

## NOTARIES-CHANCELLORS IN LATE MEDIEVAL DUBROVNIK

### *NOTAI-CANCELLIERI NELLA DUBROVNIK TARDO MEDIEVALE*

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*Abstract English:* The relationship between public writings and the legal status of notaries in medieval Ragusa (today Dubrovnik) is the topic of this paper. As communal city located outside the borders of the Roma-Germanic Empire, the evolution of the notary followed there different and ever-changing paths, although the model drawn up by the Bolognese school exercised an increasingly irresistible charm with the beginning of Early Modern era. The most relevant result of this peculiar experience, was the assimilation between notaries and chancellors in a unique profession, fully inserted within the state bureaucracy. Thanks to their law-studies graduation at Italian universities, the government decided at the end of 13th century to reserve the notary profession for jurists from *peninsula*.

*Keywords:* Notaries; Chancellors; Ragusa-Dubrovnik; Dalmatia; Venice; Law history

*Abstract Italiano:* La connessione tra la scrittura pubblica e la figura del notaio nella città di Ragusa (Dubrovnik) è l'argomento principale di questo contributo. Centro urbano posto all'esterno della giurisdizione del Sacro Romano Impero, l'evoluzione della pratica notarile conobbe qui percorso divergenti dal modello ideato dalla scuola giuridica bolognese, sebbene il peso della sua influenza raggiungesse anche le città della costa dalmata. Il risultato più evidente di questa tradizione peculiare fu l'assimilazione del notariato e del cancellierato all'interno di una sola figura professionale, assorbita all'interno della burocrazia dello stato. In ragione della loro esperienza e formazione maturata presso gli studi universitari, il governo raguseo decise alla fine del XIII secolo di affidare l'ufficio notarile ai soli notai italiani.

*Parole chiave:* Notai; Cancelleria; Ragusa-Dubrovnik; Dalmazia; Venezia; Storia del Diritto

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- ❖ Italian Review of Legal History, 7 (2021), n. 21, pagg. 691-718
- ❖ <https://riviste.unimi.it/index.php/irlh/index>
- ❖ ISSN 2464-8914 – DOI 10.54103/2464-8914/16906. Articolo pubblicato sotto Licenza CC-BY.

## 1. Notaries-chancellors

The legal order of medieval Europe, as it was written, is the result of the encounter between Roman and Germanic cultures, a meeting point mediated by civil and ecclesiastical institutions at local level that produced divergent experiences, although sharing the same matrix<sup>1</sup>. The differentiation of juridical uses finds one of its most evident manifestations in the figure of the notary, as a mediator between individual and society in their daylife agreements. The responsibility of the notary in the production of legal writings guaranteed by the *publica fides* because of their physical and internal features has its origin in the *tabellio*, the scribe employed at the municipal offices of the Roman state. During the Early Middle Ages, the figure of the notary went differentiating, distinguishing itself among *notarii*, *scribae* and *cancellarii*, terms that began to define respectively: a formal legitimacy in the signature of the contracts, a writing professional at ecclesiastical and public institutions, and finally the person responsible for the documentary production of the legal subjects.

In north-central Italy, within the jurisdiction of the Holy Roman Empire, the evolution of the notary appears well outlined in the wake of the re-elaboration of Roman law promoted by the Bolognese school and the affirmation of new political institutions connected to the rebirth of the city<sup>2</sup>. In this context, the notary, legitimized by the imperial investiture, stands as a professional figure extraneous to the state bureaucracy, an extraneousness partially compensated by the wishes, both formal and informal, of the local communities. A freelancer, therefore, increasingly disciplined by municipal and guild statutes, but able to decline and interpret within a rigorous form the legal systems of human interactions.

Outside the borders of the Empire, the evolution of the notary followed different and ever-changing paths, although the model drawn up by the Bolognese school exercised an increasingly irresistible charm with the beginning of Early Modern era. Venice is certainly the most relevant case of this diversity, a frontier town proudly posed outside the Roman-Germanic law area. The main peculiarity of the Venetian notary lies in the source of its legitimization, unrelated to the two ones recognized by the Bolognese jurists, namely the imperial one and the apos-

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<sup>1</sup> I would like to thank Paolo Cammarosano and Marialuisa Bottazzi for inspiring this paper. About the juridical origin of European culture: Caravale, 1994; Lupoi, 1994; Grossi, 1995.

<sup>2</sup> The development of Italian notary in the Middle Ages was the subject of a huge number of studies in the past century. Among the best monographs on this topic: Fasoli, 1968; Pratesi, 1979; Cammarosano, 1991, pp. 268-276; Piergiovanni (ed.), 1994. An essential contribution to the historiography is coming today from *Notariorum Itinera*, a collection of essays and editions of sources dedicated to notaries. Focused essentially on notaries from Genoa, the catalogue is published on website <https://notariorumitinera.eu/Collanaltinera.aspx>.

tolic of papal matrix<sup>3</sup>. The *veneta auctoritate* was commonly granted in Venice to all the religious incardinated in the city parishes and those lay notaries called by the institutions to integrate the active staff in the state chancelleries, in a context where private practice of the profession leads to absence of professional colleges comparable to the Italian guilds.

The towns of the Dalmatian coast face the second millennium of the Christian era with a conception of the notary profession that diverges from the two we have mentioned. The persistence of the Roman law in this region, borrowed from Byzantine Empire, had not eliminated the municipal conception of the *tabellio* as part of the state bureaucracy. In my opinion, the main feature of Dalmatian notaries lies precisely in the absence of a professional distinction between private and chancery practice<sup>4</sup>. The notary, citizen or foreigner, is here an officer of the town administration, legitimized by local institutions at the time of his recruitment. If the Italian colleague is free to practice the profession having been granted by the imperial authority, the Dalmatian notary lives instead of a temporary mandate, subject to the renewal of trust by the community, without which his documents cannot be distinguished from private and informal agreements. It follows that the administrative framework of the notary writing is the element that guarantees the trust necessary for the validation of the legal deeds. This temporary mandate also concerns those notaries who are authorized from institutions other than communal one. It's the case of «cancellarii comitis», who serve after the representative of Venetian officers, and the capitolar or episcopal notaries who may coincide with communal ones.

This peculiar feature, which we will try to investigate in the case of Ragusa (Dubrovnik), is beautifully expressed with the «notarius et cancellarius» formula, a definition that accompanies the autograph signatures of Ragusa notaries in the last centuries of the Middle Ages<sup>5</sup>. This municipal matrix allowed the notarial practice to give juridical continuity in a context that changed continuously the holders of the authority *de iure* between XIth and XVth century<sup>6</sup>.

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<sup>3</sup> About the origin and the typical features of Venetian notary: Bartoli Langeli, 2006; Gasparini, 2012.

<sup>4</sup> An overall Dalmatian notary history is still missing. Nevertheless, historiography has produced strong and accurate analysis in the introductions to notary source editions. About Ragusa chancellery, Konstantin Jireček's opus stands stills as a primary reference in this topic: Jireček, 1904-1905. See also: Čremošnik, 1927; Tadić, 1935; Čremošnik, 1952; Marinović, 1984; Voje, 1990. On Dalmatian notary: Zabbia, 2009. Last but not least, Lučić's introductions to the editions of Ragusa protocols: Lučić (ed.), 1988.

<sup>5</sup> The *notarius et cancellarius* formula is yet expressed in the priest Pasquale's oath from 1228, to be the first document about the assignment of notary office in Ragusa. The document is published in Jireček, 1904-1905, pp.185-186.

<sup>6</sup> The history of Late-Medieval Dalmatia is characterized by the frequency of handing over the urban communities to authorities related to divergent juridical systems: Byzantine, Venetian, Croatian and Hungarian empires. For a short description of these dynamics,

Until the second half of the 13th century, Ragusa used to recruit its notaries among the members of the secular clergy, according to a well-established custom existing in Venice and in other areas of the Italian peninsula<sup>7</sup>. The legal policy managed by the Italian communes in the discipline of the notarial profession led to a progressive exclusion of religious from public writing, with different timing from region to region.

In the Dalmatian context, a partial decline of the ecclesiastical notary coincided with some important legal innovations, such as the drafting of the communal statutes and the introduction of the Podestà's regime, two elements that marked the inclusion of Dalmatian towns in the circuits of the institutional models developed by the Italian communes. The secularization of the notary profession has followed by an increasingly frequent recruitment of foreign jurists with major professional preparation and granted of the *imperiali auctoritate*<sup>8</sup>. The phenomenon occurred with a north-south irradiation movement that started from Spalato (Split) in 1244 and reached Cattaro (Kotor) in 1287, causing a rapid decline of ecclesiastical and indigenous notaries throughout the area, with the significant exception of Zara (Zadar)<sup>9</sup>. The Saint Anastasia town was in fact able to recruit an indigenous citizen as the first lay notary: «Raynerius», attested between 1229 and 1233, and the coexistence of lay and ecclesiastical jurists authorized by the town institutions continued until the beginning of the following century, following the same model that we had found in Venice<sup>10</sup>.

The advantage of recruiting Italian notaries in Dalmatian chancelleries meant an increase in professional efficiency and in the legal value of their documents. In the first place, the presence of professionals licensed at Italian universities would have ensured that notary mediation would provide a legal deed that resulted adequate to the complexity of the deeds. In addition, the *imperiali auctoritate* granted to the notaries would have allowed their deeds to have legal value both in Ragusa and outside its state, thus satisfying the international projection of foreign merchants; the recourse to the Counts Palatine to acquire the *imperiali auctoritate* for indigenous notaries should be instead read as rare and exceptional<sup>11</sup>.

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Praga, 1981, pp. 86-155.

<sup>7</sup> Bartoli Langeli, 2006, pp. 61-62; Zabbia, 2009, pp. 31-32.

<sup>8</sup> About Dalmatian institutions and their belonging to an "European-Mediterranean" *koinè*: Raukar, 1980-1981.

<sup>9</sup> The irradiation of lay notaries in Dalmatian area is discussed in: Bettarini, 2013.

<sup>10</sup> Jireček, 1904-1905, pp. 510-511. As Brunelli has guessed at his time, the aim of Zara's policy was to reserve notary practice to its citizens, lay or ecclesiastic. Nevertheless, chancellery offices started to be delegated to foreign jurists; Brunelli, 1934, pp. 379-383.

<sup>11</sup> A very rare example of notarial investiture in Dalmatia with *imperiali auctoritate* was granted to «Matheo Salassich», a canon of Zara's chapter, on August 22th, 1390 from Atanasio, bishop of Drivasto; Ančić, 2005, pp. 71-73.

## 2. The statute of 1272 and the reform of chancellery

The secularization and professionalization of Ragusa notaries took place at a very precise moment, a direct consequence of the approval of the communal statute in 1272. Within this fundamental text for the construction of the institutional architecture of the commune, the relevance of the *charta notarii* has been repeatedly mentioned in the articles governing family law; nevertheless, a few additions to the original text approved between 1275 and 1309 confirmed the centrality of the notarial instrument. The law of June 8th, 1275 imposed that all credit obligations, valued more than 10 perperi, had to be registered by the chancellors, thus directing the business practice into a bureaucratic path where the relevance of private writing remained marginal for a long time<sup>12</sup>. A second law of June 24th, 1278 also added the same obligation for all those who had traded in association with one or more partners, in order to guarantee an equitable sharing of responsibility on debts and outstanding credits<sup>13</sup>.

The entry into force of the statute and the imposition of the notarial deeds on credit prompted the Ragusa community to follow the cities of Northern Dalmatia in their choice to entrust the practice to the Italian jurists. The first Italian notary, Tommaso Savere from Reggio, took up service in 1277 with the duty of reorganizing the chancellery in compliance with the institutional structure envisaged by the statute; this moment launched a reform process that quickly led to the definitive handover of the notary office from local priests-notaries to Italian notaries-chancellors<sup>14</sup>.

The use of ecclesiastical writers, however, was not subject to a gender abolition such as we find in the statutes of Italian towns. Religious writers survived in the peripheral chancelleries. In Stagno (Ston), the second town in the Ragusa district, the chancellery was attributed to lay writers only starting from 1447, resorting

<sup>12</sup> «De credencia ut debeant fieri per cartam et de pena contrafacientum. [...] statuimus et ordinamus quod de omnibus et singulis mercatis que fient in credencia ad certum terminum in civitate et districtu Ragusii, de quibuscumque mercacionibus a decem yperperis supra, teneatur ille qui recipiet credenciam facere illi qui vendet cartam notarii infra octo dies postquam factum fuerit mercatum predictum. Et ille qui vendiderit mercaciones in credencia, teneatur facere sibi fieri dictam cartam notarii infra dictum terminum. Et qui contrafecerit, tam emptor quam venditor, solvat pro quolibet et qualibet vice pro banno yperpera decem, cuius medietas sit Communis, et alia medietas accusatoris»; *Liber Statutorum Civitatis Ragusii*, 2002, p. 426.

<sup>13</sup> *Liber Statutorum Civitatis Ragusii*, 2002, p. 429. As a consequence of these laws, a new deliberation from 1377 confirmed the unicity of notarial deeds in the court debatment about credit obligations; *Liber Statutorum Civitatis Ragusii*, 2002, pp. 236-238.

<sup>14</sup> The last notary coming from local priesthood was canon Andrea Benessa, who went on signing notarial deeds until 1324. In 1326, the government forced him to deposit his deeds, still preserved in his house; *Liber reformationum 1301-1336*, p. 224.

to no-notary citizens<sup>15</sup>. As regards the episcopal and chapter chancelleries, the recent editions of the Zara protocols highlighted the participation of communal notaries to their activity; the same practice can also be extended to Ragusa, although this aspect is still missing a specific investigation<sup>16</sup>; however, the presence in 1359 of a «notarius archiepiscopi», is attested, charged by the government to accompany the ambassadors sent to the king of Hungary<sup>17</sup>.

The reorganization of the chancellery after the arrival of foreign notaries involved among the towns of Northern Dalmatia the adoption of an archivist order based on Italian models, namely the production and conservation of protocols produced and preserved by one single notary. Although the notary's office was fully part of the communal bureaucracy, the registration of deeds had placed within shorthand books associated with the person of the notary who put his sign on. The choice made by Tommaso Savere and his successors instead went into the direction of maintaining the municipal nature, we would say *tabellio* nature, of his office, even during the operations of registration and preservation of deed's memory<sup>18</sup>. The basic approach of this procedure was in fact to ensure that the chancellery should work as the only office authorized for the registration of all legal agreements stipulated, prohibiting notaries from keeping the protocols, even temporarily, away from the chancellery. The notarial records have also characterized by the typology of deed and not by the name of the writer, resulting in the construction of continuous series of protocols that settle over time according to the typology of agreement treated. Approaching in detail the procedure carried on by Tommaso Savere and subsequent notaries, we will exclude here a focus on chancellery activity as secretaries for political and judicial institutions<sup>19</sup>.

The first protocol of shorthand records was inaugurated by Savere in 1280, featuring all deeds signed under people request<sup>20</sup>. Two years later, he therefore

<sup>15</sup> Jireček, 1904-1905, pp. 518-519; *Liber Viridis*, pp. 341-342. The assignment of Stagno chancellery to priests can be traced in the council deliberations: Nicola Carosio (1415), Elia from Šipan (1416), Vitko from Šipan (1423), Nicola from Korčula (1426); Državni arhiv u Dubrovniku (DAD), *Acta Consilii Rogatorum*, 1, cc. 4r, 78r; *Acta Consilii Minoris*, 3, c. 85v; 4, c. 84v. Even Slano chancellery was then assigned to lay writers. That happened in 1449 with the nomination of Giacomo Primo (Iaxa Primoević); DAD, *Acta Consilii Maioris*, 9, c. 32r.

<sup>16</sup> See the Zara chapter records signed by Pietro Annoboni and Artuccuccio da Rivignano: Ančić, 2007; Ančić, 2009.

<sup>17</sup> *Liber reformationum 1347-1360*, p. 212.

<sup>18</sup> Jireček, 1904-1905; Voje, 1990.

<sup>19</sup> This disposition should be confirmed by Minor Council in 1418; DAD, *Acta Consilii Minoris*, 1, c. 178v.

<sup>20</sup> This first protocol is today signed as the first volume of the *Debita Notariae* serie: «In hoc libro abbreviate sunt charte notarie facte tempore nobilis et egregii viri domini Nicolai Mauroceni honorabilis comitis Ragusini Scriptum per me Thomasinum de Savere, saxri palatii et comunis Ragusii notarium iuratum. 1280 usque 1282. In hoc libro sunt aliquae

decided to carry out a first distinction, inaugurating a second protocol strictly dedicated to wills, and thus determining a first branching from the miscellaneous series called «*Diversa Cancellariae*»; in 1283, in compliance with the aforementioned laws, he launched a third serie specifically dedicated to credit obligations and partnership shares<sup>21</sup>. A new and significant distinction was made by his successors in 1310 between contracts signed in front of the chancellery judges and the other ones drawn up in the presence of notaries alone; the latter found their place in a new series called «*Diversa Notariae*». Although the choice of one of the two forms remained at the discretion of the contractors, the presence of at least one communal judge remained essential for the registration of certain types of deeds, such as arbitration or the sale of real estates; both continued to be recorded even later in the miscellany of the «*Diversa Cancellariae*». I believe that the birth of the «*Diversa Notariae*» has a significance that goes far beyond its archival aspect, as it constitutes the first stage for the emancipation of the Ragusa notary from the constraint of the presence of locale judges, named in Venetian Dalmatia «*iudex examinador*». This officer marks the traditional weakness of the Dalmatian notary towards the colleagues of communal Italy; the dual qualification of «*notarius et iudex ordinarius*» granted to imperial notaries accelerated this process of emancipation from judges, which was only completed at the end of the century. Then, we will have to wait for a Major Council resolution on January 24th, 1392 to reach a shared recognition of all the notarial deeds drawn up by the notaries-chancellors, even in the absence of the judges; from this point on, no «*examinador*» will be required to give strenght to notaries action<sup>22</sup>.

Among the originalities of the Ragusa procedure, there is also the local habit of shortening the sentences issued in the first instance by the chancellery judges within the protocols of the «*Diversa Cancellariae*», considered from a juridical point of view as the outcome of a private arbitration by institutional authorities; these «*Sententiae Cancellariae*» subsequently found their own place in an autonomous series, while retaining the form of ordinary notarial deeds<sup>23</sup>. A settlement by contractual types remained the typical procedure of notarial practice in Ragusa throughout the modern age, indelibly characterizing the documentary

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testamenta de 1280 ad 1282». About Dubrovnik archive, see also: Lume, 1977.

<sup>21</sup> The first volume of the *Diversa Cancellariae* serie features the following incipit at head of the second and third sheets: «*Liber in quo abreviiate sunt omnes charte notariae, exceptis testamentis et sententiis tempore nobilis viri D. Johannis Georgii comitis Ragusii, scriptus per me Thomasinum de Savere, sacri palatii et comunis Ragusii notarium. 1282 ad 1283*»; «*1283. Liber in quo abreviiate sunt omnes charte notariae factus per me Thomacsinum not. com. Ragusii, exceptis cartis debitorum, testamentorum et sententiarum. Tempore dom Johannis Georgii Comitis Ragusii. 1283 ad 1284*».

<sup>22</sup> DAD, *Reformationes*, 29, c. 142r.

<sup>23</sup> The inclusion of judge sentences in *Diversa Cancellariae* is always mentioned in the incipit of protocols until 1334, except for years 1282-1284. About the role of *Sententiae Cancellariae* in Commercial Law dynamics, see: Bettarini, 2016.



history of the Dalmatian town and guaranteeing its archive that illusory image of completeness it shows today.

The attribution of deeds writing to Italian notaries never reached a legislative recognition, but it always remained a custom freely adopted by the government in full respect of its authority in the granting of the *public fides*. On two occasions, the institutions made use of this faculty to authorize extraordinary scribes in emergency situations, such as in the case of the pandemic events that occurred in the summer of 1348; there, the Major Council approved the establishment of a commission of noble citizens authorized to sign the wills delivered by the population, in order to make up for the inability of the notaries present to carry out the entire workload required<sup>24</sup>. In 1391, because of the temporary absence of the chancellor Andrea di Domenico da Bologna, the institutions instead authorized the public school teacher to supply in his office, guaranteeing him the same *fides* enjoyed by the other notaries<sup>25</sup>. Beyond these exceptional events, the appointment of local scribes found a new reason to overcome the problems of linguistic mediation with that part of the Slavic-speaking population that did not feel protected by the signing of documents in Latin. With the hiring of «Stoianus de Çepre» in 1312, the government thus also equipped itself with a «scribanus sclavicus» responsible for writing the documents in the Slavic language and present continuously in the chancellery; the deeds signed by these scribes were written within the same protocols used by the Latin notaries-chancellors, being an integral part of notarial practice. The «scribanus sclavicus» became a permanent officer of commune, being selected from Major Council among non-nobles citizens<sup>26</sup>.

### 3. The «Ordo cancelleriae» of 1428

Responsible for the drafting of the legal transactions and the city councils and courts records, the chancellery stabilized its staff at 3-4 units during the fourteenth century, in line with what was happening at the same time in Spalato and Zara<sup>27</sup>. The number found a definitive stabilization in the first quarter of the

<sup>24</sup> *Liber reformatioun 1347-1360*, p. 29: «Die XXI lunii. [...]. Infrascripti officiales fuerunt electi ad faciendum registrari omnia testamenta civitatis et districtus in uno quaterno ad hoc ut ipsa testamenta propter pestilentiam mortalitatis [...]».

<sup>25</sup> DAD, *Reformationes*, 29, c. 135v.

<sup>26</sup> Jireček, 1904-1905, pp. 201-209. Scribes skilled in slavic documents were chosen among the Ragusa families or foreigners used to trade. A deliberation from 1460 reminds few limitations in the use of Slavic language by prohibiting writing in notarial deeds exceeding 10 perperi of value; *Liber viridis*, p. 439.

<sup>27</sup> Bettarini, 2013, pp. 118-120. However, it should be remembered that under the rule Venice's signory (1204-1358) the presence of a Venetian rector/count not meant the simultaneous arrival of a chancellor in partnership. This happened instead in the rest of Dalmatia when Venetian regained control of the region (1409-1420).



fifteenth century, with two pairs of notaries plus the «cancellarius sclavicus», coadjutor in all respects in the signing of notarial deeds. However, it was not the logistical reasons that suggested the approval of a codified system for the discipline of notaries-chancellors, but rather the caution of the noble families admitted to the government of the city regarding the sharing of state secrets with jurists daily in contact with merchants and foreign operators. The opening line of the «Ordo cancellariae» approved on March 23th, 1428 clearly says:

Con zo sia che le republiche e le signorie nelle cose secrete et di grande importantia sempre se debia restringer in menor numero di persone, che da hora inanzi debia esser alli consigli pizolo e de pregato et alla notaria di Ragusa duo secretari che siano notari et cancelleri degli consigli dil comun di Ragusa.

In short, the delicacy and secrecy of the debates conducted in the two main state councils had required a stable presence of the notary responsible for drafting the resolutions, avoiding as much as possible any attempt at rotation between the four chancellors in service, in order to prevent any private interests. Explicit indications about a limitation of the access of notaries to councils can be traced as early as 1348, when Soffredo from Pistoia was indicated as the only chancellor authorized to attend as secretary during council meetings<sup>28</sup>. The most serious incident had instead occurred in 1360 with the notary Francesco Sordi from Piacenza, removed in perpetuity from his office as chancellor for having secretly communicated to one of his «compare» in Spalato the intentions of the government regarding a proceeding judicial in progress; a story that deeply shock the government, so much so that his colleague Teodoro Scolmafogia had to beg the institutions of the state to be able to have a private correspondence<sup>29</sup>.

The risk of a conflict of interest among notaries-chancellors because of their role had recently led to the decision to bind the hiring of new notaries to a verification of the existence of previous relationships with the accountants responsible for the administration of the state treasury<sup>30</sup>; subsequently, between December 1422 and March 1423, the reform of the notarial office was discussed on four Major Council's sessions, without however allowing the assembly of nobles to find adequate convergence on the project<sup>31</sup>. The initiative was thus shelved for another five years, before returning to the agenda on March 17th, 1428 and tak-

<sup>28</sup> *Liber reformationum 1347-1360*, p. 9. If Soffredo was unable to attend, his duties would fall on Simone Forteguerra from Pistoia, Soffred's *socius*.

<sup>29</sup> *Liber reformationum 1359-1364*, pp. 20-21: «[...] quod Franciscus de Placencia, qui erat cancellarius, sit privatus officio cancellarie et notarie comunis Ragusii perpetualiter». On March 18th, 1361, Major Council granted to Teodoro Scolmafogia the authorization to maintain a private correspondence, providing that it should not go against the safety of the state; p. 67. DAD, *Reformationes*, 34, c. 129v.

<sup>30</sup> DAD, *Reformationes*, 34, c. 129v.

<sup>31</sup> DAD, *Acta Consilii Maioris*, 2, cc. 105r, 105v, 115v, 118r.

ing shape in the order at the end of a vote with a far from plebiscitary outcome<sup>32</sup>.

According to the provisions of the new system, the four notaries on duty would be distinguished between «secretarii» and «chancellarii», assigning to the first ones the council sessions and the writing of the notarial deeds signed out of chancellery; the latter two notaries should operate within the chancellery «de fuera», presided over by the judges of the civil court and destined, among its functions, to host the complaints and testimonies in the trial and validate the sentences of arbitration<sup>33</sup>. The two notaries of the courts could, in any case, have intervened during the sessions of the Major Council, considered less exposed to the risks of a leak of information on the political activity, but the transition from one office to the other remained bound to council decisions; this is demonstrated from a Major Council's resolution which in 1449 moved the notary Giovanni Uguzzoni from the chancellery to the councils, following the death of Egidio Iugo da Cremona<sup>34</sup>.

The need to cut at the root the onset of any conflicts of interest between the foreign notaries employed within the chancellery and the commercial networks gravitating to the city found its most significant form of application in the final provision of the order. Since the law was established, the notaries-chancellors would no longer be able to deal personally with everything related to trade and credit operations, under the penalty of paying a fine of 50 perperi. The prohibition was combined with a previous law of October 21th, 1382, when notaries had already been prohibited from taking on proxies or representation mandates<sup>35</sup>. A deontological norm that further specified the secretarial connotation of his intervention to the detriment of any form of formal mediation between institutions and individuals, in order to safeguard the high position of municipal officials; testamentary commissioners and protection of minors remained as unique form of legal representations allowed to notaries<sup>36</sup>.

<sup>32</sup> L'Ordo cancellariae (approved on March 23th, 1428) received 69 positive votes and 49 against; DAD, *Acta Consilii Maioris*, 3, cc. 204-205r.

<sup>33</sup> The impact of the judge named «Consul Curiae Civilis» was reformed and defined in 1416, when this office became the head of civil justice. His sentences needed the presence of not less than three other judges; *Liber Viridis*, pp. 116-121.

<sup>34</sup> DAD, *Acta Consilii Maioris*, 9, c. 7r.

<sup>35</sup> Despite of this late reform, we can see how on July 25th, 1367, the heirs of a goldsmith named Giovannino had to appeal to Minor Council to nominate the chancellor Francesco di Bartolomeo da Arco to be their loro *abitator* on a debatment; *Liber reformationum 1364-1396*, p. 99.

<sup>36</sup> «Quod cancelarius vel notarius communis Ragusii non sit procurator, sed tutor et epitropus esse potest. Eodem anno, die XXI octubris, in consilio magno congregato sono campane ut moris est, in quo interfuerunt consiliarii LIII, captum et firmatum fuit per L ipsorum consiliariorum quod aliquis noster cancelarius vel notarius nostri communis amodo in antea aliquo modo vel ingenio, non valeat nec possit esse procurator in civitate Ragusii et suo districtu alicuius civis, districtualis seu forensis. Sed epitropus et tutor bene

The exclusion of notaries from trading came at a stage of increasing participation of the latter in both the productive and commercial sectors of the economy. Benedetto Schieri from Prato, notary-chancellor between 1414 and 1430, had established in 1420 a partnership with his nephew Agostino of Biagio for the production and export of woolen cloths, benefiting from the privileges granted by the state in support of textile manufacturing; his company operated uninterruptedly until 1428, when he was forced to sell shares to his relatives and partners<sup>37</sup>. In 1427, instead, Battista Cimastelli from Fermo was repeatedly authorized by the government to export wine and silver to his native land, notwithstanding the statute and the privileges reserved to citizens alone. Forced to choose between economic interests and the opportunity of his public office, Battista finally chose to break his agreement and coming back to Fermo to collaborate with his family in the management of profitable trade with Ragusa. However, there was no lack of attempts to circumvent the rule by resorting to temporary forms of investments without any form of direct involvement<sup>38</sup>. In the constitutive document of a limited partnership between Benedetto Schieri himself and two Ragusa merchants for the sale of Apulian oil, drawn up on April 22th, 1428, just a month after the promulgation of the new order, we read that he renounced to the responsibility of personally following the affairs since «non si diè, né può impaçare in niente, salvo a darne la sua parte de'denari»<sup>39</sup>. The elimination of conflicts of interest would have been achieved by making the most of the policy of recruiting notaries, finally excluding jurists close to merchant communities, such as those of Tuscany and Marche.

#### 4. Wages and contractual conditions

The assignment of the notarial office and the salary treatment are regulated by Major Council, at the end of a majority vote which unilaterally confirms or modifies the contract of employment of the chancellors<sup>40</sup>.

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possit esse»; *Liber viridis*, p. 24.

<sup>37</sup> On Benedetto Schieri and his contribution on the development of Pratese community in Ragusa: Bettarini, 2012a, pp.47-93.

<sup>38</sup> Cimastelli was granted of citizenship, for what may concern the export of silver to Fermo; DAD, *Acta Consilii Minoris*, 4, c. 73v, Again, on December 1427, the Minor Council granted him of exporting 50 barrels of wine and 100 pounds of candles; cc. 123r, 128v. Cimastelli family traded late as sales agents in Fermo, as we note through the Caboga accounting books; Kovačević-Kojić, 1999, pp- 135-141. Battista came back to Ragusa in 1435 to sign up an agreement with the Major Council for the import of grain load coming from Marche; DAD, *Acta Consilii Maioris*, 5, c. 15v.

<sup>39</sup> DAD, *Diversa Notariae*, 15, c. 206r.

<sup>40</sup> First notary confirmation we can find in Ragusa archive is dated June 29th, 1302: «Die veneris penultima mensis [Iunii], in die Sancti Petri. In maiori consilio ad sonum campane, more solito congregato, Marquardus firmatus fuit ad salarium comunis per unum

In a first phase (1277-1320), the contractual relationship between the institutions and the notaries never exceeded ten years in duration, while the salary paid in 1312 reached 6 *lire di grossi*, a value that stood fixed for over three decades<sup>41</sup>. With the assumption of Pone Stamberti from Pistoia (1318) and Giovanni Fini from Ancona (1322), a second phase (1320-1360) began, characterized by a longer stay of the chancellors. This novelty never led to the transmission of the notarial office between relatives, confirming the local opposition against the consolidation of a social class linked to the state bureaucracy. The main result of this second phase was the adoption of innovative solutions in order to support the work of the two main chancellors at times when the workload would have become too heavy to be carried out on their own. Accepting an application received from Pone Stamberti, the Major Council authorized him in 1331 to acquire a qualified partner («coaiutorem») of his preference, as long as his remuneration did not weigh on the state treasury<sup>42</sup>. The caution of the institutions in adopting this solution can be found in the resolution approving the hiring of the shareholder chosen by Stamberti, his fellow Soffredo di Parino. Unlike what was found in previous reconfirmations, Soffredo is in fact recruited following a detailed work program; his primary assignment would be primarily based on the urgency to record all damage suffered by the inhabitants of state against their properties by land and sea; then, his duties are also indicated namely: writing and signing deeds, recording protocols, verbalization of civil and criminal trials. Finally, Soffredo promised to exercise his profession within the chancellery.

The decision to adopt a notary coadjutor proved to be particularly effective in guaranteeing the functionality of the notary practice in a very delicate phase of Ragusa's history, characterized by the increase in the commercial importance of his port and by the terrible passage of the 1348's plague. However, once the health emergency ended, the experiment was never resumed. Among the possible causes of the return to the traditional procedure, there was probably the risk of a national filiation of office, as demonstrated by the triple succession of Pistoian chancellors: Pone Stamberti, Soffredo di Parino and Simone di Chello Forteguerra<sup>43</sup>. The last «notarius socius» to be hired was precisely in 1359 the same Francesco Sordi from Piacenza who was dismissed for an attack on state secrecy<sup>44</sup>.

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annum pro cancellario, cum salario consueto, scilicet libr. IIII. grossor. et foller. V»; *Liber reformationum 1301-1336*, p. 30.

<sup>41</sup> A salary rate valued six lire *per annum* is commonly attested between 1312 and 1348; *Liber reformationum 1301-1336*, pp. 90, 118, 143, 254, 300; *Liber reformationum 1306-1347*, p. 150.

<sup>42</sup> Jirecek, 1904-1905, p. 189; *Liber reformationum 1301-1336*, pp. 336-338.

<sup>43</sup> Simone di Chello Forteguerra from Pistoia, Soffredo's *socius*, was recruited in 1348 with a salary valued 4 *lire di grossi*; *Liber reformationum 1306-1347*, p. 150.

<sup>44</sup> *Liber reformationum 1347-1360*, p. 273. Francesco Sordi has been recruited as *socius* of

The end of the Venetian lordship in 1358 and the conquest of a *de facto* independence under the distant protection of the Hungarian crown convinced the ruling class of the opportunity to invest important revenue resources for the recruitment of renowned jurists who were also able to raise the diplomatic strength of the state. The recruitment of Teodoro Scolmafogia in 1360 inaugurated a new phase, traceable also on the salary level. Despite in the previous decades the salary of the two main chancellors, Soffredo and Francesco from Arco, was respectively 90 and 60 ducats per year, the Apulian notary was put on the payroll with a salary of 150 ducats, a figure so exorbitant that two years later the government had to proceed with the sale of the horses of the municipal stable to guarantee payment<sup>45</sup>. The economic treatment accorded him in an exceptional way was the consequence of a diplomatic mission the need to empower a renowned jurist on the occasion of the diplomatic mission required to extend the protection of the Hungarian sovereign to the Ragusa merchants engaged in Russia.

The stabilization of the chancellery in the first quarter of the fifteenth century eventually led to an interruption in wage growth and a substantial equalization of wages between notaries on 140 ducats plus a surcharge of 30 perperi to provide for the rent for their home<sup>46</sup>. Any adjustments to public documentation or the compilation of memorials for institutional use guaranteed a specific remuneration due to the extraordinary nature of the intervention<sup>47</sup>.

We mentioned the participation of notaries in diplomatic missions, and how these entailed an opportunity for prestige and economic remuneration. I have noticed how, with the exception of the aforementioned embassy in Buda in 1360, notaries took part in diplomatic missions only when directed towards the Italian peninsula; this probably, due to the greater familiarity of the Ragusa nobility in dialoguing with the sovereigns of the hinterland. The first mention of this type of assignment dates back to 1336, when Pone Stamberti was sent to Naples to solemnly present the Ragusa's apologies to King Robert of Anjou about the case occurred to the merchant Ugolino Captoris from Bari, who was damaged in his trade with the Dalmatian city<sup>48</sup>. Worthy of note are the diplomatic missions carried out in Ancona in 1421 and 1426 by Battista Cimastelli and Benedetto Schieri, as part of the resolution of complex commercial issues concerning the two cities

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Francesco from Arco with a one/two-months position.

<sup>45</sup> «In minori consilio captum fuit quod denari equorum comunis debeant esse Teodori cancellarii pro parte solucionis eius salarii»; *Liber reformationum 1359-1364*, p. 220.

<sup>46</sup> DAD, *Acta Consilii Maioris*, 1, cc. 36v, 118r; 2, cc. 35r, 48r, 94r, 133v; 3, cc. 27v, 76v, 121v, 174r, 218v; 4, c. 41v. Rental benefits were accounted as an extra to the ordinary salary of notaries-chancellors, as it was provided from a deliberation taken on May 6th, 1393; *Liber Viridis*, p. 50.

<sup>47</sup> On March 22th, 1390, the chancellor Andrea from Bologna received an extra valued 10 perperi as a grant for his translation of wills in a peculiar protocol; DAD, *Reformationes*, 28 c. 39r.

<sup>48</sup> *Liber reformationum 1347-1360*, pp. 366-368.

in a context of mutual distrust<sup>49</sup>. Alongside the salary paid *de officio*, the notary-chancellor received a further salary supplement on the basis of the number of contracts and public deeds signed, following a precise tariff governed by a law of 1313 on the basis of a practice also attested in other cities Dalmatian<sup>50</sup>:

<i>pro qualibet sententia</i>	1 grosso
<i>pro qualibet littera</i>	1 grosso
<i>pro scriptura debiti</i>	6 folleri
<i>pro quolibet scribano ligni</i>	1 grosso
<i>pro aptagi</i>	6 folleri
<i>pro scripturis pactorum</i>	6 folleri
<i>pro lamentationibus dampnorum</i>	6 folleri
<i>pro quolibet teste</i>	4 folleri
<i>pro iudicio</i>	2 folleri
<i>pro citacione</i>	2 folleri
<i>pro quolibet iudice refutato</i>	1 follero
<i>pro aliis comunalibus scripturis quas faciunt homines inter se</i>	6 folleri
<i>pro cancellatione scripturarum</i>	<i>Nihil</i>
<i>ad querendum scripturas in libris communis</i>	<i>Nihil</i>
<i>ad querendum scripturas in catastis notariorum usque ad XX annos</i>	<i>Nihil</i>
<i>ad querendum scripturas in catastis notariorum a XX annis supra</i>	1 grosso

The tariff essentially concerns the primary moments of notary intervention in private agreements, such as summons, the deposition of a testimony or the drafting of a sentence; nevertheless, credit obligations, participations in sea freight («scribano ligni») are featured in the list. Interestingly, the specification that the extraction or elimination of signed deeds from protocols not involve any additional cost, unless the deed in question is older than twenty years, and therefore requires a more demanding technical expertise. Finally, it is essential to keep in mind that the work cared out by the notaries-chancellors did not involve any kind of expense for the supply of writing tools and media, the costs of which belongs

<sup>49</sup> Bettarini, 2012a, pp. 102-104.

<sup>50</sup> *Liber reformationum 1306-1347*, p. 25. Equal pricing are also mentioned in Curzola (Korčula) and Dulcigno (Ulcinj) statutes; *Statuta et leges civitatis insulae Curzulae*, pp. 56-59; Pertusi, 1973. Even in Spalato, the statute of 1312 prescribes that each notary receives an annual salary plus a part of the profit resulting from the failure to observe the obligations; *Statuta et leges civitatis Spalati*, 1878, pp. 51-54.

to the state treasury responsibility<sup>51</sup>.

The contract associated with the salary paid to the notaries-chancellors links the salary to the fulfillment of the bureaucracy offices and the notarial practice at the service of the population; any permits for temporary exemption from work are granted by the councils in a totally exceptional way, especially on the occasion of diplomatic missions or very limited personal emergencies<sup>52</sup>. If we think that the number of notaries never exceeded four units, it is clear that any absence, even if temporary, could come to block both the institutional machinery and the mercantile practice. In 1422, the Major Council was forced to order Francesco Bosco to return to his place of work, after he had obtained permission to go to Venice for two months; during his absence, the councils to deny two other chancellors the right to be absent temporarily. Following this unfortunate incident, the government extraordinarily resolved to delegate the Rector and the Minor Council to assume the task of supervising the functioning and renewal of the powers of its chancellors, free to interrupt their salary if deemed appropriate<sup>53</sup>.

### 5. *The recruitment of notaries and their contribution to culture*

We have seen how the choice of relying on Italian jurists for notary and chancellery practice was dictated by their professional competence and by their extra-neousness to the political events experienced by citizens. The selection of personnel deemed suitable for this position followed a practice consolidated over the years and conditioned by commercial relations with other major centers of

<sup>51</sup> Examples of appropriations for stationery. On October 13th, 1418, the Minor Council established an investment valued 20 perperi to support chancellery costs: DAD, *Acta Consilii Minoris*, 2, c. 18r. Then, still in 1418, the Major Council bought parchment books; DAD, *Acta Consilii Maioris*, 1, c. 101v. Finally, a new financing granted in 1422 for the restoration of the chancellery workbench; DAD, *Acta Consilii Minoris*, 3, c. 161v.

<sup>52</sup> Three month long vacations are usually featured as a premium for continuity of service. On April 29th, 1413, Iacopo Ugdonici was granted of a three month stay in his homeland; DAD, *Reformationes*, 43, c. 260v. Pietro Sfondrati received the same grant on 1420, but depriving him of salary during his absence; DAD, *Acta consilii maioris* 2 c. 41r. Battista Cimastelli received a first refusal in 1422, being finally licensed one year later for a three month vacation; *ibidem*, cc. 91r, 122r, 126r. Again in 1427, Battista was granted to visit his homeland for a three month vacation; DAD, *Acta Consilii Maioris*, 3, c. 166v. A shorter license was granted to Mellino Schizzi to allow him in moving his family to Ragusa in 1427, while in the following year he was free to come back to Cremona for a four month vacation; DAD, *Acta Consilii Minoris*, 4, c. 67v; *Acta Consilii Maioris*, 3, c. 215r. Three month vacations were then granted to Lorenzo Zuchelli in 1428 and to Egidio Iugo in 1430 (later because of his father death); c. 227v; DAD, *Acta Consilii Minoris*, 5, c. 62r; *Diversa Notariae*, 18, c. 169r. Finally, Giovanni Sfondrati took advantage of a special grant to go Venice and manage the acquisition of a house bought by a Ragusean nobleman; DAD, *Acta Consilii Maioris*, 7, c. 91r.

<sup>53</sup> DAD, *Acta Consilii Maioris*, 2, cc. 90v-95v.



the Mediterranean economy<sup>54</sup>. During the fourteenth and fifteenth centuries, the recruitment of a new chancellor provided for a favorable vote by the Major Council, which subsequently entrusted the Rector and the Minor Council with the appointment of a commission of noble citizens responsible for identification and recruitment of the suitable candidate. The geographic criteria relating to the origin of notaries are already indicated in 1345, and they explicitly refer to central-northern Italy, that is, the context where the notary had matured its best synthesis with the Bolognese school<sup>55</sup>. However, whatever the city of origin of the notary, the examination of the commissions shows how the procedure took place mainly in Venice, the preferred location for the recruitment of jurists, doctors, grammar masters, musicians and specialized craftsmen. In the fourteenth century, the geographical filiation and the recommendation provided by the notaries already enrolled exercised a significant weight in the selection of the new chancellors; This can be seen above all thanks to the repetition of a few proveniences, such as Pistoia and Brindisi, when the city experimented with the association of subordinate notaries to facilitate the functioning of the chancellery. Two commission letters, later than the phase described above, show an explicit reference to the official recommendation. In the first, dated June 5, 1411, it is reported that Giovanni Adami from Muggia suggested the name of his co-citizen Nicola Alberti as the candidate selected to fill one of the vacant posts of the chancellery<sup>56</sup>. Even more explicit is the recommendation given a few decades later by the physician Giovanni Mattia Regini of Feltre in support of his son's candidature for the chancellery.

Despite the events and the policy against any conflicts of interest, the relationship between the choice of the notary and the opportunity for a solid link with the most influential merchant networks suddenly emerges. On March 10th, 1408, the cities of Florence and Ragusa in fact signed an important trade agreement, according to which the customs duty imposed on goods exported to Ragusa would be adjusted to the flat rate of 5% on the total value of the goods traded; well, exactly two months later the Minor Council of Ragusa commissioned two

<sup>54</sup> The recruitment procedure of notaries-chancellors has been yet object of a larger investigation, published in: Bettarini, 2012b.

<sup>55</sup> «Captum fuit et firmatum per omnes nullo breviter discrepante, de eligendo unum syndicum, qui vadat Venetias, et ibi scire et inquirere si potest salariatum ad salarium communis magistrum nicolinum fisicum de Venetiis pro duo bus annis, [...] et si ipsum habere non posset, possit et debeat inquirere Venetiis, Padue, et Bononie et ubique locorum usque Florentiam, ubi crediderit reperire unum bonum et expertum medicum fisicum et possit expendere usque libr. *Liber reformationum 1306-1347*, p. 170.

<sup>56</sup> DAD, *Litterae et commissiones Levantis*, 7, June 5th, 1411: «Anchora per haver uno canceler, cometemo a voy che dobiate cerchar de haver quella persona che ve nominarà Zuvane nostro cancelier per anni doy, dandoli de salario ducati cxx al'ano a grossi xxx per ducato et perperi xxx al'ano per affitto di casa». On Nicola Alberti, see: Jireček, 1904-1905, p. 192.

patricians to proceed with the hiring of Ludovico Da Colle, a Florentine notary; in 1414, it will be the turn of Benedetto Schieri from Prato, as a consequence of an intensification of the import trade of textile products produced in the Tuscan town<sup>57</sup>. When *commissionarii* reached an agreement with the chosen candidate, they proceeded with a formal commitment, in front of a Venetian notary, reading in public the Rector's letter and making him undertake to comply the employment contract, including the travel arrangements to Ragusa<sup>58</sup>.

The selective practice of notaries-chancellors goes through a new phase of development in the second quarter of the fifteenth century, simultaneously with the economic development and demographic growth of the city. In fact, the letters of commission begin to define more strictly the origin and the professional qualifications required to access the notary's office. Since 1422, commissioners domiciled in Venice have thus been prescribed to contact exclusively professionals from Lombardy, Veneto, Tuscany, Marche or Romagna, recognizing these areas a cultural primacy justified both by the professional preparation and by the customs of their inhabitants<sup>59</sup>. In 1430, the criteria relating to the origin of the candidates will undergo a further selection, limiting the opportunity to the Lombard notaries and no other; the choice will inaugurate a special partnership with the city of Cremona, home to eight chancellors recruited along the fifteenth

<sup>57</sup> Bettarini, 2012a, pp. 44-46, pp. 95-97. Ludovico Da Colle, later employed as school teacher, was finally arrested and deprived of his property on December 28th, 1417; DAD, *Acta Consilii Minoris*, 1 c.173r.

<sup>58</sup> I had found in the notarial archive of Venice the deed signed at Rialto when Lorenzo Zuchelli da Cremona was recruited as new notary-chancellor in 1428; Archivio di Stato di Venezia, *Cancellaria inferiore Notai*, 57, Ambrogio Vito, prete di San Vitale, cc. 19v-20v.

<sup>59</sup> DAD, *Litterae et Commissiones Levantis*, 3, 14/10/1422: «[...] Perché nuy avemo bisogno de un cancellier e però confidadone dela vostra prudentia et fede comettemo avin che vuy tuti o veramente a do de vuy non siando l'altro in la terra ne dobiate trovare uno bono sufficiente et esperto canzellaro che sia o tuscano o lumbardo o marchisano o dela marcha d'Anchona o forlani, el quale habia pocho usado o praticato con veneciani et non lo tollate de legi de veneciani. E praticando con quelli ve vegniran per le mane delle dette nationi, tollete information del lor esser con chi serà usadi et di che vita e fama sono. Et habiando presa information di tutto allora, con lo nome de Dio tollete e fermate quello che alla vostra prudentia parerù esser più sufficiente a questo officio e più utile per la nostra terra, tollendo homo non troppo zovane, zoè non di men età di trenta anni et che non sia vecchio, promettendoli sin alla summa de ducati centoventi a grossi xxx per ducato al'anno, dandoli la ferma per do anni, e da lì in zuso quanto potrete per utilità del nostro Comune, tollendo persona sufficiente, come è detto, et per affitto di casa perperi xxx al'anno, dandoli la ferma de duy anni dal dì che intrarrà in barca per vegnir qua secondo la forma del sindacato, el quale ve mandemo, afforzandovi con tutti li vostri sentimenti e industrie di tor persona de la qual a vuy siegua honor e a nuy e tutti dela terra nostra, piazeri e utile e decoro commo in vuy speremo. E perché di là vien Luca de Branco, nostro cittadino, al qual havemo comesso vi diga certe cose però al ditto darete piena fede. Datum Ragusii, die xiiij octubris 1422».

century<sup>60</sup>.

The contribution of Italian notaries to the prosperity of Renaissance Ragusa was not limited to trade or their ability to administer the chancellery. In fact, it has been written that the Italians who landed in Ragusa in the humanistic age boasted a first-rate cultural baggage, giving a strong contribution to literature and classic culture. Giovanni Lorenzo Regini composed poems much appreciated by the patricians of Ragusa, in particular by Nicola Resti, who seems to have entertained a real literary association with the chancellor; both Regini and Egidio Iugo had trained in their literary skills among that group of intellectuals that revolved around the Paduan humanist Antonio Baratella, with whom they maintained a correspondence even after their arrival in Ragusa<sup>61</sup>. In that particular time, two other humanist chancellors then lived in Ragusa, Xenophon Filelfo and Bartolomeo Sfondrati, both praised by the erudite Appendini for their culture and knowledge of law<sup>62</sup>.

Despite a minimum education among the citizenship was quite common, for trade reasons, it is also true that an important component of that emigration was made up of educated individuals with a fair amount of intellectual depth; among these, doctors, school teachers, and precisely notaries<sup>63</sup>. With their experience and specific expertise, they also brought with them their intellectual tastes, the habits and customs of their homeland, coming to interact with a city that was always open to Latin culture, of which it was an integral part. By virtue of the cultural stature gained at the major Italian universities, Padua and Bologna in the first place, the chancellors of Ragusa played a decisive role in the development of a local literature. It is therefore no coincidence that the first known author of a chronicle of Ragusa history was a notary, the chancellor Giovanni Conversini, a well-known humanist of his time and a disciple of Petrarch<sup>64</sup>. The importance of the contribution provided by notaries to the cultural enrichment of the city is also confirmed by the fact that at the time they were the major buyers and dealers of manuscript codes. From the will of Egidio Iugo, for example, we know how he used to write down the volumes he owned, all diligently inventoried, in a book of memoirs; among the bequests, Egidio left a book of soliloquies of Saint Isidoro and Saint Agostino to the friars of the Franciscan friary of Daxa, while leaving to a relative the custody of a «Retoricha Nova» by Cicero<sup>65</sup>. In 1429, the aforemen-

<sup>60</sup> DAD, *Litterae et Commissiones Levantis*, 10, 12/02/1430: «[...] perché Lombardi più che altre nation si conforma ali nostri costumi et anche asai bene se contentamo di quelli abiamo al presente».

<sup>61</sup> About Regini: Segarizzi, 1904; Segarizzi, 1916, p. 101; Graciotti, 2005, pp. 73-75.

<sup>62</sup> Appendini, 1803, pp. 310-312.

<sup>63</sup> Krekić, 1972, pp. 128-131; Krekić, 1997, pp. 321-332.

<sup>64</sup> Jireček, p. 191; Krekić, 1972, p. 132. Giovanni Conversini procued in 1387 an *Historia Ragusii*; Sferovic, 2017, pp. 131-170.

<sup>65</sup> Krekić, 1997, pp. 193-194.

tioned Benedetto Schieri delivered a parchment volume containing an annotated collection of 32 works by Seneca to Cresolo di Cristoforo from Traù (Trogir); the code would have been transported by the latter to Fiume (Rijeka) in the house of its buyer, Guido from Splimbergo<sup>66</sup>. Another notarial document dated 1418 informs us that Schieri himself had bought from two merchants one hundred parchment papers «pulcras et bene laboratas» of the same size as a sheet of papyrus; it is therefore not to be excluded that it was Benedetto Schieri himself who wrote and packaged the code, and that he used his writing skills for commercial purposes<sup>67</sup>. Iacopo Ugodonici, on the other hand, made an agreement in 1412 with the Ragusa priest Marin Kovačić for the transcription in copy of the solemn missal preserved in the well rounded and illuminated in two colors, the mercury red of *cinnabarite* and sea blue<sup>68</sup>.

## 6. Conclusions

The evolution of notarial practice in the city of Ragusa was characterized by a development model that was distant from both Communal Italy and Venice models. The classic legacy of a municipal notary inserted in the public offices of the city-state led to a convergence of the practice at the service of private shops with that of supporting the institutional activity of the councils.

When the drafting of the first municipal statute required a reorganization of the bureaucracy, the city chose to completely entrust the notary office to foreign jurists from Italian cities and trained in university studies in the peninsula. This decision relegated the contribution of ecclesiastical scribes to the peripheral chancelleries of the state only, while a new figure, that of «cancellarius sclavicus», supplied the growing needs of linguistic and legal mediation with the Slavic element of the population. The mutual identification between notary and chancellery offered notaries a fixed salary, established on the basis of the number of colleagues employed, with the consequent absence of any form of competition; an additional contribution for the rent of their home and the absence of profession costs were also recognised. Unlike the other Dalmatian cities, the Ragusa chancellery also adopted an original system of production and conservation of notarial deeds, constituting typological series unrelated to the name of the signing notary.

The growing weight of the notary in the political and economic dynamics of the city prompted the authorities to pay close attention to the recruitment of new chancellors and their presence in the institutional and judicial halls. Notaries-chancellors were totally inserted in the administrative structure of the state and rewarded by an economic compensation that has grown over time in parallel

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<sup>66</sup> DAD, *Diversa Notariae*, 16, c. 81r.

<sup>67</sup> DAD, *Diversa Cancellariae*, 41, c. 237r.

<sup>68</sup> Krekić, 1972, p. 122.

with the search for increasingly qualified professionals able to assume a fundamental role in the local development of literary humanism.

### *Appendix*

Recruitment of notary Soffredi di ser Parino da Pistoia – December 14th  
(see *Liber reformationum 1301-1336*, p. 338)

Anno Domini millesimo trecentesimo trigesimo primo. Indictione XIII.

Die XIII mensis Novembris. In minori consilio sono campanecongregato, ex auctoritate et balia eis attributa a maiori consilio die xx Novembris, Goffredus ser Parini de Pistorio çerer cancellarii nostri Ragusii, nullo discordante, electus fuit ad salarium eomunis Bagusii pro uno anno proximo cum salario L yperperorum; qui annus incipit currere die XIII huius mensis; Qui Goffredus teneatur scribere omnia dampna que fient in vineis, terris, arboribus, fructibus, lignamine, domibus, capannis per totum districtum Ragusii, tarn in Astarea, quam in ysulis, et omnes derubationes, expoliationes, arestationes et violentias flendas hominibus Ragusii et eius districtus per quemcumque seu quoscu que, tarn in mare, quam in terra extra civitatem et districtum Ragusii.

Item teneatur scrupare in libris et catasticis existentibus in eancellaria, de omnibus scripturis que petebuntur scrupari ab eo, prout tenebatur cancellarius, non dando ipse vel cancellarius ali quern librum vel catasticum in manibus alicuius persone ad scrupandum.

Item teneatur exemplare omnes scripturas et literas quas cancellarius dedit ad exemplandum.

Item teneatur scribere in uno libro per se, omnia iudicia tarn de maleficiis quam de causis civilibus.

Item teneatur exemplare in uno libro per se omnes condempnationes que fient a modo in antea; qui liber debeat semper stare in eancellaria et concordare se cum illo camerarii seu camarlingarorum; et predicta omnia teneatur semper exercere de consilio et conscientia cancellarii, et esse in omnibus consiliis civitatis, et stare continue in eancellaria eomunis cum caneellario.

Qui Goffredus acceptavit dictum officium et iuravit ad sancta Dei Evangelia, corporaliter tactis scrituris, esse fidelem domini ducis et comunis Veneciarum et domini comitis Ragusii, et comunis Ragusii, et bene et legaliter exereere dictum suum offitium, bona fide, sine fraude.

Ordo cancelleriae – 1428, March 23th  
(see *Liber Viridis*, pp. 176-177).

Anno nativitatis Domini MCCCCXXVIII, die XX marcii, indictione VI, in maiori et generali consilio civitatis Ragusii, loco et more solito congregato, in quo quidem consilio interfuerunt consiliarii CXVIII, captum et firmatum fuit per LXVIII ex ipsis consiliariis ut infra, videlicet:

Con zo sia che le republiche e le signorie nelle cose secrete et di grande importantia sempre se debia restringer in menor numero di persone, che da hora inanzi debia esser alli consigli pizolo e de pregato et alla notaria di Ragusa duo secretari che siano notari et cancelleri degli consigli dil comun di Ragusa. Et allo cancello di fuora non se debia né possa impazar, salvo per tirare in publica forma vendite, sententie e tuto altro zo che bisognasse. Et lo officio loro sia la notaria et li consigli, pizolo e pregado del comun di Ragusa. Nelli quali consigli e notaria li altri duy cancellieri delle corte non si possa, ne debia impazar per nessun modo, salvo nel consiglio grande et quando fusse qualche caso de gran bisogno per suplire in quelle cose che non fusse secrete. Ma libri delli consigli et registri di carte et di lettere et commission et per simele la notaria debia stare in man et sotto chiave deli secretari. Ma lo libro de polize debia star in man di cancelleri della corte et tuti li altri libri che son usati de stare al ditto cancello di fuora.

Appreso ch'el debia esser duy altri cancelleri della corte civile et criminale al cancellero di fuora; li quali sia tegnudi de attendere a tutto quello che bisogna di civile et di criminale e far le polize che li seran date per li cancelleri secretari da poy che serano formade in pizolo consiglio et a tuto quello aspetta ali libri del cancello di fuora. Veramente perché la corte del civile secondo le usanze, mai può esser senza libri de notaria, volemo che sempre alle corte ordinarie et anche alli altri tempi et corti quando e quante volte sera di bisogna di libri di notaria, sia tenuto de andare uno delli notari com quelli suoy libri che bisognerà et altro niente fare, salvo monstrare et lezere li detti suoy libri quando e quante volte bisognerà.

Tutte le lettere che si fara per parte del rector et consiglio pizolo o pregado, debia far li canzilleri secretari. Ma quelle che lo rector con li suoy zudexi fara et quelle che fara lo rector solo possa commettere a chi li piacera e zaschun sia tenuto di farle.

Lo vadagno della notaria e quello che si fa nelli consigli parta li duy secretari tra di loro. E per lo simele quelli duo delle corte parta el suo vadagno del suo cancello di fuora tra di loro.

Declarando che per fina sera complido el numero di tuti quatro, li detti cancelleri che quelli che sera notari et secretari debia attendere a supplir tuti li officii

Ancora che nessun delli predetti notari et cancelleri non possa far mercantia in pena de yperpery cinquanta per ceschuno de loro et zeschuna volta.

E perché non si può cusì in uno tratto provedere a complimento a ogni cosa, che sempre questa ordination si possa coregiere et zontare et cassare in parte over tuto per la più parte di consigli.

List of Notaries-chancellors in Ragusa  
(See Bettarini, 2014)

<i>Petrus</i> , diacono	1023		Notarius
<i>Vitalis</i> , suddiacono	1044		Notarius Communis
<i>Marcus</i> , diacono	1168		Notarius Communis
Marino Camas ( <i>de Camas</i> o <i>Camasii</i> ), diacommo	1190-1199		Notarius Communis
<i>Gataldus</i> , chierico	1199		Notarius Communis
<i>Blasius</i> , chierico	1206-1216		Notarius Communis
<i>Gataldus</i> , prete	1220-1222		Notarius Communis
Pasquale di Pietro <i>de</i> <i>Capalu</i> , prete	1228-1257		Notarius Communis
<i>Petrus</i> , prete	1265-1275		Notarius Communis
<i>Pascalis</i>	1276-1281		Notarius Communis
Tommaso Savere da Reg- gio, <i>magister</i>	1277-1286	Imperialis auctoritate	Notarius et Cancellarius
Azzo di Iacopo <i>de Titolo</i>	1285-1296	Imperialis auctoritate	Notarius et Cancellarius
<i>Iohannes</i> , prete	1285-1292		Notarius Communis
Andrea Benessa, <i>canonicus</i>	1293-1324		Notarius Communis
<i>Marcovaldus</i>	1296-1303	Imperialis auctoritate	Notarius et Cancellarius
<i>Riciardus</i> , <i>magister</i>	1301-1306	Imperialis auctoritate	Notarius et Cancellarius
Francesco da Ferrara	1303	Imperialis auctoritate	Notarius et Cancellarius
Ubertino Fiochi	1311-1312	Imperialis auctoritate	Notarius et Cancellarius
Albertino da Cremona, <i>magister</i>	1312-1315	Imperialis auctoritate	Notarius et Cancellarius
Stoiano <i>de Zepre</i>	1312-1319	Scriba	Cancellarius Sclavicus



Stefano Binzola	1319-1322	Scriba	Cancellarius Sclavicus
Pone Stamberti da Pistoia	1318-1341	Imperialis auctoritate	Notarius et Cancellarius
Giovanni Fini da Ancona	1322-1348	Imperialis auctoritate	Notarius et Cancellarius
Soffredo di Parino da Pistoia	1331-1365	Imperialis auctoritate	Notarius et Cancellarius
Iacopo di Nicola Crose	1340-1347	Scriba	Cancellarius Sclavicus
Francesco di Bartolomeo da Arco	1342-1373	Imperialis auctoritate	Notarius et Cancellarius
Simone di Chello Forteguerri	1342-1347	Imperialis auctoritate	Notarius et Cancellarius
Giovanni da Bergamo	1348-1349	Imperialis auctoritate	Notarius et Cancellarius
Giovanni Parmessano	1348-1363	Scriba	Cancellarius Sclavicus
Francesco di Manfredi Sordi da Piacenza	1359	Imperialis auctoritate	Notarius et Cancellarius
Teodoro Scolmafogia da Brindisi	1360-1379	Imperialis auctoritate	Notarius et Cancellarius
Nico di Dragano <i>de Biele</i>	1363-1367	Screiba	Cancellarius Sclavicus
Niccolò di Giulio Stefi da Brindisi	1366	Imperialis auctoritate	Notarius et Cancellarius
Utiseno Tichoslavich	1370-1372	Scriba	Cancellarius Sclavicus
Vidosio da Curzola	1372-1376	Scriba	Cancellarius Sclavicus
Giovanni Fosco da Cividale ( <i>Forum Iulii</i> )	1371-1383	Imperialis auctoritate	Notarius et Cancellarius
Maroe Nichlich	1379-1387	Scriba	Cancellarius Sclavicus
Articuccio di Domenico da Rivignano, diocesi di Aquileia	1382-1384	Imperialis auctoritate	Notarius et Cancellarius
Andrea di Domenico da Bologna, cittadino anconetano	1382-1400	Imperialis auctoritate	Notarius et Cancellarius
Iacopo di Ambrosino Milani da Parma	1383-1388	Imperialis auctoritate	Notarius et Cancellarius

Giovanni del maestro Conversino da Frignano, da Ravenna	1385-1387	Imperialis auctoritate	Notarius et Cancellarius
Alberto di Tommaso Bono da Belluno	1386-1407	Imperialis auctoritate	Notarius et Cancellarius
Rusco di Cristoforo	1392-1430	Scriba	Cancellarius Sclavicus
Antonio Lamaldura da Bergamo	1392-1401	Imperialis auctoritate	Notarius et Cancellarius
Iacopo di Giovanni Ugodonici da Bologna	1401-1416	Imperialis auctoritate	Notarius et Cancellarius
Giovanni di Adamo da Muggia, messer	1407-1414	Imperialis auctoritate	Notarius et Cancellarius
Niccolò Alberti da Muggia	1412-1416	Imperialis auctoritate	Notarius et Cancellarius
Ludovico da Colle	1414-1417	Imperialis auctoritate	Notarius et Cancellarius
Benedetto di Matteo Schieri da Prato	1414-1430	Imperialis auctoritate	Notarius et Cancellarius
Battista di Vanni Cima- stelli da Fermo	1416-1427	Imperialis auctoritate	Notarius et Cancellarius
Francesco di Giovanni Bosco da Mantova	1418-1423	Imperialis auctoritate	Notarius et Cancellarius
Pietro di Marchino Sfondrati da Cremona	1418-1420	Imperialis auctoritate	Notarius et Cancellarius
Tommaso di Bartolomeo Ringhiadori da Prato	1421-1426	Imperialis auctoritate	Notarius et Cancellarius
Mellino di Vandino Schizzi da Cremona	1423-1437	Imperialis auctoritate	Notarius et Cancellarius
Lorenzo Zuchelli da Cremona	1427-1437	Imperialis auctoritate	Notarius et Cancellarius
Egidio Jugo da Cremona	1429-1449	Imperialis auctoritate	Notarius et Cancellarius
Pasquale della Bruna da Cremona	1429-1437	Imperialis auctoritate	Notarius et Cancellarius
Niccolò Stella	1430-1455	Scriba	Canc. Sclavicus
Vittorio da Feltre	1430	Imperialis auctoritate	Notarius et Cancellarius
Iacopo da Messina	1437	Imperialis auctoritate	Notarius et Cancellarius
Niccolò della Ciria da Cremona	1437-1440	Imperialis auctoritate	Notarius et Cancellarius

Dalfino di Paolo Tagliabuoi da Cremona	1437-1449	Imperialis auctoritate	Notarius et Cancellarius
Girolamo di Giovanni Franchini da Prato	1438-1440	Imperialis auctoritate	Notarius et Cancellarius
Giovanni Uguzzoni da Rimini, cittadino padovano	1440-1454	Imperialis auctoritate	Notarius et Cancellarius
Stefano Fieschi da Soncino	1441-1444	Imperialis auctoritate	Notarius et Cancellarius
Giovanni Lorenzo Regini da Feltre	1448-1471	Imperialis auctoritate	Notarius et Cancellarius
Giovanni Sfondrati da Cremona	1448-1454	Imperialis auctoritate	Notarius et Cancellarius
Bartolomeo Sfondrati da Cremona	1449-1504	Imperialis auctoritate	Notarius et Cancellarius
Cristoforo Lovati	1454-1455	Imperialis auctoritate	Notarius et Cancellarius
Iacopo Merlato da Marano	1454-1471	Imperialis auctoritate	Notarius et Cancellarius
Davide Boccacci da Piacenza	1454-1479	Imperialis auctoritate	Notarius et Cancellarius
Marincho Cvietochovich	1455-1474	Scriba	Canc. Sclavicus
Senofonte Filelfo da Tolentino	1460-1470	Imperialis auctoritate	Notarius et Cancellarius

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