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Highway Robbery in the Grand Duchy of Lithuania in the 16th–17th Century*

In historiography, the phenomenon of robbery or banditry has been quite thoroughly studied. Among the most extensive studies is the depiction of robbery in the 16th–18th century England in the Anglo-Saxon literature¹. There are texts about the ‘wild West’ period in America². The relevance of the topic is evidenced by the semi-legendary stories of outlaws whose ‘deeds’ have become fables entrenched in historical consciousness. One of the best-known examples is the 13th century English robber Robin Hood, whose romanticized myth was explicated in the Renaissance. In continental Europe, the fountainhead of organized robbery can be traced back to the bands of knights that formed in the Middle Ages and oftentimes intimidated and harmed peaceful people³.

A tendency can be observed in historiography to study the phenomenon of banditry in a more generalized way, with little distinction between the forms of robbery and little analysis of the underlying circumstances. A closer look at the studies analysing the phenomenon helps understand that the research is multi-layered. After all, highway robbery, burglary, and robbery in towns differed in their form. In historiography, however, the picture is often generalized. This amalgamation can be explained by the fact that most historians attempt to interpret the motives and circumstances of crime through the analysis of criminals as a social group. On the one hand, this is logical. In the search for the causes of crime, it is useful to have the

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¹ See John L. McMullan, “Criminal Organization in Sixteenth and Seventeenth Century London”. *Social Problems*, 1982, 29:3, 311–323; John L. McMullan, *The Canting Crew: London’s Criminal Underworld 1550–1700*. Rutgers University Press 1984; Jim Anthony Sharpe, *Crime in the seventeenth-century. A county study*. Cambridge University Press, Cambridge, London, New York, New Rochelle, Melbourne, Sydney, Paris 1983; Malcolm Gaskill, *Crime and Mentalities in Early Modern England*. Cambridge University Press, Cambridge 2000; Andrea McKenzie, “The Real Macheath: Social Satire, Appropriation, and Eighteenth-Century”. *Huntington Library Quarterly*, 2006, 69:4, 581–605.

² See Michael Billett, *Highwaymen and Outlaws*. Orion Publishing Co, London 1998; Julius R. Ruff, *Violence in Early Modern Europe 1500–1800*. Cambridge University Press 2006, 216–239.

³ For more information see Эрик Хобсбаум, *Бандиты. Перевод Николая Охотина*. Университет Дмитрия Пожарского, Москва 2020, 33.

portrait of the perpetrator: who these people were and what factors influenced their behaviour. Historians are virtually unanimous in saying that the increase in robbery went hand in hand with the lean years, the rise in food prices and unemployment, the fall in wages, and the effects of the wars when demobilised soldiers turned to crime. In other words, it was stimulated by hard times. It can also be noted that these circumstances were common and more or less occurring simultaneously throughout Europe. Fernand Braudel who studied the Mediterranean region⁴ found that at the end of the 15th century the economy in the southern part of the continent was in decline, the poverty levels were rising, thus causing a rise in robbery on the main highways, ports, and towns close to the sea⁵. Nomadic and marauding bands were roaming from town to town posing great danger and forcing the cities to organize protection and even defence⁶. Braudel's research suggests that in the 16th–17th century robbery in the South flourished. In the second half of the 16th century, defensive measures were further encouraged by religious struggles and migration from Africa⁷. Peter Lawson echoes these propositions in his study⁸, also noting the factor of population growth: the larger the population, the more possibilities there are to commit crime as the natural 'friction' of people influences their behaviour. Historian John L. McMullan suggests that in the 16th–17th century England organized crime emerged and took shape under the influence of the growing trade, particularly with the overseas countries and colonies, and increasing financial flows that ensured sustenance for professional criminals⁹. Small-scale production and trade centred around London enabling the growth of the middle class, which eventually fell prey to robbers and extorters. Unable to resist, people would succumb to the pressure, thus making it possible for the criminals to survive.

Antoine Follain, who analysed the history of violence in France, also dwelled on the mentality of criminals¹⁰, stating that at the end of the Middle Ages and in the 16th–17th century people's behaviour was primitive and violent as they had not yet

⁴ Fernand Braudel, "Misère et banditisme au XVI^e siècle". *Annales. Economies, sociétés, civilisations*. 2^e année, 2, 1947, 129–142; Fernand Braudel, *La Méditerranée et le monde méditerranéen à l'époque de Philippe II*. Armand Colin, Paris 1990 (ed. 9), 75–94.

⁵ For more information see Daniel Rosa, "La répression du banditisme dans la République de Gênes: des Commissaires à la «Junte contre les bandits» (XVI^e–XVIII^e siècle)". *Recherches régionales. Alpes-Maritimes et contrées limitrophes*, 216:60, 2019, 8–9; on the situation in Seville see Pike Ruth, "Crime and Criminals in Sixteenth-Century Seville". *The Sixteenth Century Journal*, 1975, 6:1, 3–18.

⁶ Braudel 1947, 131.

⁷ Braudel 1947, 129.

⁸ Peter Lawson, "Property Crime and Hard Times in England 1559–1624". *Source: Law and History Review*, Spring, 1986, 4:1, 95–127.

⁹ McMullan 1982, 311–323.

¹⁰ Antoine Follain, "Violence brute et violence judiciaire à l'époque moderne. Un paysan massacré et deux pendaisons pour l'exemple dans les Vosges en 1615". *Histoire & Sociétés Rurales*, 2016/1, 45, 119.

learned to restrain themselves and suppress their base instincts. Not until the 18th century did the first rays of hope appear and morality start overpowering brutality.

There is an interesting trend in the chronological overlapping of the phenomenon of banditry in Europe. In his studies of Renaissance travel journals Luigi Monga¹¹ notes that they contain a wide variety of stories about robbers, which were spread by word of mouth and which travellers found intimidating. The 16th–17th century Eastern Europe was no exception – here the phenomenon of robbery was also widespread¹². Speaking about Poland, Marcin Kamler¹³ has written perhaps the most comprehensive account of banditry in the Kingdom of Poland of those times. In a more or less analogous chronology appears the *Hajduk* (*hajduci*) phenomenon – the gangs of robbers that roistered in the 17th century territory of Hungary and in the Balkans way into the 19th century¹⁴. These studies point to the existence of a certain period in Europe marked by the rise of banditry.

Texts of the abovementioned historians are mostly historicist in their nature, mainly stating historical facts and realities. British historian Eric Hobsbawm viewed banditry as a social phenomenon and had a somewhat different standpoint employing the Marxist approach in its systemic analysis. His book on the history of banditry is an essay in its own right¹⁵, and his main thesis is that, in fact, until the 19th century,

¹¹ Luigi Monga, “Crime and the Road: A Survey of Sixteenth-Century Travel Journals”. *Renaissance and Reformation/Renaissance et Réforme*, Spring/Printemps, 1998, New Series/Nouvelle Série, 2:2, 5–17.

¹² For more information see Piotr Godlewski, Dariusz T. Skalski and Robert Mruczyk, “The dangers of travel – Banditry on the roads in the old days”. *Baltic Journal of Health and Physical Activity*, 2021, 13 (1), 195–214; Henryk Ruciński, “Rozboje w zachodnich Karpatach do początku XVI wieku”. *Mity i rzeczywistość zbójnictwa na pograniczu polsko-słowackim w historii, literaturze i kulturze. Praca zbiorowa pod redakcją Marii Madejowej, Anny Mlekodaj, Macieja Raka Materiały z Międzynarodowej Konferencji Naukowej Kraków–Bukowina Tatrzańska 18-22 października 2006 r.* Nowy Targ, 2007, 17–25.

¹³ Marcin Kamler, “Rozbój na ziemiach Koronnych w drugiej połowie XVI i pierwszej połowie XVII wieku”. *Kwartalnik Historyczny*, 1990, nr 3–4 (97), 59–76; similar material was published in Marcin Kamler, *Złoczyńcy. Przestępczość w Koronie w drugiej połowie XVI i w pierwszej połowie XVII wieku (w świetle ksiąg sądowych miejskich)*. Wydawnictwo Neriton Instytut Historii PAN, Warszawa 2010, 95–108; also about robbers see Władysław Ochmański, “Zwalczanie zbójnictwa góralskiego przez szlachtę w XVII i XVIII wieku”. *Czasopismo Prawno-Historyczne*, 1951, 3, 193–241.

¹⁴ For more information see Fikret Adanir, “Heiduckenentum und osmanische Herrschaft. Sozialgeschichtliche Aspekte der Diskussion um das frühneuzeitliche Räuberwesen in Südosteuropa”. *Südost-Forschungen* Bd. 41, 1982, 43–116; Benjamin Landais, “Marginaux, révoltés ou saisonniers de la rapine? Les bandits a la frontière austro-ottomane au XVIII^e siècle”. *Banatica*, 2021, 31:2, 221–249; hajduks and Ukrainian cossacs comparison see Beata Varga, “Role of Hajduks and Cossacks in 16th and 17th Century Hungarian and Ukrainian Society”. *Concepts, Sources, and Methodology in Eastern European Studies. Proceedings of The 1st congress of international Eastern European studies (CIEES)*, 2018, 25–38.

¹⁵ Эрик Хобсбаум 2020.

bandits and criminals in general found support and backing in the poorest strata of the rural society, where criminals were seen as heroes, champions, avengers, fighters for justice, and men to be admired, aided, and supported. Myths were created about outlaws. In Hobsbawm's view, it was a form of social protest among the peasants directed against the wealthy and the rich. The author defines this phenomenon as 'social banditry'.

The influence of his work in the scientific sphere cannot be overestimated as a number of scholars consider him the father of modern banditry studies¹⁶. However, he has also received a great deal of criticism, which, in fact, is entirely justifiable. Being a Marxist, Hobsbawm sees banditry as a kind of class struggle because 'social banditry' stems from the poorest layers of society, which eventually rise against the rich. Other scholars have therefore pointed out that Hobsbawm renders an over-ideologised meaning to the definition of 'social banditry', emphasising the fact that society gives rise to romantic myths about criminals¹⁷. Since the author's analysis of robbery in the 16th and 17th centuries is heavily based on theoretical assumptions, he overlooks the facts that might be directly relevant to historicism, namely that in the Middle Ages and in the Early Modern period robbers were mere criminals who robbed everyone making no distinction between poor peasants or rich city dwellers. Brent Donald Shaw¹⁸, in his study of banditry in the Roman Empire, gives clear examples that the public feared them and would rejoice in the death of each criminal, let alone mourn them. Therefore in this study the manifestations of highway robbery in the Grand Duchy of Lithuania (the GDL) are not associated with the popular interpretation of 'social banditry' because, as we will see further, empiric evidence suggest otherwise.

For some reason, very few studies of the history of banditry can be found in Russian historiography¹⁹. In some of the texts, the activities of professional robbers are exaggeratedly confounded with those of the political opponents of the regime –

¹⁶ See Cheah Boon Kheng, "Hobsbawm's social banditry, myth and historical reality: A case in the Malaysian state of Kedah, 1915–1920". *Bulletin of Concerned Asian Scholars*, 17 (4), 1985, 34–51.

¹⁷ For more information see Anton Blok, "On Brigandage with Special Reference to Peasant Mobilization". *Sociologische Gids*, 18, 1971, 208–216; Anton Blok, "The Peasant and the Brigand: Social Banditry Reconsidered". *Comparative Studies in Society and History*, 14:4, 1972, 494–503.

¹⁸ Brent D. Shaw, "Bandits in the Roman Empire". *Past & Present*, 1984, 105, 5.

¹⁹ See Андрей Геннадьевич Шпилев, "Было двенадцать разбойников, был Кудеяр атаман (разбойники Юго-Западного порубежья России в XVI–XVII вв.)". *Русский сборник. Труды кафедры Отечественной истории древности и средневековья Брянского государственного университета им. Академика И. Г. Петровского*. Вып. 7, Брянск, 2013, 145–166; Владимир Ефимович Захаров, *Старая Смоленская дорога в истории и литературе*. Свиток, Смоленск 2017; Владимир Анатольевич Коршунков, "На дорогах и по рекам: разбойники и память о них в Вятском крае". *Вестник гуманитарного образования*, 2021, 1 (21), 34–48.

insurgents – indiscriminately viewing all of them as a single movement. For instance, Denise Eeckaute²⁰ or Vladimir Anatolievich Arakcheev²¹ in their studies do not distinguish between ordinary robbers and insurgents dissatisfied with the political authorities, incorporating into the group even the disobedient Ukrainian Cossacks, who in the 17th–19th century were under the rule of the Russian Empire²². Thus, it can be stated that in historiography the contingent of robbers is overgeneralized.

Besides, when analysing the phenomenon of banditry, little attention is paid to the victims. Little information is offered on the locations: where the crimes were committed – in rural areas, on the roads, or on the streets of the cities. After all, in each case there were certain peculiarities. The cases of robbery on the road or during a journey stand out here. And not only due to the particularity of the location but also to the specific nature of the crime. Individual robbers or gangs operated on the roads, in ambushes, at times roamed the highways as they were the only home they had. The abovementioned Kamler's study²³ of criminals in the Kingdom of Poland suggests that professional robbers avoided living in local communities especially if they worked in gangs as they would have been quickly exposed and caught. Polish society was mostly rural, thus criminals would live in seclusion, in forests, close to the highways²⁴. In more urbanized countries, like England, criminals would settle in special zones, outside the cities, on the outskirts, where the hands of the authorities were less likely to reach and thus they were tolerated²⁵. At first glimpse, many of these details would seem irrelevant. However, this would be a wrong assumption because they all point to the *corpus delicti* and the behaviour of the criminals. Finally, they allow us to talk about public safety – where people would dare not step.

This article focuses on the phenomenon of highway robbery and analyses banditry on the roads of the Grand Duchy of Lithuania in the 16th–17th century. This is the subject of the research. The choice of chronology was motivated by the fact that, as suggested by similar studies in other countries, in the 16th–17th century highway robbery was on the rise across Europe. On the other hand, the period in question in the GDL was marked by the maturity of social life, gradual formation of the urban structure, and economic boom (until 1654 when the war with the Grand Duchy of Moscow broke out). So far, studies of this type have been rather timidly evolving in historiography, though in the travel history of Eastern Europe, and specifically the GDL, there are a few quite thorough analyses. In this case, the subject of highway

²⁰ Denise Eeckaute, “Les brigands en Russie du XVII^e au XIX^e siècle: mythe et réalité”. *Revue d'histoire moderne et contemporaine*, 1965, 12:3, 161–202.

²¹ Владимир Анатольевич Аракчеев, “Феномен «разбоев» в России начала XVII в.: к типологии повстанческих движений”. *Quaestio Rossica*, 2018, 6:4, 972–983.

²² Eeckaute 1965, 161–202.

²³ Kamler 1990, 59–76.

²⁴ Kamler 1990, 76.

²⁵ For more information see McMullan 1982, 316–318.

robbery in the GDL has been partly touched upon by Kamler. Analogous problem but in the chronologically later 18th century has been analysed by historian Domininkas Burba²⁶. No less important is historian Darius Vilimas²⁷ research of crime in the 16th-century GDL where he mostly analyses cases of violence, including robbery, causes of conflicts, examines the material of court cases as found in the archives from the perspective of the source studies. Both historians intend their research for the readers in the Baltic region, thus doing little to integrate them into a wider – European – field of the history of crime studies.

The phenomenon of highway robbery in the 16th–17th century GDL has so far received little consideration and has only episodically been touched upon in research. Historians usually offer opinions and assumptions rather than empirically based statements. Therefore, the aim of this paper is to analyse this aspect of the GDL history.

Naturally, it would be impossible to answer all the questions in one article. Thus, two objectives are pursued in a coherent manner. Firstly, the special law of the road (the highway) set forth in the GDL legislation (the Statutes of Lithuania) and suggesting that any violence or robbery on the road is considered a more serious crime than an assault on the street of a city or in the fields is analysed. Secondly, the nature of the assaults and robberies on the roads of the 16th–17th century GDL are examined, focusing on the time and place of the criminal acts; reasons for the interaction of the perpetrators and their victims; spontaneity of highway robberies; assaults in retaliation; organized crime; and other elements of this offence. The analysis not only presents the reasons and methods of highway robbery but also offers us the possibility to form our own opinion whether it was dangerous or safe to travel along the GDL roads.

²⁶ Dominikas Burba, “Plėšimo samprata XVIII amžiaus Vilniaus pavieto bajorų bylose: terminologijos, ryšių su kitais nusikaltimais ir erdvės klausimai”. *Istorija*, 2014, 95:3, 24–39; Dominikas Burba, “Informacija apie Kunigaikščių Oginskių giminę iš XVIII a. Vilniaus pavieto pilies ir žemės teismų knygų: (ekonominiai santykiai ir smurtiniai nusikaltimai)”. *Kunigaikščiai Oginskiai Lietuvos istorijoje: kultūrinės veiklos pėdsakais*, 2. Edited by Ramunė Šmigelskytė-Stukienė. Lietuvos istorijos instituto leidykla, Vilnius 2015, 208–227; Dominikas Burba, *Smurtiniai bajorų nusikaltimai ir bausmės XVIII a. Vilniaus paviete*. Lietuvos edukologijos universiteto leidykla, Vilnius 2016; Dominikas Burba, “Tiltai ir keltai kaip XVIII amžiaus Vilniaus pavieto bajorų teisinių ginčų objektai ir nusikaltimų erdvės”. *XVIII amžiaus studijos. Visuomenė. Kasdienybės istorija*, 4. Edited by Ramunė Šmigelskytė-Stukienė. Vilnius 2018, 299–318.

²⁷ Darius Vilimas, “Žemės teismo knygų, išlikusių Baltarusijos Nacionaliniame istorijos archyve Minske, apžvalga iki 1600 m. (žemės teismo knygos kaip šaltinis tiriant bajorijos istoriją)”. *Lietuvos istorijos metraštis. 2012 metai*, 1. Lietuvos istorijos instituto leidykla, Vilnius 2013, 165–176; Darius Vilimas, “Juridinė Žemaitijos teismų kultūra XVII a. pradžioje. Problemos formulavimas. Rankraštinių teismo knygų apžvalga (1600–1630)”. *Lituanistica* 2018, 64:2 (112), 99–109; Darius Vilimas, *Bajoras Lietuvos Didžiosios Kunigaikštystės žemės teisme (1566–1600)*. Lietuvos istorijos instituto leidykla, Vilnius 2019.

The genre of the research is source studies. It is based on sources that had the force of law – the three Statutes of Lithuania (1529, 1566, 1588)²⁸. All of them contain chapters that provided for the punishments for assaults and robberies on the roads as well as defined the forms of offences. Simultaneously, they offer a glimpse into the road law that existed in the GDL, the basic norms of which most probably had been derived from customary law.

Another category of sources utilized in the research was the material of court cases, which included complaints of the highway robbery victims, testimonies, court files, and sentences. A total of one hundred individual cases was selected and analysed for the purpose of this research; part of the documents was archival, others had been

²⁸ *Pirmasis Lietuvos Statutas (1529 m.)*. Edited by Irena Valikonytė, Stanislovas Lazutka and Evaradas Gudavičius. Vilnius 2001; *Pirmasis Lietuvos Statutas. Tekstas senąja baltarusių, lotynų ir senąja lenkų kalbomis*, 2 (1). Edited by Stanislovas Lazutka, Irena Valikonytė, Edvaedas Gudavičius etc., Mintis, Vilnius 1991; *Статут Вялікага княства Літоўскага 1566 года*. Редакцыйная калегія Таісія Іванаўна Доўнар, Уладзімір Мікалаевіч Сатолін, Язеп Аляксандравіч Юхо. ТЭСЭЙ, Мінск 2003; Ivanas Lappo, *1588 metų Lietuvos Statutas*, 2. Spindulio b-vės spaustuvė, Kaunas 1938.

published²⁹. Every effort was made to collect as much data as possible, but compared to the amount of the surviving documents, it is only natural for the time being to rely on a limited amount of information. The data on road robberies from the 16th and 17th centuries were collected randomly, all of them occurring in the territory of the GDL. Therefore, this paper is only a small step in this sphere of research. The sample of court matters representing cases of robbery is sufficient to identify general trends that would indicate the circumstances behind the highway robbery. The study also

²⁹ References to the sources utilized in the research: Manuscript Department of The Wroblewski Library of the Lithuanian Academy of Sciences F43-16928, l. 1; F43-16921, l. 1; F43-8579, l. 1; F43-16895, l. 1; F43-8993, l. 1; F43-6050, l. 1-2; F43-5996, l. 1-2; F43-17028, l. 1-2; F43-17268, l. 1-10; F256-2456, l. 1. Manuscripts Division of Vilnius University Library (hereafter – MD VUL) F4-(A2082)34574, l. 1; F4-(A3899)36667, l. 1; F4-(A3902)36718 l. 1; F4-(A3902)36729, l. 1; F52-56, l. 1; F5-B3-498, l. 1; F67-812, l. 1; F4-(A2083)34665, l. 1; F4-(A2091)35043, l. 1-2; F52-43, l. 1-2; F52-44, l. 1-2; F67-17, l. 1-2; F77-139, l. 1-3; F4-(A208)16415,16431, l. 1-4; F4-(A208)16371, 16372, 16374, 16376, l. 1-8. *Lietuvos Metrika (1528–1547). 6-oji Teismų bylų knyga*. Edited by Stanislovas Lazutka, Irena Valikonytė etc. Vilniaus universiteto leidykla, Vilnius 1995, 185–186; *Lietuvos Metrika (1554–1568). 35-oji Teismų bylų knyga*. Edited by Saulė Viskantaitė-Saviščeivenė and Irena Valikonytė. Vilniaus universiteto leidykla, Vilnius 2018, 63–64, 154–155, 160–161, 164–165, 180–181, 203–205, 217–219, 279, 316–318, 392, 427–434, 436–437; *Lietuvos Metrika (1559–1563). 40-oji Teismų bylų knyga*. Edited by Neringa Šlimienė and Irena Valikonytė. Vilniaus universiteto leidykla, Vilnius 2015, 46–47; *Lietuvos Metrika (1565–1566). 50-oji Teismų bylų knyga*. Edited by Lirija Steponavičienė and Irena Valikonytė. Vilniaus universiteto leidykla, Vilnius 2014, 87, 175–177, 189–190; *Lietuvos Metrika. Knyga Nr. 27 (1541–1542). Užrašymų knyga 27*. Edited by Irena Valikonytė, Tomas Čelkis and Lirija Steponavičienė. Vilniaus universiteto leidykla, Vilnius 2016, 32–33; *Lietuvos Metrika. Knyga Nr. 17 (1533–1536). Užrašymų knyga 17*. Edited by Laimontas Karalius and Darius Antanavičius. Lietuvos istorijos instituto leidykla, Vilnius 2015, 195; *Акты, издаваемые Виленской археографической комиссией. Т. 3. Акты Брестского гродского суда*. Вильна 1870, 11–12, 48–49, 52–53, 358–360; *Акты, издаваемые Виленской археографической комиссией. Т. 5. Акты Брестского и Гродненского гродских судов, с присовокуплением привилегий на землевладение в Брестской и Кобринской экономиях*. Вильна 1871, 3, 16–17. *Акты, издаваемые Виленской археографической комиссией. Т. 6. I. Акты Брестского гродского суда (поточные); II. Акты Брестского подкоморского суда; III. Акты Брестской магдебургии; IV. Акты Кобринской магдебургии; V. Акты Каменецкой магдебургии*. Вильна 1872, 52–53, 113–115; *Акты, издаваемые Виленской археографической комиссией. Т. 8. Акты Виленского гродского суда*. Вильна 1875, 498; *Акты, издаваемые Виленской археографической комиссией. Т. 12. Акты главного литовского трибунала*. Вильна 1883, 488–390; *Акты, издаваемые Виленской археографической комиссией. Т. 17. Акты Гродненского земского суда*. Вильна 1890, 139, 159, 181, 190–191, 201–202, 210, 309, 316, 345–346, 360, 384; *Акты, издаваемые Виленской археографической комиссией. Т. 20. Акты, относящиеся к г. Вильне*. Вильна 1893, 35–36, 122, 132, 145, 266, 314; *Акты, издаваемые Виленской комиссией для разбора древних актов. Т. 21. Акты Гродненского земского суда*. Вильна 1894, 180–181, 169, 215, 228–229, 297–298; *Акты, издаваемые Виленской комиссией для разбора древних актов. Т. 26. Акты Упитского гродского суда*. Вильна 1899, 27, 58–59, 67, 87, 131–132, 422; Vilimas 2019, 110–113, 116–117, 153–154, 185 (extracts from the original sources of court matters); Андрей Геннадьевич Шпилев 2013, 146.

draws on narrative sources – memoirs and journals of contemporaries describing the dangers awaiting on the road and encounters with robbers.

The paper contributes to the research of the European history of crime and robbery supplementing the rather ample array of studies with an analogous case of the GDL. It expands the knowledge of travelling conditions in the GDL encountered by the locals and foreigners crossing the country.

The Concept of the Highway Robbery in the Normative Sources of the GDL

In the Middle Ages, documents issued by monarchs attested to the permissions for foreigners and even locals to travel by land and water. This suggests not only of mobility restrictions but also of the efforts to ensure safety. According to historian Antonius Jacobus Leonardus van Hooff, in the 11th century England, under King William the Conqueror, all honest people could safely travel around his kingdom, but later, under King Stephen, the roads became unsafe and people were afraid of strangers and vagrants³⁰. Historian Sławomir Gawlas points out that in medieval Poland, similarly to other European countries, the king's road regalia was in force ensuring order and safety on the roads³¹. Its effects could also be felt in late medieval Lithuania. In 1253, the King of Lithuania Mindaugas granted the citizen of Riga the privilege of free travel in his country: *We therefore grant you the full and perpetual right to enter, remain, and return through all the lands and waters of our kingdom free of customs duty and any other taxes [...]*³². Almost a century later, a peace and trade treaty signed in 1338 by the Grand Duke of Lithuania Gediminas and the Master of the Teutonic Knights in Livonia provided for a territorial 'peace strip' where neither country's army could wage war or attack merchants crossing it on their way from Riga to Vilnius and back³³.

³⁰ Anton J. L. van Hooff, "Ancient Robbers: Reflections behind the Facts". *Ancient Society* 1988, 19, 107.

³¹ Sławomir Gawlas, *O kształt zjednoczonego Królestwa: niemieckie władztwo terytorialne a geneza społeczno-ustrojowej odrębności Polski*. DiG, Warszawa 2000, 19–21; also see Oliver Volckart, "No Utopia: Government without Territorial Monopoly in Medieval Central Europe". *Journal of Institutional and Theoretical Economics (JITE)*. *Zeitschrift für die gesamte Staatswissenschaft*, 2002, 158:2, 325–343; Stéphane Boisselier, "Introduction à un programme de recherches sur la territorialité: essai de réflexion globale et éléments d'analyse". *De l'espace aux territoires. La territorialité des processus sociaux et culturels au Moyen Âge. Actes de la table-ronde de 8-9 juin 2006, CESC (Poitiers)*. Edited by S. Boisselier. Brepols 2010, 5–85.

³² *Senās Latvijas vēstures avoti*. Edited by Arveds Švābe. Latvijas vēstures institūta apgādiens, Rīgā 1940, 2, 346.

³³ Tomas Čelkis, *Lietuvos Didžiosios Kunigaikštystės kelių evoliucija. Sausumos užvaldymas*. Vilniaus universiteto leidykla, Vilnius 2021, 65.

The power of the road regalia can also be detected in the legal acts of the GDL monarchs of the 15th–16th century³⁴. The land privilege issued by King Kazimieras Jogailaitis (Casimir IV Jagiellon) in 1447 and the subsequent First Statute of Lithuania (FSL) of 1529 stipulate that the nobility of the country were subject to a long-standing obligation of bridge and road construction and maintenance³⁵. The imposition of such obligations suggested that roads were considered public spaces under the exclusive right and control of the monarch. Such obligations constituted unremunerated work for the monarch or, in other words, for the state. It can be noted that crimes committed on the roads were punished more severely than similar crimes committed in the fields or woods. This rule applied in feudal law and was clearly observable in the Pomesanian Statute³⁶ drawn up in 1340 by the administration of the neighbouring Teutonic Order. It intertwined the norms of European feudal law, brought to Prussia by the Knights of the Order, with the norms of local Prussian customary law. The Statute contains a number of articles (No. 10, 41, 56, 75, 78, 95) which make assaulting a person on the road a double offence as separate punishments were foreseen for the injuries – ‘wounds’ – and for the ‘road’. The beating, maiming, or killing of a person was considered a crime against the person, whereas the location of the crime – the road – made it a separate offence against the monarch’s exclusive right of the road as a ‘public good’ which the monarch was supposed to ensure³⁷. The uniqueness of the location of the crime was evidenced by the fact that a similar offence committed not on the road was punishable only as an offence against the person. The Pomesanian Statute even described a specific case: if a person travelling along the road were to go into a roadside inn or another person’s house, stayed there and was killed while eating, drinking, or engaged in other activities, the court should treat the offence *as an ordinary murder* [...], rather than as a murder on the road³⁸.

Assaults on the roads were usually linked to robberies for profit. Under the Pomesanian Statute, the punishment for the highway robbery without bodily injuries was doubled, but a separate penalty for ‘road’ (location) no longer existed³⁹. Robbery without bloodshed was a relatively mitigating circumstance; however, the punishment

³⁴ Tomas Čelkis, “‘Valdovo keliai’ Lietuvos Didžiosios Kunigaikštystės teritorinės struktūros sandaroje XV–XVI amžiuje”. *Lietuvos Statutas ir Lietuvos Didžiosios Kunigaikštystės bajoriškoji visuomenė. Straipsnių rinkinys*. Edited by Irena Valikonytė and Lirija Steponavičienė. Vilniaus universiteto leidykla, Vilnius 2015, 247–259.

³⁵ *Zbiór praw litewskich od roku 1389 do roku 1529. Tudzież rozprawy sejmowe o tychże prawach od roku 1544 do roku 1563*. Edited by Tytus Działyński. Poznań 1841, 33; *Pirmasis Lietuvos Statutas. Tekstas senąja baltarusių, lotynų ir senąja lenkų kalbomis*, 1991, 84.

³⁶ Владимир Терентьевич Пашуто, *Помезания: “Помезанская правда” как исторический источник изучения общественного и политического строя Помезании XIII–XIV вв.* Издательство Академии Наук СССР, Москва 1955.

³⁷ *Ibid.*, 136–137.

³⁸ *Ibid.*, 148–149.

³⁹ *Ibid.*, 128–129.

for highway robbery was double if compared to robberies elsewhere. The uniqueness of the crime scene was taken into consideration.

The 16th century Statutes of Lithuania also singled out crimes committed on the road and while travelling. The FSL, which came into force in 1529, provided for the structure of the estate society in the GDL. As a result, punishments for persons representing different classes of society differed. Peasants were punished much harsher for the same crimes than noblemen. In general, the FSL focused on the nobility, their rights and freedoms.

Noblemen were frequently involved in criminal activities, including highway robberies and violence on the roads. Brutality was the order of the day at that time. The articles of the FSL provided for the cases which regulated crimes committed by noblemen on the roads by assaulting and robbing people. Article 21 of Chapter 7 of the FSL states: if a nobleman robs another nobleman on the road and the victim identifies the offender and shows his injuries in court and the court finds the offender guilty, the offender shall be *punished as a robber* (*яко розбойникъ; iako rozboijnik; ille ut praedo*)⁴⁰ – by death. Humiliating and dishonourable was not only the death penalty but also the equation of the nobleman to a robber – a man of the lowest social status. The contempt for the perpetrator most probably stemmed from the uniqueness of the crime as the assault, violence, and robbery on the road was a bareknuckle and public crime. This is evidenced by the comparison of the punishments listed in the FSL for similar crimes committed not on the road and not during a journey. The same Chapter 7 of the FSL contains a number of articles (No. 9, 19, 20, 23) which stipulate that if a nobleman injures another nobleman not on the road but in any other place, he is punished by a fine – no death penalty is imposed. For example, in Article 20, violence (attack) not on the road is defined as *simple violence between neighbours*⁴¹.

It should be noted, however, that crimes on the road, as defined by the FSL, are distinguished from the so-called *noblemen's road wrangle* – a form of offence when noblemen would get into a fight on the road and the weaker would suffer. Article 21 of Chapter 7 of the FSL states: if noblemen get wrangled on the road but there is no robbery and the guilt of the offending nobleman is proved in court, the injured nobleman must swear an oath in court, thus denying his guilt in initiation of the conflict, whereas the convicted offender must pay a fine for the injuries, but he does not lose his life. In other words, the fact that the violence was not motivated by the desire to assault, rob, and thus profit, but by other personal disagreements, serves as a mitigating circumstance.

Chapter 11 of the Second Statute of Lithuania⁴², which entered into force in 1566, lists similar legal norms and punishments for the abovementioned crimes as the FSL.

⁴⁰ *Pirmasis Lietuvos Statutas. Tekstas senaja baltarusių, lotynų ir senaja lenkų kalbomis*, 1991, 208–209.

⁴¹ *Pirmasis Lietuvos Statutas (1529 m.)*, 2001, 202.

⁴² *Статут Вялікага княства Літоўскага 1566 года*, 2003, 186–187.

Therefore, its content will not be discussed in detail here. Instead, it is worth taking a closer look at the Third Statute of Lithuania (TSL), which entered into force in 1588 and was in place until the end of the 18th century. Compared to the first two Statutes of Lithuania, the TSL is much more extensive in defining the particularity of road crimes. This might be due to the proliferation of the aforementioned types of crime and their more varied circumstances. The TSL repeats some of the norms, relating to robberies and other offences on the road, found in the earlier Statutes. For example, Article 30⁴³ of Chapter 11 describes a similar violent situation and states that if a nobleman assaults, beats, and robs another nobleman on the road, the victim has to show his injuries in court and swear that the accusations against the perpetrator are true. Meanwhile the court was under the obligation to determine the perpetrators reputation in society. This involved questioning other noblemen and if they confirmed his good reputation, the accused was allowed to swear an oath and thus defend himself against the charges. This was based on the feudal law, which essentially was aimed at palliating the accused nobleman's situation in the proceedings. Such legal exceptions hinder us from seeing the uniqueness and seriousness of crimes committed on the road, and can even be viewed as a kind of impunity. Undoubtedly, there were dishonest nobles who took advantage of the situation. This is illustrated by Article 31⁴⁴ of Chapter 11 of the TSL, which reads as follows: if a nobleman assaults and robs a person of humble origin on the road, and if such a nobleman is caught without any evidence, he can simply swear in court, together with his witnesses, that he has not committed the offence, and can be acquitted. And only if the same nobleman is accused of highway robbery for the fifth time (!), even if he is caught without evidence, will he be put to death as a robber after the oath of the plaintiff – the man of humble birth – and two noblemen-witnesses.

Despite the limitations of the feudal law, the TSL provided for strict punishments to noblemen who assaulted or robbed people from lower strata of society on the road. This required catching the nobleman red-handed. Article 31⁴⁵ of Chapter 11 of the TSL reads: in the case of a nobleman accused of robbing merchants or commoners on the road, if such a nobleman is caught with evidence but does not confess to the crime, the court conducts an inquiry, in which the proof of guilt or acquittal should be based on the greater number of witnesses and their testimony on one side, which would lead to victory. Thus, it seems that in such matters more or less equal conditions were provided for commoners to be at suit with the noblemen. In certain cases, when investigating violence or robbery on the road, the nobleman would be deprived of the social advantage otherwise granted by his background. Thus, if the court allowed a commoner to argue a case, it could mean his victory in the proceeding. Such a person

⁴³ Lappo 1938, 415.

⁴⁴ *Ibid.*, 415–417.

⁴⁵ *Ibid.*, 415–417.

would have to take the oath together with two other noblemen and four commoners. The nobleman, accused after the oath, was to be put to death. Or as per the FSL – *punished as a robber* – emphasizing his dishonour. Meanwhile, the damages were awarded from the offending nobleman's assets.

In other situations, when travelling noblemen were attacked and robbed or killed by the subjects of the GDL monarch (citizens of state-owned towns, the sovereign's peasants, servants, noblemen, or subordinates of his officials), according to Article 32⁴⁶ of Chapter 11 of the TSL, apart from some exceptions to feudal law for members of the nobility, they were all liable to the death penalty. Meanwhile, if a nobleman was attacked on the road by a group of commoners, they were all punished capitally if proven guilty⁴⁷.

Highway robbery and road violence were punishable by death. However, Article 17⁴⁸ of Chapter 11 of the TSL – *On killing or wounding by treacherous stealth* – adds the aggravating circumstance of treachery and lying in wait looking for the opportunity to ambush. The article reads: if a nobleman kills someone by night or day, without a random quarrel (wrangle) between the nobles, but in silence, treacherously, and secretly, or if a nobleman hiding by the road kills another nobleman from behind a bush, building, fence (etc.), and is proven guilty, he shall be subjected to the cruel capital punishments of quartering, impaling on the stake, and deprivation of honour, with a fine as an additional penalty. If the victim of the sneak attack is merely injured, the court shall impose death penalty and an additional fine. Meanwhile, if the crime is committed by a commoner who attacks a nobleman, the penalty in the case of murder shall be torture to death, and in case of injury – beheading. In cases when the offender was instigated by another person, he too was to be punished together with the perpetrator.

Normative sources suggest that assault and robbery on the road was considered a grave crime. Analysis of the Statutes of Lithuania revealed that this *locus delicti* – the road – was considered an exceptional and specific location. This is evidenced by the severity of penalties for this type of offences. Legal historian Grigory Demchenko, who analysed the concepts used in the 16th century Statutes of Lithuania to designate crimes, detected that crime was generally referred to by such terms as *кривда, обида, неправда*, which presupposed an offence against the interests of the victim in general⁴⁹. Whereas the concept *выступокъ*, in his opinion, denoted crimes that violated legal acts and statutes – the law of the GDL in general⁵⁰. Therefore, a crime

⁴⁶ Ibid., 417–818.

⁴⁷ Ibid., 423.

⁴⁸ Ibid., 402.

⁴⁹ Григорий Васильевич Демченко. *Наказание по Литовскому статуту в его трех редакциях (1529, 1566 и 1588 гг.)*. Ч. 1, Типография Императорского университета св. Владимира, Киев 1894, 6–9.

⁵⁰ Ibid., 8.

against the law was a crime against the monarch, who in the GDL actually was the source of law. Consequently, in the 16th century GDL law there were special terms which, in today's terminology, referred to a crime against the common good. Thus, when it comes to crimes committed on the road, it becomes obvious that the crime on the road was committed not only against the individual, but also against the common good – the sovereign's road regalia.

Highway Robbery: What Constituted the Crime

Historiography suggests that Europeans travelled extensively during the Middle Ages and the Early Modern period. Historian Luigi Monga⁵¹ writes that in southern and western Europe roads were swarming not only with natural travellers but also with wandering beggars, vagabonds, impostors, prowlers, monks, merchants, peddlers, craftsmen, doctors, troubadours and poets, teachers and students. Many of them lived on the roads until finally, in the 16th century, this motley crowd was urbanized and settled in towns. This must have led to the reduction in the number of travellers. However, the new sedentary way of life was counterbalanced by natural population growth and a more intensive life-style. New reasons for travelling emerged. For example, the concept of 'grand tour' came into existence with the representatives of the upper classes embarking on educational trips or pilgrimages; the number of inter-institutional networking trips also increased⁵². Western European universities were

⁵¹ Monga 1998, 6–7. Also see Jacques Le Goff, *La civilisation de l'Occident médiéval*. Arthaud, Paris 1964, 172.

⁵² See Jean Boutier, "Le grand tour: une pratique d'éducation des noblesses européennes (XVI^e–XVIII^e siècles)". *Le voyage à l'époque moderne. Bulletin de l'Association des Historiens modernistes des Universités* 27. Presses de l'Université de Paris-Sorbonne, Paris 2004, 7–21; Jean Boutier, "Le 'Grand Tour' des gentilshommes et les académies d'éducation pour la noblesse. France et Italie, XVIe-XVIIIe siècle". *Grand Tour. Adeliges Reisen und europäische Kultur von 14. bis zum 18. Jahrhundert*. Hrsg. Rainer Babel, Werner Paravicini. *Akten der internationalen Kolloquien in der Villa Vigoni 1999 und im Deutschen Historischen Institut Paris 2000, Beihefte der Francia*, 60, Ostfildern (Thorbecke), 2005, 237–253; Jean Boutier, "Le 'Grand Tour' des élites britanniques dans l'Europe des Lumières: la réinvention permanente des traditions". *Le Chemin, la Route, la Voie. Figures de l'imaginaire occidental à l'époque moderne*. Edited by Marie-Madeleine Martinet, Francis Conte, Annie Molinié and Jean-Marie Valentin. Presses de l'Université de Paris-Sorbonne, Paris 2005, 225–242.

frequented by guests from Eastern Europe, including the GDL⁵³. Whereas Eastern Europe was a popular destination among roamers and adventurers. For example, there was a German lad called Samuel Kiechel, who in 1586 visited Prussia, then travelled around the GDL and continued on to Riga⁵⁴.

It is likely that in Eastern Europe, similarly to the western part of the continent, rovers from all walks of life, who had previously lived on the roads, found their place in the emerging cities. In the GDL, the process of urbanization was most intense in the 16th–17th century⁵⁵. Historian Kamler⁵⁶, who researched banditry on the roads of Poland, wrote that the activities of professional highway robber gangs in the country was somewhat different compared to the situation in southern Europe. Here relatively small groups of robbers wandered around the area. Therefore, their activities were not stationary. Kamler concludes that the level of security on Polish roads may have been close to the Western European average. Travellers in Poland may have even felt more self-assured than elsewhere in Europe. However, it cannot be stated for sure that it was safer. Safety situation on the GDL roads might have been similar to that in the rest of Europe.

The intensity of people mobility in the GDL was certainly a factor determining the scope of highway crime. It must be assumed that due to lower population density people mobility in the GDL was less intense than in Western Europe⁵⁷. For example, the intensity of merchant movement in the country was evidenced in the 16th–17th century customs books, which recorded the arrival of merchants in the cities. They suggest that merchants were not swarming into the cities, their numbers ranging

⁵³ On educational trips from the GDL to Western Europe see Rinata Subotkevičienė, “Lietuvos Didžiosios Kunigaikštystės Katalikų dvasininkų studijos užsienio universitetuose: aukštojo mokslo pasirinkimo krypčių ir požiūrių kaitos tendencijos XIV a. pabaigoje – XVI a. 8 dešimtmetyje”. *Lietuvos istorijos metraštis. 2012 metai, 2*. Vilnius 2013, 5–21; Rinata Subotkevičienė, *Lietuvos Didžiosios Kunigaikštystės gyventojų edukacinės kelionės XIV a. pabaigoje – XVI a. 8-ajame dešimtmetyje*. Klaipėdos universiteto leidykla, Klaipėda 2015; Milda Kvizikevičiūtė, *Vakarų Europa XVI a. antrosios pusės – XVIII a. Lietuvos Didžiosios Kunigaikštystės kelionių raštijoje. Daktaro disertacija*. Vilniaus universitetas, Vilnius 2019, 33–43, 66–76.

⁵⁴ For more information see Генадзь Сагановіч, “Падарожныя запісы Самуэля Кіхэля пра Горадню й Вільню 1586 г.”. *Запісы Беларускага інстытуту навукі і мастацтва*. Нью-Ёрк-Менск 2009, 32, 85–92.

⁵⁵ See Stanisław Alexandrowicz, *Studia z dziejów miasteczek Wielkiego Księstwa Litewskiego*. Wydawnictwo Naukowe, Toruń 2011, 19–93.

⁵⁶ Kamler 1990, 59–60, 76.

⁵⁷ On the demographic dynamics in the GDL see Józef Morzy, *Kryzys demograficzny na Litwie i Białorusi: w II połowie XVII wieku*. Uniwersytet im. A. Mickiewicza, Poznań 1965, 87–156.

from a few dozen to a hundred per month⁵⁸. For security reasons merchant would often travel in groups, therefore on certain days there might have been an influx of merchants, whereas on other days no more than one or two would knock on the city gate.

It is interesting to note that, in contrast to the situation in Western Europe, beggars, vagrants, homeless people, and other socially troubled persons are hardly ever mentioned among the accused of highway robbery in the court files of the GDL. This is due to the specific character of the sources. Usually the defendants summoned to court were well-known to the victims, their place of residence was known. The perpetrators' financial situation and ability to pay the fine and damages to the victim were taken into consideration. Before filing the complaint and paying the court fee, pragmatic victims would think twice if the litigation would be of any benefit to them. Hence, it does not contradict the fact that professional robbers operated in the GDL. Apparently, outlaws were rarely formally brought to justice when caught, and most probably were dealt with in other ways – depending on the options available to the victim.

In most cases, the defendants were peasants who, under the feudal law, belonged to noblemen, i.e. had masters (serfdom had not been abolished in the GDL⁵⁹). They, similarly to the crime-prone noblemen, lived alongside other members of society. As they did not live by robbery, the vast majority of highway robberies were the result of chance or favourable circumstances, which they took advantage of. Only isolated cases featured peasants who were habitual robbers but this again did not mean that they were professionals. Such a case was heard at the Sovereign's Court in Vilnius on the 8th of January 1566⁶⁰. The elder of Lutsk Boguš Fedorovič Korecki filed a complaint against Olbrecht Laki and his wife Beata Kostelecka Ostrogiškienė, whose peasants and feudatory noblemen repeatedly resorted to violence and looted the manors of Krylov and Čerinic. It was alleged that the defendants' peasants had

⁵⁸ The visits of merchants recorded in the customs books, depending on the year, offer some idea of the intensity of the journeys of merchants coming to the GDL: MD VUL F4-(A2106)13159, l. 3-123 (Grodno Customs Book of 1600). MD VUL F4-(A1698)13155, l. 2-11 (Jurbarkas Customs Book of 1606). *Археографический сборник документов, относящихся к истории Северо-Западной Руси*. Т. 3, Вильно 1867, 289–322 (1583 г. мытная книга или реестр мыта нового, съ оценкою разных товаровъ, провозившихся через Брест в течение первой половины 1583 года, и обозначением количества пошлинь, взимавшихся за эти товары на Брестейской таможе (коморе)); *Археографический сборник документов, относящихся к истории Северо-Западной Руси*. Т. 4, Вильно 1867, 252–289 (1583 г. мытная книга (вторая) половина, Брест); *Акты, издаваемые Виленскою археографическою комиссиею. Т. 14. Инвентари имений XVI-го столетия*, Вильно 1887, 645–655 (1601 г. Отрывок из таможенной книги, в которой записывалась пошлина с товаров, провозимых на витинах в Королевец и из Королевца обратно).

⁵⁹ For more information on serfdom in the GDL see Juozas Jurginis, *Lietuvos valstiečių istorija (nuo seniausių laikų iki baudžiavos panaikinimo)*. Mokslas, Vilnius 1978, 27–150.

⁶⁰ *Lietuvos Metrika (1554–1568). 35-oji Teismų bylą knyga*, 2018, 427–434.

attacked and brutally beaten three subjects of Korecki from Klikijev, who were on their way to Izaslav volost (now Khmel'nitskyi region) to buy grain. On that occasion, they were travelling together with Trochim, his wife, and a small child. All of them were attacked on the highway, severely beaten, and the child was killed. The survivors were only found later. At about the same time forty more people carrying salt were attacked on the highway – 24 carriages with horses were taken away. Korecki also complained to the court that on that same highway that same gang headed by chieftain Jurka attacked Ostafi Moirenski travelling on horseback from Bratslav to Vinnitsa. He was stripped of the horse, his belongings, and money. The complaint goes on to say that this gang was operating continually and very actively, not only robbing on the road but also burgling houses and estates. Their rampage was persistent. However, the noblemen, whose property these people were, for some reason failed to control them, even though they knew about the problem. Probably they themselves were afraid of them.

Another interesting detail is that court documents rarely refer to criminals who commit highway robberies as *robbers*. Quite often they are designated as *acting in the robbers' manner*⁶¹. We can speculate that in the language of those times, which was very labile, the term *robber* (Lith. *plėšikas*, Rus. *разбойникъ*, Pol. *rozbojnik*, Lat. *praedo*⁶²) was used to denote outlaws. Although there are examples in court cases, where persons who have committed crimes other than robbery are also called *robbers*⁶³. So far, there have not been any attempts in historiography to separately investigate the most notorious professional robbers who operated in the GDL. In this case, the analysed sources also provide no specific data on such figures. Historian Vladimir Zacharov, however, writes that in the 17th century the Vilnius-Smolensk-Moscow highway was among the most dangerous as there were few settlements along it, up to five homesteads, and the road was surrounded by forests and swamps making it a perfect setting for the so-called *highwaymen* engaged in robbing travellers⁶⁴. As per the sources, only large and well-armed groups of people dared travelling along the highway. In 1611–1612, Prince Semen Šachovski, the diplomatic envoy, and his large convoy travelled along this road from Moscow. In his diary, he rejoiced that

⁶¹ See cases *Акты, издаваемые Виленскою комиссиею для разбора древних актов*. Т. 21, 1894, 228–229; *Акты, издаваемые Виленскою комиссиею для разбора древних актов*. Т. 26, 1899, 58–59.

⁶² *Pirmasis Lietuvos Statutas. Tekstas senąja baltarusių, lotynų ir senąja lenkų kalbomis*, 1991, 405; *Словарь Русского языка XI–XVII в.в.*, выпуск 4. Наука, Москва 1977, 113; *Словарь Русского языка XI–XVII в.в.*, выпуск 21. Наука, Москва 1995, 141.

⁶³ *Lietuvos Metrika (1540–1543). 12-oji Teismų bylų knyga*. Edited by Irena Valikonytė, Neringa Šlimienė, Saulė Viskantaitė-Savišėvienė and L. Steponavičienė. Lietuvos istorijos instituto leidykla, Vilnius 2007, 110, 209–212; Burba 2014, 33.

⁶⁴ *Pirmasis Lietuvos Statutas. Tekstas senąja baltarusių, lotynų ir senąja lenkų kalbomis*, 1991, 208–209; Владимир Ефимович Захаров 2017, 44–53, 65–71.

they all managed to work their way through this route unharmed⁶⁵. The *highwaymen* remain anonymous in sources – their names are not mentioned. This is only natural as their own survival and perdurance depended on that.

Accounts of those times suggest that real robbers were hiding in the forests of the GDL. Johann Georg Korb, the diplomatic envoy of Emperor Leopold I, who in 1698–1699 travelled from Prussia to Moscow through the GDL, wrote in his journal that on their way from Vilkaviškis to Kaunas his company had to cross a large forest stretching for ten miles where they decided to spend the night: *fearing of robbers' attack at night, we thought that the forest is very dangerous, so we made bonfires as close to the carriages as possible and appointed shifts of guardsmen*⁶⁶. Cautious envoys, who slept in the open air, were guarded by armed men.

Safety on the road was a natural requirement. Historian Raimonda Ragauskienė writes that in the 16th century GDL, the carriages of noblemen carrying documents were accompanied by a large entourage⁶⁷. According to Urszula Augustyniak, in the 17th century the travelling retinue of the Radvilas consisted of six carriages for the princes and their courtiers, five calashes for scribes, musicians, horsemen, kitchen servants, and nine waggons and carts for the family and belongings⁶⁸. Robbers rarely attacked large companies as it was beyond their capabilities.

Rumours of dangerous routes spread quickly, so merchants would opt for safer roads. As a result, towns and cities along the routes suffered economic losses. Prevention was therefore needed to the extent it was possible. The surviving sources suggest that this situation led to the nobility electing rittmeisters⁶⁹ at the Sejmik of Brest Voivodeship in 1693 and laying them under obligation to look after the main roads of the voivodeship due to the high level of thuggery, robbery, and outbreaks of violence between the travelling noblemen. Rittmeisters were assigned several roads where they had to catch criminals, bring them to court, or imprison⁷⁰. Similar preventive measures most likely existed in other voivodeships of the GDL as well.

⁶⁵ Кузьма Минин – Дмитрий Пожарский. Сборник. Составил Валерий Анатольевич Шамшурин, Москва 1997, 278.

⁶⁶ Иоганн Георг Корб, *Дневник путешествия в Московию (1698 и 1699 гг.)*. Перевод А. И. Малейна, Санкт-Петербург 1906, 23; also see Tomas Čelkis, "Kaip keliauta Lietuvos Didžiojoje Kunigaikštystėje XV–XVII a.?" *Liaudies kultūra* 4, 2015, 9.

⁶⁷ Raimonda Ragauskienė, *Dingę istorijoje. XVI a. Lietuvos Didžiosios Kunigaikštystės bajorų archyvai*. Lietuvos istorijos instituto leidykla, Vilnius 2015, 219.

⁶⁸ Urszula Augustyniak, *Dwór i klientela Krzysztofa Radziwiłła (1585-1640). Mechanizmy patronatu*. Wydawnictwo Naukowe Semper, Warszawa 2001, 306.

⁶⁹ *Акты, издаваемые Виленскою археографическою комиссиею*. Т. 3, 1870, 208–209.

⁷⁰ *Акты, издаваемые Виленскою археографическою комиссиею*. Т. 3, 1870, 208: *w trakcie Kamienieckim - wielmożnego imci pana Ludwika Pocięia - podkomorzego województwa Brzeskiego; w trakcie Brzeskim - imci pana Krzysztofa z Konopnice Grabowskiego - sędziego ziemskiego Brzeskiego; w trakcie Prużanskim - imci pana Reynalda Sadowskiego - podstolego Brzeskiego; w trakcie Kobryńskim - imci pana Stanisława Rusieckiego - kasztelanica Mińskiego.*

Unfortunately, sources provide little information on professional robbers in the GDL. People, who travelled in the country at that time, hint at there being real robbers that had to be watched out for. At the same time, the material of the court cases analysed for the purpose of the study suggests that it was mostly occasional robbers, not professionals, who were brought to court. The available documents show that most assaults and robberies on the roads were committed by the locals – the victims usually new the perpetrators personally or quickly identified them by asking around. On the other hand, it was not difficult as the offenders often fell victim to their own carelessness and short-sightedness. There were cases when the robbers would the very next day appear in public with the stolen goods. On the 17th of May 1541, the Land Court of Grodno⁷¹ heard that the sovereign's subject Petras Mikolaevičius accused another subject Pociėjus Stanevičius of taking away a bay horse from him on the road and then riding the same horse in the neighbourhood as if nothing had happened. Such fact also evidences the mentality of people of those times, which compared to ours, was very simple, vulgar and, according to historian Antoine Peillon, childish⁷².

Attackers – Robbers

Court records suggest that the vast majority of attacks on the roads were of local manner. Most frequently locals resorted to violence against other residents of the area. This is evidenced by the fact that the victims oftentimes knew the perpetrators or were able to quickly identify them. With the help of their friends, they would catch them and bring to court. This is also evidenced by the timing of the complaints, with victims going to court the day after the incident. For example, on the 4th of May 1589, Anna Kostiuškova Fursova, a noblewoman from Brest powiat (a unit of local government in Poland and in GDL, since the 16th century), lodged a complaint with the Castle Court against the highway robbers who attacked her peasants the day after the incident occurred (the incident took place on the 3rd of May)⁷³. There are a number of cases, however, when complaints were filed after a long period of time. On the 23rd of January 1565, in the Sovereign's Court in Vilnius, Mr Mykolas Tichnovičius Kozinskis accused nobleman of Trakai powiat Baltramiejus Juknavičius of a robbery on the road, which had taken place as early as the 23rd of June 1564⁷⁴. Similarly, in another case heard on the 25th of January 1583 Valentinas Seibutis complained to

⁷¹ *Акты, издаваемые Виленскою археологическою комиссиею*. Т. 17, 1890, 316.

⁷² Antoine Peillon, "Infantilisme et primitivité du Moyen Âge: A propos de quelques lieux communs d'une historiographie modern". *Médiévales*, No. 7, *Moyen Âge, Mode d'emploi*, 1984, 90–96.

⁷³ *Акты, издаваемые Виленскою археологическою комиссиею*. Т. 6, 1872, 52–53.

⁷⁴ *Lietuvos Metrika (1565–1566). 50-oji Teismų bylų knyga*, 2014, 87.

the Kaunas Land Court against Motiejus Verševičius for robbing him on the 24th of April 1582 at the Nemunas ferry crossing near Kaunas⁷⁵.

Court case material suggests that those who travelled individually were quite often attacked by one or more robbers (about a third of the investigated cases). Much more frequently attacks were carried out by small groups consisting of 5 to 10 individuals (about half of all the cases). However, it is difficult to accurately quantify the number of attackers as court documents usually only refer to the main organisers and leaders of the group, while other members are often mentioned as *co-perpetrators* or *facilitators*, without indicating their exact number⁷⁶. The number of attacking groups usually depended on the size of the travelling party. There were cases when the criminal associations were very large. On the 17th of March 1562, nobleman Vaitiekus Rutkovskis stood accused at the Sovereign's Court by the peasants of Zadobrichi village at the castle of Svislach⁷⁷. It turned out that in November 1561, he together with his peasants, who, predictably, numbered several dozen, on the road by the bridge over the Usa River, attacked and robbed 50 peasants from the village of Zadobrichi transporting 180 wagonloads of hay. As part of the preparation for the attack, the bridge over the river was deliberately destroyed, thus making it easier to handle the peasants all of whom were beaten and four kidnapped.

Highway robbery was the business of physically strong men. However, there were cases when assaults and robberies on the road were committed by members of one family – husband, wife or daughter – and their accomplices. On the 14th of August 1642, Feliksas Martynaitis Krupaitis, a nobleman of Lida powiat complained of Kristupas Krupovičius and his daughter Vilbikienė that they had allegedly assaulted, beaten, and robbed his wife and daughter, who were on their way home from the fields, and had taken away a wagonload of grain⁷⁸. On the 19th of June 1662, another nobleman of Lida powiat Ščasnas Stanislovaitis Daškevičius filed a complaint with the Castle Court against the spouses Juozapas Jurkevičius Vilbikas and Zofija Zapasnikovna for attacking his wife Kristina Zapasnikovna, returning home from the fields along the Rodunia highway, stoning her, and leaving injured⁷⁹.

What was high robbers' social background? First, it should be noted that the general context of the sources suggests that the vast majority of them were village dwellers. Highway robbery was dominated by peasants who took the opportunity whenever it arose. Fewer noblemen were involved in the business (about one third of the hundred analysed cases). Not only did they engage in attacks and robberies on the roads themselves, but also inveigled their peasants, who, apparently having

⁷⁵ Vilimas 2019, 117 (extract from the primary source).

⁷⁶ For example, see *Акты, издаваемые Виленскою археографическою комиссиею*. Т. 17, 1890, 201–202.

⁷⁷ *Lietuvos Metrika. 35-oji Teismų bylų knyga*, 2018, 217–219.

⁷⁸ MD VUL 52-43, l. 1–2.

⁷⁹ MD VUL F52-56, l. 1.

no other choice, or seeking to please their master, participated in such activities. There is little evidence in the sources of similar crimes committed by townspeople, with only two out of one hundred analysed cases of road robbery⁸⁰. It should also be noted, however, that, in addition to the people involved in highway crime, there were also professional robbers who rarely made it to the courts therefore were not mentioned in the researched sources. The fact that there are no references to them in the court material does not deny their engagement in the criminal activity. It is just that they lived in a different legal world, as outlaws, and given the law enforcement capabilities of those times, people dealt with them as best they could.

Attack Victims

The GDL society was rural and the lifestyle people were leading was rather secluded. As it has already been mentioned, criminals and their victims usually came from the same neighbourhoods. However, there also were foreigners and people from remote areas of the country. Historian Henryk Samsonowicz, who researched the mobility of Poland's population, pointed out that society in the Early Modern period was mobile for economic or administrative reasons⁸¹. According to him, the Polish nobility could travel up to 600 km (20 days' travel) in a single journey, the gentry up to 1 000 km (33 days' travel), townspeople 150–600 km (5–20 days' travel); peasants' trips, however, were shorter – up to 120 km (4 days' travel). Naturally, well-travelled people were a minority. Similar estimations can be made regarding the distances covered by the inhabitants of the GDL. As evidenced by the sources, there were cases when the GDL locals attacked travellers from afar. The latter mostly were merchants and noblemen's trustees travelling to distant cities. For example, in April 1564, Pavel Maruševski, Mr Michail Miška Varkovski's agent, was robbed on the highway on his way back to the GDL (Astravyets?) from the Lublin market with the purchased goods⁸². A more peculiar case was heard at the Samogitian Land Court on the 21st of June 1589: in the course of the litigation two Samogitian noblemen got so excited that one of them spilled the beans about killing two German merchants, embezzling

⁸⁰ See *Акты, издаваемые Виленскою археографическою комиссиею*. Т. 5, 1871, 16–17. *Акты, издаваемые Виленскою археографическою комиссиею*. Т. 20, 1893, 314.

⁸¹ Henryk Samsonowicz, "Horyzonty przestrzenne różnych grup społecznych w Polsce XVI wieku". *Odrodzenie i reformacja w Polsce*, 1990, 25, 69–75.

⁸² *Lietuvos Metrika. 35-oji Teismų bylą knyga*, 2018, 316–318.

their belongings, and burying the bodies in a field near Kirdiškiai manor⁸³. However, the main and daily targets of highway robbers were local people for various reasons travelling around the area or powiat.

The vast majority of victims were travelling alone or in pairs. Malefactors had no difficulties dealing with them. Highway robbers usually operated in small groups, so attacks on large companies of travellers were avoided. For example, Teodoras Jevlašauskis, a court official of the GDL, wrote in his memoirs that in March 1586 he travelled from Vilnius to Kaunas and stayed overnight at a tavern in Rykantai (now Vilnius district). There he barely escaped being killed by robbers – was saved by an unexpected arrival of a company of Vilnius merchants who scared the malefactors away⁸⁴. However, there were occasions on which a gang of robbers was brave enough to attack a group of some fifty travelling peasants⁸⁵.

Most victims were young and mature men. Older people were rarely assaulted⁸⁶. There were few cases of attacks on women and children. Women most often fell victims to highway robbers when travelling with their husbands. In 1541, sovereign's subject Milek Jankavič testified at the Grodno Land Court that on his way home from Krynki market he was attacked by nobleman Stank Rodkevič who beat him, his wife, and mother-in-law – the latter was so badly injured that had not recovered to that day⁸⁷. Another example could be the complaint heard at the Brest Castle Court in 1625 against the Kobrin royal peasants who attacked on the road and severely beat the peasants of Podlisia village and their wives, with the women being particularly badly injured, showing the wozny their wounds and tufts of pulled out hair⁸⁸. A more peculiar case was heard in 1662 at the Lida Powiat Court where nobleman Ščasnas Stanislpvaitis Daškevičius lodged a complaint against the spouses Juozapas Jurkevičius Vilbikas and Zofija Zapasnikovna for attacking his wife Kristina Zapasnikovna returning home from the fields along the Rodunia highway, stoning

⁸³ Vilimas 2019, 110 (extract from the primary source); for more information on the robberies of merchants also see *Метрыка Вялікага Княства Літоўскага (1522–1552). Кніга запісаў 28 (копія канца XVI ст.)*. Папрыхт. Валера Мянжынскі, Уладзімір Свяжынскі. Athenæum, Мінск 2000, 134; *Lietuvos Metrika (1427–1506). Užrašymų knyga Nr. 5*. Edited by Algirdas Baliulis, Artūras Dubonis and Darius Antanavičius. Lietuvos istorijos instituto leidykla, Vilnius 2012, 338–339; *Lietuvos Metrika (1505–1539). Užrašymų knyga Nr. 7*. Edited by Inga Ilarienė, Laimontas Karalius and Darius Antanavičius. Lietuvos istorijos instituto lydykla, Vilnius 2011, 204–205; Андрей Геннадьевич Шпилев 2013, 146.

⁸⁴ Teodoras Jevlašauskis, *Atsiminimai*. Edited by Darius Vilimas. Lietuvių literatūros ir tautosakos institutas, Vilnius 1998, 52.

⁸⁵ For more information see *Lietuvos Metrika. 35-oji Teismų bylų knyga*, 2018, 217–219; *Акты, издаваемые Виленскою археографическою комиссиею*. Т. 6, 1872, 113–115.

⁸⁶ For example, *Акты, издаваемые Виленскою археографическою комиссиею*. Т. 12, 1883, 488–390.

⁸⁷ *Акты, издаваемые Виленскою археографическою комиссиею*. Т. 17, 1890, 360.

⁸⁸ *Акты, издаваемые Виленскою археографическою комиссиею*. Т. 6, 1872, 113–115.

her, and leaving severely injured to lie beside the highway⁸⁹. Sometimes attacks on the roads were particularly brutal with children being killed. In 1566, the elder of Lutsk Boguš Fedorovič Korecki filed a complaint with the Sovereign's Court in Vilnius against Olbrecht Lakij and his wife Beata, whose peasants and feudatory noblemen repeatedly resorted to violence and looted the manors of Krylov and Čerinic and on one occasion attacked and brutally beat three subjects of the claimant from Klikijev, killing the child who travelled with them⁹⁰. The survivors were later found by people travelling along the same road.

The analysed sources suggest that people of all social strata could fall victim to highway robbers. However, the most frequent targets were noblemen as they usually carried valuable items that could be appropriated. Peasants transporting their nobleman's valuables, agricultural products, or going to work at their master's behest and thus carrying expensive tools and implements or simply travelling in a horse driven cart were less often attacked. Documents evidence even fewer cases of townspeople⁹¹ and merchants⁹² being assaulted on the roads. For safety reasons merchants would normally travel in companies because highway robbers in the GDL, as it has already been mentioned, usually operated in small groups. Even less frequent were attacks on clergymen. Even though those people were well-to-do, they seldom travelled alone. It is to be assumed that it required more resolve and courage from the attacker to assault a clergyman due to the latter's peculiar status. Only four such cases were evidenced in the analysed sources. In 1577, Avram Vasiljevič Nepokojčicki, a Brest nobleman, filed a complaint with the Brest Land Court against another nobleman Rafal Lenkovič Nepokojčicki stating that on the highway by the Nepokojčicki estate he, together with his accomplices, allegedly attacked, beat up, and injured Orthodox priest Demjan Semenovič, who had just left the Orthodox church and was walking towards his cattle. Nobleman A. V. Nepokojčicki saved Semenovič from more serious injuries as, upon hearing the screams, he summoned several of his peasants and ran to the clergyman's rescue⁹³. Judging by the fact that the attackers did not attempt to rob the priest, only beat him, it could have been a case of revenge. Another example is less sophisticated: in 1585, highway robbers attacked Matej Klodinski, a canon and archdeacon of Samogitia and Krekenava, travelling along the Krekenava-Liaudai highway on his way home from the Krekenava market and took away his horse and cart with a barrel of barley, a half-barrel of peas, two

⁸⁹ MD VUL F52-56, l. 1.

⁹⁰ *Lietuvos Metrika (1554–1568). 35-oji Teismų bylų knyga*, 2018, 427–434.

⁹¹ *Lietuvos Metrika (1554–1568). 35-oji Teismų bylų knyga*, 2018, 392; *Акты, издаваемые Виленскою археографическою комиссиею*. Т. 17, 1890, 384; MD VUL F4-(A3902)36718, l. 1; *Акты, издаваемые Виленскою археографическою комиссиею*. Т. 6, 1872, 52–53.

⁹² For attacks on merchants see Андрей Геннадьевич Шпилев 2013, 146.

⁹³ *Акты, издаваемые Виленскою археографическою комиссиею*. Т. 3, 1870, 11–12.

poods of salt, and some fabrics⁹⁴. Two other cases from the 1640s show that Orthodox clergymen were most often attacked seeking revenge and reprisals⁹⁵.

Although the number of court cases and complaints reviewed was quite substantial, they did not include a single case where foreigners (other than merchants) had been injured on the roads. This is probably due to the relatively small numbers of such people travelling along the GDL highways and the high status of those who travelled, including diplomats and wealthy merchants, who were usually accompanied by large parties and guards. They were also often in possession of what were known as ‘travel letters’, issued by the ruler of the country they were visiting. Such letters would grant the foreigner both exceptional security and provision during the journey.

Reasons Behind the Attacks on the Road

When studying the terminology of the 16th century Lithuanian Statutes, legal historian Demchenko divided crimes into two categories, based on the special terms used in the Statutes⁹⁶. He classified attacks on the road according to the intent – whether it was intended to rob or injure a person. In this case, the analysed court material suggests of similar reasons for road attacks. The most common reason was to make a profit and to rob people of the belongings they were carrying with them. Such attacks could have been spontaneous or pre-planned. Preparation of the perpetrators was subject to the sophistication of the crime.

It seems that most attacks on the road were spontaneous and determined by the situation. Those planning an attack would first of all assess the people met on the road: whether their belongings were worth the risk and whether it would be possible to physically challenge the potential victims. Naturally, mostly weak, elderly or, in exceptional cases, old people were assaulted. However, there were examples of attacks on pedestrians who carried large sums of money. In 1635, Kazimieras Kulbaka, a fisherman from Vilnius, was attacked and killed in broad daylight at the bridge over the Vilnelė River when walking from Antakalnis – twelve kopas of groschen were stolen from him⁹⁷.

In the vast majority of cases, victims of the assaults were walking or riding on horseback alone or in pairs. Seeing a person travelling in a cart or carriage the perpetrators assumed that valuable items or goods were being carried and that lured the robbers even more. Horses usually were a desired loot. Offenders often targeted those who on market days would visit a roadside tavern to have a drink or two. Potential attackers would spot intoxicated people in taverns, catch up with them on

⁹⁴ *Акты, издаваемые Виленскою комиссиею для разбора древних актов*. Т. 26, 1899, 131–132.

⁹⁵ *Акты, издаваемые Виленскою археографическою комиссиею*. Т. 3, 1870, 48–49, 52–53.

⁹⁶ Григорий Васильевич Демченко 1894, 6–9.

⁹⁷ *Акты, издаваемые Виленскою археографическою комиссиею*. Т. 20, 1893, 314.

the road, and rob them. Although sources suggest of only a couple of such cases, it is obvious that incidents of this type did occur. For instance, in the Grondo Land Court's case of the 5th of October 1540 it was stated that the sovereign's subject Jonas Kukulavičius caught up on the road with the sovereign's subject Mykolas Jankavičius, blocked the way, got into his cart, and started picking his pockets. Upon finding a pouch with forty groschen, the attacker started beating his victim and only when the latter started shouting, people from around the place came to his rescue⁹⁸. On another occasion, in 1557, nobleman Laurynas Žukovskis sent his man Pavlas Butkevičius to Vilnius, to take necessary items for the military service in the Livonian War. On his way, Butkevičius stopped at an inn where some Grigalius Astikas took away his shipment and horses⁹⁹. A more interesting case was heard on the 30th of May 1592 at the Kaunas Land Court where Grigas Jonaitis testified that two days before the hearing, on a market day, he was drinking beer in a tavern in the town of Upininkai when Adomas Kazlovskis' son Mikalojus came in and, most probably being under the influence, tongue-lashed him, grabbed him by the hair, and beat with a stick. When Grigas was on his way home, Mikalojus caught up with him, pulled out his sword, beat him up again, injured, and took away his fox fur hat, which cost twelve groschen¹⁰⁰.

There had been situations when a traveller did not even have to stop at a roadside inn, it was sufficient to pass one by at the wrong time. In 1565, the Slonim Land Court heard a case in which two people travelling at night on horseback were attacked and robbed by intoxicated individuals that had just come out of a roadside inn¹⁰¹. In some cases, a drunk traveller, having acquired immoderate bravado, would start a conversation with strangers and then, word by word, it would evolve into a fistfight leading to the enraged offenders taking away his valuable belongings. This is exactly what happened on the 23 June 1621, when Mr Krištop Biruba Slavenski, a nobleman from Brest voivodeship, was travelling under the influence along the Pruzhany–Shershev highway on Saint John's Eve and near the Starovole Orthodox Church spoke to Zemanas Orla Abramovičius and other Jews from Shershev. The Jews, seeing that the wealthy gentleman was drunk, grabbed up clubs, beat him up, and took away his seven-auksinas-worth sword¹⁰². A ridiculous situation was described in Duke Simonas Ivanovičius Glinskis' complaint to the court filed in 1541¹⁰³. According to the Duke, his servant Taras was supposed to bring him ten

⁹⁸ *Акты, издаваемые Виленскою археографическою комиссиею*. Т. 17, 1890, 181.

⁹⁹ *Lietuvos Metrika (1554–1568). 35-oji Teismų bylų knyga*, 2018, 63–64.

¹⁰⁰ Vilimas 2019, 113 (extract from the primary source).

¹⁰¹ *Акты, издаваемые Виленскою комиссиею для разбора древних актов*. Т. 22, *Акты Слонимского земского суда*. Вильна 1895, 169; also see *Lietuvos Metrika. Knyga Nr. 27 (1541–1542). Užrašymų knyga 27*, 2016, 32–33.

¹⁰² *Акты, издаваемые Виленскою археографическою комиссиею*. Т. 5, 1871, 16–17.

¹⁰³ *Lietuvos Metrika (1528–1547). 6-oji Teismų bylų knyga*, 1995, 185–186.

kopas of groschen, which disappeared after an assault on the road. The defendants Fiodor and Bogdan Vislouch, however, presented a different version of events. They maintained that they, together with their friends, were going across the fields and carrying nets for hare hunting. They spread the nets in the fields and left B. Vislouch to look after them. Soon afterwards came the aforementioned Taras, so drunk that he was barely holding in his saddle. He fell into the nets and tore them up. The court heard that B. Vislouch asked him – “Why did you fall into the nets?” Taras, who was heavily drunk, started shouting and swearing at him. Other hunters heard the noise, came running, and gave Taras a bit of a hard time. However, they assured the court that they had not taken the money. Most likely Taras had lost the money or maybe left it in the tavern and was trying to accuse others of stealing it.

If the attack was pre-planned, with knowledge of the transfer of valuable goods and items, the raid was swift. In such cases, the perpetrators would know the route and timing of their potential victims. The abundance of loot is another indicator of pre-planned activity. A crime of this type was committed in 1566 and the related case was heard at the Slonim Land Court¹⁰⁴ where noblewoman Nastasija Ivanova Meleškova, Mrs Nastasija Vasilevna Tiškoviča, and their coachman filed a complaint against clerk Abramov Danilevič Meleška, Stanislav Roguvski, and their friends. The claimants alleged that on Friday, after sunset, in Slonim powiat, coachman Stanislav Buino was travelling from Deviatkovič to Busez (*з Десятковичь до Бусези*) carrying two chests of cash and expensive ladies’ clothes as well as pearls, thus the booty was huge.

Revenge and road rage was a separate motive for attacks on the road, with just a couple of such cases (four out of a hundred) found so far. This was convenient for the attackers as due to the unexpectedness the victim was usually unable to quickly assess the situation and properly resist. Besides, people attacked on the road were far from home and it was difficult for them to get help, unless there were other travellers on the road who would come to their rescue. Court materials pertaining to revenge attacks on the road suggest that such assaults usually lacked the element of robbery, as the victims’ valuables remained untouched. The motive of revenge became obvious from the fact that the assaulted person was not only beaten but also insulted and threatened. Moreover, the attackers made no attempts to hide, but rather demonstrated their impunity, thus intimidating the victim. For example, in the complaint filed with the elder of Drohiczyń in 1532 it was stated that the citizens of Drohiczyń Feliksas and Mikalojus Prigotskis had been wronged by nobleman Baltramiejus Poniatovskis¹⁰⁵. The latter was alleged to have violated the boundaries of their land holdings, thus sparking the conflict. Moreover, the conflict escalated to the point that Baltramiejus Poniatovskis, probably in a fit of rage, attacked the third brother of the claimants

¹⁰⁴ *Акты, издаваемые Виленскою комиссиею для разбора древних актов*. Т. 22, 1895, 297–298.

¹⁰⁵ *Lietuvos Metrika. Knyga Nr. 17 (1533–1536). Užrašymų knyga 17*, 2015, 195.

Stanislovas, travelling along a highway, and beat him to death. On another occasion, in 1598, at Vilnius Castle Court Mr Stanilavas Zavadskis complained of his brother-in-law Daniel Grygorjevič Turovič and nobleman Martinas Janovič Kijutia, who on the 28th of October allegedly attacked him on Nemėžis highway near Guriai (Vilnius powiat)¹⁰⁶. The claimant was on his way home, travelling from Vilnius to Nemėžis, and at Guriai, where there was a stone pillar by the road, the two perpetrators and their accomplices stood in his way and without any reason started beating the victim with swords and mocking at him, injured him and stole a bag with case documents and two stamped letters of the Vilnius Land Court. Moreover, they tied him up, threw him in their cart, and took to Rudamina where he finally was released. Although neither side confessed in court, it is very likely that the claimant may have been abused by those who wished to get square with him.

The Scene of Crime

Court material on assaults and robberies on the road reveals the specific locations of crimes that the perpetrators would choose for their activities. Article 17 of Chapter 11 of the Third Statute of Lithuania of 1588¹⁰⁷ provides for an aggravating circumstance of robbery: sneaking and lurking to ambush, hiding behind a bush, building, or fence. These were the characteristics of professional robbery. Indeed, some cases mention that the assault was carried out in the *robbers' manner*¹⁰⁸. However, on the GDL roads spontaneous attacks and robberies prevailed. Whereas organised gangs operating on a regular basis, as in Western or Southern Europe, were few. The risk of being attacked on some GDL roads was higher than on others. For example, Kamler states that the road leading from Poland to the capital of the GDL Vilnius was not particularly safe¹⁰⁹.

Roads winding through sparsely populated areas, large forests, and swamps were less safe. Such geographic zones were characteristic of the eastern and southern parts of the GDL. There the laws were less strictly enforced, thus opening more opportunities for criminal activity. Travellers' diaries from the 16th and 17th

¹⁰⁶ *Акты, издаваемые Виленскою археологическою комиссиею*. Т. 20, 1893, 145.

¹⁰⁷ Lappo 1938, 402.

¹⁰⁸ For example, *Акты, издаваемые Виленскою комиссиею для разбора древних актов*. Т. 21, 1894, 228–229.

¹⁰⁹ Kamler 1990, 76.

centuries suggest that the road from Vilnius to Moscow was winding through forests and swamps¹¹⁰. It was swarming with robbers, the so-called *highwaymen*¹¹¹.

Sources offer more data on assaults and robberies in the urbanized territories of the GDL. The criminals, however, would choose more secluded sections of roads, away from the public eye. In February 1585, on the evening of the market day, nobleman Grigas Lengvenaitis was travelling along the Pasvalys-Naumestis highway when near the village of Načiagala he was attacked by Mr Jusis Paškavičius' peasants, who 'in the robbers' manner', beat him to death, tossed his body away, and took his cauldron and money¹¹².

On other occasions, criminals would attack travellers at or on bridges and river crossings¹¹³. Ten such cases were detected in the analysed sources. It was convenient for the offenders to hide under bridges, lurk, and attack unprepared travellers. One of such episodes was recorded in a complaint, filed with the Grodno Land Court in 1540, stating that on their way home from Grodno, on the bridge across the Nemunas, the sovereign's subjects Pankrat Steckovič and Prokopov ran into the sovereign's Tartar Mustafa Miskevič and his accomplices who attacked them, beat them up, dumped and damaged two groschens' worth of salt that was in the cart, and tore up Prokopov's hat¹¹⁴.

Part of the attacks were carried out on the outskirts of cities. This is most probably due to the fact that more well-off people could be met there either going to markets or, in other cases, returning from a day's work to the nearby areas and carrying valuable things with them.

Timing of Highway Robberies

The timing of crimes can be divided into several periods. This activity was heavily dependent on seasonality. Although we lack detailed studies on the intensity of travelling of the GDL population, it would be logical to assume that it was subject to the daily schedule of the representatives of certain strata of the country's society. The GDL was an agrarian country, so the schedule of farm work was relevant to farmers and merchants who purchased their produce¹¹⁵. From early spring to late

¹¹⁰ Сигизмунд Герберштейн, *Записки о Московии*. Издательство Московского университета 1988, 234–238; *Poselstwo polsko – litewskie do Moskwy w roku 1678 szczęśliwie przedsięwzięte, opisane przez naocznego świadka Bernaeda Tannera*. Opracował Aleksander Strojny, Towarzystwo Wydawnicze "Historia Iagellonica", Kraków 2002, 147–160.

¹¹¹ Владимир Ефимович Захаров 2017, 44–53, 65–71.

¹¹² *Акты, издаваемые Виленскою комиссиею для разбора древних актов*. Т. 26, 1899, 58–59.

¹¹³ For more information see Vilimas 2019, 117; Burba 2018, 299–318.

¹¹⁴ *Акты, издаваемые Виленскою археографическою комиссиею*. Т. 17, 1890, 139.

¹¹⁵ For more information see Арон Гуревич, *Категории средневековой культуры*. Искусство, Москва 1984, 103–168.

autumn, there was a lot of farm work. People would constantly travel from their homes to the fields, estates, and markets to buy and sell agricultural produce and goods¹¹⁶. For example, the Customs Book of the City of Grodno of 1600 suggests that merchants would mostly visit Grodno from mid-spring to late autumn¹¹⁷. Thus, it is obvious that trading time matched the cycles of the agrarian calendar. Therefore, it would be logical to conclude that in the periods when more people were travelling the numbers of robberies were higher. Based on the sources, fewest robberies were committed in the cold season (November to March) – approximately 30 cases (out of a 100 investigated).

The ‘worst’ day of the week, with the highest number of robberies and cases of road violence, was Saturday¹¹⁸, or the weekend, speaking more generally. This may be linked with trading and market days when people would travel to towns and cities. Even the Vok Agricultural Reform Regulations issued in 1557 encouraged people to take meat to towns for sale on market days¹¹⁹. When going to the markets or elsewhere people would normally carry valuable items and cash with them. On the 25th of May 1557, noblemen Selivon Ivanovič and Aleksej Jacutič complained to the Grodno Land Court that on the market day they were returning home from Grodno and as they approached the village of Zmejev, they caught up with peasant Jan and others travelling on foot who attacked them in the robbers’ manner¹²⁰. Nobleman Jacutič was injured and robbed of his horse and cart, coat, hat, and a cauldron with ten groschen. Another nobleman, Ivanovič, tried to flee but was caught, beaten, injured, and robbed. The latter lost ten kopas of groschen, his coat, hat, and some other belongings.

On another occasion, in the Kaunas Land Court, noblewoman Dorota Drozdovskaja also testified that on the 24th of April 1582, she sent her representative Mikalojus Pagaikštis from Lapės manor to Kaunas market to sell a cow, two barrels of cereal, and tablecloths. Having sold his goods, Mikalojus was on his way home along the Kaunas-Kėdainiai highway when at the Neris River crossing, near Saulėkalis, he

¹¹⁶ For more information see Jolanta Skurdauskienė, “Privatūs valdų kompleksai ir susisiekimas. Dar vienas atvykusių bajorų evangelikų, bažnyčių fundatorių, žemėvaldos formavimo aspektas Žemaitijoje XVI a. antrojoje pusėje–XVII a. pradžioje”. *Acta Historica Universitatis Klaipedensis*, 2013, 27, 118–139; Владимир Иванович Пичета, *Аграрная реформа Сигизмунда-Августа в Литовско-Русском государстве*. Ч. 1-2. Издательство Академии наук СССР, Москва 1958, 57–82.

¹¹⁷ Incoming merchants were registered in the Customs Book of the City of Grodno of 1600, in: MD VUL F4-(A2106)13159, l. 3-123; also see footnote 58 to this article listing the customs books of other GDL cities.

¹¹⁸ Examples: *Акты, издаваемые Виленскою археографическою комиссиею*. Т. 17, 1890, 190–191; *Акты, издаваемые Виленскою комиссиею для разбора древних актов*. Т. 22, 1895, 169.

¹¹⁹ *Русская историческая библиотека*. Т. 30. *Литовская метрика. Отделы 1-2. Часть 3. Книги публичных дел*. Т. 1, Юрьев 1914, 549–550.

¹²⁰ *Акты, издаваемые Виленскою комиссиею для разбора древних актов*. Т. 21, 1894, 228–229.

was confronted by some Motiejus, who beat him up, took away his horse, horse-collar, and cart with eight ells of home-made cloth, money from the sales, and his personal twenty groschen¹²¹.

Most crimes on the road were committed in broad daylight. In the analysed sources, there is hardly a mention of road robberies committed at night. The only exceptions were attacks in the late evening, after the sunset or at dusk (4 cases). On the 5th of February 1585, at the Upytė Castle Court, nobleman Grigas Lengvenaitis claimed that he had been attacked on the Naumestis-Pasvalys highway, in Upytė powiat, after sunset¹²².

It is hard to tell why there were so few attacks on the road at night. The most plausible explanation might be that it was inconvenient to travel at night, in the dark, as the main means of transport of that time – carts and carriages – had no headlights so there was risk of slipping off the road, tipping over the cart, or even injuring the horse or yourself. A similar situation was heard in 1540 at the Grodno Land Court¹²³. Senka Pavlovič, a peasant from Labensk, testified that another peasant, Ofan Ivaškovič, and his companions were travelling at night and in the dark wandered off the road into his rye field where they drove in circles until finally arrived at his yard. Pavlovič stopped them there and a fight broke out. Upon hearing the commotion, Pavlovič's neighbours came running to help him and chased away the uninvited guests, who, led by Ivaškovič, fled leaving behind their carts and horses. Later, however, Ivaškovič himself went to court accusing Pavlovič of taking away his carts and horses. Apparently, he was afraid to return to the scene and set things straight with Pavlovič. Moreover, Pavlovič could claim compensation for the damage to his crop. This shows that people avoided travelling at night and made every effort to complete their journeys before sunset. However, in exceptional cases, for example, on hot summer days, travellers would sometimes set out in the evening after the heat had subsided, thus sparing their horses from overheating and being bitten by swarms of gnat¹²⁴.

Highway Robbers' Proceeds

One of the main reasons behind highway robberies was the offenders' wish to make a profit by depriving travellers of valuable items and money. Court records suggest that some of the victims reported carrying large sums of money. It goes without saying that when filing a complaint victims often exaggerated their losses and inflated their

¹²¹ Vilimas 2019, 117 (extract from the primary source).

¹²² *Акты, издаваемые Виленскою комиссиею для разбора древних актов*. Т. 26, 1899, 58–59.

¹²³ *Акты, издаваемые Виленскою археографическою комиссиею*. Т. 17, 1890, 210.

¹²⁴ See Генадзь Сагановіч, “Падарожныя запісы Самуэля Кіхэля пра Горадню й Вільню 1586 г.”. *Запісы*, 2009, 32, 87–89.

loss estimates. However, exaggerated losses aside, it can be stated that travelling noblemen and other well-to-do travellers indeed carried substantial sums of money. They were dressed in fine clothes and carried valuable weapons, which attracted the criminals' attention.

The most common prey of highwaymen were various items and livestock. First and foremost, these were horses that the travellers were riding on or that were pulling their carts. They were appropriated in the majority of cases. By the way, the documentation rarely mentions the appropriation of sleighs, probably because people travelled less in winter, or maybe they were less valued than wheeled transport. On the 8th of January 1597, at the Raseiniai Land Court, Frydrych Kitlin, the elder of Tilsit Castle, complained that two days earlier, his subjects travelling from Katyčiai Castle along the Kražiai road through the town of Šilalė were at the Ižnė River attacked by nobleman Abraomas Adamavičius and stripped of five horses¹²⁵. In their complaints, the victims would usually indicate the appearance and distinguishing features of the stolen horses as well as their monetary value. This most probably was supposed to help with the identification of the animal. It can also be assumed that there probably was some kind of a secret market where stolen horses were sold and purchased. After all, they had to be sold somewhere. There were some rare occurrences when the perpetrator would ride the stolen horse in the same area¹²⁶. Although horses were the most coveted prey of robbers, other agricultural animals were also considered of value. In 1561, the Sovereign's Court in Vilnius heard that as many as 80 neat were stolen¹²⁷.

Highway robbers that lurked travellers on the roads of the GDL in the 16th–17th century were keen to seize their victims' valuables such as goods purchased in the market, foodstuffs, tools, and often weapons, including swords, daggers, noblemen's battle axes, and firearms. On the 18th of February 1585, at the Upytė Castle Court¹²⁸, nobleman Augustinas Šimkavičius accused nobleman Jurgis Janovičius of having groundlessly attacked his son Vaitiekus Šimkavičius and another man on the Rajūnai-Salakas highway, beaten them up, injured, and taken away two mares, a black hat that cost 6 groschen, a coat, a battle axe made in Poland and purchased for 8 groschen, another axe, worth 4 groschen, and a kopa of Lithuanian groschen.

Another case well illustrating the robbers' proceeds could be the list of stolen items presented on the 25th of June 1699 to the court by nobleman Ožninski who was attacked on the road near Liachavič. It included two mares from the manor – one chestnut the other bay – a white horse, a plow horse, parts of cart installation, a

¹²⁵ Vilimas 2019, 110–111 (extract from the primary source).

¹²⁶ *Акты, издаваемые Виленскою археографическою комиссиею*. Т. 17, 1890, 316.

¹²⁷ *Lietuvos Metrika. 35-oji Teismų bylą knyga*, 2018, 160–161.

¹²⁸ *Акты, издаваемые Виленскою комиссиею для разбора древних актов*. Т. 26, 1899, 67.

sword, guns, muskets, birds, a dark blue overcoat (*kuntusz*) embroidered with gold, table cloths, a cow, a bucket, four coats, bread, and other foodstuffs¹²⁹.

Exceptional proceeds of crime were listed in the complaint filed with the Slonim Land Court on the 1st of August 1566 by noblewoman Nastasija Ivanova Meleškova, Mrs Nastasija Vasilevna Tiškoviča, and Andrej Juckovič in which they accused noblemen Abramov Danilevič Meleško and Stanislav Roguvski as well as their accomplices of robbery¹³⁰. The claimants stated that the day before, on Friday, after sunset, they were travelling in Slonim powiat from Deviatkovič to Busez carrying two chests of cash and expensive ladies' clothes and jewellery in their carriage. On the highway, they were attacked, beaten, and injured and the carriage with the horse as well as the two chests were stolen. The first green chest contained 200 kopas of groschen, a woman's headdress made of pearls, a pearl necklace, two hats, two pearl-encrusted kerchiefs, three golden necklaces, two gold-embroidered hats, two gold-embroidered shawls, a silver headband that cost 2.5 hryvnia, a velvet belt embroidered with silver that also cost 2.5 hryvnia, four ribbons with silver-gilt buckles, a gold chain made of 150 auskinas, eight rings, including two gold with diamonds, three with turquoises, one with a ruby, and two with no stones, a gold bracelet with pearls that cost 20 auskinas, two dozen spoons, and 12.5 hryvnia; the second chest contained a velvet fur coat trimmed with ermine fur, a woman's black satin dress trimmed in three places with velvet, an ornate dress with velvet, six cubits of cloth trimmed with gold, nine cubits of velvet, 20 cubits of red cloth, 20 cubits of Nankeen cloth, and a sheepskin coat. Thus, it can be stated that the robbers took an impressive haul of valuable items. This assault was undoubtedly planned in advance as it was known what was being transported, at what time, and by what route.

The latter inventory of stolen property lists a great number of luxurious and ornate clothes. Indeed, clothes were very often taken away by robbers. During the assaults, the victims would be stripped of their coats and furs¹³¹. Noblemen were often robbed of various ornate cloaks and coats, which were later described in detailed in the complaints to the court, indicating their appearance, colour, embroidery, fur or silk decorations. Another garment that was usually appropriated was the hat. In court, when describing the losses suffered, the victims would always mention hats, describe their appearance, indicate their models – what they were called, where they were bought, and, of course, how much they cost. It seems that in those days not only noblemen's but also peasants' hats were much more than an ordinary piece of clothing and, among other things, signified the owner's self-esteem and perhaps even status. Less often, criminals would take shoes or boots, some of which were new,

¹²⁹ MD VUL F5-B3-498, l. 1.

¹³⁰ *Акты, издаваемые Виленскою комиссиею для разбора древних актов*. Т. 22, 1895, 297–298.

¹³¹ *Акты, издаваемые Виленскою комиссиею для разбора древних актов*. Т. 21, 1894, 228–229; Vilimas 2019, 154 (extract from the primary source).

freshly bought at the market; yet sometimes the trouble was taken to remove them from the victim's feet¹³².

However, not always the criminals' proceeds were valuable items. In cases when road attacks were a means of revenge or an attempt to target a certain person, documents with legal value were also preyed upon. On the 13th of February 1567, noblewoman Magdalena Jokubaitė filed a complaint with the Land Court against her step-son Sebestijonas Stanislovaitis who on the 9th of February, at the Nevėžis River, caught up with her servant Esnius Petravičius going home from Kėdainiai, assaulted him, tied him up, and tried to elicit information about the whereabouts of Stanislovaitis' late father's stamp, money, and various letters/documents. Although beaten, the servant did not give away any information so he was stripped naked and left lying by the road. Later, the same noblewoman was going down the road, found her servant, and brought him home. Documents pertaining to another case heard at the Vilnius Castle Court on the 29th of October 1598 suggest that an assault and violence on the road resulted in only court documents and no other property taken away from nobleman Stanislavas Zavadskis¹³³. Apparently, this was how the defendants tried to deal with the person who summoned them to court. In fact, there is evidence in the court files that at times criminals would kidnap people on the road, probably to intimidate them, would have them in tow for some time or even keep them locked up, beat them and let them go after a while. Such abduction and violence against a person was a form of reprisal. In 1565, Lev Bogdanovič Skiporov and his agent Mr Ulas Skinderevič complained to the Slonim Land Court against Jan Abramovič and his accomplices who allegedly attacked Mr Skinderevič on the road outside the Uzlov manor, robbed him, and kidnapped his servant Ivaška Gutorovič who was riding along him; the latter and his horse had not been found to date¹³⁴.

Another question is where and how the perpetrators disposed of the stolen goods. For the vast majority of them the first thing they needed was money to spend or to gamble away in taverns. According to historian Bohdan Baranowski, criminals frequented taverns not only because they were a place to go out on the town or to steal something but also to sell the stolen goods¹³⁵. Indeed, in court hearings it at times became evident that stolen items were found in inns¹³⁶. It is evident that this study has not only opened the doors to an unexplored territory in the history

¹³² *Lietuvos Metrika. Knyga Nr. 27 (1541–1542). Užrašymų knyga 27*, 2016, 32–33; *Акты, издаваемые Виленскою археографическою комиссиею*. Т. 17, 1890, 201–202.

¹³³ *Акты, издаваемые Виленскою археографическою комиссиею*. Т. 20, 1893, 145.

¹³⁴ *Акты, издаваемые Виленскою комиссиею для разбора древних актов*. Т. 22, 1895, 169. Other similar cases: *Lietuvos Metrika. 35-oji Teismų bylų knyga*, 2018, 160–161, 217–219, 316–318.

¹³⁵ Bohdan Baranowski, *Ludzie gościńca w XVII–XVIII w.* Wydawnictwo Łódzkie, Łódź 1986, 156.

¹³⁶ *Lietuvos Metrika (1546–1548). 19-oji Teismų bylų knyga*. Edited by Irena Valikonytė, Saulė Viskantaitė-Saviščeviienė and Lirija Steponavičienė. Lietuvos istorijos instituto leidykla, Vilnius 2009, 64.

of the GDL, but has also posed new and viable questions, which, when answered, could provide a more complete picture of banditry in the GDL. At the same time, it complements the research on the history of crime in Europe.

Conclusions

The research revealed the phenomenon of road robbery in the GDL (its causes, its incidence, the social dependence of the victims and criminals, the losses). This is the first time these data have been identified in the historiography and consistently presented in the conclusions.

1. In the Middle Ages, monarchs would issue documents allowing foreigners and even their own subjects to travel around their country. This was reflected in the sovereign's road regalia the concept of which persisted into the Early Modern period. This legal norm can be found in various GDL acts. A peace and trade treaty signed in 1338 by the Grand Duke of Lithuania Gediminas and the Master of the Teutonic Knights in Livonia provided for a territorial 'peace strip' where the sovereign was to ensure the safety of travelling merchants. The concept of the road regalia is also featured in the legal acts of the monarchs of the GDL of the 15th–16th century where it is evidenced by the long-standing obligations on the nobility to repair and construct bridges and roads. Roads were considered public spaces under the exclusive right and control of the monarch.

2. Back in the 14th century, the Prussian statute provided for stricter punishments for crimes committed on the road than similar crimes committed elsewhere. An assault on the road was not only considered a crime against the person, because the location of the crime – the road – made it a separate offence against the monarch's exclusive road regalia as a 'public good'. The 16th century Lithuanian Statutes define crimes on the road, which were punished much stricter and even by death. The TSL of 1588 specified the aggravating circumstance of treachery and lying in wait looking for the opportunity to ambush. Murder of a nobleman in this way was punishable by quartering, impaling on the stake, deprivation of honour, and a fine. If the attempt merely caused injury, the court would impose a non-torturous death sentence and a fine. If such crime was committed by a commoner who attacked a nobleman, the penalty in the case of murder would be torture to death, and in case of injury – beheading.

3. In the Middle Ages and in the Early Modern period the mobility of people in Europe was quite intense. The roads were swarming not only with natural travellers but also with wandering beggars. In the 16th century, due to the urbanization processes, most of them settled in cities. However, this did not significantly reduce the number of travellers, as more intensive life-style encouraged mobility. New reasons for travelling evolved, including educational 'grand tours', numerous pilgrimages,

etc. The GDL was not spared from the processes that had been gaining momentum in the rest of Europe. The most intense urbanization process in the country took place in the 16th–17th century. The society also underwent certain changes. Compared to Western Europe, the mobility of the GDL citizens was lower as the population density there was also lower. This was one of the factors determining the scope of highway crime.

4. The records of the GDL courts suggest that, in contrast to Western Europe, beggars, vagrants, homeless people, and other socially troubled persons are hardly ever mentioned among the accused of highway robbery. This is due to the specific character of the sources. Usually the defendants summoned to court were well-known to the victims. The perpetrators' financial situation and ability to pay the fine and damages to the victim were also taken into consideration. Before filing the complaint and paying the court fee, the victims would think twice whether the litigation would be of any benefit to them. However, it does not contradict the fact that professional robbers operated in the GDL. Apparently, outlaws were rarely formally brought to justice when caught, and most probably were dealt with in other ways – depending on the options available to the victim.

5. There is little evidence in the sources about professional robbers in the GDL. There are hints, however, that they operated on the major roads leading through sparsely populated areas. They could also be found in forests. In the 17th century, the Vilnius-Smolensk-Moscow highway was among the most dangerous as the so-called *highwaymen* operated there. These criminals, however, remain anonymous in sources, as there is no mention of their names. Only large groups of travellers guarded by armed men dared taking this route.

6. In most cases, as the materials of the GDL courts suggest, the defendants were peasants who, under the feudal law, belonged to noblemen, i.e. had masters (serfdom had not been abolished in the GDL). These were controlled people, 'tied' to their place of residence. Meanwhile, in Western Europe, serfdom was abolished in the 13th–15th centuries and most peasants were exempt from it. They were free people who constituted the majority of professional highway robbers. In the GDL, however, peasants, as well as crime-prone noblemen, lived alongside other members of society. They were not professional robbers, as society would not have allowed them to become ones. Therefore, the vast majority of assaults on the roads were accidental. Only isolated examples show that there were peasants who quite frequently engaged in robberies and somehow went unpunished; however, they were not professional criminals either.

7. Court records suggest that the vast majority of attacks on the roads were of local manner. Most frequently, locals resorted to violence against other residents of the area. The victims often knew the perpetrators or were able to quickly identify them; thus, it did not take long to catch them and bring to court. Those who travelled individually were quite often attacked by one or more robbers (about a third of the

investigated cases). Much more frequently attacks were carried out by small groups consisting of 5 to 10 individuals (about half of all the cases). However, it is difficult to accurately quantify the number of attackers as court documents usually only refer to the main organisers and leaders of the group, while other perpetrators are often simply mentioned as 'others'. There were cases when the criminal associations were very large, consisting of several dozen members. Highway robbers usually were physically strong men, peasants and nobles. However, on some occasions assaults and robberies on the road were committed by members of one family, including women.

8. Assault victims usually were peasants and noblemen, less often city dwellers, living in the same neighbourhood as the perpetrators. People visiting the country and foreign merchants were also targeted. Most victims were young and mature men. Older people and women were rarely assaulted. Few travellers from abroad (other than merchants) were mentioned among the victims as they travelled in large parties and therefore were avoided by highway robbers.

9. The most common reason for attacks on the road was to make a profit and to rob people of their belongings. Spontaneous attacks prevailed. Usually weaker or older people fell victim to highway robbers. The most frequent targets were people travelling on horseback or in carts, alone or in pairs. The perpetrators were lured by horses, carts, and valuable things or goods. Highway robbers often targeted people under influence. They would spot their potential victims in roadside inns, catch up with them on the road, and rob them. Revenge and retaliation was a separate motive for attacks on the road; however, such cases were rare.

10. Certain sections of the roads were considered particularly dangerous as most criminals chose them for their activities. They were winding through sparsely populated areas, large forests, and swamps. Such geographic zones were characteristic of the eastern and southern parts of the GDL. There the laws were less strictly enforced, thus opening more opportunities for criminal activity. However, court records suggest that most robberies took place in the urbanised areas of the GDL. There, criminals would choose more secluded stretches of the roads. Travellers were often attacked at bridges or river crossings. Quite a few attacks were carried out on the outskirts of big cities as more wealthy people travelled in these areas.

11. Highway robberies were heavily dependent on seasonality: the more intense was the rhythm of life and the more people travelled, the more crimes on the road were committed. The GDL farmers and merchants who purchased their produce lived by the schedule of farm work. Fewest robberies were committed in the cold season (November to March) – approximately 30 cases (out of a 100 investigated). The 'worst' day of the week, with the highest number of robberies and road violence cases, was Saturday or the weekend in general. This was associated with market days when people would travel to towns and cities. Most crimes on the road were committed in broad daylight. As per the sources, highway robbers rarely attacked at

night. The only exceptions were attacks in the late evening, after the sunset (4 cases). It was inconvenient to travel at night, as the carts and carriages had no headlights so there was risk of slipping off the road, tipping over the cart, or even injuring the horse or yourself.

12. The criminals' proceeds included various items and livestock, first and foremost, horses. There was a case when a herd of 80 cows was stolen. Robbers would take valuable items such as work tools, weapons (swords, daggers, battle-axes, guns), various goods, and foodstuffs. Sometimes the victims were stripped of jewellery, money, and luxury clothes. Noblemen's fine overcoats were particularly coveted by highway robbers but they would also steal less ornate coats and furs, take off the victims' boots, and hats, which was the most frequently stolen garment. In cases when road attacks were a means of revenge or an attempt to target a certain person, documents were also preyed upon. Sometimes the victims were abducted.

The research has provided new data on the circumstances of highway robbery in the GDL, the defining elements, and particularities of the crime. The phenomenon of road robbery in the GDL has many points of contact with the analogous process that took place in Western Europe: the timing of the robbery, the causes, the motives, and the group of people who were victims of the perpetrators. However, unlike in Western Europe, there was a different group of people committing road robberies. Due to the feudalism in the Grand Duchy of Lithuania most of the people were settled and tied to the local area, that why the most criminals were locals. Meanwhile, the number of robbers roaming the roads of the GDL may have been small, as there is little information about them in the sources. Therefore, it can be argued that the concept of highway robbery in the GDL was the same as in Eastern Europe, as the social structure of the population was similar everywhere.

Summary

Road robbery is a specific crime that was widespread across Europe and has been around for ages. The gangs that emerged would rob and live along the roads. Historians have taken note of this social phenomenon. However, the historiography has mainly focused on road robbery in Western Europe in the 15th and 17th centuries. Historians have much less studied road robbery in Eastern Europe, what may lead to the unreliable perception that the scale of these crimes in Eastern Europe was lower. This article examines the case of road robbery in the GDL: the causes and circumstances of crimes, the timing and location, and the composition of social groups of the perpetrators and the victims. The study has led to conclusions that add to the knowledge of the history of crime in Europe.

