

Articoli/Articles

GRANTING A LICENCE FOR OPENING A PHARMACY IN
BOLOGNA DURING ACTIVITY OF THE BOLOGNESE ARTE
DE' SPEZIALI (13TH – 18TH CENTURY)

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SUMMARY

OPENING A PHARMACY IN BOLOGNA

*The article discusses the main changes in legislation concerning granting the licenses for opening a new pharmacy in Bologna in the Middle Ages and Early Modern period. The organization of all traders, including apothecaries, was subordinated, as almost everywhere in Italy, to the Guilds. In the 2nd half of 16th century the Arte de' Speziali of Bologna came under the jurisdiction of the Collegio di Medicina, leading to disagreements between the two corporations. Giovanni Baldi, in his *Notizie storiche su la farmacia bolognese (Bologna, 1955)* mentioned one of these controversies, dating on the second half of 18th century. The Authors present this controversy basing on original documents from Archivio di Stato di Bologna.*

Introduction

Since the Middle Ages, granting the licenses to open a new workshop was inextricably linked to the organizations known as Guilds, linking artisans of one or couple of similar professions. The pharmacists of Bologna, as well as all tradesmen selling other kinds of goods, were associated in Guilds. Generally, a guild has to be regarded as a craft corporation appointed to guard the interests of the members,

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to organize the production, supply and trade, to help craftsmen in a difficult financial situation and, finally, to train future successors. Documents regulating the functioning of specific crafts appeared in Bologna in the 12th century and concerned the money exchange dealers (*cambiatori*)¹. In the 13th century, a significant increase in wealth of the citizens was observed, causing as a consequence the adoption of new laws for merchants, including spice sellers. In *La Bologna Perlustrata*, first edition 1650, Antonio Masini wrote²:

Compagnia degli Speciali una delle più antiche fra le università, i di cui statuti aveano [avevano] l'origine nei secoli più lontani, e nel 1239 furono riformati.

According to Masini's book, in the first half of 13th century, statutes of the apothecary guild existed and even had been already reformed. The oldest existing document referred to the Guild of apothecaries, entitled *De arte spetiare*, forms part of the Statutes of the Bologna City of 1288³. The twenty-first paragraph reports that apothecaries from Bologna and its suburbs (*spetiari civitatis Bononiae et burgorum*) could have two officials (*possint habere duos ministrales*), towards whom there was a general obligation of obedience. Moreover, spices sellers (*operantes artem spetiare*) had to be signed in matricula to be authorized to trade in accordance with law. The oldest statutes of *Arte degli Speciali*, published in Bologna in 1303 with supplements in 1310 and 1324, are composed of eight paragraphs; the document is unfortunately in a poor condition⁴. More informations could be found in the next edition of Statutes, published in 1377 and composed of twenty-four paragraphs. According to the Statutes, becoming a member of a guild could guarantee political and economic safety and allowed to practice the profession in the city and around the whole territory of Bologna. Every member swore an oath⁵:

Zuro el quale sono de la compagnia e che exercito l'arte de la speciare de exercitare e fare la dicta arte de la speciaria a bona fede senza fraude nè de

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falsificare alcuna cosa e a bona fede a tutta mia posanza de mantegnire la dicta arte in bono stado pacificio e quieto a honore e bono stato del comune e pouolo de Bologna e del so contado e destrecto.

The apothecary swore to practice in good faith and without fraud, in order to maintain the high culture of the profession, and to unconditionally support the officials in defending the interests of the association. He also was obliged to observe the law and to pay taxes and fees, as well as possible penalties due for the production and sale of adulterated and poor quality medicaments. On the ninth page of statutes a chapter is devoted to those intentioned to practice the profession: *Chi vorrà adoperare la dicta arte debia intrare in la compagnia e obedire a le cose licite e honeste*. Even if the expression ‘has to’ (*debia*) was used in the title, the following text suggests that the matriculation was voluntary. Such an interpretation is in Colapinto⁶. Already in the 14th century, being a member of the apothecary Guild in Bologna was not an obligation for the apothecaries. If someone wanted to join the association, a tax of twelve lire was required - a significant amount of money at that time. Otherwise, one could run a store just paying the sum of 10 soldi (1 *lira* = 20 *soldi*) to every elected *Massaro*. The statutes of 1377 have been reformed in 1690, several years after the Guild was taken under the jurisdiction of the Medicine College. The authors of the document emphasized the complementary role and responsibility of the pharmacy profession towards patients’ health. Pharmacy was considered as an important part of medical treatment⁷:

L’Onoranda Compagnia de’ Speciali, si per l’antichità del tempo, in cui ella fu instituita, come aneo per la stretta congiunzione, ch’ella tiene con la Medicina scienza nobilissima, che piùosto chiamar si può Medicina essercitata, che Arte distinta dalla Medicina, poiche infruttuosa sarebbe l’opera del Medico, quando la dotta mano di perito Speciale le assegnate Medicine non dispenesse.

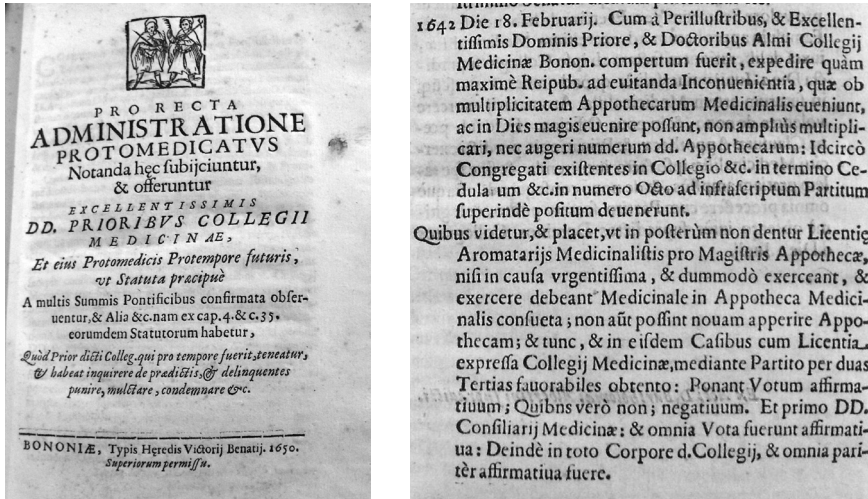


Fig. 1. The first edition of *Pro recta administratrione Protomedicatus*. (Bologna, 1650). Front page and a fragment concerning granting a license for opening a new pharmacy (p.11). *Archivio di Stato di Bologna*. (*Studio Bolognese*, b. 234).

Also in the Reform of 1690 no record exist about the obligation of entering into the apothecary Guild. In the 18th century a significant decrease in members enrolled in the Guild was observed. Such a situation could be caused by the high fees fixed by the Guild officials (25 lire for councilmen)⁸. Consulting the list of all the Bolognese pharmacists dating 1744, among *Maestri che sono dell'Arte de Speciali* only seven are Guild members; while the report of March 1744, specifying the stocks of Theriac, gives the names of twenty-six apothecaries owners of a store⁹. For example, Gioseffo Cesare Brunelli, registered in the list among *Maestri che non sono dell'Arte de Speciali*, at that time was running *Spezieria di S. Salvatore*.

Even if the owners of the pharmacies were not obliged to enroll in the guild, everyone willing to open a new store had duties towards the association. His education was still connected with the corporation of apothecaries. To acquire necessary skills to run a pharmaceutical

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business, an apothecary had to work for some time in a pharmacy as an apprentice (*garzone*), so obtaining a degree of *Maestro* after passing two exams. The first one was conducted by the Guild members, and the second one by the doctors of Medicine College.

Guild system worked in Bologna till the end of 18th century, when the city was occupied by Napoleon's troops. All craft guilds were suspended by the French government under the *Costituzione Cispadana* of 1797¹⁰.

The number of apothecaries in Bologna

In the second edition of *La Bologna Perlustrata*¹¹ (1666) Antonio Masini wrote: “*nella città sono circa 40. Botteghe di Medicinalisti, oltre quelle de gli Ospitali, Monasteri di Frati, e di Monache.*” Closer information on this matter can be found in *Acta Sapientissimi Protomedicatus*¹² and in the records of the corresponding notary¹³, containing main informations about *Protomedicato* in Bologna. *Acta* contain a list of the apothecaries, obtained after periodic controls, carried out by the officials of the *Protomedicato* and *Arte degli Speciali*. An obligation to the controls is also mentioned by Masini¹⁴:

Il Priore, e Protomedici del Collegio di Medicina, con il Massaro, e Compagno dell'Arte de' Speciali, visitano et esattamente rivedono li Medicamenti, che pubblicamente si vendono, e ciò fanno verso il fine d'ogni trimestre, rispetto à quelli della Città, e per quelli del Territorio lo fanno due volte l'anno.

Archival documents, showing the number of apothecaries in different times, confirm Masini's notice about to the number of pharmacies¹⁵. In April 1607, thirty-nine apothecaries are mentioned; in June 1617 they are forty; at the end of 17th century, only thirty-three apothecary shops are mentioned¹⁶. In September 1751, twenty-five stores are listed, and their number decrease to twenty-three in December 1755¹⁷. In September 1775, only nineteenth apothecaries are mentioned¹⁸. In at

about two centuries, the number of apothecary shops dramatically decrease. Conversely, from 16th till 18th century, the number of citizens of Bologna was gradually rising from 50 000 to 70 000, excluding the periods of great plagues, like the one in 1630¹⁹.

The reasons for a crisis

In 18th century, Italian and other European apothecary stores ceased to be as profitable as they used to be at the beginning of their existence. Apothecaries lost the monopoly in production and trading of goods previously available only in apothecaries, like distillates, spices and candles. The reform of the Statutes of the apothecary Guild, published in Bologna in 1690, cites *Speziali Medicinalisti* and *Droghieri* together with other professions²⁰ among the traders subordinated to the Guild (*li Obbedienti*),

quelli che lavorano di Spagirica, e Distilatoria [...] vendono, e lavorano Cere d'ogni sorte [...] vendono ogni sorte di Spezieria in diverse Botteghe [...] vendono Acque vite [...] Rinfrescatine [...] Acqua di regolizia [...] Limoni, Melangole, Uva passa, Fichi secchi [...] Zuccheri [...] Olive [...] Profumieri, che vendono Balle ammuschiate [...] Tabaccari che vendono Tabacco odorifero [...] Pane Speciale, Spongate, Mostarda [...] Cantucchi, Biscottini, ò altre Paste di Zucchero, ò Conditi [...] diversi colori, cioè Biacca, Terre di ogni sorte [...] polvere per ammazzar Scorzi [...] Nevole, ò Ostie tanto bianche quanto rosse.

All these traders were obliged to pay an annual fee to the Guild the sum of 44 *soldi di Bolognini*, in order to be authorized to trade apothecary goods. Subsequently, a large number of people started to secretly manufacture medicines and to illegally trade them. The apothecaries' owners complained to the *Protomedicato*, asking for more frequent controls and punishment for the traders disobeying the laws and the official regulations. We can cite, for instance, the petition dating July, 19th 1614, written by *Massaro*, and *Huomini della Campagna*²¹:

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“[...] per lo buon governo delle specierie, et signantementi intorno alle moltiplicatione delle botteghe di Signori Medicinalisti, di modo che ne habbieno che essercitare quelli che non si trovino havere li conditioni si ne i Bandi emanati degli Ill.mi Sig.ri superiori [...] si notifica et si protesta a nomi come di sopra che contra i neghiginti e disobbedienti si procedere all’essicentuni delle pene contenuti nei Bandi e nelle Conventioni [...]”

Beside secular disobedients, numerous male and female monasteries, notwithstanding the prohibition, were keeping on composing and selling remedies for internal and external use to the residents of Bologna, situation already mentioned in petitions to the *Protomedicato* at the end of 17th century²².

Legally working apothecaries found difficult to compete with this kind of ‘unofficial’ trade. A pharmacy needed an adequate capital so to allow the purchase of the necessary equipment and to employ the personnel. The apothecary had to secure a deposit of 100 *scudi* at the notary of the Medicine College. Another deposit was required by the Guild itself, according to the Reform of 1690²³. Furthermore, the apothecary had to pay off the rent for the store a year in advance²⁴. Therefore, maintaining the business was becoming harder and harder. In some Italian cities, the number of apothecaries was limited in order to guarantee the survival of the already existing stores. In the Northern Italian territory under the Austrian government in the 18th century, one pharmacy was allowed to serve 5000 habitants²⁵.

In the same time, the number of *Maestri* recorded in the Guild of Bologna was decreasing. In the list of 1733, only thirteen associated *maestri* and 70 *maestri* are cited not being part of the Guild, while in the similar document dating 1744 only seven members and seventy-eight non-members *maestri* are quoted²⁶. Several years later, in 1754, the number of Guild members dropped to six *maestri*²⁷. The last entry confirmed in matricula dates December, 11th 1757: it concerns Petronio Pellegrino Zaroni, the owner of the Zaroni’s pharmacy, also known as *S. Biagio*, descendant of

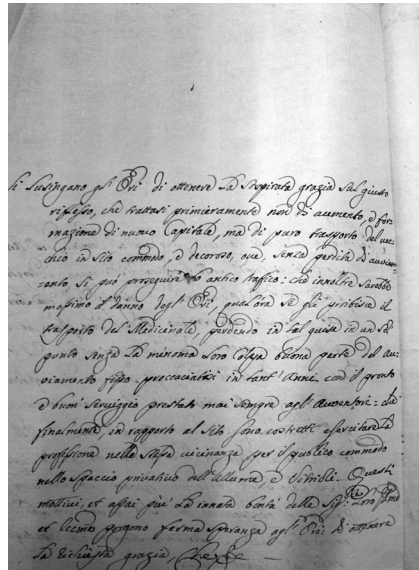
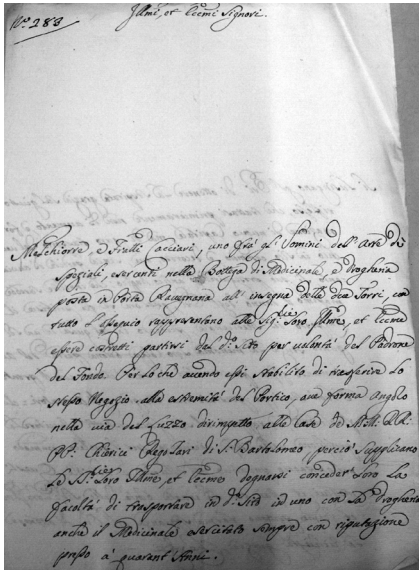


Fig. 2. One of the letters sent to Promomedicato by the Cacciari brothers. Archivio di Stato di Bologna. (Studio Bolognese, b. 349, No 283).

the famous botanist of Bologna, Giacomo Zanoni. Kremers and Urdang rightly noted that the political importance of the Guilds declined with the declining wealth and the loss of political power of the Italian municipalities²⁸. Bologna, part of the Papal State, remained under the Pope government till the *Napoleonian* campaign of 1796, when the city was taken by French troops. From 1540 till 1850, Bologna was ruled by a Cardinal Legato and by a Senate and by an every-two-months elected *Gonfaloniere di Giustizia*, the latter assisted by eight elder consuls called *Anziani Consoli*. The artisans could enter into the *Magistrato del Collegio*, an organism composed by twenty-four *Massari delle Arti* and sixteenth *Tribuni della Plebe*: the Magistrato played a subordinate role in the municipal government. The magistrate was responsible for the market surveillance and Guilds control. It also fixed the prices of main

food products (like grain and meat) and settled lawsuits connected with trade in Bologna and its territory²⁹.

Who granted the licenses?

The apothecary Guild Statutes dating 1377 state that the decision concerning opening an apothecary had to be taken by five officials, called *Corretori* or *Coreturi*. The license itself was then written down by the Guild notary³⁰. This system changed in 1551, when *Massaro, Huomoni, & altri Essercitanti* of the apothecary Guild came under the jurisdiction of the *Collegio di Medicina*. In 1517, the *Protomedicato* office was created on the behalf of the Medical College, with specific duties of control on the medical professions³¹. This office was composed of *Priore* and two *Protomedici*, chosen from the members of the Medical College once every trimester³². The *Protomedicato* gradually introduced laws concerning the supervision of all other professions connected with the ‘medical marketplace’, including apothecaries, midwives and barber-surgeons. The *Protomedicato* was also responsible for conducting exams for *Garzoni*, controlling the apothecary stocks³³, composing and updating the official city Pharmacopoeia.

The reform dating 1690 clearly states the obligations to open a new pharmaceutical store. In the chapter titled *Modo di dare la Guirisdizione ad una Bottega per uso di Speziaria*, the necessity of visiting the potential apothecary store by the Guild members, usually accompanied by a notary, is described³⁴. The officials were checking the distance between the new store and the already existing ones and the apothecary starting capital. Since May 1455, the distance between two *botteghe* selling *Robbe spettanti all’Arte de’ Speziali* could not should not be less than 3 *pertiche* (about 12 meters): the distance was confirmed in the Reform of the Statutes, dating 1690³⁵. The regulation escluded all the stalls in the main market, under the *Portico de’ Banchi*, where the space would have been however insufficient³⁶.

The further Regulation, set by a *Breve* by Clement XIV in 1771, was confirmed by Pius VI in 1786. The minimum distance between two pharmacies was enlarged to 200 *canne* (about 446,8 meters)³⁷.

Anyway, the Guild could not grant a license to an apothecary. According to the decrees of 1642, 1666 and 1697 in the Book for the proper administration of the *Protomedicato*, the final decision of granting a license was a specific task of the meetings of the *Collegio di Medicina*³⁸.

The Protomedicato Acts about granting a license

A decree allowing granting a license in particular and serious cases (*per gravi motivi*) and only when a pharmacy was supposed to be opened in a place where a similar store used to be in the past (*e solo per le botteghe per antica consuetudine destinate a quell' uso*) was issued on February, 18th 1642. An apothecary could open a new shop only after having obtained 2/3 of positive responses during a public meeting of the Medical College (*e tali licenze si dovevano ottenere del Collegio con una maggioranza nella votazione di almeno due terzi di voti favorevoli*)³⁹. The information bases on a short note in the the Book of the *Protomedicato*⁴⁰:

Cum a Preillustribus, & Excellentissimis Dominis Priore, & Doctoribus Almi Collegij Medicinæ Bonon. compertum fuerit, expedire quam maxime Reipub. ad euitanda Inconvenientia, quæ ob multiplicatam Apothecarum Medicinalis eueniunt ac in Dies magis evenire possunt, non ampilum multiplicari, nec augeri numerum dd. Apothecarum: Idcirco Congregati existentes in Collegio etc. in termino Cedula um etc. in numero Octo ad infrascriptum Partitum superinde positum devenerunt.

The chapter *Ordinationes Fori Protomedicatus* in the second edition of the Book of the *Protomedicato*, dating 1666, contains a note modifying the quorum, becoming necessary 3/4 of positive votes from the College to obtain the licence (s.v. *Leges, et Officia Protomedicatus* note, par. 15⁴¹):

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*DD Prior, & Protomedici, tam feorsim, quam simil non possunt concedere licentiam alicui aperiendi novas Apothecas ad usum pharmacopolae, sed servantur omnia exactè, quae continentur in Decreto facto à toto Collegio sub anno 1642. die 18 Februarij; Imò inposterum non possint aperiri novae, nisi per tres quattras votorum favorabilium*⁴².

The *Collegio di Medicina* was composed by of twelve main members (*numerari*), so that at least nine votes were effectively necessary to start a new activity. The third Act, dating 1697, exacerbated the laws concerning the transfer of stores, treating re-locations of pharmaceutical shops exactly like establishing new commercial activities⁴³.

The dispute with Arte degli Speciali in granting a new license

The documents of *Foro Protomedicato* and *Assunteria di Studio* in the State Archive of Bologna dating from 16th till 18th century show how unwillingly the apothecaries obeyed the College and its *Protomedici* supremacy, even if being under their jurisdiction was formally “*sponte, et voluntarie*”.⁴⁴ A famous controversy involving the apothecaries and one of the *Protomedici*, Ulisse Aldrovandi, concerned the proper way to prepare a Theriac preparation⁴⁵. At the beginning of the 17th century, the Medicine College complained the scarce level of respect and obedience of apothecaries towards the *Protomedicato* prescriptions, asking for a superior control from *Protomedicato* of Rome⁴⁶:

Il Collegio de Medici è avvisato [...] che li Speciali [...] chiedono di soggiacere al Protomedicato di Roma, non voler ubbidire à Bandi di qua, ma pigliar ordini e Tassi di là per comporre e vendere suoi Medicamenti.

No decision followed, because, as well known, the territory of Bologna had been already excluded from the jurisdiction of Roman *Protomedicato* in 1553⁴⁷.

Naturally, granting a new license by the Medical College involved the Guild competence. This situation could cause some disagree-

ments between two corporations. G.Baldi recalled a controversy dating to the second half of 18th century: two apothecaries run by Barbari and Cacciari families received both their licenses after the vote of the College members⁴⁸. The ‘medical’ decision met fierce opposition of the Guild members, opening the way to a public discussion, as testified by a document entitled *Ragioni del Collegio dei Medici di Bologna in difesa dell’osservanza delle sue costituzioni contro diverse osservanze pretese dall’arte degli Speciali*⁴⁹, partially cited by G.Baldi. More detailed information can be found among the archival documents filed/collected in the box *Litigo contro gli Speciali 1761 – 1763*⁵⁰.

Cacciari and Barbari pharmacies’ disputes

One of the comprehensive relations in the State Archive gives more details about the already mentioned apothecaries. Luigi Barbari⁵¹ decided to open his pharmacy close to the place where brothers Melchiore, Giuseppe and Gaetano Cacciari were running their store⁵². The Cacciari pharmacy under the Two Towers (*Due Torri*) was located next to the Porta Ravegnana, in front of the Asinelli tower. In one of the letters addressed to *Protomedicato* and posted around 1760, Melchiore and his brothers recall that the ‘Two Towers’ pharmacy had been owned by Cacciari family for 40 years⁵³. In the already cited list of apothecaries of Bologna dating 1744, Sante Cacciari is listed among *Maestri, che non sono dell’Arte*, as having passed his exam in front of the Medical College, so becoming *Maestro* on March, 20th 1717⁵⁴. In the petition sent to *Protomedicato* around 1716, Sante Cacciari is mentioned as the owner of pharmacy under The Golden Apple (*Pomo d’oro*)⁵⁵, in via Barberia, shop previously belonging to the heirs and successors of Virgilio Bavosi⁵⁶. G. Guidicini in his chronicles *Cose notabili della città di Bologna, ossia, Storia cronologica de’ suoi stabili sacri, pubblici e privati* (1868-73) says that in 1728 Sante Cacciari was a *maestro* “sotto il portico

ove hanno principio comune la via S.Stefano e lan via Castiglione, presso alla farmacia delle Due Torri."⁵⁷ Therefore, Sante had to transfer to the *spezieria* of Two Towers around 1720. In the catalog of apothecaries, Gaetano Cacciari is also mentioned as *Garzone*. The College physicians approved him for an apprenticeship on July, 10th 1741. Melchiorre Cacciari was enrolled in *matricula* of the apothecary guild on May, 8th 1757⁵⁸. Further information can be found in *Acta Sapientissimi Protomedicatus* (18th cent.)⁵⁹. Cacciari store was frequently mentioned, under the name of *Heredis Cacciari*⁶⁰, in the reports of periodical inspections of urban pharmacies since the forties of 18th century. So, at least two generations of apothecaries had a *spezieria* in the same place. A note dating December, 30th 1746 reports that Stephanus Cajetanus Cacciari, shortly called Sanctis or Sante, handed over the management of his store to his sons and heirs, Giuseppe and brothers Cacciari⁶¹. He died on February, 15th 1746 leaving his will on August, 26th 1741⁶². After Sante's death the oldest son, Gaetano Cacciari, took over the supervision of the store. The pharmacy location was very good because of the close proximity of the adjacent square, where the public market took place since the early medieval times (11th century). The square, known as *Piazza di Porta Ravegnana*, was located next to the Gate of Ravenna and was also called *carobbio* (crossroads), because of its being the cross point of important communication routes. Later, the square was connected to *Piazza Maggiore*, built at the end of the 12th century. The wide street from *Piazza Maggiore* to *Piazza di Porta Ravegnana* was called *Mercato di Mezzo*. It is highly unlikely that Cacciari, having his shop such a convenient location, wanted to move the store to a different place of his own will.

Among the notarial documents of the *Protomedicato*, we report a letter signed by Luigi Barbari, approved *Maestro*, who completed his apprenticeship working for many years in the store of *Maestro* Alessandro Fabri⁶³. In the letter, Barbari explains that he was the

owner of a house including a workshop (*la Casa, e Bottega*), situated in the street called *Strada Maggiore*, near by *Piazza di Porta Ravegnana*. In G. Guidicini's book a short notice records that in 1715 the *spezieria* belonged to Pezzi family from Milan, then to Barbari family; finally, it arrived in possession of Domenico Venturoli, who inherited it from the wife born Barbari⁶⁴. The workshop was rented for a long time to Cacciari brothers, who were running there a grocery shop and an apothecary (*Bottega di Medicinale, e Drogheria*)⁶⁵. Barbari wanted to terminate his lease with Cacciari brothers and to open his own store. Cacciari brothers sent a petition to *Protomedicato*, explaining that the owner of the building wanted them to vacate the premises and close their pharmacy. Therefore, Cacciari asked to transfer his medical inventory to a new place. It was located on the other end of the 'portico' nearby the square, at the corner of the street *del Luzzo* (block away from *Strada Maggiore*), next to the houses of the Order of St. Bartholomew⁶⁶. Cacciari accentuated that no new medical inventory would be introduced, but just the old one transferred to a new place. This would enable Cacciari to continue to retain at least part of their regular customers. Petitions collected in *Acta Sapientissimi Protomedicatus* generally have no dates, unlike the documents written during the inspections of the apothecaries. According to them, when Sante Cacciari was handing over the pharmacy to his sons in Bologna, twenty-five apothecary stores were in business⁶⁷. The note of objection from the apothecaries' Guild corresponding to the case of *Domini Aloijsij Barbari, et Dominorum Fratrum de Caciarijs* shows the date of June, 23rd 1759. In the next note, written on the occasion of regular visits in the pharmacies, no more record exists of the Cacciari store and the number of apothecaries decreases to twenty-one⁶⁸. On September, 19th 1759, twenty-one pharmacies are quoted, no mention of Cacciari and Barbari stores. On December, 13th and 14th 1759, twenty-two pharmacies, again including Cacciari store, are cited. On June, 27th 1760, a twenty-two

pharmacies list includes Cacciari and Barbari stores, not quoting the one of *Maestro Campedelli*⁶⁹. Finally, on September, 27th 1760, the record of twenty-three pharmacies includes both Cacciari and Barbari, together with the successors of Campedelli.

A note entitled *Visitationes Pharmacopæarus DD. Frat. Cacciari et Aloijsij Barbari* reports that on September, 7th 1759 the officials of *Protomedicato*, accompanied by Guild members Egidio Toschi and Cesare Brunelli, inspected the medical inventory of Cacciari store, but not the one belonged to Barbari (*visitatione generale facienda de Pharmacopæa DD Melchioris, et Frat. Cacciari, non aute ad visitatione Pharmacopææ D Aoijsij Barbari, non attento in eo quod respicit visitatione dicti Barbari*)⁷⁰. A visit to the Barbari store took place on March, 22nd 1760, in the presence of the Guild member Cesare Brunelli. It seems that Barbari terminated the agreement with Cacciari brothers before June 1759. Between September and December of 1759 Cacciari transferred their store to the other end of the *Piazza di Porta Ravegnana* and, in the following year, Barbari was able to open again a pharmacy on the site of the former Cacciari store. Further documents testifying the controversy with the Guild of apothecaries only refer to Barbari, but not to Cacciari family. Guild officials did not change their mind about the possibility of approving the license for Cacciari. The brothers are no longer mentioned after 1760, because the shop moved to the new location was closed before the end of that year. A short note dating November, 12th 1760 records a *visitatio generalis Pharmacopææ DD Frat. de Cacciaris occasione venditionis Capitalius Medicinalius*. Cacciari brothers were selling all the medical inventory of their store to Barbari⁷¹. The corresponding letter to *Protomedicato* is present among other notarial documents⁷²:

Gaetano, Giuseppe, e Melchiore fratelli Cacciari con tutto l'ossequio rappresentano alle Signorie Vostre Ill.me, ed Ecc.me, essere essi venuti in determinazione di vendere ai Sig.ri Luigi e Gio.Batta. fratelli Barbari

il loro capitale di Drogheria, e Medicinale esistente in Strada Maggiore nell'angolo, che conduce alla via del Luzzo. A questo effetto pertanto supplicano le SS.rie Vostre Ill.me, ed Ecc.me: per la necessaria, ed opportuna facoltà prontificarsi di eseguire quanto vien prescritto in somiglianti casi dalle Costituzioni.

Besides Luigi, there is also his younger brother, Giovanni Battista, here mentioned for the first time. In subsequent correspondence, Giovanni Battista informed the *Protomedicato* about the death of Luigi⁷³. Because Giovanni Battista did not have a permission to operate a pharmacy, he decided to hire the administrator, *maestro* Giuseppe Lindri.

A judicial history of long duration

The college decision on granting licenses to Barbari and Cacciari, in the opinion of the apothecaries Guild, was incompatible with the decrees issued by *Protomedicato* of Bologna. The Guild reports violations of the existing laws; in reality, their members were trying to impede opening new pharmacies in order to deter the failure of the already existing ones. As mentioned above, at the beginning of the 17th century, *Massaro* was protesting against *moltiplicazione delle Botteghe* in Bologna. After the introduction of the new legislation dating 1642, 1666 and 1697, the number of apothecary stores gradually decreased, as emphasized by representatives of the *Collegio di Medicina* in the text of their *Ragioni*. They recalled part of their informations from a voluminous work by Masini⁷⁴, showing that in 1666, forty pharmacies were active in the city. At the beginning of 18th century, their number was reduced to thirty-two and further reduced to twenty-three in the period of the dispute⁷⁵. Nevertheless, the guild members were still claiming that two new licenses granted to Barbari and Cacciari could lead to the closure of stores previously approved by the Guild itself. Barbari introduced a new pharmaceutical assortment, *ergo* opened a new store causing the increase of city

Opening a pharmacy in Bologna

pharmacies. The college responded arguing that one of the old pharmacies had been closed shortly before⁷⁶:

Barbari [...] per essersi da lui urtato un capitale nuovo, con accrisugli, giusta il loro litto una Spezieria di più nella Città: il che ne purè era vero nel senso da essi voluto; essendosi pochi mesi avanti, cioè nel principio dell'Anno 1758, estinta in delle vecchie Spezierie medicinali nella contrada di S.Vitale senza che altra in luogo di essa si fosse surrogata.

Cacciari brothers transferred their store to another location, which never had been used as a pharmacy⁷⁷:

Barbari [...] che aveva eretto un Capitale nuovo, senza provare la causa urgentissima, e del Cacciari che aveva aperto una Bottega nuova in un luogo, che mai non era stato a quell'uso.

The decree dating 1642 said that a license for opening a new store (the situation can be well referred to the case of Barbari) was granted only⁷⁸:

[...] per gravi motivi e solo per le boteghe per antica consuetudine destinate a quell'uso.. e tali licenze si dovevano ottenere del Collegio con una maggioranza nella votazione di almeno due terzi di voti favorevoli.

The apothecary store situated under the two Towers had a long history. Beside the 40 years of Cacciari's activity, that location was used as an apothecary store in the 16th century. That can be confirmed by the letter of Reiner Solenandro to Ulisse Aldrovandi dated on July, 9th 1556. Solenandro was asking the famous naturalist to deliver him drugs from *bottega di Mess. Filippo Speciale appresso la Torre di Asinelli*. The mentioned store can be identified with the current Barbari pharmacy⁷⁹. Another Guild allegation was the insufficient number of positive votes obtained during the college vote on the granting a license to Barbari. One of the Guild reasons relied on the fact that Barbari granted his license illegally, obtaining only $\frac{2}{3}$ positive votes. According to the Constitutions of 1666, that num-

ber was insufficient because less than $\frac{3}{4}$ positive votes⁸⁰. The college rejected the claim, since all the votes received by Barbari were positive⁸¹. To confirm this position, two jurists were delegated by the Guild, among them the doctor Giambattista Fochi. They went to the house of *Priore*, where they could directly verify the voting report. Moreover, *Protomedicato* claimed the right to derogate from the rights issued by its office. For example, the decree to ban new stores openings was not absolute, but conditional; so *Priore* and *Protomedici* could make a derogation (*derogatio*) from it. A derogation of this sort is described in book *Liber pro recta...*, under the date June, 2nd 1645, when two apothecaries, Pietro Maria Galli and Marc' Antonio Spinola, were granted their licenses to buy new pharmaceutical assortment and to open their own stores⁸². The college acknowledged that the apothecaries, who had passed all the exams, had proved to have a sufficient inventory and to have respected the required distance between two pharmacies (no less than 30 foot/ *pie-di*⁸³ or 3 bolognese perches/*pertiche*) should be given the right to run their own business⁸⁴:

È cosa certa, che ciascuno, il quale abbia talento e forze ad un arte lecita, e onesta, ha diritto naturale d'esercitarla a beneficio altrui e a sostentamento di se medesimo [and if an apothecary] sia stato approvato negli esami, ed abbia un capitale sufficiente [...] e non apra bottega a distanza minore di trenta piedi da qualunque altra del medesimo genere; ma in tal caso siano dovuti a dargli quella dovuta licenza"

Not all the reasons the Medical College submitted satisfied *Arte de' Speciali*. As a consequence, Guild members submitted their complaints directly to the Tribunal of the Papal Legate (15th March 1759)⁸⁵. When the representative of the pope in Bologna rejected unfounded accusations against the College decisions, the Guild of apothecaries referred the matter to the Apostolic Tribunal of the Sacred Roman Rota (*Tribunale della Sacra Rota*) for further con-

sideration. As well known, the Sacred Roman Rota was the highest appellate tribunal of the Roman Catholic Church, with the power to change the decisions made by Tribunal of the Papal Legate in Bologna. According to the *Acta Sapientissimi Protomedicatus* the appeal was presented in the same year, on June, 23rd 1759⁸⁶. The proceedings against granting new licenses instituted in 1759 lasted at least a few years. Many letters sent to the *Priore*, Vincenzo Pozzi, by a friend, Fiorenzo Sicca, at that time living in Rome, can be found among the documents concerning *Litigo contro gli Speciali*, dating between 1759 and 1763. In one, dated August, 19th 1761, Fiorenzo Sicca writes⁸⁷:

Amico Carissimo, non potete immaginarvi che Diavoli hanno fatto questi parsitanti di cotesti Speciali in occasione che domani si propone in Signatura il ricorso del Collegio contro il decreto provisionale di Monsig. Carrara colla qual provisione decide la causa principale. Cioè però nonostante io spero che sicuramente vinceremo la causa perche di tredici votanti, ne contiamo tre soli contrari, egli altri tutti a favore. I Contrari sono Monsig. Giovardi, Calcagnini, e Valenti. Anche Monsig. Carrara si è mareggiato, ma spero inutilmente, perche assolutamente la spunteremo a suo dispetto, e con poco suo decoro, e siatanto resto.

The Tribunal delivered his verdict on May, 14th 1762, determining the appropriateness of the previous Bolognese Tribunal decision. The decision left no doubt on the illegitimacy of the claims of the Guilt members and confirmed the right of the College to grant licenses⁸⁸.

Other decisions of Collegio di Medicina concerning granting a license
So, *Collegio di Medicina* did not abuse its power when granting new licenses. For example, the physicians did not agree when the apothecary Melchior Volta, owner and successor of the store located next to the church of *Santa Maria dell'Aurora*, previously belonging to maestro Sebastiano Giorgi, wanted to transfer the whole pharmaceutical assortment to the 'portico' under *Collegio dei Notai*

on *Piazza Maggiore*⁸⁹. The indicated location had never been used as a pharmacy store and Volta didn't want to close his old pharmacy, but just rent it to another apothecary, *maestro* Giacomo Franzarolli⁹⁰. At the same time, as he was explaining in one of his letters sent to *Protomedicato*, the number of existing pharmacies would not increase, because *maestro* Franzarolli was about to close his store under the arcade called Pavaglione, which was meant to be used later for different purposes. Even though the decision of the Medicine College was negative, as confirmed by a note dating June, 29th 1747. *Protomedicato* sent a letter to Volta, explaining why they did not intend to grant him a license⁹¹:

Essendo arrivato a notizia di questo Ill.mo et Ecc.mo Tribunale di Sig. Priore e Protomedici di questa Città di Bologna che Voi, Sig. Melchiore Volta intendiate di trasferire li capitali di Speciarie e Medicinali dalla Bottega da vi esercitata come successore delle Eredi del fù Sebastiano Giorgi presso la Chiesa di S.Maria dell'Aurora in altra Bottega di questa città di Bologna ed essendo che per Legge inalterabile e perpetua stabilita da quest'Almo Collegio et ordinata a publico bene, fosse già decretato che non dovete accrescersi il numero delle Botteghe ad uso di medicinalista, oltre quelle che sono all'esercizio sudetto presentamente aperte, perciò si fà noto a voi, che volendo veramente effettuare la supposta traslazione dobbiate quella fare in altra Bottega già aperta all'uso sudetto di medicinalisa proibendovi espressamente; e sotto precetto anche rigoroso l'aprire l'altra Bottega all'uso predetto in questa città [...] ne in poca, ne in molta distanza dalla Bottega già da voi esercitata [...] Salva però la facoltà di trasferire a vostro piacere qualunque capitale ad uso di semplice Drogheria [...]

Conclusions

According to the oldest 14th century Guild statutes, in the early years of activity of *Arte de' Speciali* of Bologna the privilege to open new pharmacies belonged to the Art members. The licenses were granted of decision of five officials, called *Correttori* or *Coreturi*. When Bologna became part of the *Papal State*, the laws promul-

gated in Bologna were subordinated to the approval of Roman Papal revisions, some of which aimed at the improvement, regulation and control of the medical professions. The *Protomedicato* of Bologna established its own tribunal in 1517. The office was subordinated to Roman *Protomedicato* till 1553, when Bologna and its immediate territory was declared exempt from the jurisdiction of Rome. Few years earlier, in 1551, the Guild of apothecaries of Bologna came under the jurisdiction of the Medical College. Depending on it, the *Arte de' Speciali* began to lose its power and *influence* over the apothecaries in the city. The crucial privilege related to opening new pharmacies passed into hands of the College of physicians in 1642. The licenses were granted after the voting of the whole Medical College. According to the Reform of 1690, Guild officials were still authorized to check the location of future pharmacy. However, it is not easy, from the available archival sources, to understand the real influence of the Guild approval on the Medical College decisions. A further important step in the granting a licence to open a pharmacy in Bologna seems to have been the result of the official controls of the whole available pharmaceutical assortment. *Priore* and *Protomedici*, accompanied by one or two officials from *Arte de' Speciali*, inspected all the required simple and complex medicines. In the case of disapproval of the hygienic and storage conditions of medicinal substances, so declared as 'sospetti', a final decision should be taken by *Foro del Protomedicato*. Restrictions on the freedom of the Guild caused disobedience among its members. The controversy dating from the second half of the 18th century could be understood as an action aimed at strengthen the position of the Guild itself. If the Tribunal had delivered a positive verdict to the guild, apothecaries would have regained at least part of their authority over the transfer and opening of new pharmacies.

BIBLIOGRAPHY AND NOTES

Index of abbreviations:

ASBo – Archivio di Stato di Bologna

StBo – Catalog entitled *Studio Bolognese*

AsSt – Catalog entitled *Assunteria dello Studio*

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2. MASINI A., *La Bologna Perlustrata*. Vol. 2. Bologna, Gamberini e Parmegiani, 1823, p. 23 (1st edition, 1650; 2nd edition in three volumes, 1666).
3. FASOLI G., P. STELLA P., *Statuti di Bologna dell'anno 1288*. Roma, Città del Vaticano, 1937, p. 219.
4. ASBo, *Società delle arti, Speciali*, No 299.
5. COLAPINTO L., see note 1, pp. 26-27. Title of the chapter: *De zramento de le singulare persone de la Compagnia*.
6. COLAPINTO L., see note 1, p. 8.
7. COMPAGNIA DEGLI SPEZIALI DI BOLOGNA. *Riforma de' statuti dell'onoranda Compagnia de' Speciali di Bologna*. Bologna, Giuseppe Longhi, 1690, pp. 3-4 (*Proemio*).
8. The University Library of Bologna, miscellanea No 3938. The letter dates November, 25th 1754 and reports the short note: *di casa*.
9. ASBo, StBo, bb. 235, 349.
10. FABBRI GHEZA L., *L'organizzazione del lavoro. Corporazioni e gruppi professionali in età moderna*. In: PROSPERI A. (ed.), *Storia di Bologna. Vol. 3. Bologna nell'età moderna. Istituzioni, forme del potere, economia e società*. Bologna, Bononia University Press, 2009, p. 647.
11. MASINI A., *La Bologna Perlustrata*. Vol. 1, Bologna, Benacci, 1666, p. 265.
12. ASBo, StBo bb. 318-329, including notes from 1605 till 1776.
13. ASBo, StBo, bb. 332-353. *Atti del notaio del Protomedicato* including notes from 1606 till 1772.
14. MASINI A., see note 11, p. 265.
15. COLLEGIO DEI MEDICI DI BOLOGNA. *Conventioni fra l'ecc.mo Collegio de' medici, et la honorabile Compagnia delli speciali medicinalisti di Bologna*. Bologna, Vittorio Benacci, 1606.
16. ASBo, StBo, bb. 332, 319, 340.
17. ASBo, StBo, bb. 324, 325.
18. ASBo, StBo, b. 327.

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19. The approximate population of Bologna was 68 000 inhabitants in 1617, 65 000 in 1680, and 70 000 in 1764. BELLETTINI A., *La popolazione di Bologna dal secolo XV all'unificazione italiana*. Bologna, Zanichelli, 1961, pp. 22, 48.
20. COMPAGNIA DEGLI SPEZIALI DI BOLOGNA, see note 7, chapter XXIV: *Degli Obedienti sottoposti alla Compagnia de'Speziali*, pp. 26-28.
21. ASBo, StBo, b. 322.
22. ASBo, StBo, b. 342.
23. COMPAGNIA DEGLI SPEZIALI DI BOLOGNA, see note 7, chapter XXVI: *Modo di Subastare l'Obbedienza de'Speziali*, pp. 30-32.
24. COMPAGNIA DEGLI SPEZIALI DI BOLOGNA, see note 7, chapter XXII: *Dell'Approvazione delle persone, che vorranno professare il Medicinale, e Spargirica, e loro Capitoli*, p. 24.
25. SONNEDECKER G. (ed.), *Kremers and Urdang's History of pharmacy*. Madison, American Institute of the History of Pharmacy, 1986, pp. 56-66.
26. ASBo, StBo, b. 235.
27. DE TATA R., *All'Insegna della Fenice. Vita di Ubaldo Zanetti speciale e antiquario bolognese (1698-1769)*. Bologna, Comune di Bologna (Ferrara, SATE), 2007, p. 228.
28. SONNEDECKER G., see note 27, pp. 56-66.
29. DE TATA R., see note 29, p. 99.
30. COLAPINTO L., see note 1, p. 45.
31. The Tribunal of Protomedicato was an institution composed by a chairman from the Medicine College (*Priore*) and two *Protomedici*, elected among the members of the same College. These three officials were responsible for a wide-ranged control over the medical materials and over the traders involved in its distribution. Their other duty was judging the claims of the patients about unsuccessful medical treatments. To know more, see: RICCI L., *Il Protomedicato e i controlli sanitari in Bologna dal XVI al XVIII secolo*. MA thesis, Dipartimento di Discipline Storiche, Antropologiche e Geografiche, Università di Bologna, 1969/1970.
32. GENTILCORE D., "All that pertains to medicine:" *Protomedici and Protomedicato in Early Modern Italy*. *Med Hist* 1994; 38: 121-142.
33. The first control of all city pharmacies took place in 1558. See: Protomedicato, *Pro recta administratrione Protomedicatus notanda hec subijciuntur, & offeruntur excellentissimis DD. Prioribus Colllegij Medicinæ, et eius Protomedicis Protempore futuris, ut Statuta præcipue a multis Summis Pontificibus confirmata observentur, & Alia etc. Bologna, Vittorio Benacci, 1650, p. 5.*

34. Compagnia degli Speciali di Bologna, see note 7, chapter XXVIII: *Modo di dare la Giurisdizione ad una Bottega per uso di Spezieria, ò membro di essa*. pp. 33-34
35. RICCI L., see note 33, pp. 320-328.
36. Compagnia degli Speciali di Bologna, see note 7, chapter XXVII: *Della distanza delle Botteghe*. pp. 32-33.
37. BALDI G., *Notizie storiche su la farmacia bolognese*. Bologna, Società Tipografica Mareggiani, 1955, pp. 50-51.
38. Protomedicato, *Liber pro recta administratione protomedicatus, in quo plura notanda subijciuntur, & offeruntur excellentissimis DD. prioribus Collegij Medicinæ, et eius protomedicis pro tempore futuris, ut Statuta præcipue a multis Summis Pontificibus confirmata obseruentur, & secundum iustitiam clare Ius reddatur*. Bologna, Typographia Ferroniana. 1666.
39. BALDI G., see note 37, p. 48.
40. PROTOMEDICATO, see note 35, p. 11.
41. PROTOMEDICATO, see note 40, pp. 3-11.
42. PROTOMEDICATO, see note 40, p. 9.
43. *ASBo, StBo*, b. 237.
44. Protomedicato, see note 40, p. 5.
45. ANDREOLI A., *Ulisse Aldrovandi e Gregorio XIII (e la Teriaca)*. *Strenna stor bolognese* 1961; 11: 11-19.
46. *ASBo, AsSt*, b. 87. Title: *Il Protomedicato, secc. XVI-XVIII*. Date of the document: 23rd July 1604.
47. Protomedicato, see note 35, p. 5.
48. BALDI G., see note 39, pp. 47-51. The Author indicates the reference material – a brochure from the Archiginnasio Library of Bologna, but without giving its exact collocation.
49. BALDI G., see note 39, pp. 47-51.
50. *ASBo, StBo*, b. 237.
51. In Italian documents, a name *Luigi* (Barbari) is mentioned several times, whereas in the Latin documents of *Protomedicato* Barbari occurs under the name of *Aloijsij* (*Aloysius*). There are several forms in Italian of Latin name *Aloysius*: *Aluigi, Aluisi, Alogio, Aloisio i Luis*. See: AMENTA N., *Della lingua nobile d'Italia e del modo di leggiadramente scrivere in essa, non che di perfettamente parlare*. Vol. 1. Napoli, Murio. 1723, p. 171.
52. *ASBo, StBo*, b. 237.
53. *ASBo, StBo*, b. 349 No 283.
54. *ASBo, StBo*, b. 235. The document entitled: *Catalogo de' Speciali Medicinalisti, tanto Maestri, quanto Garzoni pubblicato questo dì 11 Agosto 1744*.

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55. *ASBo, StBo*, b. 344. The document reports the transaction between Sante Cacciari and the successors of Giuseppe Berselli and has no date.
56. GUIDICINI G., *Cose notabili della città di Bologna, ossia, Storia cronologica de'suoi stabili sacri, pubblici e privati*. Vol. 1. Bologna, Tip. delle scienze, 1868, p.91.
57. GUIDICINI G., *Cose notabili della città di Bologna, ossia, Storia cronologica de'suoi stabili sacri, pubblici e privati*. Vol. 3. Bologna, Società tip. dei compositori, 1870, p. 66; Vol. 4. Bologna. 1872, p.190; Vol. 5. Bologna: Tip. militare, già delle Scienze, 1873, pp. 72, 129, 288.
58. *ASBo*, microfilm No 59 entitled *Matricola degli speziali (1481-1757)*.
59. *ASBo, StBo*, bb. 322-329.
60. *ASBo, StBo*, b. 321. The documentation ends with year 1702, and the following number 322 starts with year 1744.
61. *ASBo, StBo*, b. 323.
62. Sante was son of Stefano. He had also one sister, Sabina, and two brothers, Pietro Tommaso and Sebastiano. Sante married Rosa Maria Benedetta Berselli, sister of the apothecary Gaetano Berselli. His sister also was married to another apothecary, Domenico Maria Vicari. Sante and Rosa Maria had two daughters and four sons, Stefano Gaetano, Giuseppe, Melchioro Cesare, Giovanni Battista Luigi. Giuseppe Cacciari (1726-1802) was a famous advocate in Bologna. *ASBo, Notarile*, Domenico Pedrini, coll. 5/9 (1746-1747), *Inventarium legale haereditatis d. Sanctis Cacciari* No 54; *Codicillum Sanctis Cacciari* No 8.
63. *ASBo, StBo*, b. 349, No 282.
64. BALDI G., see note 39, pp. 57-58.
65. The name of *Speziali* includes *speziali medicinalisti*, the owners of pharmacies and *speziali del vivo* (term from the second half of 17th century) or *droghieri* (term from the beginning of 18th century). *Droghieri* were selling only *il vivo*, that is grocery (oils, honey, sugar, several spices etc.).
66. *ASBo, StBo*, b. 349, No 283.
67. *ASBo, StBo*, b. 323.
68. *ASBo, StBo*, b. 325. The relation of the control on all the city pharmacies dates June, 28th and 30th 1759. Previous controls took place on March, 21st and 23rd 1759.
69. *ASBo, StBo*, b. 349. The documents contain a list from the successors of the apothecary. Gian Domenico Campedelli owned the pharmacy *San Nicolò degli Albari* at the beginning of via Cavagliera.
70. *ASBo, StBo*, b. 325.

71. ASBo, StBo, b. 325. From *Arte de'Speziali* - Melchior Sacchetti.
72. ASBo, StBo, b. 349, No 305.
73. ASBo, StBo, b. 349, No 404.
74. MASINI A., see note 11, p.265. The Author wrote: *Nella città sono circa 40 Botteghe di Medicinalisti, oltre quelle de gli Ospitali, Monasteri di Frati, e di Monache.*
75. ASBo, StBo, b. 237.
76. ASBo, StBo, b. 237.
77. ASBo, StBo, b. 237.
78. BALDI G., see note 39, p. 48.
79. ASBo, StBo, b. 237.
80. Protomedicato, see note 40, p. 9.
81. ASBo, StBo b.237. We quote: *licenza accordata al Barbari mediante un partito ottenuto non per due terzi, o per le tre quatri, ma per tutti quanti i voti favorevoli.*
82. Protomedicato, see note 35, p. 12.
83. ASBo, StBo b.237. In the manuscript a minimal distance between two apothecaries, that is 30 cubits, was mentioned. The chapter XXVII in the reform dating 1690, entitled *Della distanza delle Botteghe*, confirms that the distance should not be less then "*pertiche num. tre da piedi dieci per ciascheduna, che sono piedi trenta della misura di Bologna.*" *Piede* was a unit of length, used in Bologna, and defined as being 0,38 m. *Pertica* was a unit of length used in Bologna and defined as 10 *piedi*, which was 3,8 m.
84. ASBo, StBo, b. 237.
85. ASBo, StBo, b. 237. We quote: *Ma gli Uomini dell'Arte, nulla a cio' attendendo, instrussero formalmente il giudizio contro il Collegio con citarlo al Tribunale dell'E.mo Legato, ove promessero la loro istanza in questi termini.*
86. ASBo, StBo, b. 325.
87. ASBo, StBo, b. 237.
88. BALDI G., see note 37, p. 50.
89. Not far from *Piazza Maggiore*.
90. ASBo, StBo, b. 349, No 126 and 133.
91. ASBo, StBo, b. 323.

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