

THE “GREEK” MERCHANTS IN THE SAXON TRANSYLVANIAN TOWNS IN THE LATER MIDDLE AGES AND EARLY MODERN TIMES

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By the very nature of the medieval “organisation of trade” (Raymond de Roover¹), the competition for reaching the supplies of goods and for transporting them took place in a variety of political and institutional contexts. While crossing borders and passing through customs, there were merchants with privileges and advantages and merchants who had to observe strict rules. This paper deals specifically with the merchants who were generically called in sixteenth century diplomatic sources and account books “Greeks” and with their statute and activity in the two most important trading centres of medieval Transylvania, namely Braşov (Brassó, Kronstadt, Corona) and Sibiu (Nagyszeben, Hermannstadt, Cibinium).

Situated on the southern fringes of the Carpathian mountains, on the border of the medieval Hungarian kingdom with Wallachia, Braşov and Sibiu developed into active commercial urban centres along the trade routes linking the Balkan Peninsula with Central Europe. The energetic commercial policy of the Hungarian kings in the fourteenth century took the shape on one hand of granting Braşov and Sibiu the staple right in 1369 and 1378² respectively, and of the pressure exerted on the vassal Wallachian princes to issue trading privileges – exemptions from customs duties – within their territory on the other. Braşov and Sibiu were the only Transylvanian towns to hold the privilege of the staple until 1523. The staple right entailed the use of particular roads that led to the customs stations of each town, the mandatory deposit of the goods brought by the merchants, the interdiction for foreigners to sell in retail (*cum ponderis minutibus* – the Sibiu privilege charter of 1378), and the preemption right of the local merchants.

The letter sent at the end of the fifteenth century by the townsmen of Târgovişte (Wallachia) to Braşov is the first document which actually describes how the staple worked. The mandatory period of the stay of the foreigners was two weeks, and they were allowed to sell only to local merchants during that time:

¹ Raymond der Roover, *The Organization of Trade*, in *Cambridge Economic History of Europe*, vol. II, *Trade and Industry in the Middle Ages*, Cambridge, 1965.

² The charter granting the staple right for Braşov published in *Urkundenbuch zur Geschichte der Deutschen in Siebenbürgen*, ed. Franz Zimmermann et al., Sibiu, 1897, vol. II, doc. 937, p. 336; the 1378 charter for Sibiu has a new edition in *Handel und Gewerbe in Hermannstadt und in den Sieben Stühlen 1224-1579*, ed. Monica Vlaicu et al., Sibiu, 2003, doc. 14, p. 72-73. The provisions of these charters were confirmed or modified in time but this debate exceeds the goal and scope of this paper.

Here is how we decided not to go to Sibiu any longer with goods but, if you please, you should write a letter for us to go to Braşov, so we might stay two weeks with our goods. Then, [we will see] if we can agree in price with you during those two weeks, and if we cannot, after the two weeks are over, we should be allowed to sell to other merchants, or to the Moldavians, or to those from Sibiu, if they come to Braşov or we may go with our goods to Sibiu.³ (My translation from Romanian – M.P.W.)

The customs registers of both towns from the beginning of the sixteenth century reflect the flourishing trading activity of Braşov and Sibiu, which by this time were already established as intermediary exchange places for the long distance trade routes between West and East. Expensive Flemish and southern German cloths or the knives of Steyr were carried further south across the Danube, while spices and rich oriental textiles were flowing in the opposite direction.

The political changes which occurred after the defeat of the Hungarian army at Mohács in 1526 had a direct impact on this trade in many respects. One direct effect of the Ottoman advance in the region was that the oriental trade which was formerly conducted by Wallachian and Saxon merchants was gradually taken over by the Balkan-Levantine merchants who took advantage of their being protected by the Ottoman authorities. By the middle of the sixteenth century, the “Greeks”, that is merchants of Greek, Armenian, Macedonian⁴ extraction became present in the trade of both Sibiu and Braşov, and they had to be coped with.

The scarcity of direct primary sources obscures the actual origin of these merchants, who were generically referred to as Greeks, in sixteenth century Transylvanian documents. Authors take for granted that they were Balkan in origin⁵ and that they moved north as the Ottoman power progressed, attaining supremacy over the trade in oriental goods along the way.⁶ Samuel Goldenberg

³ Latest edition: *Urkundenbuch zur Geschichte der Deutschen in Siebenbürgen*, eds. G. Gündisch et al., vol. VII, Bucharest, 1991, p. 74-5. In earlier editions this letter was dated to the middle of the sixteenth century.

⁴ Samuel Goldenberg, *Contribution à l'histoire du commerce roumano-balkanique au XVI^e siècle*, in “Revue Roumaine d'Histoire”, t. VIII, 1969, no. 3, p. 607.

⁵ Zsolt Trócsányi, *Gesetzgebung der fürstlichen Epoche Siebenbürgens und die Rechtstellung der Balkangriechen in Siebenbürgen*, in “Etudes balkaniques”, 1971, no. 1, p. 94.

⁶ Mihail Dan, Samuel Goldenberg, *Le commerce balkano-levantin de la Transylvanie au cours de la seconde moitié du XVI^e siècle et au début du XVII^e siècle*, in “Revue des études sud-est européennes”, 1967, no. 5, p. 89-90. Athanassios E. Karathanassis, *L'Hellénisme en Transylvanie. L'activité culturelle, nationale et religieuse des compagnies commerciales helléniques de Sibiu et de Braşov aux XVIII^e-XIX^e siècles*, Thessaloniki, 1989, p. 27 adopted the clichés of the older Romanian literature, stating that the Greeks sought a relief from the “Ottoman yoke” and a better future for themselves. He also erroneously believes that the Greeks were already established in the Saxon towns in 1550.

asserted that they came from south of the Danube in the Black Sea region and that some of them were already settled in Wallachia.⁷

The presence of these merchants in Ottoman long-distance trade with Eastern and Northern Europe grew over the course of the fifteenth century.⁸ For example, by the second half of the fifteenth century, Levantine trade with Poland had already been taken over from the Italians by Ottoman subjects under the reign of Mehemed II.⁹ In sixteenth century Transylvanian sources, “Greeks” were understood more as having a juridical and professional status rather than a national-ethnic one. The “Greeks” were the particular alien merchants carrying oriental goods, and in my opinion this was the characteristic that weighed the most beside their speaking Greek or their pertaining to the Eastern-Orthodox religion. The expression used by Dan and Goldenberg to address the southern merchants, i.e. “Balkan-Levantine merchants” does not cover fully their typology, because many of these traders who were subsumed under the name Greek were actually proper Wallachians.¹⁰ For the sake of brevity they will be referred to in this text as “Greeks” within the larger meaning of the word.

These “Greeks” not being subjects of the local authorities was voiced by the Wallachian princes in their correspondence with the Saxon towns concerning this matter. In 1541, Prince Radu Paisie wrote to Braşov that he could not stop the Greek merchants from crossing from one territory to the other as the Saxons would have wanted, because both realms belonged to the Ottoman sultan.¹¹ A similar letter from 1564 declared: “ex parte mercatoribus qui sunt Greci, non sunt nostri mercatores vel ex regno nostro, sed sunt imperatoris, et fiatis liberi quid facere volueritis.”¹² Nevertheless, one letter from 1568 sent by Sultan Selim II shows that the Wallachian princes were in charge of the protection of the Ottoman

⁷ Samuel Goldenberg, *Der Südhandel in den Zollrechnungen von Sibiu (Hermannstadt) im 16. Jahrhundert*, in “R vue des  tudes sud-est europ ennes”, 1964, no. 3-4, p. 403. Samuel Goldenberg, *Der Handel Transsilvaniens vom 14. bis zum 17. Jahrhundert*, in “Scripta Mercaturae”, 1977, no. 11, p. 13: “unter der Sammelbezeichnung ‘griechisch’ aber verstand man Kaufleute aus der T rkei, aus dem ganzen osmanischen Reich, von der Balkanhalbinsel, wie auch aus Kleinasien. Tats chlich waren dies h ufig Griechen, aber ebenso auch Makedorum nen, Serben, T rken, Juden, Armenier, Italiener und sogar Siebenb rger, die sich im osmanischen Reich oder in den rum nischen L ndern angesiedelt hatten.”

⁸ Halil Inalcik, Donald Quataert, *An Economic and Social History of the Ottoman Empire, 1300-1916*, Cambridge, 1994, p. 209-11.

⁹ Halil Inalcik, *Bursa and the Commerce of the Levant*, in “Journal of the Economic and Social History of the Orient”, 1960, no. III, p. 139.

¹⁰ See the documents cited further in this article. Also, in later sources, the Wallachians are described as disguising themselves for Greeks in order to enjoy their specific privileges, that is, to become members of the Greek trading companies. See e.g. Olga Cicanci, *Companiile greceşti din Transilvania  i comerţul european  n anii 1636-1746*, Bucharest, 1981, p. 117.

¹¹ Ioan Bogdan, *Documente  i regeste privitoare la relaţiile Ţării Rom neşti cu Braşovul  i cu Ungaria  n secolele XV  i XVI*, Bucharest, 1902, p. 281.

¹² Eudoxiu de Hurmuzaki, *Documente privitoare la istoria rom nilor*, vol. XI, Bucharest, 1900, Appendix, p. 581.

merchants.¹³ Furthermore, some of these Greeks who traded in Transylvania were subjects of the Wallachian prince: the infiltration of Greeks into the Wallachian society in general in the sixteenth century had been already achieved. Many of the Greeks had mercantile origins but owing to their wealth and relations with Constantinople political milieus, they managed to enter the upper strata of the nobility.¹⁴

The growing presence of the Greek and other Balkan-Levantine merchants in the long-distance trade in the sixteenth century is not a phenomenon confined to the Transylvania. The fundamental study by Traian Stoianovich offers the necessary wider historical and geographical framework for putting the Transylvanian “Greeks” into context.¹⁵ According to Stoianovich, the Balkan and Levantine merchants played a key role within the policy of the Ottoman authority to make Istanbul the main emporium for oriental goods on the one hand and were also agents in the provisioning trade in the Capital bringing grain and cattle from Wallachia and Moldavia.¹⁶ Taking this argument further, it can be supposed that some of these traders undertook oriental trade with the Saxon towns of southern Transylvania, not even as their chief occupation – a fact which might explain the variations in who participated in the trade and the low frequency of transports.

A very recent paper by Maria Fusaro argued that the Greek merchants who were very well connected with other minority groups in the Balkans, especially Jews and Armenians, were the ones who ran the commercial connections of Venice with the Balkans in the late sixteenth century. Fusaro describes the position of these Greek merchants as follows:

[These merchants] found themselves better equipped to provide economic services, thanks to their scattered geographical presence and to the strong bonds of mutual trust that developed in such communities, which very well served to guarantee, amongst other things, effective contractual enforcement and a lowering of transaction costs.¹⁷

¹³ Dan, Goldenberg, *Le commerce*, p. 110.

¹⁴ Persons of Greek extraction managed to become very influential and entered the council of the Wallachian prince. This is the case for instance with the list of the “Greeks from Tzarigrad” [Constantinople] compiled in the monastery of Argeş between 1555-1568. Ştefan Andreescu, *Mihai Viteazul, Cantacuzinii și marea bănie de la Craiova* in *Restitutio Daciae*, vol. III, Bucharest, Albatros, 1997, p. 30-31. There is also the questions of Greeks who declared themselves to be settled in Wallachia in the second half of the sixteenth century: see Olga Căncă, *Les grecs macédoniens. Contributions à la vie sociale des Principautés Roumaines*, in “Historical Yearbook”, vol. 1, 2004, p. 121-128.

¹⁵ Traian Stoianovich, *The Conquering Balkan Orthodox Merchant*, in “Journal of Economic History”, t. XX, 1960, no. 2, p. 234-313.

¹⁶ *Ibid.*, p. 236- 240, esp. 238: “Another group [of Balkan merchants], especially in the central and eastern Balkan provinces, developed out of the need to assure provisioning of the Ottoman capital.”

¹⁷ Maria Fusaro, *Coping with transition. Greek merchants and shipowners between Venice and England in the sixteenth century*, paper presented at the XIII Congress of Economic History, Buenos Aires, Argentina, August 2002, <http://www.eh.net/XIIICongress/cd/papers/10Fusaro90.pdf>, accessed at 5 April 2003.

The sources at our disposal do not provide any sort of information to enable me to draw similar conclusions for the Balkan-Levantine merchants who traded with the southern Transylvanian Saxon towns. However, the efficient functioning of the Transylvanian oriental trade through their agency may indirectly indicate that this was indeed the case here, too.

The first official regulations of the statute of foreign merchants in Transylvania were issued after 1541, that is after the former province of the medieval Hungarian kingdom had become an autonomous principality under Ottoman suzerainty. The official legislation issued by the Diet aiming at ordering the statute of the Greek merchants in Transylvania has been already studied.¹⁸ Nonetheless, as Zsolt Trócsányi acknowledged, there were also privileges from princes or local statutes dealing with this matter which have been neglected so far, although in my opinion they are the best reflection of how the stipulations of the general norm were reflected on a microhistorical level. Zsolt Trócsányi has also rightly noticed that the commercial legislation of the principality consisted of two categories of stipulations: one concerning the extraneous merchants, the other specifically the Greek traders.

A closer scrutiny of the dietal decisions from the sixteenth century enables the researcher to discern two main aspects of the legislation specific to the statute of the Greek traders: in the period between 1559-1579 the main concern consisted in urging them to respect the storage places on the southern border of Transylvania.¹⁹ In the '80s the monetary side of the Greek trade came under scrutiny as well: there is the prohibition of taking out precious metals (1585, 1588) and the realisation that the abundance of merchandise keeps the prices low.²⁰ In the '90s the accent shifted to the legal status of the Greeks: those who did not have possessions in Transylvania were to come only as far as the deposit place, and all of them should be trading exclusively in oriental goods (1591).

A special situation – and one very suggestive of the new economic and political conditions – needed addressing when the southern merchants found the vulnerable spot in the young Transylvanian principality and started using the road through Caransebeş (I have also mentioned this matter in a previous chapter). Although traders had to make a large detour to enter Transylvania, avoiding the customs stations and the staple of the Saxon towns probably represented a good bargain. In 1555, the Saxons filed a complaint to King Maximilian – during the short Habsburg rule over the principality – who consequently ordered the Transylvanian voyvods to forbid the citizens of Caransebeş to associate with the Greek and Wallachian traders and also to compel them to stop there, in town:

¹⁸ Mihail Dan, Samuel Goldenberg, *Regimul comercial al negustorilor balcano-levantini în Transilvania în secolele XVI-XVII*, in “Apulum”, 1968, no. 1, p. 545-560. Trócsányi, *Gesetzgebung*, p. 94-100 for the sixteenth century; Lidia A. Demény, *Le régime des douanes et de commerçants grecs en Transylvanie au cours de la période de la principauté autonome* in “Makedonika”, 1975, p. 83-91.

¹⁹ Trócsányi, *Gesetzgebung*, p. 96. Dan, Goldenberg, *Regimul*, p. 548-9.

²⁰ Trócsányi, *Gesetzgebung*, p. 97.

Although from the most ancient times it has been the custom and habit that the Romanian and Greek and other merchants bringing their goods from Wallachia and Turkey not to bring those by many other roads except for those leading to Sibiu and Braşov as the only two depositing places, nor to dare to sell those goods in other place, now (the people of) Caransebeş in association with the Greeks, Romanians and Turks do not come to the customary depositing places.²¹ (My translation from Latin – M.P.W.)

Although the efficiency of this order can be questioned, just as the rethoric of the ancient times when rules used to be followed, this document reveals that oriental goods traders quickly adapted to the changes and took advantage of them. The new predicament connected to the loophole represented by Caransebeş had to be settled and integrated into the juridical organisation of Transylvania. The solution chosen was the simplest and the most logical: no later than 1557, Queen Isabella granted to Caransebeş the right of staple and deposit:

The community of Saxons in Transylvania showed us that it had been their ancient liberty and costum, that no foreign and alien merchants and traders should bring their goods into our kingdom of Transylvania beyond Charansebs, but had to deposit all their merchandise and goods (...) We strongly command that (...) all and any foreign and alien merchants and traders to be stopped from going farther into the kingdom with their goods, but they should make their goods and merchandise stay there at the depositing place in Charansebeş.²² (My translation from Latin – M.P.W.)

While the stipulations of the Transylvanian Diet are more of a general nature, the actual town statutes of Sibiu and Braşov shed more light on how the trade of the Greeks was organized. Even though the central government issued such measure and regulations aiming at a coherent policy toward commerce, towns maintained their autonomy in handling matters connected to their trade and to foreign merchants.

The “Constitutiones intuitu mercatorum extraneorum” of 1545 of Sibiu defined the guidelines for the commercial conduct of the foreign merchants, of whom only the Greeks and the Wallachians (*Kriechen, Wallachen/Bleschlender*) are ethnically identified.²³ Two articles from a total of eight concern the Greeks, three of them refer to foreign merchants in general and two article refer to petty local merchants – *Kremmern*. In brief, the 1545 stipulations prescribe the

²¹ Hurmuzaki, *Documente*, vol. XV/1, Bucharest, 1911, p. 512-3.

²² Hurmuzaki, *Documente*, vol. II/5, Bucharest, 1897, p. 443. See also Dan, Goldenberg, *Regimul*, p. 548.

²³ Published in *Hermannstädter Lokal-Statuten*, ed. Gustav Seivert, Sibiu, 1869, p. 22 and Hurmuzaki, *Documente*, vol. XV/1, p. 439. Mentioned with a different date (1546) by Goldenberg, *Der Südhandel*, p. 418.

mandatory observance of the deposit at the merchants' house and the interdiction of retail sale imposed on foreign merchants. The statutes include also a clause forbidding foreigners to travel into Wallachia without announcing the authorities of the town, which means that, at least ideally, the merchants of Sibiu preserved and observed their ancient staple right for in the Wallachian direction as well, in accordance with the original staple right charter of 1378.

(1.) Item alle dy Guetter, dy die Kriechen oder Walachenn pryngen, sellenn ym Kauffhaws nyder gelegt werdenn. Und, dyweil er hye pleibt, soll er Sorg drauff tragenn; wen er aber weg czeugt, sol er dy Gytter zum Wirt unter des Hausgraffen Sigel lassen. Dy sol vorkaufft werdenn durch den Wyr, mit Willen des Hausgraffen.

(3.) Item keyn frembdt Kauffman soll yn Bleschland czyen an Wilenn und Wissen der Oberkeyt, bay Straff.

(4.) Item keyn fremdt Kauffman soll vorkauffen alleyn mitt der Tonnen, als Herynk, Malwasy, Allaun, sonder am Marktag sollen sy Paumoel mit dem Pfunt.

(5.) Item keyn Krych oder Bleschlender soll unter dray Gulden nichts vorkauffen den Stattmen, oder Teppych und Tekeltucher seyn Fraw zu seyner Nott, sonder keynem Fremdenn sol er vorkauffen.

(6.) Item keyn frembder Kauffman sol czwischen Yermerkenn fray seyn zu vorkauffen, alleyn mit dem Stuk und Hoffenn, sonder am Yarmark mit eynem Gulden, unt nit darunter.²⁴

Translation (M.P.W.):

(1.) All the goods brought by the Greeks or the Wallachians should be deposited at the merchants' house. And, while he stays here he should watch them but when he leaves he should leave the goods at the inn under the seal of the warden. These should be sold at the inn with the approval of the warden.

(3.) No foreign merchant should go into Wallachia without the permission and knowledge of the authorities, under penalty.

(4.) No foreign merchant should sell except with the tonne, namely hering, Malmsey wine, alum; only on market day they should sell wood-oil by the pound.

(5.) No Greek or Wallachian should sell to the townspeople under three florins, be it carpets and towels to women for their need; and they should not sell to any foreigner.

(6.) No foreign merchant should be free to sell in between the annual fairs, only by the piece and barrel; and even during the fairs not under one florin.

²⁴ Quoted after *Hermannstädter Lokal-Statuten*, p. 22.

The exact date of the establishment of the Merchants' House (Kauffhaws) in Sibiu is unsure. All that is known is that it stood on the place of the present Roman-Catholic church on the Great Ring.²⁵ This location would have followed the topography of these Merchant houses in the medieval German towns, where generally they were located near the city halls. Actually, one entry from the 1501 town account book for instance records a new *testudo* situated in the Great Ring, but I think it would be hazardous to suggest that these two data refer to one and the same building. The same account book also mentions monthly incomes from the storage places rented by the Wallachians for the fish brought by them to Sibiu.²⁶ Local merchants rented storage rooms or shops (*testudines*), as they are registered as paying a yearly rent of 3 or 4 florins.²⁷

The existence of the warden (*Hansgraf*) is also interesting, because this office does not seem to be documented in other sources. Gustav Seivert, the first editor of the 1545 statute of Sibiu, acknowledged that the word and the office are as old as the staple right (1378).²⁸ It can be supposed that the model for this organization was the city of Vienna, with whom the citizens of Sibiu had close trading and political contacts and where the *Hansgraf* was entrusted with watching over the observance of the staple right.²⁹

As a last commentary on these 1545 statutes, it seems that one other crucial aspect has escaped the attention of previous authors. Restrictions were inflicted, not only upon Greeks and foreign, but upon the local merchants and tradesmen (*Kremmer, Kauffman*) as well, who could sell their handwork exclusively on the market day and could conclude transactions with the villagers only during the annual fair.

A similar statute was issued by the notables of Braşov in 1577, however this one is more detailed and elaborated. Out of the total of 24 stipulations concerning the selling various goods by various types of merchants at various times (hours of the day, days of the month, months of the year), only one refers specifically to the Greek merchants and one to the (other) foreigners. The text is more precise in relation to the functioning of the staple at Braşov: the Greeks had to remain in the city for at least 14 days and not return only after at least a month. They were forbidden to sell at the inn (*Heerberg*), and the lowest value limit for selling their goods was 10 florins, that is three times larger than in Sibiu:

²⁵ Ernst Wagner, ed., *Quellen zur Geschichte der Siebenbürgischen Sachsen*, vol. 1, Köln, 1976, p. 149, note 2.

²⁶ *Quellen zur Geschichte Siebenbürgens. Rechnungen aus dem Archiv der Stadt Hermannstadt und der Sächsische Nation* (hereinafter: *Rechnungen*), vol. 1, Sibiu, 1889, p. 340-1: *Percepta ex camerarum, in quibus Wallachi pisces retinuerunt*.

²⁷ *Rechnungen*, p. 341.

²⁸ Seivert, ed. *Hermannstädter*, p; 23, note 1.

²⁹ Peter Csendes, Ferdinand Opel, *Wien: Geschichte einer Stadt*, vol. 1, *Von den Anfängen bis zur ersten Wiener Türkenbelagerung (1529)*, Vienna, Böhlau, 2001, p. 102 and 222.

XI. Die Griechen weill sie nicht sein zu untterscheyden, so sollen die so ihre gütter hierbringen, dieselbe gütter ablegen, aber in die verordnete still vnddt gewelber, vnddt vntter fl. 10 einerley gütter nicht verkauffen, auch auff der Heerberg kein gütter feill haben, bey straff 10 fl. Es soll auch keyner vber 14 Tag sich allhier seümen vnddt bleiben, vnndt auch nicht weniger den vier wochen auszbleiben, weder Er noch sein Gesell bey Straff 10 fl. Ist aber grosz Vrsach vber die 14 Tag zu bleiben, so soll Er die ansagen, so mög ihm ein Tag oder 2 vergonnet werden.

XII. Es soll kein fremder mitt fremden allhie kauffen noch verkauffen aussgenommen an Allerheiligen Jahrmärk. Am anderen Jahrmärk aber soll frey sein die hermanstedter die ausz den zwen Stüelen mitt Fremden zu handeln, die Anderen nicht bey verlöhrung der gütter.³⁰

Translation (M.P.W.):

XI. The Greeks, because they are not to be differentiated, should bring their goods here and sell them, but in the prescribed places and vaults, and they should not sell any goods under 10 florins; they are also forbidden to sell at the inn under the fine of 10 florins. No one should stay here more than 14 days and he should return only after at least four weeks, either himself or his associate, under the fine of 10 florins. If there is a great reason to remain for more than 14 days, he should notify [the authorities] and be allowed one or two days more.

XII. No foreigner should buy and sell to a foreigner with the exception of the fair at All Saints. During the other fairs the merchants from Sibiu and the Two Seats are allowed to trade with foreigners; the others are not, under the penalty of losing their goods.

It is noteworthy that the 1545 Sibiu regulation does not describe or prescribe the mechanisms implied by the staple right as minutely as the Braşov statute. Nevertheless, the staple at Sibiu was organised similarly to that in Braşov. A Sibiu town statute from 1631 had it in black and white: the Greeks and other traders coming with goods from the south to the place of deposit should pay the customs duties, then stay there for fourteen days and sell wholesale exclusively to the town's citizens, except for the annual fairs.³¹

What both statutes presented above share is the strict control intended over foreign merchants and their movements. Although on a theoretical level merchants

³⁰ These statutes are published in *Corpus statutorum Hungariae municipalium*, ed. Sándor Kolozsvári, Kelemen Óvári, vol. 1, p. 540-1; utilized by Dan, Goldenberg, *Regimul*, p. 554. It seems that there is an even older market order for Braşov from 1495, and it is incorporated in an unpublished 1555 town statute: Maja Philippi, *Die Bürger von Kronstadt im 14. und 15. Jahrhundert*, Bucharest, 1986, p. 100.

³¹ Friedrich Schuler von Libloy, *Materialen zur siebenbürgischen Rechtsgeschichte*, Sibiu, 1862, p. 90-1.

would have been allowed to enter Transylvania with their goods after the mandatory stay, the town statutes intensified the requirements imposed on foreign merchants: if they could not sell their goods, they left town without even taking their unsold stuff with them, as the Sibiu regulation states. In Braşov, it is interesting to discover that a mandatory stay-away period was imposed as well. The staple definitely offered advantages to the local Saxon merchants and these harsh regulations can only reveal their strong adherence to this right.

Both decisions of the Diet and town ordinances aimed at keeping the “Greeks” who brought the much sought oriental textiles and spices outside the Transylvanian market. Their merchandise had to be sold to the local merchants under strict conditions. The profitable task of distributing farther these oriental goods was in the hands of the Saxon merchants who resorted to any means to exclude the alien traders from their territory. Actually, these Greek merchants were not allowed to offer their goods for sale on the town market. The depositing place of Sibiu was located in Tâlmăciu, a small village 20 km south from town, where the cellars for storing the goods existed – therefore, these merchants did not go near the city walls. In Braşov, the inn for the Greeks stood in the Klostersgasse, far from the town centre and market place.³²

Moreover, one tense episode from 1573 reveals other methods employed by the Saxons against their Greek “adversaries”. The Saxons of Sibiu had entrusted a certain Miklos Oloz from Caransebeş to launch an investigation on each Greek merchant in that town. He summed up the results of his enquiry in a “memorial”, where the actual legal statute of certain merchants was exposed: many of them did not reside in Caransebeş or did not pay taxes in the town, having their estates and fortune in Wallachia or even in the Ottoman Empire. The merchants of Sibiu initiated a lawsuit against the merchants from Caransebeş after forbidding them to sell and confiscated their wares at a fair. Eventually, Prince Stephen Báthori decided in favor of the defendants and their goods were returned to them.³³

It is certain that these regulations were harsh and hindered the free movement of peoples and goods. Why did these “Greek” merchants keep coming to Transylvania given this adversity? The most plausible answer is that the Saxon towns offered good conditions for business, namely trading partners and available cash, as long as the aliens played by the rules, respecting the official roads and paid the customs duties. In the end, the Saxons were the defeated party: within a few generations, the Greeks obtained the privilege of founding their own trading companies in Transylvania, no more and no less, than in Sibiu (1636) and Braşov (1678).³⁴

³² Erich Jekelius, *Das Burzenland*, vol. III, *Kronstadt*, Braşov, 1928, p. 31.

³³ The entire episode is narrated in great detail by Goldenberg, *Contribution*, p. 614-8.

³⁴ Cicanci, *Companiile*, p. 54 sqq.