

Paolo Guinigi and the Court of Merchants

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When Paolo Guinigi became *signore* of Lucca in November 1400 the system of Anziani and councils by which Lucca had been ruled under the communal system came to an end. For nearly thirty years until he fell from power in 1430 no Anziani or councils were elected and the city and its territory were ruled by the *signore*, assisted by his secretary ser Guido da Pietrasanta, a handful of chancery officials and a small council of nine members selected by Paolo Guinigi himself.

There was, however, one body to which these changes were not applied and that was the Corte de' Mercanti, the Court of Merchants, a powerful corporation of merchants, bankers and craftsmen, which had the supervision of the most important branches of trade and manufacturing, including international trade, silk manufacture, exchange and banking, the trade and manufacture of wool and linen cloth, gold and silver smiths, mercers and apothecaries. Each year all companies and individuals engaged in activities that came within its purview had to declare their partners, factors and other members, and any commercial disputes were to be heard by its judge and consuls. The Hospital of the Misericordia, the most important charitable institution of the city, which provided for orphans and foundlings as well as serving as a hostel for pilgrims and hospital for the sick, was under the supervision of the Court of Merchants.

The Court itself was administered by a series of rotating boards and offices, elected in varying proportions from the branches of commerce and industry that came under its jurisdiction. The chief official was the judge and major consul, who according to the Statute of the Court of Merchants should have been a man with legal qualification drawn from outside Lucca. He was only to hold office for one year and was not to be re-elected. In practice he was commonly re-elected for years on end, and was often a Lucchese citizen, though always a judge or doctor of laws. There was also a board of six consuls, who held office for three months at a time, though the consuls for the whole of the coming year were elected in November or December the previous year. The other body that made up the government of the Court of Merchants was the council or General Council, consisting of thirty-six members elected at the same time as the judge and consuls and holding office for a year beginning on 1 January. Both the consuls and the council were elected in varying proportions from different 'membri' of those subject to the Court. There were twelve consuls

and twentyone councillors from the ‘arte della seta’, reflecting its position as the most important and valuable branch of Lucchese manufacturing and the main foundation of all the other trades.¹ Four of the consuls and five of the councillors had additionally to be engaged in ‘maiore mercantia’, or international trade, as well as being involved in silk manufacture. The other three ‘membri’ were dealers and manufacturers of cloth; exchangers and bankers; and *speziali* and other trades, represented by four consuls and five councillors each.² Since it was normal to invite twelve additional *tenuti*, that is those subject to the Court’s jurisdiction, to meetings of the General Council and they and the judge and consuls were also present as voting members, there was a potential attendance of fifty-five members to discuss and vote on the business before the Court. In practice there would invariably be some absentees, but it was normal for well over forty to be present and cast their votes and by no means unusual for the numbers to approach fifty. Thus the conduct of business in the Court of Merchants was in marked contrast to the government of the city itself by the *signore*, a few officials and a permanent council consisting of nine members chosen by Paolo Guinigi himself. It therefore seems of interest to examine the relationship of Paolo Guinigi and the Court of Merchants and look at how a *signore* ruling alone interacted with a long-established corporation that enjoyed a powerful position responsible for important aspects of the city’s economic life and was administered under the traditional system of multiple boards and councils, holding office for short terms and liable to regular election procedures.

It was, of course, Paolo Guinigi’s choice to leave the traditional system of government of the Court of Merchants undisturbed. It would have been perfectly possible for him to have set up some council or board to supervise mercantile and industrial affairs, along the lines of the council he established for the government of Lucca itself. There is no indication that he ever attempted to do so or even considered it. It is possible that he intervened in the process of sorting the consuls into groups of six and deciding which two-month period they would serve for: in December 1415 it was stated that once the Court itself had conducted the elections with the two notaries observing and counting the votes under an oath of secrecy, they were to transmit the results to the *signore* so that he could do the sorting, as was customary, and they were subsequently presented to the Court sorted, closed

¹ ‘[M]embrum magis proficuum utile et honorabile ceteris membris ac artibus et seu ministeriis civitatis lucane et principale fundamentum omnium aliarum atrium civitatis lucane’, Archivio di Stato in Lucca, Corte de’ Mercanti 17, fol. 109r, 19 June 1426. All documents cited are from Archivio di Stato in Lucca.

² These regulations are set out in *Lo Statuto della Corte dei Mercanti in Lucca del MCCCLXXVI*, edito a cura di A. Mancini, U. Dorini e E. Lazzareschi (Firenze, 1927), Libro I, capitoli I–IV, pp. 10–21.

and sealed with the lord's seal, and much the same happened in 1416.³ But in December 1420 the sorting was done by three consuls and two other *tenuti* elected by those appointed by the General Council to conduct the actual election,⁴ so it cannot be assumed that Paolo Guinigi intervened in the sorting on a regular basis, and the election itself always seems to have been conducted in statutory form by the members of the Court. Intervention in the sorting process could prevent unsuitable or unreliable consuls holding office at the same time, but was in fact hardly necessary. The General Council met infrequently, rarely more than the couple of times a year necessary under the Statutes to conduct elections of consuls, councillors and officials and the occasional non-statutory meeting to deal with some special business that had come up. The judge and consuls took decisions on what proposals to put to the General Council, but were mainly concerned with hearing and adjudicating mercantile cases that had been brought before the Court. These were largely technical matters, which it would have been difficult to have dealt with in other courts and which were probably best left to the trading community itself. There was no particular reason to anticipate serious disagreements between the *signore* and the Court, since their interests largely coincided. The Court's main concern was the settlement of disputes among its members and the advancement of the interests of Lucchese commerce and manufacturing. Speedy settlement of disputes would prevent internal tensions and disturbances in Lucca, while support of Lucchese commerce and manufacturing would contribute to the prosperity and well-being of the city, which was very much in Paolo Guinigi's interests. The Court might need and welcome and seek the *signore*'s intervention in disputes with powers outside Lucca in matters such as tolls or the arrest of Lucchese merchants' goods, and the *signore* would be willing to provide such support, since it coincided with his idea of the good and orderly government he was determined to provide. While Paolo Guinigi tended to speak rather grandly of the duties and responsibilities incumbent upon him as 'prince', he was of mercantile background and had himself had trading experience in Northern Europe as a member of the Guinigi Company in the early 1390s.⁵ He probably had a good understanding of what the mercantile community wanted and needed. The years of relative peace which his

³ '[C]ausa eos sic ellettos per ipsum M[agnificum] D[ominum] Luc[anum] sortiendis (sic) ut est de more', Corte de' Mercanti 17, fol. 11r, 9 Dec. 1415; 'clausi, sortiti et sigillati sigillo M.D.lucani', fol. 29v, 11 Dec. 1416. All future folio references are to the Corte de' Mercanti 17 (see note 1), unless otherwise stated.

⁴ Fol. 54r, 11 Dec. 1420. These are the only references to the sorting procedure in the period of Guinigi rule.

⁵ *Libro della comunità dei mercanti lucchesi in Bruges*, a cura di E. Lazzareschi (Milan, 1947), pp. 156, 166, 173, 181, 183–84. For Paolo Guinigi as a merchant in Lucca, Archivio de' Notari, 1^a parte, 285 (notary ser Domenico Lupardi), fols 64r–65r, 30 July 1393; Raccolte Speciali, S. Frediano 252 (ser Domenico Lupardi), fols 67v–68v, 20 Feb, fol. 33r–33v, 19 March 1400.

rule provided for almost two decades also favoured commerce and manufacturing, and must have been welcome to the Court of Merchants and those subject to it.

The main source for the relationship of Paolo Guinigi and the Court of Merchants is the records of deliberations of the Court itself. There are only fragmentary survivals of what must once have been an extensive series of records, but one of the periods for which material is available is the second half of the rule of Paolo Guinigi. Corte de' Mercanti 17 records the deliberations of the Court from 14 February 1415 to 12 October 1434. Since there are no surviving records for 1400–14, it is impossible to say how the relationship with the Court developed in the early years of Paolo Guinigi's rule, but this volume of deliberations makes it possible to explore the extent to which Paolo Guinigi intervened in the Court's affairs once his rule was well established and to see whether the members of the Court accepted or resisted such intervention. The close contact of the *signore* with leading citizens, such as those represented in the Court of Merchants, and perhaps the routine nature of consultations with him can be gauged from the fact that he is not indicated by name or by any elaborate form of address in the Court's records, but by the abbreviation 'M.D.luc.', standing for 'magnifico domino lucano' or the equivalent, the same form that is used in letters and documents produced by the administration of the city in these decades.

On occasions the *signore* intervened to provide a solution to problems that the Court would have found it difficult to solve on its own. The most striking example is found in 1423 when the outbreak of plague that year had seen the deaths of messer Giorgio de' Franciotti da Carrara, who had held the office of judge of the Court since 1416, and also of two of the consuls, Baldassare Guinigi and Pietro di Poggio. Baldassare Guinigi was almost certainly the consul for *maiore mercantia*, who would normally have stood in for the judge when the latter was unavailable, but in any case the surviving consuls were too few to form a quorum to initiate the election of officials for the coming year or any other business. It took repeated interventions on the authority of the *signore* to get the affairs of the Court back on an even keel. Paolo Guinigi did not intervene in person, but committed the matter to his council, perhaps with instructions about how to resolve the problem. It was already too late to carry out the elections of officials in time for them to take office on 1 January 1424, so on 29 December 1423 the council extended the time limit for the elections to 15 January, at the same time nominating messer Nicolao de Moncigulo, the current holder of the communal office of *sindaco maggiore* and judge of appeals, as surrogate for messer Giorgio Franciotti, and Nicolao Guinigi and Forteguerra Totti as surrogates for the two deceased consuls, extending the terms of all the consuls, councillors and other officials, which would normally

have expired on 31 December, until 15 January.⁶ The appointment of messer Nicolao de Moncigulo did not provide a satisfactory solution to the problem, since he proved too busy with other business to attend to the needs of the Court of Merchants, and on 7 January the *signore*'s council nominated the Lucchese, messer Urbano di Paolo Gucci, as surrogate for messer Nicolao for the remainder of the latter's term until 15 January.⁷ It was then possible for the Court to proceed with the elections of consuls, councillors and other officials and it was left to the General Council to resolve problems arising from the fact that the first set of consuls would have a shorter term of office than was customary and than those of the other three sets of consuls that year.⁸

The appointment of a new judge, however, was not carried out without further intervention from the *signore*. When the General Council met on 11 January 1424, it was declared that the election of the judge, which was on the agenda, should for various unspecified good and sufficient reasons be postponed.⁹ Since messer Urbano Gucci's appointment was due to expire on 15 January, it was therefore necessary to grant an extension. The notary of the Court was informed by ser Domenico Totti on 15 January that the *signore* himself had prorogued messer Urbano's term for eight days beginning on 16 January, so that the judge and the new consuls and councillors would have time to consider the new appointment with greater deliberation.¹⁰ The election of the new judge finally took place in the General Council on 22 January 1424. While it was carried out in much the same form as in previous years, it is clear that the matter had been settled in advance, certainly with the collaboration of the *signore*'s council and probably with that of the *signore* himself. Messer Urbano Gucci made the proposal for the election, but did not then absent himself from the discussion as was customary; he was obviously aware that he was not a candidate. Giovanni Sercambi first proposed a derogation from the statutory stipulations that the judge should be a *forensis* or non-lucchese, with penalties for counselling anything that contravened this. At least part of the reason for electing a Lucchese citizen, as was clearly intended, was the financial problems of the Court. It was argued that it would be impossible to find a

⁶ *Statuto*, Lib. I, cap. XLIII, pp. 72–73, for the consul for *maiore mercantia* as substitute: fol. 78r, 29 December 1423 (1424 according to Lucchese style, where the year began on 25 December. Hence the decree refers to the plague of 1423 as occurring 'de anno proxime preterito').

⁷ Fol. 78r, 7 January 1424.

⁸ In Jan. 1416 it had been left to the Court to make provision when the existing judge, messer Giovanni de Piazza of Modena, who had been appointed judge of appeals in Lucca, wished to leave early, resulting in a gap before the new judge, messer Giorgio da Carrara, was due to take up office, fols 15r–17r, 7 Jan. 1416.

⁹ Fol. 79r.

¹⁰ '[M]agis consulte', fol. 82r.

forensis as judge for the small salary which was all the Court could afford.¹¹ Once the derogation had been passed by a vote of 42 in favour to 7 against, Sercambi proposed the election of the Lucchese doctor of laws, messer Iacobo Viviani, at a salary of ten to twelve florins per month. This proposal was supported by others, but some argued for a salary of only 100 florins per year, and it was on this basis that he was elected by 36 votes in favour to 13 against, an unusually large contrary vote.¹²

Although the election of messer Iacobo shows every sign of having been coordinated in advance – not only was he a member of the *signore*'s council, but so were Giovanni Sercambi, Stefano di Poggio, Lorenzo Trenta and Nicolao Arnolfini, who spoke in favour of his appointment – nevertheless, when he was informed of his election, messer Iacobo said that, since he was a member of the *signore*'s council, he could not accept without his permission and asked for a delay in order to discover whether or not he would be allowed to take the post. Having obtained the *signore*'s licence he accepted on 24 January and took the oath of office two days later.¹³

It is indicative of the closeness of communication and perhaps the mutual trust between the Court of Merchants and the *signore* and his council that the decrees appointing surrogates for the judge and consuls and extending their term of office were communicated to the notary of the Court by ser Domenico Totti, Paolo Guinigi's chancellor, only verbally, not in writing. The notary carefully, perhaps slightly nervously, recorded that the decrees were registered in the acts of the *signore*'s chancery, which of the chancery officials had drawn them up and who had informed him of them, but he did not himself get a written version to copy into his own records or keep on file.¹⁴

It was probably primarily the fact that the deaths of the judge and two of the consuls meant that the Court did not have the necessary quorum that motivated intervention by the *signore* in December 1423. In the ordinary way the judge, consuls and the *balia*, or sub-committee, elected in the General Council each November or December to appoint to offices for the coming year, could also fill any vacancies that occurred. Thus, when shortly after this Giovanni Sercambi was drawn out as consul for July, August and September 1424, the judge, consuls and *balia* elected another *speziale*, Bartolomeo Iuntini, in his place, since he had died

¹¹ '[S]i vellet providere de iudice forense non potest reperiri pro parvo salario et pretio prout requiritur ratione impotentie et paupertatis curie', fol. 84r.

¹² Fol. 84r–84v.

¹³ Fol. 85v, 22, 24 and 26 January 1424.

¹⁴ Fols 78r, 84v, 86r.

in April that year.¹⁵ The judge and consuls not infrequently elected a surrogate for one of their number who was known to be absent from Lucca, though not if he merely failed to appear when summoned. Since it was common for individuals to be both consuls and members of the General Council, it was usually necessary to name a number of surrogates for councillors who were in office as consuls at the time a General Council was held. The judge and consuls named these replacements without any need to seek outside authority. On one rather curious occasion they even acted for two of their own colleagues, who appeared when summoned, but said they were too occupied with their own affairs to attend to council business and departed again after giving informal proxies to their fellow consuls.¹⁶ But in November 1425 it was necessary for the *signore* to intervene to authorise the replacement of Biagio Nucchelli, a consul who had apparently died in office, since the absence from Lucca of the judge, messer Iacobo Viviani, and the illness of another consul, Bartolomeo Fatinelli, meant that those remaining fell below the number necessary to form a quorum under the Statutes.¹⁷ It was problems with the office of judge that were particularly likely to involve intervention by the *signore*. In June 1424 the judge, messer Iacobo, was absent in Rome and it was the *signore* who named messer Bonfiglio de' Bonfigli of Fermo as his surrogate until he returned.¹⁸ In January 1426, in the absence of the judge, the *signore* authorised the remaining four consuls to elect the fifth, Landuccio Bernardi, to replace Bettino Dati as consul for *maiore mercantia* during the latter's illness and in July 1428 in almost identical circumstances he made the substitution himself and communicated this decision to the Court in writing.¹⁹

The *signore* sometimes intervened directly in the choice of judge, and may perhaps have intervened indirectly on other occasions. In the election held in December 1427, it was proposed to re-elect the existing judge, messer Gregorio Arrighi, for the coming year and the speakers in the General Council combined praise of his good qualities and excellent record with references to the fact that the *signore* favoured his re-election. The Court had apparently taken the initiative to discover the *signore*'s views; Nicolao Burlamacchi, the consul for

¹⁵ Fol. 88r, 7 July 1424.

¹⁶ Nicolao Arnolfini and Matteo Ghiova 'comparentes circa alia eorum ardua negotia in infrascriptis interesse non valuerunt et eorum vices et auctoritates dictis eorum collegis super infrascriptis concesserunt et recesserunt', fol. 111v, 21 Nov. 1426.

¹⁷ Decree of Paolo Guinigi himself authorising the remaining consuls with the statutory number of other members of the General Council to elect a replacement, fol. 101r, 17 Nov. 1425. They elected Filippo di Giovanni de Sanminiato, like Biagio Nucchelli a *speziale*.

¹⁸ Fol. 86r, 5 June 1424. He returned late on 20 June and resumed his role as judge the next day, fol. 87r–87v.

¹⁹ Fol. 107r, 8 Jan. 1426, fol. 131r, 7 July 1428. Again the details of this document are carefully recorded by the notary of the Court.

maiore mercantia, had talked to the *signore* on behalf of the other consuls. Carlo Buzolini praised these consultations and Lorenzo Trenta said that the *signore* was well informed on the matter and that he would not disagree with him.²⁰ When the time came for the election for 1429 the judge was too ill to attend the Court, but was nevertheless re-elected with praise for his good qualities and references to consultations with the *signore*.²¹ The Court seems to have sought the *signore*'s opinion on these occasions, and there is no indication that his involvement presented any problems. Messer Gregorio had been elected by the Court for the first time in 1425 and re-elected in 1426 with no indication of consultation with the *signore*, though in 1425 he held an appointment outside Lucca and there had to be special arrangements in the event of his failing to arrive back by the date he was due to take up office.²² It was the General Council that dealt with these problems without any indication of intervention by the *signore*. Messer Gregorio was also the first to be elected judge of the Court of Merchants when the normal electoral process was resumed in November 1431 after the fall of Paolo Guinigi, and he was re-elected for 1433 and 1434, making it clear that he was well-regarded and was in no sense imposed upon the Court by signorial intervention.²³ Paolo Guinigi's fall from power and the re-establishment of a republican regime in 1430 was accompanied by much disruption in the normal functioning of the Court of Merchants. However, this was due not to the replacement of a signorial regime by a communal government as such, but rather to the war waged against Lucca by the Florentines which ultimately led to Paolo Guinigi's downfall. In fact an examination of the records of the Court of Merchants in these years reveals that the same problems were dealt with by very similar solutions whether the city was ruled by a *signore* or by a college of Anziani and councils.

The clearest example of this relates to the Hospital of S. Luca, commonly called the Hospital of the Misericordia, which was under the patronage of the Court of Merchants. The election to the post of rector of the hospital belonged half to the chapter of *conversi* of the hospital itself and half to the Court of Merchants, which exercised this and other rights through a board of twelve *consilarii hospitalis Misericordie*, elected by the General Council

²⁰ The vote on his re-election was 43–3, fol. 120v, 16 Dec. 1427.

²¹ The vote was 42–2, fol. 132v, 22 Dec. 1428. Those concerned were presumably well informed about the nature of his illness, since there are no references to further problems in this regard.

²² The vote on this occasion was 45–3, fol. 102v, 28 Nov. 1425, re-elected, fol. 113r, 22 Nov. 1426 by 39–7, the larger number of contrary votes no doubt due to the inclusion of a proposal to increase his salary.

²³ Fols 157r–158r, 8 Nov. 1431, fols 169r–170r, 21 Nov. 1432, fols 179r–180r, 26 Nov. 1433. Although the choice may have been influenced by the fact that the Court could not afford a salary sufficient to attract a *forensis* as judge and he was elected Nov. 1431 without any salary, speakers in the Council heaped praise upon him and 21 Nov. 1432 he was provided with a salary not only for the coming year but retrospectively by a vote of 43–1.

of the Court. In March 1430 a crisis occurred, since Andrea Bocci, the last rector, had died at the end of November or beginning of December the previous year and it was necessary to elect his successor within four months, or see the right of appointment devolve on the bishop of Lucca. The *consilarii hospitalis Misericordie* were elected for life, but since senior members of the Court of Merchants were usually chosen, vacancies occurred quite frequently. In March 1430 four of the *consilarii* were dead, and it was necessary to bring the number up to twelve so that the election of a new rector could take place. This required the authority of the judge and consuls of the Court, but because of the war against Florence the usual meeting of the General Council, where the elections of the judge, consuls, councillors and other officials of the court for the coming year were authorised, had not taken place in November and December 1429, while the terms of their predecessors had come to an end on 31 December, so all these offices in the Court were vacant. Not only were there no councillors who could be summoned to a General Council, there were no judge and consuls in office to authorise this or any other proceedings of the Court. The only solution was to have recourse to the *signore*. This was done formally by having the notary of the Court, ser Paolo di ser Michele ser Federigi, speak to the *signore* about the situation, though no doubt some of the senior members of the Court of Merchants had taken the initiative more informally. Paolo Guinigi then instructed the notary to have the *nuntii* summon what seems to be the full membership of the Court on the *signore*'s authority to meet the next day and take the necessary action. On 7 March 1430 it was the notary who ex officio explained the situation to the 80 and more members of the Court, who were referred to as 'requisiti'. This assembly named three prominent members, Lorenzo Trenta, Landuccio Stefani Bernardi and Forteguerra Totti, and authorised them to elect a further eight and with them carry out elections to all the offices of the Court. This group then proceeded rapidly to elect a judge, messer Gerardo di Matteo Accerbi, sufficient consuls to fill the terms of office up to 31 December and councillors to hold office for the same period. The judge and consuls were then able to join with the remaining *consilarii hospitalis* to bring their number up to twelve and the election of a new rector could take place.²⁴

The actual election of the rector is not recorded in the acts of the Court of Merchants, but the choice presumably fell on Carlo Buzolini, because at the beginning of November 1430 a very similar crisis arose when he too died in office. Again the Court was anxious to

²⁴ As in 1423–24 the notary carefully recorded that the *signore*'s decree was to be found in the chancery records, with the name of the chancery official responsible for it, and specified that he himself was acting by virtue of this decree, fols 141r–144v, 6–10 March 1429.

ensure that an election take place to avoid the Court's right of election devolving on the bishop. The war was still raging and there was also an outbreak of plague, so that the judge and a number of consuls and councillors were dead and others were ill or absent or occupied in public affairs. The dead included five of the *consilarii hospitalis*, while two of those remaining were absent. The term of office of the General Council elected in March had not yet expired, but the number of councillors and particularly of consuls was not sufficient for business to proceed. Paolo Guinigi had fallen from power in August 1430 and been replaced by a college of Anziani and a system of councils, but the solution found by this republican regime was very similar to that of the *signore* some nine months previously. The Anziani, together with an unspecified number of consuls of the Court of Merchants, instructed the notary, ser Michele Franceschi de Corsanico, to have the membership of the Court of Merchants summoned for 3 November 1430 to make the necessary provision. One difference from the previous assembly of the full membership was that in March 1430 the meeting had taken place in the church of S. Cristoforo, the traditional meeting place of the Court before it had acquired new premises for General Council meetings, and probably necessary on this occasion because of the size of the gathering. In November the meeting was summoned by the bell of the church of S. Cristoforo, but the actual meeting was to take place in a chamber in the palace of the Anziani. There is no indication that the Anziani were themselves present, but they were in close touch with the proceedings, which were said to have their authorisation and consent.

While the preamble had spoken of the need to fill the offices of the court for the coming year, the proceedings of the assembly of 3 November were strictly ad hoc. There were apparently only three consuls available, Stefano di Poggio, the consul for *maiore mercantia*, and two others, Paolino Bernardini and Matteo di Giovanni. The three of them were authorised to elect eight members of the assembly and together with them elect replacements for two other named consuls who were absent. These five consuls, who would then be sufficient to form a quorum, and the eight citizens were authorised to elect a non-Lucchese judge, whose only function was to participate in the election of a new rector for the Misericordia on this one occasion. The consuls and the eight citizens were also authorised to elect *consilarii hospitalis* to replace those who had died, so that the election of a rector could take place. In the exceptional circumstances these unusual measures, which almost all required a derogation from the terms of the statutes of the Court of Merchants, were passed

by 56 votes in favour with only six against.²⁵ The election of the eight members of the assembly took place immediately, but the replacement of the absent consuls, the election of a non-Lucchese as judge and of five replacement councillors of the Hospital took place only on 8 November, apparently in the college of the Anziani. The man elected as judge was messer Mariotto degli Alessandrini of Viterbo, who almost certainly already held the office of Podestà of Lucca in November 1430, this apparently being the most satisfactory solution to the problem of finding a non-lucchese doctor of laws for one day only.²⁶

Nothing had been done about filling the offices of the Court for the coming year in the assembly of 3 November 1430, despite the apparent opportunity to do so. The filling of the offices for 1431 was not undertaken until 31 December 1430, when the Anziani and Gonfaloniere di Giustizia again authorised the summoning of the entire membership of the Court of Merchants to the Palazzo of the Anziani for that same day.²⁷ There Stefano di Poggio, consul for *maiore mercantia*, the appropriate person in the absence of a judge under the statutes, proposed the election and a *balia* of twelve members of the court was authorised to carry this out in conjunction with the existing consuls. Although the *balia* was elected immediately, they did not apparently begin the election of the officials until 4 January 1431. It was completed on 10 January and two of the twelve were elected to join with the consuls in arranging the newly-elected consuls into four groups, a task that was completed the next day.²⁸

All of these are occasions when circumstances such as plague or warfare reduced the number of consuls below the necessary quorum, so that the Court was unable to proceed on its own authority. It was therefore necessary to have recourse to the political powers of the city for authorisation to take the special measures necessary. While this in a sense constitutes political intervention in the affairs of the Court, this was largely technical and it is noteworthy that the solutions found under a republican regime were very similar to those adopted by Paolo Guinigi. In neither case is it clear whether the initiative came from the government of the city or the Court itself, but there must have been general agreement on what needed to be done.

If all these are cases where the Court could not proceed without the action of the rulers of the city, there are others where such action might not be essential, but was

²⁵ Fols 149r–150v, 3 Nov. 1430.

²⁶ Fols 150v–151r and *Inventario del Archivio di Stato in Lucca*, ed. Salvatore Bongi, II (Lucca, 1876), 317.

²⁷ There are 85 names of those summoned, although 25 of them are marked as absent, fol. 152r–152v.

²⁸ Fols 152v–155r, 31 Dec. 1430–11 Jan. 1431.

recognised as extremely useful and might be actively sought. One area where the active assistance of the ruler was of value was in relations with other cities. In December 1417 it was reported that Lucca and its merchants had long suffered vexations and expenses from Genoa and certain Genoese citizens who claimed to have made payments on behalf of the Lucchese, and that these problems were likely to get worse. The *signore* of Lucca had therefore sent ser Leonardo da Massa, one of his officials, to Genoa, where he had been able to make terms to settle these claims for a payment of 200 florins. This was applauded in the General Council of the Court of Merchants, even though it was the Court that would have to make the payment and needed to impose an extra gabelle in order to raise the money.²⁹ In this case the initiative in settling the matter seems to have come from Paolo Guinigi, but in others it was the Court which sought his intervention. In 1422 the Court was concerned about the possibility of claims by the widow and children of Luiso Brunelli, who had died in Northern Europe, against other Lucchese merchants, especially those operating there, and the need to appoint proctors to counter such claims. Lorenzo Trenta, a merchant operating on an international scale, advocated that proctors should be appointed with the *signore*'s consent, and apparently that the mandate should be drawn up in his name. Two other leading merchants supported this, although no conclusion was apparently reached.³⁰ A few years later, however, the Court seems to have dealt with claims from outside Lucca without seeking assistance from the *signore*. In June 1429 goods belonging to Lucchese merchants had been sequestered in Savoy on the pretext of unpaid tolls. The matter was regarded as sufficiently serious for it to take precedence of items on the regular agenda of the General Council, and a *balia* was authorised with powers to conduct negotiations and raise a levy totalling 106 florins on 34 named *tenuti* of the Court to cover the costs, but there is no indication of any attempt to obtain the assistance of the *signore*.³¹

If these were matters in which the support of the *signore* could add weight to the Court's own efforts on behalf of its merchants and where the *signore* might be more than willing to second these efforts, there were other concerns that were regarded as primarily a matter for the Court, where the assistance of the *signore* was neither sought nor apparently offered. One of these concerned the provisions of the Statute of the Court of Merchants regarding bankruptcies and other matters. In May 1416 the General Council discussed a

²⁹ Fols 33v, 34v, 29 December 1417 (Lucchese style 1418).

³⁰ Fol. 71r, 23 Sept. 1422, fol. 72r–72v, 25 September 1422 Lorenzo Trenta advocated that action be taken 'maxime de mandato fiendo per ipsum M.D. pro civitate lucana', but 'demum recesserunt omnes de dicto consilio et nichil in dicto consilio tractatum extitit sive conclusum super premissis'.

³¹ Fols 139r–140r, 9 June 1429.

proposal to review these provisions, which had not been working well, so that they and many other aspects of the statutes needed modification. The judge and consuls were authorised to elect six *statutarii* for a three-month term to deal with this.³² On a number of subsequent occasions *statutarii* were elected for short periods of time to deal with specific matters without any consultation with the *signore*, for example to settle the court dues (*datia*) for bringing particular types of case,³³ or to make provisions regarding the wool industry and other matters.³⁴ They gradually came to be elected on a more regular basis, partly in order to give statutory form to decisions that were being taken, a necessary task since decisions were recorded in Latin and the Statutes were in the vernacular.³⁵ By 1424 *statutarii* were permanently in office and the same individuals were confirmed each year from 1425 to 1429 with some necessary arrangements to replace those who had died or were no longer able to serve.³⁶ It is not entirely clear to what extent there was continuity between the period of Paolo Guinigi and the republican regime that succeeded him. The system was clearly still in operation in April 1429,³⁷ but the period of warfare that began at the end of that year disrupted the activities of the Court generally. In November 1431 there was an effort to pick up the threads once more. Among the officials whose election was authorised were *statutarii* to review the entire Statute and make any changes and modifications, with a reference to the past, since this work had been begun but because of many and various distractions it had not been finished.³⁸ Twelve new *statutarii* were elected, but much the same system as before 1430 continued, since the same men were re-elected in 1432 and 1433.³⁹

The Court's finances were regarded as largely an internal matter. The Court was funded partly from registration fees for the exercise of trades and professions and court dues payable for bringing cases before the consuls, but mainly from a share of brokerage fees paid

³² This was approved by a vote of 40 in favour to 3 against, fol. 22r–22v, 2–4 May 1416, names of those elected, fol. 23r, 15 May 1416.

³³ Agreed by 43 votes in favour with 2 against, fol. 39v, the decrees, fol. 41r–41v, 29 Dec. 1418.

³⁴ The General Council authorised the election of six or eight good citizens who were subjects of the court by the judge, the consuls and four additional electors, fols 55r–56r, 57v–58r, 22, 23 April 1421.

³⁵ Meeting of the General Council, fols 62r–63r, 8 Jan., fols 63v–64r, 9 Jan. 1422. These council decisions were embodied in Statutes, in the vernacular in more detail and with the addition of penalties, fols 65r–68v, 13 Jan. 1422.

³⁶ Fols 90r–91r, 29 Nov. 1424, fol. 104r–104v, 28 Nov. 1425, fol. 113v, 22 Nov. 1426, fols 120r, 121v, 16 Dec. 1427, fols 133v–134r, 22 Dec. 1428.

³⁷ Fol. 137v, 7 April 1429.

³⁸ '[C]um alias dictum opus dictorum statutorum inceptum fuerit provideri et propter multas et varias occupationes occurrentes non fuerit finitum', fol. 161v, 9 Nov. 1431.

³⁹ Because of the difficulty of assembling them all together, six of them plus the judge were to form a quorum, fol. 161v, 9 Nov. 1431, fol. 171r, 21 Nov. 1432, fol. 180v, 26 Nov. 1433.

on all transactions above a certain value. The Court's financial position was thus somewhat precarious and there were a number of occasions when it found itself in difficulties. In February 1415 the Court had a debt of 300 florins, including 88 florins for arrears of the judge's salary, and a continuing deficit, and discussed selling real property and raising a loan.⁴⁰ There were similar problems in December 1419 and a *balia* was authorised to review income and expenditure, with a serious effort to ensure the proper declaration of commercial transactions and payment of the appropriate brokerage fees, including those unpaid for several years past.⁴¹ In January 1422 there were further efforts to contain expenditure by reducing salaries and combining offices or abolishing them altogether, while increasing revenues by lowering the limit at which transactions had to be declared to the Court from 25 florins to 10 florins, enforcing brokerage regulations and increasing dues payable by those registering their companies with the Court.⁴² By 1426 the financial position had eased, and the Court was able to increase the salary of the judge, fund an attempt to attract silk workers back to the city and even purchase its own premises instead of relying on the use of the Church of S. Cristoforo.⁴³ All of these measures were taken by the Court itself. Although Paolo Guinigi expressed approval of the purchase of new premises, the only occasion when he was consulted about the course of action to be taken was in December 1419, when the Court's debts included about 140 florins of arrears of rent owed to the Opera di S. Croce for the loggia the Court rented. It was the consuls of the Court, who after consulting a number of other *tenuti*, decided that a delegation of them should go and discuss the matter with the *signore*. Not very surprisingly he took the view that the Court could hardly default on its debts, but he left it to the Court to take the necessary measures.⁴⁴

Decisions on such matters as bankruptcy proceedings, regulation of the woollen industry or credit terms for commercial transactions were apparently regarded as matters for the Court of Merchants. There is no indication that the *signore* was consulted, although he

⁴⁰ Fols 1r–2v, 14 Feb. 1415.

⁴¹ Fols 43v–46r, 14 Dec. 1419, fol. 47r–47v, 2 Jan. 1420.

⁴² Fols 62r–63r, 8 Jan. 1422, vernacular ordinances to this effect, fols 65r–68v, 13 Jan. 1422.

⁴³ '[M]axime quod dicta curia non habet debitum et ipsum potest solvere de introytibus dicte curie absque incomodate alicuius subditi dicte curie', fols 110v–111r, 20 June 1426, fol. 113r, 22 Nov. 1426, fol. 120v, 16 Dec. 1427, fol. 125r–125v, 2 Jan. 1428 with similar expressions. Until 1428 the General Council met in the Church of S. Cristoforo, with councillors apparently speaking from the high altar, but in that year the Court undertook to acquire premises of its own, since a church was the temple of God and worldly affairs should not be conducted there. The initiative came from Carlo Buzolini, who several times stressed strict religious and moral considerations; for example, praising messer Gregorio as god-fearing and reporting that he attended mass every morning to pray God for grace to administer justice equitably, fol. 112v, 22 Nov. 1426, fol. 120v, 16 Dec. 1427; for the decision regarding S. Cristoforo, fol. 121r–121v, 16 Dec. fol. 125r, 1427, 2 Jan. 1428.

⁴⁴ Fol. 45r, 14 Dec. 1419.

was probably kept abreast of such matters by the members of his council who also regularly served as consuls of the Court of Merchants or members of its General Council. But when it came to the well being of the silk industry and particularly the prevention of emigration by skilled artisans who then plied their trade outside the city, the Court and the *signore* both had the matter at heart. Paolo Guinigi had issued a decree in May 1407 freeing anyone engaged in silk cloth production from any condemnations and penalties they had incurred for leaving their city and practising their trade elsewhere, provided they returned to Lucca within four months, but in June 1420 the Court was informed that many silk weavers had recently left the city to work elsewhere because such low prices were paid for their work in Lucca. This was taken very seriously and a *balia* was appointed to make recommendations and report back to the Council.⁴⁵ On 16 November 1425 the *statutarii* of the Court of Merchants drew up a decree that any absent silk workers who returned to live in Lucca or its territory within four months should be granted a safe-conduct freeing them from proceedings for debt to private individuals for five years, and they were to be free to come and go as they wished during that period, provided they registered their name and the date of their return in a book that the notary of the Court would keep for that purpose.⁴⁶ Such a provision would have been impossible without the co-operation of the *signore*, and it was duly confirmed by Paolo Guinigi on 25 November 1425.⁴⁷ Although this is presented as a confirmation of the decree of the Court of Merchants, and is dated nine days later, the Court can hardly have taken the initiative without previous consultations with the *signore*, and a loose folio, numbered 98bis and dated 22 June 1425 records Paolo Guinigi's decree of 26 May 1407 and apparently attributes the granting of the five-year safe-conduct against proceedings for debt to Paolo Guinigi, moved by the prayers of the merchants of Lucca as a body.⁴⁸ They had a shared interest in promoting the welfare of the silk industry, which as the preamble to the decree of 16 November 1425 stated was the most profitable branch of Lucchese industry and the foundation of the city's prosperity not only for those directly engaged in it, but for other artisans and inhabitants of the city as well.⁴⁹ The Court apparently also took active steps to encourage individual silk workers to return: in June 1426 the banker Forteguerra Totti was

⁴⁵ There was no mention of consultation with the *signore*, fol. 48r, 3 June 1420.

⁴⁶ Fols 97v–98r, 16 Nov. 1425.

⁴⁷ Fol. 99r, 25 Nov. 1425.

⁴⁸ '[M]otus precibus universitatis mercatorum civitatis lucane et bonis respectibus', fol. 98bis, 22 June 1425.

⁴⁹ '[P]ro conservatione et augmento artis sirici civitatis lucane que est membrum magis proficuum dicte civitatis aliis membris eiusdem quod esse dignoscitur principale fundamentum totius civitatis predicte in lucrando manutenendo et conservando non solum operadores eiusdem sed reliquos dicte civitatis artifices et habitatores ipsius . . .', fol. 97v, 16 Nov. 1425.

repaid a sum of 48 florins he had advanced to various individuals to bring about the return of certain silk workers who had long been absent and working elsewhere.⁵⁰

There were other matters that might be thought to involve the vital interests of the city in general and thus the *signore*, but which seem to have been left to the Court. The most surprising of these involves the coinage in circulation in Lucca. Anxiety was expressed at the varying weights of florins, many of them coined in other cities, and a series of *capituli* had been drawn up providing for a system of seals of red, black, white or yellow wax to indicate different weights of florins or other coins that could be regarded as equivalent, with a special category for French crowns or *scudi*. There were stipulations about letters of exchange and about which kind of florins were to be paid to creditors, where this had not been specified in the contract. While these were obviously matters of vital interest to many of the *tenuti*, especially merchants and bankers, and the Court of Merchants might be expected to interest itself in them, they seem to have been of equal concern to the *signore*, since they would affect many non-commercial transactions and the general financial well being of the city. In addition a proportion of the fines for contravention of the regulations was to go to the lord's camera. Nevertheless the Court of Merchants seems to have made these regulations on its own account without any consultation or commission from the *signore*.⁵¹ However, one of the offices in the Court of Merchants was that of weigher of florins ('ponderator florenorum') and there is a reference to 'paragones' of florins kept in the Court since 1412, so the duty of checking the florins in circulation was apparently a long-established function of the Court.⁵²

There was one case where Paolo Guinigi expressed wishes that were not followed. Problems had arisen in getting the *consilarii hospitalis* together when need arose long before the plague of 1423 produced a crisis. It was proposed in 1416 to reduce their number. The judge made a proposal to the effect that the *signore* wished the *consilarii hospitalis* to consist in future of the judge and the consul for *maiore mercantia ex officio*, plus six others, with the customary authority and a quorum of six. Although one councillor supported this, four others favoured the maintenance of the existing system with various compromise

⁵⁰ '[S]olvit diversis personis in providendo et ordinando atque curando ut aliqui operatores artis sirici qui de civitate lucana iam diu recesserant et artem ipsam sirici exercebant extra civitatem lucanam redirent pro conservatione et augmento artis sirici civitatis lucane', fol. 109r, 19 June 1426. There are unfortunately no details of the numbers or names of such workers, nor the places they had been working, and it is unclear whether the payments were to the silk workers themselves or to agents and middlemen.

⁵¹ Awareness of the general importance of the matter to Lucca is indicated in the proposita to the General Council was it stated to be 'pro bono et pro conservatione honores et utilitates totius rei publice civitatis lucane', fol. 18r, 7 Feb. 1416, for the *capituli*, fols 18v–20v, 10 Feb. 1416.

⁵² *Statuto*, Lib. I, cap. XII, pp. 34–5.

suggestions for reducing the number of *consilarii hospitalis* needing to attend or for the consul for *maiore mercantia* or the judge to stand in for any who were missing. In the light of this obvious lack of support for what the *signore* wanted, the judge then suggested that he and four members of the General Council should confer with the *signore* and whatever he then decided should have the same validity as if it had been done by the General Council. Federigo Trenta had already made a similar proposal in the course of the debate and another councillor now seconded this. However Nicolao Arnolfini advocated adding the consul for *maiore mercantia* to the judge and four councillors who were to consult with the *signore*, and that they, rather than he, should then decide what action to take, and it was this proposal that was put to the vote and passed by 39 votes in favour with 5 against.⁵³ When the four were elected on 20 November it was on terms that gave greater initiative to the *signore*,⁵⁴ but the opposition the proposal had met with in the General Council seems to have caused it to run into the sand and nothing more is heard of it. Certainly there were still twelve *consilarii hospitalis* in 1423 and still difficulties in getting them together for meetings.

This is the nearest the *signore* and the Court of Merchants ever came to a dispute. In general they seem to have been able to co-operate without any difficulty. The *signore*'s interventions in the activities of the Court were entirely open and are recorded without any comment that can be regarded as adverse, and often with warm approval. As has been indicated, the Court had recourse to the *signore*, as it did to the Anziani and Councils after 1430, when there were problems that could not be solved without the intervention of the government, mainly when deaths or absences reduced the number of consuls below the necessary quorum. The Court also welcomed, and sometimes actively sought, the intervention of the *signore* in disputes with merchants or cities outside Lucca, though it might also act on its own account without seeking assistance from the *signore*. The Court on occasions actively sought the advice and support of the *signore* in matters which might be thought to come exclusively within its own competence, such as the election of its judge or dealing with its own financial problems, though conversely matters such as regulating the gold coinage circulating in the city, which seems rather to be an aspect of city administration, were apparently left to the Court. The Court acted independently in modifying the procedures in cases of bankruptcy or regulating the relations of different branches of industry, though in the case of checking emigration by skilled silk workers it co-operated closely with

⁵³ Fol. 25r, 17 Nov., 19 Nov. 1416.

⁵⁴ They were to consult with the *signore* and then make provision 'quid eis videbitur in predictis secundum ipsius M.D. libitum et voluntatem', fol. 27r, 20 Nov. 1422.

the signorial government. There are only very occasional indications of supervision of the personnel of the Court, though the fact that a good proportion of Paolo Guinigi's councillors were also active members of the Court must have provided an indirect means of keeping a check. In general the *signore* and the mercantile community represented in the Court had the same aims, the well-being and prosperity of Lucchese trade and industry, and the record of harmony and co-operation between them indicates that Paolo Guinigi had judged rightly that the Court of Merchants could be left to operate much as it had done before 1400 and was to do again after 1430.