the protection and good order of the city of Bucharest" of March 3, 1793, during the rule of Alexander Moruzi. It again mentioned the brazen attitude of the guards, who did not take heed of the prince's orders and, in cahoots with thieves, reveled in taverns in the middle of the night instead of patrolling the neighborhoods and the streets. Moruzi too called for the introduction of a register with information for each traveler: time of day or night, purpose of the journey, their point of departure and destination, social status, ethnicity, and religion.⁵⁷ Such measures had been taken in all northern European towns since the sixteenth century, but, as Vincent Milliot wrote, not all "towns went at the same pace," with population growth playing a major role in speeding up the introduction of order and control.⁵⁸

The guards could gather much of this information from the travel documents (*teșcherea*), an obligatory part of every traveler's bag. "Whoever has to travel must come and take the *teșcherea* for the road from the great *spătar*," Alexander Ypsilantis commanded, "as is the custom." The commandment contained some exceptions, allowing anyone to sneak through by claiming that they were only going out for a "walk," or that they were "going to work their vineyards," or "that they were just some poor peasants who had returned from the market after selling their produce."

The night was the companion of thieves and foreign "evil doers." They would enter the town at night, do their stealing, hide with their hosts, and disappear at dawn, only to return the following night, disturbing the peace and rest of the people. Several royal decrees commanded the great *spatar* to cry in the streets that no one was allowed to lodge a stranger in their house or shop without a "certificate at hand" attesting the person's identity.⁵⁹ For many years previously, foreigners had been a concern for the princes, who saw aliens as besieging the city and endangering any attempt at stability and security. Another *nizam* commanded the great *aga* to inform all the neighborhood dwellers, shopkeepers, tavern keepers, and innkeepers that any foreigner arriving in the city, day or night, had to be recorded in the *agia's* register.⁶⁰ The "*nizam* of the foreigners" offers historians an opportunity to

57 Cronț et al, *Acte judiciare*, 274.

58 Vincent Milliot, "Reforming Urban Policing in the Age of Enlightenment: The Revealing of Mobility," *Crime, Histoire & Sociétés/Crime, History & Societies* 10, no. 1 (2006): 25–50, <https://doi.org/10.4000/chs.195>

59 Urechia, *Istoria*, vol. 4: 70, September 10, 1791; SANIC, ms. 22, f. 55.

60 Urechia, *Istoria*, vol. 7: 486, November 7, 1798, SANIC, ms. 29, f. 106v.

observe how the administrative apparatus dedicated to guarding the city grew larger as the challenges of people's mobility became insurmountable. This *nizam* is a faithful social topography of the moment, recording, from the periphery to the center, the hosts to foreigners and the supervising town servants, all of whom had the mission of "being watchful and attentive, to see who came, what kind of people they are, where they came from and with what purpose they came here in Bucharest, where they are known, and how long they have to stay." Innkeepers, tavern keepers, shopkeepers, peddlers, and town dwellers were mobilized to help law enforcement and other representatives of power, such as soldiers, servicemen, watchmen, gatekeepers, and guards (*străjerei, vătășei, portari, ispravnici, agii, spătari, hatmani, zabiți, baș-beșleagi*) to keep "the good and peaceful life of the people."⁶¹ Foreigners and outsiders could only stay in the town under the guardianship of townspeople who guaranteed with their reputation and wealth that the guests would not make trouble.⁶²

Creating a police apparatus was a process with inevitable hurdles. In addition to the hundreds of servicemen assigned to the public institutions, there were the mercenaries hired privately by the princely court and the boyars. Hundreds of *arnăuți* and mercenaries roamed the streets and neighborhoods day and night, their numbers doubled by the hired soldiers who accompanied couriers, Ottoman missions, and diplomatic agents. On September 9, 1798, the prince wrote that at night "there were constant fights and brawls" and issued orders to the great *hatman* to make sure that no one was allowed to carry weapons in the city. The soldiers and servicemen could only carry batons; exempt from the rule were the guards of the *baș-beșleagă* (head of police services).⁶³

Each *nizam* attempted to fit the city dwellers into recognizable patterns that would individualize them among the "waves of people" who came to live in the city of Bucharest. The "Regulation for the Safety of the City of Bucharest" of March 7, 1820, is the most detailed of the rules to be followed in the city by all inhabitants in the streets and neighborhoods. The statute, drafted by a commission of great nobles and later promulgated by Alexander

61 Urechia, *Istoria*, vol. 7: 488, January 6, 1798, SANIC, ms. 29, f. 2.

62 The measures seem to have been inspired by the urban policy of Sultan Selim III. See Betül Başaran, *Selim III, Social Control and Policing in Istanbul at the End of the Eighteenth Century: Between Crisis and Order* (Leiden: Brill, 2014). For a comparative perspective with other southeastern European towns, see Mariya Shusharova, "Local Elites and Communities in the Management of Public Order during the 18th Century: Perceptions from the Core European Territories of the Ottoman Empire," *Etudes Balkaniques* 53, no. 3 (2017): 485–533.

63 Urechia, *Istoria*, vol. 7: 487, March 30 and September 9, 1798; SANIC, ms. 29, ff. 35, 77.

Soutzos under the title of *nizam*, was a 32-point decree on day and night life, creating categories of city inhabitants according to their duties towards the city. The overseeing commission supervised a city divided into 10 units, each unit under the supervision of a superintendent (*epistat*), assisted by three or four armed men. The main task of the superintendent was “to keep a record of all the criminals who are here in the city without accommodation, writing down their names, age, country of origin, and their misdeeds.” All suspects wandering about the neighborhoods had to be recorded in the book.⁶⁴

Conclusions

Orders and decrees were the instruments through which the Phanariot princes tried to impose order and control over Bucharest. They regulated on the same issues as in the other European towns: infrastructure and fires, the streets, violence, foreigners and marginal categories, consumption and gambling, public health, mobility, trade and merchants, craftsmen and their workshops, alms and the poor, morals, and behavior.⁶⁵ The process of regulating urban life in Wallachia started with a delay compared to Transylvanian towns. Bucharest became an Ottoman town under the Phanariot princes, who applied the Ottoman style of administration.

The present study has focused mainly on infrastructure, showing how the city grew throughout the eighteenth century and how the central authorities (the prince) had to adapt their administrative policies to the new realities. The immediate solution to solve the specific problems of a constantly dynamic urban world was to issue more and more decrees and regulations. The primary purpose of the legislation was to ensure the security of the subjects, to protect their wealth, their honor, and their lives, and to ensure the predictability and reliability of their time, which in turn they could dedicate to their financial, social, and military participation in the needs of the city. Mobility and immigration were instrumental in establishing the security of the subjects and the city as well as the control institution specific to the urban world: the police force. Before the first written constitution of Wallachia, the Organic Regulation of 1830, there were clear attempts to reform the administration of the city by the Phanariot princes. The present

64 Potra, *Documente*, vol. 1: 743–44.

65 Karl Härter, “A Database of Early Modern Police Ordinances,” *Journal for Digital Legal History* 1, no. 1 (2022); Max-Planck-Institut für Rechtsgeschichte und Rechtstheorie, “Online Repertorium der Polizeyordnungen,” <https://policey.lhlt.mpg.de/web/>.

study has shown how certain measures were repeated with each ruler, but progress was made in the administrative division of urban space and first steps toward the professionalization of urban officials. The implementation of the measures was nonetheless difficult, as the high officials were few, but their jurisdiction increased year after year as the city expanded. Repeating a decree was also a matter of refreshing the memory of the townspeople and informing newcomers of the urban rules that had to be observed. Town criers announced them at the crossroads or at the fairs, so everyone heard the rules of good conduct and the obligation to follow them, but also the harsh punishment awaiting the unruly. The princely orders were also a means of communication between the princes and their subjects, whereby the princes showed their concern for the common good, for the security and prosperity of the townspeople, while the subjects were invited to join in building the order needed by all and to keep the peace. Many of the regulations of urban life involved the empowerment of the townspeople and their participation in building the common good and good order.⁶⁶ The authority of the princes became more and more powerful from one stage to the next, extending its control by taking away informal control from the townspeople and entrusting it to public institutions. The princes required the townspeople to participate in the affairs of the city (*politia*), but beginning in the early nineteenth century, several new departments had been set up to protect the security of the subjects. The collaboration between subjects and institutions continued until the middle of the century; however, it took place in the absence of financial resources for the rulers to take over the monopoly of violence and control for the purpose of establishing order and discipline in Bucharest.

About the author

Constanța Vintilă is a senior researcher with the "Nicolae Iorga" Institute of History and a research fellow at the New Europe College in Bucharest. Her research interests cover a wide range of topics on eighteenth and early nineteenth century Wallachia and transnational history: the fascinating rule of the Phanariots, institutional modernization, women's history, fashion and social change. She was the principal investigator of an ERC Consolidator grant, entitled *Luxury, Fashion and Social Status in the Early*

66 Nora Lafi, *Esprit civique et organisation citadine dans l'Empire ottoman (XVe-XIXe siècles)* (Leiden: Brill, 2018), 113–14.

Modern South-Eastern Europe (2015-2020). Her recent publications include the monograph *Changing Subjects, Moving Objects. Status, Mobility, and Social Transformation in Southeastern Europe, 1700-1850* (Leiden: Brill, 2022) and “A Wallachian Boyar in Emperor Joseph II’s Court” *Journal of Early Modern History* 24 no. 4-5 (2020): 341-362.

13. The Role of Police in the “Good Governance” of Iași from the Seventeenth to the Mid-Nineteenth Century¹

Dan Dumitru Iacob

Abstract: The police of Iași (originally called *Agia*) emerged as the second most important urban institution during the modern period after the town hall. This study highlights the origin of this institution, which was of Ottoman inspiration, and its functions in the Romanian Principalities prior to the mid-nineteenth century. The main analysis examines its evolution into a modern urban institution, with responsibilities similar to those of police services in other European capitals. A key moment in this transformation was the implementation of the Organic Regulations in both Moldavia and Wallachia, followed by the first detailed police regulations in 1832. These regulations defined the primary duties of the police in Iași beyond merely ensuring public order and peace, also covering broader economic, administrative, urban, and social issues.

Keywords: Iași, police, Moldavia, modernization, nineteenth century

Regardless of the historical and political circumstances of their foundation, urban communities have created institutional and juridical instruments, however rudimentary, in order to ensure their existence and functioning. The towns in the Romanian principalities, where urban institutions existed since the Middle Ages, were no exception to this rule. In the eighteenth

¹ This study is a synthesized and updated version of the article by the same author, “Principalele atribuții ale poliției ieșene în perioada regulamentară: ‘Așezământul’ din 31 mai 1832,” *Historia Urbana* 8, nos. 1–2 (2000): 55–69.

and nineteenth centuries, against the backdrop of the modernization of Romanian society,² the natural aspirations towards the progress of urban communities, combined with the enlightened policies of certain Phanariot princes and progressive political elites, produced institutional and juridical reforms in Romanian society. Although some of these reforms were introduced under foreign influence or pressure, i.e., the Ottoman-instated Phanariot princes or Russian military governors, their inspiration came from Central and Western European thinking and the political philosophy of enlightened absolutism. Apart from the reforms, which were not all carried through, there are secondary influences to consider. The lexical borrowings of the time, taken from the legal and administrative jargon of Ottoman Turkish, Greek, Russian, French, German, and Hungarian languages, were assimilated into Romanian and survived for a long time in the practices and discourse of urban administration in the Romanian principalities.

The first Romanian cities to benefit from modern urban regulations were Iași and Bucharest because, as capitals of the principalities of Moldavia and Wallachia, respectively, they prevailed not only by their political and administrative role but also by their size, population, economic significance, social diversity, and cultural appeal. Owing to their status as capitals, the two cities concentrated central and local institutions, putting them at the forefront of legislation and administrative modernization. Furthermore, they were also the residence of the princes and governments of the principalities; therefore, local institutions were more exposed to the interference from central authorities into their affairs.

During the modern period, two administrative institutions played an essential role in the “good governance” of the capitals of Moldavia and Wallachia: the city hall, initially called *sfat municipal* (municipal council) or *eforie/eforia*, and the police, initially called *agia/agie*. Regarding the scholarship of urban institutions, the question concerning the establishment and function of city councils in Iași and Bucharest has attracted the attention of historians since the early twentieth century, and several monographs dedicated to both cities are available.³ Older and more recent literature

2 For more on modernization in the Ottoman provinces, see Marie-Janine Calic, *The Great Cauldron: A History of Southeastern Europe*, transl. Elizabeth Janik (Cambridge, MA: Harvard UP, 2019), 216–17. Some authors also refer to this societal change as “Europeanization.” See Constanța Vintilă-Ghițulescu, *Evgheniți, ciocoi, mojiți: Despre obrazele primei modernități românești, 1750–1860* (Bucharest: Humanitas, 2013), 14–20.

3 Paul Negulescu, *Tratat de drept administrativ român: Organizarea administrativă a României* (Bucharest: Tipografia Gutenberg, Joseph Göbl, 1903–1904), 243–46; Ioan C. Filitti, *Principatele Române de la 1828 la 1834. Ocupația rusească și Regulamentul Organic* (Bucharest: Institutul



Figure 13.1. Map of Moldavia and Wallachia, 1774 (Biblioteca Virtual del Patrimonio Bibliográfico).

deals with more detailed approaches to the history of urban institutions, including order-keeping practices and institutions.⁴

de Arte Grafice “Bucovina,” 1934), 120–28; Ioan Constantin Filitti, *Despre vechea organizare administrativă a Principatelor Române*, rev. ed. (Bucharest: Imprimeriile Marvan, 1935); Emil Virtosu et al., *Începuturi edilitare, 1830–1832*, vol. 1, *Documente pentru istoria Bucureștiului* (Bucharest, 1936); Manuel Guțan, *Istoria administrației publice locale în statul român modern* (Bucharest: All Beck, 2005), 12–18, 32–35; Nicolae Andriescu Bogdan, *Orașul Iași: Monografie istorică și socială ilustrată*, 2nd rev. ed. (Iași: Tipografia Națională, 1913), 366–71; Dan Berindei, *Orașul București, reședință și capitală a Țării Românești 1459–1862* (Bucharest: Editura Științifică, 1963); *Istoria orașului București*, ed. Florian Georgescu (Bucharest: Muzeul de Istorie a Orașului București, 1965); Constantin C. Giurescu, *Istoria Bucureștilor din cele mai vechi timpuri până în zilele noastre* (Bucharest: Editura pentru Literatură, 1966), 333–51; *Istoria orașului Iași*, vol. 1, ed. Constantin Cihodaru and Gheorghe Platon (Iași: Junimea, 1980), 476–94; George Potra, *Din Bucureștii de ieri*, vol. 1 (Bucharest: Editura Științifică și Enciclopedică, 1990), 291–303.

4 For the history of the local administration of Bucharest, see Constantin Moisil, “Primul sfat orășenesc al Bucureștilor,” *Bucureștii Vechi* 1–5 (1930–1934): 136–40; Florian Georgescu, “Crearea Sfatului orășenesc al Poliției Bucureștilor,” *București: Materiale de istorie și muzeografie* 6 (1968): 139–48; Dan Berindei, “Ispravnicul sau ispravnicia scaunului Bucureștilor,” *Studii și Cercetări Științifice: Istorie* 1 (1962): 129–38; Oliver Velescu, “Vornicia orașului București,” *București: Materiale de istorie și muzeografie* 25 (2011): 89–98. For the history of local administration in Iași, see Nicolae Andriescu Bogdan, “Cea dintâi legiuire comună în orașul Iași și în principalele târguri din

However, within this rich literature concerning the history of the two capital cities, dedicated studies on the early history of the police are less numerous. Publications on this topic were issued by specialists from within the police force, and only the monographs by Vasile V. Dașkevici and Vasile Bobocescu showed interest in the transformation of the pre-modern order-keeping institutions into the modern police force.⁵ Historians, in turn, were less focused on this theme; therefore, we have only a handful of studies that investigate the role of the police force in urban history, notably those by Iolanda Micu Țighiliu, for Bucharest, Dan Dumitru Iacob, for Iași, and Adrian Pohrib, for Galați.⁶

In this article, we intend to outline the genesis of a modern urban institution, the police of Iași, starting from those medieval and early modern institutional realities that remained unchanged until the end of the eighteenth century. Moreover, another goal of this study is to highlight the primary duties of the police and how the administrative regulations of the first half of the nineteenth century envisaged cooperation with other institutions of the urban community, notably city hall. Finally, we wish to analyze whether the police of Iași acted as an urban instrument for keeping “social security” and “urban peace” as defined by the concept of “gute Policey.”⁷

Moldova,” *Ioan Neculce*”: *Buletinul Muzeului Municipal din Iași* 1, no. 2 (1922): 240–50; Gheorghe Ungureanu, “Sigiliul orașului Iași în secolul al XIX-lea,” *Revista Arhivelor* 9, no. 2 (1966): 83–100; Dumitru D. Rusu, “Administrația orașului Iași la începutul epocii moderne,” *Anuarul Institutului de Istorie și Arheologie “A.D. Xenopol”* 14 (1977): 313–25; Laurențiu Rădvan, “Din consecințele Regulamentului Organic: înființarea Eforiei orașului Iași și alegerea primilor săi membri,” *Analele Științifice ale Universității “Alexandru Ioan Cuza” din Iași* 69 (2023): 139–55; Simion-Alexandru Gavriș, “Înființarea eforiei orașului Iași (1833): deziderate și realități administrative,” *Historia Urbana* 31 (2023): 21–33.

5 Vasile V. Dașkevici, *Istoricul Poliției Capitalei, fosta Agie* (Bucharest: Tipografia “Cultura,” 1934); Vasile Bobocescu, *Istoria poliției române* (Bucharest: Editura Ministerului de Interne, 2000).

6 Iolanda Micu, “Instituția Agiei în Țara Românească (secolul XVI–prima jumătate a secolului al XIX-lea),” *Revista de Istorie* 38, no. 2 (1985): 160–78; Dan Dumitru Iacob, “Din istoria străjilor urbane ieșene: *culuccii* (secolul XVIII–mijlocul secolului XIX),” *Ioan Neculce*”: *Buletinul Muzeului de Istorie a Moldovei* 2–3 (1996–1997): 125–48; Iacob, “Principalele atribuții,” 55–69; Adrian Pohrib, “Documente de arhivă referitoare la Poliția orașului Galați în perioada dintre Regulamentul Organic și înființarea Miliției,” *Acta Bacoviensa. Anuarul Arhivelor Naționale Bacău* 1 (2006): 174–200; Adrian Pohrib, *Din istoria poliției române: Poliția orașului Galați între anii 1832 și 1949; Istoric și documente* (Galați: Agaton, 2013).

7 Karl Härter, “Security and ‘Gute Policey’ in Early Modern Europe: Concepts, Laws, and Instruments,” *Historical Social Research/Historische Sozialforschung* 35, no. 4 (2010): 41–65; C. Annemieke Romein, “Early Modern State Formation or Gute Policey? The Good Order of the Community,” *The Seventeenth Century* 37, no. 6 (2022): 1031–56.

From the *agia* to the police force

The modern police in Romania originated in a medieval military office, which had an Ottoman name: the *agia*. In Ottoman Turkish, *ağa* or *agha* means chief, overlord, master, or military chieftain, but it has also had other meanings. In the Ottoman institutional and military hierarchy, the title was initially given to high-ranking functionaries and army officers, but in the nineteenth century the term designated lower-ranking officers up to the rank of captain called *yüzbashi*.⁸ The term was first used as a personal name in Romanian, and it can be traced in documents in as early as fourteenth-century Wallachia.⁹ In the sixteenth and seventeenth centuries, the aga was the head commander of the *dorobanți* (Trabants) and infantry, while the *spătar* (*hatman* in Moldavia) was the commander of the chivalry.¹⁰

In Moldavia, the *aga* as a military office was first documented in 1592, but its appearance predates this year. The office was taken over either from Wallachia or directly from the Ottomans through the personal guards that the Porte had assigned to some of the Romanian princes, starting with Petru Rareș.¹¹ When Iași became the capital of Moldavia in the second half of the seventeenth century, the office of *aga* gained significance; being an open city without protective walls, it required the presence of a powerful princely guard commanded by trusted officers loyal to the prince. In order to preempt potential dangers to the princely court, the personal guard extended its surveillance powers over the city, with frequent inspections in public spaces and day and night patrolling.

During the first half of the seventeenth century, the *șoltuz* and the twelve *pârgari*¹² were in charge of the security and public order in the city of Iași. They organized the city watch, supported by the community's financial

8 Harold Bowen, "Agha," in *Encyclopaedia of Islam*, 2nd ed. P. Bearman et al. (Leiden: Brill, 2012), <http://dx.doi.org/10.1017/9780199919339.0361>.

9 Micu, "Instituția Agiei," 160.

10 Nicolae Stoicescu, *Sfatul domnesc și marii dregători din Țara Românească și Moldova (sec. XIV–XVII)* (Bucharest: Editura Academiei R.S.R., 1968), 254–56.

11 Nicolae Grigoraș, *Instituții feudale în Moldova. I. Organizarea de stat până la mijlocul secolului al XVIII-lea* (Bucharest: Editura Academiei R.S.R., 1971), 166–67, 273. The chronicler Grigore Ureche mentions the "aga, who was the head of the footmen and judge of the town of Iași" during the reign of Alexandru the Good in the fourteenth century. However, the office was contemporary with the chronicler in the seventeenth century: Grigore Ureche, *Letopisețul Țării Moldovei*, ed. P. P. Panaiteșcu, 2nd rev. ed. (Bucharest: Editura de stat pentru literatură și artă 1958), 77.

12 From medieval German words *Schultheib*, meaning head of the town, and *Bürgers*, who made up the city council.

contributions and the service of able adult men.¹³ However, with the growth of the city and the gradual extension of the prince's grip over the urban administration, some of the policing and legal attributes of the *şoltuz* were transferred to the *aga*. Thus, in the second half of the seventeenth century, the *aga* remained the leading commander of the princely guards. However, he also controlled the city guards and watchmen, exercised jurisdiction over petty causes in the streets, and punished drunkards and the debauched regardless of their social origin.¹⁴ Paul of Aleppo, in his journal, mentions that on February 21, 1653, while he was in Iaşi, he saw the *aga* on the streets of the city, carrying the *falak*¹⁵ and wooden rods to punish those who kept their taverns open on a feast day or were found drinking brandy.¹⁶ According to Dimitrie Cantemir, at the end of the seventeenth century, the *aga* set the prices for foodstuffs sold in the city.¹⁷

The direct subordinate of the *aga*, the captain of the footmen, had similar tasks of protecting the princely court and surveillance of the city. During his superior's absence, the captain of the footmen was in charge of all his duties.¹⁸

The watch in the city was organized similarly to most European cities of the period, through a system of rounds.¹⁹ The guards belonged to the guilds of servants (*bresle de slujitori*) and were recruited from the peasantry and the townspeople who were exempt from paying taxes in exchange for various military and administrative services.²⁰ Grouped into patrols at night and reinforced with extra soldiers, the night guards carried torches through the streets of the city, investigating night walkers and uncovering thieves, drunkards, and prostitutes. Anyone who committed wrongdoing was punished severely.²¹ The night guards were also tasked with keeping a lookout for fires and extinguishing them.²²

13 Grigoraş, *Instituţii feudale*, 328, 334–35.

14 Dimitrie Cantemir, *Descrierea Moldovei* (Bucharest: Editura Academiei R.S.R., 1973), 205.

15 A wooden stick and a rope for tying legs.

16 Public corporal punishment and *falanga/falaka* (foot whipping) were ended during the Russian administration of the Romanian Principalities (1829–1834): Postelnic Manolache Drăghici, *Istoria Moldovei pe timp de 500 de ani până în zilele noastre*, ed. Andrei Pippidi (Bucharest: Editura Academiei Române, 2017), 307.

17 Paul din Alep: *Jurnal de călătorie în Moldova şi Valahia*, ed. Ioana Feodorov (Bucharest: Istros, 2014), 197.

18 Cantemir, *Descrierea Moldovei*, 205.

19 Dan Bădărău and Ioan Caproşu, *Iaşi vechilor zidiri* (Iaşi: Junimea, 1974), 275.

20 Cantemir, *Descrierea Moldovei*, 205.

21 Markos Antonios Katsaitis, "Călătorie de la Constantinopol la Iaşi şi de la Iaşi la Bucureşti în anul 1742," *Saeculum* (1977), 76.

22 Micu, "Instituţia Agiei," 168.

From the first half of the eighteenth century, the policing duties of the *aga* surpassed its military ones, primarily because of the political and social transformations in the Romanian principalities. By mandate of the Porte, the armies of the two principalities were disbanded, allowing only a small number of professional soldiers for the princely guard and the security of borders. The fiscal reforms of Prince Constantin Mavrocordat from 1741 to 1743 aimed to increase the number of taxpayers; consequently, the categories of military servicemen with tax exemptions were reduced. This measure affected the *agia* directly, first by diminishing the number of servicemen and next by changing their fiscal status.²³ Servicemen who lost their tax exemptions chose to evade financial obligations by fleeing abroad or hiding in the marginal neighborhoods of Iași or of other towns, where fiscal control and registration were limited.²⁴ Faced with personnel reduction, tax evasion, and disorder in the cities, the *agia* nevertheless carried out their activity effectively, as mentioned by a foreign traveler, impressed by the multitude of night guards encountered on the streets of Iași and Bucharest in 1742.²⁵ This impression was, in fact, based on the redistribution of the policing attributes in the capital cities, where the *aga* joined forces with the great *hatman*.²⁶ The latter was in charge of the country police, the border guard, and the newly created police of the Iași neighborhoods.²⁷

The princes of Moldavia, too, began to attach increased importance to the *agia* in the eighteenth century, a fact reflected in the place of the *aga* in the *Divan* (princely council) and the rank of boyar. At the end of the seventeenth century, Dimitrie Cantemir stated that the *aga* was the thirteenth office in the hierarchy of the *Divan* and the twenty-first among the high boyars.²⁸ In the following century, Prince Grigore Ghica, during his second reign (1735–1741), elevated the office of *aga* and bestowed upon it the title of *vel*

23 Ecaterina Negruți-Munteanu, "Numărul slujitorilor din Moldova în informațiile statistice de la sfârșitul secolului al XVIII-lea și primele decenii ale secolului al XIX-lea," *Revista Arhivelor* 11, no. 1 (1968), 100–101.

24 Nicolae Corivan, "Aplicarea Așezământului fiscal al lui Constantin Mavrocordat cu privire la perceperea birului (1741–1743)," *Studii și cercetări științifice* 6, nos. 3–4 (1955), 69–73.

25 Katsaitis, "Călătorie," 76.

26 The great *hatman* was a high official of the prince's council and head of the military forces; the institution he led was called *Hătmănie/Hătmănia*.

27 *Instituții feudale în Țările Române: Dicționar*, ed. Ovid Sachelarie and Nicolae Stoicescu (Bucharest: Editura Academiei R.S.R., 1988), 9.

28 Cantemir, *Descrierea Moldovei*, 205.

(great).²⁹ In the first decades of the nineteenth century, the great *aga* was in sixth place both as an office and as a boyar rank.³⁰

During the second half of the eighteenth century, new administrative reforms reorganized the guilds of the military servicemen, and both institutions—the *agia* and the *hătmănia*—were tasked with policing duties and assigned a set number of flags and people. In that period, the *agia* had approximately 450 officers and servicemen.³¹ The areas of supervision were also better separated for policing the city of Iași: the great *aga* was responsible for the center of the city, the *hatman* was in charge of the peripheral neighborhoods, and the great captain of footmen, under the command of the great *aga*, was in charge of another guard force of the city, although it is not clear what its specific duties were.³²

The status of the guards in the city center was differentiated from that of the watchmen at the peripheries on account of several factors, such as the topography, street network, and professional and ethnic composition of the neighborhood. The city's peripheries were more difficult to oversee, especially at night. The streets were still rural, unpaved and narrow, muddy and dark, with modest houses and outbuildings, many of which were in ruins; there were still squalid and vacant lots of land, with roaming stray dogs. For these reasons, the night watch was done with mounted guards. In the center of the city, the situation was entirely the opposite. Efforts were made, albeit sporadically, to straighten and widen the streets, to pave them with wooden beams, and to provide street lighting, but mostly there was an interest in keeping the public order with watchmen and guards at the crossroads. Because these guards were in stationary positions and could only intervene around the crossroads, they were seconded during nighttime by the lamplighters.³³

These measures mandated by Prince Grigore Alexandru Ghica (1764–1767) were reissued by Prince Alexandru Moruzi (1802–1806) during the short respite between two Russian-Ottoman wars.³⁴ Manolache Drăghici, a historian

29 *Literatura românească de ceremonial: Condica lui Gheorgachi*, ed. Dan Simonescu (Bucharest: Fundația Regele Carol I, 1939), 268.

30 Ion I. Nistor, "Clasele boierești din Moldova și privilegiile lor," *Analele Academiei Române: Memoriile Secțiunii Istorice*, 3rd series, 26 (1944), 543 sqq. See also Gheorghe I. Brătianu, *Sfatul Domnesc și Adunarea stărilor în Principatele Române* (Bucharest: Editura Enciclopedică, 1995), 247.

31 Petru Rășcanu, *Lefile și veniturile boierilor Moldovei în 1776* (Iași: Tipografia Națională, 1887), CV–CVI.

32 *Instituții feudale în Țările Române*, 9; Rășcanu, *Lefile*, 9, 17, 25.

33 Rășcanu, *Lefile*, 17.

34 The Russian-Ottoman War of 1787–1792, with Austria's involvement in 1788–1791, ended with the Treaty of Iași, while the Russian-Ottoman War of 1806–1812 ended with the Treaty of Bucharest.

of the time, recounted the urban policies of Prince Moruzi, including the reorganization of both the watch posts and sentries (*culucii*)³⁵ in the center of Iași and of the mobile guardsmen. According to Drăghici, the *culucii* were recruited based on personal guarantees from all the neighborhoods of Iași and were placed under the command of the great captain of the *agia* and assigned to the main crossroads of Iași "to keep good order and watch the lamps." The mobile patrols, three in total, belonged to the *agia*, the *hătmănia*, and the princely court, each comprising a different number of servicemen and having distinct areas under their control. The patrol of the *agia* only surveilled the streets of the city, the patrol of the *hătmănia* could only watch over the neighborhoods, while the guards of the princely court had authority over the entire city. The duties of these guards included maintaining peace and public order, catching criminals, resolving conflicts between residents, and locating and extinguishing fires.³⁶

However, the separation of the zones for police surveillance in the city among the three institutions did not exclude overlaps in responsibility or administrative inconsistencies. As the city grew in population and economic activities diversified, the *agia*'s duties gradually multiplied. In addition to the old policing and legal duties, the institution received new tasks, such as controlling economic activities, supplying the city with everyday products, supervising the guilds, collecting taxes, and overseeing the city's buildings.³⁷ In the first decades of the nineteenth century, the *agia* of Iași had similar tasks to those of the *agia* in Bucharest and other institutions that had a role in police control and protection in European cities.

The first modern police regulation of Iași, 1832

The transformation of the *agia* into a modern police institution began in the fourth decade of the nineteenth century, with the introduction of the

35 From the Turkish *kulluk*, which means both serviceman and police station: Fariba Zarinebaf, *Crime and Punishment in Istanbul: 1700–1800* (Berkeley–Los Angeles–London: University of California Press, 2010), 128, 207, 243, 249.

36 Drăghici, *Istoria Moldovei*, 190; Toma G. Bulat, "Boieriile slujbe în Țările Române la sfârșitul secolului al XVIII-lea și începutul secolului al XIX-lea," *Arhivele Basarabiei* 4, no. 3 (1932): 182–95.

37 Toma G. Bulat, "Contribuțiuni la viața judecătorească și administrativă a Moldovei supt ocupațiunea rusească din 1806–1812," *Arhivele Basarabiei* 2, no. 1 (1930), 39–40; Eugen Pavlescu, *Economia breslelor în Moldova* (Bucharest: Fundația Regele Carol I, 1939), 222, 338, 427–28; Bulat, "Boieriile slujbe," 187; Hugas Ingigian, "Mărturii armenesti despre români: Valahia și Moldova, eialetele guvernate de principii creștini," *Analele Academiei Române: Memoriile Secțiunii Istorice*, 3rd series, 9 (1928–1929), 294–95.

Organic Regulations in the Romanian principalities. It should be mentioned that the reorganization of the *agia* of Iași on modern principles occurred at the same time as the police forces of London, Paris, Istanbul, and other European cities.³⁸

The section concerning the police in the “Municipal Regulation for the City of Iași,” which was part of the Organic Regulation, highlights the police force’s role in controlling many aspects of urban life.³⁹ Unlike the often reiterated orders and mandates of the princes regarding policing, the 1832 regulation represented the first general ordinance, one which, with few additions, remained in force until 1850, when the *Condica polițienească* (“The police protocol book”) was issued during the reign of Grigore Alexandru Ghica.⁴⁰ The clear rules streamlined decision-making and erased the last remnants of the medieval organization of the police force; the first steps towards modernizing the institute were thus taken. The police force of Iași became a municipal institution, subordinated directly to the Ministry of Internal Affairs (*Departamentul Dinlăuntru*), whereas the *agia* was a central institution under the exclusive authority of the prince. This fundamental transformation within the institutional setup of Moldavia, which also entailed a restructuring of the duties, is reflected symbolically in the change of name from the Ottoman *agia* to the European *poliție* (police). The chief of police continued to be called the *agă* until the middle of the nineteenth century.

The modernization of the municipal police took place against the backdrop of Moldavia’s overall transformation. A new council was created for Iași, first called the *Sfatul Municipal* and then the *Eforia*. This situation resulted in an unfortunate overlap of competencies between the police

38 J. L. Lyman, “The Metropolitan Police Act of 1829: An Analysis of Certain Events Influencing the Passage and Character of the Metropolitan Police Act in England,” *The Journal of Criminal Law, Criminology, and Police Science* 55, no. 1 (1964): 141–54; E. A. Reynolds, *Before the Bobbies: The Night Watch and Police Reform in Metropolitan London, 1720–1830* (Stanford University Press, 1998); Jean Tulard, *La police parisienne entre deux révolutions (1830–1848)* (Paris: CNRS, 2014); Paolo Napoli, *Naissance de la police modern: Pouvoir, normes, société* (Paris: La découverte, 2003); Zarinebaf, *Crime and Punishment in Istanbul* (see especially the chapter “Policing, Surveillance, and Social Control,” 125–40); Nurettin Van, “Security in Istanbul from Tanzimat to Republic (1839–1918),” in *History of Istanbul*, vol. 3, <https://istanbultarihi.ist/446-security-in-istanbul-from-tanzimat-to-republic-1839-1918>.

39 *Regulamentul Organic al Moldovei*, ed. Dumitru Vitcu and Gabriel Bădărău, with the contribution of Corneliu Istrate (Iași: Junimea, 2004), 236–38, art. 84–100 (1831 edition), and 444–46, appendix K; “Despre orășăneasca Poliție,” art. I–XVI (1835 edition).

40 *Manualul administrativ al Principatului Moldovei, cuprinzătorul legilor și dispozițiilor introduse în țară de la anul 1832 până la 1855, inorânduite de o comisie din naltul ordin al Înălțimei Sale principelui domnitorului al Moldovei Grigorie A. Ghica v(oie)v(od)*, vol. 1 (Iași: Tipografia Buciumului Român, 1855), 304–25; vezi și Bobocescu, *Istoria poliției române*, chap. 4, 73–85.



Figure 13.2. The modernization of Agia as reflected in the change of uniforms. Details from the Agia headquarters yard in Iași. Maksim Nikiforovich Vorobyov, *View of Iași from Copou. The yard of Agia*, oil on canvas, unsigned, undated, ca. 1830 (Art Museum of Iași, Inv. no. 117).

and the new municipal institution. In order to clarify the ambiguities in the institutional relationship, in 1832 the ministry issued a document detailing the competencies of the *agia* and the *eforia*.⁴¹ The police force of Iași functioned based on this statute, called the “Improved Regulation” (*Așezământ îmbunătățit*), until 1850.

The “Improved Regulation” carried over many of the articles of the Organic Regulations regarding the *eforia* and the *agia* and those legal stipulations that created the municipal council (*Pravila pentru încheierea Sfaturilor Municipale, care de acum se vor numi Eforii Orășenești*).⁴² In addition to some nuances and refinements of the articles taken from these sources, the novelty of the “Improved Regulation” consisted in the clarified relationship between the *agia* and the *eforia* and the specification of the *agia*’s subordination to the Ministry of Interior. The *eforia* was also subordinated to this ministry; thus, the two urban institutions were, in fact, still under the control of the prince. Only with the Communal Law of 1864 would interference from the central authority be ended. The law made it clear nevertheless that the *agia* and

41 Serviciul Județean al Arhivelor Naționale (Romanian National Archives, hereafter SJAN) Iași, Eforie, dos. 47/1834, f. 1 r. –5 r.; Rusu, “Administrația orașului Iași,” 316; the full document is published in Iacob, “Principalele atribuții,” 65–69.

42 Bogdan, “Cea dintâi legiuire,” 242–48.

eforia were not in a situation of hierarchical subordination but collaboration.⁴³ Additional evidence for the collaboration between the *agia* and the *eforia* can be found in the regulations and rules of procedure of each institution, their official correspondence, and the fact that both had their headquarters in the same building at the beginning.⁴⁴ Their roles were either shared or complementary, and many official documents were signed both by the head of the police, the *aga*, and by the president of the *eforia*. Between 1832 and 1834, the municipal council/*eforia* used the seal of the *agia* to stamp their documents.⁴⁵ All matters concerning public order fell under the responsibility of the police, and all those concerning the city's administration were the duty of the *eforia*. The two institutions were obliged to work together to maintain public order and solve problems in the city. By their executive role, the police were procedurally obliged to implement the administrative and financial decisions of the *eforia* as part of this institutional collaboration. On the other hand, although the police depended financially on the *eforia*, the latter had no right to interfere with the personnel policy and duties of the former.⁴⁶

It is important to note how the principle of the separation of powers was applied in the case of the two institutions. Besides its evident executive powers, the police also had the right to submit for approval projects and regulations of a legislative nature related to public order and the good administration of the city of Iași. The old juridical attributions of the *agia* were taken over by the (correctional) "Tribunal of the Corrective Police."⁴⁷ The *agia* participated in the budget controls of the *eforia*, while the *eforia* had the right to oversee certain police actions in order to prevent abuses. For instance, food quality control was done by the representatives of both the police and the *eforia*, together with the city doctor.

Duties and responsibilities of the police between 1832 and 1850

As mentioned before, the Organic Regulation and the "Improved Regulation" of 1832 established the main tasks of the Iași police force for nearly two

43 Filitti, *Principatele Române*, 253.

44 SJAN Iași, Eforie, dos. 15/1833, f. 2 r.; Ungureanu, "Sigiliul orașului Iași," 85n8.

45 Ungureanu, "Sigiliul orașului Iași," 85–86.

46 SJAN Iași, Eforie, dos. 59/1834, f. 5 r.

47 This tribunal judged minor litigations between the locals: fights, disputes, and other disorders. Mihail Galan, "Organizarea justiției moldovene în timpul ocupației rusești din anii 1828–1834," *Întregiri* (1938), 121–22, 125; Radu Dimiu, "Contribuțiunile la Istoria Dreptului Penal. Dispozițiunile Penale în legiuirile lui Mihail Grig. Sturza," *Revistă de drept penal și știință penitenciară* 7 (12), nos. 7–8 (1928): 54.

decades, until 1850. In the following section, we will examine the police's duties and contribution to the good governance of the capital city of Moldavia.

The police extended their control over the outskirts and marginal neighborhoods of the city. For better control over such a larger territory, the city was surrounded by a moat and divided into four quarters (*cvartale* or *ciastii*). Police stations were created for the first time in each quarter. Because the four quarters created in 1832 were too large for efficient police surveillance, the town was divided into six districts (*despărțituri*) in 1844. In 1852, the districts were recalibrated to balance off the number of houses in each.⁴⁸

These institutional innovations reflected the aim of central and local authorities to become more involved in the city's life and to better control its peripheries. The new police stations were run by quarter commissioners, who submitted a daily report to the head of police about any events in their sector. The initial plan of 1831 was to employ 48 servicemen (*seimeni*) for the police, but the number was increased to 136 uniformed servicemen in 1835. They were all armed and were disbursed within the streets, at the city barriers, and for office duty in the chancelleries of the *agia* and at the district police stations.⁴⁹

The general provisions for selecting police personnel and key officials reflected, at least in intent, the attention that authorities tried to pay to the issues of the community. Whereas the servicemen of the *agia* used to be recruited from the various villages of Moldavia within the medieval system of dues and obligations,⁵⁰ after 1832, they were salaried and chosen from the townspeople and the city's hinterland inhabitants. The quarter commissioners and the heads of departments were chosen from the inhabitants of the respective parts of the city and were allowed to join the police only if their moral status was well known in the community.⁵¹ Policemen were expected to be well-versed in the social and economic realities of the area assigned to them. These measures were the first steps towards establishing professional selection criteria. Furthermore, there were incipient signs of concern for an institution's public image based on professionalism, trust, and authority.

48 Gheorghe Platon, "Populația orașului Iași de la jumătatea secolului al XVIII-lea până la 1859," in *Populație și societate: Studii de demografie istorică*, vol. 1, ed. Ștefan Pascu (Cluj: Dacia, 1972), 307–8, annex I: *Manualul administrativ*, 325–26.

49 *Regulamentul Organic*, 236, Art. 87, and 444, Art. IV.

50 Ecaterina Negruți-Munteanu, "Prestațiile breslelor de slujitori din Moldova în primele decenii ale secolului al XIX-lea," *Studii: Revistă de istorie* 22, no. 2 (1969): 119–230; Negruți-Munteanu, "Numărul slujitorilor din Moldova," 89–105.

51 *Regulamentul Organic*, 236, Art. 85, și 444, Art. II.



Figure 13.3. The modernization and security of public spaces has determined the emergence of leisure practices, such as the daily promenade. “Public Promenade of Jassy, the British Vice Consul’s Court” (1819), colored engraving after a John Heaviside Clark’s drawing published in William Macmichael, *Journey from Moscow to Constantinople in the Years 1817, 1818*, London 1819, 82–83 (BAR, Cabinetul de Stampe, Daco-roman./GE19/1070).

Among the police duties, a greater weight was given to supervising public spaces, together with increased administrative tasks. These extra measures were necessary because the city had expanded geographically and demographically. In 1819, Iași had covered an area of 79 hectares only to grow to 968 hectares by 1857, while its population increased from 20,830 inhabitants in 1820 to 37,047 people in 1830 and 65,745 inhabitants in 1859.⁵² The intentions of the authorities revealed an increased interest in supervising public spaces and solving the community’s needs. It is in this vein that other efforts to correlate police work with the modernizing city and its challenges on economic, social, cultural, and demographic levels should be interpreted.

A good example of the above concerns changes in the street police. The old, fixed sentries of the city were reorganized into a unit of public guardians while still bearing the name *culuccii*, and they remained thus between 1837 and 1850, after which, in the second half of the nineteenth century, they were made into street sergeants. The duties of the *culuccii* included directing and supervising the carriage traffic, settling conflicts in the streets, supervising the cleanliness and state of the pavements, providing night

52 Platon, “Populația orașului Iași,” 262, note 12; 322, annex IX; 301, annex XII.

lighting, protecting against thieves, and performing other extraordinary tasks belonging to policing and keeping public order. The distribution of posts around the city was aimed at achieving the following objectives: supervision of the main traffic routes in the city; surveillance of public places (crossroads and squares); surveillance of neighborhoods, especially those inhabited by various religious and ethnic communities; surveillance of the public sources of drinking water (fountains, wells, and water supply pipes) and of the people congregated around them at all times.⁵³

The establishment of a street police coincided with the municipal authorities' efforts to design and maintain public spaces, including paving, lighting, sanitation, and the replanning of streets and squares in the center of Iași. A public garden was also created.⁵⁴ Many documents show that most of the mandates regarding the street police were preceded, accompanied, or followed by urban planning measures. For instance, the great logotethes Alexandru Ghica, minister for internal affairs, wrote a "Project for Pavement and Roads in the City of Iași" in the same year as the police regulation, 1832; a year later he drafted the regulations for the creation of town councils.⁵⁵

The modernization of public spaces also brought about increased safety in these areas. Municipal authorities tried to streamline and increase road safety for personal and public carriages, such as coaches, hansom cabs, and market carts. In order to prevent road congestion and accidents, attempts were made to impose a traffic code. Several stands were established in various parts of the city for coaches and cabs for hire. At the same time, they established rules of the road, which regulated traffic direction, imposed speed reductions, and established rules for stationary coaches and cabs. For the safety of coach customers and pedestrians, police regularly checked the quality of the cab equipment (carriage, horses, and strappings) and the behavior of the coachmen.⁵⁶

53 Iacob, "Din istoria străjilor urbane," 131–33, 136–37.

54 The Organic Regulations have many stipulations regarding streets and public gardens: *Istoria orașului Iași*, 485–94; *Manualul administrativ*, 339–441; *Analele Parlamentare ale României*, vol. 13, partea a II-a (Bucharest: Imprimeria Statului, 1902), 258; Mircea Ciubotaru, *Grădini, piețe, case și locuri: Studii ieșene* (Iași: Doxologia, 2021), 128–29, 137, 140.

55 *Analele Parlamentare ale României*, vol. 3, part 2 (Bucharest: Imprimeria Statului, 1893), 292–97; Bogdan, "Cea dintâi legiuire," 242–48.

56 *Regulamentul Organic*, 237, Art. 90, și 444–45, Art. VII; Iacob, "Din istoria străjilor urbane," 136, annex I, article b; *Manualul administrativ*, 305, 340–42, 359–60; Dan Dumitru Iacob, "Regulamentul polițienesc privitor la birjele din Iași, din 1856," in *Tezaur: Salvarea patrimoniului, salvarea identității; Buzău 1650 de ani*, ed. Marius-Adrian Nicoară, Dan Dumitru Iacob and Ana Preda-Tudor (Buzău: Alpha MDN, 2022), 89–97.



Figure 13.4. The Green Bridge Gate in Copou, Maksim Nikiforovich Vorobyov, oil on canvas, unsigned, undated, ca. 1830 (Art Museum of Iași, Inv. No. 118).

The concern for ensuring social security in Iași is reflected in the attempt to curb internal migration, which had a major impact on the city. Inspired by practices in European cities, the municipality, together with the police, modernized the population registry, issued identity documents, and set up commissions for combating vagrancy.⁵⁷

There was increased surveillance and control over provincials and foreigners, and the local populace was forced to cooperate with the police. For instance, innkeepers were obliged to inform the police about the identities of their guests.⁵⁸ Moreover, the available workforce was employed in the artisan guilds with the aim of reducing unemployment. The police were tasked with enforcing the municipal rules for welfare and social assistance, ensuring that begging was not practiced in public spaces and that sanitary measures were observed. The police also approved burials, together with the city's doctor.⁵⁹

Regulations concerning arms and ammunition were under the supervision of the police; only military servicemen were allowed to carry weapons in the city. Through the strict control of the use of weapons, ammunition,

57 *Manualul administrativ*, 511–24.

58 *Regulamentul Organic*, 237, Art. 91–93, și 445, Art. VIII–X; SĀAN Iași, Secretariatul de Stat, 1293/1844–1851, f. 10 r.-11 r.; *Manualul administrativ*, 353–54.

59 *Manualul administrativ*, 345–51.



Figure 13.5. Friday (Sf. Vineri) market in Iași, 1845 (BAR, Cabinetul de Stampe, nr. 530).

and flammable materials, which traders could store in their shops, the authorities sought to restrict gun accidents, end shootings in the street (including during festivities), reduce fire risks, discourage duels, and stop armed conspiracies in their tracks.⁶⁰

The police had executive duties in town planning and urban development, including checking the maintenance and technical condition of the roads, approving the location of new buildings, and enforcing the architectural norms established by the municipality. They also collected money for communal repairs and contributed to road repairs using people in police custody.⁶¹ The police's duties, moreover, included monitoring the city's economic activities. They supervised the artisan associations and their compliance with financial dues, controlled the supply of basic foodstuffs in the city, and checked the weights and measures while supervising trade in the markets.⁶²

60 Dan Dumitru Iacob, "Regimul armelor și munițiilor în Moldova perioadei regulamentare," *Europa XXI* 7–8 (1998–1999): 105–15.

61 *Manualul administrativ*, 201, 205, 210, 339–43; SJAN Iași, Eforie, dos. 14/1832, f. 19 r.; Rusu, "Administrația orașului Iași," 319.

62 *Manualul administrativ*, 178–87, 361–66; *Documente privitoare la istoria economică a României: Orașe și târguri (1776–1861)*; *Moldova, Seria A*, vol. 2, ed. Gheorghe Ungureanu et al. (Bucharest: Direcția Generală a Arhivelor Statului din R. P. R., 1960), 151–52, doc. 95; 153, doc. 97; 158, doc. 102; *Manualul administrativ*, 222, 225–26, 224–25, 526.

The police were also involved in the prevention and extinguishing of fires. In addition to the subordinate firefighters (*tulumbagii*), all police departments participated in putting out fires. Given the seriousness of such events, the police and other local institutions compiled and put into effect several fire prevention and extinguishing regulations.⁶³

The reorganization of the police in Iași on modern principles did not solve this institution's shortcomings and problems, especially with regard to decreasing bureaucracy, increasing efficiency, and improving professional integrity. In many cases, the police faced not only staff and budget cuts but also corruption from within. Moreover, they acted brutally and abusively in certain situations, undermining the trust of the local community in the police's role in public safety. Furthermore, the prince and high-ranking police officials used the police force at their discretion. Public opinion was aware of the abuses and condemned them on various occasions, as happened during the Moldavian Revolution of 1848, when the revolutionaries, observing that "the police are in the greatest disorder, and the commissioners are the tyrants of the lower classes,"⁶⁴ requested that the government "establish the police of the towns on humane principles for those wretches under arrest."⁶⁵

In 1850, a new regulation for the police of Moldavia (*Condica polițienească*) was adopted. It had 158 articles, some of which reiterated the principles of the Organic Regulations and the Police Regulation of 1832. However, many of the articles were new, such as those on the organization of the judicial police, forensic research, and the creation of the city sergeants' unit. The police protocol book had a section dedicated to the police force of Iași. The head of police continued to be the *aga*, assisted by a police council with two members and a commissioner, all three named by the prince. The city was divided into six districts, each headed by a police commissioner. The police of Iași had 144 personnel, including the town sergeants, and were assisted by the local gendarmerie and other municipal servicemen, such as lamplighters, firefighters, and gravediggers. The duties of the city police were numerous and diverse: maintaining public order and peace; supervising the movement of people and goods; urban sanitation; preventing fires and epidemics; checking the technical condition of the street network;

63 Rusu, "Administrația orașului Iași," 317; *Manualul administrativ*, 269–97.

64 Vasile Alecsandri, "Protestație în numele Moldovei, a omenirei și a lui Dumnezeu!," in *1848 la români: O istorie în date și mărturii*, vol. 1, ed. Cornelia Bodea (Bucharest: Editura Științifică și Enciclopedică, 1982), 392.

65 *Petițiunea—proclamațiune*, in *1848 la români*, 360.

controlling public lighting; monitoring the situation of trade and markets; supplying the city with food and materials of primary necessity; surveillance of public places; inspecting and approving some types of construction; and enforcing passport control, arms and ammunition control, and control over vagrants.⁶⁶

Conclusions

In this paper, we have proposed to briefly point out the milestones in the modernization of the police in Iași, traditionally called the *agia*, as they are reflected especially in the regulations and legislation of the time. We also tried to highlight the main tasks of the police and how they contributed to the good governance of the city.

In the sixteenth to eighteenth centuries, public surveillance in Iași and Bucharest was mainly ensured by the *agia*, an institution of Ottoman military origin, controlled by the rulers of the Romanian principalities. In the absence of codified rules and faced with frequent interference by the princes, the *agia* was an institution of protection and punishment used by the princes in their own interest rather than a public service that protected the urban communities' needs.

The modernization of the police in Iași in the first half of the nineteenth century was in step with the general trend of modernizing Romanian society. After the adoption of the Organic Regulations and the first regulation of the police force of Moldavia, both in 1832, the police became more involved in the surveillance and management of the city. They were concerned with professionalizing its personnel and creating a closer connection between its employees and the community. The institution had to adapt to the challenge of the evolving local society and the legislative progress made internationally. In this respect, the police of Iași were given more tasks in controlling urban activities, similar to the police authorities in European cities.

During the first half of the nineteenth century, the police (still called the *agia*) and the municipal council (*eforia*) played a key role in the good governance of the capital city of Moldavia. With all its shortcomings, the police contributed to instilling and protecting the rules of urban living. In the mid-nineteenth century, the police of Iași had a different institutional profile compared to the old medieval institution with military powers under the prince's authority. The police were organized on modern legal bases, had

66 Bobocescu, *Istoria poliției române*, 73–85.

precisely defined competencies, broader autonomy, and were much more involved in the life of the urban community and in the administration of the city.

About the author

Dan Dumitru Iacob is a senior researcher with the Institute of Social Sciences and Humanities in Sibiu, where he is coordinator of the “Historical Atlas of Towns in Romania” project and chair of the Romanian Commission for the History of Towns. His recent publications include the volume *Elitele din principatele române în prima jumătate a secolului al XIX lea. Sociabilitate și divertisment* [The Elites in the Romanian Principalities in the First Half of the 19th Century. Sociability and Entertainment], 2nd. ed. (Bucharest: 2024) and co-editor of *Atlas istoric al orașelor din România / Historical Atlas of the Romanian Towns*, Serie nouă / New Series, Seria A / Series A, Moldova / Moldavia, Vol. 3, Roman (Iași: UAIC, 2022).

14. Scientific Expertise as a Tool for Urban Administration: Chemical and Bacteriological Analyses ordered by the Municipality of Bucharest, 1877–1914¹

Simion Câlția

Abstract: The study focuses on the functioning of the municipal laboratory of the Bucharest city hall in the nineteenth century. In the last decades of the century, municipal chemical-bacteriological laboratories were part of the administration of most European cities. The Bucharest city hall had been using chemical analysis since the 1870s; by the 1890s, however, a municipal laboratory was established, which played an essential role in the proper functioning of the drinking water system and helped the municipality to fight epidemics. The main efforts were directed at the food chain, where the laboratory enabled the municipal administration to identify and remove from the market foods that contained toxic substances, had become dangerous due to improper storage, or were infested with pathogens. The laboratory tests played a role in cleaning up the trade by identifying adulterants in foods such as wine, milk, and coffee.

Keywords: Bucharest, nineteenth century, Romania, food safety, city hall, municipal laboratories

Food security and food safety have been concerns for urban authorities since the Middle Ages and onward. In the second half of the nineteenth century, several new factors profoundly changed the way municipal authorities

¹ I express my gratitude toward Dr. Lidia Trăușan-Matu for the information on the laboratories of the Faculty of Medicine.

dealt with both aspects of feeding the urban community. In this study, I will focus on just one side of this broad issue: the emergence of chemical analysis and its institutional pendant, the chemical-bacteriological analysis laboratories, in the arsenal of urban governance tools. The scope of my analysis is a case study that illustrates the example of Bucharest between 1880 and 1914.

The lower limit of the period for this study was set by the availability of primary sources, as the Bucharest City Hall—Sanitary Service funds in the city archives have preserved only a few records. Furthermore, for our chosen period, only a few contain information on the municipal laboratory of chemical-bacteriological analysis or on the various chemical or bacteriological analyses requested by the city hall before the establishment of this laboratory. Also missing are the registers in which the debates of the Board of Hygiene (*Consiliul de Igienă*) were recorded. Fortunately, from 1877 onwards, the debates began to be published in the official periodical of the city hall,² which imposed the cut-off date for our research. The upper limit for the investigation is 1914, firstly, because the municipal laboratory and chemical analyses had matured in terms of administrative practices, institutional organization, and dynamics, and in the understanding of the role that chemical analyses should play in urban governance; and secondly, because World War I and its aftermath brought about different challenges to the municipality, pushing food safety issues into the background.

As with other cities in Europe, the condition of food and goods sold in Bucharest was for a long time assessed only by the senses, especially by sight and smell. This meant that all individuals could evaluate the quality of foodstuffs or any other product. The widespread use of chemical and bacteriological analyses in the sanitary assessment of food and many other goods in the decades leading up to World War I ushered in more than the simple replacement of inefficient administrative instruments by more efficient ones. It also led to a major change in the relationship between the main actors in the food chain: producers and traders, the consuming public, and the municipal authorities. Knowledge based on chemistry and then on bacteriology was accessible only to a small number of professionals, with the result that the rest of the actors, other city officials included, were no longer able to assess the salubrity of food products. Thus, a new actor emerged: the expert, who alone had the qualifications and thus became a mandatory collaborator of food inspectors. The expert was either subordinate

2 CI published in MBP 5 (1877): 38–40.

to the municipality (as in Brussels, Paris, and Grenoble)³ or became an independent professional (as in Britain).⁴ In this context, the administration of Bucharest considered its duty to protect buyers who, in the new scientific and administrative paradigm, were incapable of distinguishing between healthy and dangerous goods. This realignment of roles was not without tensions and opposition. The new rules based on the scientific discourse of the time did not take immediate hold, either within the administration or among consumers and traders. In the first part of our study, we will look at how the municipality discovered that it needed chemical expertise, how the administration managed this expertise, and what factors led the municipality to the decision to set up its own laboratory.

The time of explorations and external experts

As might be expected, the factors that gradually led the city administration to make increasing use of chemical analysis were not specific to Bucharest. The innovative ideas on food safety adopted in the major cities of Western Europe in the second half of the nineteenth century played a key role in this development. These ideas in turn were based on significant advances in food chemistry, on a rapidly evolving understanding of the processes that led to food spoilage, and on the bacteriological revolution. Outside the food chain, advances in chemistry and medicine meant that substances that had been in use for a long time were now considered harmful to health, e.g., paints containing lead or arsenic, and therefore unsuitable for sale. In medicine, bacteriological analyses were playing an increasingly vital role in diagnosing diseases. The identification of bacilli responsible for devastating epidemics (such as cholera or typhoid fever) had propelled bacteriological laboratory analyses to the forefront of this fundamental public health issue.

The developments briefly outlined above were not unknown in Bucharest. At the end of the nineteenth century, the Romanian political elite looked for solutions in Western Europe as the only possible societal model. Doctors (as well as other professionals) read Western publications and made study trips to

3 Patricia Van den Eeckhout and Peter Scholliers, "Hearing the Consumer, the Laboratory, the Public, and the Construction of Food Safety in Brussels (1840s–1910s)," *Journal of Social History* 44, no. 4, Summer (2011): 1140–42; Lucie Paquy, "Santé publique, répression des fraudes et action municipale à la fin du XIXe siècle; le laboratoire grenoblois d'analyses alimentaires," *Revue d'histoire moderne & contemporaine* 51, no. 3 (2004): 47–48.

4 Derek J. Oddy, "Food Quality in London and the Rise of the Public Analyst, 1870–1939," in *Food and the City in Europe since 1800*, ed. Peter J. Atkins et al. (Aldershot: Ashgate, 2007), 91–103.

Western European cities. Discussions in the Board of Hygiene often referred to studies and research recently published in the West. In 1893, the same board decided to set up a professional library, budgeting the necessary finances.⁵ Like their colleagues in the West, the community physicians of Bucharest considered scientific knowledge a tool for solving collective issues. However, they were not content only to assimilate knowledge from the West; they also tried to apply it to improve living conditions and especially the health conditions of the locals. Chemical and bacteriological analyses gradually became an instrument for identifying dangerous foods or products and diagnosing diseases (with special attention to those with epidemic potential).

Advances in chemistry, together with those in the food industry, led to the invention of numerous products and techniques that posed a major challenge to food control authorities. Romania's connection to European trade and transport networks and the appeal of Western novelty products meant that these challenges were also rapidly becoming apparent in Bucharest. Nevertheless, we need to consider nuances. There were deliberate product alterations aimed at deceiving customers for material gain. Much more numerous were the cases in which the ignorance of market players or difficulties in mastering a new method (e.g., canning)⁶ resulted in the sale of products that were dangerous to consumers' health. Sometimes even the doctors on the Board of Hygiene were unable to keep up with the rapid developments and were not sure whether a product was harmful or not.⁷ Sanitary control of these new substances and technologies was often impossible without chemical analyses.

In addition, the municipal authorities also needed chemical analysis for fiscal reasons. In the last three decades of the nineteenth century, excise duties (taxes levied on consumer goods at the entrance to the city) accounted for a significant part of the city's revenue. The system was complex and prone to tax evasion and smuggling. Moreover, it generated conflicts between the city and taxpayers over the amount of tax due, which in turn depended on the nature of the product taxed. In some cases, only recourse to chemical analyses could settle disputes between the city authorities and the traders regarding the exact composition (and therefore the tax classification) of a product.⁸

5 CI, MBP 43 (1893): 429.

6 Consiliul de Igienă (Session of the Board of Hygiene, hereafter CI), *Monitorul Primăriei București* (Bucharest City Hall Official Journal, hereafter MPB) 18 (1887): 199.

7 CI, MPB 1 (1879): 10–11.

8 MPB 24 (1888): 255; Ședința Consiliului General al Municipiului București (Bucharest city council meeting, hereafter CG), MPB 45 (1890): 530.

Initially, the chemical analyses conducted were not the consequence of a deliberate strategy on the part of the municipal administration but a necessary solution for solving specific, concrete problems facing the city officials. Gradually, as these situations became more frequent and as increasingly more products were tested over time, an administrative practice was created, albeit by trial and error.

At the latest in the 1870s, Bucharest City Hall began to use chemical analyses in particular to determine whether products on the market posed a danger to consumer health. However, this did not immediately lead to the establishment of a chemical analysis laboratory. For one thing, the analyses that needed to be done were not numerous, nor did they take place on a regular basis, so there was no justification for setting up a specialized, costly service that would only be used occasionally. Most of the tests were carried out at the request of the city's health service, and while their level of complexity was low, the Board of Hygiene considered them good enough for the task. In these circumstances, when a chemical analysis of a product was needed, pharmacists were called in.⁹ These pharmacists had practical knowledge of chemistry (acquired in the actual preparation of medicines), which they made available for a fee to those interested. Some university departments offered pharmacy students a practical course in food chemistry, which was tellingly called "laboratory" at the time.¹⁰ For the city hall, using this already existing offer was a quick and inexpensive solution. Moreover, it was in line with the municipality's current practice, which called on external specialists and service providers (lawyers, architects, or engineers) whenever it had a specific need that the staff of its own services could not solve. It is possible that sometimes, in the case of basic chemical analyses, they were carried out by the municipal doctors themselves, as Iacob Felix, the chief physician of the capital, seems to suggest.¹¹ In the 1880s, the city hall made use of the laboratories that various state institutions had set up for their own needs. They had far superior knowledge and material possibilities compared to the pharmacists, and their results offered more guarantees of accuracy. The authorities established a long-standing collaboration first with the laboratory of the Faculty of Medicine, and then with the University Chemical Institute (*Institutul Chimic Universitar*).¹²

9 CI, MPB 1 (1879): 10–11.

10 SANIC Ministerul Cultelor și Instrucțiunii Publice, 294/1900, f. 233, 266–67.

11 CI, MPB 29 (1879): 442.

12 CI, MPB 12 (1882): 113; CI, MPB 39 (1885): 346; CI, MPB 36 (1886): 342; CG, MPB 46 (1891): 486; CG, MPB 2 (1894): 9; Constantin Bercuș, ed., *Spitalul Colțea: Două sute șaptezeci și cinci de ani de existență* (Bucharest: I.P. Informația, 1979), 245–47.

Due to the state of primary sources, it is difficult to reconstruct the exact nature of the chemical analyses carried out at the request of the city and impossible to estimate the annual quantity of analyses carried out in the 1880s. The lack of archival sources limits us to the analyses mentioned in the meetings of the Board of Hygiene, but these represent only a part of the analyses carried out. In the meetings of the board, analyses were only mentioned when needed for particular cases, whereas most analyses were routinely performed and consequently did not need to be discussed. Of the analyses mentioned in the board meetings, those conducted on food and drink were the most numerous, followed by various non-edible products analyzed in terms of their hazardousness to human health. The municipal health service staff requested both categories of analyses. Tests done for excise duty purposes account for the smallest share. The absence of water analyses is notable, as they will play a key role in the following period.

Collaboration with pharmacists and the various laboratories was not frictionless. Samples taken by the city hall services (mostly by the municipal doctors) were sometimes lost or the laboratory took too long before analyzing them, and the samples expired. These laboratories had their own work to do, and requests from the city hall did not have priority. In many cases, the results of the tests did not get back to those who had collected the sample, and in the end, there were no follow-ups to the lab tests.¹³

Establishment of the municipal laboratory

The aspects briefly listed above, as well as, most probably, the increase in the number of chemical analyses required for the work of the city hall, imposed the creation of its own laboratory, which was achieved in two stages, the first in 1893 and the second in 1898. In 1893, after the city council voted to set up a laboratory and provided funds in the budget, the administration understood that the allotted sums were not sufficient to equip an independent laboratory. Consequently, as a temporary solution, a Municipal Section (*Secțiunea municipală*) with its own staff and some of its own equipment was set up within the University Chemical Institute, with which the city council had collaborated for many years. The city hall paid an annual sum to the institute and had access to its equipment and substances as well as to the library.¹⁴ Although not addressed as such in our sources, the

13 CI, MPB 3 (1886): 21; CI, MPB 7 (1888): 60; CI, MPB 14 (1888): 130.

14 CI, MPB 48 (1893): 472.

experience of the University Chemical Institute was undoubtedly crucial for an institution in its infancy, such as the Municipal Section.

Even in this condensed form, the establishment of a laboratory was considered a salient step forward. In the municipality's 1894 report, the first year of the laboratory's operation was evaluated extremely positively, triumphantly even. Some of the statements are exaggerated and were disproved by the laboratory's own analyses of the following decade. Such was for example the claim that adulterated wines and soft drinks disappeared almost entirely from the market as a result of the laboratory's action.¹⁵ Nonetheless, the establishment of the Municipal Section of chemical analysis increased controls substantially and enabled the city hall to have a more complete picture of the problems related to improper or adulterated food sold to Bucharest residents.

In the following years, the topic of an independent laboratory re-entered debates of the Board of Hygiene, along with plans for smaller laboratories in market halls that would inspect only the meat offered for sale on the spot (which never came to fruition).¹⁶ In 1897, a group of twelve councilors drafted a memorandum for the establishment of a municipal laboratory. The memorandum stressed the importance of food hygiene as "one of the most powerful levers for the prosperity and sanitation of the inhabitants" and the central role that chemical analysis played in this process.¹⁷

It was only in 1898 that the city hall was able to create its own laboratory, after the municipal administration had carried out documentation work the previous year, requesting reports and calling in experts to understand how the new laboratory should be organized.¹⁸ The number of chemists increased from two to three in the section attached to the Institute of Chemistry, each chemist heading a specialized division, to whom a bacteriological section was added. A regulation voted by the Board of Hygiene specified the duties of each section and of the administrative staff.¹⁹ The bacteriology section had three main objectives: to examine drinking water and "suspicious drinks and foodstuffs" sold to the populace; to carry out laboratory analyses requested by doctors or communal veterinarians for the diagnosis of human

15 *Dare de seamă a Administrației Comunei București pe timpul de la 1 ianuarie 1894 până la 1 ianuarie 1895* (Hereinafter: *Dare de seamă 1895*) (Bucharest: F. Göbl Fii, 1895), 133–35.

16 CI, MPB 57 (1894): 556.

17 Serviciul Municipiului București al Arhivelor Naționale, Primăria Municipiului București (Bucharest Municipal Department of the National Archives, Bucharest City Hall, hereafter SMBAN PMB) Serviciul Sanitar, 8/1897, f. 4.

18 SMBAN PMB Serviciul Sanitar, 8/1897, f. 6–9, 10, 12, 16–17.

19 CI, MPB 9 (1898): 104.

and animal diseases; and to identify the “nature and origin” of epidemics in the event of an outbreak in Bucharest.²⁰ In a manner analogous to the increasing need for chemical tests, the bacteriological section responded to the city hall requiring scientific expertise in its daily activities. Before having its own premises, the municipality had to resort to the Institute of Bacteriology, for example, in December 1897, when water samples from 98 wells and 16 water distribution points needed to be tested.²¹

The first of the three chemical sections dealt with food chemistry, the second with the analysis of water, “oil” (i.e., lamp oil/kerosene), and samples sent by the excise service, and the third was in charge of collecting samples from traders.²² The much greater attention paid to water compared to the 1880s cannot be explained solely by the rapid scientific and technological advances in testing methods and gauging the composition of drinking water. In the last years of the nineteenth century, Bucharest invested heavily in a much more efficient drinking water system, and chemical analyses of water already played a decisive role in the choice of source.²³ Ongoing laboratory analyses were intended to ensure that the city’s water was free of pathogens and forbidden substances.

The opening of the municipal laboratory did not put an end to the challenges facing the city hall. Certain issues became apparent only after the laboratory was up and running, such as the overlap of tasks with the municipal doctors and relationships within the laboratory. It was not clear whether a single laboratory was the best solution or whether smaller, specialized laboratories located near the market halls were a more efficient option. For a while, the authorities were leaning towards the latter. In addition to the proposal for laboratories next to markets and market halls, which did not materialize, two more laboratories were opened: one at the slaughterhouse, specifically for meat inspection, and another exclusively for milk inspection.

As early as 1888, the mayor of the capital, Em. Protopopescu-Pake, returning from a fact-finding tour to several European slaughterhouses, noted that all of them were run by veterinarians and had their own laboratories.²⁴ Both measures became operational at the slaughterhouse in Bucharest the following year.²⁵ The data concerning the slaughterhouse laboratory is

20 “Regulament al laboratorului municipal chimico-bacteriologic,” (hereinafter “Regulament” 1898) MPB 6 (1898): 70–72.

21 SMBAN PMB Serviciul Sanitar, 3/1897, f. 43.

22 “Regulament” 1898 MPB 6 (1898): 70–72.

23 CG, MPB 2 (1894): 9.

24 CI, MPB 37 (1888): 378.

25 CG, MPB 7 (1889): 63.

incomplete. It is certain that it operated continuously, even after World War I,²⁶ and the town hall continually allocated small sums for its maintenance.²⁷ When the slaughterhouse was completely renovated at the beginning of the twentieth century, the sanitary section was housed in a new building dating from 1913, which contained the laboratory as well.²⁸ It can be surmised that, in accordance with existing administrative practice, on this occasion the laboratory was fitted with modern equipment.

At the end of the nineteenth century, milk was of great interest to nutritionists and hygienists but also to politicians and journalists. Owing to its geographical position, Bucharest had an abundant supply of milk, so attention and efforts were directed towards health and quality issues. Since the establishment of the Municipal Section in 1893, milk together with bread was one of the two main concerns of the laboratory.²⁹ When the independent laboratory was set up in 1898, special equipment was bought for testing milk.³⁰ On several occasions, the question of milk was debated in the Board of Hygiene, where tests at the municipal laboratory were seen as an indispensable tool: “only the complete examination by the laboratory can be a definitive proof.”³¹ The laboratory had to draft the code for the milk quality standards.³²

At the end of 1904, there was a proposal for a separate division within the municipal laboratory that would deal exclusively with milk quality control and would be manned by “two or three chemists with degrees.” The scope of the division would have been quite broad: cows had to be checked for tuberculosis, stables inspected, and obviously the milk sold analyzed for adulteration (by adding water).³³ In the end, for unknown reasons, a separate milk lab was created in July of the following year, which began operating in full in November.³⁴ If the activity reports can be taken at face

26 Constantin Ștefan Rădulescu, *Monografia Serviciului Sanitar Veterinar al Municipiului București* (Bucharest: Institutul de Arte Grafice Bucovina I. E. Toroușiu, 1930), 91.

27 CG, MPB 50 (1905): 603; CG, MPB 12 (1906): 168; CG, MPB 28 (1911): 434; CG, MPB 11 (1913): 224.

28 Nicolae Slăniceanu, *Description du nouvel abattoir de Bucharest: construction, agencement et exploitation* (Bucharest: Imprimerie de Cour Royale, 1914), 4, 28.

29 *Dare de seamă*, 135.

30 CI, MPB 3 (1898): 21.

31 CI, MPB 6 (1900): 95.

32 CI, MPB 9 (1900): 145.

33 CI, MPB 52 (1904): 525–29.

34 Gheorghe Dumitrescu, “Raport [asupra funcționării secției de control al laptelui],” *Primăria orașului București, Serviciul Sanitar—Laboratorul Comunal: Considerațiuni asupra represiunii fraudelor alimentare la noi și în alte părți: Organizarea laboratorului—rapoarte și dări de seamă, 1908–1910* (Bucharest: Tipografia G. A. Lăzăreanu, 1910), 159.

value, knowing however that they emphasized the positives, the milk control laboratory was highly active, at least in the beginning, and its control was extended to other dairy products, such as butter and cheese.³⁵ To involve the general public in its control activity, the laboratory offered free tests at the request of consumers, indicating the minimum quantities of samples for the different dairy products.³⁶

Whereas the meat laboratory attached to the slaughterhouse continued to operate independently, in 1908 the milk control lab was merged with the municipal laboratory. Why the recourse to this solution, where the meat laboratory was allowed to function separately from the others? The milk and the meat laboratories were similar only to a certain point: both had a specialized function. But in both cases, from a strictly chemical and bacteriological point of view, a central laboratory could have covered this task. Thus, other, extra-scientific factors were at play in having a separate meat laboratory by the slaughterhouse: the long distance between the slaughterhouse (originally built outside the city and still on the outskirts of the capital in 1908) and the central laboratory; the large quantity of meat to be analyzed daily; the perishable nature of the meat; and the need to remove all the meat of a diseased animal immediately from consumption and to destroy or sterilize it. The round trip of samples and people between the slaughterhouse and the central laboratory was therefore extremely impractical.

Milk production and sale of dairy products were not as localized as in the case of meat but dispersed throughout the city and neighboring villages. The integration of the milk control laboratory into the municipal chemical-bacteriological laboratory rationalized the use of resources (premises, equipment, and reagents) and, more importantly, allowed rapid access to the bacteriology department. The chief veterinarian of Bucharest considered the microbiological examination of milk more important than its chemical analysis.³⁷ Control of milk and dairy products, including the testing of these products, continued to be carried out after 1908 by the animal products section of the reorganized municipal laboratory.³⁸

Another proposal considered setting up a “small chemical and bacteriological laboratory” in the village of Ulmi, near Bucharest, where the

35 CI, MPB 29 (1906): 355–56.

36 Publication 2265/197, MPB 4 (1908): 33.

37 CI, MPB 39 (1913): 669–70.

38 “Regulamentul de funcționare a laboratorului de chimie și bacteriologie al comunei București,” (hereinafter “Regulamentul de funcționare”) MPB, 51 (1913): 893–94. art. 23.

groundwater wells supplying the city with drinking water were located. Obviously, this laboratory (which does not seem to have been in operation before 1914) was supposed to deal only with the analysis of drinking water.³⁹ From 1908 onwards, a temporary laboratory operated at Obor during the Moșilor fair, the main commercial event in Bucharest, which attracted many traders every year in May. Many participants were petty or even itinerant traders, selling foodstuffs that could easily turn into a health hazard, and the laboratory's activity resulted in the confiscation and destruction of countless sausages, doughnuts, and sweet drinks.⁴⁰

Reorganization of the laboratory in 1908

After 1905, the municipality seems to have neglected the municipal laboratories for a while. Mayors had a prime role in defining the priorities of the municipality, which explains why some projects progressed in leaps and bounds while others did not: they made rapid progress during the term of office of a mayor interested in the issue and stagnated under the successor. In 1907, the municipal laboratory employed only two chemists (out of the planned three) and a bacteriologist; the rest of the staff was also kept to a minimum.⁴¹ The number of samples collected and analyzed was quite small.⁴²

In 1908, the sanitation problems in the capital returned to the forefront of the administration, although in this case the impetus did not necessarily come from Mayor Vintilă Brătianu but from Deputy Mayor Haralambie Botescu. He was a doctor by profession, and during his term of office he initiated numerous measures aimed at improving the sanitary conditions in Bucharest. These included the reorganization of the chemical-bacteriological analysis laboratory.

For this reorganization, Haralambie Botescu requested written reports from the bacteriologist and chemists employed both in the chemistry

39 CI, MPB 11 (1913): 224–25.

40 Publication 27421/1577 MPB 21 (1908): 315; August Poltzer, "Activitatea Laboratorului Municipal din Târgul Moșilor," no. 30966 | 1060, MPB 24 (1909): 403.

41 Nicolae H. Stinghe, "Memoriu și proiect pentru organizarea laboratorului comunal și activitatea lui în anul 1907" in *Primăria orașului București, Serviciul Sanitar—Laboratorul Comunal: Considerațiuni asupra represiunii fraudelor alimentare la noi și în alte părți: Organizarea laboratorului—rapoarte și dări de seamă, 1908–1910* (Bucharest: Tipografia G. A. Lăzăreanu: 1910), 49–50.

42 MPB, 3 (1908): 31–32.

laboratory and in the milk control laboratory, and from personalities outside the city hall services, such as Dr. Nicolae I. Angelescu, president of the Society of Pharmacists of Romania, and the university professor Dr. Ștefan Minovici. These reports (published by Haralambie Botescu to mark one year after the reorganization)⁴³ identified issues related to the work of the two laboratories (chemical analysis and milk control) and proposed solutions to remedy them.

One of the main dysfunctional aspects identified in these expert reports was the size of the municipal laboratory. In comparison to other European capital cities (Paris, Berlin, Brussels, and Vienna), the ratio of chemists to the size of population was lower in Bucharest. The size of the food trade sector was also briefly presented in figures, along with the number of analyses that could be carried out by a chemist, thus highlighting the limited control that could be carried out by the laboratory with the resources available at the time. The building housing the lab was deemed large enough for the tasks of the time but did not allow for further expansion.⁴⁴

Severe criticism has also been leveled at the existing staff structure. The lack of a director to coordinate the work meant that each chemist was *de facto* in charge of their own laboratory. As a result, there were no rules and no uniformity in the execution of tests, with consequences for their credibility. On the other hand, this situation led to unnecessary duplication of lab equipment and materials because each chemist ordered what was needed for their work without considering that unused appliances or substances stood idle in another section of the laboratory.⁴⁵ In particular, experts from outside the laboratory stressed the need for higher salaries, reflecting the work and professional training of chemists and bacteriologists.

The reports also suggested measures to improve the situation, some of which would be included in the organization of the new laboratory. The two existing laboratories (chemical analysis and milk testing) were merged into one. The new lab was given a larger building in the immediate vicinity of the Institute of Chemistry, thus facilitating access to the resources, library, and expertise of the most important institute in Bucharest.⁴⁶ Dr. August Poltzer, deputy director of the Institute of Chemistry, became

43 *Primăria orașului București, Serviciul Sanitar—Laboratorul Comunal*, 17–18.

44 Gheorghe Dumitrescu, ["Raport"], in *Primăria orașului București, Serviciul Sanitar—Laboratorul Comunal*, 37–38, 43–44; Stinghe, "Memoriu," 46–47.

45 Stinghe, "Memoriu," 52–54.

46 MPB 21 (1908): 312.

new head of the laboratory.⁴⁷ The number of support staff was increased, and the tasks of each employee were revised. This reorganization was, according to the recommendations in the reports, to be accompanied by the drafting of new regulations, which in all probability did not happen. It was not until 1913, in the context of a conflict between the director and the bacteriologist, that a committee elected by the Board of Hygiene drew up new regulations. The discussions of 1913 and the wording of the new regulations validated the main decisions taken in 1908 and the merger of the two laboratories.⁴⁸

The control activity of the laboratory

From the first years of operation, the laboratory's work reflected the city's health priorities. Most of the tests carried out can be grouped into three broad categories: food control, drinking water control, and the treatment and prevention of diseases (especially epidemics).

Drinking water analyses, rare in the early 1880s, increased rapidly in number after the establishment of the Municipal Section in 1893. From 1898, when this section was transformed into an independent laboratory subordinate to the city hall, one of the chemists oversaw the systematic testing of drinking water, a situation maintained by the reorganization of 1908 and by the 1913 regulation. Starting the same year 1898, water was also analyzed by bacteriologists, as this type of analysis quickly proved to be essential in ensuring safe water from a sanitary point of view.

The increased attention to water safety was not generated only by the establishment of the laboratory. In the last decades of the nineteenth century, water was identified as a vector for the transmission of certain diseases, some of which, such as cholera and typhoid fever, could trigger violent epidemics. Just as in other European cities, the authorities in Bucharest, both sanitary and administrative, were becoming aware of the dangers of unhygienic water. Another key factor had been the construction of a drinking water distribution system, which relied increasingly on safe sources of water and increasingly sophisticated methods of purifying it. In the 1870s and 1880s, the authorities seemed resigned to the idea that Bucharest's water, drawn from wells or the Dâmbovița, was far from healthy and that, apart from

47 CI, MPB 43 (1910): 628; *Primăria orașului București, Serviciul Sanitar—Laboratorul Comunal*, 17, 36.

48 CI, MPB 39 (1913): 669–70; "Regulamentul de funcționare," 891–96.

advice, the municipality had nothing to offer the townspeople.⁴⁹ Around 1900, a better understanding of the risks and the feeling that the water problem was solvable, thanks to the drinking water system mentioned above, made the authorities much more active in this regard. They closed wells whose water, according to laboratory analyses, contained germs of pathogens⁵⁰ and banned the use of well water in the manufacture of bread, soda water, and other foodstuffs.⁵¹

The laboratory played a key role in this transformation on two levels. On the one hand, its tests revealed, with numbers and in a language that had the authority of scientific fact and was difficult for decision-makers to ignore, which sources of water were dangerous to health or could start epidemics,⁵² thus giving the authorities a boost.⁵³ On the other hand, the laboratory allowed for systematic control of the water, which gave the authorities the certainty that it was possible at last for the citizens of Bucharest to have access to safe drinking water. Starting with the reorganization of the municipal laboratory in 1908, the drinking water distributed in Bucharest was tested daily for bacteria and “reactions on substances which indicate its impurification.” Moreover, there were weekly analyses of its chemical composition and fortnightly tests of the springs supplying the water.⁵⁴

This permanent and systematic control enabled the authorities to react much more quickly and accurately when needed. In the autumn of 1912, the flooding of an area where wells were extracting groundwater for the water distribution system of Bucharest led to the contamination of several distribution wells. Owing to the daily analyses, the authorities were immediately notified, and the population was warned to boil the water. Detailed tests revealed which wells were contaminated, and 71 of them were shut down until the water was declared safe to drink, also based on the municipal laboratory’s analyses. Without these systematic and exhaustive laboratory analyses, the city hall would have been forced to close nearly 300 wells,

49 CI, MPB 39 (1885): 346.

50 CI, MPB 9 (1904): 123; CI, MPB 31 (1908): 440–41.

51 Simion Călția, “Reglementarea igienico-sanitară a producției și a comerțului cu pâine în București la 1900,” in Simion Călția ed., *Lumea orașului: Cercetări de istorie urbană* (Bucharest: Editura Universității din București, 2013), 300; *Dare de seamă 1895*, 133–35; Ordinance MPB 20 (1910): 315–16.

52 CI, MPB 52 (1902): 849–52.

53 CI, MPB 30 (1908): 426.

54 August Poltzer “Raportul No. 16768–876 A. din 1911 al domnului director al laboratorului comunal de chimie și bacteriologie,” (hereinafter: “Raportul 1911”) MPB 14 (1911): 254; CG, MPB 27 (1914): 475.

which supplied about 40% of the capital's water, with far more serious repercussions for Bucharest's water supply.⁵⁵

Ice underwent a similar evolution, and the laboratory was crucial in establishing the idea that this product may pose a health hazard to consumers, as well as in creating the technical procedures and administrative practice necessary for effective safety control. Since pre-modern times, in winter people in Bucharest harvested ice from lakes and rivers around the city, stored it in icehouses, and consumed it during the summer months. It was in the mid-1880s that some of the municipal doctors first began to raise questions about "natural" ice, although not everyone was convinced that it might be unfit for consumption.⁵⁶ Spurred on by studies published in the West, in the 1890s ice was put under the microscope and placed in test tubes, and the results of the analyses led to a radical repositioning of the medical profession. Despite its crystalline transparency, natural ice was found to be full not only of sediment and foreign bodies but also of bacteria and bacilli that caused numerous diseases.⁵⁷ The capital's sanitary service began a multi-pronged campaign, testing ice in lakes and banning the harvesting of ice from contaminated ones,⁵⁸ prohibiting putting natural ice directly on food or in drinks, and confiscating ice or ice-related products when it discovered violations of the rules. As early as the last decade of the nineteenth century, authorities frequently advocated the need to set up artificial ice factories, which, as laboratory analyses showed, contained negligible amounts of bacteria.⁵⁹ In the first decade of the twentieth century, the municipality built its own artificial ice factory,⁶⁰ producing ice which, according to laboratory tests, contained more than 1000 times fewer bacteria than ice harvested from lakes.⁶¹

Most tests, however, were conducted on foodstuffs and drinks. In the 1890s, the laboratory performed about 1,000 analyses a year, but after the reorganization in 1908, this number increased to about 8,000–10,000. Milk was the most controlled foodstuff; even after the merger of the milk control laboratory with the chemical-bacteriological laboratory, about a quarter of

55 CI, MPB 11 (1913): 224–25.

56 CI, MPB (1886): 21.

57 *Dare de seamă 1895*, 133–35; CI, MPB 36 (1894): 375.

58 Publication 4930/1542 B, MPB (1911): 178.

59 "Raportul Comisiei pentru Gheață Comestibilă din Capitală," MPB 36 (1894): 374–76; SMBAN PMB Serviciul Tehnic, 195/1902, f. 134.

60 Simion Câlția, "Rolul municipalității în introducerea gheții artificiale în București (1902–1910)," *Historia Urbana* 28 (2020): 171–90.

61 CI, MPB 46 (1910): 662.

the food samples came from dairy products. Alcoholic beverages, especially wines, were in second place as a result of widespread counterfeiting and adulteration (including the addition of water). Other products checked continuously were bread, flour and pasta, sausages, coffee, canned goods, juices, and carbonated water. Lab tests identified a large number of foods and drinks that did not comply with food safety regulations or with honest trading. For some products (e.g., milk, spirits), the share of irregular samples was around 20%.⁶²

The main effort was devoted to identifying products that posed a danger to human health. The reasons for a foodstuff being or becoming dangerous were manifold. Unsuitable storage conditions, heat in summer, and improper manufacture could lead to a product spoiling much more quickly,⁶³ and some traders, in order not to lose the money invested in these products, continued to sell them even when they were obviously spoiled. Many foodstuffs contained forbidden substances, which could often only be detected by chemical analysis. Particularly in cases such as alcoholic beverages made with cheaper, prohibited essences, the intent to defraud was clear. In other cases, hazardous food was the consequence of the introduction of new technological processes, which were perfectly legitimate but insufficiently mastered. This was the case, for example, with carbonated drinks and food preserves.⁶⁴ It is worth noting that the laboratory not only confiscated spoiled conserves but prescribed the conditions for the manufacturer to continue their activity without endangering the health of consumers and verified their compliance through new inspections.⁶⁵

Such situations demonstrate that laboratory staff was not opposed to innovation. In a highly dynamic context in terms of industrial practices and knowledge, the laboratory fulfilled an essential function in ensuring that innovation in the food industry did not create and sell products that could be a health hazard to consumers.⁶⁶

Another widespread practice in the food trade of the time was the substitution (in whole or in part) of a more expensive product with one that was not dangerous but significantly cheaper. In this case, it was not

62 *Darea de seamă pe timpul de la 1 ianuarie 1896 până la 1 ianuarie 1897* (Bucharest: F. Göbl Fii, 1897), 106–8; Poltzer, “Raportul 1911,” 254; Polzer “Raportul directorului Laboratorului Comunal înregistrat la No. 5574–529 A/911, relativ la activitatea acestui serviciu pe 1911,” MPB 9 (1912): 207.

63 CI, MPB 10 (1893), 92–93.

64 CI, MPB 12 (1901): 162–63.

65 CI, MPB 29 (1906): 356; CI, MPB 33 (1906): 400; Poltzer “Raportul 1911,” 255.

66 Poltzer, “Raportul directorului,” 206.

the health of consumers that was at risk but their purse.⁶⁷ The most relevant case, both for the practices of the traders and for the way the laboratory operated, is that of coffee. Around 1900, coffee (which was sold ground) was heavily adulterated with chickpeas, rye, beans, and the like in Bucharest's markets, so that sometimes the percentage of coffee in the blend sold under this name was insignificant. These blends did not pose a health hazard to consumers, and based on laboratory analyses, the Board of Hygiene approved their marketing when labeled "coffee substitutes."⁶⁸ Problems arose when unscrupulous merchants sold these blends (containing a minimum of coffee and a large quantity of cheap substitutes) as unadulterated (and therefore appreciably more expensive) coffee, thus misleading the consumer.⁶⁹ Many traders refused to change their behavior, claiming that they would rather pay the fine than give up mixing coffee with chickpeas.⁷⁰ After long discussions and negotiations between the laboratory management and coffee merchants, a compromise was reached: only products containing a maximum of 10% other substances could be called coffee, the rest were to be called surrogates, and all products were to have labels stating "in capital letters," in percentages, the substances contained, so that the consumer would know what they were buying. Those who would not comply and continued to sell cheap goods as expensive products would face "severe measures."⁷¹ Similar efforts were made for other widely counterfeited products, such as plum marmalade (*magiun*), halva, and candy.⁷²

The laboratory examined certain objects or appliances used in the production of food, and when these contained prohibited substances (e.g., lead), they were confiscated and required to be replaced with ones that complied with food safety regulations.⁷³

The laboratory played a key role in disease diagnosis and especially in anti-epidemic measures. At a time when cholera, typhoid fever, tuberculosis, and other infectious diseases were a constant threat, the chemical and bacteriological laboratory provided the authorities with a tool that enabled them to identify the causes and routes of transmission of pathogens and

67 CI, MPB 46 (1907): 603; CI, MPB 48 (1903): 527.

68 CI, MPB 12 (1901): 165; CI, MPB 5 (1903): 50–51; CI, MPB 24 (1904): 293–94.

69 SMBAN PMB Serviciul Sanitar, 4/1902; CI, 9 (1903): 143.

70 Poltzer "Raportul 1911," 255; Publication 32339/1891, MPB 25 (1908), 357.

71 August Poltzer Poltzer, "Raportul dr. A. Poltzer, directorul Laboratorului Comunal nr. 72929/10 din 29 decembrie 1912," MPB 1 (1913): 1–2; SMBAN PMB Serviciul Sanitar, 4/1902.

72 August Poltzer, "Raportul dr. Al. Poltzer, directorul Laboratorului de chimie și bacteriologie nr. 8172/613 din 29 februarie 1913," MPB 9 (1913): 152–53.

73 Ordinance 38525/2527, MPB 27 (1910): 396; CI, MPB 22 (1905): 293.

consequently to take more effective measures to combat possible epidemics. The multiple transmission routes that a pathogen could follow required numerous tests. The case of typhoid fever is a good example in this regard. In principle, it could be contracted from water (both from the water distributed by the city hall if the system was not working properly and from well water) or from various foodstuffs. Whenever there were cases of typhoid in Bucharest, the water from the pipes was tested first because of the possible high rate of infection from a source used by so many city dwellers.⁷⁴ The investigation then continued with water from wells in areas with recorded cases,⁷⁵ and if there were suspicions, then they would proceed with the more complex and time-consuming tests that were necessary to identify contaminated food, as was the case in 1901, when the disease struck wealthy families who had eaten infected oysters imported from Istanbul.⁷⁶

We have seen that one of the reasons for setting up its own laboratory was the need of the city hall to resolve, including in court, disputes related to the exact nature of certain goods and therefore the tax category in which they were taxed. The communal laboratory carried out such analyses for only a few years after its establishment,⁷⁷ because in 1903 the urban excise system was abolished.⁷⁸

The operation of the Municipal Chemical and Bacteriological Analysis Laboratory has also had consequences outside the food and health sectors. Since they are not the subject of this study, we will limit ourselves here to mentioning two of them. The laboratory constituted a major financial effort from the city officials, both because of the costs involved in setting up and equipping such an institution and because of the high expenditure involved in its day-to-day running. The continued growth of the laboratory's work also meant an equivalent increase in the spending of the municipality. On the other hand, the creation of the laboratory led to an increase in the number of highly educated employees in the city hall and to a broadening and diversification of the body of specialists, which increased the capacity of the city administration to plan and implement complex programs, strengthening the role of Bucharest as a model for other municipal administrations in Romania.

74 CI, MPB 44 (1905): 449; CI, MPB 33 (1906): 400.

75 CI, MPB 36 (1906): 421–22; CI MPB 30 (1908): 426; CI, MPB 31 (1908): 440–41.

76 CI, MPB 3 (1901): 32–33; CI, MPB 4 (1901): 43.

77 CG, MPB 1 (1900): 9–10; CG, MPB 32 (1900): 444.

78 "Lege asupra desființării acciselor și înființării fondului comunal, din 1 martie 1903," in Constantin Hamangiu, *Codul General al României*, vol. 3 (Bucharest: Leon Alcalay, 1903), 4676–85.

Resistance and conflict

The extensive work of the municipal laboratory was bound to create discontent and tension. One of the groups that felt threatened by the work of the laboratory was that of the municipal doctors themselves, who supported its creation and who used the services of the laboratory on numerous occasions. For their part, the laboratory's employees had their own grievances about the community doctors. The common denominator of these complaints was the distribution of tasks in terms of food control and food traders. Before the laboratory was set up, only the communal doctors did this control. Although they repeatedly complained of being overburdened, they saw the inspections by the chemists of the laboratory as a violation of their own duties. Physicians tried to limit the chemists' duties to the collection and analysis of samples, allowing them to serve as technical auxiliary staff while preserving oversight over all other general hygiene measures.⁷⁹ On the other hand, the head of the laboratory complained on several occasions that, unlike the city hall veterinarians, the communal doctors rarely took samples to send to the laboratory.

Much stronger seems to have been the grievances of those persons at the receiving end of controls. For food retailers, the measures required by the laboratory created additional costs (more work to maintain cleanliness, goods that had to be thrown away) or lower profits, for example because they could no longer sell cheap products as expensive ones. Traders were also concerned about the impact that laboratory checks could have upon their image among customers, because in a society still unaccustomed to the constant operation of health control institutions, any inspection or sampling was associated with an irregularity. Food merchants tried to hinder the work of the laboratory by various methods, from passive opposition to conducting press campaigns.⁸⁰

The communal laboratory tried to educate consumers and involve them in the control activity. To this end, ordinances and instructions became the municipality's favorite tools for conveying information of all kinds to the public. From 1908 onwards, tests on suspicious products brought in by consumers were conducted free of charge; in order to make this known, the authorities notified consumers through the *Communal Gazette*.⁸¹

79 CI, MPB 22 (1913): 415–18.

80 August Poltzer, "Raportul d-lui dr. A. Poltzer Directorul Laboratorului de Chimie și Bacteriologic relativ la ancheta făcută, în urma reclamațiunei de D-nul I. Dumitrescu-Militari," prin suplica No. 69732/3838 A/1912 MPB 50 (1912): 821–22.

81 MPB, 4 (1908): 33; MPB 18 (1908): 273–75; MPB 10 (1909): 158.

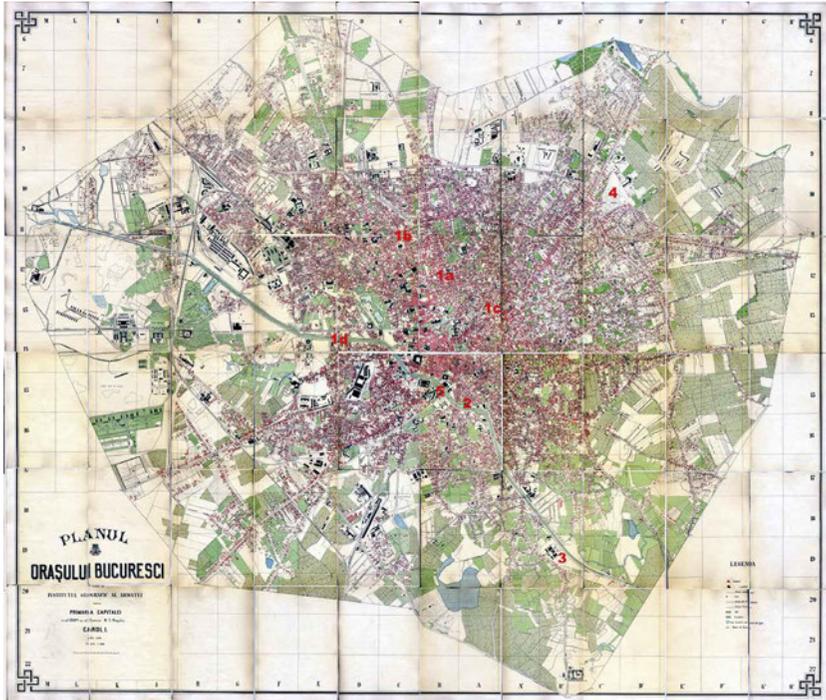


Figure 14.1. Map of municipal laboratories and markets in Bucharest (Institutul Geografic al Armatei 1895).

Legend:

- 1a. Municipal laboratory for chemical analysis—municipal section (1893–1898)
- 1b. Municipal Chemical-Bacteriological Laboratory (1898–1902)
- 1c. Municipal Chemical-Bacteriological Laboratory (1902–1908)
- 1d. Municipal Chemical-Bacteriological Laboratory after reorganization (1908–1916)
2. Milk control laboratory (1905–1908)
3. Abattoir with a laboratory for analyzing meat.
4. Temporary laboratory at Obor, during the Moșilor fair.
5. Central Market Halls.

Conclusions

The creation of the municipal laboratory for chemical and bacteriological analysis was the consequence of profound changes in the understanding of food safety, the fight against epidemics, and the role of the municipal authority in maintaining public health. In Bucharest, these transformations took place gradually in the four decades preceding the First World War. At the same time, the health service and the city administration learned how to

use chemical analysis, what opportunities it offered, and what requirements had to be met for this tool to produce the desired results.

In 1914, the municipal laboratory for chemical and bacteriological analysis had become an indispensable tool in the daily work of the city hall. It enabled the municipal administration to take new types of action to protect the population from diseases, epidemics, spoiled food, dangerous substances, etc. The work of the laboratory was essential in creating and imposing new sanitary-hygienic standards, as is very visible in the case of water: in 1914, for the authorities, the only acceptable water was that which complied with purity standards from a chemical and microbiological point of view.

The establishment of the municipal laboratory enabled the municipality to perform much more extensive control activities. As a result, both the city management and the health service gained a much more accurate and realistic picture of the problems in the food chain and in the field of prevention and control of epidemics. The daily work of the laboratory gradually forced a change in the behavior of market players and helped to reduce the amount of dangerous or adulterated products offered for sale. The laboratory contributed significantly to the identification, prevention, and control of epidemic diseases with a high mortality potential.

About the author

Simion Câlția is assistant profesor at the Department of History, University of Bucharest. His interests focus on urban history but also history of orders and medals in modern Romania. Recent publications include collaboration to the volume *Provocările istoriei militare* (Bucharest: Editura Militară, 2023), edition of *Decorațiile României. Legi, decrete, hotărâri și alte acte normative*, vols.1-2, 1860-1930, 1930-1947 (Bucharest: Editura Universității București, 2022), and “Regulamentele și alte acte normative ale municipalității bucureștene referitoare la piețe și hale (1870–1914)” *Historia Urbana* 31 (2023): 35-61.

Glossary of republican political terms in Transylvanian towns in the early modern period

Original term	English translations in this volume
<i>centumviri, electi seniores, százférfiak tanácsa</i>	the Council of the Hundred, centumviri → outer council of 100 in Cluj, Sibiu, Dej, Braşov → outer council of 60 in Baia Mare ¹
<i>consul, consules</i>	consuls → members of the great or outer council in Dej → appointed assistants to the head judge in Baia Mare, not members of any elected council
<i>iudex, Richter</i>	town judge → head of urban government in Braşov (also called <i>iudex primarius</i>)
<i>iudex primarius, főbíró, főpolgár</i>	head judge, head citizen → head of urban government in Cluj, Dej, Caransebeş
<i>senatores, iurati cives, esküdt polgárok, geschworene Bürger</i>	jurors, sworn councilors, sworn citizens, town fathers, senators → members of the small or inner council of 12 in Cluj, Sibiu, Dej → members of the small or inner council of 16 in Braşov → members of the small council of 6 in Caransebeş → in Baia Mare also named <i>proconsules</i> → members of the great or outer council in Alba Iulia
<i>villicus, Stadthann</i>	town steward
<i>villicus</i>	village steward

¹ Zsolt Kálmán Sütő argues that this council was designated with its Roman republican name of *centumviri*, but it consisted of 60 members: “A nagybányai önkormányzati testület szerkezete a 16–18. Században,” *Erdélyi Múzeum* 1 (2018): 72–73.

Glossary of other historical terms

<i>camerarius</i>	chamberlain (of salt mines)
<i>cneaz</i>	judge or village steward in Romanian villages in Transylvania
<i>kisbíró</i>	bailiff, employee of the judiciary courts
<i>poroszló, pristaldus</i> see also <i>kisbíró</i>	bailiff, employee of the judiciary courts
<i>provisor, udvarbíró</i>	acting judge in market towns (Alba Iulia)
<i>comes curialis</i>	acting judge in the Sătmar castle
<i>viceprovisor, aludvarbíró</i>	deputy acting judge in market towns (Alba Iulia)
<i>requisitor</i>	archivist of the secularized chapter in Alba Iulia
<i>Saxon University</i> — <i>Universitas Saxonum</i>	the judicial, political, and religious forum of the Saxons in Transylvania, including the Seven Seats, the Two Seats, the Burzenland district, and the district of Bistrița

Bibliography

Archival sources

Arhivele Eparhiei Reformată din Transilvania, Cluj-Napoca (Archive of the Transylvanian Reformed Church District, Cluj-Napoca,)

- Parohia Reformată din Dej (Reformed Parish of Dej)

Archiv der Honterusgemeinde, Evangelical Biserica Evanghelică C.A. din România (Archive of the Honterus Community, Evangelical Church A.C. in Romania, AHG)

Biblioteca Academiei Române (Library of the Romanian Academy, BAR)

- Cabinetul de Stampe (Prints Collection)

Biblioteca Națională a României (National Library of Romania)

- Biblioteca Batthyaneum, Alba Iulia (Batthyaneum Library, Alba Iulia, BNR BB)

Magyar Nemzeti Levéltár Országos Levéltára (National Archives of Hungary, MNL OL)

- Erdélyi Országos Kormányhatósági Levéltárak (Gubernium Transylvanicum)
- Gyulafehérvári Káptalan Országos Levéltára (Archive of the Chapter of Gyulafehérvár/Alba Iulia)
 - F 3. Centuriae
 - F 4. Cista Comitatum Comit. Alb.
 - F 234. Erdélyi Fiscalis Levéltár (Transylvanian Fiscal Archives)
- Diplomatikai Fényképgyűjtemény (Collection of diplomatic photographs)
- K. Papp Miklós hagyatéka (Legacy of Miklós K. Papp)
- Kolozsmonostori Konvent Országos Levéltára (Archives of the Convent of Kolozsmonostor/Cluj Mănăstur, KKOL)
 - Cista Comitatum, Com. Solnok Interiori
- F 15. Protocollumok/Protocolla
- Magyar kancelláriai levéltár (A szekció) (Archives of the Hungarian Chancellery, Section A)
- A 57 LR Magyar Királyi Kancellária regisztratúrája Libri Regii (Royal Hungarian Chancellery, Libri Regii)
- Magyar kincstári levéltárak (E szekció) (Archives of the Hungarian Treasury, Section E)
 - Magyar Kamara archivuma (Archives of the Hungarian Chamber)
 - E 210. Vegyes iratok/Miscellanea
 - E 554. Városi és kamarai iratok (Municipal and chamber documents)
- Szepesi kamarai levéltár (Archives of the Spiš Chamber)
- Szepesi Kamara (adminisztráció) regisztratúrája (Registry of the Spiš Chamber [administration])
- Radák család levéltára (Archives of Radák family)
- Teleki család marosvásárhelyi levéltára (Archives of the Teleki family in Târgu Mureș)

Monitorul Primăriei București (Bucharest City Hall Official Journal)

- CG Ședința Consiliului General al Municipiului București (Bucharest city council meeting)
- CI Consiliul de Igienă (Session of the Board of Hygiene)

Magyar Tudományos Akadémia Könyvtára (Library of the Hungarian Academy of Sciences, MTAK)

- Kézirattár (Manuscripts)
- Pesty Frigyes gyűjteménye (Collection of Frigyes Pesty)

Országos Széchényi Könyvtár (National Széchényi Library, OSZK)

- Kézirattár (Manuscripts)
- Másolatok Nagybánya levéltárából (Copies from the archives of Baia Mare)

Serviciul Arhivelor Naționale Istorice Centrale (National Central Historical Archives, SANIC)

- Curtea de Apel București (Court of Appeal of Bucharest)
- Manuscrise (Manuscripts)
- Ministerul Cultelor și Instrucțiunii Publice (Ministry of Religious Affairs and Public Education)

Serviciul Municipiului București al Arhivelor Naționale (Bucharest Municipal Department of the National Archives, SMBAN)

- Primăria Municipiului București (Bucharest City Hall)
- Serviciul Sanitar (Sanitary service)

Serviciul Județean al Arhivelor Naționale Argeș (Romanian National Archives, Argeș County Department, SJAN Argeș)

- Obștea moșnenilor câmpulungeni (The community of the local landowners of Câmpulung)

Serviciul Județean al Arhivelor Naționale Brașov (Romanian National Archives, Brașov County Department, SJAN Brașov)

- Primăria orașului Brașov (Town Hall of Brașov)
- Primăria Sighișoara (City Hall of Sighișoara)
- Protocolul orașului Sighișoara (Protocol of the town of Sighișoara)

Serviciul Județean al Arhivelor Naționale Cluj (Romanian National Archives, Cluj County Department, SJAN Cluj)

- Colecția generală de documente (Centralized document collection)
- Colecția bresle (Collection of Guild Documents)
- Breasla aurarilor din Cluj (The Goldsmiths' Guild of Cluj)
- Documente cu peceti atârnată (Documents with hanging seal)
- Fond familial Bánffy (Fund familial Bánffy)
- Fond familial Bethlen de Criș (Fund familial Bethlen de Criș)
- Fond familial Gyulay-Kún (Fund familial Bethlen de Criș)
- Fondul familial Kornis (Fund familial Bethlen de Criș)
- Fondul personal Mike Sándor (Fund personal Mike Sándor)
- Primăria orașului Bistrița (Town Hall Bistrița)
- Seria I. Documente (Series I. Documents)
- Primăria orașului Cluj (Town Hall of Cluj)
- Protocele de ședință (Minutes of the Town Council)
- Socoteli (Account books)
- Primăria orașului Dej (Town Hall Dej)

Serviciul Județean al Arhivelor Naționale Hunedoara (Romanian National Archives, Hunedoara County Department, SJAN Hunedoara)

- Arhiva orașului Deva (Archives of Deva)
- Colecția de documente (Documents collection)

Serviciul Județean al Arhivelor Naționale Iași (Romanian National Archives, Iași County Department, SJAN Iași)

- Fond Eforie (Fund Eforie)
- Secretariatul de Stat (Secretariat of State)

Serviciul Județean al Arhivelor Naționale Maramureș (Romanian National Archives, Maramureș County Department, SJAN Maramureș)

- Primăria orașului Baia Mare (Town Hall Baia Mare)
- Documente privilegiale (Privileges)
- Protocoale de ședință (Protocols of the town council)
- Primăria orașului Baia Sprie (Town Hall Baia Sprie)

Serviciul Județean al Arhivelor Naționale Mureș (Romanian National Archives, Mureș County Department, SJAN Mureș)

- Primăria Târgu Mureș (Municipal Archives of Târgu Mureș)
- Actele de ședință (Documents of the Town Council)
- Documente administrative și juridice (Administrative and juridical documents)

Serviciul Județean al Arhivelor Naționale Sibiu (Romanian National Archives, Sibiu County Department, SJAN Sibiu)

- Colecția de acte fasciculare (Documents)
- D – Finanțe
- H – Sănătate (Healthcare)
- Colecția Brukenthal (Brukenthal Collection)
- Manuscrise Varia (Miscellaneous Manuscripts)
- Magistratul orașului și scaunului Sibiu (Magistrate of the town and seat of Sibiu)
- Colecția de documente medievale (Collection of medieval documents)
- Protocoale judecătorești (Juridical protocols)
- SE Socoli economice (Economic accounts)
- Socolile amenzilor (Accounts of fines)
- Seria actelor administrative (Series of administrative acts)
- Protocoale de ședință (Protocols of the town council)
- Parohia evanghelică C.A. Mediaș (Evangelical Parish of Mediaș)
- Seria 2. Acte (Series 2. Acts)

Edited sources

Acte judiciare din Țara Românească 1775–1781. Edited by Gheorghe Cronț, Alexandru Constantinescu, and Anicuța Popescu. Bucharest: Editura Academiei Române, 1973.

Analele Parlamentare ale României, vol. 3, part 2. Bucharest: Imprimeria Statului, 1893.

Analele Parlamentare ale României, vol. 13, part. 2. Bucharest: Imprimeria Statului, 1902.

- Armgar, Martin, and Karin Messe, eds. *Die evangelischen Kirchenordnungen des XVI. Jahrhunderts*. Vol. 24, *Das Fürstentum Siebenbürgen: Das Rechtsgebiet und die Kirche der Siebenbürger Sachsen*. Tübingen: Mohr Siebeck, 2012.
- Balogh, István. *Regeszták Szatmár vármegye jegyzőkönyvéből (1593. május 1–1616. augusztus 6. Nyíregyháza: A Szabolcs-Szatmár-Bereg Megyei Levéltár Kiadványai, 1986.*
- Bartoszewicz, Agnieszka, ed. *Album civium Civitatis Antiquae Varsoviae: Księga przyjęć do prawa miejskiego Starej Warszawy 1506–1586*. Warsaw: Naczelna Dykcja Archiwów Państwowych, 2020.
- Bartoszewicz, Agnieszka, ed. *Księgi ławnicze Starej Warszawy z lat 1453–1535*. Warsaw: Wydawnictwa Uniwersytetu Warszawskiego, 2020).
- Bauer, Friedrich Wilhelm von. *Mémoires historiques et géographiques sur la Valachie*. Frankfurt, Henry-Louis Broenner, 1778.
- Berger, Albert, ed. *Urkunden-Regesten aus dem Archiv der Stadt Bistritz in Siebenbürgen, 1203–1570*, vols. 1–2. Cologne: Böhlau, 1986.
- Berger, Albert, ed. *Urkunden-Regesten aus dem Archiv der Stadt Bistritz in Siebenbürgen, 1571–1585*, edited from the manuscripts by Ernst Wagner, vol. III. Cologne: Böhlau, 1998.
- Bogdándi, Zsolt, and Emőke Gálfi, eds. *Az erdélyi káptalan jegyzőkönyvei (1222–1599)*. Cluj-Napoca: EME, 2006.
- Bogdándi, Zsolt, ed. *A kolozsmonostori konvent fejedelemségkori jegyzőkönyvei. I. 1326–1590*. Cluj-Napoca: EME, 2018.
- Călători străini despre Țările Române*. Edited by Maria Holban, Maria Magdalena Alexandrescu Dersca Bulgaru, and Paul Cernavodeanu. Vol. 2. Bucharest: Ed. Științifică, 1970.
- Călători străini despre țările române*. Edited by Maria Holban, Maria Magdalena Alexandrescu Dersca Bulgaru, Paul Cernavodeanu. Vol. 10, part 1. Bucharest: Ed. Academiei Române, 2000.
- Cantemir, Dimitrie. *Descrierea Moldovei*. Bucharest: Editura Academiei R.S.R., 1973.
- Das Eigen-Landrecht der Siebenbürger Sachsen: Unveränderte Wiedergabe des Erstdruckes von 1583*. Munich: H. Meschendörfer, 1973.
- Demény, Lajos, ed. *Székely népesség-összeírások (1575–1627)*. Cluj-Napoca: Erdélyi Múzeum-Egyesület, 1997.
- Derzsi, Julia, ed. *Das Gerichtsbuch des Kronstädter Rates (1558–1580)*. Braşov/Heidelberg: Aldus/AKSL, 2016.
- Documenta Romaniae Historica*, series B, vol. 25. Edited by Constantin Cihodaru, Damaschin Mioc, Ioan Caproşu, and Aurel Răduţiu. Bucharest: Editura Academiei, 1985.
- Documente medievale bănăţene (1440–1653)*. Edited by Costin Feneşan. Timişoara: Facla, 1981.
- Documente privitoare la istoria economică a României: Oraşe şi târguri (1776–1861)*, Moldova, Seria A, vol. 2. Edited by Gheorghe Ungureanu. Bucharest: Direcţia Generală a Arhivelor Statului din R. P. R., 1960.
- Engel, Johann Christian von. *Geschichte der Walachey, Geschichte der Moldau*. Halle: Gebauer, 1804.
- Erdélyi Országgyűlési Emlékek|Monumenta Hungariae Historica*. Edited by Sándor Szilágyi, vol. 2. Budapest: Akadémiai Kiadó, 1877.
- Fejér, Tamás, Etelka Rácz, and Anikó Szász, eds. *Az erdélyi fejedelmek királyi könyvei: János Zsigmond, Báthory Kristóf királyi könyvei, 1569–1581*. Cluj-Napoca: EME, 2003.
- Fejér, Tamás, Etelka Rácz, and Anikó Szász, eds. *Az erdélyi fejedelmek királyi könyvei: Báthory Zsigmond királyi könyvei, 1582–1602*. Cluj-Napoca: EME, 2005.
- Feneşan, Costin, ed. *Diplome de înnobilitare şi blazon din Banat*. Timişoara: Editura de Vest, 2007.
- Flóra, Ágnes. "Kolozsvári ötvösregeszttrum (1554–1790)." *Lymbus: Magyarásztudományi Forrásközlemények* 1 (2003): 25–74.

- Gálfi, Emőke ed. *Az erdélyi káptalan jegyzőkönyvei (1600–1613)*. Cluj-Napoca: EME, 2016.
- Házi, Jenő, and János Németh, eds. *Gerichtsbuch: Bírósági könyv (1423–1531)*. Sopron: Győr-Moson-Sopron Megye Soproni Levéltára, 2005.
- Kapral, Myron, and Bohdana Petrushak, eds. *Liber consulum civitatis Leopoliensis (1460–1506)*. Lviv: National Academy of Sciences of Ukraine, 2020.
- Kolosvári, Sándor and Kelemen Óvári, eds., *Corpus statutorum Hungariae municipalium: A magyar törvényhatóságok jogszabályainak gyűjteménye*, vol. 1. Budapest: Magyar Tudományos Akadémia, 1885.
- Kovács, András, ed. *Gyulafehérvár város jegyzőkönyvei: Gyulafehérvár városkönyve 1588–1674; Gyulafehérvár város törvénykezési jegyzőkönyvei (1603–1616)*. Cluj-Napoca: EME, 1998.
- Literatura românească de ceremonial: Condica lui Gheorgachi*, edited by Dan Simonescu. Bucharest: Fundația Regele Carol I, 1939.
- Lukács, Ladislaus, ed. *Monumenta Antiquae Hungariae*, vol. 2. (1580–1586). Rome: Institutum Historicum Societatis Jesu, 1976.
- Mollay, Károly, and Károly Goda, eds. *Gedenkbuch: Feljegyzési könyv (1492–1543)*. Sopron: Győr-Moson-Sopron Megye Soproni Levéltára, 2006.
- Offner, Robert, and Thomas Şindilariu, eds. *Schwartzer Tod und Pestabwehr im frühneuzeitlichen Hermannstadt: Pestordnungen der Stadtärzte Johann Salzmann (1510, 1521), Sebastian Pauschner (1530) und Johann Stubing (1561)*. Sibiu: Schiller Verlag, 2020.
- Kiss András, Pakó László, and Tóth G. Péter. *Kolozsvári boszorkányperek, 1564–1743*. Quellen zur Ungarischen Hexerei/Stathistorische Quellen 4. Budapest, Balassi kiadó, 2014.
- Pakucs-Willcocks, Mária, ed. “zu urkundt in das Stadbuch lassen einschreiben”: *Die älteste Protokolle der Stadt Hermannstadt und der sächsischen Nationsuniversität (1522–1565)*. Sibiu: Schiller, 2016.
- Pál-Antal, Sándor. *Marosvásárhely XVII–XVIII századi jogszabályai és polgárnévsorai*. Marosvásárhely: Mentor Kiadó, 2006.
- Pârnuță, Gheorghe, and Ștefan Trâmbaciu, eds. *Documente și inscripții privind istoria orașului Câmpulung-Muşcel*, vol. 2. Bucharest: Semne, 1999.
- Paul din Alep: Jurnal de călătorie în Moldova și Valahia*. Edited by Ioana Feodorov. Bucharest: Istros, 2014.
- Postelnic Manolache Drăghici, *Istoria Moldovei pe timp de 500 de ani pînă în zilele noastre*. Edited by Andrei Pippidi. Bucharest: Editura Academiei Române, 2017.
- Potra, George, ed. *Documente privitoare la istoria orașului București (1594–1821)*. Bucharest: Editura Academiei RSR, 1961.
- Pravilniceasca Condiță (1780)*. Edited by Andrei Rădulescu. Bucharest: Editura Academiei RSR, 1957.
- Quellen zur Geschichte der Stadt Kronstadt in Siebenbürgen*, vol. 1 (1503–1526) Braşov, 1876; vol. 2 (1526–1540) Braşov, 1889; vol. 3 (1541–1550) Braşov, 1896.
- Quellen zur Geschichte Siebenbürgens aus sächsischen Archiven*, vol. 1, *Rechnungen aus dem Archiv der Stadt Hermannstadt und der sächsischen Nation* (Sibiu, 1880).
- Regulamentul Organic al Moldovei*. Edited by Dumitru Vitcu, Gabriel Bădărău, and Corneliu Istrate. Iași: Junimea, 2004.
- Schuler von Libloy, Friedrich ed. *Materialien zur Siebenbürgischen Rechtsgeschichte enthaltend*. Vol. 1, *Merkwürdige Municipal-Constitutionen der Siebenbürger Sekler und Sachsen*. Sibiu: Th. Steinhaußen, 1862.
- Seivert, Gustav ed. *Hermannstädter Lokal-Statuten: Festgabe den Mitgliedern des Vereins für siebenbürgische Landeskunde gewidmet im Jahre 1869*. Sibiu: Th. Steinhaußen, 1869.
- Szádeczky, Lajos, ed. *Székeley oklevéltár*. Vol. 5, 1296–1603. Cluj-Napoca: Ajtai K. Albert Könyvnyomdája, 1896.

- Szamosközy, István. *Erdély története (1598–1599, 1603)*. Translated by István Borzsák. Budapest: Magyar Helikon, 1977.
- Szilágyi, Sándor, ed. *Szamosközy István történeti maradványai 1542–1608*. Vol. 4. Budapest: Magyar Tudományos Akadémia, 1880.
- Trausch, Josephus, ed. *Chronicon Fuchsio-Lupino-Oltardinum sive Annales Hungarici et Transilvanici, opera et studio ... Simonis Massae et Marci Fuchsii ... nec non Christiani Lupini et Joannis Oltard, ... concinnati, quibus ex lucubratinibus Andrea Gunesch, ... aliisque manuscriptis fidedignis quaedam adjecit Johannes Ziegler*. Braşov, 1847.
- Ureche, Grigore. *Letopiseşul Ţării Moldovei*. Edited by P. P. Panaitescu, 2nd rev. ed. Bucharest: Editura de stat pentru literatură şi artă 1958.
- Urkundenbuch zur Geschichte der Deutschen in Siebenbürgen*, vol. 2 (1342–1390). Edited by Franz Zimmermann and Carl Werner. Hermannstadt: In Kommission bei Franz Michaelis, 1897.
- Urkundenbuch zur Geschichte der Deutschen in Siebenbürgen*, vol. 4 (1416–1437). Edited by Franz Zimmarmann, Gustav Gündisch, Michael Auners, and Georg Müller. Sibiu: Krafft und Drotleff, 1937.
- Vlaicu, Monica, Radu Constantinescu, Adriana Ghibu, Costin Feneşan, Cristina Halichias and Liliana Popa, eds. *Handel und Gewerbe in Hermannstadt und in den Sieben Stühlen (1224–1579)/ Comerş şi meşteşuguri în Sibiu şi în cele Şapte Scaune (1224–1579)*. Sibiu: Hora, 2003.
- Wolf, Rudolf, ed. *Torda város tanácsülési jegyzőkönyve 1603–1678*. Cluj-Napoca: Erdélyi Múzeum-Egyesület, 1993.

Secondary literature

- Aricescu, Constantin D. *Istoria Câmpulungului, prima residentă a României*. Vols. 1–2. Bucharest: Imprimeria Ferdinand Om, 1855–1856. Reprint ed. Adrian Săvoiu and Gh. Pârnuţă. Bucharest: Ars Docendi, 2007.
- Atlas istoric al oraşelor din România/Historical Atlas of Romanian Towns*. Seria B, Ţara Românească, fasc. 2: *Câmpulung*, edited by Gheorghe I. Cantacuzino, Şerban Dragomirescu, and Dan Dumitru Iacob. Bucharest: Editura Enciclopedică, 2008.
- Bácskai, Vera. "A mezővárosi önkormányzat a 15. században és a 16. század elején." In *Városok és polgárok Magyarországon*, vol. 1, edited by Vera Bácskai, 137–58. Budapest: Budapest Főváros Levéltára, 2007.
- Bácskai, Vera. *Gyula gazdasága és társadalma a XV–XVI században*. Gyula: Békés Megyei Levéltár, 1991.
- Bădărău, Dan, and Ioan Caproşu. *Iaşii vechilor zidiri*. Iaşi: Junimea, 1974.
- Bálint, Emese. "Mechanisms of Hue and Cry in Kolozsvár in the Second Half of the Sixteenth Century." *Journal of Early Modern History* 12 (2008): 235–36.
- Balogh, Judit. "A székelly város a 16–17. században." *Város és társadalom: Studia Miskolcensia* 1 (1993): 27–33.
- Bándi, András. "Bulgarian Lutheran Congregations in Transylvania." *Philobiblon* 24, no. 2 (2019): 383–98.
- Bariska, István. "Bűn és büntetés a pártatlan bíróság és Kőszeg 15–17. századi büntető fórumain." *Győri tanulmányok* 24 (2001): 5–15.
- Benkó, Elek, István Demeter, and Attila Székely. *Középkori mezőváros a Székelyföldön*. Cluj-Napoca: EME, 1997.

- Berindei, Dan. *Orașul București, reședință și capitală a Țării Românești 1459–1862*. Bucharest: Editura Științifică, 1963.
- Beșliu, Petre. *Primăria veche din Sibiu: Casa, oamenii, muzeul*. Sibiu: Muzeul Brukenthal, 2006.
- Binder, Pál. *Közös múltunk: Románok, magyarok, németek, délszlávok feudalizmus kori falusi és városi együttéléséről*. Bucharest: Kriterion, 1982.
- Binder, Paul. "Epidemiile de ciumă din Transilvania în secolul al XVIII-lea (1709–1795)." In *Retrospective medicale: Studii, note și documente*, edited by Gheorghe Brătescu, 173–88. Bucharest: Editura Medicală, 1985.
- Blazovich, László. "A budai jog és Kolozsvár egy 1488-as oklevél alapján." In *Városok és városalakók*, edited by Ionuț Costea, Carmen Florea, Judit Pál, and Enikő Rüszt-Fogarasi, 342–48. Cluj-Napoca: Argonaut, 2006.
- Bogdan, Nicolae Andriescu. *Orașul Iași: Monografie istorică și socială ilustrată*, 2nd rev. ed. Iași: Tipografia Națională, 1913.
- Bogdándi, Zsolt. "A kolozsvári Balásfiak: Egy deákcsalád felemelkedése a 16. Században." *Református Szemle* 6 (2003): 807–13.
- Bogdándi, Zsolt. "Jobbágyok Kolozsvárra költözése a fejedelemség korában." *Erdélyi Múzeum* 74, no. 3 (2012): 68–87.
- Boldea, Ligia. *Nobilimea românească din Banat în secolele XIV–XVI (Origine, statut, studiu genealogic)*. Reșița: Editura Banatica, 2002.
- Botezatu, Daniel. "Catastiful târgului Botoșani." *Acta Moldaviae Septentrionalis* 18 (2019): 177–81.
- Bozac, Ileana, and Teodor Pavel. *Die Reise Kaiser Josephs II. durch Siebenbürgen im Jahre 1773*, vol. 1, 2nd ed. Cluj-Napoca: Editura Academiei, 2007.
- Brătescu, Iuliana. "Mahalaua în Țările Române: Date privind originea și evoluția ei în secolele XVI–XVIII." *Historia Urbana* 25 (2017): 159–72.
- Brătianu, Gheorghe I. *Sfatul Domnesc și Adunarea stărilor în Principatele Române*. Bucharest: Editura Enciclopedică, 1995.
- Bunta, Magdolna. *Kolozsvári ötvösök a XVI.–XVIII. században*. Budapest: Magyar Nemzeti Múzeum, 2001.
- Buza, János. *Magyarországi és erdélyi pénzürtékek a 16–17. században: Közép-európai kitekintéssel*. Budapest: Bölcsészettudományi Kutatóközpont, 2021.
- Câlția, Simion. "Reglementarea igienico-sanitară a producției și a comerțului cu pâine în București la 1900." In *Lumea orașului: Cercetări de istorie urbană*, edited by Simion Câlția, 289–311. Bucharest: Editura Universității din București, 2013.
- Câlția, Simion. "Rolul municipalității în introducerea gheții artificiale în București (1902–1910)." *Historia Urbana* 28 (2020): 171–90.
- Chelcu, Cătălina. "Consecințele economice ale răscumpărării pedepsei în Moldova (secolele XVI–XVII)." In *Pedeapsa în Moldova între normă și practică. Studii și documente*, edited by Cătălina Chelcu, 41–69. Iași: Editura Universității Alexandru Ioan Cuza, 2015.
- Chelcu, Marius. "Ulițe și mahalale: sensuri urbanistice (secolele XVII și XVIII)." *Anuarul Institutului de Istorie "A.D. Xenopol"* 49 (2012): 71–78.
- Cihodaru, Constantin, and Gheorghe Platon, ed. *Istoria orașului Iași*. Vol. 1. Iași: Junimea, 1980.
- Ciocâltan, Alexandru. *Comunitățile germane la sud de Carpați în Evul Mediu (sec. XIII–XVIII)*. Brăila: Istros, 2015.
- Ciubotaru, Mircea. *Grădini, piețe, case și locuri: Studii ieșene*. Iași: Doxologia, 2021.
- Cziráki, Zsuzsanna. *Autonóm közösség és központi hatalom: Udvar, fejedelem és város viszonya a Bethlen-kori Brassóban*. Budapest: ELTE, 2011.
- Derzsi, Júlia. "A városi státútmok és a közrendészeti szabályalkotás kapcsolata az erdélyi városokban a 16. század második felében." In *Certamen I.—Előadások a Magyar Tudomány*

- Napján az Erdélyi Múzeum Egyesület I. szakosztályában*, edited by Emese Egyed, László Pakó and Attila Weisz, 223–35. Cluj-Napoca: Erdélyi Múzeum Egyesület, 2013.
- Derzsi, Julia. *Delict și pedeapsă: Jurisdicția penală în orașele săsești din Transilvania în secolul al XVI-lea*. Cluj-Napoca: Egypetemi Műhely Kiadó, 2022.
- Derzsi, Julia. “Despre prerogativele disciplinare ale breslelor din Transilvania în secolul al XVI-lea: Breslele din Sibiu și Brașov.” *Historia Urbana* 22 (2014): 209–40.
- Derzsi, Julia. “Notarii orașenești la sașii din Transilvania în secolul al XVI-lea.” *Analele științifice ale Universității “Al. I. Cuza” din Iași, Istorie* 66 (2020): 109–28.
- Derzsi, Júlia. “Szeben szék falubírái: Falu és város viszonya a hatósági rendszabályok tükrében.” *Korall* 78 (2019): 76–92.
- Dogaru, Dana Janetta. “Deutsche Kanzleisprache in Siebenbürgen.” In *Kanzleisprachforschung: Ein internationales Handbuch*, edited by Albrecht Greule, Jörg Maier, and Arne Ziegler, 571–88. Berlin: De Gruyter, 2012.
- Dogaru, Dana Janetta. “Zur syntaktischen Ausprägung der deutschen Amtssprache in Hermannstadt in der zweiten Hälfte des 16. Jahrhunderts: Der Verbalkomplex.” *Zeitschrift der Germanisten Rumäniens*, nos. 29–30/31–32 (2006–2007): 509–20.
- Draganu, Nicolae. “Mihail Halici: Contribuție la istoria culturală românească din sec. XVII.” *Dacoromania* 4 (1924–1926): 77–168.
- Draskóczy, István. “Szempontok az erdélyi sóbányászat 15–16. századi történetéhez.” In *Studia professoris—professor studiorum: Tanulmányok Érszegi Géza hatvanadik születésnapjára*, edited by Tibor Almási, István Draskóczy, and Éva Jancsó, 83–117. Budapest: Magyar Országos Levéltár, 2005.
- Engel, Pál. *The Realm of St Stephen: A History of Medieval Hungary*. Translated by Tamás Palosfalvi. London: Tauris, 2001.
- Fejér, Tamás. “A fogarasi partikuláris iskola fejedelemségkori rektorai.” *Erdélyi Múzeum* 72, nos. 3–4 (2010): 110–11.
- Felhő, Ibolya. “A szabad királyi városok és a magyar kamara a XVII. században.” *Levéltári Közlemények* 24 (1946): 209–67.
- Feneșan, Costin. “Caransebeșul la începutul celei de-a doua stăpâniri habsburgice (1688).” *Revista Istorică* 1–2 (1996): 73–85.
- Feneșan, Costin. “Comitatul Severinului la sfârșitul secolului al XVII-lea.” *Tibiscum* (1988): 189–226.
- Feneșan, Costin. “Despre privilegiile Caransebeșului până la mijlocul secolului al XVI-lea.” *Banatica* 2 (1973): 157–63.
- Feneșan, Cristina. *Constituirea principatului autonom al Transilvaniei*. Bucharest: Ed. Enciclopedică, 1997.
- Filitti, Ioan Constantin. *Despre vechea organizare administrativă a Principatelor Române*. Revised edition. Bucharest: Imprimeriile Marvan, 1935.
- Filitti, Ioan Constantin. *Principatele Române de la 1828 la 1834: Ocupația rusească și Regulamentul Organic*. Bucharest: Institutul de Arte Grafice “Bucovina,” 1934.
- Flóra, Ágnes. “A kora újkori kolozsvári elit portréja.” *Urbs: Magyar Várostartörténeti Évkönyv* 3 (2008): 133–44.
- Flóra, Ágnes. “Laborem circumspicere domini notarii: Town notaries in early modern Transylvania.” In *Writing and the Administration of Medieval Towns: Medieval urban literacy*, edited by Marco Mostert and Anna Adamska, vol. 1, 313–35. Turnhout: Brepols, 2014.
- Flóra, Ágnes. “Symbols, Virtues, Representation: The Early Modern Town Hall of Kolozsvár as a Medium of Display for Municipal Government.” *Hungarian Historical Review* 1, nos. 1–2 (2012): 3–21.

- Flóra, Ágnes. *The Matter of Honour: The Leading Urban Elite in Sixteenth Century Transylvania*. Turnhout: Brepols, 2019.
- Fotino, Dionisie. *Istoria Generală a Daciei sau a Transilvaniei și a Moldovei*. Edited by George Sion. Bucharest: Imprimeria națională a lui Iosef Romanov et Companie, 1859.
- Fügedi, Erik. "Középkori magyar városprivilegiumok." In *Kolduló barátok, polgárok, nemesek. Tanulmányok a magyar középkorról*, edited by Erik Fügedi, 238–311. Budapest: Gondolat, 1981.
- Fügedi, Erik. "Mezővárosaink kialakulása a XIV. században." In *Kolduló barátok, polgárok, nemesek*, edited by Erik Fügedi, 321–54. Budapest: Magvető, 1981.
- Galan, Mihail. "Organizarea justiției moldovene în timpul ocupației rusești din anii 1828–1834." *Întregiri: Buletinul Institutului de istoria dreptului vechi românesc* (1938): 97–168.
- Gálfi, Emőke. *A gyulafehérvári hiteleshely levélkeresői (1556–1690)*. Cluj-Napoca: EME, 2015.
- Gálfi, Emőke. "A gyulafehérvári Lippa fertály és a lippai menekültek a 16. század közepén." In *Testimonio litterarum: Tanulmányok Jakó Zsigmond tiszteletére*, edited by Veronka Dáné, Lupescuné Makó Mária, and Sipos Gábor, 141–50. Cluj-Napoca: EME, 2016.
- Gálfi, Emőke. "Az egyházi javak szekularizációja és az erdélyi fejedelmek székvárosának születése." *Erdélyi Múzeum* 78, no. 1 (2016): 27–28.
- Gálfi, Emőke. "Bethlen Gábor hitelezője, Ajtonyi Jakab deák." In *A magyar arisztokrácia társadalmi sokszínűsége, változó értékek és életviszonyok*, edited by Klára Papp and Levente Püski, 115–26. Debrecen: Debreceni Egyetem Történelmi Intézete, 2013.
- Gálfi, Emőke. *Gyulafehérvár és uradalma a 16. század második felében*. Cluj-Napoca: Erdélyi Múzeum Egyesület, 2021.
- Gálfi, Emőke. "Miért maradt mezőváros a fejedelmek székvárosa?" In *Arte et ingenio: Tanulmányok Kovács András hetvenötödik születésnapjára*, edited by Emőke Gálfi, Zsolt Kovács and Klára P. Kovács, 241–51. Cluj-Napoca–Budapest: Erdélyi Múzeum-Egyesület, Bölcsészettudományi Kutatóközpont Történettudományi Intézet, 2021.
- Gálfi, Emőke. "The Secularization of the Castle District in Alba Iulia (second half of the 16th century)." In *Common Man, Society and Religion in the 16th Century: Piety, Morality and Discipline in the Carpathian Basin*, edited by Ulrich A. Wien, 79–89. Göttingen: Vandenhoeck & Ruprecht, 2021.
- Gálfi, Emőke. "The Society of the Residence of the Transylvanian Princes in the Second Half of the Sixteenth Century." *Hungarian Historical Review* 7, no. 4 (2018): 760–84.
- Garrioch, David. *The Making of Revolutionary Paris*. Berkeley: University of California Press, 2004.
- Gavriș, Simion-Alexandru. "Înființarea eforiei orașului Iași (1833): deziderate și realități administrative." *Historia Urbana* 31 (2023): 21–33.
- Georgescu, Florian. "Crearea Sfatului orașenesc al Politiei Bucureștilor." *București: Materiale de istorie și muzeografie* 6 (1968): 139–48.
- Georgescu, Florian, ed. *Istoria orașului București*. Bucharest: Muzeul de Istorie a Orașului București, 1965.
- Georgescu, George. "Câmpulung-Muscel în Cronica franciscanilor de la 1764." *Argesis* 9 (2000): 253–65.
- Georgescu, Valentin Al., and Emanuela Mișuț. *Legislația urbană a Țării Românești, 1765–1782*. Bucharest: Editura Academiei RSR, 1975.
- Ghidiu, Andrei, and Iosif Bălan, *Monografia orașului Caransebeș*. Caransebeș: Tipografia și Librăria diocesană, 1909.
- Giurescu, Constantin C. *Istoria Bucureștilor din cele mai vechi timpuri până în zilele noastre*. Bucharest: Editura pentru Literatură, 1966.
- Giurescu, Constantin. *Studii de istorie social: Vechimea româniei în Țara Românească și legătura lui Mihai Viteazul; Despre rumâni, Despre boieri*. 2nd revised ed. Bucharest: Universul, 1943.

- Granasztói, György. "Társadalmi tagozódás Brassóban a XV. század végén." *Századok* 106, no. 2 (1972): 350–99.
- Grigoraș, Nicolae. *Instituții feudale în Moldova*. Vol. 1, *Organizarea de stat până la mijlocul secolului al XVIII-lea*. Bucharest: Editura Academiei R.S.R., 1971.
- Gulyás, László Szabolcs. *Mezővárosi önkormányzat a középkori Hegyalján*. Budapest: Magyar Nemzeti Levéltár, 2017.
- Gulyás, László Szabolcs. *Városfejlesztés a középkori Máramarosban*. Cluj-Napoca: Erdélyi Múzeum-Egyesület, 2014.
- Gündisch, Gustav. *Aus Geschichte und Kultur der Siebenbürger Sachsen: Ausgewählte Aufsätze und Berichte*. Cologne: Böhlau Verlag, 1987.
- Gündisch, Gustav. "Der Hermannstädter Aufstand des Jahres 1556." In *Aus Geschichte und Kultur der Siebenbürger Sachsen: Ausgewählte Aufsätze und Berichte*, edited by Gustav Gündisch, 201–34. Cologne: Böhlau, 1987.
- Gündisch, Gustav. "Zur Geschichte und Genealogie siebenbürgisch-sächsischer Geschlechter. 3. Die Gotzmeister." *Siebenbürgische Familienforschung* 1 (1984): 2–14.
- Gündisch, Konrad. "Christian Pomarius und die Reformation in Nösnerland." In *Luther und Siebenbürgen: Ausstrahlungen von Reformation und Humanismus nach Südosteuropa*, edited by Georg Weber and Renate Weber, 114–32. Cologne: Böhlau, 1985.
- Gündisch, Konrad. *Das Patriziat Siebenbürgischer Städte im Mittelalter*. Cologne: Böhlau Verlag, 1993.
- Gündisch, Konrad. "Die Führungsschicht von Klausenburg (1438–1526)." In *Forschungen über Siebenbürgen und seine Nachbarn: Festschrift für Attila T. Szabó und Zsigmond Jakó*, edited by Kálmán Benda, 67–92. Munich: Ungarisches Institut, 1987.
- Gündisch, Konrad. "Patriciatul orașenesc medieval al Bistriței până la începutul secolului al XVI-lea." *File de istorie* 4 (1976): 147–93.
- Harhoiu, Dana. *București, un oraș între Orient și Occident/Bucarest, une ville entre Orient et Occident*. Bucharest: Simetria 1997.
- Herbert, Heinrich. "Die Gesundheitspflege in Hermannstadt im siebzehnten Jahrhundert." *Archiv des Vereins für Siebenbürgische Landeskunde* 30 (1901–1902): 254–303.
- Herbert, Heinrich. "Der Haushalt Hermannstadts zur Zeit Karls VI. Mittheilungen aus den Hermannstädter Magistratsprotokollen. A. Die Bürgermeister-Rechnungen; B. Die Wirtschaftsrechnungen." *Archiv des Vereins für siebenbürgische Landeskunde* 24 (1892–1893): 83–229, 438–518.
- Herbert, Heinrich. "Der innere und äussere Rath Hermannstadts zur Zeit Karls VI. Mittheilungen aus den Hermannstädter Magistratsprotocollen." *Archiv des Vereins für Siebenbürgische Landeskunde* 17 (1883): 347–85.
- Herbert, Heinrich. "Die Gesundheitspflege in Hermannstadt zur Zeit Karls VI.: Mittheilungen aus den Hermannstädter Magistrats-Protocollen." *Programm des Evangel. Gymnasiums A.B. und der Damit Verbundenen Realschule, sowie der Evangel. Elementarschule A.B. zu Hermannstadt* (1892/93): 1–34.
- Horn, Ildikó. *Báthory András*. Budapest: Új mandátum, 2002.
- Iacob, Dan Dumitru. "Din istoria străjilor urbane ieșene: culucii (secolul XVIII–mijlocul secolului XIX)." *Ioan Neculce: Buletinul Muzeului de Istorie a Moldovei* 2–3 (1996–1997): 124–48.
- Iacob, Dan Dumitru. "Piețele orașului Iași în secolele XVIII–XIX: 'Medeanul' de la Sfântul Spiridon." *Historia Urbana* 21 (2013): 163–211.
- Iacob, Dan Dumitru. "Principalele atribuții ale poliției ieșene în perioada regulamentară. 'Așezământul' din 31 mai 1832." *Historia Urbana* 8, nos. 1–2 (2000): 55–69.

- Iacob, Dan Dumitru. "Regimul armelor și munițiilor în Moldova perioadei regulamentare." *Europa XXI* 7–8 (1998–1999): 105–15.
- Iacob, Dan Dumitru. "Regulamentul polițienesc privitor la birjele din Iași, din 1856." In *Tezaur: Salvarea patrimoniului, salvarea identității; Buzău 1650 de ani*, edited by Marius-Adrian Nicoară, Dan Dumitru Iacob and Ana Preda-Tudor, 89–97. Buzău: Alpha MDN, 2022.
- Imreh, István. *A törvényhozó székelly falu*. Bucharest: Kriterion, 1983.
- Ionescu-Berechet, Ștefan. "Un monument emblematic și istoria sa uitată: Crucea Jurământului din Câmpulung Muscel." *Argesis* 24 (2015): 147–78.
- Iorga, Nicolae, ed. *Inscripții din bisericile României*. Vol. 2. Bucharest: Institutul de Arte Grafice, 1908.
- Jakab, Elek. *Kolozsvár története*. Vol. 2. Budapest: Magyar Királyi Egyetemi Könyvnyomda, 1888.
- Jakab, Elek, ed. *Oklevéltár Kolozsvár történetéhez*. Vol. 1. Budapest: Magyar Királyi Egyetemi Könyvnyomda, 1870.
- Jakab, Elek, ed. *Oklevéltár Kolozsvár története II. és III. kötetéhez*. Budapest: Magyar Királyi Egyetemi Könyvnyomda 1888.
- Jakó, Zsigmond. "Sigilografia cu referire la Transilvania." In *Documente privind istoria României: Introduce*, vol. 2, edited by Damian P. Bogdan, Francisc Pall, and Zsigmond Jakó, 564–618. Bucharest: Editura Academiei, 1956.
- Jakó, Zsigmond. "Újabb adatok Dés város legrégibb kiváltságlevelének kritikájához." In *Társadalom, egyház, művelődés*, edited by Zsigmond Jakó, 9–26. Budapest: METEM, 1997.
- Kármán, Gábor. "Identity and Borders: Seventeenth-Century Hungarian Travellers in the West and East." *European Review of History—Revue européenne d'histoire* 17, no. 4 (2010): 572–92.
- Katsaitis, Markos Antonios. *Călătorie de la Constantinopol la Iași și de la Iași la București în anul 1742*. Saeculum: Junimea, 1977.
- Kiss, András. "A kolozsvári városi könyvek." In *Emlékkönyv Jakó Zsigmond nyolcvanadik születésnapjára*, edited by Kovács András and Gábor Sipos, 214–29. Cluj-Napoca: EME, 1996.
- Kiss, András. "Ante Claram Bóci (Egy 1565-beli ismeretlen kolozsvári boszorkányper)." In *Más források—más értelmezések*, edited by András Kiss, 291–310. Târgu Mureș: Mentor, 2003.
- Kiss, András. *Boszorkányok, kuruzslók, szalmakoszorús paráznák*. Cluj-Napoca: Kriterion, 2004.
- Kiss, András. "Farsangolás Kolozsvárt—1582-ben." In *Források és értelmezések*, edited by András Kiss, 103–9. Bucharest: Kriterion, 1994.
- Kiss, András. "Kolozsvár város önkormányzati fejlődése az 1458-as 'unióig' és kiteljesedése az 1568-as királyi ítélettel." *Erdélyi Múzeum* 59, nos. 3–4 (1997): 289–97.
- Kiss, András. "Primăria municipiului Cluj-Napoca." In *Îndrumător în Arhivele Statului: Județul Cluj*, vol. 2, 61–64. Bucharest: Arhivele Statului, 1985.
- Klima, Helmut. "Die Slawen von Reußbürgchen." *Siebenbürgische Vierteljahrschrift* 59 (1936): 10–23.
- Kovács, András. "A gyulafehérvári fejedelmi nyomda és szomszédsága." In *Testimonio litterarum: Tanulmányok Jakó Zsigmond tiszteletére*, edited by Veronka Dáné, Mária Lupescuné Makó, and Gábor Sipos, 179–88. Cluj-Napoca: EME, 2016.
- Kovács, András. "Gyulafehérvár, az erdélyi fejedelmi udvar színtere a 16. században." In *Idővel paloták ... Magyar udvari kultúra a 16–17. században*, edited by Nóra G. Etényi and Ildikó Horn, 235–58. Budapest: Balassi, 2005.
- Kovács, András. "Gyulafehérvári séta Bethlen Miklós kancellárral." In *MONOKgraphia: Tanulmányok Monok István 60. születésnapjára*, edited by Judit Nyerges, Attila Verók, and Edina Zvara, 418–23. Budapest: Kossuth, 2016.
- Kovács, András. "Kolozsvár városképe a XVI–XVII. században." In *Kolozsvár 1000 éve*, edited by Tibor Kálmán Dáné, Ákos Egyed, Gábor Sipos, and Rudolf Wolf, 42–59. Cluj-Napoca: EME, 2001.

- Kovács Kiss, Gyöngy. "A játékos város." In *Megidézett múlt*, edited by Gyöngy Kovács Kiss, 9–26. Cluj-Napoca: Komp-Press, 2008.
- Kovács Kiss, Gyöngy. "Pletyka, becsületsértés, rágalmazás a fejedelemség kori Kolozsváron." In *Megidézett múlt*, edited by Gyöngy Kovács Kiss, 27–41. Cluj-Napoca: Komp-Press, 2008.
- Kubinyi, András. "Budai és pesti polgárok családi összeköttetései a Jagelló-korban." *Levéltári Közlemények* 37 (1966): 227–91.
- Kubinyi, András. "Szabad királyi város—Királyi szabad város." *Urbs: Magyar Várostörténeti Évkönyv* 1 (2006): 51–61.
- Kubinyi, András. "Városhálózat a késő középkori Kárpát-medencében." *Történelmi Szemle* 46, nos. 1–2 (2004): 1–30.
- Kubinyi, András. *Városfejlődés és vásárhálózat a középkori Alföldön és az Alföld szélén*. Szeged: Csongrád Megyei Levéltár, 2000.
- Kurz, Anton. "Das rothe Büchel der Stadt Hermannstadt." *Magazin für Geschichte, Literatur und alle Denk- und Merkwürdigkeiten Siebenbürgens* 1 (1844): 239–40.
- Kutschera, Rolf. *Landtag und Gubernium in Siebenbürgen 1688–1869*. Cologne: Böhlau, 1985.
- Lakatos, Bálint. *Mezővárosi oklevelek: Települési önkormányzat és írásbeliség a késő középkori Magyarországon, 1301–1526*. Budapest: Bölcsészettudományi Kutatóközpont Történettudományi Intézet, 2019.
- Lakatos, Bálint. "Torda város öngazgatási szervezete és működése a 16. század végéig." *Erdélyi Múzeum* 85, no. 1 (2023): 19–52.
- Lakatos, Bálint. "Városi nemesek Karánsebesen a 15–16. század fordulóján." *Urbs: Magyar Várostörténeti Évkönyv* 3 (2008): 71–94.
- Magina, Adrian, and Livia Magina. "Medieval Banat." In *O istorie a Banatului: Compendiu*, edited by Ioan Bolovan and Rudolf Gräf, 185–217. Cluj-Napoca: Școala Ardeleană, 2023.
- Magina, Adrian. "In the Hands of the Turks: Captives from Southern Hungary in the Ottoman Empire (14th–16th centuries)." In *State and Society in the Balkans before and after Establishment of Ottoman Rule*, edited by Srđan Rudić and Selim Aslantaş, 65–77. Belgrade: The Institute of History Belgrade, 2017.
- Magina, Adrian. "Inventories of Assets in Wills from Medieval and Early Modern Banat." In *Arrangements before the "Great Passage": Testamentary Practices and their Implications (Western Europe and the Romanian Lands, 16th–19th Centuries)*, edited by Gheorghe Lazăr, 111–26. Konstanz: Hartung Gorre, 2023.
- Magina, Adrian. "Nobility and Written Culture in the South-Western Borderland of the Principality of Transylvania." *Yearbook of the Institute of History Cluj-Napoca*, Supplement 24 (2015): 377–88.
- Magina, Livia. "The Memory of Writing in the Banatian Municipal Institutions during the 15th–17th Centuries." *Transylvanian Review* 22, supplement no. 4 (2013): 284–94.
- Majorossy, Judit, and Katalin Szende. "Libri civitatum: Városkönyvek a középkori Magyar Királyság közigazgatásában." In *Tiszteletkőr: Történeti tanulmányok Draskóczy István egyetemi tanár 60. születésnapjára*, edited by Gábor Mikó, Gábor Mikó, and Bence Péterfi, 319–30. Budapest: ELTE, 2012.
- Marin, Elisabeta. "Jurământul arhivarului, regăsit în primele Instrucțiuni pentru arhivarul orașului Brașov." *Arhiva românească* 1, no. 2 (1995): 161–63.
- Mátyás-Rausch, Petra. "A nagybányai politikai elit és a helyi bányászatban betöltött szerepe a kamarai kezelés éve alatt 1569–1579." *Urbs: Magyar várostörténeti évkönyv* 8 (2013): 65–68.
- Mátyás-Rausch, Petra. *Érbányászat a Báthoryak korában: A szatmári és az erdélyi bányavidék arany-, ezüst- és higanybányászata (1571–1613)*. Budapest: Bölcsészettudományi Kutatóközpont, 2017.

- Mátyás-Rausch, Petra. "Nagybánya városvezető elitje és az önkormányzati testület szerkezete (1569–1600)." In *Certamen III*, edited by Emese Egyed and László Pakó, 271–83. Cluj-Napoca: EME, 2016.
- Müller, Georg Eduard. "Die ursprüngliche Rechtslage der Rumänen im Siebenbürger Sachsenlande." *Archiv des Vereins für Siebenbürgische Landeskunde* 38, no. 1 (1912): 5–234.
- Müller, Georg Eduard. *Stühle und Distrikte als Unterteilung der Siebenbürgisch-Deutschen Nationsuniversität 1141–1876*. Sibiu: Krafft & Drotleff, 1941.
- Nagy, Andor. *Tisztviselői életpályák: A brassói száz vezető elit társadalmi érvényesülése (1650–1750)*. Budapest: Korall, 2024.
- Németh, István H. "A szabad királyi városi rang a kora újkorban." *Urbs: Magyar Várostartörténeti Évkönyv* 1 (2006): 109–22.
- Németh, István H. *Várospolitikai és gazdaságpolitika a 16–17. századi Magyarországon: A felsőmagyarországi városszövetség*. Vols. 1–2. Budapest: Gondolat kiadó, 2004.
- Niedermaier, Paul. "Nucleele oraşului Câmpulung." *Historia Urbana* 24 (2016): 237–41.
- Niedermaier, Paul. *Siebenbürgische Städte: Forschungen zur städtebaulichen und architektonischen Entwicklung von Handwerksorten zwischen dem 12. und 16. Jahrhundert*. Cologne: Böhlau, 1979.
- Niedermaier, Paul. *Städte, Dörfer, Baudenkmäler: Studien zur Siedlungs- und Baugeschichte Siebenbürgens*. Cologne: Böhlau, 2008.
- Nussbächer, Gernot. *Das Kronstädter Rathaus*. Kronstadt: Aldus, 1996.
- Nussbächer, Gernot. "Din activitatea arhivistică a lui Christian Pomarius." *Revista Arhivelor* 8, no. 2 (1965): 169–80.
- Nussbächer, Gernot. "Kronstädter Stadtrichter, Stadthannen und Bürgermeister." In *Kronstadt: Eine siebenbürgische Stadtgeschichte*, edited by Harald Roth, 286–92. (Munich: Universitas Verlag, 1999.
- Nussbächer, Gernot. "Zur Biographie von Thomas Bomelius." *Zeitschrift für Siebenbürgische Landeskunde* 29 (2006): 137–41.
- Nussbächer, Gernot. "Zweyerlei Nationes in Africa." In *Aus Urkunden und Chroniken: Beiträge zur siebenbürgischen Heimatkunde*, edited by Gernot Nussbächer, 95–96. Bucharest: Kriterion, 1981.
- Oancea, Sever Cristian. "Die 'Wahl' des Sachsengrafen Stefan Waldhütter von Adlershausen." *Zeitschrift für Siebenbürgische Landeskunde* 38 (2015): 81–103.
- Oborni, Teréz. "A fejedelemség-kori erdélyi várostörténet kérdéseiről." *Urbs: Magyar várostörténeti évkönyv* 1 (2006): 133–58.
- Oborni, Teréz. *Erdély pénzügyei I. Ferdinánd uralma alatt 1552–1556*. Budapest: Szentpétery Imre Történettudományi Alapítvány, 2002.
- Orbán, Balázs. *A Székelyföld leírása: Történelmi, régészeti, természettudományi szempontból*. Budapest: Tettey Nándor és Társa Bizománya, 1873.
- Pakó, László. "A kora újkori kolozsvári jogügyigazgatók perindítási hatásköréről." In *Közösségek közönségért: Tanulmányok Kiss András születésének 100. évfordulójára*, edited by Ágnes Flóra and László Pakó, 239–58. Cluj-Napoca: Erdélyi Múzeum-Egyesület, 2023.
- Pakó, László. "Zur Rechtspflege und Vermögensverwaltung im Siebenbürgen des 16.–17. Jahrhunderts: Fiskaldirektoren im frühneuzeitlichen Klausenburg (1584–1660)." *Ungarn Jahrbuch: Zeitschrift für Interdisziplinäre Hungarologie* 34 (2019): 69–90.
- Pakucs-Willcocks, Mária. *Sibiul veacului al XVI-lea: Rânduirea unui oraş transilvănean*. Bucharest: Humanitas, 2018.
- Pakucs-Willcocks, Mária. "Transylvanian Civic Sumptuary Laws in the Early Modern Period: Preliminary Observations." *Revista Istorică* 29, nos. 1–2 (2018): 55–73.
- Pál, Judit. *Városfejlesztés a Székelyföldön, 1750–1914*. Miercurea Ciuc: Pro Print, 2003.

- Pál-Antal, Sándor. *A Székelyföld és városai*. Târgu Mureș: Mentor, 2003.
- Pál-Antal, Sándor. *Marosvásárhely története: A kezdetektől 1848-ig*. Târgu Mureș: Mentor, 2009.
- Papacostea, Șerban. "Trade Routes and State-Building: The Early Commercial Policy of Medieval Wallachia and Moldavia." *Revista Istorică* 29, nos. 5–6 (2018): 428–30.
- Petrovics, István. "Foreign Ethnic Groups and Urban Development in the Medieval Kingdom of Hungary: The Cases of Temesvár/Timișoara and Szeged." *Anuarul Institutului de Cercetări Socio-Umane "Gheorghe Șincai"* 12 (2009): 197–213.
- Petrovics, István. *A középkori Temesvár: Fejezetek a Bega-parti város 1552 előtti történetéből*. Szeged: JATEPress, 2008.
- Philippi, Maja. "Die Bevölkerung Kronstadt im 14. und 15. Jahrhundert: Siedlungsverhältnisse und ethnische Zusammensetzung." In *Beiträge zur Geschichte von Kronstadt in Siebenbürgen*, edited by Paul Philippi, 91–155. Cologne: Böhlau Verlag, 1984.
- Philippi, Maja. *Die Bürger von Kronstadt im 14–15. Jahrhundert*. Bucharest: Kriterion, 1986.
- Platon, Gheorghe. "Populația orașului Iași de la jumătatea secolului al XVIII-lea până la 1859." In *Populație și societate: Studii de demografie istorică*, vol. 1, edited by Ștefan Pascu, 250–343. Cluj: Dacia, 1972.
- Pop, Ioan Aurel. *Instituții medievale românești: Adunările cneziale și (boierești) în secolele XIV–XVI*. Cluj-Napoca: Dacia, 1991.
- Popa, Klaus. "Neue Erkenntnisse über den siebenbürgischen Buchdrucker Lucas Trapoldner." *Magyar Könyvszemle* 112 (1996): 358–62.
- Popa-Gorjanu, Cosmin. "From *kenezii* to *nobiles valachi*: the Evolution of the Romanian Elite of the Banat in the Fourteenth and Fifteenth Centuries." *Annual of Medieval Studies at CEU* 6 (2000): 109–28.
- Potra, George. *Din Bucureștii de ieri*. Vol. 1. Bucharest: Editura Științifică și Enciclopedică, 1990.
- Prodan, David. "Judele satului iobăgesc în Transilvania în secolele XVII și XVIII." *Anuarul Institutului de Istorie și Arheologie Cluj-Napoca* 4 (1961): 217–35.
- Rădvan, Laurențiu. *At Europe's Borders: Medieval Towns in Romanian Principalities*. Leiden: Brill, 2010.
- Rădvan, Laurențiu. "Din consecințele Regulamentului Organic: înființarea Eforiei orașului Iași și alegerea primilor săi membri." *Analele Științifice ale Universității "Alexandru Ioan Cuza" din Iași* 69 (2023): 139–55.
- Rady, Martyn. "The Government of Medieval Buda." In *Medieval Buda in Context*, edited by Balázs Nagy, Martyn Rady, Katalin Szende, and András Vadas, 301–21. Leiden: Brill, 2016.
- Roth, Harald. *Kronstadt in Siebenbürgen: Eine kleine Stadtgeschichte*. Cologne: Böhlau Verlag, 2010.
- Sechel, Teodora Daniela. "Contagion Theories in the Habsburg Monarchy." In *Medicine within and between the Habsburg and Ottoman Empires, 18th–19th centuries*, edited by Teodora Daniela Sechel, 55–77. Bochum: Dr. Dieter Winkler, 2010.
- Shusharova, Mariya. "Local Elites and Communities in the Management of Public Order during the 18th Century: Perceptions from the Core European Territories of the Ottoman Empire." *Etudes Balkaniques* 53, no. 3 (2017): 485–533.
- Simon, Zsolt. "Brassó kereskedőelitje az 1503. évi huszadnapló alapján." *Urbs: Magyar várostörténeti évkönyv* 3 (2008): 349–70.
- Simon, Zsolt. "Primele tipărituri din Transilvania (Sibiu 1525)." *Anuarul Institutului de Istorie George Barițiu din Cluj-Napoca* 46 (2007): 89–106.
- Stoicescu, Nicolae. *Sfatul domnesc și marii dregători din Țara Românească și Moldova (sec. XIV–XVII)*. Bucharest: Editura Academiei R.S.R., 1968.
- Szabó, András. *Coetus Ungaricus: A wittenbergi magyar diákság 1555–1613*. Budapest: Balassi, 2017.

- Szabó, András Péter. "Beszterce város levéltárának történetéhez." *Levéltári Közlemények* 78, no. 1 (2007): 99–127.
- Szakály, Ferenc. *Mezőváros és reformáció: Tanulmányok a magyar polgárosodás kérdéséhez*. Budapest: Balassi, 1995.
- Szász, Anikó. "Gesellschaftliche Konflikte im Siebenbürgen des 16. Jahrhunderts. Das Beispiel des Marktfleckens Desch (1541–1600)." *Ungarn-Jahrbuch: Zeitschrift für interdisziplinäre Hungarologie* 34 (2019): 30–41.
- Szász, Anikó. "Nemesek Désen (1541–1600)." In *Peregrináció és erudíció: Tanulmányok Tonk Sándor tiszteletére*, edited by Zsolt Bogdándi and Mária Lupescu Makó, 423–34. Cluj-Napoca: Erdélyi Múzeum-Egyesület, 2020.
- Szende, Katalin. "Iure Theutonic? German Settlers and Legal Frameworks for Immigration to Hungary in an East-Central European Perspective." *Journal of Medieval History* 45, no. 3 (2019): 360–79.
- Szende, Katalin. "Towns and the Written Word in Medieval Hungary." In *Writing and the Administration of Medieval Towns*, edited by Marco Mostert and Anna Adamska, 123–48. Turnhout: Brepols, 2014.
- Szende, Katalin. *Trust, Authority, and the Written Word in the Royal Towns of Medieval Hungary*. Turnhout: Brepols, 2018.
- Teutsch, Georg Daniel. *Geschichte der Siebenbürger Sachsen für das sächsische Volk*. Vol. 1, *Von den ältesten Zeiten bis 1699*. Sibiu: W. Krafft, 1925.
- Tringli, István. "A kora újkori kodifikáció és a Hármaskönyv." In *Szokás és szabadság: Tanulmányok a középkori magyar jogszokások és kiváltságok történetéhez*, edited by István Tringli, 85–100. Budapest: Line Design Kiadó, 2017.
- Trócsányi, Zsolt. *Erdély központi kormányzata 1540–1690*. Budapest: Akadémiai Kiadó, 1980.
- Vintilă, Constanța. *Changing Subjects, Moving Objects: Status, Mobility, and Social Transformation in Southeastern Europe, 1700–1850*. Leiden: Brill, 2022.
- Vintilă-Ghițulescu, Constanța. *Evgheniți, ciocoi, mojiți: Despre obrazele primei modernități românești, 1750–1860*. Bucharest: Humanitas, 2013.
- Wagner, Ernst. *Die Pfarrer und Lehrer der Evangelischen Kirche A.B. in Siebenbürgen*. Cologne: Böhlau, 1998.
- Weisz, Boglárka. *Markets and Staples in the Medieval Hungarian Kingdom*. Budapest: Research Centre for the Humanities, 2020.
- Zimmermann, Franz. *Das Archiv der Stadt Hermannstadt*. Sibiu: Verlag des Archives, 1881.

Index

The entries in this index follow the editorial decision of using the current official toponyms, although many places in the historical provinces have names in other languages, which at given times were in use as official placenames. These variants are provided in parantheses, first in Hungarian and then in German.

- Abrud (Abrudbánya, Gross-Schlatten/Altenburg), town in Romania 107, 186
town council with 12 members 95
- Aiud (Nagyenyed, Straßburg am Mieresch), town in Romania 104, 107
town council with 12 members 95
- Ajtonyi, Jakab, citizen of Alba-Iulia, customs officer in Lipova 80
- Alba Iulia (Gyulafehérvár, Weissenburg), town in Romania 13, 28, 36, 69–72, 74–75, 77–79, 81–86, 158
former seat of Catholic bishopric 70
noble residents 20, 69, 78, 79, 84–87
inner council of 12 75, 77
main square 69–71, 78, 79, 85
neighborhoods 75
 Bódog 74
 Lippa (Lipova) 74–75, 82, 86
 Maior 74, 78
 Tégla 74
 Tövis (Teiuş) 74
princely court and residence 25, 27, 28, 69, 70, 73, 74, 80, 83, 85, 164
protocol book 77, 147, 160, 161
senators (40) 75, 77
town hall 78
town square outside the walls 69–71, 73 n. 6, 77, 78, 81, 85
- Alexandru Iliaş, prince of Wallachia 217
- Andrea (Păulescu), town judge of Câmpulung 209–213, 222
- Angelescu, Nicolae I, pharmacist 300
- Avrig (Felek, Freck), village in Sibiu county 13
judge 61
jurisdiction of Sibiu 51
statutes 52, 54–56, 59, 60, 62
village council 61
village steward 63, 64
- Baia Mare (Nagybánya, Großneustadt/Frauenbach), town in Romania 13, 29, 114–117, 120, 123
centumviri 118
consuls 121, 123, 125
customs office 116
electoral practices, parity system 117–120
inner council 25, 118–125
judges 117, 119–122
legal status 112, 113, 117
miners as political actors 111, 121–123, 125, 126
mining chamber 115, 116, 122, 123, 125
rebellion 119, 120
town protocol book 119, 120, 123
- Baia Sprie (Felsőbánya, Mittelstadt), town in Romania 114 n.19, 120
- Balassi, Menyhárt, Transylvanian nobleman 98
- Banat, administrative unit 127, 128–133, 137–139, 140, 243
- Baranya, county in Hungary 82, 83
- Basarab, Matei, prince of Wallachia 207–210, 217
- Basta, Giorgio, general of the Habsburg army 136
- Báthory, family 105, 112, 116
András (of Ecsed) 118
Andreas, cardinal, voivode of Transylvania 83–84, 103
Christopher, voivode of Transylvania 104, 106–108
Gabriel, prince of Transylvania 111
István, comes of Szeklers 165
Sigismund, voivode and prince of Transylvania 47, 84, 104, 106–108, 114 n. 19, 118, 135
Stephen, prince of Transylvania (1571–1586) 19, 74, 95, 98, 104–106, 159
- Beiuş (Belényes), town in Romania 99
- Belawar, István, judge of Dej 96
- Bélteki, Sámuel, judge of Dej 96
- Benkner, family 197
David, councilor in Braşov 196 n. 51
Johann, judge of Braşov 195–197
Johann, councilor in Braşov 196, 197
Marcus, notary in Braşov 196 n. 51
Sara 196
- Benó, Mihály, scribe at the great chancery 82–84
- Bethlen, family 112
Gabriel, prince of Transylvania 22, 80–81, 84, 113, 114 n.16, 164, 197
Wolfgang, historian 136
- Bibescu, Gheorghe, prince of Wallachia 220
- Bistriţa (Beszterce, Bistritz/Nösen), town in Transylvania 34, 57, 146, 148
sumptuary laws 17
account books 148

- protocol book 152
 town notaries 152
 patriciate 186, 187
 Bomelius, Thomas, notary in Sibiu 155
 Bornemissza, Gergely, centumvir in Cluj 47–50
 Bornemisza, Pál, imperial commissioner 118
 Boronkai, family
 János 80
 László 79
 Borsos, Tamás, judge of Târgu Mureş 163, 164, 166, 172, 177, 179
 Botescu, Haralambie, deputy mayor of Bucharest 299, 300
 Bradu (Fenyőfalva, Gierelsau), village in Sibiu county 64, 65
 Brâncoveanu, Constantin, prince of Wallachia 251
 Braşov (Brassó, Kronstadt), town in Romania 13, 25, 28, 34, 77, 70, 146, 184, 186, 192, 232, 238, 245
 town statutes 18, 20, 62
 account books 148, 200
 protocol book 149, 178
 patriciate 183, 187, 188, 190, 193, 194, 199, 201
 plague 238, 242
 trading privileges 191
 town officials, town council 194, 195, 198, 200
 Brătianu, Vintilă, mayor of Bucharest 299
 Bruckner, Johann, city surgeon of Sibiu 233
 Brussels, capital of Belgium 291, 300
 Bucharest (Bucureşti, Bukarest), capital of Wallachia 18, 20, 25–28, 247, 248, 253, 254, 270
 agia 250, 261, 262, 264, 277, 287
 Appellate Court 221
 Armenians 256, 263
 Board of Hygiene 290, 292, 294, 297, 301, 305
 boundaries, crosses 255, 257
 Bulgarians 256
 census 256
 city council 252, 258, 260, 270
 city hall 289, 295
 Communal Gazette 307
 Faculty of Medicine laboratory 293
 Greeks 256
 immigration 255–257, 266
 inns, taverns, coffeehouses 250, 260, 261, 263–265
 Institute of Bacteriology 296
 Institute of Chemistry 300
 Jews 263
 maidan 258, 269
 Mogoşoaiei road 260
 municipal laboratory 294–297, 301–305, 308
 neighborhoods (*mahalale*) 256, 258, 259, 262
 night guards 260, 262, 275
 nizams and decrees 248, 250, 255, 256, 258, 261–265
 Obor market 299, 308
 Phanariot court 247
 police force 265, 272
 politia 249, 250, 257, 260, 267
 Serbians 256
 slaughterhouse 297, 298
 spătăria 251
 Turks 263
 University Chemical Institute 293–295
 urban administration and regulations 252, 256, 258
 Buda, medieval capital of Hungary 85 n. 103, 128, 154, 155
 code of law, customary law 121 n. 55, 130, 134, 141
 Ottoman conquest 69, 70
 Bungard (Bongárd, Baumgarten), village in Sibiu county 53, 62 n. 48, 240
 Burzenland (Barcaság, Țara Bârsei), territory of Saxons in Braşov District 60 n. 39, 62, 195 n. 5, 196, 199, 200
 statutes 59, 62
 Câmpulung (Muscel), town in Wallachia 13, 18, 25, 216, 221
 Catholic community 212, 213
 census 217
 Cross of Oath 203–208, 211, 222
 Cloth of town 203, 204, 219, 222
 denizens (*moşneni*) 204, 216
 monastery
 Orthodox 205, 210
 Franciscan (*Bărăția*) 212, 213
 neighborhoods (*mahalale*) 218, 222
 Saxon colonists 211–215
 St. Elias weekly fair 208, 209, 211
 trial over citizenship 219
 town judges 204, 209, 210, 212–214
 town seal 212, 213
 urban autonomy and privileges 203, 206, 208, 210, 212, 214, 215
 Cantacuzino (Cantacuzene), Şerban, prince of Wallachia 210, 212
 Caradja, Yanko, prince of Wallachia 260
 Caransebeş (Karánsebes, Karansebesch), town in Romania 13, 20, 23, 25, 76, 127, 128, 130–132, 139–141
 archdeaconry 133
 district (Sebeş) 132, 133, 135, 141
 fortress (near Caransebeş) 130
 head judge 132, 137
 noble families 132, 137, 139, 141
 town council 137, 138
 town law 134, 141

- town notary 99, 138
 refugees 76, 85
 Romanian community and nobles 134, 140
- Cergău Mare (Magyarcserged, Großschergied),
 village in Sibiu county 53
- Cergău Mic (Kiscserged, Kleinschergied),
 village in Sibiu county 53
- Chioar (Kővár), castle in Transylvania 105
- Chrestel, family 197, 198
- Cisnădie (Nagydisznód, Heltau), town in
 Romania 63 n. 56, 64
- Cluj (Cluj-Napoca, Kolozsvár, Klausenburg),
 town in Romania 13, 16, 17, 23, 50, 77, 82,
 98, 106, 125, 154, 159, 166
 centumviri 24, 33–46
 customary law 47
 directors 39
 head judge 37, 38, 40–46, 159
 judiciary 36, 40, 42–44
 juridical status and autonomy
 29, 34, 117
 main square 79
 notaries 37, 38
 patricians 186, 188
 plague 231
 procurators 38
 protocol books 45, 188, 200
 royal judge 37
 parity system 117, 118
 town statutes 39–41, 43, 46
- Cluj-Mănăştur (Kolozsmonostor, Abtsdorf),
 convent, place of authentication 84, 159
- Cluj-Napoca *see* Cluj
- Codlea (Feketehalom, Zeiden), town in
 Romania 196
- Cojocna (Kolozs, Salzgrub) 92, 107
- Constantinople *see* Istanbul
 patriarchate 249
- Csakor, Ferenc, nobleman in Dej 105
- Czumpolius, Sebastian, town and provincial
 notary of Sibiu 55
- Daia (Dolmány, Thalheim), village in Sibiu
 county 66
- Dâmbovița, river 301
- Dâmbieni (Deményháza), village in Mureș
 county 67
- Draudt, family 197–199
 Georg, senator, town judge in Brașov 199
 Jacobus, senator in Brașov 198
 Johann, town judge in Brașov 198
 Martin, senator in Brașov 199
 Michael, senator in Brașov 199
 Simon, town judge in Brașov 199
- Debrecen, town in Hungary 93
- Dej (Dézs, Deesch), town in Romania 13, 20,
 21, 92, 98, 104, 106, 107
 inner (town) council of 12 94, 99, 101, 102,
 106, 109, 110
- judges 94–96, 108
- juridical status and privileges 92, 93,
 102–104
- jurors and councilors 94
- main square 98
- notary 99
- noble residents 97, 99, 103, 105, 108
- outer council 95
- salt chamber 97, 102
- salt cutters 95, 103, 104, 109
- salt mine 25, 91, 92
- seals 101–103
- protocol book 99, 101
- town hall 100
- wine sale 108
- Dernschwam, Hans, merchant 83
- Dobó, István, voivode of Transylvania 107
- Drăghici, Manolache, historian 276, 277
- Dragoslavele, village in Wallachia, customs
 station 208
- Duca, Gheorghe, prince of Wallachia 207,
 210, 211
- Făgăraș (Fogaras, Fogarasch), town and castle
 in Romania 83
- Fejérvári, István 80
- Feleac (Felek), village in Cluj county 42, 45
- Felix, Iacob, physician in Bucharest 293
- Fenar, neighborhood in Istanbul 249
- Ferdinand I of Habsburg, king of Hun-
 gary 103, 117, 154
- Fiat, family in Caransebeș 132, 136, 140
 Ioan 135
 Ludovic, judge of Caransebeș 138
 Sigismund, judge of Caransebeș 135, 137, 139
- Fleischer/Fleischerul, Barbo, inhabitant of
 Șelimbăr 65
- Fodor, family 136, 138–140
 Francisc 136
 Mihail, judge in Caransebeș 136, 138
- Fotino, Dionisie, historian 251
- Fotino, Mihai, jurist 251
- France 15, 83
- Franck, Jerch, inhabitant of Daia 66
- Fronius, family 195, 198
 Marcus 197
 Matthias, senator and notary in
 Brașov 196
 Michael 196, 197
- Fuchs, family 195, 197
 Marcus, priest in Brașov 199
- Gárdonyi, Ferenc, canon dean in Alba Iulia 79
- Gelem, Merten, village steward of Vurpăr 66
- Geneva, town in Switzerland 82, 83
- Gherla, fortress 103, 107
- Ghica, family
 Alexandru, great logothetes of Moldavia 283
 Alexandru Scarlat, prince of Wallachia 217

- Grigore (II), prince of Moldavia 275
 Grigorie (Grigore I), prince of Wallachia 209, 210
 Grigore Alexandru, prince of Moldavia 276, 278
- Gotzmeister, Koloman, royal judge of Sibiu 63
 Greissing, family 195, 197
 Stephan, senator in Braşov 199
- Gyógyi, Péter, head judge of Alba Iulia 75 n. 18, 81 n. 68, 85
- Gyulai, Márton deák, judge of Dej 96
 Gyulai, Zsófia, widow of István Sipos 80
- Habsburg monarchy 19, 25–27, 229, 230, 232 n. 22, 234, 237, 238, 243–245 *see also* Vienna
- Hagymási, aristocratic family in Transylvania
 Kristóf 106
 Miklós 106
- Halici, family 137
 Mihail, citizen of Caransebeş 140
- Hamvai György, captain of Gherla 107
- Han, Michael, city and provincial notary in Sibiu 55
- Hançerli, Constantine, Phanariot prince of Wallachia 262
- Hegenitius, Trostfried, physician in Braşov 238, 239
- Hendel/Hendelius, Isaac/Isaacus, clerk of the court of Sibiu 53, 54 n. 11,
- Hermannstadt *see* Sibiu
- Hirscher, family 195–198
 Apollonia 196, 197
 Barbara 196 n. 52
 Bartholomäus 193 n. 40
 Georg, priest in Codlea 196 n. 52
 Johann, senator in Braşov 196 n. 52
 Lucas, town judge of Braşov 196, 198
 Paul 196 n. 52
 Sara 197
 Valentin, councilor and notary in Braşov 196 n. 52
- Hirscher, street in Braşov 193
- Huet, Albert, royal judge of Sibiu 57
- Hunedoara (Vajdahunyad, Eisenmarkt), town in Romania 95
- Hungary, kingdom 19, 22, 82, 94, 95, 112, 113, 128, 131, 146, 147, 151, 163, 190, 191, 230
Partium 26
- Hutter, Jacob, physician in Sibiu 233
- Iaşi (Jassy), town in Romania, capital of Moldavia 13, 27, 273
agia 269, 273, 277, 278, 280, 281, 287
 city council 270, 278, 283
eforia 278–280
hătmănia 276, 277
 medieval institutions 273
 modern police force 25, 272, 277–281, 286, 287
 night guards 275
 population 282
 public guards (*culucii*) 277, 282
 urban regulations and town planning 270, 278, 283, 285
- Igeni, Gergely, head judge of Alba Iulia 80, 81 n. 68
- Iorga, town judge of Câmpulung 212, 213
- Istanbul, capital of the Ottoman Empire 164, 249, 278, 306 *see also* Ottoman Empire
 Porte (High Porte) 130, 249, 273, 275
- Italy 83
- Jeckel, family 195, 197
 Georg, town councilor 196, 199
 Jeremias, town priest in Braşov 196
- Joseph I, Habsburg emperor 243
 Joseph II, Habsburg emperor 244
- Jósika, family 137, 138
 István 79
- Kalmár, Tamás, judge of Dej 96
- Kaproncai, Márton, inhabitant of Alba Iulia 80
- Keresztúri, Kristóf, salt chamberlain in Dej 105
- Khamer, Peter, seat judge of Sibiu 63
- Klein(er), Blasius, Franciscan friar 212, 213, 253
- Koch, Joachim, mayor in Mediaş 197
- Konnert, Paul, village steward of Daia 66
- Kotzi, Samuel, physician in Sibiu 233
- Kozárvári, Máté, judge of Dej 96, 99
- Königsboden (Pământul Crăiesc, Királyföld), Land of the king 57
- Körmend, town in Hungary 93
- Lakatos, János, town judge of Baia Mare 121, 122
- Lapuhas, János, judge of Dej 96
- Laskai, Csókás Péter, Reformed pastor, theologian, schoolmaster 82, 83
- Laskó (Lug), town in Croatia 83
- Leon Tomşa, prince of Wallachia 216
- Leopold I, Habsburg emperor 140
- Levoča (Lőcse, Leutschau), town in Slovakia 238
- Lencsés, György, inhabitant of Alba Iulia 79
- Lipova (Lippa), town in Romania 74, 80, 82, 128, 129
 conquest by Ottomans 130
 neighborhood of Alba Iulia *see* Alba Iulia
 settlers 129
 town council 129
- Lobkowitz, prince of, Johann Georg Christian 227
- Louis I of Anjou, king of Hungary 112, 132, 191
- Lugoj (Lugos, Lugosch), town in Romania 128, 130, 131, 136, 137, 140

- Mágyás, Gergely, judge of Dej 96, 97
- Martinuzzi, George, treasurer, governor of Hungary 92, 103, 118, 119
- Máté deák, judge of Dej 96
- Matthias Corvinus, king of Hungary 104 n. 79, 132, 133
- Mátyus, Mihály, nobleman in Dej 105
- Mavrocordatos, Constantine, Phanariot prince in Moldavia 275
in Wallachia 203, 204
- Mavrogheni, Nicolae, prince of Wallachia 211, 250, 256
- Mediaş (Medgyes, Mediasch) 28, 55 n. 12, 170, 243 n. 65,
protocol book 148
- Micşa, Nicolae, judge in Caransebeş 37
- Miechów, monastery in Poland 83
- Mildt, Johannes, town notary in Sibiu 154, 155
- Miles, Simon, mayor of Sibiu 57
- Mindszenti, Benedek, Hungarian nobleman 80
- Minovici, Ştefan, physician 300
- Miskolc, town in Hungary 93
- Moldavia, principality of Moldavia 19, 23, 25, 66, 67, 269–271, 273, 278 *see also* Organic Regulations
Phanariot rulers 249, 275
police force 286, 287
revolution of 1848 286
towns 23, 27, 147
villages 285
- Moruzi (Moruzzi), Alexandru, Phanariot prince
in Moldavia 276, 277
in Wallachia 249, 262, 264
- Nagy, Simon, citizen in Baia Mare 122, 125
- Németi, Mészáros Márton, head judge of Alba Iulia 76, 77, 85, 158
- Nyrő, Kálmán, head judge and royal judge in Cluj 47, 49
- Nou (Szászújfalú, Neudorf), village in Sibiu county 65
- Nösner, Georg, village steward of Avrig 64
- Ocna Dejului (Désakna, Salzgrube), settlement, part of Dej 92, 103 n.76, 108
- Ocna Sibiului (Vizakna, Salzburg), town in Romania 79, 92
- Organic Regulations, first constitutions of Romanian principalities
Moldavia 27, 269, 278–280, 283 n. 54, 286, 287
Wallachia 27, 203, 204, 219, 247, 266
- Ottoman Empire 19, 26, 27, 70, 74, 86, 129, 130, 141, 243, 249, 250, 270, 273 *see also* Istanbul
- Ötvös, András, centumvir in Cluj 46, 47
- Ötvös, János, judge of Dej 96
- Ötvös, Lőrinc, goldsmith in Baia Mare 119
- Panzini, Leonardo, Italian traveler 254
- Paris, capital city of France 278, 291, 300
- Patai, Lőrinc deák, judge of Dej 96
- Paul of Aleppo, travel writer 274
- Pauschner, Sebastian, physician in Sibiu and Braşov 159, 238
- Péchy, Miklós, goldsmith in Baia Mare 119
- Pécs, town in Hungary 82
- Pécsi, family
Anna, inhabitant of Alba Iulia 82–86
István, mintmaster in Cluj, father of Anna 82
- Petrovich (Petrovics), Péter, governor of Hungary 102 n. 72, 103
- Petru Cercel, prince of Wallachia 80
- Peyssonnel, Charles-Claude de, French diplomat in Bucharest 253
- Pigafetta Marc'Antonio, traveler 83
- Poltzer, August, chemist 300
- Pomarius (Baumgartner), Christian, town notary 152, 155, 186
- Poplaca (Poplăka, Gunzendorf), village in Sibiu county 64
judge (*Schude*) 64
- Popp, Johann Michael, plague surgeon in Sibiu 233
- Protopopescu-Pake, Em., mayor of Bucharest 296
- Radu Mihnea, prince of Wallachia 206, 208
- Radu Negru, Negru-vodă, legendary prince of Wallachia 207, 208, 212, 213
- Rákóczi, family 112
George I, prince of Transylvania 135
- Reicherstorffer, Georg, notary in Sibiu 154, 155
- Romanian principalities 19, 27, 249, 269, 270, 275, 278, 287 *see also* Moldavia, Wallachia
- Romanis (*Gypsies, Zigeuner*) 64, 95, 103, 240, 242, 254, 255, 257
- Rudolf I, king of Hungary 113, 114 n. 19, 117
- Rupea (Kőhalom, Reps), town in Romania 55 n. 12
- Rusciori (Oroszcsúr, Reußdörfchen), village in Sibiu county 13, 51, 55–62
- Ruşi (Rüsz, Reußen), village in Sibiu county 66
- Săcădate (Oltszakadát, Sakadat), village in Sibiu county 13, 51
Hungarians 61
Romanians 59, 61
statutes 53, 55–62
village council 61
- Sätmar castle 125
- Şard (Sárd), village in Romania, council house 78
- Sárdi, Miklós, town lawyer of Alba Iulia 80
- Satu Mare (Szatmárnémeti, Sathmar), town in Romania 93

- Scarlat, judge of Câmpulung 210
- Schmidt von Scharffenbach, Thomas, senator in Sibiu 235
- Schunkabunk, family 197
- Sebeş (Szászsebes, Mühlbach), town in Romania 55 n. 12
- Saxon Seat 235
- Seraphini, Georg, town notary in Bistrița 152
- Seven Seats (Șapte Scaune, Hétszék, Sieben Stühle) of the Transylvanian Saxons 55 n. 12, 164
- Șelimbăr (Sellenberk, Schellenberg), village in Sibiu county 65
- village steward 65
- Sibiu (Nagyszeben, Hermannstadt), town in Romania 13, 28, 34, 148, 232, 237, 240, 243, 245, 246
- citizenship 20
- council and urban institutions 16, 28, 51, 53–57, 59, 149, 157, 234, 240, 241, 245
- jurisdiction over villages 25, 29, 51, 53, 56, 61, 65, 67
- gates 241, 244
- Great Square (*Grosser Ring*) 243
- mayor 56, 57, 63
- notaries 152–155
- plague epidemics 25, 227, 228, 233–235, 238, 240, 241, 246
- protocol book 25, 145–161, 178, 230
- public health 25, 229, 231
- royal judge 55, 56, 59
- Sanitary Commission 227, 228, 231, 237, 238, 240
- statutes 52, 53, 56, 58, 156, 239, 244
- sumptuary laws 18, 157
- town house 77, 152
- town physicians 232, 239, 245
- Sibiu
- province (town and the Seven Seats) 55
- Seat, administrative unit of Transylvanian Saxons 51–53, 58, 62–65
- Sic (Szék), village in Cluj county 92
- Sighișoara (Segesvár, Schäßburg), town in Romania 235
- Sigismund of Luxemburg, king of Hungary, Holy Roman emperor 132, 133
- Sipos, István, head judge of Alba Iulia 80
- Spiš (Szepes) chamber, financial administration of Eastern Hungarian counties 113, 114 n. 16, 116, 120
- Spiš, historical region in Slovakia 238
- Stanca, wife of Petru Cercel 80
- Stenner, Friedrich Wilhelm, archivist in Brașov 194
- Sós, Márton, judge of Dej 96
- Soutzos, Phanariot family
- Alexander, prince of Wallachia 250, 265, 266
- Mihai (Michael), prince of Wallachia 205, 255, 262
- Szabó (Nyíró) István, head judge of Alba Iulia 81, 84–85
- Szackmári, Szígyártó János, head judge of Alba Iulia 75
- Szamosközy, István, historian 81, 84, 86
- Szápolya *see* Szapolyai
- Szapolyai, family 26, 105
- Isabella (*Izabella*), queen of Hungary 45, 46, 70, 102 n. 72, 103, 105, 108 n. 110, 118
- John I 92
- John II (Sigismund), king of Hungary and prince of Transylvania 46, 74, 79, 98, 104, 130
- Szeged, Ferenc, mine owner in Baia Mare 121, 122, 125
- Székely, Gergely, judge of Dej 96
- Székely, János, salt chamberlain in Dej (1596) 96
- Székely, Moses, comes of the Szeklers 84
- Székesfejérvári, András, serviceman of King John II. (John Sigismund) 79
- Szeklerland (Țara Secuilor, Székelyföld), Land of the Szeklers 25, 67, 184
- Szígyártó, Gergely, judge of Dej 96
- Szilágyi, Bálint, judge of Dej 96
- Szócs, Gergely, judge of Dej 96
- Târgu Mureș (*Székelyvásárhely*/Marosvásárhely, Szeklerburg/Neumarkt), town in Romania 83, 163–165
- Franciscan monastery (*Castell*) 164
- juridical status 164, 174
- noble residents 175, 177
- protocol book 165–171, 175, 176, 179
- statutes 165, 168, 169, 171, 172, 177–179
- suburb 164, 169, 175
- town hall 176
- town officials 164, 167, 170, 173, 178
- walled town 174, 175
- Teaca (Teke, Tekendorf), village in Bistrița county 95
- Temesvári, János deák, judge of Dej 96
- Temeswar *see* Timișoara
- Timiș, river in Romania 130
- Timișoara (Temesvár, Temeswar), town in Romania 74, 127–130, 243
- Trapoldianus, family
- Lucas, town notary of Sibiu 154, 155
- Emanuel, town notary of Sibiu 154
- Török, István, judge of Dej 96
- Transylvania, autonomous principality and province of the Habsburg monarchy 13, 16–19, 22–29, 33, 36–38, 40, 41, 49, 62, 69, 70, 75, 79, 82, 83, 85, 91–94, 97, 106, 107, 111, 112, 115, 116, 127, 130, 131, 136, 141, 146–151, 153, 155, 158, 163, 184, 185, 190, 192, 213–215, 217, 227, 229–231, 243, 245
- Diet 19, 26, 28, 48 n. 65, 106, 112, 113, 131, 163

- princes 19, 26, 28, 29, 34, 36, 40, 41 n.
29, 44, 47–50, 69, 70, 73, 74, 75, 78, 80,
84–86, 97, 98, 104–108, 111, 112, 114 n. 16,
116, 118, 130, 131, 135, 159, 164, 173, 176, 179
- towns 16, 18, 23, 26, 28, 77, 86, 115, 121, 131,
157, 172, 179, 186, 204, 239, 243, 245, 250,
266
- Turda (Torda, Thorenburg), town in Roma-
nia 75, 92, 94, 99, 104, 107, 147
- Vár (Castle), neighborhood from Alba Iulia 74
- Vladislav II Jagiello, king of Hungary 135
- Vienna, capital city of the Habsburg monar-
chy 191, 245, 300
- von Adlershausen, Stephanus Waldhütter 235
- Vurpär (Burgberg, Vurpód), village in Sibiu
county 66
- Wallachia, principality 13, 15, 18, 19, 23, 25, 27,
80, 147, 191, 203, 204, 208, 209, 213–217, 220,
222, 233, 249, 253, 259, 266, 269, 270, 273 *see*
also Organic Regulations
- Weiß, Blasius, seat judge of Sibiu 55
- Werbőczy, István, legal theorist, statesman,
author of *Decretum Tripartitum* 77
- Werner, Georg (György), imperial
commissioner 118
- Wittenberg, town in Germany 82, 83, 146
- Ypsilantis, Phanariot family
Alexander, prince of Wallachia 249, 250,
252, 254–256, 263, 264
Constantine, prince of Wallachia 257
- Zákány, Gábor, archivist of the Alba Iulia
chapter 80

T*owns between Empires* contains contributions regarding urban administration and governance in the historical regions that are now in Romania, and that fall under the early modern concept of good governance. Chapters give insight into the concepts and solutions applied by urban governments to political, social and economic issues that were under their care and control. The authors approach various aspects of this topic: town councils as political and economic elites of early modern towns, urban political systems as models of early modern ideas of administration, relations between towns and central authorities (the Prince), and healthcare as good governance.

The chapters in the volume capture the widest possible variety of political and administrative systems in the region. Transylvanian towns were structured and governed similarly to other small Central European urban centers, however significant diversity can be discerned following the Reformation. Moldavian and Wallachian towns in the 18th and 19th century are little known to international scholarship, and the chapters in this volume will fill this gap.

MÁRIA PAKUCS-WILLCOCKS is a senior researcher at the “Nicolae Iorga” Institute of History and a research fellow of the New Europe College in Bucharest. Her research has focused on trade and merchants between Transylvania and the Ottoman Empire, on urban history and political discourse. Most recent publications include the edition of the customs accounts of Sibiu, *Zwanzigst-rechnungen aus dem Archiv der Stadt Hermannstadt (1536–1623)* (2023).

JULIA DERZSI is a senior research fellow at the Romanian Academy, at the Institute for Social Sciences and Humanities Sibiu. Her main research interests are institutional, economic and urban history in premodern Transylvanian, particularly Saxon towns. Her previous publications include *Delict și pedeapsă: Justiție penală în orașele săsești din Transilvania în secolul al XVI-lea* (2022).

ISBN 978 963 386 9000

