

VILLAINS AT THE BORDER BETWEEN MOLDOVA AND TRANSYLVANIA IN ROMANIAN ACTS FROM THE 17TH CENTURY*

Cătălina Chelcu**

Abstract: *We are considering ways to resolve the causes arising from crimes committed on the border between two historical provinces and the perception of the judicial practice as one component of diplomatic ties during the 17th century, through the exchange of official documents and private letters. Language ability, on one hand and insistence, on the other required for recovering losses, extradition of perpetrators or restitution of goods to a murder victim, prevention policy, but also for punishment of the robbers made it difficult to conduct trading activities in the framework of “neighborly” relations. This principle was also invoked in solving criminal case. These are the objectives of the present research.*

Keywords: theft, robbery, murder, diplomacy, “neighborly”

Conflict situations at the border between Moldova and Transylvania were numerous, and their settlement was the responsibility of the *vornici*¹ of districts Câmpulung and Vrancea. In the present study we will present aspects of the way of handling cases arising from crimes committed in the northwestern border of the two Romanian provinces in trading between Moldova and Bistrița, whose land connection was Câmpulung. Appointed by the Prince as guards at the border with Transylvania, *vornici* of Câmpulung were subordinated to the chief magistrate of Suceava and had the power to intervene in conflicts caused mostly by thefts, but also in cases of murder, citing mutual benefits in restoring the neighborhood peace². We should mention that the judicial practice on either side of the mountains in the 17th century was linked to the diplomatic relations of the two countries, as reflected in the exchange of official documents and private letters. Trading links with Bistrița were strong in the previous century, when the Transylvanian city was “the main shopping center across the mountains for Moldavian merchants” encouraged, in the age before, by Ștefan cel Mare and then amplified by the measures taken by Alexandru Lăpușeanu³. Regarding

* A study supported by the grant CNCS-UEFISCDI, project code PN-II-RU-PD-2012-3-0417.

** PhD, Senior Researcher III, “A.D.Xenopol” History Institute, Iași; catalina.chelcu@yahoo.com

¹ *Vornici* = princely rulers with administrative and judiciary rights.

² D. Ciurea, *Organizarea administrativă a statului feudal Moldova (sec. XIV-XVIII)*, in “Annuary of the “A. D. Xenopol” Institute, Iași, tom. II, 1965, p. 205.

³ I. Caproșu, *O istorie a Moldovei prin relațiile de credit*, Iași, Ed. Universității “Al. I. Cuza”, 1989, p. 23.

We must emphasize, from the beginning, that in order to solve border disputes they needed a legal judgment enforced by municipal courts of law, and in Moldavia also by the Prince⁹. Typically, the case had to be decided by the court in the city or country that included the defendant, as it was in the previous century¹⁰, and deviations from this rule by abuse complaints on either side were fined with threats with punishment of those responsible, as the perpetuation of the state of insecurity at the border would have affected trade relations needed by both Moldavia and the Saxon land beyond the mountains. That is, as Alexander I. Gonța showed, “they were always seeking peace”¹¹. But this, especially in the second half of the 17th century, was hard to find, in terms of the downfall of political ties¹² and decline of economic exchanges between Moldavia and Transylvania during this period¹³. Therefore, conflicts generated by political and economic realities of this time also manifested in how to resolve the borders affairs, where the old commercial agreements were violated by both sides: for example, detention, challenged by the moldavian side and refusal to restitute payment compensations by the people of Bistrița¹⁴.

Even before the beginning of the 17th century, Moldavia was marked by unrest that will follow throughout that age. In the context of political tensions between the Christian powers and the Ottoman Empire, the situation of Moldavia was fragile in the last decade of the 16th century and the early years of the next century, its territory turned into a scene of disasters caused by military campaigns, plundering expeditions and local battles. The dispute for dominance over this space arising between Poland and the Porte caused a perpetuating unsafe atmosphere dominated by relentless and bloody rule changes. A time when even the longest reign of Ieremia Movilă brought stability that was hardly maintained by the Polish authorities and fragmented by the ephemeral reign of Mihai Viteazul. On the other hand, the changes in Transylvania represented by the replacement of Sigismund Bathory with cardinal Andrei Bathory, chosen by the polish, followed by Mihai Viteazul’s campaign over the mountains in the fall of 1599, again disturbed peaceful trade relations between Moldavia and the Principality of Transylvania. Besides upsetting everyday life, the state of war favored daylight robbery, which led to closing the roads and thus to impairment of trade between the two regions. As a result, throughout the 17th century continued exchange of letters between Romanian dominions, rulers and merchants, on the one hand and

ties (1656-1688)] și *Din relațiile Transilvaniei cu Moldova și Țara Românească în sec. al XVII-lea*, Cluj-Napoca, Ed. Risoprint, 1997.

⁹ I. Caproșu, *op. cit.*, p. 27.

¹⁰ *Ibidem*, p. 28.

¹¹ Alexandru I. Gonța, *op. cit.*, p. 172.

¹² Susana Andea, *Transilvania, Țara Românească și Moldova. Legături politice (1656-1688)*, p. 374.

¹³ Alexandru I. Gonța, *op. cit.*, p. 196-206.

¹⁴ *Ibidem*, p. 204.

demanding fulfillment of justice. Food shortages and high food prices lead to an increased number of thefts of cattle, like oxen and cows and also grain¹⁹. Wandering or death of the masters, made the servants to acquire the assets of the dead, missing or unable to recover lost or abandoned pieces.

The local fights for Moldavia's throne, with inherent foreign intervention in support of a candidate or another, have affected, along the century the economic stability of the country, often endangering trade in Transylvania, Poland and Tartar parts, leading to increased thefts both within the country and at the borders. The situation was remedied temporarily by the enthronement of a Prince whose political orientation could provide stability to the country. This was the case of Ștefan Tomșa who once settled in Iași, took care of opening trade passes to Transylvania to resume trading, after a short period it has been plagued by the fights for the reenthronement of Constantin Movilă with Polish help. As a result, the new Prince, liege to the Porte, wrote on 24th of March 1612 to the judge of Bistrița in order to approve traders coming to Moldavia, where they will not offend anyone, and that we would send someone from the court for purchases, including the gunpowder²⁰. This circumstance has influenced approaches to solving problems concerning robberies committed against Moldavian rulers and merchants. That's what happened with attempts, from both sides, to recover or compensate hetman Ieronim Stavrinos²¹. Testimony in this regard are the personal letters sent, consigned by Ștefan Tomșa himself and Prince Gabriel Bethlen's dispatch, to Bistrița, on June 1612, to solve the problem of theft of property of the hetman, meaning gold, silver and clothes worth 5000 florins, taken from his landlord's house, Francisc Kok²². The same request was addressed again, by the Prince of Moldavia in a letter to the authorities of Bistrița on the 30th of August 1612²³. The theft problem had not been resolved even after the intervention of the two princes,

¹⁹ For example, a priest dadstolen two *gropi* of bread (*Documenta Romaniae Historica*, A. Moldova, vol. IX, by Petronel Zahariuc, Marius Chelcu, Silviu Văcaru, Cătălina Chelcu și Sorin Grigoruță, București, Ed. Academiei Române, 2014, p. 252, nr. 180).

²⁰ Alexandru I. Gonța, *op. cit.*, p. 179.

²¹ Ieronim (Hieronim) hetman Stavrinos during Ștefan Tomșa II's reign – signing on May 3rd of May 1612: *Ztverno, Hatman generalis regni Moldaviae* (Eudoxiu de Hurmuzaki, *Documente privitoare la istoria românilor*, XV/2, p. 852, nr. MDCCIII) – was, according to N. Iorga, son of Stavrinos, Greek chronicler of Epir, treasurer of the Romanian Country during the rule of Mihai Viteazul, about whose reign was written, in Greek, the poem *Vitejiile prea cucernicului și prea viteazului Mihai Voievod* (cf. *Dicționarul literaturii române de la origini până la 1900*, București, Ed. Academiei Române, 1979, p. 85) while he was imprisoned in Bistrița (idem, *Prefață*, [Preface] p. XCI-XCII, except that the historian identifies Ieronim with Gheorghe Stavrinos). According to N. Iorga, father and son were killed by order of Ștefan Tomșa (*Ibidem*, p. XCII).

²² Eudoxiu de Hurmuzaki, *Documente privitoare la istoria românilor*, XV/2, p. 852, nr. MDCCIII; p. 854-855, nr. MDCCVI.

²³ *Ibidem*, p. 855, nr. MDCCVII.

Solving the problems faced by Moldavians in Bistrița was permanently accompanied by an indication of good neighborliness and friendship. The return of goods stolen from the monastery Putna – 33 good horses, carpets and money – belonging to the monks that had been *worked* by an organized band of robbers in the land of Bistrița, some caught by locals, was the requirement formulated in 1622, by Ștefan Tomșa in the name of the good neighborly relations: “for which we thank for the good neighborly relations you have showed us”. The Prince’ sent, *sulgerul* (boyard in charge with supplying the court and army with meat and candles) Ionașco Rotompan, who had the task of returning the goods found on thieves, along with the moldavian thieves that accompanied the Transylvanian ones and sheltered across the mountains: “for that we want you that all the tools and silvers of the monasteries and horses and everything found on the robbers, to be returned, to this boyard of ours and the monks and those thieves to do well and send them to us with this boyard of ours”³⁰. But in 1650 this issue was still not resolved, because, again, the publican Conde asked the rural mayor of Bistrița to send the priest for confrontation “let the priest be present”³¹.

The Prince’s intervention for his impaired subjects will occur in 1623, in the case of a false payment made by a priest of Ilva to two moldavians from the village Rotompânești. He argued that he “paid his debts to your Prince’s boyard, Conde the great publican”, from which the Transylvanian priest took only two oxen. Researching the facts lead to the invalidation by the moldavian governor of the situation presented by the priest, so that the people from Iași requested the resolve of the dispute “we urge you to judge the priest and give our people their oxen back”³². Return of stolen goods from Voroneț monastery and extradition of the robbers were also requested by Miron Barnovschi, in 1629, from the authorities of Bistrița, based on the same ‘good close friendship and neighborly relations’³³.

Good neighborly relations were also used as the basis for solving issues of punishing thieves during Vasile Lupu’s time, in Moldavia, and Gheorghe Racokzi I, in Transylvania. A good example of this is a letter sent by *șoltuzul* (title given to the ruler of a medieval town, who was assisted in its work by a council consisting of 6-12 people) from Suceava, to the rural mayor of Bistrița, namely Andreiaș, regarding acts of aggression and theft and a murder attempt committed by Gligorie, son of the priest Petrea of Rebrișoara, and Luca, son of Matei from Bârgăul de Sus: “So then we wanted to get them into the city as evil-doers, and then if they said they are from your Prince’s city, we only requested them to make peace with those whom they have hurt and laid wounded, and yet, if they die, they will have to ask about them. So they gave the barber (rom. *bărbier*) a *fotă* (part of Romanian folk

³⁰ N. Iorga, *Documente românești din arhivele Bistriței*, I, p. 40-41, nr. LIV.

³¹ *Ibidem*, p. 78-79, nr. CVIII.

³² *Ibidem*, p. 41-42, nr. LV.

³³ *Ibidem*, p. 44-45, nr. LX.

