

Organization and Use of Archival Records in Medieval Lucca

So NAKAYA

1. Archives as Historical Sources

The archives of European cities, above all those of Italian cities, hold a remarkable wealth of city administrative records from the later middle Ages. The archive of Lucca, for example, has more than 2,000 court books, no fewer than 300 hundred financial books, and 65 council books. These documents date from the 14th century. A similarly rich resource of documentation can also be seen in the archives of other Italian cities, such as Florence and Bologna; a number not so different, albeit one or two centuries later, from cities in the Low Countries, the South of France and Germany. It was not private bodies, but public governmental institutions (Commune in Italy), which produced and kept these administrative records in the form of books or registers in which ordinary governmental affairs such as trials, tax collections or council decisions were described. The rich tradition of such public records demonstrates the characteristics of the archives of these European cities and, at same time, has inevitably conditioned the historiography of medieval cities.

A reason why the public city records have been conserved so voluminously until now is certainly because of the institution of modern archives during the 18th century in European countries. However, the survival of medieval documents up to the modern age also deserves attention. Here, I consider the tradition of archives from the later Middle Ages, which regularly conserved medieval documents for several centuries; I focus on Italian archives as one of the earliest examples.

This study of medieval archives has a common point of view with current studies on the historical sources, a view in which historians set their gaze not only on the face of the text but also on its figural and material aspects, seeking to reveal the characteristics of the society in which the documents were produced, circulated, consumed, used and kept secure. From this view, the archives of medieval cities

become themselves new “sources” to understand the mentality of medieval citizens and medieval urban society, as well as to know the origin of the institutions which kept the records continuously.

In this paper I first consider the origin of administrative records and the organization of archives in the Italian cities. I then examine closely the activities surrounding safekeeping and the use and loss of medieval records, focusing on the archives of Lucca and Bologna. Through this examination, I would like to reveal the specific conception of and attitude to these documents by medieval citizens.

2. Registers and Archives in the Italian Cities

The inventories dating from the 13th-14th centuries indicate that the shelves of city archives were already full of many administrative records. It is possible to say that the continuous production of these registers promoted the organization of the public archives. First of all, let us consider the appearance of this type of document.

After the predominance of the writing done by ecclesiastical authorities in the early Middle Ages, from the 11th and 12th centuries city governments started to enter the writing world. They first issued and received charters, and then produced the cartularies and the statutes in which were memorialized and compiled the various rights and rules. In this way the lay authorities became leaders in the production of documents in medieval Italy. Though the cartularies and the statutes were a new type of writing, which differed from charters in form, they were not exactly same as the administrative registers which dated from 13th century, for the reason that the former recorded rules and rights resulting from certain past acts, while the latter continuously recorded current business.

The administrative registers appeared at the end of the 12th century and in the early 13th century¹⁾. In Vercelli, in the province of Piemonte, the Podestà, who came

¹⁾ Paolo Cammarosano, *Italia medievale. Struttura e geografia delle fonti scritte* (Roma, 1991), pp. 125-144; Jean-Claude Maire Vigueur, “Révolution documentaire et révolution scripturaire: le cas de l’Italia médiévale”, *Bibliothèque de l’École des chartes* 153 (1995), pp. 177-185; Hagen Keller (hg.), *Pragmatische Schriftlichkeit im Mittelalter* (München, 1992); Thomas Behrmann, “The

from Milan, ordered the communal officials who were engaged in judicial, financial and council affairs to record in detail each work, so that the public affairs could be audited and easily be passed on to successive officials²⁾.

This measure legislating for the records was part of a series of the administrative reform in the 13th century, when the Commune, following the period of dominance of the aristocracy, entrusted foreign citizens known as the Podestà to govern the city. In this regime, the Podestà, following the demands of the emerging citizens, worked out various new measures for fair and clear governance, which included the recording of public affairs. During this time the Commune became a more public institution composed of impersonal officials strictly observing the regulations.

The steady accumulation of administrative registers from the 13th century pressed city officials to change their way of keeping documents. Let us consider the institutions of the archival system and their development in the Italian cities, on the basis of the study by Petra Koch³⁾.

The documents were initially conserved in the treasury, where the financial minister worked. We have testimony that the notary of the financial minister kept the communal registers in Bologna in 1217, Lodi in 1228 and Siena in 1250. In view of the fact that they often listed the debtors in the Commune, the documents seem to have been considered as financial resources on which basis the officials collected communal debts.

After the middle of the 13th century, in which the increasing range of governmental affairs produced a massive amount of registers, the officials specialized in keeping the documents; for example, *Archivum* or *Camera Librorum* was first instituted side by side

Development of Pragmatic Literacy in the Lombard City Communes”, in R. Britnell (ed.), *Pragmatic Literacy, East and West 1200-1330* (Woodbridge, 1997), pp. 25-41; Id., “Von der Sentenz zur Akte. Beobachtungen zur Entwicklung des Prozeßschriftgutes in Mailand”, in Hagen Keller/ Thomas Behrmann (hg.), *Kommunales Schriftgut in Oberitalien. Formen, Funktionen, Überlieferung* (München, 1995), pp. 71-90.

²⁾ Laura Baietto, “Scrittura e politica. Il sistema documentario dei comuni piemontesi nella prima metà del secolo XIII”, *Bollettino storico-bibliografico subalpino* 98-1, 2 (2000), pp. 105-165, pp. 473-528.

³⁾ Petra Koch, “Die Archivierung kommunaler Bücher in den ober-und mittelitalienischen Städten im 13. und frühen 14. Jahrhundert”, Hagen Keller und Thomas Behrmann (Hrsg.), *Kommunales Schriftgut in Oberitalien. Formen, Funktionen, Überlieferung*, München, 1995, SS. 19-69.

with the treasury, and then exclusively.

In Bologna in the 1250s a special official competent to keep the Podestà's documents (*notarii ad acta comunis et scripturas notariorum potestatis*) appeared, and in the 1260s another competent official, a custodian of the Archivum (*notarius ad camaram actorum*), was mentioned. And then, in 1288, these two official positions were merged into one, charged with care of the communal registers such as financial records and council proceedings, as well as the documents of the Podestà.

In Vercelli, we have the testimony that the financial minister consigned the lists of communal debtors to the custodian of the archive in 1242. Another document mentions that this was kept in the *Archivum* or the communal tower, where the communal records were conserved. In other cities, the first appearance of information about the *Archivum*, or the custodians or officials engaged to look after the archive, is as follows: Parma in the 1250s and 1260s, Padova in 1275, Mantova in 1276, Verona in 1288, Perugia in 1290, Prato in 1291 and Pisa in 1302.

The medieval archives in most cases were not housed in their own exclusive buildings, but were located in churches or communal palaces or towers. The archives of Vercelli, Parma, and Lucca were set up in communal towers, and that of Perugia was installed in the church of San Domenico. Archives had shelves (*armarium*) inside, for the storage of the documents, as well as sacks (*tasca*), boxes (*cassa*) with locks, or chests (*arcubancum*) – the latter in particular for important documents such as deeds and city statutes. In Padova a provision of 1275 prescribed that “all documents must be allocated in proper position on shelves which are partitioned”. The archives of Firenze in 1289 had shelves with exterior labels denoting their contents.

3. Organization of the Archives in Lucca and Bologna

Even though the institutions that specialized in keeping the documents were organized, the transmission of documents could not necessarily be guaranteed. Medieval archives were involved in a struggle between a natural centrifugal force that pulled records out of the archive, and the efforts of custodians who brought the documents

into the archive and held them securely as their “treasure”. Here we consider the activities of the custodians in archive of Lucca and Bologna.

The first and the main diverging point for the transmission of communal registers was the phase of the consignment of documents to the custody of the archive from the clerks who recorded the business in the courts and councils or their offices. The city government of Lucca took an acute interest in this phase. The statute of 1331 stipulated that the Podestà, just after the assumption of their new post, must order the judges and the court clerks, who had been engaged in their work for the previous five years, to consign the holding court registers to the archive⁴⁾. The communal inspector in 1333 also declared an official ordinance in the city that those who held public records, or those who knew of holders, must present the documents and notify the fact to the Commune, and that anyone who did not obey this order would be considered a thief⁵⁾. The repeated issue of such an ordinance shows the high level of interest in consignment by the Commune and the difficulty of its realization. The obstructive elements were not only the negligence of officials but also the trade of documents as paper. The statutes of 1331 ordered that nobody, and especially herbalists, could buy public documents and court records⁶⁾. The custodian of the archive in 1389 lamented the fact that the public notarial documents were being sold to herbalists at a rate of one gold coin per 100 lire (about 33kg). According to Lazzareschi, the documents were reused in various ways, such as for wrapping medicinal herbs at a time when paper was not in circulation⁷⁾.

The custodians struggled desperately against this current in which their records were being dispersed and lost. We can see in the books of memorandums from 1343 to 1420 the traces of continuous trial and error by custodians to ensure they received exact consignments⁸⁾. Their strategies appear in three different type of books. In the first type, from 1343 to 1364, each time the custodian received the register he entered

4) Archivio di Stato di Lucca (以下ASL), *Statuti del Comune di Lucca*, 4, pp. 166-167.

5) *Bandi lucchesi del secolo decimo quarto*, a cura di S. Bongi (Bologna, 1863), p. 12.

6) ASL, *Statuti del Comune di Lucca*, 4, p.61: “Item quod nullus speciaris vel alia persona emat instrumenta vel publicas scripturas vel libros alicuius curie vel officialis manu publica descriptos”.

7) Eugenio Lazzareschi, “L’Archivio dei Notari della Repubblica lucchese”, *Gli Archivi Italiani*, II-6 (1915), pp. 175-189.

8) ASL, *Archivi Pubblici*, 3, 14, 15, 31.

the type of register, the name of the clerk and office and the volume of documents. Therefore, the entries were made in chronological order. In the second, dated from 1365, the custodian, even though continuously arranging entries by the year on the whole, organized for each year entries in order of the offices from which the records arrived. This modification allowed him to anticipate the next arrival of registers that were expected, and become rapidly aware of any undelivered registers by seeing a blank space where there should be an entry. In the third, from 1384, the offices themselves became the first order to be entered, and in each office the entries were arranged chronologically. Here, the memo book finally took on a similar format to the inventories, as we will see in the next chapter.

The registers which somehow fell into custodians' hands were subsequently collocated and placed on the proper shelves. We know in detail how the inside of an archive was arranged on the basis of the inventories of Lucca and Bologna. The inventory of Bologna, which was dated from 1290, with postscripts added up to 1303, shows that archival documents were located on three shelves and in nine chests⁹⁾. Firstly, the "old shelf" had 22 cases, which contained 322 books, *quaderni, volumi*, from 1235 to 1285. The "new shelf", in which there were 25 depository cases, had 500 documents dating from 1253 to 1284. And the "newest and huge shelf" contained a massive number of records: 1142 documents from 1285 to 1303 (in total 126,000 pages) kept in 21 boxes. Furthermore, the archive of Bologna had nine chests, which contained about 400 records.

Let us consider the organization of the documents in the archives on the basis of the entries in the inventories. The archive of Bologna arranged the records in chronological order, in particular in order of the period of the Podestà. For example, box number 10 of the "new shelf" put together the different registers which were redacted under the regime of the Podestà Andrea Ceni: 12 court books, 4 judgment books, 3 financial books, 2 council books, a contract book and 10 other different type of books¹⁰⁾.

⁹⁾ As for the inventory of Bologna, Gina Fasoli, "Due inventari degli archivi del comune di Bologna nel sec. XIII", *Atti e memorie della r. deputazione di storia patria per le provincie di Romagna* s. IV, 23 (1933), pp. 173-277; Antonio Romiti, *L'Armarium Communis della Camara actorum di Bologna. L'inventariazione archivistica nel XIII secolo* (Roma, 1994).

¹⁰⁾ *Ibid.*, pp. 24-25.

Unlike the archive of Bologna, that of Lucca adopted a different way of arrangement. According to the inventory of 1344-1345¹¹⁾, the documents were collocated on shelves in order of the offices from which the registers arrived. About 3000 registers, dating from 1330 to 1345, were allocated to the spaces of 73 offices. It was probably more useful for the custodians of Bologna to arrange the documents in order of period, and for those of Lucca in order of office.

4. The Use and Loss of the Archival Records

It is impossible that the registers, which had been consigned to archives and arranged in their proper location, would have been left untouched and to have slept on their shelves up to the present time. They must often have been taken down and used in different ways. Some registers, after being used, were returned to their former location, but others would not have been returned to their archive and would have become dispersed and lost forever. Now let us consider the use and loss of archival documents.

First of all, the communal registers were used inside the archive as original books, the basis from which the copies were derived. The statutes of Lucca provided that the custodian of archive must issue copies from communal books in response to demand by citizens¹²⁾. We can confirm the application of this rule in the fact that parties in law suits often presented the registers' copies issued by custodians to prove their allegations at court¹³⁾.

Archival records could be also taken out of the place where they were housed. In Lucca, we have circulation memorandums which were used in the second half of the 14th century¹⁴⁾. This shows us that communal officials borrowed and took away the

¹¹⁾ ASL, *Archivi Pubblici*, 1. この目録に関しては、Antonio Romiti, “Archival Inventorying in Fourteenth-Century Lucca: Methodologies, Theories and Practices”, in T. W. Blomquist and M. F. Mazzaoui (ed.), *The "Other Tuscany": Essays in the History of Lucca, Pisa, and Siena During the Thirteenth, Fourteenth, and Fifteenth Centuries* (Michigan, 1994), pp. 83-109.

¹²⁾ ASL, *Statuti del Comune di Lucca*, 4, p. 167: “Et qui custos teneatur de dictis libris et quolibet eorum copiam facere cuilibet petenti...”.

¹³⁾ For example, Bartolomeo presented the copy, described by a custodian, of court registers at the court of the Podestà in 1336, *Potestà*, 60, fol. 152v.

archival records. For example, the custodians made 74 entries recording the lending (several books for each lending entry) over 11 years, from 1361 to 1377. While some entries were deleted by an oblique line with the marginal note “cancelled on return” (*cassato quia rehabit*), we have found other entries un-cancelled, revealing that there were unreturned books.

We can also see signs of loss in the inventories. In the inventory of Bologna redacted in 1290, each entry commonly had, in the margin, alphabet marks allotted to the actual registers. Yet some letters are lacking. The registers of 1275, which were stored in case number 18 in the “old shelve”, had marks from A to P, but books N and O did not exist in the inventory¹⁵). This means that these two books, even if they had been delivered to the archive and been conserved with proper alphabet marks on the shelves, were already lost from the archive at the time of the redaction of the inventory in 1290.

In the inventory of Lucca, we can find the mark “a”, written afterward, in the margins of some entries. Someone, probably the custodian who looked after this inventory, added a postscript to explain that “the books pointed with ‘a’ were not found” in the archive¹⁶). Therefore, the books with this mark had been found in the archive at the time of the redaction of the inventory in 1345, but afterwards became lost. In fact, in the new inventory of 1349, the items denoted with an “a” were described in the list of lost books¹⁷).

What types of registers were lost, and why they were lost? We can find hints to help answer these questions in the fact that the registers relative to financial matters were often described both as books lent out of the archive in the memorandums, and as books lost from the archive in the inventory. 38 of 74 registers on loan from 1361 to 1377 related to the taxation or accounts of different offices. Among the 218 registers

¹⁴) ASL, *Archivi Pubblici*, 31, 32.

¹⁵) Romiti, *L'Armarium Communis...*, pp. 7-8.

¹⁶) ASL, *Archivi Pubblici*, 1, fol. 56v: “non repuntur puntati .a.”. In the inventory of 1344 we can also find that the sign “a” was deleted by an oblique line. This means that the register with “a” was recovered after it had been lost, because the proper register cannot be seen in the list of lost registers in the inventory of 1349.

¹⁷) ASL, *Archivi Pubblici*, 2, fol. 54r: “Libri non reperti in camera in presento cercha qui erant scripti in primo inventario”.

redacted in 1345 by the Gabella courts, which were responsible for the collection of indirect tax, 64 books were lost until 1349¹⁸⁾. As for the registers of the Dovana court, which concerned the salt trade, 27 of 89 books redacted in 1345 were also lost, for five years¹⁹⁾. These registers relating to financial affairs were often lent by accountants and members of government (Anziani), and therefore were considered to be used for the audit. Once the financial books had been used, they might have become less valuable for ulterior use, and more would have been lost. However, it is also worth noticing that even such financial records survived in large numbers, as I said at the start. The reason for this survival can be seen in the continuous use of registers as original documents to authenticate their copies. For example, a party who tried to prove his payment of indirect tax presented the original register kept in the archive as well as its copy²⁰⁾.

The sentence book and court records survived more often than financial records. In the inventory of Lucca, all sentence books dated from 1333 were stored in the archive in 1349. The civil court records dating from 1324 to 1344 were entered: 152 volumes in the inventory of 1344. 158 volumes were subsequently entered in the inventory of 1389, and 154 volumes have now survived²¹⁾.

The sentence books, which bound the details of various different convictions, were frequently used to collect fines, and were therefore sometimes taken out of the archive. The reason for their survival is probably that these documents were strictly controlled as communal “resources”, on the basis of which the city government could get income, and as sources reflecting the legal status of the convicted.

On the other hand, the civil court records were not often taken out by communal officials. However, these registers were frequently used by interested parties in the form of copies to prove their allegations in the courts. The greater numbers of court records have survived up to the present day given the fact that they were not considered

¹⁸⁾ ASL, *Archivi Pubblici*, 1, fols. 36r-46r, 50r.

¹⁹⁾ *Ibid.*, fols. 46r-49v, 50v-55v.

²⁰⁾ ASL, Potestà di Lucca, 60, fol. 79r: “Item librum dationis gabelle de archivio publico”

²¹⁾ The reason why the number of court records, kept in the archive from 1344 to 1389 increased is probably due to the delay in the consignment to archive. According to the memorandum of consignment in 1360, for example, Franco Turelli presented to the Commune a court record which was described in 1337 by his grandfather, a court clerk. ASL, *Archivi pubblici*, 14, fol. 9v.

useful by officials, as frequent borrowers, but were still consultable by parties as competent evidence in later ages.

5. The “Long Life” of Documents

In comparison with other countries, medieval European cities, and above all Italian cities, organized their public archives early, in which not only a few precious deeds but also voluminous administrative registers, which recorded continuously the ordinary affairs of government were conserved consistently. These archives, in written in the 15th century, also kept even private documents, such as the notarial registers that contained the contracts between private citizens²²). These archival records have survived to be transmitted up to the present time due to the various efforts of successive custodians.

What was the motivation of citizens that prompted such an insatiable desire for the conservation of documents? It is undoubtedly important that citizens would have considered these various records as “documents in current use”. The medieval registers, which we can consult in the archives now, were “living” for a relatively long time. In a trial of 1330, for example, one party presented the copy, issued by a custodian, of the register of a land survey for a tax base in 1284²³). In another case, a party in a trial of 1365 presented a copy issued from the same type of register of 1308²⁴). The notarial registers were also used for a long time: a copy of the register stipulated in 1247 was presented in a trial of 1336²⁵). It is possible that the existence of the original registers in an archive ensured the bona fide nature of these copies.

Certainly all registers did not retain their usefulness equally. The old account books which had already been used for an audit, or old civil records or notarial books which contained old trial details or contracts, gradually became less useful, to the point of becoming “dead documents”. Some registers were not returned to the archives,

²²) The statute of Lucca in 1446 prescribed the custody of registers of the deceased notary in the communal archive, Arnald D'addario, “La conservazione degli atti notarili negli ordinamenti della Repubblica lucchese”, *Archivio storico italiano* 109 (1951), pp. 193-226.

²³) ASL, *Potesta di Lucca*, 11, fol. 2r

²⁴) ASL, *Potesta di Lucca*, 423, fol. 17v.

²⁵) ASL, *Potesta di Lucca*, 60, fol. 292r.

and passed on to herbalists in the form of wrapping paper. However, even less practically useful registers were often considered, by the custodians, the governments and the citizens, as “documents in current use” in a broad sense, and, at least, as documents valuable enough to be conserved for possible future use. Their long life would have pertained in the circumstances in Italy when the Commune was established as a public authority, where the legal culture of Roman law was disseminated and, above all, where the continuous experience of complex conflict and its resolution was accumulated. The medieval archive and the practice of its custody show us the mentality of medieval people who put total confidence in every original document, and reveals the urban society made by them.