

ARTYKUŁY I ROZPRAWY

Marcin Starzyński

CIVITAS NOSTRA CRACOVIENSIS. A SKETCH OF THE TOWN POLITICS OF KAZIMIERZ WIELKI (PART II)

Abstract

The article sums up our knowledge about the attitude of king Kazimierz Wielki towards the city of Krakow, as the biggest and most important municipal center in the Kingdom of Poland.

Słowa kluczowe: Kazimierz Wielki, Kraków, mieszczaństwo.

Key Words: Kazimierz Wielki (Casimir the Great), Krakow, burghers.

The first information about elections to the Kraków city council carried out during the reign of Kazimierz Wielki dates from 1343.¹ Obviously, it does not mention that elections to this body had not taken place since 1330,² the last time the names of people named to the council were listed in the city records. However, surviving sources allow for the reconstruction, albeit fragmentary, of the makeup of the council from before 1343.³

One of the restrictions levied against Kraków by Władysław Łokietek following the suppression of vogt Albert's rebellion was the effective changing of the earlier procedures of choosing new councillors, who presumably had been

¹ *Liber actorum, resignationum nec non ordinationum civitatis Cracoviae 1300–1375*, ed. F. Piekosiński, [in:] *Najstarsze księgi rachunki miasta Krakowa od r. 1300 do 1400*, pt. 1, eds. F. Piekosiński, J. Szujski, Kraków 1878 (henceforth: *NajstKs.*), p. 167.

² *Ibidem*, p. 103.

³ M. Starzyński, *Krakowska rada miejska w średniowieczu*, “*Maiestas – Potestas – Communitas*”, 3, Kraków 2010, pp. 227–229.

appointed each year by the outgoing councillors until 1312.⁴ It is also not out of the question that this action was undertaken in consultation with the hereditary vogt. The first council after the rebellion had been appointed on the orders of the prince (*von gebote*). The following elections, starting from 1319, were carried out on his command (*de mandato*) by a varied group of the highest officials in Lesser Poland: the castellan of Wiślica, the voivode of Sandomierz, the chamberlain of Kraków as well as the *procurator generalis terrae Cracoviensis*, who most frequently fulfilled this role.⁵ However, it cannot be suggested that the elections to the Kraków city council were controlled by legally accepted customs. In 1343, new members were called to the council for the first time by [*de*] *auctoritate domini regis*, as is clearly noted in the oldest Kraków city records, rather than *de mandato* as had taken place up until that time. The use of this particular notation by the scribe was certainly not accidental. This is particularly the case with the nominations of the *procurator generalis* Herman of Opatowiec, a trusted advisor to both Władysław Łokietek and Kazimierz Wielki;⁶ and of the unnamed pantler of Sandomierz, who can be identified as Mikołaj Wierzynek the Elder, the first Kraków burgher to be named by Kazimierz Wielki to the land court and a close associate of the king as well as a strong advocate for the city in the royal court.⁷ A few words must be devoted to this particular figure.

Mikołaj Wierzynek came to Kraków before 1316. He was most likely from Silesia, which would account for his continuous close contacts with the bourgeoisie of Wrocław.⁸ It is relatively certain that he did not take part in

⁴ W. Bukowski, Z. Noga, *Ustrój miasta Krakowa w XIII–XVIII wieku*, [in:] *Kraków. Europejskie miasto prawa magdeburskiego 1257–1791. Katalog wystawy*, Kraków 2007, p. 53.

⁵ *NajstKs.*, pp. 25–26, 55, 62, 69, 76, 87, 103; J. Kurtyka, *Odrodzone Królestwo. Monarchia Władysława Łokietka i Kazimierza Wielkiego w świetle nowszych badań*, Kraków 2001, pp. 135–136; M. Starzyński, *Krakowska rada miejska...*, pp. 63–66.

⁶ K. Ozóg, *Intelektualiści w służbie Królestwa Polskiego w latach 1306–1382*, Kraków 1995, p. 132; A. Marzec, *Urzednicy malopolscy w otoczeniu Władysława Łokietka i Kazimierza Wielkiego (1305–1370)*, Kraków 2006, pp. 246–248.

⁷ The biography of Mikołaj Wierzynek the Elder, complementing the older assertions by S. Kutrzeba, was compiled by G. Lichończak, *Najstarsze dzieje rodziny Wierzyńków w Krakowie*, “Krzysztofory. Zeszyty Naukowe Muzeum Historycznego Miasta Krakowa” 1981, pp. 38–55; see also: A. Marzec, *Urzednicy malopolscy...*, pp. 243–244.

⁸ G. Lichończak, *Najstarsze dzieje rodziny Wierzyńków...*, pp. 43, 49. In the presented context, it is worth suggesting that the burghers of Wrocław in March 1354 handed over to Charles IV a certain report, with information that they had received directly from Mikołaj Wierzynek, that Kazimierz Wielki intended to wed the Tatar princess, see *Die Correspondenz der Stadt Breslau mit Karl IV. in den Jahren 1347–1355*, hrsg. von C. Grünhagen, “Archiv für österreichische Geschichte” 1865, H. 1–2, p. 365. Z. Kozłowska-Budkowa (*Z ostatnich lat Kazimierza Wielkiego. 2. Ostatnie małżeństwo Kazimierza Wielkiego*), “Małopolskie Studia Historyczne” (henceforth: Stud. Hist.) 1963 [printed: 1964], issue 3–4, p. 16) surmised that “this could be one of the projects [the marriage mission – M.S.], attempts to find some solutions to the unfortunate impasse and the canonically valid relationship [*i.e.* with Adelajda of Hessa – M.S.] that Polish lawyers were unable to find.”

Albert's rebellion, as he was named among the city authorities in 1323 and four years later (1327) was elected to the council.⁹ He had extensive business interests. From 1336 he held the position of vogt of Wieliczka¹⁰ and was also actively involved in the transfer of money collected by the collectors of the Papal Chamber in the Kingdom of Poland to the counting houses in Bruges.¹¹ These activities, along with his significant estates in Kraków and Wieliczka, must have been extremely profitable, as Wierzynek was able to give a loan to Charles IV of Luxemburg.¹² He also enjoyed the great trust of both Władysław Łokietek and Kazimierz Wielki. In 1336, he received a bequest from the monarch of one *marca* out of the duties collected in Kraków.¹³ Five years later, in 1341, he was named the pantler of Sandomierz.¹⁴ Andrzej Marzec has rightly pointed out that this particular advance was a reward for the influence on Kraków that the king maintained through him.¹⁵ Wierzynek's appointment to the Kraków city council also was undoubtedly a sign of the king's explicit trust in him. Thus, one can form a working hypothesis that the abovementioned decision of Kazimierz Wielki probably was tied to the granting of certain liberties to the city in questions regarding the election of people who were appointed to places in the highest self-governing institutions. Because of this, the new monarch could depart to some extent from the policies of his father against Kraków. Władysław Łokietek, who appointed new people to the communal authorities, built a political base from scratch among the Kraków townspeople. In turn, Kazimierz, who took the throne twenty years after the suppression of vogt Albert's rebellion, was assured that rule over Kraków was held by a group of people who not only supported his father before 1312, but also owed their positions to him.

A few months before the November elections to the city council, the Kraków burghers emerged as a major political player for the first time since Albert's rebellion. Along with the Sandomierz and Sącz burghers they issued the

⁹ M. Starzyński, *Krakowska rada miejska...*, p. 227, no. 59.

¹⁰ F. Sikora, *Wójtostwo wielickie w średniowieczu*, [in:] *Księga jubileuszowa Profesora Feliksa Kiryka*, eds. A. Jureczko, F. Leśniak, Z. Noga, "Annales Academiae Pedagogicae Cracoviensis", 21, *Studia Historica*, 3, 2004, pp. 204–205.

¹¹ M. Starzyński, *The Krakow's Merchants in the Acts of Camera Apostolica in the 14th Century*, "Archiwum Historiae Pontificiae" (in print).

¹² G. Lichończak, *Najstarsze dzieje rodziny Wierzyneków...*, p. 43.

¹³ *Kodeks dyplomatyczny Małopolski*, vol. 1, ed. F. Piekosiński, "Monumenta medii aevi res gestas Poloniae illustrantia" (henceforth: *Mon. Medii Aevi*), vol. 3, Kraków 1876, no. 202. According to the conclusions of A. Marzec (*Urzednicy malopolscy...*, p. 243, note 466), in this document there is no word if the above-mentioned *bestowal* was recompense for his faithful service in the Wieliczka salt mines.

¹⁴ *Urzednicy malopolscy XII–XV w. Spisy*, oprac. J. Kurtyka, T. Nowakowski, F. Sikora, A. Sochacka, P.K. Wojciechowski, B. Wyrozumska, "Urzednicy dawnej Rzeczypospolitej XII–XVIII wieku. Spisy", vol. 4, issue 1, ed. A. Gąsiorowski, Wrocław–Warszawa–Kraków 1990 (henceforth: *UrzMp.*), no. 941.

¹⁵ A. Marzec, *Urzednicy malopolscy...*, p. 243.

document *ad mandatum speciale serenissimi principis domini nostri Kazimiri*, which confirmed the provisions of the peace treaty with the Teutonic Knights.¹⁶ This act was authenticated by the large seal of the city. The literature on this subject, however, rightly underlines that the burghers' role as guarantors was clearly instrumental.¹⁷ Indeed, this perfectly explains the peace project between the Polish state and the Teutonic Knights in connection with the Visegrad talks of 1335, which lists seven towns as having to verify this exact treaty.¹⁸ Eight years later, they issued documents guaranteeing the provisions of the treaty of Kalisz (the second of the documents was issued by the cities of Kujawy and Wielkopolska: Poznań, Kalisz, Włocławek and Brześć Kujawski). We can also add that in 1343, the documents issued by Polish towns did not correspond exactly to documents of Prussian towns.¹⁹

At the beginning of the 1340s, after the conquest of Red Ruthenia and the normalization of relations with the Teutonic Knights, one can see a great deal of convergence between Kazimierz Wielki's trade policies and the interests of the Kraków burghers, who strove to monopolize transit not only on the north-south trade routes (i.e.: between Hungary and the Baltic coast) but also on the so-called King's Road (*via regia*) that connected Western Europe with the Black Sea ports.²⁰ The effect of the Cracovians' efforts in this regard is illustrated in a document issued by the king on 15 February 1344 establishing the trade routes from the Kingdom of Poland to Ruthenia and Hungary based on the advice and knowledge of the burghers of Kraków, Sandomierz and Sącz. As a result of his decision, merchants from Toruń had to travel to Hungary via Brześć,

¹⁶ *Kodeks dyplomatyczny miasta Krakowa*, pt. 1, ed. F. Piekosiński, Mon. Medii Aevi, vol. 5, Kraków 1879, no. 238 [= *Preussisches Urkundenbuch* (henceforth: *PU*), Bd. 3/1, hrsg. von H. Koeppen, Marburg 1958, no. 577, 587]. The Treaty of Kalisz in the light of diplomacy was fully developed in the work of S. Szczur, *Traktat pokojowy Kazimierza Wielkiego z Zakonem Krzyżackim*, "Zapiski Historyczne" 1991, issue 4, pp. 7–43 (older literature there). Regarding the role of guarantors in international treaties, see *idem*, *Traktaty międzypaństwowe Polski piastowskiej*, Kraków 1990, pp. 86–96.

¹⁷ A. Gąsiorowski, *Polscy gwaranci traktatów z Krzyżakami XIV–XV wieku*, "Komunikaty Mazursko-Warmińskie" 1971, no. 2–3 (112–113), p. 251; J. Wyrozumski, *Miasta w życiu politycznym Polski średniowiecznej*, [in:] *idem*, *Cracovia mediaevalis*, Kraków 2010, pp. 450–451 [first edition: *Studia nad dziejami miast i mieszczaństwa w średniowieczu. Studia ofiarowane Antoniemu Czacharowskiemu w sześćdziesiątą rocznicę urodzin i czterdziestolecie pracy naukowej*, "Studia Polonica Historiae Urbanae", vol. 2, Toruń 1996, pp. 29–42].

¹⁸ *PU*, Bd. 3/1, hrsg. von M. Hein, Königsberg 1944, no. 27. In the older historiography this act is erroneously defined as "instructions given by the order to its representatives to the convention in Visegrad," see *Lites ac res gestae Polonos Ordinemque Cruciferorum*, vol. 1, editio altera, Poseniae 1890, no. 21. The discussion on this topic has been summarised by S. Szczur, *Zjazd wyszehradzki z 1335 r.*, *Stud. Hist.* 1992, issue 1 (136), pp. 3–17, esp. 6–7.

¹⁹ S. Szczur, *Traktat pokojowy...*, pp. 39–40.

²⁰ S. Gawlas, *Uwagi o polityce miejskiej Kazimierza Wielkiego*, [in:] *Aetas media, aetas moderna. Studia ofiarowane Henrykowi Samsonowiczowi w siedemdziesiątą rocznicę urodzin*, Warszawa 2000, pp. 38–39.

Łęczyca, Inowłódz, Opoczno, Sandomierz, Wiślica, Kraków and Sącz from then on. Immediately, all other merchants, including those from Toruń, had to display their wares for sale in Kraków if they travelled *versus Russiam*.²¹ Thus, this privilege guaranteed Kraków merchants partial control over trade on Europe's largest trade rout, which connected Flanders and Cologne with Ruthenia and the Genoan colonies on the Black Sea. Unfortunately, the surviving sources do not describe the role played by Mikołaj Wierzynek in these events. The dominance of Kraków in this matter, however, was only assured by another privilege given to the townspeople by Kazimierz ten years later. It is also not out of the question that it had a connection to a loan of more than sixty thousand Prague groschen that the monarch obtained from the Kraków burghers in 1352.²²

On 6 October 1354, Kazimierz Wielki issued a document confirming Kraków's position as the chief centre of trade for goods produced both locally and outside of the kingdom.²³ The narration of this act was indeed eloquent, saying that the city and its inhabitants were renowned throughout the world.²⁴ On its basis, all foreign merchants arriving from outside of the Kingdom of Poland (*de regnis, dominiis, comitatibus, territoriis ac districtibus extraneis*) were obliged to sell their wares in Kraków either to the city's merchants or others who were subjects of the king.²⁵ Foreign merchants also could not complete any transactions between each other. Any foreign merchant who entered into a partnership with local merchants in order to sell their imported goods through them would be subjected to a fine of five *marcas*. The same fine was also applied to those who purchased such goods. It is also worth adding that the revenues generated by these fines went to the city. Thus, this document sanctions the role of Kraków as the main centre of trade in the Kingdom of Poland. Because of this, Kraków had a monopoly not only over the trade of Hungarian copper and blocked the contact of Prussian merchants with Ruthenia, but also starting in 1354 had power over all goods sent from the East. Therefore, it is not hard to suggest that Kazimierz Wielki shaped Kraków's trade development through

²¹ *Najstarszy zbiór przywilejów i wilkierzy miasta Krakowa*, ed. S. Estreicher, Kraków 1936 (henceforth: *EstrPrzywKraK.*), no. 3. As a result of a dispute with the burghers of Toruń, the original document was torn in the town hall by the Kraków councillors after 1372. See also: A. Orłowska, *W sprawie polityki handlowej Kazimierza Wielkiego*, [in:] *Z dziejów średniowiecznej Europy Środkowo-Wschodniej. Zbiór studiów*, pt. 2, ed. J. Tyszkiewicz, "Fasciculi Historici Novi", vol. 6, Warszawa 2007, pp. 153–156.

²² *KmK* I, no. 27.

²³ *Ibidem*, no. 29; J. Wyrozumski, *Kraków do schyłku wieków średnich*, "Dzieje Krakowa", vol. 1, eds. J. Bieniarzówna, J.M. Małecki, Kraków 1992, pp. 230–231.

²⁴ *KmK* I, no. 29 (*civitas nostra Cracouiensis et incole ipsius, quorum longe lateque per orbem fama ubilibet commendabiliter predicatur*).

²⁵ J. Wyrozumski (*Kraków do schyłku wieków średnich...*, p. 230) aptly pointed out that in this privilege "Polish merchants were in a true sense made equal under commercial laws to Kraków merchants in the city's area."

these successive privileges. The king undoubtedly held a special position in the city's politics, as is indeed confirmed by the literature. Due to this, Kazimierz not only built a major trade centre, but also a new royal residence modelled on Charles IV's Prague.²⁶

The actions of the Kraków councillors were, of course, not limited to the question of trade and strengthening the Council's position within the city's administration. Since the suppression of vogt Albert's rebellion, the question of communal assets as well as the judicial scope of the municipal authorities remained an unresolved question. Following the dissolution of the office of the hereditary vogt and Łokietek's taking away of the location document and vogt's privilege from 1306 from the seat of the Kraków authorities, the city had not possessed a document resolving these questions. It was also difficult to conclude if this regulation was possible only in 1358. In any case, it was in that year that the royal chancellery prepared an act summing up and also symbolically concluding city's first century of existence under the Magdeburg Law: the city "out of all cities in our Kingdom has the most glorious name, greatest fame, and in worldly goods surpasses all others."²⁷

Kazimierz's attitude toward Kraków, in a certain sense stigmatised by his father, is significantly expressed in the words of this document. It is presumably not an accident that the sentences "honest and kind faith" and "willingness to submit to our [the king's – M.S.] hand" dates back to the time the minority of Kazimierz.²⁸ It might therefore be assume that the burghers of Kraków took part in the organization of his wedding with Anna, the daughter of Gediminas of Lithuania, which took place in Kraków on 16 October 1325 or perhaps earlier when Kazimierz became engaged to John of Luxemburg's daughter Jutta.²⁹ However, that is only a hypothesis.

In the 1358 charter, the city's sources of income are listed first. The basic revenue consisted of earnings from its own estates,³⁰ which then consisted of: five cloth stalls at full rent; six with the so-called ground rent – from cloth that

²⁶ S. Gawlas, *Monarchia Kazimierza Wielkiego a społeczeństwo*, [in:] *Genealogia – władza i społeczeństwo w Polsce średniowiecznej*, ed. J. Wroniszewski, Toruń 1999, pp. 223–224; *idem*, *Uwagi o polityce miejskiej...*, pp. 39–40.

²⁷ The newest edition: *Przywileje ustanawiające gminy miejskie wielkiego Krakowa (XIII–XV wiek)*, ed. B. Wyrozumka, Kraków 2007 (henceforth: *WyrPrzywKra.*), pp. 31–34. Quotations from this privilege used in this work are from the translation by B. Wyrozumka (*ibidem*, pp. 57–61). A detailed description of its content has been given by J. Wyrozumski, *Kraków do schyłku wieków średnich...*, pp. 233–237.

²⁸ *WyrPrzywKra.*, pp. 31, 57.

²⁹ Regarding these marriages, see J. Wyrozumski, *Kazimierz Wielki*, 3rd ed., Wrocław–Warszawa–Kraków 2004, pp. 20–21.

³⁰ S. Kutrzeba, *Finanse i handel średniowiecznego Krakowa*, ed. M. Starzyński, Kraków 2009, pp. 25–31 [first published as: *Finanse Krakowa w wiekach średnich*, *Rocz. Krak.* 1900, pp. 27–148]; M. Starzyński, *Budżet miasta Krakowa na przełomie XIV i XV w.*, "Roczniki Dziejów Społecznych i Gospodarczych" (henceforth: RDSG) 2010, pp. 63–78.

was presumably delivered from nearby villages both by peasants and nobles; twenty-two bread tables; another six stalls in which small merchandise was traded, steam, slaughterhouse and the melting of fat. Next were the monopolies³¹, which consisted of two cloth-shearing rooms, silver and gold smelters, the two city weigh stations (large and small), the *schrotwagen* (i.e.: the right of the city to transport alcoholic beverages), as well as the tolls levied on outside merchants transporting cloth through Kraków. Finally, the king confirmed upon the city the ownership of two parcels on Grodzka and Jewish (later St Anna Street) Streets as well as one-and-a-half land fees. He also allocated to them the rents from all the devices found in the Main Market Square and the area of the city hall, both those that already existed and those that could be built in the future – on the condition that the city should not mar itself by building ugly structures in famous places. Furthermore, pastures “in the direction of Zwierzyniec” belonged to Kraków, as did the lands south of Garbary, and further pastures could be found in the direction of Czyżyny and in the direction of the city of Kazimierz – in other words, the bank of the Old Wisła before the New Gate. Jacek Laberschek aptly notes that the locations of these not particularly large areas so close to the city “created the prospect for their eventual settlement and development.”³²

In the 1257 location document, Bolesław Wstydlivy allowed the vogts of Kraków to build three mills, which could be inherited.³³ This element of the vogt’s estate presumably came under the control of the city after 1312, since in 1358 Kazimierz granted Kraków freedom from using the royal mills.

Another important provision found in the great charter of 1358 was the defining of the areas over which the city courts had jurisdiction in both civil and criminal matters. All residents were subjected to them, with the exception of the inhabitants of the settlements near St Florian’s Church, Czarna Wieś and Czarna Street, and Pobrzeże, i.e.: those “living on the bank of the Wisła in the direction of Zwierzyniec”. The exception to this was when there were disputes between townspeople and nobles. “If, incited by the evil of Satan, a knight or land noble” kills or injures an inhabitant of Kraków, he must be judged by the king or his appointed emissary or the appropriate court of Polish law. If, however, such an offense was committed on the person of a nobleman by a resident of Kraków, then “the matter will be settled according to city law in our [the monarch’s – M.S.] or our emissary’s presence”, as well as – significantly – two, three or more councillors. In all other matters, the townspeople could answer only and exclusively to the city courts according to Magdeburg Law. However, the rulings

³¹ S. Kutrzeba, *Finanse i handel...*, pp. 36–57.

³² J. Laberschek, *Rozwój krakowskiego zespołu osadniczego extra muros XIII–XVIII w.*, [in:] *Kraków. Nowe studia nad rozwojem miasta*, ed. J. Wyrozumski, “Biblioteka Krakowska” (henceforth: *Bibl. Krak.*), no. 150, Kraków 2007, p. 315, note 51.

³³ *WyrPrzywKra.*, pp. 24–25.

of the city courts could be appealed to the Supreme Court of the Magdeburg Law at the castle in Kraków, which was founded by Kazimierz in 1356.³⁴

Finally, issues regarding the city's defence – guards on the walls, fees for buying weapons and repairing the fortifications – came under separate regulations under which all inhabitants who owned property *intra muros* were subject. However, an exception was made again for those nobles who owned houses in Kraków. Those renting homes from nobles, however, were subject to that obligation. The exclusion was also to be dropped in cases when the city was under siege. That decision was clearly impacted by John of Luxemburg's recent expedition in July 1345, when he camped for several days near Kraków and, according to Czech chronicler Beneš of Weitmile, destroyed its suburbs.³⁵

Furthermore, Kazimierz Wielki did not allow those who would rent salt mines to be exempted from these obligations (they were clearly trying to take advantage of their position to the detriment of the interests of the community), he forbade the building of taverns less than half a mile from Kraków and the donating of property by the townspeople to church institutions. If, however, this was done on the basis of a will, then the heirs were obligated to convert the property into cash and donate the money in accordance with the wishes of the deceased person. This rule thus blocked the expansion of church holdings within the city.

The great charter of 1358 also included matters regarding trade. King Kazimierz confirmed that Kraków merchants would not be subjected to duties anywhere in the Kingdom of Poland, while he forbade Sącz merchants and others coming from Hungary “towards Prussia, Greater Poland, Silesia, Bohemia or Moravia” from going around Kraków (a compulsory route). Finally, an interesting note on a law regarding townspeople or foreign merchants who died in Kraków “leaving no survivors or legal heirs” and – as Jerzy Wyrozumski notes, most importantly – no will. In such cases, half of the movable assets and property of the deceased would be given to the city and the other half would go to the royal treasury.

It is also necessary to examine the law dealing with the proper proscription sentences that indicate that the tricity Kraków-Kazimierz-Kleparz already functioned even before the formal foundation of the latter. This is because of the decision that the punishment of banishment adjudged in Kraków was also valid in Kazimierz and Kleparz, and also in other suburbs. Members of the nobility were excluded from this ruling, with the exception of those “who would be commonly known as thieves and robbers.”

³⁴ L. Łysiak, *Ius supremum Maydeburgense castri Cracoviensis 1356–1794. Organisation, Tätigkeit und Stellung des Krakauer Oberhofs in der Rechtsprechung Altpolens*, Frankfurt am Main 1990, pp. 15–25.

³⁵ *Chronicon Benesii de Weitmil (Kronika Beneše Krabice z Weitmile)*, ed. J. Emler, [in:] *Fontes rerum Bohemicarum*, vol. 4, Praha 1884, p. 512; see also: *Vita Karoli IV imperatoris (Život císaře Karla IV)*, [in:] *ibidem*, vol. 3, Praha 1882, pp. 367.

The great charter for Kraków of 1358 can thus be unquestionably seen as the most important legal act issued for the city not only since the issuing of the 1257 location document, but also in the entire medieval period. It can seem curious that, more than a century after Bolesław Wstydlivy conclusion of the contract with a trio of landlords and more than 40 since Albert's rebellion, the royal chancellery prepared the first document to determine the estates of the city, the judicial area of its courts as well as the privileges, rights and obligations of its inhabitants. The weight of this document explains one of the concluding clauses perfectly. The insight to it could only be held in the castle or in the town hall in the presence of the monarch or his emissary.³⁶ One could even venture to call this document the 'new location document of Kraków'. This is because it sums up and closes the first century of the city's development, demographically and economically as well as territorially and legally. The goal of the Kraków council at the beginning of Kazimierz Wielki's reign had by 1358 been achieved, even exceeded. The city had rebuilt its relationships with the ruler, obtained from him important legal and systemic controls, but also strengthened its own position as the dominant trade centre in the Kingdom of Poland.

On Sunday, 4 October 1360,³⁷ Mikołaj Wierzynek the Elder, the close councillor to Kazimierz Wielki and promoter of the city in the royal court, died. Undoubtedly wanting to retain his strong influence over the affairs of the Kraków burghers, Kazimierz immediately appointed Jan Bork the Elder to the position previously held by Wierzynek (i.e.: pantler of Sandomierz). Bork had previously been a judge (1350) and managed the royal duties in Czchów, Żmigród and Dobczyce (1358–1359).³⁸ It is interesting to note that Bork joined the council only in 1362.³⁹ This nomination was certainly no coincidence. In contrast to Wierzynek, it would be difficult to call Bork a protector of the interests of the Kraków merchants who controlled the city council.

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³⁶ *WyrPrzywKrak.*, p. 34 (*Ceterum necessitate exigente, dum presens privilegium legi debuerit vel videri non alias, quam in castro aut in civitate Cracouiensi in presenciam nostra ostendatur*).

³⁷ The exact day of Mikołaj Wierzynek the Elder's death appeared on the now-lost wooden or metal plaque, known as a *Totenschild*, placed after his death most likely in St Barbara's chapel (later a church) in the cemetery near St Mary's Basilica, and later brought into this church. The content of the inscription found on this plaque was uncovered and introduced to scholarly circles by A. Grabowski (*Kraków i jego okolice*, 5th ed., Kraków 1866, pp. 362, 365). Recently, M. Walczak (*Rzeźba architektoniczna w Małopolsce za czasów Kazimierza Wielkiego*, "Ars vetus et nova", vol. 20, ed. W. Bałus, Kraków 2006, pp. 211–218) has convincingly demonstrated that, contrary to earlier literature, that there was neither an epitaph nor a gravestone in *sensu stricto*.

³⁸ *UrzMp.*, no. 942 (the publishers erroneously reported that Jan Bork was already sitting on the Kraków council in 1360); J. Ptaśnik, *Studia nad patrycjatem krakowskim w wiekach średnich*, pt. I, "Rocznik Krakowski" (henceforth: *Rocz. Krak.*) 1913, p. 56.

³⁹ M. Starzyński, *Krakowska rada miejska...*, p. 235, no. 98.

An analysis of royal documents issued for Kraków in the first half of the 1360s does not in any way change the image of city-crown relations characteristic of the previous three decades. In 1360, the king prohibited the customs officers in Krzeszów (located on the road to the Vladimir-Suzdal Ruthenia) and Lubaczów (on the way to Red Ruthenia) from taking duties from Kraków merchants.⁴⁰ Two years later, in 1362, he signed an agreement with Rudolf Habsburg establishing reciprocal trade contacts between merchants from Kraków and Vienna.⁴¹ The next year, he agreed to sell to the Kraków councillors, for the relatively low rate of 100 *marcas*, jurisdiction over the inhabitants of Czarna Wieś, Czarna Street and Pobrżeże, but withheld ownership rights of these lands.⁴² On the strength of that same document, issued on 13 January 1363, Kazimierz also settled the matter of jurisdiction over the royal water servants (*ductores lignorum*) who operated the wooden rafts at the Wisła port. Here, jurisdiction in matters that took place on the water (*in fluvio Wyssle*) was given to the castle court or the procurator (*ad iudicium castris Cracoviensis seu ad procuratorem*), while those that reached the banks or land (*in littore sive in terra*) under the control of the Kraków council.⁴³ The king finally broadened the city's storage charge privileges, establishing in Kraków a warehouse for goat fur that was mainly brought to the city from Lwów. This material could be acquired *tam divites quam pauperes intra muros civitatis Cracoviensis*. Jerzy Wyrozumski aptly thought that, "it would be a storage privilege clearly given for the benefit of artisans, and not merchants."⁴⁴ It was certainly also tied to the development of the hat trade.

At the request of the council, the monarch further confirmed three municipal statutes regarding inheritance rights:⁴⁵ moveable assets of a deceased wife were to be given to her husband and children (§ 1); in cases where the deceased left

⁴⁰ *KmK* I, no. 33; J. Wyrozumski, *Kraków do schyłku wieków średnich...*, p. 224.

⁴¹ *KmK* I, no. 34 (Rudolf's document for Cracovians); A. Marzec, *Porozumienie Kazimierza Wielkiego z Rudolfem IV Habsburgiem z roku 1362*, "Teki Krakowskie" 1997 [Works presented to Franciszek Sikora on the occasion of his sixtieth birthday], pp. 125–133, on pp. 132–133 is the new edition of Kazimierz Wielki's document prepared on the basis of the autopsy of the original. Polemically: A. Gąsiorowski, *Kazimierz Wielki w Trnawie latem 1362 roku. Nad zagadkami historii politycznej Polski średniowiecznej*, "Przegląd Historyczny" (henceforth: *Przeł. Hist.*) 1998, issue 3, pp. 467–474.

⁴² *KmK* I, no. 35 (*incole villarum predictarum [i.e. Czarna Wieś, Czarna Street i Pobrżeże – M.S.] pro causis magnis et parvis non coram aliquo alio, nisi coram consulibus sepedicte civitatis Cracoviensis, qui pro tempore fuerint, aut coram advocato ipsis per eosdem deputato, eo iure, quo gaudent incole ipsius civitatis Cracoviensis, respondere teneantur*); J. Wyrozumski, *Kraków do schyłku wieków średnich...*, p. 234.

⁴³ See J. Wyrozumski, *O kongregacji włóczków krakowskich [in:] i dem, Cracovia medievalis...*, pp. 232–234 [first edition: *Stud. Hist.* 1958, issue 1, pp. 29–43].

⁴⁴ J. Wyrozumski, *Kraków do schyłku wieków średnich...*, pp. 231–232.

⁴⁵ *KmK* I, no. 35 [= *KmK*, pt. 2, ed. F. Piekosiński, *Mon. Medii Aevi*, vol. 7, Kraków 1882, no. 261]; M. Patkaniowski, *Krakowska rada miejska w średnich wiekach*, *Bibl. Krak.*, no. 82, Kraków 1934, pp. 124–125.

no descendents, all of her movable possessions were to be given to her sister or her closest kin (§ 2); if a man, after the death of two wives, married for a third time, then the personal property from his previous two spouses would upon his death be inherited by his last wife (§ 3). These were the last known Kraków municipal statutes issued with royal assent.

In Kazimierz's programme of state and governmental modernisation also included the founding of the University in 1364. The *Studium Generale* definitely loaned prestige and nobility not only the Kingdom of Poland, but also the city in which it functioned.⁴⁶ This was because it gave him completely new possibilities for development. On 12 May 1364, the king made the decision in regards to the endowment of the new foundation.⁴⁷ On the same day, a document issued by the municipal authorities of Kraków, on the strength of which the city's privilege for a university society was confirmed. It was the first document of its type to be issued in connection to the foundation of a medieval university.⁴⁸ Adam Vetulani has stated, assuming that the construction of university buildings in Kazimierz began before 1363, that this particular document from the Kraków city council was tied to the efforts of the council regarding the localization of the *Studium* in Kraków itself (rather than Kazimierz, where the king had originally intended to build the university).⁴⁹ In turn, Zofia Kozłowska-Budkowa argues for Henryk Barycz's idea that the building of the university district in Kazimierz was initiated after 1366 and was connected to the similar initiative of Charles IV in Prague.⁵⁰ The university foundation and the settling of scholars within the city's walls were associated not only with the limited scope of local jurisdiction over the new inhabitants (legal jurisdiction over scholars in civil and minor criminal affairs was held by the rector, while more serious cases were in turn handed over

⁴⁶ H. Koller, *Stadt und Universität im Spätmittelalter*, [in:] *Stadt und Universität im Mittelalter und in der früheren Neuzeit*, hrsg. von E. Maschke, J. Sydow, "Stadt in Geschichte. Veröffentlichungen des südostdeutschen Arbeitskreises für Stadtgeschichtsforschung", 3, Sigmaringen 1977, pp. 9–26; J. Wyrozumski, *La ville et l'université. Les plus anciennes fondations universitaires en Europe Centrale*, [in:] *L'université et la ville au moyen âge et d'autres questions*, réd. par. J. Wyrozumski, "Publications du Centre International de la Culture", Serie: Science, no. 2, Kraków 1993, pp. 15–26 [in the Polish edition: *Miasto a uniwersytet*, [in:] *idem, Z najstarszych dziejów Uniwersytetu Krakowskiego. Szkice*, Kraków 1996, pp. 9–20]; S. Szczur, *Papież Urban V i powstanie Uniwersytetu w Krakowie w 1364 r.*, Kraków 1999, pp. 199; J. Kurtyka, *Odrodzone Królestwo...*, pp. 76.

⁴⁷ The newest edition: *Najstarsze przywileje Uniwersytetu Krakowskiego*, ed. B. Wyrozumska, Kraków 2000, pp. 19–22.

⁴⁸ S. Krzyżanowski, *Poselstwo Kazimierza Wielkiego do Awinionu i pierwsze uniwersyteckie przywileje*, *Rocz. Krak.* 1900, pp. 65–67, 94–96.

⁴⁹ A. Vetulani, *Początki wszechnicy krakowskiej*, "Czasopismo Prawno-Historyczne" 1964, issue 2, pp. 14–19; *idem, Początki najstarszych wszechnic środkowoeuropejskich*, Wrocław–Warszawa–Kraków 1970, pp. 82–91, 157–163.

⁵⁰ Z. Kozłowska-Budkowa, *Z ostatnich lat Kazimierza Wielkiego. I. Kiedy król zaczął budować Uniwersytet na Kazimierzu?...*, pp. 14–15.

to either the ecclesiastical or royal court; while culprits could not be held to city law)⁵¹, but also confirmed on them many other freedoms that notably surpassed those enjoyed by the city's citizens. For example, both masters and scholars were exempt from import duties levied on provisions brought to the city.⁵² Although the city document do not contain a single word recounting the contributions of the city to the university's endowment (the question of the master of *artes liberales*' salaries was based on the wages of the rector of St Mary's school), this authorisation seems to be an acknowledgement of this act as a trace of cooperation in the considerations of the king and the city authorities.⁵³ It is also important to add that the editor of this document undoubtedly referred to the above-mentioned royal document or its draft. However, it cannot definitively rule out that the editing and copying of the university's city document took place in the royal chancellery,⁵⁴ but the lack of the formulas *datum per manus* and *scriptum per manus*, known from the royal document, appears to indicate that this work was carried out in the city chancellery. Particularly noteworthy, however, is the fact that the document was sealed with the small municipal seal that can be found on even on municipal correspondence rather than the great municipal seal whose use was limited for the most important acts of state.⁵⁵ Before 1364, it was hung on the document of towns from Lesser Poland guaranteeing the provisions of the peace of Kalisz of 1343.⁵⁶ This could be a sign that "guaranteeing university freedoms did not warrant its use," as proposed by Stanisław Szczur.⁵⁷ A complete answer to this question, however, will never be possible.

In September 1364 at the invitation of Kazimierz Wielki, Holy Roman Emperor Charles IV and Louis I of Hungary came to Kraków.⁵⁸ Jan Długosz,

⁵¹ This is the well-known 1369 document, discovered by H. Barycz, on the strength of which the king explained to the Kraków and Kazimierz councillors how and in what manner they can deal with students caught wandering around Kraków and Kazimierz at night, see H. Barycz, *Z zagadek Uniwersytetu Kazimierzowskiego w Krakowie*, "Przegląd Zachodni" 1952, no. 9–10, p. 122.

⁵² In the municipal document matters equalising scholars and burghers in payments for the baking of bread and the grinding of flour have been omitted. "Are these matters considered to be too petty for them to be addressed in a celebratory document or can we also discern a certain opposition to the introduction of regulations encroaching on the townspeople's personal rights? It is difficult to say," A. Vetulani, *Początki najstarszych wszechnic...*, p. 161.

⁵³ S. Szczur, *Papież Urban V...*, pp. 154–156.

⁵⁴ This possibility is suggested by S. Szczur, *Papież Urban V...*, p. 138. However, this author takes into account a second possibility: "The city notary, having before him suitable material in the form of royal supplications and university documents or even his own conception, was in the position to edit the document in the name of the city authorities," (*ibidem*, p. 139).

⁵⁵ B. Wyrzomska, *Kancelaria miasta Krakowa w średniowieczu*, Kraków 1995, p. 32.

⁵⁶ *KmK* I, no. 238.

⁵⁷ S. Szczur, *Papież Urban V...*, p. 141.

⁵⁸ The issues related to the Kraków congress of 1364 have been impeccably compiled in R. Grodecki, *Kongres krakowski w roku 1364*, Warszawa 1939 (2nd ed., Kraków 1995). He summed up the state of the research, at the same time verifying part of the old hypotheses,

writing about this unprecedented event in the ninth volume of his *Annales* particularly calls attention to the figure of “the Kraków councillor Wierzynek” (unfortunately his name has been lost), who had administered Kazimierz’s estates as well as the treasury and the royal domain. Aware of his “resourcefulness, honesty, prudence and liveliness,” the king “entrusted [to him] the care of the whole [event], and the overseeing of all the many remarkable and numerous needs of the kings was in his hands.” Wierzynek, seeing the rich and glamorous feast and the games that Kazimierz organized for his guests, then gave his own feast for “the five kings and all the princes, lords and guests,” who he invited to his own home.⁵⁹ While Długosz’s tales about the monarchs’ visit is of great historical value, it is also necessary, however, to correct some of the details he gives about the organizer of this legendary feast that, as aptly noted by Stanisław Kutrzeba, he most likely derived from the Wierzynek family tradition in the mid-15th century.⁶⁰ In this century, the Wierzyneks had definitely lost much of their importance, but what must be noted is that members of this family could claim the distinction of having sat on the city council for more than two centuries without interruption.⁶¹ The unnamed Wierzynek mentioned by Długosz was, as concluded by Stanisław Kutrzeba, Mikołaj the Younger, the son of Mikołaj the Elder, the pantler of Sandomierz.⁶² Długosz, writing about councillor Wierzynek,

S. Szczur, *Krakowski zjazd monarchów w 1364 roku*, “Roczniki Historyczne” (henceforth: Roc. Hist.) 1998, pp. 35–58.

⁵⁹ Jana Długosza *Roczniki czyli Kroniki sławnego Królestwa Polskiego*, ks. IX, Warszawa 1975, pp. 403–404. The authors of the critical commentary correctly identify with S. Kutrzeba (*Historia rodziny Wierzyńków*, Roc. Krak. 1899, pp. 48–49, 58) the “councillor Wierzynek” with Mikołaj the Younger (p. 403, note 29). While it is puzzling that after a close reading of memoirs of Kutrzeba’s discussions, they attribute to Wierzynek the Younger the title of the pantler of Sandomierz and also guesstimate his date of death as 1368, which Kutrzeba does not even make a mention of.

⁶⁰ S. Kutrzeba, *Historia rodziny Wierzyńków...*, p. 58.

⁶¹ M. Starzyński, *Malarz życia społecznego. Jana Ptaśnika badania nad patrycjatem krakowskim*, [in:] J. Ptaśnik, *Patrycjat krakowski w średniowieczu* (in print).

⁶² S. Kutrzeba (*Historia rodziny Wierzyńków...*, pp. 48–49) erroneously assigns Mikołaj the Younger to another line of the Wierzyneks than the one that derived from pantler Wierzynek. A satisfactory correction of these findings was undertaken by G. Lichończak (*Najstarsze dzieje rodziny Wierzyńków...*), properly identifying Mikołaj the Younger at the son of Mikołaj the pantler. See M. Starzyński, *Średniowieczny Kraków w badaniach Stanisława Kutrzeby*, [in:] S. Kutrzeba, *Finanse i handel...*, pp. XXIV–XXV. Separate attention should be paid to the list of witnesses to the city authorities’ document, the strength of which guaranteed the freedom of the newly-founded University. It is important here to explain that all of the people listed as witnesses, including Mikołaj Wierzynek the Younger, had not joined the city council, as proven by S. Krzyżanowski (*Poselstwo Kazimierza Wielkiego...*, p. 43) and what the words *ac aliis quampluribus consilium sepe dicte civitatis nostre Cracoviensis tangentibus* might indicate. The exhibitors of this act were *consules, scabini et iurati Cracovienses*. Of the nine people listed as witnesses, two (Jan Bork the Elder and Pakosz of Preszów) certainly were part of the council chosen in 1362 and began meeting in 1363. Keeping in mind that the council chosen in 1362 took office in that form in January

combined two people: the younger Mikołaj, who sat on the city council for the first time in 1347, and his already-deceased father, Mikołaj the Elder, who as we know was one of the king's most trusted advisors, furthermore giving him the competences associated with the Kraków *procurator*. The already-cited Stanisław Kutrzeba, who was the first to offer a detailed critique of Długosz's stories in the context of the history of Kraków, emphasises that "[It appears strange] that Wierzynek alone accepted guests in his name, because neither his relationship with the king nor his authority in the city and estate gave him this right."⁶³ Not a single mention of this subject is made in any of the surviving sources from that time. Kutrzeba's intuition also allowed him to draw one other important conclusion. His reading of printed fragments of Kraków's oldest city ledgers from the end of the 14th and beginning of the 15th centuries drew his attention to the fact that they contain more than one entry regarding the sums of money spent by the city on gifts for various important people: ecclesiastical and lay officials, but also the monarch himself and his family. The goal of these gifts was thus "to gain the favour of those upon whom they [the council – M.S.] depended."⁶⁴ Kutrzeba finally notes that the city gave at its own expense a feast in the city hall during which these officials were honoured. Having this in mind, it is possible to conclude that the legendary feast of 1364 was given not by Wierzynek, but by the city council. It was organized at the expense of the city with the blessing of Kazimierz Wielki and was undoubtedly a way of presenting the most important urban centre in the Kingdom of Poland.

There remains one more question after this response: why has tradition held that this feast was organised by Mikołaj Wierzynek? It is known that in 1364 he was not a member of the city council,⁶⁵ and I would reject Roman Grodecki's hypothesis that Wierzynek "perhaps was then the head of the council," (*magister civium*).⁶⁶ Wierzynek's absence from the *consules moderni* had no impact on the loss of the title of councillor, however, or their erstwhile influence on the city. In this context, I would support the earlier conclusions of Kutrzeba, because Wierzynek represented in the council the most well-known Kraków family and that is certainly why "he was first among them. Thus, the honour fell to him to be the host of this feast."⁶⁷ As one of the senior councillors (*consules seniores*), he enjoyed a great deal of authority among the representatives of Kraków's ruling elite; and he could thus realistically play the role of the host (according to Długosz, he divided the royal places at the table). Finally, he would have been

1363, it would be difficult to prove that seven new members could be found in its makeup in May 1364 and then it returned to its 1362 composition.

⁶³ S. Kutrzeba, *Historia rodziny Wierzyńków...*, p. 60.

⁶⁴ *Ibidem*, p. 59.

⁶⁵ See note 62.

⁶⁶ R. Grodecki, *Kongres krakowski...*, p. 64.

⁶⁷ S. Kutrzeba, *Historia rodziny Wierzyńków...*, p. 61.

able to make available rooms in one of tenements he owned. The question will never be fully solved. In any case, the story recorded by Długosz ties Mikołaj Wierzynek to the organization to this feast.

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In 1366, the many-year process of building the Kraków tricities came to a close. In a 25 June 1363 document, the original of which has unfortunately been lost, Kazimierz Wielki extended Magdeburg Law to the suburban settlements that had appeared in sources from the 1320s as *Alta Civitas* (High City), which was concentrated around St Florian's church in an area demarcated from the east and west by the lengthening of the Szpitalna and Sławkowska Streets from the old city.⁶⁸ It took its name – Florencja – from the nearby church, which was replaced in the last quarter of the 14th century with the name of Kleparz.⁶⁹

The above-mentioned sources concerning the history of Kraków in the first half of the 1360s in principle do not make any changes to the image of city-crown relations seen in the previous decades. However, one of the manuscripts kept in the Kraków chancellery that contains information about people proscribed from the city starting in the early 1360s contains numerous references that unquestionably indicate that it was exactly during this decade that, for the first time since Łokietek's suppression of vogt Albert's rebellion, the city faced the problem of defending their independence and sovereignty.⁷⁰ Opposition to Kraków's freedoms appeared due to the actions of Bodzęta of Kosowice, the *procurator generalis* of Kraków,⁷¹ who was clearly attempting to assure himself the fullest possible sovereignty over Kraków, both in terms of its administration (namely through influencing appointments to the self-governing authorities) and judiciary.⁷² Kraków, however, was not a city of the same category as other royal

⁶⁸ New edition: *WyrPrzywKraK.*, pp. 35–36. This privilege has been exhaustively discussed by J. Wyrozumski, *Kraków do schyłku wieków średnich...*, pp. 259–269. The process of the formation and development of the Kraków tricities as well as the development of Kraków's resources in the 14th century was scrupulously chronicled by J. Laberschek, *Rozwój krakowskiego zespołu osadniczego...*, pp. 307–334.

⁶⁹ It appeared for the first time in 1379, see J. Dzikówna, *Kleparz do 1528 roku*, Bibl. Krak., no. 74, Kraków 1932, pp. 32. The date of 1397 specified in the most recent study of the history of Kleparz by Z. Beiersdorf (*Kleparz*, [in:] *Kraków. Nowe studia nad rozwojem miasta...*, p. 435), should be considered an editor's error.

⁷⁰ *Księga proskrypcji i skarg miasta Krakowa 1360–1422*, ed. B. Wyrozumska, Kraków 2001 (henceforth: *KsProskryp.*), pp. 129–138.

⁷¹ In relation to the person of Bodzęta, see A. Marzec, *Urzednicy malopolscy...*, pp. 248–250.

⁷² In the case of Kraków, I would not make the categorical judgment that the governor exercised control over the city with the hand of the king (A. Marzec, *Urzednicy malopolscy...*, p. 250). It is only known from surviving sources that from 1321 he completed, alone or along with a second appointee to this office, nominations to the council. There are no known sources that would confirm that before 1362 the *procurator* publically came out in opposition to the city's privileges or did not recognise the decisions of the municipal court. Thus, B. Wyrozumska

cities in Lesser Poland.⁷³ Its patriciate was widely influential and had significant resources so that it could successfully resist these attempts. However, the city's dispute with the *procurator generalis* took up most of the last decade of Kazimierz's reign.

In the Kraków book of proscriptions and complaints recorded between 1403–1404, one can find two interesting notes relating to 1362. *Procurator* Bodzęta had at the time accepted gifts in the form of two *postaws* of cloth and interceded on behalf of people convicted beforehand by the city court. Against their will, the councillors fulfilled this request (*licet invitis dominis consulibus*).⁷⁴ Similarly, there were also other people (*recipiens remuneraciones ab hiis*) who were *contra civitatem*, that saw how the council ultimately had to bow to the *procurator* demands and be forced to comply with his will (*pro eisdemque rogat et vult exaudiri velis nolis consulibus*). This does not mean, however, as Władysław Kierst once concluded, that: “he was entitled to total political-judicial rule and, in Kraków, supervision over public order and safety in the city.”⁷⁵ It is also not out of the question that the position of the Kraków council, its particular passivity in response to the actions of the *procurator*, should be associated with the changes made to its composition in 1362.

In one of the headings from the pages of the oldest city book, in which one can find the first entries from that year, the names of ten new councillors are noted. In contrast, in the 1340s and 1350s, it was always six people who were chosen.⁷⁶ Emphasis should also be placed on the fact that among the new councillors in addition to Herman Krancz the Elder, Tyczko Snelle, Pakosz of Preszów (who had probably already been appointed to the council in 1360),⁷⁷ Jan Bork the Elder, Goslin of Opawa, Piotr Schere (a cloth-shearer?) and Mikołaj Czan (famous for sitting on the judicial bench),⁷⁸ were three people who were part of the Kraków city authorities for the first time.⁷⁹ It is also difficult to say anything about their earlier roles in the city. What is interesting is that the last of the mentioned councillors, Jan (Hanco) *cum nutrice*, was one of the two named burghers from whom Bodzęta accepted the large amount of cloth mentioned above. Thus, the appointment of this ten-person council must be regarded with

(*Kancelaria miasta Krakowa...*, p. 77) is correct that Bodzęta, and Pietrasz after him, “attempted to make the city's administrative and judicial scope subordinate to him.”

⁷³ This was already correctly pointed out by W. Kierst, *Wielkorządy krakowskie w XIV–XVI st.*, Przegl. Hist. 1910, issue 1, p. 26.

⁷⁴ *KsProskryp.*, II, no. 1–2. See also: R. Grodecki, *Dzieje Krakowa w wiekach średnich (fragmenty)*, [in:] J. Wyrzowski, *Cracovia mediaevalis...*, p. 519 [first published in: *Rocz. Krak.* 1978 (printed: 1979), pp. 5–26].

⁷⁵ W. Kierst, *Wielkorządy krakowskie...*, p. 29.

⁷⁶ *NajstKs.*, p. 199. See also: M. Starzyński, *Krakowska rada miejska...*, pp. 66–70.

⁷⁷ M. Starzyński, *Krakowska rada miejska...*, p. 231, no. 77, p. 234, no. 93, 97.

⁷⁸ *Ibidem*, p. 235, no. 98–99, 101, p. 236, no. 102.

⁷⁹ *Ibidem*, p. 235, no. 100, p. 236, no. 103–104.

a high degree of probability as the first step made by Bodzęta in consolidating his power over the city. Additionally, another one of the council members was Jan Bork, who was accused of conduct against the interests of the city several years later.⁸⁰ Therefore, at least two of these ten councillors can be counted as supporters of the *procurator*. It is also a well-known fact that in 1362 a certain Jeklin Crodner, *quia consilia dominorum consulum archana manifestavit*, was proscribed from the city.⁸¹ It is not out of the question that he revealed them to the *procurator*.

The actions of Bodzęta of Kosowice, undoubtedly directed against Kraków's large and privileged self-governing authorities, did not end in 1362, however. The notes from the Kraków proscriptions and punishments book mentioned above allow for the indication that the governor, accepting these *remuneraciones*, had influence on the reversal of sentences passed by the city court. In 1364, he interceded with the king on behalf of Kraków's hat makers after having received six *marcas* from them. As a result of this intervention was for the elimination of a certain city privilege, which exactly is today not known but it was most likely one of the municipal statutes (possibly a guild statute?) that contained provisions that limited the activities of these craftsmen, since they were *contra privilegium civitatis laborant*.⁸² This was the first and, at the same time, only known instance of the monarch intervening in the legislative process of the Kraków city council in the Middle Ages. In 1366 Bodzęta established *procurator* gardens in the city pastures located in Łobzów to the detriment of Kraków (*in detrimentum civitatis*).⁸³ The city was given nothing in return for these pastures. In the literature on the subject, it has been noted that Bodzęta acted then "according to the intentions of the king."⁸⁴ However, it seems more likely that Kazimierz Wielki, in acquiescing to the seizure of those pastures to the city, gave in to the *procurator's* persuasion.⁸⁵ In the same year (1366), Jan Goldstein, then acting at the time as landvogt than the vogt of the Supreme Court of the Magdeburg Law,⁸⁶ joined in the dispute with the city authorities.⁸⁷

⁸⁰ *KsProskryp.*, II, no. 28.

⁸¹ *Ibidem*, I, no. 38.

⁸² *Ibidem*, II, no. 3. However, W. Kierst (*Wielkorządy krakowskie...*, pp. 28) mistakenly wrote that the *procurator* at that time obtained "privileges for the hat makers to the detriment of the city." In his still-amazingly accurate propositions, R. Grodecki (*Dzieje Krakowa w wiekach średnich...*, p. 519) wrote in turn about the suppression of the municipal statute "with the statute for the guild." The distinguished medievalist only mixed up the hat makers (*pileatores*) with the tailors.

⁸³ *KsProskryp.*, II, no. 4; J. Laberschek, *Rozwój krakowskiego zespołu osadniczego...*, pp. 315–316.

⁸⁴ W. Kierst, *Wielkorządy krakowskie...*, p. 28.

⁸⁵ R. Grodecki, *Dzieje Krakowa w wiekach średnich...*, p. 519.

⁸⁶ M. Niwiński, *Wójtostwo krakowskie w wiekach średnich*, Bibl. Krak., no. 95, Kraków 1938, p. 64.

⁸⁷ Niwiński's supposition that Goldstein was the vogt of the Supreme Court is not possible to support after the studies by L. Łysiak, *Ius supremum...*, p. 184.

It is known that in May 1366, he not only seized beer being stored in the cellar of a certain Jan Scorinschacz under the title of a legally confirmed guarantee,⁸⁸ but also imprisoned the city vogt Paszek, the head of the city guard.⁸⁹ What is more, he stripped Hanco of his function as the Kraków court bailiff. He had this done *contra mandatum dominorum consulum*. This particular Hanco was, presumably at Goldstein's command, cruelly flogged at the city hall (*in pretorio ipsum graviter et contumaciter verberavit*).⁹⁰ Finally, Jan Goldstein took action against the city court's rulings regarding the flautist Kapusta, who, for the offence committed in the city hall, the council had sentenced to be beheaded. As a result, Kazimierz Wielki recommended changing the penalty in question to gouging out one of the man's eyes (*eruit oculum*). This sentence, however, was not carried out according to later note in the book of Kraków proscriptions and complaints.⁹¹ It thus appears to be extremely likely that Goldstein, taking advantage of the dispute between the Kraków authorities and the *procurator*, sought to concentrate the powers of the landvogt and city vogt in his own hands, and particularly making the former independent from its decisions.

From that same year (1366) also came complaints from the burghers about the armed garrison that since 1312 had been assigned to the fortified castle built on the site of vogt Albert's former residence. At that time, the head of that crew (*magister turre*), known as Czader (Teodor),⁹² and his men (the so-called city garrison) had committed numerous abuses, certainly exceeding the powers given to them. These included the kidnapping of a woman (but not one who was a citizen of Kraków – *unam mulierem hospitam*) from the home of the burgher Skalek;⁹³ his men had thrown *famulum Nicolai, olim Judei* into prison after earlier taking his horse and money from him;⁹⁴ these same guards robbed another burgher, Tyczko Eyrer, taking his coat and hat.⁹⁵ Czader also performed raids on burghers' homes, including the tailor Muetner, who was injured by Czader's men during the raid in question, Czader himself raped (*abstulit pudibunde*) his wife, and his men shot the tailor's house with crossbows.⁹⁶

In 1367, *procurator* Bodzęta allowed for the inhabitants of Kleparz to be granted the right to possess a cart for the transport of alcoholic beverages from

⁸⁸ *KsProskryp.*, II, no. 5.

⁸⁹ *Ibidem*, II, no. 6. See also: S. Szczer, *Peszko z Wieliczki*, [in:] *Polski Słownik Biograficzny* (henceforth: *PSB*), vol. 25, Wrocław–Warszawa–Kraków–Gdańsk 1980, p. 665.

⁹⁰ *KsProskryp.*, II, no. 8.

⁹¹ *Ibidem*, II, no. 9.

⁹² *Ibidem*, II, no. 10. R. Grodecki (*Dzieje Krakowa w wiekach średnich...*, p. 519) thought that this Czader came from the House of Griffins. This question is in need of further study.

⁹³ *KsProskryp.*, II, no. 10, 12.

⁹⁴ *Ibidem*, II, no. 11.

⁹⁵ *Ibidem*, II, no. 13.

⁹⁶ *Ibidem*, II, no. 14.

Kraków.⁹⁷ It is therefore not difficult suggest that the prerogatives connected with the so-called *schrotwagen* given to Kleparz in the location document from 1366, and then broadened to Kraków's disadvantage. Sobotka, a *servitor currum civitatis*, who violated this particular regulation (*per quam etiam infrinccionem*) in some way, was fined twenty-five *marcas* by the king.⁹⁸

The dispute with Kraków's communal authorities was then joined by Piotr Penak, the vogt of the Magdeburg Court located in Kraków's castle.⁹⁹ From the note found in the Kraków book of proscriptions and complaints it is known that the councillors levied a fine of three groschen on him for his open disregard of the municipal statutes regarding the removal of waste (*fimum*) from the city. Penak did not pay this fine, and as a result of this the council decided to seize his horse instead.¹⁰⁰ On *Oculi* Sunday, 12 March 1366, a meeting took place on the road to Wawel Castle between Piotr Penak and the councillor Konrad Fetter. The castle vogt, outraged by the council's actions, told the councillor that Kraków from then on would be at a disadvantage with the king. He also added: "You must understand that [it is] I who is your master and I want it to be."¹⁰¹

The culmination of the dispute between the city authorities and Bodzęta is considered to be the well-known ordinance issued by Kazimierz Wielki in 1368 or 1369 that normalised rules of elections to the Kraków council as well as its professional makeup.¹⁰² From that point on, the elected councillors chose the *procurator* and the voivode of Kraków. However, in the source there is a lack of any indications that would clarify if the choice was for one of the offices or both at once. The king also ordered that half of the councillors were to be chosen from the ranks of the craftsmen (*populo mechanico*), whilst the other half would be selected from among the populace and merchants (*populo civili ac mercatorum*). However, it still did not establish the number of councillors that made up the body.

The content of this particular decree has been preserved only in one, relatively late, copy that dates from the first half of the 15th century. It originally was found in the codex belonging to Mikołaj Serafin, a councillor and *zupparius salis*. In 19th century, this manuscript, which contains copies of the statutes of Kazimierz Wielki, accounts from the Wieliczka and Bochnia salt mines from 1442–1443 and various records from St Norbert's Monastery in Zwierzyniec, was inserted

⁹⁷ *Ibidem*, II, no. 15.

⁹⁸ *Ibidem*.

⁹⁹ S. Szczur, *Piotr, zwany Penakiem h. Trąby*, [in:] *PSB*, vol. 26, Wrocław–Warszawa–Kraków–Gdańsk 1980, pp. 376; L. Łysiak, *Ius supremum...*, p. 184.

¹⁰⁰ *KsProskryp.*, II, no. 16; M. Niwiński, *Wójtostwo krakowskie...*, pp. 71–72.

¹⁰¹ *KsProskryp.*, II, no. 16 (*Tunc iterum dixit Penek ipsi Fetter: noveritis, quia vester sum dominus et fieri volo*).

¹⁰² *Starodawne prawa polskiego pomniki*, vol. 1, ed. A.Z. Helcel, Warszawa 1856, p. 226.

and bound separately.¹⁰³ The ordinances regarding the Kraków council as well as two more dealing with the starost's income and payments of *berna* were entered into the codex by the same scribe as the 1368 regulation on salt mining. It thus is not out of the question that information cited above, which Antoni Z. Helcel compiled in a manuscriptological study of this text, gave rise to the thesis that like the salt mining regulation, the regulation dealing with the selection of councillors in Kraków was also announced in 1368.¹⁰⁴ Jan Ptaśnik also discussed this date.¹⁰⁵ Next, Józef Szujski, who published the text of the complaints of Kraków townspeople submitted to the king in 1369, thought that this statute was issued exactly in 1369.¹⁰⁶

Contrary to the previous conclusions, I, however, believe that this particular regulation is from 1362. It was then that, ignoring earlier customs, the ten-person council was brought into being – the same council that consisted almost entirely of new people (eight members appointed for the first time). It is also worth adding that this composition was maintained for the next four years, until January 1366.¹⁰⁷ In April of that year a new advisory council, this time consisting of eight people, was appointed, and in 1368 the council returned to its usual six-person composition. In this context, it seems that if the ordinance allegedly issued in 1368 was in force at all, it must have been between 1362–1366.

In the discussed statute, as already pointed out by Michał Patkaniowski, the selection of the Kraków councillors by a royal official was legally sanctioned for the first time.¹⁰⁸ It is also a significant sign of the internal frictions that definitely surrounded the annual elections to the council. Jan Ptaśnik argued openly that this particular statute from 1368 was issued due to the influence of the guilds' fights with the city council.¹⁰⁹ However, this statement is only a supposition, and it is difficult to find support for it in primary sources. Similarly, Michał

¹⁰³ *Katalog rękopisów Biblioteki Zakładu Narodowego im. Ossolińskich*, ed. W. Kętrzyński, issue 1, Lwów 1880, p. 12; W. Bukowski, T. Płóciennik, A. Skolimowska, *Der lateinischen Schriftverkehr des krakauer Salzherren Nikolaus Serafin (1437–1459)*, [in:] *Editionswissenschaftliche Kolloquien 2003/2004. Historiographie, Briefe und Korrespondenzen. editorische Methode*, hrsg. von M. Thumser, J. Tandecki, Toruń 2005, pp. 233–242; *Korespondencja żupnika krakowskiego Mikołaja Serafina z lat 1437–1459*, eds. W. Bukowski, T. Płóciennik, A. Skolimowska, Kraków 2006, pp. XLII–L. See also: Wrocław, Biblioteka Zakładu Narodowego im. Ossolińskich, Manuscripta Instituti Ossoliniani, Ms no. 23, fol. 149 (9) r–v.

¹⁰⁴ Regarding the regulation of the salt mines, see R. Grodecki, *Ordynacja Kazimierza Wielkiego dla krakowskich żup solnych z 1368 r.*, “*Studia i Materiały do Dziejów Żup Solnych w Polsce*” 1974, pp. 7–12.

¹⁰⁵ J. Ptaśnik, *Kilka słów o dawnej radzie*, [in:] *i d e m, Obrazki z przeszłości Krakowa*, Bibl. Krak. 21, Kraków 1902, pp. 41.

¹⁰⁶ J. Szujski, *Kraków aż do początków XV^{go} wieku. Wstępne słowo do najstarszych ksiąg tego miasta*, [in:] *Najstarsze księgi I*, pp. XXX, LXV.

¹⁰⁷ See note 62.

¹⁰⁸ M. Patkaniowski, *Krakowska rada miejska...*, pp. 78–79.

¹⁰⁹ J. Ptaśnik, *Miasta i mieszczaństwo w dawnej Polsce*, 2nd ed., Warszawa 1949, p. 89.

Patkaniowski concluded that some part of the Kraków burghers who were dissatisfied with the current city council turned to the king with the above request (*i.e.*: the published ordinance).¹¹⁰ In contrast, according to Roman Grodecki, the origins of the ordinance on the election of councillors can be found in the conflict between the council and the commoners, who could put forward postulates of limited assurance of influence on the council in the city through participation in the council.¹¹¹ “[However], [this] ordinance had to give into the demands of life, which resisted further favouring of the merchant patriciate by the king.”¹¹²

The extension of the Kraków authorities’ clash with the *procurator* and other royal officials who in a variety of ways were trying to limit the city’s autonomy resulted in the council’s appealing to the king. The decision in this matter was announced perhaps at the end of 1368. In the city chancellery a large petition was drawn up, and on Friday 20 January 1369, the anniversary of Łokietek’s coronation, was delivered to Kazimierz Wielki by representatives of the city council. A single copy of this text was preserved in the book of proscriptions and complaints, which has already been cited many times in this work.¹¹³ Contrary to appearances, the actions of Bodzęta of Kosowice were neither the only nor the most important topic of these particular *articuli*.

The first words of the referenced complaint raise the issue that the royal city of Kraków has fallen on hard financial times (*civitas Vestra Cracoviensis consistit in paupertate Vobis non bene credibile*), and it is suspected to be due to the “domination of Jews” (*Judeorum dominacio*). They had then inflicted upon the burghers of Kraków many injustices and harms, violating not only the municipal statutes (*civitas iura*), but also the royal privileges which Kraków had once had (*Vestra nobis privilegia clemencius elargita*). Roman Grodecki, the first person to carry out an in-depth analysis of the fragments of these complaints, read this passage as an exaggeration by the burghers.¹¹⁴ However, we must not forget that this paragraph, perhaps deliberately exaggerated by the person who assembled this text, acts as an introduction to descriptions of concrete offenses committed by Jews to the detriment of Cracovians. In it, an unnamed Jew forced one Niczco Borkhard and his wife to leave the city. This occurred because the Jew possessed a promissory note from Niczco and, when he was not able to return the extended credit, the Jew confiscated his property. A similar act was carried out by another Jew against the townsman Merklin, a purse-and-bag maker (*perator*),

¹¹⁰ M. Patkaniowski, *Krakowska rada miejska...*, p. 79.

¹¹¹ R. Grodecki, *Początki rady miejskiej w Krakowie*, RDSG 1963 [printed: 1964], p. 60.

¹¹² *Ibidem*, p. 61.

¹¹³ *KsProskryp.*, II, no. 18.

¹¹⁴ R. Grodecki, *Dzieje Żydów w Polsce do końca XIV w.*, [in:] *idem*, *Polska piastowska*, Warszawa 1969, pp. 685–693, here p. 687. See also: H. Zaremska, *Przywileje Kazimierza Wielkiego dla Żydów i ich średniowieczne konfirmacje*, [in:] *Małżeństwo z rozsądku? Żydzi w społeczeństwie dawnej Rzeczypospolitej*, eds. M. Wodziński, A. Michałowska-Mycielska, Wrocław 2007, pp. 19–20.

except that the promissory note he possessed had been falsified. A third burgher, named in the city authorities' document of 12 May 1364 as Wilusz Kazimierz, was spared from leaving from the city only through the intervention of the monarch. Yet again, this was due to the situation of a Jew possessing promissory note, again one that was falsified, to his house. Finally, the councillors did not omit a description of an incident that involved the son of the royal banker, minter and lessor of the salt mines in Bochnia and Wieliczka, Lewko, who was undoubtedly "the most influential person among medieval Polish Jewry."¹¹⁵ He had been attacked in the city and suffered minor injuries. The true culprit was not captured. Lewko then grabbed another Christian (*alium christianum*), most likely a bystander, badly injured him and forced his imprisonment. Throwing one of the burghers into the castle prison was undoubtedly an abuse.

The execution of promissory notes, however, was in the competencies of the city court. In this context, the discussed charges by Cracovians could thus seem puzzling. Following this track could indicate that the examination of the authenticity of promissory notes presented by Jews in front of the court clearly reveals no violations, as decrees confirming the expropriation of the above-mentioned burghers' property were issued. Roman Grodecki accepted this possibility and thus doubted that these notes had truly been falsified. According to him, the city's claims were, however, understandable if the execution of these particular notes had been carried out by the landvogt's court, "but there is no complaint [about this] in the petition – and thus the matter is unclear."¹¹⁶ Grodecki's conclusions, made more than 80 years ago, are not only astonishingly accurate, but also allow for the formulation of new hypotheses. The Cracovians' accusations are, in fact, true if we accept that the falsified promissory notes were indeed presented by the Jews in front of the landvogt, who, acting to the detriment of the city, allowed for their execution.

In 1369, the council also complained to the king that thieves, even those who had been caught red-handed (*in facto manuali*), were finding shelter in the homes of Jews. The victims were then forced to pay two or even three times the worth of their stolen goods to redeem them. This practice was at the time very common.¹¹⁷ It is also worth adding that the burghers' complaint describes two examples of the capture of thieves in the houses of Jews, and they then were

¹¹⁵ R. Grodecki, *Dzieje Żydów...*, p. 691. See also: E. Müller, *Żydzi w Krakowie w drugiej połowie XIV stulecia*, Bibl. Krak., no. 35, Kraków 1905, pp. 45–51; I. Schipper, *Studia nad stosunkami gospodarczymi Żydów w Polsce podczas średniowiecza*, "Monografie z historii Żydów w Polsce", 4, Lwów 1911, pp. 115–126; M. Bałaban, *Dzieje Żydów w Krakowie i na Kazimierzu (1304–1868)*, Kraków 1912, pp. 9–16; Z. Wenzel-Homecka, *Lewko*, [in:] *PSB*, vol. 17, Wrocław–Warszawa–Kraków 1972, pp. 251–252.

¹¹⁶ R. Grodecki, *Dzieje Żydów...*, pp. 687–688.

¹¹⁷ H. Zaremska, *Rzecz skradziona w żydowskim zastawie*, [in:] *Kościół, kultura, społeczeństwo. Studia z dziejów średniowiecza i czasów nowożytnych* [dedicated to Stanisław Trawkowski], ed. S. Bylina, Warszawa 2000, pp. 344–345.

condemned to death. One of these will require a separate comment. Here, in the carrying out of police functions, the city vogt, who was pursuing a thief, came to the home of a certain Jew, who swore that no such person was in his house and agreed to a search. The criminal was eventually found hiding in a chest and was then hanged.

It was only in the second place that the councillors raised the issue of the occupied pastures *ante portam Sutorum* in the place that *per Vestram Graciam* (i.e.: by the will of the monarch) gardens had been placed as well as the establishment of the carriage of alcoholic beverages in Kleparz. They also complained of the levying of tolls on copper, iron and other materials (*aliarum rerum*) in Bochnia as well as of merchants transporting these goods taking routs around Kraków, to the detriment of the city. However, this problem was solved only during the rule of the Angevins.¹¹⁸

Analyzing the content of this particular complaint reveals that the dispute of the city authorities with *procurator* Bodzęta was not then at the centre of the councillors' attentions. In the discussed complaint, a much larger place is given to contemporary problems of the king's monetary policy, which directly impacted the city's economic foundations. This was because Kraków merchants could not carry out profitable financial operations beyond the limit *propter monetam quartensium*. That domestic monetary weakness was also influenced by the fact that foreign merchants had reduced their own contacts with the Kingdom of Poland. By changing a half-groschen to, for example, Czech groschen or other denominations, Kraków merchants thus had to pay a surcharge for them, as their real value did not correspond to the official value. Foreign merchants operating in the area of the kingdom also lost money when changing their currency, which had a better minting rate, for one that was undoubtedly worse. For this reason, the council sought the services of the minter, Bartko, who became the council beginning in 1366,¹¹⁹ and who struck half-groschen at its discretion – possibly even too many. If, however, he did this solely for the king's needs, the state and the city would then have experienced considerable improvement (*quod ipse Barthco monetarius pro sua voluntate, quam vellet, eandem monetam non cuderet sive monetaret, sed solum pro Vobis et Vestra necessitate, ipsa civitas et Regnum in maxima parte restauraretur et melis se haberet*)¹²⁰. Kazimierz Wielki was finally reproachfully reminded that the collection of rents not in the kingdom's currency, but in Czech groschen (*in grossis Vobis dant*) resulted in Kraków craftsmen being forced to pawn their guild weapons to the Jews in order to obtain the correct amount of money for the payments.¹²¹

¹¹⁸ M. Starzyński, *Krakowska rada miejska...*, pp. 157–158.

¹¹⁹ *Ibidem*, p. 236, no. 105.

¹²⁰ R. Kiersnowski, *Pradzieje grosza*, Warszawa 1975, pp. 242–243.

¹²¹ R. Grodecki, *Polityka mennicza książąt polskich w okresie piastowskim*, [in:] *idem*, *Polityka pieniężna Piastów*, Kraków 2009, pp. 84–85 [pierwodruk: “Wiadomości Numizmatyczno-

Finally, the complaint's conclusion raises the issue of local peasants (*homines oppidales et cmethones*) living a distance of four or five miles from Kraków and coming there with their own goods such as beeswax, had for a long time been free from paying all duties. At that time (*noviter vero a quinque annis*), they were subjected to paying half of the duty at the city gates, as they went around Kraków on the way to other towns *ipsi civitati Cracovie in maximum detrimentum*. It also lists the names of three townspeople (Mikołaj Krugil and Hincó and Friczek the bath attendants) who were imprisoned in the castle and subjected to heavy fines. The city also levied this punishment *propter quosdam Judeos nullo ipsius demerito exigente*. Finally, the council asked the king in the name of the entire community to award the city some kind of close, unlimited freedom for a period of four years (*annorum III^{or} libertatem*) with the goal of clearing up all divisive issues (*ad revelandum defectus huiusmodi*) as well as replenishing the city's weapons stockpiles (*arma comparandum*).

Roman Grodecki wondered for many years "if there were direct results achieved by the city council's petition to Kazimierz Wielki, and, if so, what were they?" In the later course of his own deductions, he gave the answer: "Unfortunately, here we have no information."¹²² It seems that Kazimierz responded too quickly. On the Thursday before *Letare* Sunday (i.e.: 8 March), *procurator* Bodzęta stood in the town hall and asked the assembled councillors what their policies were in dealing with thieves. When one of the councillors naively replied that they should be punished immediately, Bodzęta accused the councillors of acting like thieves in covering up the wickedness perpetuated by the Kraków craftsmen.¹²³ Bodzęta went to the town hall again exactly two months later, on St Stanisław's Day (a Tuesday) – at that time, a fair, which had begun in the south on the Feast of the Cross (*Inventio Sanctae Crucis*, on 3 May) and lasted for ten days and two half-days, was being held there.¹²⁴

-Archeologiczne" 1920–1921, no. 1–6, pp. 45–72]; B. Paszkiewicz, *De moneta in Regno currente. Mennictwo polskie Kazimierza Wielkiego*, Rocz. Hist. 2008, pp. 43–52, esp. pp. 49–50 (there the current state of the research is summed up). It is a pity that the author, quoting extensive passages of the discussed complaint (*ibidem*, p. 50, note 94), did not refer to the new edition of this relic prepared in 2001 by B. Wyrozumska (*KsProskryp.*, II, no. 18), and the work of R. Grodecki is similarly passed over in silence.

¹²² R. Grodecki, *Dzieje Żydów...*, p. 690.

¹²³ *KsProskryp.*, II, no. 19. It is here worth explaining the reasons for this visit that are proposed by W. Kierst, *Wielkorządy krakowskie...*, pp. 28–29. Here, he thought that the carrying out of police functions in Kraków belonged to the governor. Bodzęta first and foremost had "the safety of the public in mind" and wanting to assure police supervision over the city craftsmen "turned to [...] the city council with strong words in order that they keep a more vigilant eye on the journeymen they employed." Going on this track, almost the entire conflict between the council and the governor should be regarded as unjustified on the part of the city.

¹²⁴ *KmK* II, no. 310 § 10 (*Den iormargkt noch Ostern hebet man an dem tage des Heiligen Cretwczes und wert gantzer czehen tage und II halbe tage und nich lenger*).

According to custom, it was called St Stanisław's fair.¹²⁵ The *procurator* then presented the council with the *legaciones domini regis*, which without a doubt served as the king's answer to the previously-mentioned accusations regarding his fiscal policy. Kazimierz threatened the council that if any foreign merchant or any Kraków burgher were caught changing half-groschen to Prague groschen, selling their goods for half-groschen, or collecting surcharges, the councillors would first be called in to account for their actions, their property would be confiscated and their houses destroyed *usque ad fundum*, and then they, their wives and children would be exiled from the city. Those who committed this offense (thus foreign merchants and all of the townspeople – *predicti mandati transgressores*) were subject not only to the punishment of losing their property, but also the death penalty (*privari corporibus atque rebus*).¹²⁶

Ryszard Kiersnowski defines these threats as “desperation.”¹²⁷ Recently, Borys Paszkiewicz proposed an extremely interesting hypothesis, according to which Kazimierz had then reached “for [what is] weakly identified in our literature [as] royal anger as an instrument of authority.”¹²⁸ This proposal seems convincing. The king threatened the council on the subject of collecting the surcharge to the half-groschen, but he could not let pass such serious allegations against Bartko the minter without comment. In the Kraków book of proscriptions and complaints, it is noted that on the Tuesday before St Nicholas' Day (*i.e.*: 4 December) in 1369, Bartko and Mikołaj Trutil, who had joined the council in 1368,¹²⁹ and who was aptly described by Ryszard Kiersnowski as “the major spokesman for the prosecution,”¹³⁰ were called before Kazimierz. However, the record says nothing more about this beyond calling it *unus alteri crimina magna inponendo*.¹³¹ It is known, however, that in June 1370 Bartko was thrown out of the city and was only able to return after the death of Kazimierz Wielki.¹³²

¹²⁵ *Ibidem*, no. 286; J. Wyrozumski, *Kraków do schyłku wieków średnich...*, p. 390; G. Myśliwski, *Strefa sudecko-karpacka. Miejsce Śląska, Małopolski i Rusi Czerwonej w gospodarce Europy Zachodniej (połowa XIII – początek XVI wieku)*, [in:] *Ziemia polskie wobec Zachodu. Studia nad rozwojem średniowiecznej Europy*, ed. S. Gawlas, Warszawa 2006, pp. 266–267.

¹²⁶ *KsProskryp.*, II, no. 21; R. Grodecki, *Dzieje Krakowa w wiekach średnich...*, p. 520; R. Kiersnowski, *Pradzieje grosza...*, p. 246; B. Paszkiewicz, *De moneta...*, p. 50.

¹²⁷ R. Kiersnowski, *Pradzieje grosza...*, p. 246.

¹²⁸ B. Paszkiewicz, *De moneta...*, p. 50; see also: Z. Rymaszewski, *Łaska monarsza w dawnej Polsce. Zarys problematyki*, [in:] *Król w Polsce w XIV i XV wieku*, eds. A. Marzec, M. Wilamowski, “Maiestas – Potestas – Communitas”, 1, Kraków 2006, p. 272. This interpretation was found accurate most recently by S. Gawlas, *Kazimierz Wielki – jaki był?*, [in:] *Świat średniowiecza. Studia ofiarowane Profesorowi Henrykowi Samsonowiczowi*, eds. A. Bartoszewicz, G. Myśliwski, J. Pysiak, P. Żmudzki, Warszawa 2010, p. 781, note 120.

¹²⁹ M. Starzyński, *Krakowska rada miejska...*, p. 238, no. 115.

¹³⁰ R. Kiersnowski, *Pradzieje grosza...*, p. 244.

¹³¹ *KsProskryp.*, II, no. 25.

¹³² *Ibidem*, II, no. 29; R. Grodecki, *Bartko*, [in:] *PSB*, vol. 1, Kraków 1936, pp. 313–314.

The day after his visit to the town hall, Bodzęta came to Kraków's main market square, which was full of traders and merchants taking part in the annual fair, where he tore down and treaded upon their *signum civiatis*, which then was a cap hung up *in prohibicionem rerum commestibilium*. Roman Grodecki supposed that it symbolized the autonomy of the city authorities.¹³³ This inference seems to be the most authoritative. However, it is important to remember that the text of the source explicitly says that this cap was hung up as a sign prohibiting the sale of foodstuffs. Ten days later, on Bodzęta's orders, a similar act was carried out by *viceprocurator* Pietrasz.¹³⁴ The *procurator* then went before the king and accused the Kraków council that the displaying of the cap was not a sign of righteousness, but of undermining the ruler's interests.¹³⁵ Thus, it is not impossible that this can be read in the context of the conflicts between cities and the nobles regarding free trade.¹³⁶ This issue undoubtedly requires further study. Roman Grodecki aptly pointed out that the actions of Bodzęta and Pietrasz first and foremost struck at the council's authority, reducing it "in the eyes of outsiders, but also to no small degree in the eyes of Kraków's own inhabitants."¹³⁷ It is no accident that in the contents of this complaint a statement that Bodzęta "brought shame upon the city" (*in vituperium civitatis*). If this was the primary objective of this demonstration, it can be said that it was achieved. Merchants who had been in Kraków and witnessed these events certainly spread word of these events to many places, both within the kingdom and abroad. It is difficult to conclude, however, if this defiling of this sign had any other effects. Not a single piece of information on this topic has been preserved in the primary sources.

In the context of complaints from the townspeople from January 1369, one should consider the council's document issued 1 March 1370 that contained a special request for Kazimierz Wielki (*ad [...] petitiones et connivenciam speciales*), based on which they gave, on behalf of the entire community, safe passage to the Jew Lewko, his wife, and their children as well as to Kasym, the *episcopus Judeorum*, and his heirs.¹³⁸ Explaining motives of the king's actions

¹³³ J. Wyrozumski, *Roman Grodecki o średniowiecznym Krakowie*, [in:] *idem, Cracovia mediaevalis*, pp. 496–497 [pierwodruk: Rocz. Krak. 1978 (printed: 1979), pp. 5–26]. This question of this symbol requires the carrying out of serious comparative studies.

¹³⁴ *KsProskryp.*, II, no. 23.

¹³⁵ *Ibidem*, II, no. 24.

¹³⁶ W. Kierst, *Wielkorządy krakowskie...*, pp. 29–30. This author did not take into account, however, that the first defiling of this sign took place during the largest fair in Kraków whilst the second took place on an ordinary market day. It is difficult, however, to agree with another of his conclusions: that the governor, publically toppling this sign, acted "in accordance with the opinions of the nobles on free trade in the cities [...], and was only acting in accordance with his duties," (*ibidem*, p. 30).

¹³⁷ J. Wyrozumski, *Roman Grodecki o średniowiecznym Krakowie...*, p. 496.

¹³⁸ *EstrPrzywKra.*, no. 7.

will not be particularly difficult if it is taken into account that the accusations put forth by Cracovians at that time in regards to representatives of the Jewish community also reconciled with Lewko, who gave Kazimierz many cash loans, and his family.¹³⁹

The Kraków petition that was submitted to the king in January 1369 was intended to bring in regulation and explain the controversy presented in it. Its content was surely animatedly discussed in Kazimierz Wielki's entourage. However, it is clearly indicated that in the actions of the king described above, an echo of the matters that touched his interests can be found. While he is silent on or has omitted discussion of those issues that were truly crucial to the city, such as the issue of the pasture in Łobzów, the establishment of a cart to transport alcoholic beverages in Kleparz, levying duties on local peasants coming to market or finally the functioning of copper and iron storage in nearby Bochnia. Despite the complaints, the king did not intent, however, to change his monetary policy. He removed the minter Bartko, who had been accused of improprieties in running the mint, from his responsibilities and had him exiled from the city. He also did not issue any opinions on the accusations against Jews, who were serving falsified promissory notes. However, he forced the Kraków city council to issue a document guaranteeing the safety of the banker Lewko. It is thus not difficult to show that Kazimierz was able to protect his own interests perfectly. In response to Roman Grodecki's question mentioned above, it can thus be stated that this petition directly achieved results, but paradoxically it did not in any way bring about improvements to the city's situation.

In the last months of Kazimierz Wielki's reign, conflicts erupted within the Kraków council. On 30 March 1370, Jan Bork, the pantler of Sandomierz who at that time was a member of the council, undoubtedly taking advantage of his position, took away the keys to the chest which contained the city's seal as well as money belonging to the community.¹⁴⁰ It is possible that this was only a demonstration of strength, as after seven weeks (on 18 May), he returned the keys to the councillors, who cared for the city treasury in that year.¹⁴¹ Subsequent complaints about his actions, however, show conclusively that he continued to assert his own independence and did not take the city's interests into account.¹⁴²

¹³⁹ H. Zaremska, *Żydzi wobec chrześcijan w średniowiecznej Polsce*, [in:] *Animarum cultura. Studia nad kulturą religijną na ziemiach polskich w średniowieczu*, vol. 1, *Struktury kościelno-polityczne*, eds. H. Manikowska, W. Brojer, "Colloquia Mediaevalia Varsoviensia", 4, Warszawa 2008, p. 220 [the same in English: *Jews and Their Attitude Towards Christians in Medieval Poland*, "Acta Poloniae Historica" 2010, p. 153].

¹⁴⁰ In the text of the relevant records, it is recorded that the box contained only one seal (*KsProskryp.*, II, no. 28). It was most likely the great seal of the city.

¹⁴¹ M. Starzyński, *Nad średniowiecznymi księgami rachunkowymi miasta Krakowa*, *Rocz. Hist.* 2008, pp. 171–172.

¹⁴² J. Ptaśnik, *Studia nad patrycjatem krakowskim...*, p. 57; B. Wyrzomska, *Kancelaria miasta Krakowa...*, p. 78.

Without the knowledge of the council, he took out a loan in the name of the city, borrowing fourteen *marcas* from the Jew Lewko with the intention for covering his expenses on his trip to Świdnica, then borrowed another seven supposedly on the orders of the king.¹⁴³ He also pledged to give Lewko documents for the *procurator* Bodzęta regarding loans of one hundred *marcas racione advocacie* (in the relevant descriptions, it is underlined that these documents were actually drawn up, and the city as a result of Bork's actions lost (*perdidit*) this very large sum).¹⁴⁴ In one of the council sessions, he announced that a certain thief punished by the city court for stealing cow was to be set free on the basis of the bishop's decision,¹⁴⁵ and then in September and October had three other convicted criminals released.¹⁴⁶

It is also important to note that all of these notes, which were once defined by Józef Szujski as the *gravamina*,¹⁴⁷ which had been compiled into the Kraków register of proscriptions as early as 1362, had not been assembled together in the manuscript. Rather, they were randomly scattered throughout the entire codex, without any respect for chronology. However, in light of the previous description, this can be regarded as a well thought-out action. Bożena Wyrozumska notes that “the manner of their confusion seems to come from the wish to camouflage it and to hide it from unwelcome readers.”¹⁴⁸ Now, these notes are actually “hidden”, mainly between notes on proscriptions dating from the beginning of the 15th century. Until the 1370s, the referenced notes filled less than twelve pages of the manuscript. Several complaints were truly “hidden” among them. However, most of them had been written down on the blank pages at the end of the collection. Thus, these particular “unwelcome readers” must have been people who possessed unlimited access to all of the books kept in the chancellery. Therefore, Bożena Wyrozumska's argument that hypothetically identifies this person with Jan Bork, the councillor and ally of Bodzęta, whose actions had hurt the interests of the city many times.¹⁴⁹ This idea was apparently effective.

In September 1370, Pietrasz (Piotr), who until then had acted as the *viceprocurator*, took the office of Kraków's *procurator generalis*, replacing Bodzęta.¹⁵⁰ He then issued a decision addressing the city's cows, as the councillors had fallen behind on paying the rents for the vogt's properties. It can only be assumed that Bodzęta did not give him the accounting books, as

¹⁴³ *KsProskryp.*, II, no. 30.

¹⁴⁴ *Ibidem*, II, no. 31; M. Niwiński, *Wójtostwo krakowskie...*, p. 68.

¹⁴⁵ *KsProskryp.*, II, no. 33.

¹⁴⁶ *Ibidem*, II, no. 34–35, 37.

¹⁴⁷ *Księga proscriptionum et gravaminum miasta Krakowa z czasów Kazimierza Wielkiego 1361–1370*, ed. J. Szujski, [in:] *Najstarsze księgi...*, pt. II, [N.P.] 1877, pp. 1–2.

¹⁴⁸ B. Wyrozumska, *Kancelaria miasta Krakowa...*, p. 77.

¹⁴⁹ *Ibidem*, p. 78.

¹⁵⁰ *UrzMp.*, no. 1423. The publishers of the list of officials did not rule out the possibility that in 1370 Pietrasz only stood in for Bodzęta.

the councillors explained that they had paid this rent in full to Bodzęta himself. Pietrasz's actions may seem puzzling, as it is known that several weeks earlier the council truly had paid Bodzęta *ratione advocacie* one hundred *marcas*. In the literature, a suggestion has recently been put forward that Bodzęta had been removed from his position as a result of some unknown game in Kazimierz's court, or he went abroad.¹⁵¹

On 5 November 1370, Kazimierz Wielki died unexpectedly at age sixty as a result of complications from pneumonia.¹⁵² However, the death of the monarch did not shake up the functioning of Kraków's economic and administrative foundations. The city unquestionably maintained its position as the main centre of trade in the Kingdom of Poland, one that it had spent the better part of the previous fifty years building. Bodzęta, when he returned to the *procurator generalis* office in 1372, attempted once again to intervene in the commune's internal affairs.¹⁵³ However, the new political reality meant that those former officials of Kazimierz who were trying to limit the city's autonomy lost their *raison d'être*. Kraków's ruling elite benefited from their strong alliance with the new monarch, who in his pursuit for changing the rules of succession in the Kingdom of Poland, made a serious effort to gain the support of the burghers.¹⁵⁴

Marcin Starzyński

CIVITAS NOSTRA CRACOVIENSIS.
SZKIC DO POLITYKI MIEJSKIEJ KAZIMIERZA WIELKIEGO
(CZĘŚĆ II)

Streszczenie

Drugą część prezentowanego studium rozpoczyna charakterystyka Mikołaja Wierzyńka starszego († 1360 r.), bezspornie najwybitniejszego przedstawiciela krakowskiego mieszczaństwa w XIV stuleciu i zarazem pierwszego, który został wyniesiony przez panującego na urząd ziemski (Wierzynek został stolnikiem sandomierskim). Należał on do grona bliskich współpracowników Kazimierza Wielkiego i, jak się wydaje, był promotorem interesów miasta na dworze królewskim.

W dalszej części autor zainteresował się problemem udziału Krakowa jako gwaranta traktatu pokojowego zawartego z Zakonem Krzyżackim w 1343 r., wyjaśniając, że jego rola w tym względzie była czysto instrumentalna. Omówił także przywileje handlowe z lat 1344 i 1354, które miasto otrzymało od monarchy. Na mocy ich postanowień kupcy krakowscy uzyskali wówczas (pośród innych kupców polskich) dominującą pozycję nie tylko w handlu krajowym, ale

¹⁵¹ A. Marzec, *Urzednicy malopolski...*, p. 248, note 497.

¹⁵² R. Grodecki, *Zgon Kazimierza Wielkiego (1370)*, [in:] *Mediavalia. W 50. rocznicę pracy naukowej Jana Dąbrowskiego*, przyg. J. Garbacik, Warszawa 1960, pp. 151–157. See also the currently unused reference about the investigation of these matters by the king in the last days of his life, *KsProskryp.*, II, no. 38 (*rex in infirmitatibus suis gravioribus laboraret*).

¹⁵³ *KsProskryp.*, II, no. 45.

¹⁵⁴ M. Starzyński, *Krakowska rada miejska...*, pp. 192–195.

i międzynarodowym. Osobną uwagę poświęcił też wielkiemu przywilejowi z 1358 r., nazywanemu „drugim aktem lokacyjnym”, który podsumowywał i niejako symbolicznie zamykał pierwsze stulecie istnienia gminy miejskiej krakowskiej. Dokument ten regulował dwie zasadnicze kwestie. Określony został w nim bowiem nie tylko jej majątek, ale i zakres jurysdykcji władz miejskich.

W partii zamykającej opracowano zagadnienia związane ze schyłkowymi latami panowania Kazimierza Wielkiego: problem ewentualnego udziału władz miejskich w fundacji uniwersytetu w 1364 r., organizację legendarnej uczty u Wierzyńka, spór z wielkorządcą krakowskim Bodzetą z Kosowic, wydanie przez panującego ordynacji regulującej sposób wyboru rajców, datowanej jak dotąd na 1368 r., oraz przedstawienie królowi skargi mieszczan w 1369 r. dotyczącej między innymi polityki monetarnej Kazimierza Wielkiego.

Podsumowując swoje wywody, autor podkreślił, że po śmierci Kazimierza Wielkiego elita rządząca Krakowa uzyskała w osobie nowego monarchy, Ludwika Andegaweńskiego, mocnego sprzymierzeńca, który dążąc do zmiany zasad sukcesji w Królestwie Polskim, czynił poważne starania, aby uzyskać w tym względzie poparcie mieszczaństwa.