



***ARTISANI ET MERCATOIRES...: O OBRITNICIMA
I TRGOVCIMA NA JADRANSKOM PROSTORU***

*ARTISANI ET MERCATOIRES...: ARTISANS AND
MERCHANTS IN THE ADRIATIC AREA*

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Sveučilište Jurja Dobrile u Puli – Filozofski fakultet
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8. ISTARSKI POVIJESNI BIENNALE
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**PRO HONORE, UTILITATE ET COMMODO: THE MARGRAVIATE OF ISTRIA
AND THE MARKET PRIVILEGES OF THE AQUILEIAN PATRIARCH
BERTRAND DE SAINT-GENIÈS (1334-1350)**

Josip Banić

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The paper analyzes the fair privilege issued by the Aquileian patriarch Bertrand de Saint-Geniès to the commune of Buzet. It is argued that the charter had several mutually complimentary purposes that come to light only when contextualized within Bertrand's overall political program. By comparing the document with similar market privileges issued by the patriarch throughout his turbulent reign, the author argues that the charter to Buzet had both economic and political implications. On the one hand, the privilege forms a part of the series of charters designed to bolster the volume of trade and the income from highway tolls throughout the Patriarchate, while at the same time fostering symbiotic ties between the central government and the subject community receiving the grant. Finally, the paper discusses the administrative structure of the Margraviate of Istria as revealed in the privilege and argues that Istrian possessions were not on the same constitutional level as Friulian ones within the jurisdictional framework of this ecclesiastical principality. The article concludes with a critical edition of the charter and its translation into modern English.

Keywords: fairs, regional trade, Bertrand de Saint-Geniès, Istria, the Patriarchate of Aquileia, Late Middle Ages, fourteenth century

Ključne riječi: sajmovi, regionalno trgovanje, Bertrand de Saint-Geniès, Istra, Akvilejski patrijarhat, kasni srednji vijek, 14. stoljeće

On the tenth of June, 1336, Aquileian patriarch Bertrand de Saint-Geniès—both the spiritual head of the province and the secular ruler of his ecclesiastical principality, the Patriarchate of Aquileia—issued a formal charter to his loyal subjects, the people and the commune of Buzet (Ital. Pinguente).¹ This small walled hilltop town in inland Istria was

1 The boundaries between the patriarchs' ecclesiastical and temporal jurisdictions did not completely overlap. The ecclesiastical province of Aquileia included both the vast diocese of Aquileia and the following seventeen suffragan dioceses: Como, Mantova, Trento, Verona, Vicenza, Padova, Treviso, Ceneda, Feltre, Belluno, Concordia (Pordenone), Trieste (Slov./Cro. Trst), Koper (Lat. Iustinopolis, Ital. Capodistria), Novigrad (Lat. Emona, Ital. Cittanova d' Istria), Poreč (Ital. Parenzo), Pula (Ital. Pola), Pićan (Ital. Pedena). Andrea Tilatti, "La provincia di Aquileia (secoli XIII-XIV)," in *Storia della Chiesa in Europa: Tra ordinamento politico-amministrativo e strutture ecclesiastiche*, ed. Luciano Vaccaro, Brescia: Morcelliana, 2005, 218. The patriarchs had temporal jurisdictions over the area between the rivers Isonzo and Livenza (Friuli) and the Margraviate of Istria. However, there were enclaves where they lost their sovereignty to other regional powers, most notably to Venice (the western coast of Istria from Koper to Pula) and the counts of Gorizia (the County of Gorizia and the County of Pazin in central Istria). For a detailed overview of the jurisdictional map of the Patriarchate of Aquileia in the second half of the 14th century see Pio Paschini, *Storia del Friuli*, 3d ed., Udine: Arti grafiche friulane, 1975, 679–97 (hereafter: *SdF*). Note on place names: all Istrian and some Friulian toponyms have two names, one Italian and the other Slovenian and/or Croatian. In order to avoid repetition of both versions of a place name, a toponym will regularly be given in the language of the modern nation state that the respective place belongs to in the present day. The first mention of any toponym with two official names will always feature both names.

granted an official privilege to hold yearly fairs on the feast day of Saint John the Baptist (24th of June) and the two subsequent days. Everyone would be free to attend and trade during this lawful event, except for public bandits, while the entire fair would be placed under the protection of the designated patriarchal official, the Margrave of Istria. The income from all the tolls, however, was to be equally split between the commune of Buzet and the Patriarchate of Aquileia.²

This relatively unknown charter has received little attention from historians. The document, preserved in the original and currently stored in the Croatian State Archive in Pazin, was published in 1994 by Jakov Jelinčić in a non-indexed provincial journal.³ Moreover, since the only publication of the privilege appears in an article written in Croatian, a language not particularly accessible to non-domestic scholars, the charter remains virtually hidden from international scholarship. The document is therefore completely unknown to scholars dealing with the history of Friuli, the central temporal possession of the Aquileian prelates, or the medieval Patriarchate of Aquileia as a whole.⁴ Even the most voluminous monograph dedicated to Bertrand de Saint-Geniès, a detailed account of the life and career of this eminent ecclesiastic penned by Giordano Brunettin in over nine hundred pages, never mentions this document.⁵ The situation is not much better in Istrian scholarship; Jelinčić provided only a short introduction to the edition of the privilege and the charter has not yet been analyzed outside the exceptionally narrow context of local history.⁶

The present study will therefore broaden the analytical framework and analyze the fourteenth-century Buzet privilege in the broader context of Bertrand's policies towards urban centers of the Aquileian patriarchate. Following a brief overview of the complex political situation in the ecclesiastical principality and Bertrand's governmental strategies, it will compare the charter to similar documents issued by the prince-patriarch in order to uncover whether the Istrian privilege stems from a carefully thought out policy carried out either throughout the Patriarchate or only in the Margraviate of Istria. In that way, the institution of Buzet's fair will be contextualized within Bertrand's overall political program. Moreover, the potential differences between the policies employed in Istria and those car-

2 See Appendix 1.

3 Jakov Jelinčić, "Dvije isprave iz 1336. godine" [Two charter from the year 1336], *Buzetski zbornik* [Buzet miscellanea] (hereafter: *BZ*), 19, 1994, 27–33. The document is written in Gothic miniscule on a piece of parchment 400 millimeters wide and 310 millimeters long, it is preserved in original and can currently be found in the Croatian State Archive in Pazin (Ital. Pisino) under the signature HR-DAPA 797-15 in the collection "Zbirka isprava" (Collection of charters). The high-resolution image of the document is available online on the monasterium.net web pages. <<http://monasterium.net/mom/HR-DAPA/797/797-15/charter>> [last accessed: 24th of May, 2018].

4 Besides Paschini's classic cited in fn. 1, see also Pier Silverio Leicht, *Breve storia del Friuli*, 5th ed., Udine: Libreria Editrice Aquileia, 1976; Gian Carlo Menis, *Storia del Friuli: Dalle origini alla caduta dello stato patriarcale (1420) con cenni fino al 20. secolo*, 10th ed., Udine: Società filologica friulana, 2002; Donata Degrassi, "L'economia del tardo medioevo," in *Storia della società friulana: Il medioevo*, ed. Paolo Cammarosano, Tavagnacco: Casamassima, 1988, 269–435; Giordano Brunettin, "L'evoluzione impossibile. Il principato ecclesiastico di Aquileia tra retaggio feudale e tentazioni signorili (1251-1350)," in *Il patriarcato di Aquileia. Uno stato nell'Europa medievale*, ed. Paolo Cammarosano, Udine: Casamassima, 1999, 67–226.

5 Giordano Brunettin, *Bertrando di Saint-Geniès patriarca di Aquileia (1334-1350)*, Spoleto: Fondazione Italiano di Studi sull'Alto Medioevo, 2004.

6 I use the terms Friulian and Istrian historiography without references to any national components. Thus, both Friulian and Istrian historiography designates a body of scholarship dedicated to the histories of these historical regions penned by authors of whatsoever nationalities in whatsoever languages.

ried out in Friuli will demonstrate the putative special position of the Istrian margraviate within the temporal state of the Aquileian prelates—a position often dubbed “the appendix” to the Patriarchate in order to highlight the peripheral role of Istrian possessions in comparison to Friuli, only the latter being the constitutive element of the ecclesiastical principality.⁷ Finally, wanting to popularize the charter and make it accessible to both professional scholars as well as students and the interested non-specialists, the paper provides a new transcription of the privilege along with its translation into modern English in the appendix.

Bertrand de Saint-Geniès was instituted the patriarch of Aquileia in particularly tumultuous times for the ecclesiastical principality. An educated noble from Quercy region in southwestern France, *doctor utriusque iuris* from the university of Toulouse, Bertrand enjoyed a distinguished position in the papal curia following the election of his close associate and patron, Jacques Duèse, as Pope John XXII in 1316.⁸ After several diplomatic missions in both France and Italy as a papal nuncius, Bertrand was nominated the patriarch of Aquileia by the pope on the fourth of July, 1334.⁹ The choice of Bertrand, an accomplished diplomat and a learned university professor with years of experience, was not coincidental; the pope needed a skilled and reliable leader at the head of a precarious ecclesiastical principality torn apart by numerous factional strives.¹⁰ Bertrand inherited a dominion in turmoil: the central government had not been functioning since the death of his predecessor, Pagano della Torre († 19th of December, 1332); the western border was being threatened by the expansionism of a powerful noble family clan, the Da Caminos; and the *de facto* power had been placed in the hands of the counts of Gorizia (Slov./Cro. Gorica, Germ. Görz), the hereditary advocates of the Aquileian Church and traditionally bellicose ghibellines led by Beatrice, the widow of Henry II of Gorizia, daughter of Gherardo III da Camino, and

7 This argument was famously put forth by Giovanni de Vergottini, a remarkably gifted Istrian medievalist, back in 1926. The argument is based on the fact that no representative of Istrian communities sat in the Friulan Parliament, the central deliberative assembly of the Patriarchate, and that the official law code of the principality, *Constitutiones Patrie Foriulii*, did not pertain to the Margraviate of Istria. Giovanni de Vergottini, “La costituzione provinciale dell’Istria nel tardo Medio Evo” (hereafter: La costituzione I), *Atti e memorie della Società istriana di archeologia e storia patria* (hereafter: AMSI), 38, no. 2, 1926, 117.

8 The literature on this distinguished diplomat and ecclesiastic is considerable. Besides the already cited Brunettin’s monograph, see also P. Paschini, *SdF*, 463–96; Andrea Tilatti, “Principe, vescovo, martire e patrono: Il beato Bertrando di Saint-Geniès patriarca d’Aquileia (+1350),” *Rivista di storia e letteratura religiosa*, 27, 1991, 413–44; Andrea Tilatti, “Bertrand de Saint-Geniès,” *Ce fastu? Rivista della Società filologica friulana*, 75, 1999, 37–50; Andrea Tilatti, “Saint-Geniès (di) Bertrando,” ed. Cesare Scaloni, *Nuovo Liruti: Dizionario Biografico dei Friulani*, vol. 1: *Il medioevo*, Udine: Forum, 2006, <<http://www.dizionariobiografico.friulani.it/saint-genies-di-bertrando/>> [last accessed: 24th of May, 2018]; Andrea Tilatti, “Saint-Geniès, Bertrando de,” *Dizionario Biografico degli Italiani*, Rome: Istituto della Enciclopedia Italiana, 2017, <[http://www.treccani.it/enciclopedia/bertrand-de-saint-genies_\(Dizionario-Biografico\)/](http://www.treccani.it/enciclopedia/bertrand-de-saint-genies_(Dizionario-Biografico)/)> [last accessed: 24th of May, 2018].

9 On the office of papal nuncius, see Kriston R. Rennie, *The Foundations of Medieval Papal Legation*, Basingstoke: Palgrave Macmillan, 2013, 67–72. Bertrand’s letter of appointment is edited in Guillaume Mollat, ed., *Jean XXII (1316-1334): Lettres communes analysées d’après les registres dits d’Avignon et du Vatican*, vol. 13, Paris: E. De Doccard, 1933, doc. no. 63481. On Bertrand’s appointment as the patriarch of Aquileia see A. Tilatti, “Bertrand de Saint-Geniès,” 40–41; G. Brunettin, *Bertrando di Saint-Geniès*, 185. Pio Paschini dates the appointment to the 8th of July, but this is the date of papal permissions that followed after the official appointment. P. Paschini, *SdF*, 463–464. The papal bull from the 8th of July 1335 is edited in Bernardo Maria De Rubeis, *Monumenta Ecclesiae Aquileiensis*, Venice, 1757, cols. 867–868 (hereafter: MEA).

10 G. Brunettin, *Bertrando di Saint-Geniès*, 181–84; A. Tilatti, “Bertrand de Saint-Geniès,” 42–43.

regent in place of her minor son John Henry.¹¹ Moreover, the Margraviate of Istria, a *de iure* Aquileian possession since 1209, was in even greater danger: the County of Pula, the richest part of the already dwindled Margraviate, pledged fealty to Venice in the same manner as the majority of other Istrian coastal cities had done back in the 13th century.¹²

Despite the particularly difficult position Bertrand found himself in following his official takeover of the Patriarchate, the newly consecrated prelate would not be unnerved. Courageously and energetically, the prince-patriarch proceeded to create order out of chaos, reaffirm the jurisdictions of his Church and deal with the enemies threatening the very existence of his principality. Bertrand forged strategic alliances with two powerful European dynasts: Charles Robert, King of Hungary, and Otto and Albert II Habsburg, Dukes of Austria.¹³ The treaties were essential in order to secure the principality's eastern frontier. Namely, following the death in 1335 of Henry of Gorizia, Duke of Carinthia, without male heirs, Carinthia was officially given to the Habsburgs that thus became new powerful neighbors on the Patriarchate's eastland.¹⁴ Bertrand, seeking to establish amicable relations with the Austrian dukes, promised free passage to the Habsburg's subjects throughout the lands under his jurisdiction, but in turn asked for help in revindicating Lož (Germ. Laas) from the counts of Ortenburg.¹⁵ The alliance with the Hungarian crown was in essence a safety valve in case of any hostilities between the Austrian dukes and the Aquileian Church. In that way, the patriarch gained powerful allies capable of maintaining the balance of power in the region and keeping the potential enemies of the Patriarchate at bay, while simultaneously managing to regain a strategically important possession with the castle of Lož.¹⁶

As the alliances to secure the eastern borders were being made, Bertrand proceeded to deal with the Da Caminos' expansionism in western Friuli and the Venetian occupation of the County of Pula. Rizzardo III, called Novello, was thus officially refused investiture over Cadore, Cordignano, Reginzolo and Cavolano, a bold move that could be read as a declaration of war.¹⁷ Simultaneously with this proclamation of hostility, the patriarch went

11 P. Paschini, *SdF*, 460–462; G. Brunettin, "L'evoluzione impossibile," 172–174.

12 Antonio Stefano Minotto, ed., *Documenta ad Forum illius Patriarchatus Aquileiensem, Tergestum, Istriam, Goritiam spectantia*, vol. 1, Venice: Giovanni Cecchini, 1870, 109–111. For a general overview of the situation in Istria see Giovanni de Vergottini, *Lineamenti storici della costituzione politica dell'Istria durante il Medio Evo*, Trieste: Società istriana di archeologia e storia patria, 1974, 111–27 (for the period of first Venetian expansion) and 129–155 (for the period between 1291 and 1335, including the situation in the County of Pula that led to the 1331 dedication to Venice).

13 The alliance with Charles Robert, King of Hungary, is only mentioned in a 1361 letter of instructions that the Aquileian patriarch Ludwig (Lodovico) della Torre sent to the ambassadors to Hungarian court. The letter is edited in Josef von Zahn, ed., *Austro-Friulana: Sammlung von Actenstücken zur Geschichte des Conflictes Herzog Rudolfs IV. von Österreich mit dem Patriarchate von Aquileja, 1358-1365. Mit Einschluss der vorbereitenden Documente von 1250 an.*, Fontes rerum austriacorum II. Diplomataria et Acta 40, Vienna: Karl Gerold's Sohn, 1877, doc. no. 130. The treaty with the Austrian dukes is edited in *ibid.*, doc. no. 31. See also P. Paschini, *SdF*, 469; G. Brunettin, *Bertrando di Saint-Geniès*, 280–281; G. Brunettin, "L'evoluzione impossibile," 187.

14 Wolfgang Eggert, ed., *Dokumente zur Geschichte des Deutschen Reiches und seiner Verfassung, 1331-1335*, vol. 3, Monumenta Germaniae historica, Constitutiones et acta publica imperatorum et regum, 6,2, Hannover: Hahnsche Buchhandlung, 2003, doc. no. 667.

15 "Dicti domini duces nos et ecclesiam nostram Aquilegensis tamquam defensores ipsius iuvare debeant ad recuperandum omnes possessiones, bona et iura ecclesie eiusdem in terris et districtibus eorumdem, et specialiter castrum de Los quod nunc detinet comes Hermannus de Ortemburch." J. von Zahn, *Austro-Friulana*, doc. no. 31.

16 Biblioteca civica "Vincenzo Joppi" di Udine, Fondo principale, ms. 899, Giuseppe Bianchi, ed., *Documenti per la storia del Friuli*, doc. no. 2397 (hereafter: *Documenti*); P. Paschini, *SdF*, 469.

17 Gainbattista Verci, *Storia della marca trevigiana e veronese*, vol. 11, Venice: Giacomo Sorti, 1789, doc. no. 1271.

to war in Istria, determined to regain the territories lost during the reign of his predecessor: Bale (Ital. Valle), Vodnjan (Ital. Dignano) and the County of Pula. These communities were caught up in the wars between the counts of Gorizia and the Castropola family, the *signori* of the County of Pula, following the premature death of Henry II of Gorizia that left a power vacuum in the region.¹⁸ Similarly to western Istrian communes such as Poreč, Umag (Ital. Umago), Rovinj (Ital. Rovigno) and Novigrad, the citizens of Pula turned to Venice, the only stable power in the region capable of offering protection against the destructive factional warfare plaguing the peninsula. Venice was happy to oblige and on the 28 of May 1331, the dedication of Pula was officially confirmed.¹⁹ However, the treaty was not ratified by the Aquileian patriarch, who was still a *de iure* lord of the Istrian margraviate, including the County of Pula.²⁰

Bertrand was obviously not ready to abandon his possessions in Istria as he mounted an offensive against Venetian forces on the peninsula. Unfortunately for the patriarch, as the war raged on one battlefield against a dangerous and well-provisioned enemy such as the *Serenissima*, Rizzardo III da Camino attacked the western borders of the principality rendering Bertrand's forces split between the two fronts.²¹ It was at this moment that Bertrand gave up on the revendication of the County of Pula and came to terms with Venice in order to focus his forces against Rizzardo Novello. The final treaty, by which the patriarch formally renounced his rights over Bale, Vodnjan and the entire County of Pula in exchange for an annual payment of 225 silver marks, was officially signed on 15 July 1335.²² In that way, the Margraviate of Istria shrank to a mere *reliquia reliquiarum*, counting no more than one coastal commune in the very north-west of the peninsula: Muggia (Slov./Croat. Milje); seven small *castra*, semi-urban walled hilltop settlements: Buje (Ital. Buie), Oprtalj (Ital. Portole), Buzet, Grožnjan (Ital. Grisignana), Dvigrad (Ital. Due Castelli), Labin (Ital. Albona) and Plomin (Ital. Fianona); along with two modest forts: Kaštel (Ital. Castelvenere) and Petrapilosa (Ital. Pietrapelosa).

The patriarch was more successful in his wars against the Da Caminos. The Aquileian army managed to best Rizzardo's forces in the Battle of Camolli (near Sacile).²³ Soon after Rizzardo III Novello died without male heirs, allowing Bertrand to regain all the possessions the Da Caminos held in fief from the Aquileian patriarchate.²⁴ With the disputable lands officially revendicated, the war ended as a great triumph for the resolute head of the Aquileian Church.

18 Camillo de Franceschi, "Il comune polese e la signoria di Castropola," *AMSI*, 19, 1903, 169–189 (hereafter: Il comune polese III).

19 A. S. Minotto, *Documenta*, vol. 1, 109–111; C. de Franceschi, "Il comune polese III," 189–192.

20 The first treaty between Venice and the Patriarchate of Aquileia regarding the Venetian jurisdiction over the coastal communes was signed in 1300 and officially ratified by the pope in 1307. According to this treaty, Venice was to pay an annual tribute of 450 silver marks to the Patriarchate for the jurisdiction over Koper, Piran (Ital. Pirano), Izola (Ital. Isola), Umag, Motovun (Ital. Montona), Poreč, Sv. Lovreč Pazenatički (Ital. San Lorenzo del Pasenatico) and Rovinj. A. S. Minotto, *Documenta*, vol. 1, 49–50; Pietro Kandler, ed., *Codice diplomatico istriano*, vol. 3, 2nd ed., Trieste: Tipografia Riva, 1986, doc. no. 523 (hereafter: *CDI*).

21 Guglielmo Cortusi and Albrighetto Cortusi, *Chronica de novitatibus Padue et Lombardie*, ed. Beniamino Pagnin, *Rerum Italicarum scriptores*, serie II, 12.5, Bologna: Zanichelli, 1975, 69.

22 Camillo de Franceschi, "Il comune polese e la signoria di Castropola," *AMSI* 20, no. 3–4, 1905, doc. no. 29.

23 G. Cortusi and A. Cortusi, *Chronica de novitatibus Padue*, 69–70; G. Brunettin, "L'evoluzione impossibile," 188.

24 G. Bianchi, *Documenti*, doc. no. 2437.

Emboldened by his new alliances and the victory over Rizzardo Novello, the patriarch continued with the policy of strengthening his jurisdictions by setting his eyes upon Venzone (Slov. Pušja vas) in Friuli, a town in the *potestas* of the counts of Gorizia. This strategic *castrum* had been held by the late Henry of Carinthia and following his death without male heirs, the town was to revert to the Patriarchate of Aquileia.²⁵ However, the counts of Gorizia had bought Venzone from Henry prior to his death and thus had no intentions of relinquishing it.²⁶ As the advocates would not surrender the possession they considered rightfully theirs, war broke out in the summer of 1336 and Bertrand's forces were again victorious; the patriarch managed to best the enemy army in the Battle of Braulins.²⁷ The first war against the traditional enemies of the Aquileian prelates and their most dangerous adversaries ended triumphantly; Venzone signed its pacts of surrender and formally opened the gates to the prince-patriarch.²⁸

The patriarch's international esteem rose even further the following spring when he hosted a powerful European heir to the throne, Charles IV of Luxembourg, the margrave of Moravia, the future king of Romans (1346) and the emperor of the Holy Roman Empire (1355), along with Bartholomew, the count of Senj and Krk (Ital. Segna and Veglia).²⁹ A victorious military leader, distinguished diplomat and reputable statesman protected by powerful allies, Bertrand de Saint-Geniès even made the counts of Gorizia bend their knees to their rightful seigneur. Albert III of Gorizia asked Bertrand for the official investiture of all the lands his family held from the Aquileian Church in Friuli and on the 25th of February the patriarch ceremonially invested his vassal with a ring and a standard.³⁰ Moreover, on the 21st of June, 1339, count Albert III of Gorizia signed a treaty of mutual aid with the patriarch, obliging both to a military alliance in Friuli, Karst (Ital. Carso, Slov./Cro. Kras) and Istria.³¹ This era of peace, unfortunately, was not to last.

Allied with the counts of Krk, the Aquileian advocates mounted an offensive against the counts of Duino (Slov./Cro. Devin) and patriarch Bertrand in Friuli.³² The war that ensued

25 Henry inherited Venzone from his father, Maynard IV, who received it from the patriarch Raymond (Raimondo) della Torre in 1288. Giuseppe Bianchi, ed., *Documenta historiae forojulensis saeculi XIII: Ab anno 1200 ad 1299. Summatim regesta*, Vienna: Akademie der Wissenschaften, 1861, doc. no. 544.

26 G. Bianchi, *Documenti*, doc. no. 2362; B. De Rubeis, *MEA*, col. 849; G. Brunettin, "L'evoluzione impossibile," 191; Peter Štih, *I conti di Gorizia e l'Istria nel Medioevo*, Collana degli Atti 36, Rovinj: Centro di ricerche storiche Rovigno, 2013, 157.

27 Braulins, the fort protecting Venzone, was conquered on the 27th of August, 1336. G. Bianchi, *Documenti*, doc. no. 2497; Vincenzo Joppi, "Documenti goriziani del secolo XIV," *Archeografo Triestino* (hereafter: AT), ser. 2, 14, no. 1, 1888, doc. no. 128 (hereafter: DG 6).

28 The pacts were officially ratified by the Friulian Parliament on the 24th of November, 1336. J. von Zahn, *Austro-Friulana*, doc. no. 32. The entire first war with the counts of Gorizia is described in details in G. Brunettin, *Bertrando di Saint-Geniès*, 302–314.

29 The duo arrived in the Patriarchate on a small fishing boat as they fled from Venetian forces. Josef Emler, ed., "Vita Caroli IV," in *Fontes rerum Bohemicarum*, vol. 3, Prague: Nadání Františka Palackého, 1882, 352–353.

30 Vincenzo Joppi, "Documenti goriziani del secolo XIV," AT, ser. 2, 14, no. 2, 1888, doc. no. 147 (hereafter: DG 7).

31 V. Joppi, DG 7, doc. no. 149.

32 The counts of Duino were traditionally faithful vassals of the house of Gorizia. They were incarcerated following the Battle of Braulins and subsequently pledged fealty to Bertrand, promising to support the patriarch against any enemy of the Aquileian Church (including the Aquileian advocates). G. Bianchi, *Documenti*, doc. no. 2673. This alliance between the counts of Duino and Bertrand was seen as a grave offence by the counts of Gorizia who thus attacked their unfaithful ministerials and started the second war against patriarch Bertrand. On the counts of Duino see P. Štih, *I conti di Gorizia*, 142–159, esp. 157–158.

played out as a traditional Aquileian conflict between the patriarchs and their advocates. Waged with periodic ceasefires and sieges, the conflict ended with a treaty signed on the 26th of May, 1343, obliging both parties to a five-year truce.³³ However, as Bertrand narrates in his letters to Venetian authorities, numerous small-scale conflicts continued throughout the Patriarchate while he ruled “with an iron fist”.³⁴ Following the end of the official period of peace, armed conflict between Bertrand and the counts of Gorizia resumed, engulfing the entire ecclesiastical principality in a destructive blaze of warfare. After numerous military campaigns, skirmishes and sieges, Bertrand de Saint-Geniès, the prince-patriarch who at one point celebrated a Christmas mass clad in full armor while maintaining a siege of Gorizia, lost his life; the energetic prelate was “cruelly murdered by the people of the counts of Gorizia” at Richinvelda on the 6th of June, 1350 (*prope ecclesiam Richinvelt per gentes domini comitis Goritie,... crudeliter interfectus fuit olim pie memorie patriarcha Beltrandus*).³⁵ Following yet another crisis of factional feuding that ravaged Friuli, Bertrand’s successor, Nicholas (Nicolò) of Luxembourg started a canonization process for the late patriarch as news of miracles performed next to his resting place in Udine (Slov. Videm) began circulating.³⁶ Although never sainted by the Catholic Church, the patriarch was officially beatified and the cult of Blessed Bertrand de Saint-Geniès was formally recognized by the Holy See in 1599.³⁷

During his vigorous reign, more specifically in the tumultuous period between Bertrand’s first military campaigns and the five-year peace treaty with the counts of Gorizia (i.e. between 1335 and 1342), the prince-patriarch issued no less than seven market privileges to various urban centers throughout the Patriarchate of Aquileia. The annual fair in Buzet was privileged first (10th of June, 1336) and it was followed by the privileging of weekly market in Venzone (21st of September, 1336),³⁸ the fairs of Cividale (Slov./Cro. Čedad) (5th of June 1337),³⁹ the weekly markets of San Vito al Tagliamento (14th of February 1341),⁴⁰

33 G. Joppi, DG 7, doc. no. 167. For a detailed account of the second war with the counts of Gorizia see G. Brunettin, *Bertrando di Saint-Geniès*, 477–487.

34 V. Joppi, DG 7, doc. no. 174; J. von Zahn, *Austro-Friulana*, doc. no. 41 (where Bertrand himself states that “licet alios regamus in virga ferrea”).

35 Iohannes de Victring, *Liber certarum historiarum*, ed. Fedor Schneider, vol. 2, Monumenta Germaniae historica, Scriptores rerum Germanicarum in usum scholarum separatim editi 36, Hannover: Hahnsche Buchhandlung, 1910, 220. See also for this period Pier Silverio Leicht, “La rivolta feudale contro il patriarca Bertrando,” *Memorie storiche forogiuliesi* (hereafter: MSF), 41, 1954-1955, 1–94; G. Brunettin, *Bertrando di Saint-Geniès*, 737–800. For Bertrand’s death see A. Tilatti, “Principe, vescovo, martire e patrono,” 413–417 (the quotation in the text on 413).

36 “Miracula legitime ac iuridice deposita anno MCCCCLII, Iunio, Iulio, et initio Augusti,” in *Acta Sanctorum Iunii* (hereafter AA.SS Iunii), Godefridus Henschenius et al., eds., vol. 1, Antwerpen: Henricus Thieullier, 1695, 779–802. See also Tilatti, “Principe, vescovo, martire e patrono,” 423–442; Andrea Tilatti, “Tra santità e oblio: storie di vescovi uccisi in Italia nord-orientale (secoli XIII-XIV),” in *L’évêque, l’image et la mort. Identité et mémoire au Moyen Âge*, ed. Nicholas Bock, Ivan Foletti, and Michele Tomasi, Rome: Viella, 2014, 614–619.

37 “Decretum de cultu publico premissio per Clementem VIII,” in AA.SS Iunii, vol. 1, 779. See also Andrea Tilatti, “Riscrittura agiografiche: Santi medioevali nella cultura friulana dei secoli XVII e XVIII,” in *Finzione e santità tra medioevo ed età moderna*, ed. Gabriella Zarri, Turin: Rosenberg & Sellier, 1991, 280–305. The feast day is the sixth of June, the day of Bertrand’s murder.

38 G. Bianchi, *Documenti*, doc. no. 2505.

39 Ibid., doc. no. 2623. This privilege was reissued and elaborated in more detail on the 23d of June, 1339. It specified, among other, that the gastald of Cividale along with his jurymen (*cum concilium bonorum hominum*) is to administer justice and oversee the event. Ibid., doc. no. 2837.

40 Ibid., doc. no. 2950.

San Daniele (17th of February 1341)⁴¹ and Lož (Germ. Laas) (21st of February)⁴² with the institution of the annual fair in Pontebba (Slov. Tablja) (10th of August, 1342)⁴³ ending the series of Bertrand's market privileges. It is thus clear that Buzet's charter was not unique, but an expression of a calculated policy aimed at bolstering regional trading throughout the ecclesiastical principality and investing local marketplaces with the official support of the central government. This policy, as shall be demonstrated, had several mutually complementary goals.

Bertrand inherited the Patriarchate in a particularly severe financial crisis; the debt towards the Holy See alone amounted to twenty thousand gold florins.⁴⁴ Moreover, the patriarch's many military campaigns over the course of his reign incurred considerable expenses. The prince-patriarch's financial troubles are revealingly described by Bertrand himself in a famous letter he addressed to Wilhelm (Guglielmo) Mairano, the dean of Aquileia, in the final years of his life (ca. 1349).⁴⁵ The entire letter reads as a kind of justification for numerous expenses incurred throughout the patriarch's challenging reign. For instance, Bertrand narrates that the daily costs during the second war against the Counts of Gorizia exceeded five hundred florins while the first phase of the third war with the advocates cost the Patriarchate fifteen thousand florins.⁴⁶ Additionally, numerous possessions over the entire ecclesiastical principality had to be bought off from their lords. For example, Sacile was purchased from the countess Beatrice of Gorizia for four hundred marks.⁴⁷ From this point of view, it becomes clear that Bertrand's numerous market privileges were issued with a very practical economic goal: promoting the flow of trade and, consequently, the increase in money circulation.

Fairs were a particularly felicitous choice for the implementation of this policy. As an economic institution, fairs considerably lowered transaction costs—a term that encom-

41 Ibid., doc. no. 2951.

42 Ibid., doc. no. 2957. The same document is also edited in V. Joppi, DG 7, doc. no. 158.

43 G. Bianchi, *Documenti*, doc. no. 3098. Pio Paschini mentions another privilege to Pontebba that Bertrand supposedly issued in 1339 and thus instituted a weekly market. Unfortunately, no source is cited to back this claim. P. Paschini, *SdF*, 483. The supposed 1339 privilege to Pontebba is found neither in Bianchi's manuscript nor any other collection of sources pertaining to Bertrand's reign. Moreover, the putative 1339 privilege to Pontebba is not mentioned anywhere by Brunettin.

44 The debt is analyzed in more detail in Pio Paschini, "Bertrandiana" *MSF*, 30, 1934, 226–233.

45 The letter is only preserved in a fifteenth-century copy currently stored in the Archivio capitolare in Udine, ms. 32. The document is edited in AA.SS. *Iunii*, vol. 1, 783–84 as well as in Emanuela Tabiaddon, "Il patriarca Bertrando di Saint-Geniès: Vicende storiche e documenti," in *Intorno al patriarca Bertrando*, ed. Maria Beatrice Bertone, Udine: Forum, 2010, 20–23. Both editions are similar, albeit not identical, and feature unnecessary interventions to the original text (such as the additions of -ae suffixes instead of the -e as stands in the document, typical for medieval Latin), irregular capitalization and unconventional punctuation. Moreover, the latter edition has several errors in transcription (such as "evitata" instead of "enim", "expendebamur" instead of "expendebamus", etc.). Luckily, the latter edition also features an image of the source which I have used for all the quotations from the letter that follow in this paper.

46 Regarding the second war: "In qua guerra inexhaustam consumpsimus pecuniam. Non enim fuit dies aliqua, in qua non expenderemus quingentos florenos auri et ultra. Nam solum in blado equorum expendebamus singulis diebus marchas quadraginta <et aliquando sexaginta>, et omnibus stipendiariis integre fuit satisfactum, et ultra stipendia eorum a nobis alcritur cum muneribus recesserunt." Regarding the third war: "Post anni revolutionem iterato comitis Goritie nos et Ecclesiam invaserunt de guerra, in qua tenuimus pro maiori parte duos exercitus, unum apud Latisanam, et alium in campis iuxta Manzanum ad resistentiam inimicorum, et tribus mensibus, quibus ipsa guerra duravit, habuimus trecenos equites armigeros, exceptis peditibus ad nostrum stipendium. Constitit enim nobis illa guerra guindecim millibus florenom, et tamen per Dei gratiam in omnibus pertransivimus cum honore."

47 "Nos enim, sicut scis, recuperavimus et redemimus terram Sacili de manibus committisse pro quadringentis marchis."

passes all “the costs of locating and attracting potential trading partners and of presale inspection”, “contracting and fulfillment costs” and “policing and enforcement costs”—while at the same time incurring very little upkeep and setup expenses.⁴⁸ For medieval rulers, the institution of fairs was an inexpensive way of boosting economy through trade while at the same time (re)affirming their regalian rights over the privileged territories. However, in order for fairs to fulfill their economic functions and act as “institutional reductions to transaction costs”, they had to be efficient economic institutions.⁴⁹ In other words, medieval fairs could not simply be willed into existence by the central government; they had to be planted on fertile economic soil. Thus, the safest fair privileges would be those issued to the already existing and functioning commercial events. In that way, the formal fair privileges “were to trade what marriage is to sex, an ex post legitimization of a phenomenon that had arisen under very different economic circumstances.”⁵⁰ Bertrand’s policies reflected this attitude to a degree; the fairs of Cividale were already functioning before they were privileged and relocated to a newly built location.⁵¹ It remains unknown whether a commercial event had already been in existence in Buzet on the feast day of Saint John before the official privilege was issued. Judging by the text of the privilege alone, it would seem that the fair was a newly instituted one. If that was the case, then another question arises regarding the institutional efficiency of Buzet’s newly privileged fair: did it efficiently reduce transaction costs? According to Epstein, “the most effective test of institutional efficiency is institutional survival. Since a fair had to meet both set-up and permanent running costs, commercial failure spelled disappearance.”⁵² Indeed, the fair in Buzet survived for centuries, well into

48 The literature on medieval fairs is considerable and the following is only a selection of titles that also deal with smaller, regional fairs, comparable to those in Friuli and Istria: Giuseppe Mira, *Le fiere lombarde nei secoli XIV-XVI: Prime indagini*, Como: Centro Lariano per gli Studi Economici, 1955; Stephan R. Epstein, “Regional Fairs, Institutional Innovation, and Economic Growth in Late Medieval Europe,” *Economic History Review*, 47, no. 3, 1994, 459–482; Stephan R. Epstein, *Freedom and Growth: The Rise of States and Markets in Europe, 1300-1750*, London: Routledge, 2000; Stephan R. Epstein, “Fairs, Towns and States in Renaissance Europe,” in *Fiere e mercati nella integrazione delle economie europee, secc. XIII-XVIII*, ed. Simonetta Cavaciocchi, Istituto internazionale di storia economica “F. Datini” Prato, Serie 2: Atti delle “Settimane di Studi” e altri Convegni 32, Florence: Le Monnier, 2001, 71–90; Paola Lanaro, “Introduzione,” in *La pratica dello scambio: Sistemi di fiere, mercanti e città in Europa (1400-1700)*, Venice: Marsilio, 2003, 9–17; Alberto Grohmann, “Fairs as Sites of Economic and Cultural Exchange,” in *Cultural Exchange in Early Modern Europe*, ed. Donatella Calabi and Stephen Turk Christensen, vol. 2: *Cities and Cultural Exchange in Europe, 1400-1700*, Cambridge: Cambridge University Press, 2007, 207–226; Alberto Grohmann, *Fiere e mercati nell’Europa occidentale*, Milan: Bruno Mondadori, 2011; Sabine Florence Fabijanc, “Od sajma do sajma: pomorski obalni promet u ritmu svetaca zaštitnika na Jadranu” [From fair to fair: Maritime coastal trade and the rhythm of patron saints’ festivities on the Adriatic at the end of the Middle Ages], *Croatica Christiana Periodica*, 38, no. 74, 2014, 23–40. The definition of transaction costs is taken from Matthias Klaes, “Transaction Costs, History Of,” ed. Steven N. Durlauf and Lawrence E. Blume, *The New Palgrave Dictionary of Economics*, London: Palgrave Macmillan, 2008. See also Jessica Dijkman, *Shaping Medieval Markets: The Organization of Commodity Markets in Holland, c. 1200 - c. 1450*, Leiden: Brill, 2011, 17–18.

49 S. Epstein, “Fairs,” 73.

50 S. Epstein, “Regional Fairs,” 469.

51 “Reverendus in Christo pater et dominus, dominus Bertrandus, Dei et Apostolice Sedis gratia sancte sedis Aquilegensis patriarcha, volens commodum terre Civitatis Austrie et utilitati publice providere pro bono captando et damno vetando, ordinavit provisoribus et Consilio Civitatis ibidem, nomine sue et Communis Civitatis congregatis pro nundinis sive mercato Sancte Marie de Monte, sive de mense Septembris, et Sancti Martini, fiat de cetero in Burgo Pontis Civitatis et in campo Astilodii, et in territoriis que emerunt ad ampliandum dictum campum, quarum quilibet nundinarum duret per tres dies inclusive sequentes, et sint libere et franche, in quibus non petatur nec exigatur aliqua muta vel alia gabella.” G. Bianchi, *Documenti*, doc. no. 2623.

52 S. Epstein, “Fairs,” 75.

the Venetian era (from 1421 to 1797) and it was confirmed by Venice with a special *ducale* in 1421 and 1458, as well as in 1737.⁵³ Notarial acts from the early 16th century also testify to the existence of Buzet's fair on the 24th of June.⁵⁴ While it cannot be determined whether Bertrand privileged an already existing commercial event in Istria, it can be concluded that Buzet's fair, like those of Pontebba and Cividale, was an efficient economic institution.

Another characteristic of the policy of market privileging is that new fairs often enter the already existing circuit of annual trading events, or at least challenge and compete with older fairs.⁵⁵ In Istria, a region divided into three jurisdictional enclaves, the fairs on the feast day of Saint John were established in both Venetian, Gorizian and Aquileian parts. Already in the fourteenth century, the Venetian commune of Poreč organized a fair on Saint John's feast day.⁵⁶ Moreover, the Gorizian town Momjan (Ital. Momiano), twenty kilometers west of Buzet also held its fair on the 24th of June.⁵⁷ Both sources that attest to these two fairs date from a period after Bertrand's privilege to Buzet: the statute of Poreč from 1363 and the capitulary of Momjan from 1521. Thus, it cannot be determined with a greater degree of certainty whether Bertrand challenged these two fairs by his 1336 privilege, or if Poreč and Momjan instituted their fairs as a response to Buzet's successful commercial event. There was, however, another nearby regional fair held on the same feast day that predated Bertrand's privilege: the fairs of San Giovanni (Slov. Štivan) by Duino.⁵⁸ This fair was under the institutional protection of the counts of Duino, the ministerials of the counts of Gorizia and enemies of the patriarch during the war for Venzone. As a matter of fact, following the battle of Braulins that ended the first war against the Aquileian advocates, George of Duino was one of the prisoners incarcerated by the patriarch.⁵⁹ Thus, Bertrand's privilege to Buzet can be read as a specific economic sanction to the house of Duino, a punishment for

53 Zадарка Greblo, "Izvori za povijest Istre u gradivu Rašporskog kapetanata [Sources for Istrian history in the archives of the Captainate of Rašpor]," *BZ*, 30, 2004, 188–189 for the reproduction of the source.

54 E.g. Mirko Zjačić, ed., "Notarska knjiga Martina Sotolića (Registrum imbreviaturarum Martini Sotolich notarii Pinquentini) 1492.-1517. godine" [Notarial register of Martin Sotolić (Registrum imbreviaturarum Martini Sotolich notarii Pinquentini)], *Monumenta historico-iuridica slavorum meridionalium*, 18, 1979, 358, 372–373.

55 S. Epstein, "Fairs," 78–79. For the circuits of fairs in late medieval Italy see e.g. Giuseppe Mira, "L'organizzazione fieristica nel quadro dell'economia della 'Bassa' lombarda alla fine del medioevo e nell'età moderna," *Archivio storico lombardo*, 84, 1958, 289–300.

56 Mirko Zjačić, ed., "Statut grada Poreča (statutum comunis Parentii) iz 1363. godine" [The statute of the city of Poreč (statutum comunis Parentii) from the year 1363], *Monumenta historico-iuridica slavorum meridionalium*, 18, 1979, 163–164.

57 Ivan Milotić, *Momjanski kapitulat / Il Capitolare di Momiano*, Buje: Pučko otvoreno učilište Buje, 2014, 134–135. I refer here to the digital reproduction of the source because the transcription, provided by the author on pages 113–120, is absolutely horrendous. See my review of this publication in *Histria* 5 (2015): 198–205.

58 The fairs of San Giovanni by Duino during the feast day of Saint John the Baptist are mentioned already in a document from 1319. The document, a *forma ambaxate*, features instructions given by Hugh (Ugo) of Duino to his ambassador to Venice, Domnius (Doimo, *Deumus* in the document) of Rijeka (Ital. Fiume), regarding the ongoing feuds between the Venetian captain of Belforte and Hugh's subjects of San Giovanni by Duino. The line attesting to San Giovanni's fairs reads: "Item quod semper et continue consuetum est omni tempore, quod quodcumque mercatum seu ferie retinentur in festo Sancti Iohannis Baptiste, portum Belfortis consuevit esse apertum, et exinde omnes mercatores ire, redire, exire, intrire consueverunt cum mercadantiis secure sine aliquorum contradictione ad dictum forum et ferias Sancti Iohannis, et quod maior pars mercatorum sunt de Venetiis, quando quidem voster capitaneus Belfortis contradicit, nec eos permittit, et, quod peius est, certos mercatores cum spitaria iam cepit et misit Venetias, qui ibant ad dictum forum Sancti Iohannis." *Archivio di Stato di Venezia, Libri commemoriali*, reg. 2, fol. 56r. The abstract of the document is published in Riccardo Predelli, ed., *I libri commemoriali della Repubblica di Venezia: Regesti*, vol. 1, Venice: Deputazione veneta di storia patria, 1876, lib. 2, doc. no. 198.

59 P. Kandler, *CDI*, vol. 3, doc. no. 656; P. Paschini, *SdF*, 470; G. Brunettin, *Bertrando di Saint-Geniès*, 313. See also fn. 32.

their imprudent alliance with the counts of Gorizia. These “fair wars” were further complicated in the middle of the 15th century as Reinprecht of Walsee, the lord of Rijeka issued a privilege to his town and instituted another fair on the feast day of Saint John.⁶⁰ Therefore, instead of a regional circuit of mutually complimentary fairs in Istria—where one fair ends as another begins—the jurisdictionally divided peninsula became a scene of at least four competing fairs on Saint John’s feast day.

Although all the fairs promoted by patriarch Bertrand should be defined as regional fairs—“those with neither strictly local nor purely ‘international’ functions, occurring only a few times a year, lasting usually more than one day, and often having toll exemptions and other privileges that daily and weekly markets lacked”—it is important to note that Buzet’s fair was not privileged in the same manner as those of Cividale and Pontebba.⁶¹ Unlike those two Friulian possessions, Buzet was not bestowed with a toll-free fair.⁶² Instead, the tolls were to be charged and the profits equally split between the central government and the subject commune. Can it thus be concluded that, in comparison to Friuli, Istrian possessions of the Aquileian Church enjoyed inferior privileges? While the patriarch abolished the tolls of privileged markets in Friuli—only Buzet’s charter mentions any sort of tolls to be collected by the central government—he also did not bestow upon any community the right to keep a portion of the fee either. Thus, the privilege to Buzet allowed the commune (and the central government) to earn extra income at the expense of higher transaction costs. This fact alone does little to strengthen the opinion that the Margraviate of Istria was “an appendix” to the ecclesiastical principality, an additional source of income rather than

60 The privilege, issued in 1444, is edited in Attilio Hortis, “Appendice alla illustrazione dei documenti risguardanti la storia di Trieste e dei Walsee,” *AT*, n.s., 5, 1877–1878, 95–97. See also S. Florence Fabijanec, “Od sajma do sajma,” 27, 30 and 37 for additional examples of “fair wars” in the context of medieval Adriatic communes.

61 The definition of a regional fair is taken from S. Epstein, *Freedom and Growth*, 73. Moreover, both Friulian and Istrian fairs fall into the category of regional fairs as they take place “in small centers in frontier areas”, less densely urbanized regions where such commercial events assume “modest economic significance” (in comparison to “international” fairs). P. Lanaro, “Introduzione,” 11. Unfortunately, it is impossible to analyze the economic impact of Buzet’s fair due to the lack of sources; the first recorded transactions date from the first half of the 16th century. On medieval fairs in Friuli see D. Degrassi, “L’economia del tardo medioevo,” 343; Federico Seneca, “Sulle fiere udinesi di S. Caterina e S. Canciano alla fine del Quattrocento,” *Archivio Veneto*, ser. 5, 82, 1967, 15–28. Regrettably, I was not able to consult M.P. Minca’s diploma thesis titled “Mercati e fiere nel Friuli patriarcale,” supervised by Carlo Guido Mor and defended in 1964 at the University of Trieste, as the thesis was not available for consultation due to “alcuni lavori che stanno investendo una parte dell’archivio tesi.” Servizio Tesi, “Re: Richiesta tesi di laurea per consultazione,” message to Josip Banić, 2nd of May, 2017, e-mail.

62 Cf. the texts of the three privileges. Cividale’s is quoted in fn. 51, Buzet’s in appendix 1 and Pontebba’s reads: “Sancte sedis Aquilegensis Dei gratia nos patriarcha Bertrandus notum fore volumus universis, quod ad supplicationem dilecti filii fratris Giberti abbatis monasterii mosacensis nostro aquilegensis diocesis, cupientes villam suam de Ponteba et eius incolas paterno affectu, honoribus et commodis promovere, mercatum publicum liberum et generale annis singulis semel in anno, videlicet, per tres dies ante festum nativitatibus Beate Marie Virginis et per tres dies post fiendum et habendum in dicta villa di Ponteba, prefato abbati ac eius monasterio de speciali gratia duximus concedendam, statuentes et ordinantes, quod universi et singuli mercatores et alii undecumque et cuiuscumque conditionis existant, dum tamen non sint publici latrones aut depredatores stratarum aut banniti ecclesie Aquilegensis, venientes ad mercatum huiusmodi, salvi sint et securi cum omnibus bonis et rebus suis, et sub protectione nostra et ecclesie memorate in eundo, stando, et redeundo, non obstantibus quibuscumque represaliis alicui persone quacumque occasione aut vel quavis forma verborum concessis seu etiam concedendis. Volentes quoque et ordinantes, quod mercatores cum suis mercationibus ad dictam mercatum vendentes per terras nostras de Selusa, Venzone, Tumelto et Montefalcone, ac alia nostra loca, pro dictis mercationibus, quas vendent aut emerint in dicto mercato, mutam aliquam non persolvant. In cuius rei testimonium presentes fieri iussimus nostri sigilli appensione munitas.” G. Bianchi, *Documenti*, doc. no. 3098.

a constitutive possession, but it does show a different treatment between the two regions.

Notwithstanding the unequal status of the region, Bertrand dedicated considerable energy in revendicating and protecting the rights of his Church on the peninsula: he bought several towns and forts from the countess Beatrice for four hundred and fifty marks;⁶³ he intervened in the conflict between Oprtalj and Motovun, the former Aquileian the latter Venetian commune, regarding the rights over woodland resources;⁶⁴ and he made sure that the office of the Istrian margraves is regularly rotated among the faithful nobles of the Aquileian patriarchate.⁶⁵ Finally, it may be added that although Bertrand managed to settle the inherited debt towards the Holy See, he died before he was able to pay the expenses incurred during his own reign. Bertrand's debt towards the Holy See, which amounted to 2550 golden florins, could not be paid directly from the central government's treasury as the ecclesiastical principality fell into a serious crisis following the patriarch's assassination. The papacy therefore decided to settle the debt by collecting the annual tribute Venice owed to the Patriarchate for the jurisdictions over Istrian possessions.⁶⁶ Thus, it was the Margraviate of Istria that in the end settled Bertrand's final debts.

Another major source of income for the central government of the Aquileian patriarchate were the tolls collected from the use of public roads.⁶⁷ The increase in regional trading across the ecclesiastical principality, boosted from both the newly privileged local weekly markets and annual fairs, undoubtedly led to the increasing use of highways connecting different marketplaces across the Patriarchate. Bertrand counted on the incomes levied from these tolls and he spent considerable energy in reaffirming his regalian rights over all public roads. At the very beginning of his term, Bertrand publicly announced that all the highways in Friuli would remain his exclusive prerogative and not of the Aquileian advocates, the counts of Gorizia.⁶⁸ Consequently, the right over public roads carried the obligation to keep them secure and defend the itinerant merchants from any acts of brigandage. Thus, Bertrand undertook military actions against the known brigands in order to boost the safety of the highways and, consequently, increase the income levied from the tolls. For example, Gian Francesco and Federico di Castello were tried and condemned for their acts of brigandage in a *per a(d)stantes* judicial trial.⁶⁹ Moreover, certain charters were issued in

63 "Scis etiam quomodo stabant terre et castra nostra Istre et cum quanto labore nos illa habere potuimus a predicta committissa, datis sibi plus quadrigenti quinquaginta marchis." Source cited in fn. 45.

64 P. Kandler, *CDI*, vol. 3, doc. no. 694; G. Brunettin, *Bertrando di Saint-Geniès*, 597.

65 Bertrand leased the office of the Istrian margrave for a term of one year. See e.g. the investitures in P. Kandler, *CDI*, vol. 3, doc. no. 685 and doc. no. 716. The patriarch was regularly rotating his officials in all the other governmental offices. Donata Degrassi, "Ricchezza e costi dello stato: Bertrando e l'amministrazione del Patriarcato," in *Intorno al patriarca Bertrando*, ed. Maria Beatrice Bertone, Udine: Forum, 2010, 45.

66 R. Predelli, *I libri commemoriali*, vol. 2, lib. 2, doc. no. 358; P. Paschini, "Bertrandiana," 233.

67 D. Degrassi, "L'economia del tardo medioevo," 325; D. Degrassi, "Ricchezza e costi," 40–41.

68 V. Joppi, *DG* 6, doc. no. 118.

69 The *a(d)stanti* were a sort of a jury composed by the local notables who would voice their verdict following the ritual *quid iuris?* question posed by the presiding judge, in this case the patriarch himself. This type of justice administration was widespread across the entire Patriarchate of Aquileia, including the Margraviate of Istria. Pier Silverio Leicht, ed., *Parlamento friulano*, vol. 1: (1228–1420), Bologna: Zanichelli, 1927, XXIV–XXVI; P. Paschini, *SdF*, 362–363; Donata Degrassi, "Mutamenti istituzionali e riforma della legislazione: il Friuli dal dominio patriarchino a quello veneziano (XIV–XV secolo)," in *Continuità e cambiamenti nel Friuli tardo medievale (XII–XV secolo): saggi di storia economica e sociale*, Trieste: CERM, 2009, 163–167. The document here in question refers to the jury as *circumstantes*. G. Bianchi, *Documenti*, doc. no. 2992. See also G. Brunettin, "L'evoluzione impossibile," 197. On the *per astantes* trials see also Josip Banić, "Pro-

order to direct the flow of trade, and itinerant merchants, away from the Gorizian roads and onto the highways under the jurisdiction of the central government. For example, the patriarch offered safe-conduct to the merchants of Villach on the Bovec-Cividale public road and thus diverted them from using the Gorizian route along the River Isonzo.⁷⁰ In that way, Bertrand's market privileges were also aimed at boosting the principality's income from public roads while simultaneously weakening the bellicose advocate's profits. Finally, the motives behind the revendication of Venzone in large measure stemmed from its strategic position overlooking important highways connecting Friuli with Carinthia.⁷¹

In the Margraviate of Istria, or what was left of it by the time of Bertrand's reign, the highways leading to Friuli were passing through the territories of the counts of Gorizia and their ministerials, most notably the counts of Duino. Therefore, Bertrand could not count on the profits from public roads to the same degree as he could in Friuli. This may be one of the main reasons behind the decision to keep the tolls for Buzet's fair, as there would be little profits to be made had these been abolished. The Aquileian subjects in the Istrian margraviate did, however, benefit from the newly privileged fair as the margrave's presence insured the safety of the roads leading from Karst to the wider Buzet area. Moreover, the fair was to be held exactly at the time of year when the livestock was moved to the pastures in the mountains, so the added security provided by the margrave's presence was definitely beneficial to local transhumant pastoralists.⁷² As a matter of fact, the seventeenth-century author Giacomo Filippo Tomasini, who wrote an extensive chorography of Istria, noted that the date of annual livestock migration from the wider Buzet area to the nearby Karstic mountains was fixed at exactly the 24th of June.⁷³ Whether the migration had traditionally taken place on the feast day of Saint John even before the fair was privileged, or if the migration day became fixed on that specific day only following the institution of the fair, cannot be precisely determined. It can be ascertained, however, that the institutional support of Buzet's fair on Saint John's feast day definitely benefited the regional transhumance and provided a beneficial added security to the highways leading from Karstic region to the Buzet area.

Closely connected to the strengthening of regalian rights over public roads is another seminal feature of Bertrand's policy of privileging local and regional markets: the affirmation of the central government's jurisdiction over the privileged subject centers. Market

duction of Judicial Space in the Margraviate of Istria: Aspects of Continuity and Change Following the Introduction of Venetian Jurisdiction (1421)," *Medium Aevum Quotidianum*, 74, 2017, 58–59.

70 G. Bianchi, *Documenti*, doc. no. 3269. Italian toponym for Bovec is Plezzo. See also G. Brunettin, "L'evoluzione impossibile," 199, fn. 558; P. Paschini, *SdF*, 478; G. Brunettin, *Bertrando di Saint-Geniès*, 537, fn. 186.

71 P. Štih, *I conti di Gorizia*, 157; G. Brunettin, *Bertrando di Saint-Geniès*, 733. More on public roads in the medieval Patriarchate of Aquileia in D. Degrassi, "L'economia del tardo medioevo," 307–29, esp. the map showing all the important routes on 321–322.

72 Regional fairs often coincided with the annual migration of livestock and this is also the case with Buzet's fair. Andre Allix, "The Geography of Fairs: Illustrated by Old-World Examples," *Geographical Review*, 12, no. 4, 1922, 548–550; S. Epstein, "Fairs," 76.

73 "Nelle montagne [near Buzet] sono copiosissimi i pascoli, non solo per il paese, ma anco pre gli animali dell'Istria inferiore, che ogni anno vengono l'estate a questi pascoli dai 24 di giugno fino alli 25 di agosto, dalle quali montagne ne cava l'eccellentissimo capitano [the captain of Rašpor] 500 ducati d'affitto all'anno." Giacomo Filippo Tomasini, "De Commentarii storici-geografici della provincia dell'Istria libri otto con appendice," *AT*, 4, 1837, 523.

privileges are in essence a gift, and a gift always obliges.⁷⁴ In a typical *do ut des* paradigm, the privileged community is to repay the grantor's generosity with undeterred fidelity, obedience and support. Thus, market privileges create and (re)affirm a symbiotic relationship between the central government and the subject community. Consequently, every period of noticeable proliferation of market privileges is "a consequence of the rise of more powerful territorial and national states."⁷⁵ As the leading authority on European medieval fairs argues, "grants were part of a broader strategy that aimed to assert the state's legal, fiscal and political prerogatives over regalian rights"⁷⁶; this was exactly the main characteristic of Bertrand's entire political program. All Bertrand's privileges can be read through the optics of strengthening the central government and promoting mutually complimentary relations with the privileged centers. This is especially the case with Venzone, a previously hostile community that was defeated in a military campaign, and Lož, a newly revendicated possession of the Aquileian Church.⁷⁷

With regard to the Margraviate of Istria, it is very probable that the amount of four hundred and fifty marks Bertrand paid to the countess Beatrice for the *terre et castra nostra Istrie* included Buzet as well. If that was the case, the 1336 privilege is a welcome back gift, a privilege aimed at reestablishing ties severed by the expansionism of the counts of Gorizia and their ministerials. If, on the other hand, Buzet remained outside the reach of the Aquileian advocates throughout the turbulent vacuum of power period—the years between the death of Henry II of Gorizia (1323), the *sede vacante* episode in the Patriarchate (the death of Pagano della Torre in 1332), and the beginning of Bertrand's rule (1334)—then the privilege reads as a reward to the community for its unwavering fidelity towards the Aquileian Church. In any case, the grant was meant to reaffirm and reinforce the ties between the central government—in 1336 in its phase of energetic jurisdictional expansion—and the privileged community that was destined to become the very center of the *reliquia reliquiarum* of the Margraviate of Istria. Buzet's steadfast devotion to the Patriarchate following the issuing of the fair privilege was rewarded in the following years as the modest community became the very administrative center of Aquileian Istria, the seat of the margrave's supreme court.⁷⁸

Finally, Bertrand's 1336 privilege to Buzet reveals some further distinctions between the Margraviate of Istria and Friuli with regard to the jurisdictional framework of the Patriarchate of Aquileia. The majority of the privileges issued by the prince-patriarch were directed towards weekly markets, not annual fairs. Moreover, Cividale already had an institutionally recognized weekly market, privileged already by patriarch Peregrine (Pellegrino) in the

74 The classic account of gift-counter gift paradigm is Marcel Mauss, "Essai sur le don: Forme et raison de l'échange dans les sociétés archaïques," *L'année sociologique*, 1, 1923-1924, 30–186. For a more contemporary account on gift-giving see Maurice Godelier, *The Enigma of the Gift*, trans. Nora Scott, Cambridge: Polity Press, 1999.

75 S. Epstein, "Fairs," 83.

76 *Ibid.*, 83.

77 G. Brunettin, *Bertrando di Saint-Geniès*, 309–312 (Venzone), 567 (Lož).

78 P. Kandler, *CDI*, vol. 3, doc. no. 807; J. Banić, "Production of Judicial Space," 57–58. Muggia was not officially a part of the Margraviate; it was constituted as an urban commune directly under the jurisdiction of the Patriarchate's central government. On medieval Muggia see Franco Colombo, *Storia di Muggia: Il comune Aquileiese*, Trieste: Libreria internazionale "Italo Svevo," 1970.

twelfth century and confirmed by patriarch Ulrich II in 1176.⁷⁹ There are sources attesting to regular (weekly?) markets taking place inside Buzet's walls as well. It was Bertrand who regulated this type of commercial activity by fixing the auctioning period to three days, but this market was neither privileged nor put under the jurisdictional authority of any sort of public official.⁸⁰ Conversely, weekly markets in Friuli were under the jurisdictional authority of gastalds, public officials nominated by the central government serving a fixed term in office.⁸¹ In the Margraviate of Istria, the administrative structure was different: the only public official nominated by the central government was the delegated margrave. This office was bought from the central government for a price ranging between 300 florins and 1000 pounds of small denari. The buyer, who still had to be approved by the patriarch, would be granted the office for a fixed term, usually one or two years, as well as the right to all the incomes from the Margraviate, including taxes, tolls and fines from the administration of justice.⁸² The administration of the subject communities was in turn governed by the local gastalds and župans (also called merigas) along with the local councils made up of distinguished members of the community.⁸³ Thus, the Aquileian communities of the Margraviate of Istria were one step further removed from the central government of the Patriarchate in comparison to their Friulian counterparts; the margrave stood as an intermediary between the local gastalds and the patriarch's curia. Consequently, if the patriarch wanted to bestow his jurisdictional support to any community in the Istrian margraviate, he could rely solely on the margrave, his only formal official in the region. Since the margrave performed his authority itinerantly—by visiting each town personally several times throughout his term, usually on the fixed dates negotiated with the communities—this representative could not act as the official institutional support for a weekly event.⁸⁴ This is the main reason behind the decision to privilege a yearly event as the margrave could not, due to the nature of his office, oversee a weekly market. This was likewise the case in Pontebba, a possession under the temporal jurisdiction of the monastery of Moggio, where the patriarch also did not have a permanently stationed official and therefore privileged an annual fair.⁸⁵ These conclusions further the argument that the Aquileian Margraviate of Istria was indeed on its way to becoming an “appendix” to the ecclesiastical principality, further removed from the

79 B. De Rubeis, *MEA*, cols. 597–598; P. Paschini, *SdF*, 277.

80 “Decetero bestie ac bona alia que in terram nostram Pinguenti ad vendendum conducentur, per alios quam per notos mercatores, tribus diebus continuis super platea dicte terre nostre apud ecclesiam publice debeant incantari, et postquam fuerint taliter incantate, venditionem fiendam de ipsis plenam habere volumus roboris firmitatem.” P. Kandler, *CDI*, vol. 3, doc. no. 655.

81 On the gastalds in Friuli see P. S. Leicht, *Parlamento friulano*, vol. 1, XXIV–XXVI. It should be noted that Leicht's claim that in 1360 the office of the Istrian margrave had been leased for 1000 marks should be corrected to 1000 pounds of small denari (125 marks).

82 On the Margraves see Gian Rinaldo Carli, *Delle antichità italiane*, vol. 4, Milan: Imperial Monistero di S. Ambrogio Maggiore, 1790, 258–262; Carlo Buttazoni, “Dei governatori d'Istria a nome dei marchesi principi i patriarchi d'Aquileia,” *AT*, ser. 2, 2, 1870–1871, 245–251; Vincenzo Joppi, “Saggio di serie dei marchesi-governatori dell'Istria per i patriarchi di Aquileia Marchesi-principi,” *AT*, ser. 2, 2, 1870–1871, 252–254; Josip Banić, “Pinguente: Bastione inespugnabile dell'Istria continentale,” in *Buzetski statut / Statuto di Pinguente*, ed. Nella Lonza and Branka Poropat, Kolana od statuti / Collana degli Statuti 4, Buzet: Grad Buzet, 2017, 137–139.

83 J. Banić, “Pinguente,” 136–137.

84 Vincenzo Joppi, “Diritti di Aquileia nel Marchesato d'Istria (anno 1381),” *AT*, ser. 2, 9, no. 1–2, 1883, 195–199.

85 P. Paschini, *SdF*, 687.

central government than Friulian possessions and governed much more flexibly through the office of an itinerant margrave.

Finally, it can be concluded that while the economic component unmistakably prompted the issuing of Bertrand's market privileges, political factors played a seminal role as well. One can thus only agree with the informed opinion of Stephan R. Epstein that "the economic and the political aspects of fair foundations were therefore strongly related."⁸⁶ Not only did Bertrand's policy affect the entire ecclesiastical principality, both in terms of boosting the volume of trade and securing the public roads, but his fair privilege to Buzet had a considerable effect on this modest town and the northern Margraviate of Istria. The local community was bestowed with institutional protection and an additional source of income, the transhumant population benefited from safer roads during the period of migration to the mountain regions and the symbiotic ties between the central government and the privileged town promoted by Bertrand's grant soon resulted in Buzet's rising status as the capital of the entire Istrian margraviate. Thus, not only Saint John, but the feast day of Blessed Bertrand de Saint-Geniès, should also be celebrated in this quintessential Aquileian bastion of the Istrian peninsula.

⁸⁶ S. Epstein, *Freedom and Growth*, 74.

Appendix 1

Bertrand's charter privileging an annual fair on the feast day of Saint John (24th of June) in Buzet.

Udine, 10th of June, 1336.

Croatian State Archive in Pazin, Zbirka Isprava [Collection of charter], HR-DAPA 797-15

Notes on transcription: No interventions to the text have been made other than the introduction of modern capitalization and punctuation signs, the rendering of the letter "u" as a "v" when standing for a consonant, and the rendering of all the cases of "i lunga" as an "i".

Sancte sedis Aquilegensis Dei gratia patriarcha Bertrandus notum fore volumus universis, quod cum inter alios nobis et nostre Aquilegensi Ecclesie subiectos de partibus Istrie dilectos fideles nostros comune et homines de Pinguento prosequamur benevolentia speciali, et propterea volentes ipsos dotare prerogativa gratie et honoris eisdem comuni et hominibus pro honore, utilitate et commodo ipsorum, mercatum publicum et universale faciendum perpetuo singulis annis in festo Beati Iohannis Baptiste de mense Iunii ac duraturum ipso festo et duobus diebus immediate sequentibus ad modum nundinarum prope ecclesiam Sancti Iohannis sitam iuxta mollendina de Pinguento tenore presencium de speciali gracia duximus concedendum, ita quod medietas mute que exigetur in dicto mercato nobis et Aquilegensi Ecclesie applicetur et alia medietas comuni dicti loci de Pinguento, statuentes et ordinantes quod universi undecumque existant et cuiuscumque condicionis, dum tamen non sint publici latrones vel baniti Patriarchatus Aquilegensis, venientes ad huiusmodi mercatum sive nundinas sint salvi et securi cum omnibus bonis et rebus suis et sub protectione nostra et marchionis nostri Istrie veniendo, stando et redeundo, non obstantibus quibuscumque represalliis alicui persone quacumque occasione vel sub qua vis forma verborum concessis, necnon mandantes nostri marchioni Istrie vel eius vicecomiti seu eius vicario, qui pro tempore fuerit, quod predictum mercatum seu nundinas diligenter debeat custodire. In cuius rei testimonium presentes fieri iussimus nostri sigilli appensione munitas. Datum Utini in nostro patriarchali palatio die decimo mensis Iunii, anno dominice nativitatis millesimo trecentesimo tricesimo sexto, indictione quarta.

Appendix 2

Translation of Bertrand's fair privilege to Buzet in modern English

We Bertrand, by the grace of God the patriarch of the Holy See of Aquileia, wish that it be known to all that among those subject to us and to our Church of Aquileia in Istria, we favor our beloved faithful subjects, the commune and the people of Buzet, with special benevolence. Therefore, wanting to endow them with a privilege of our grace and honour, by the present document and with special grace we thought it appropriate to grant to the said commune and the people, for their honour, advantage and benefit, a public and universal market, every year in perpetuity in the form of a fair by the church of Saint John next to the mills of Buzet, on the feast day of Saint John the Baptist in the month of June, lasting that feast day and the two following days, so that one half of the tolls levied in this market be disbursed to us and the Church of Aquileia, and the other half to the said commune of Buzet. We decree and order that all those who come to this market or fair, from wherever they may be and whatever their status—as long as they are not public thieves or banished from the Patriarchate of Aquileia—may be free and safe to come, attend, and return with all their goods and possessions, under our protection and that of our Istrian margrave, notwithstanding whatsoever reprisals granted in whatever terms, to any others on whatever other occasion. We furthermore order our margrave of Istria, or his viscount, or his vicar, whoever he may be at the time, that he should diligently safeguard the said market or fair. In testimony of this deed we have ordered the present charter to be strengthened by the appending of our seal. Given in Udine, in our patriarchal palace, on the tenth of June, the year of our Lord's birth 1336, fourth indiction.

SAŽETAK

Pro honore, utilitate et commodo: Markgrofovija Istra i sajamski privilegiji akvilejskog patrijarha Bertranda de Saint-Genièsa (1334. – 1350.)

Rad analizira sajmeni privilegij bužetske komune koji je izdao akvilejski patrijarh Bertrand de Saint-Geniès desetog lipnja 1336. godine. Autor tvrdi da je povelja imala nekoliko međusobno komplementarnih svrha koje dolaze na vidjelo tek ukoliko se izvor sagleda unutar šireg konteksta Bertrاندovog cjelokupnog političkog i ekonomskog programa. Uspoređujući bužetski privilegij sa sličnim poveljama koje je tijekom svoje burne vladavine izdao ovaj istaknuti prelat, zaključuje se da je analizirani dokument dodijeljen kako iz ekonomskih, tako i iz političkih razloga. S jedne strane, povelja predstavlja samo jedan u nizu trgovinskih privilegija koje je princ-patrijarh Bertrand podijelio s ciljem povećanja obujma trgovinske razmjene te protoka novaca i dobara diljem svoje svjetovne države, no s druge strane, listina promiče uzajamno korisne i tješnje odnose između centralne vlasti i zajednice podanika kojoj je povlastica izdana. Autor ističe nekoliko čimbenika na koje je bužetski privilegij pozitivno utjecao poput viših prihoda za centralnu vlast i lokalnu komunu, te sigurnijih prometnica za vrijeme sezonskih migracija regionalnih transhumantnih stočara. Na kraju se otkrivaju posebnosti Markgrofovije Istre u odnosu na ostale posjede akvilejskih patrijarha koje se iščitavaju usporednom analizom Bertrاندovih trgovinskih povlastica. Na taj se način zaključuje da je akvilejska Istra već u ovom razdoblju započela transformaciju u "privjesak" Akvilejskog patrijarhata; za razliku od Furlanije, od druge polovice 14. st. Istarska markgrofovija više neće biti smatrana konstitutivnim posjedom ovog osebujnog crkvenog gospodstva. Rad završava novom transkripcijom bužetskog privilegija i prijevodom listine na suvremeni engleski jezik.