COMMERCIAL LAW IN FOURTEENTH-CENTURY
MERCHANT MANUALS

JOHN E. DOTSON

Merchant manuals were intended to provide information that businessmen engaged in international trade would find necessary, or at least useful, in their dealings. The information that they provide about weights, measures and monies is well known, as are the pitfalls for modern historians who attempt to use that information. Besides “hard information” there is some advice of a different kind, also useful. This advice concerns conditions that affect the conduct of business and relationships among businessmen. There is nothing about conflict resolution, except what may be inferred indirectly from a few mentions of judges, courts, and other officials. Almost all of the legal framework disclosed directly in the merchant manuals concerns customs regulations, other taxes to be paid, and dockside rules. There is also material, sometimes extracted from identifiable law codes, that regulate such things as brokers, fees, certain characteristics of manufactured goods, especially the length of cloths, and the terms of maritime freights. The picture of the mercantile environment that emerges from the manuals is certainly one of *caveat emptor* and, insofar as there is a concern with situations of potential conflict and disagreement, the manuals arm the reader with the knowledge and accumulated experience to avoid or minimize the risk of those situations. On such a general level, everything contained in the manuals is aimed at averting misunderstanding and discord, but there are parts of them that are much more specifically directed to that end.

Though there are earlier collections of mercantile information from the Islamic world and some fragments of Italian manuals dating from as early as the thirteenth century—notably one from Pisa around 1278—the earliest extensive Italian merchant manuals date from the fourteenth century. Four manuals, two Florentine in their origin, two Venetian, span the century. The earliest is from Venice: the *Zibaldone da Canal*, compiled around 1320. Francesco Balducci Pegolotti’s *La Pratica della mercatura*, dates from about 1340. The Venetian *Tarifa, zoé noticia dy pexi*
e mexare di luogi e tere che s'adovra marcadantia per el mondo, was compiled a little later, around 1345. Finally, Saminiato de’ Ricci’s untitled manual was completed in 1396.¹ Of the four, the Zibaldone da Canal and Pegolotti’s Pratica are the widest ranging, the most discursive, and contain the greatest amount of advice as distinct from information. The Tarifa, apart from a short passage at the end on “Knowledge of spices and other wares,” is concerned exclusively with weights, measures, and money. Ricci’s manual, besides the usual material on weights and measures, contains valuable information regarding money and letters of exchange, but does not provide advice on the ethical concerns of business.

These manuals differ in character as well as in place and date of origin. The Zibaldone seems to be a commonplace book that grew out of a student’s arithmetic notebook. There is an air throughout it of notes taken down for future reference. In short, it appears to be the record of a young man’s education. Pegolotti, on the other hand, was a widely experienced senior executive for the Bardi Company, the great Florentine banking and trading firm. He had experience at the highest levels of the company in places ranging from England to Cyprus. His Pratica rings with the authority of accumulated wisdom and seems to have been written to make his wide knowledge available to others in the company. The Tarifa is a plainspoken compendium of information, revealing little of the personality of its compiler. Ricci’s manual seems to have been compiled for his personal use and contains little that is didactic or advisory. For the purposes of this paper, the Zibaldone da Canal and Pegolotti’s Pratica have the most to offer.

In one of the most famous passages in Pegolotti’s manual, he provides “Information for the Journey to Cathay.” After describing the route from Tana to Cathay, he offers a discussion of “Things necessary to merchants who want to make the above-mentioned journey to Cathay.” Most of this passage offers practical advice such as the warning against the false economy of hiring a bad interpreter. He also advises that if a merchant wants to take a woman servant with him from Tana, he can but, if he does not want to, it is not required. However, if he does take


² Modern Azov.