

**Legal proceedings in North-East Russian principalities and the Muscovite state in
the 15th – first quarter of the 16th centuries**

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Preface.

My PhD thesis focuses on the problem of court functioning in North-East Russian principalities and the Muscovite state in the 15th – first quarter of the 16th centuries.

The main issue of the paper is the formation of the united Russian state. I was trying to elaborate this problem from the perspective of judicial system formation. How was the young state acting in the court? Which parties were concerned about demesrial trials and theirs registration on paper? These are the key questions of my research. I also want to demonstrate how the relations between center and periphery were manifested in trial processes. Why did the grand duke judge a trial over ten haycocks? Why didn't he appoint such trial to somebody else? What was that to him?

My research is mostly based on judicial documents: judgment charters (*pravaia gramota*), default judgment charters (*bessudnaia gramota*) and trial records (*sudnyi spisok*). A trial record (*sudnyi spisok*) was a detailed record of the court proceedings that usually included witness statements and copies of the documents presented as evidences. If the case was sent to *doklad* the trial record (*sudnyi spisok*) was given to the other judge for examination. It was not a court of higher instance, as it is widely accepted. It was a procedure when the judge, who originally heard the case, was unable to make a decision because of competence limitations or complexity of the case and sent it to his superior. *Doklad's* judge didn't review the decision of the judge, who originally heard the case, because he had never made such a decision. When *doklad* took place the verdict was made on a base of the first judge's trial record (*sudnyi spisok*). The trial record (*sudnyi spisok*) that included *doklad* proceedings and a verdict of a *doklad's* judge was called a *dokladnoi sudnyi spisok*.

After the court's decision had been made a judgment charter (*pravaia gramota*) was drawn up. It included the whole trial record plus the court's decision. The judgment charter (*pravaia gramota*) differed from the trial record and the trial record that had gone through a *doklad* – it always contained the decision of the first judge and it was awarded by him to the victorious litigant. In case of a *doklad*, *doklad's* judge ordered the first judge to make one or another decision. So, that is how the judgment charter (*dokladnaia pravaia gramota*) was made. It contained a trial record, a *doklad* proceedings and a verdict of a judge, who originally heard the case. If one of the litigants failed to appear on trial or *doklad* his opponent won a suit without a trial and received a default judgment charter (*bessudnaia gramota*).¹

I combined all my sources in the database. It consists of 296 judicial documents and references to them. Such a large quantity of judicial documents has never been used before. I used published documents mostly, because acts of that period were published a lot.² I have managed to find only 11 unpublished sources.³ Perhaps further sources' retrieval will be also fruitful.

¹ About judicial documents characteristics see A. M. Kleimola, *Justice in medieval Russia: Muscovite judgment charters (pravye gramoty) of 15th and 16th centuries* (Philadelphia, 1975). pp. 5 – 7.

² In that paper I will use the following editions: Akty feodal'nogo zemlevladieniia i khoziaistva (3 v., Moscow, 1951-1961) (hereafter cited as AFZKh); Akty sotsial'no-ekonomicheskoi istorii severo-vostochnoi Ruisi kontsa XIV-nachala XVI v. (3 v., Moscow, 1952-1964) (hereafter cited as ASEI); Akty, otnosiashchiesia do grazhdanskoi raspravy drevnei Rossii, comp. and ed. A. Fedotov-Chekhovskii (2 v., Kiev, 1860-1863) v. 1. (hereafter cited as AGR); Akty russkogo gosudarstva 1505 – 1526. (Moscow, 1975) (hereafter cited as ARG); Akty feodal'nogo zemlevladieniia i khoziaistva. Akty moskovskogo Simonova monastyria 1506 – 1613 (Leningrad, 1983) (hereafter cited as AFZKh/AMSM); Russkaia istoricheskaia biblioteka (38 v., St.-Petersburg, Petrograd, 1872 - 1926) v. 2, 32. (hereafter cited as RIB); 1915; S. M. Kashtanov, *Ocherki rutsskoi diplomiatiki* (Moscow, 1970)(hereafter cited as Kashtanov); N. P. Likhachev,

The significant feature of my sources is that almost all extant judicial documents are land trials. Only 18 deeds are non-demesnial trials: three of them are devoted to arsons,⁴ six - to bond slaves' cases,⁵ three - to larcenies,⁶ three - to robberies and murders,⁷ one - to slander,⁸ one - to monastery mill's demolition⁹ and one more - to debt default.¹⁰

There are a lot of reasons why documents haven't survived: starting with fires and absence of appropriate place for documents' storage and ending with the disregard for ancient documents in 17th century.¹¹ I presume that it is more fruitful to try to understand why extant documents have survived. I believe that the careful storage of the land deeds can explain the fact of the dimension of documents' safety. These documents unlike criminal ones were extremely important for their owners because they confirmed the ownership on acres. On the contrary, there was no need to store criminal deeds. Even if a document of criminal trial was given, it was not useful for the right side of the dispute, because the guilty one would have been punished in any case, with the document given or without.

The other significant characteristic of my sources is the fact that most of the extant judicial documents are cases where one of the litigants is monasteries, bishops or metropolitans. So, we must remember that we see legal procedure through the perspective of monasteries' documents.

My PhD thesis will be made at the confluence of historical science and source studies. Source study takes an enormous importance in the research; nevertheless I want my PhD thesis to be not only the source study paper. The source study only deals with sources. It focuses on their history and methods of investigation. On the contrary I'm not interested in sources themselves, but in historical processes, such as state building and judicial system formation. Judicial documents' diplomatics and their forms' analysis are instruments which help to see the well-known phenomenon in a new light.

My research has its starting point at the first quarter of the 15th century, because the earliest extant judicial document is the judgment charter of 1416.¹² The original document remains in existence. The research has a final point in the first quarter of the 16th century. Previously my paper included all judicial documents granted before the middle of the 16th century. It was the time when the Law code of Ivan

Sbornik aktov, sobrannykh v arkhivakh i bibliotekakh (St. Peterburg, 1895) (hereafter cited as Likhachev); Akty sluzhbilikh zemlevladeltsev 15th - beginning of 17th centuries (4 v., Moscow, 1997 - 2008) v. 1, 3, 4 (hereafter cited as ASZ); Russkii diplomatarii (10 v., Moscow, 1997 - 2004) v. 1 - 2, 4, 6, 7.

³ In the manuscripts department of the National library of Russia there are some books contains copies of documents of the monastery of St. Cyril on the White Lake. There were found only 7 judicial documents: SBbDA AI/16 - two trial records of 1525 - 1526, two judgment charters of 1511 and 1546 and one little crossed out and glued passage probably of the judgment charter of 1490s; SBbDA AI/17 - two judgment charters of 1519 and 1537 // OR RNB SBbDA A 1/16 p. 471 - 481, 556, 1111 re. - 1112 re., 1420, 1421 re. - 1424; A 1/17 p. 806 - 812 re., 890 - 893. Three more unpublished documents (two trial records the end of the 1520s and 1535 and one judgment charter 1527) were found in books of copies of the Holy Trinity - St. Sergius monastery in the Russian state library (№ 518 и 530) // RGB ATSL Book № 518, p. 164 - 165 re., 339 - 339 re., 341 - 341 re.; 237 - 257 re.; Book № 530. p. 198 re. - 200 re. These sources available on-line on the web-site of the the Holy Trinity - St. Sergius monastery: <http://old.stsl.ru/manuscripts/index.php>. One more unpublished judgment charter is in the Institute's of History of the Russian academy of sciences archive // SPbII RAN Collection 107 (Sobranie Pogodina). Op.1. № 1.

⁴ AFZKh v. 1. № 222; RIB v. 32. № 74; ASEI v. 3. № 390.

⁵ ASEI v. 3. № 357; ASZ v. 1. № 228, 229 (two charters), 296; ASZ v. 3. № 457.

⁶ RIB v. 32. № 123; Kashtanov № 40; ASZ v. 3. № 154.

⁷ AGR № 45; RIB v. 2. № 186; ASEI v. 3. № 390 (included document).

⁸ ASZ v. 4. № 502.

⁹ AGR № 57.

¹⁰ ASZ v. 4. № 220.

¹¹ See V. B. Kobrin, *Vlast' i sobstvennost' v srednevekovoi Rossii* (Moscow, 1985), p. 12.

¹² ASEI v. 3. № 31.

the Terrible was published. Eventually I have realized that judgment charters of 1530s and 1540s scarcely had distinctions with earlier judgment charters and that 1550 was not a turning point in Muscovite judicial system's formation. At the moment the reduction of the chronological framework seems to me more favorable. The first quarter of the 16th century was a period when the total amount of judicial documents reduced after the peak of 1490s.

My hypothesis is the following: different territories' proceedings are usually perceived as something that needs to be unified in one Muscovite state. If one looks at proceedings from the perspective of judicial documents, (s)he realizes that different proceedings must have different records, different forms of charters. However the results of my research are the opposite. I realized that all studied sources are pretty similar in their structure. Appanaged princes of Moscow, as well as grand dukes of Ryazan, and Moscow grand dukes issued the documents referring the same form. I assume that there were several integrative trends long before those territories became the part of the Grand Duchy of Moscow. I would prefer the term "Russian lands' accretion" over "gathering of the Russian lands". The reason is that the gathering is the process which is determined by duke's will, while accretion is involuntary subconscious process, which bears a spontaneous character. Roughly speaking, at the end of the 15th and the beginning of the 16th centuries Grand Duchy of Moscow incorporated certain territories so quickly and easily, because those territories were ready to join it.

In the following paragraphs I would like to compare forms of appanaged princes' judgment charters with charters of grand dukes of Ryazan and Moscow grand dukes' charters.

Comparison of judgment charters.

To compare different judgment charters I applied S. M. Kashtanov's documents' form analysis, but this method has some limitations. S. M. Kashtanov claims that judgment charters and trial records can be classified as a statement with a proviso. For him, statement always records a bargain and has an addressee and originator. He separates statements from the total number of documents as deeds fixing special legal relations between bargain's counteragents or between author and addressee of the statement. One can hardly find such characteristics in judgment charters. Notwithstanding S. M. Kashtanov suggests taking litigation as some "anti-bargain".¹³

Such peculiarity of judicial documents, to my mind, determines their form. Counteragents of ordinary bargain, for instance purchase of land, are obvious, as well as their essential operations. So, abstract form of a deed of purchase broadly speaking will be the following:

I am *X* have bought from/sold to *Y* the *Z*; I have paid/ received such amount of money; boundaries of the *Z* are ...; the witness were...; it was written by *N* in...

Trial is more complex than ordinary bargain and it may have various scenarios. Therefore the form of a judgment charter depends on the content and aspects of the concrete trial: what evidences were presented and were they presented or not, did a *doklad* take place or not, what was the behavior of witnesses and so on.

To compare charters I divided them into items – complete parts. I also pay attention to set phrases. In the following tables I often convey items with the help of set phrases for space considerations.

Thus, I dare to claim that the abstract form of a judgment charter of the end of the 15th – beginning of the 16th c. that went through a *doklad* was following:

Scheme № 1: the abstract form of a judgment charter.

1. "Po slovu/gramote *N*..." (under authority of *N* (oral or written))
2. "Sei sud sudil *X*..." (The case was judged by *X* – the name of the judge)
3. "Tiagalis' *Y* and *Z*" (Litigants were *Y* and *Z* – names of litigants)
4. "Jaloba mne..." (I accuse... – plaintiff's complaint)
5. "Otvechai!" (Answer! – the judge call upon the defendant to justify himself)
6. "Tako rek..." (He said... - plea)
7. "Pochemu nazyvaesh ...?/ Komu to vedomo...? (Why do you call that ...?/ Who knows that ...? – the judge claims for the plaintiff's evidences)
8. Starozhil'tsy (witnesses that were longtime residents on the land under dispute)

/ gramota (charter)

¹³ S. M. Kashtanov, *Aktovaia arkheografia* (Moscow, 1998), pp. 11 – 13; idem, *Ocherki rutsskoi diplomiatiki*, p. 22.

26. “Na sude bili...” (names of the witnesses that verify judgment charter (men of court – “*sudnye muzhi*”))

27. “... pechat prilozil” (seal)

28. “Podpisal ...” (it was signed by...)

Real judgment charters may coincide with the proposed scheme, but not necessary will do it. There can be settlement between the litigants on any stage of proceedings, litigants can present additional evidences or fail to present any, witnesses and litigants can claim judicial combat five times during the trial or don't claim it at all, finally, the judge can ask clarification questions and adjourn the trial. More than that, the order of items also may vary.

Now let's compare appanaged princes' judgment charters with the proposed scheme. I will also divide charters into items. Some items, that have the same topic, I will combine in one group and will consider it as a whole. For instance, plaintiff's complaint generally includes several items. It may be presented as the following:

1. I accuse X...
2. This land belongs to me by virtue of ...
3. X had my entrenched my rights of procession doing...

In each case these items will differ. As a matter of convenience I will combine these items in the group that will be denoted in tables by the set phrases - “*Jaloba mne...*” (I accuse...).

I have managed to find 14 appanaged princes' judgment charters. There are charters of Mikhail Andreevich prince of White Lake, Yuri Vasil'evich and Yuri Ivanovich princes of Dmitrov, Semen Ivanovich prince of Kaluga and Vasilii Jaroslavich prince of Serpukhov and Borovsk. Charters of Semen Ivanovich and Yuri Ivanovich were drawn up in two first decades of the 16th century. While charters of Mikhail Andreevich, Yuri Vasil'evich and Vasilii Jaroslavich were drawn up mostly in 1470s. In 16th century's charters princes prefer to judge a case on a *doklad*. While in earlier charters princes often acted as original judges. Moreover earlier charters are generally shorter. As a result, it will be better to consider these two groups of charters separately.

Table № 1: forms of appanaged princes' judgment charters.

Semen Ivanovich price of Kaluga		Yuri Ivanovich prince of Dmitrov	
1510	1509 - 1510	1519	1504
Po ... slovu - under oral authority of	Po ... slovu - under oral authority of	Po ... gramote - under written authority of	Po ... gramote - under written authority of
Sii sud sudil - That case was judged by	Sii sud sudil - That case was judged by	Si sud sudil - That case was judged by	Tiagalsa - Litigants were
Tako rek - said so	Tako rkli - said so	Tiagalsa - Litigants were	Jaloba nam... - we accuse
Presented previous trial's charter	Presented previous trial's charter	Jaloba ... gospodam moim... - my masters accuse	Otvechaite! Answer!
Tiagalsa - Litigants were ...	Tiagalsa - Litigants were ...	Otvechaite! Answer!	Tak rekli – said so
Jaloba mi... - I accuse	Jaloba nam... - we accuse	Tako rkli - said so	Pochemu zh vy seditena tekh pochnkakh, est' li u vas gramoty? – we do you

			live on these lands, do you have caharters?
Otvechaite! Answer!	Otvechaite! Answer!	Komu sh to ... vedomo...? - Who knows that ...?	We don't have any
Tako rkli - said so	Tako rkli - said so	Starozhil'tsy - witnesses	A u tebia est' li na te pustoshi ... ocischie? – What evidences do you have?
Pochemu ty nazyvaesh...? – Why do you call?	Pochemu vy nazyvaete...? – Why do you call?	Komu to vedomo...? - Who knows that?	Starozhil'tsy - witnesses
Starozhil'tsy - witnesses	Charter	Starozhil'tsy - witnesses	Skazite, brate, v boziu pravdu... - witnesses' interrogation
Velel ... postavit' – the duke ordered witnesses to come	Vozrel v gramotu - the judge reads the carter. Citation	Skazite vy boziu pravdu... - witnesses' interrogation	Pomniu za... - I remember...
Skazite v boziu pravdu... - witnesses' interrogation	A vy pochemu nazyvaete...? – And why do you call?	Pomniu za... - I remember...	Reksia doloziti... - Promised to report
Pomnim let za... - we remember ...	Starozhil'tsy - witnesses	Skazite v boziu pravdu... - witnesses' interrogation	Na sude bili... - names of witnesses
I povelii... - And they've guided	Oprich blagoslovennoi ...est' li ... starozhil'tsy? – Do you have witnesses.	Pomniu za... - I remember...	Pered kniazem ... spisok polozil i ischeiu ... i otvetchika ... postavil - trial record and litigants appeared before the duke
Skazite v boziu pravdu... - witnesses' interrogation	Poedi za nami... I povelii... - Come with us... And they've guided	Reksia dolozit... - Promised to report	Bil li vam takov sud ...? - Did such trial took place?
Pomnim let za... - we remember ...	Velel ... postavit' – the duke ordered witnesses to come	Na sude bil... - name of witness	Byl – it were
I povelii... - And they've guided	Skazite v boziu pravdu... - witnesses' interrogation	Pered kniazem ... spisok polozil i oboikh iscov ... postavil - trial record and litigants appeared before the duke	Kniaz ... velel ... opraviti prisuditi ... obvniti – The duke ordered to declared not guilty... adjudge...declared guilty
Dai nam, gospodine, s nimi bojiu pravdu... - claim of a judicial duel	Pomnim za... - we remember...	Bil li vam takov sud ...? - Did such trial take place?	Sydie velel ... vziati poshlinu – the duke ordered to judge to take litigation fee
A vy lezete – Do you want to fight?	Poedi za nami... I povelii... - Come with us... And they've guided	Byl – it were	Velel pechat' svoiu priloziti - the duke ordered to attach his seal
Lezem – Yes, we want	Dai nam, gospodine, s nimi bojiu pravdu... - claim of a judicial duel	Kniaz ... pozaloval ... velel ... otvesti – the duke ordered to make a boundary	Podpisal ... - it was signed by...
Bil li takov sud ... srok? - Did such trial take place?	A vy lezete – Do you want to fight?	Sydie velel ... vziati poshlinu – the duke ordered to judge to take litigation fee	Po ... slovu ... sudia ... opravil ... prisudil ... obvnil - The judge declared not guilty... adjudged ... declared guilty
Byl – it were	Lezem – Yes, we want	Velel pechat' svoiu priloziti - the duke ordered to put his seal	

Posylal ko gosudariu svoemy – the judge reported to duke	Bil li takov sud ... srok? - Did such trial take place?	Podpis' ... diaka - it was signed by...	
Kniaz ... velel ... opraviti ... obviniti ... prisuditi – The duke ordered to declared not guilty ... declared guilty ... adjudge	Byl – it were	Po ... slovu ... sud'ia ... otdal – the judge gave ...	
Po ... slovu ... opravil ... obvinil - The judge declared not guilty... declared guilty	Posylal ko gosudariu svoemy – the judge reported to duke	Na razvode byli - names of witnesses	
Na sude bili... - names of witnesses	velel ... opraviti ... obviniti ... prisuditi – The duke ordered to declared not guilty... ..declared guilty ... adjudge	sudia ... pechat' svoiu prilozil - the judge attached his seal	
... pechat' svoiu prilozil - the judge attached his seal	Po ... slovu ... opravil ... obvinil - The judge declared not guilty... declared guilty	Gramota pisana leta ... - the charter was written	
Podpisal ... - it was signed by...	Na sude bili... - names of witnesses		
	... pechat' svoiu prilozil - the judge attached his seal		
	Podpisal ... - it was signed by...		

Semen Ivanovich's judgment charters are documents of recurring trials. The judge Vasillii Ivanovich Golenin investigated trial records, checked their authenticity and reported them to Semen Ivanovich, who made a case decision. These judgment charters remind default judgment charters (bessudnaia gramota), yet they are not the same. Semen Ivanovich's judgment charters include trial records, that are generally absent in default judgment charters (bessudnaia gramota). In spite of that peculiarity Semen Ivanovich's judgment charters are very similar to judgment charters presented in scheme № 1. The order of items varies, but the set of items coincides.

Yuri Ivanovich's judgment charter of 1519 has much in common with boundary demarcation charters. It contains boundary demarcation of disputed lands and set of witness's names. This judgment charter also contains item about litigation fee and refers to the Law Code of 1497. I haven't put that item in the abstract form, because it is not obligatory for judgment charters. There were found no more than 30 judgment charters which contained litigation fee item,¹⁴ while there are more than 150 extant judgment charters of that period (I have found 163 charters).

In Yuri Ivanovich's judgment charter of 1504 defendant fails to present any evidences of his rights of procession. Thus this charter is smaller than others. In this charter the item № 2 of the scheme № 1 (The

¹⁴ ASEI v. 2. № 336, 422; ASEI v. 3. № 48, 172, 173, 218, 390; Likhachev № 8, 9; AGR № 45, 46, 49, 53, 57; RIB v. 32. № 76 (included document), 91, 131; ASZ v. 1. № 228; ASZ v. 4. № 503; ARG № 40, 41, 77, 230, 255; Kashtanov № 40; AFZKh/AMSM № 46; RD v. 4 pp. 114 – 119; RD v. 6. pp. 161 – 163; RGB ATSL Book 518. p. 164 - 165 re., 339 - 339 re., 341 - 341 re.; SPbDA A1/17 p. 890 – 893.

case was judged by X – the name of the judge) is also omitted. It is usually presented in the beginning of judgment charters.

Similarity of the 16th century appanaged princes' judgment charters and muscovite charters is not very surprising. According to M. M. Bentsianov great duke's cognates became appanaged princes in 16th century. They were brought up at Moscow court and absorbed all existed political practices.¹⁵ Thus, Semen Ivanovich and Yuri Ivanovich were sons of Ivan III and brothers of Vasilii III Ivanovich. I assume that Yuri Ivanovich took part in compilation of the Law Code of 1497. In other words, appanaged princes in 16th century had no will and opportunity to build separate management system in their independent principalities that could differ from Moscow system. Apparently appanaged court had no differences with grand duke court.

As it is noted above, earlier judgment charters shows that appanaged princes preferred not to use *doklad* procedure and act as original judges. I will compare 15th century appanaged princes' judgment charters with judgment charters of the grand duke of Ryazan 1464 – 1483 and with grand dukes' of Moscow charters. There are fewer cases that weren't sent to *doklad*. Cases when the grand duke or appanaged prince acted as a judge, who originally heard the case, are rare. I founded only 9 such charters and two of them belong to the grand duke of Ryazan Vasilii Ivanovich.¹⁶ Others are grand dukes' of Moscow charters: one belongs to Vasilii Dmitrievich,¹⁷ two – Ivan III,¹⁸ three – to his son Ivan Ivanovich¹⁹ and one – to his grandson Dmitrii Ivanovich.²⁰ Most of them you can see at table № 3. Five more charters of that type you can see at table below.

Table № 2: forms of appanaged princes' judgment charters.

Mikhail Andreevich prince of White Lake			Yuri Vasil'evich prince of Dmitrov	Vasilii Jaroslavich prince of Serpukhov and Borovsk
1435 - 1447 ²¹	1460-70e ²²	1478 - 1482 ²³	1471 ²⁴	1470 ²⁵
Si sud sudil - That case was judged by	Se bil chelom	Se bil chelom	Si sud sudil - That case was judged by	Sii sud sudil - That case was judged by
Tiagalsa - Litigants were	Vozrel v gramotu - the judge reads the carter. Citation	Kniaz ... velel ... stati i dannuiu ... polozhiti - Duke ordered to come with a charter	Tiagalsa - Litigants were	Tiagalsa - Litigants were
Jaloba nam –	Kniaz... opravil ... obvinil...	Stal I gramotu ...	Jaloba nam –	Tako rek: pritiagivaet nashi derevni - said so ...

¹⁵ M. M. Bencianov, "Sluzhylie l'udi kniazia Yria Dmitrovskogo," *Drevnia Rus'. Voprosy medievistiki*. 2(40) (2010): p. 41.

¹⁶ ASEI v. 3. № 319, 364.

¹⁷ ASEI v. 3 № 31.

¹⁸ AGR № 56. AYB v. 1. № 52/1

¹⁹ ASEI v. 1. № 521, 522; RD v. 1. № 17. p. 50.

²⁰ ASEI v. 2 № 416.

²¹ ASEI v. 2 № 90.

²² AGR № 12.

²³ ASEI v. 1. № 467.

²⁴ ASEI v. 2. № 387.

²⁵ Kashtanov № 27.

we accuse	prisudil – The duke declared not guilty ... declared guilty and adjudge	polozhil – he came to duke with a charter	we accuse	he is trying to bereave our villages
Otvechaesh li? Will you answer!	A tuti bili... - names of witnesses	Vozrel v gramotu - the judge reads the charter. Retelling of the charter	Otvechajte! Answer!	Otvechai! Answer!
Otvechaju – I will	Podpisal ... - it was signed by...	Vozrel v gramotu - the judge reads the charter. Retelling of the charter	Tak rkli – said so. Charter	Tako rek – said so ...
Charters		Dal li esi te svoi zamli? – Did you grant your lands?	Vozrel v gramotu - the judge reads the charter. Citation	Po chemu pak te derevni moi? – Why these villages are mine?
Vozrel v gramotu - the judge reads the charter.		Dal – I did	Pochomu zho vy zovete ...? – Why do you call that ...?	Charter
Kniaz ... opravil ... obvinil ... pridal – The duke declared not guilty... declared guilty and adjudge		Srok... poslukhov... postavit' - time for subpoena of a witnesses (for charters' verification)	Reference to charter	Est' li ...gramota – do you have a charter?
Velel podpisat'... - ordered to sign		Stal ... ne stal – witnesses came or not came	Est' li ...gramota – do you have a charter?	Uterialas' – we've lost it
		Vzrel v gramotu - the judge reads the charter. (Citation)	Est' – Yes, we have	Piscy pisali...? – did boundary demarca-tion take place?
		pered nami ... te svoi zemli ... dal – we were witnesses of the bargain	Vozril v gramotu - the judge reads the charter. (Citation)	Pisali – It did
		Yaz tu gramotu ... pisal – I have written this charter	Kniaz ... vsprosil – The duke asked (statement of motivation)	Kniaz ... opravil ... obvinil i prisudil – The duke declared not guilty ... declared guilty and adjudge
		Kniaz ... opravil ... prisudil ... obvinil – The grand duke declared not guilty ... adjudge ... declared	Kniaz ... opravil ... obvinil i prisudil – The duke declared not guilty ... declared	Na sude bil... - name of witness

		guilty	guilty and adjudge	
		Velel podpisati... - ordered to sign	Na sude bil... - name of witness	Podpisa... - it was signed by...
		Podpisa... - it was signed by...	Podpisa... - it was signed by...	

There are three extant Ryazan judgment charters, but I use only the one. It is Vasilii Ivanovich's judgment charter of 1464 – 1483,²⁶ that is presented in scheme № 2. Two other charters are no good for the analysis, because one of them remained retold²⁷ and the other is bond slave's case.²⁸

Scheme № 2: form of Vasilii Ivanovich's the grand duke of Ryazan judgment charter of 1464 – 1483.

1. "Sii sud sudil X..." (That case was judged by X – the name of the judge)
2. "Tiagalsa Y s Z" (Litigants were Y and Z – names of litigants)
3. "Otnial, gospodine..." (Sire, he had bereaved - plaintiff's complaint)
4. "Otvechai!" (Answer! – the judge call upon the defendant to justify himself)
5. Так пер...
6. "Komu z to vedomo...? (Who knows that ...? – the judge claims for the plaintiff's evidences)
7. Starozhil'tsy (witnesses)
8. "na tom na nikh shliusia zh" (defendant accepted witnesses)
9. «I prished te liudi ... da v tekh rechakh ... opravili ... obvinili" (that people came ... and said that ... was not guilty ... was guilty)
10. "Chelovek moi ... na tom celuet krest, a iaz shliu bitza..." (my servant will give an oath and I will sent a servant to judicial duel - claim of a judicial duel)
11. "Celovav krest, shlem odnogo ... na pole bitza..." (we will give an oath and send one of us to judicial duel - plaintiffs accepted the challenge)
12. "prisudil kniaz velikii pole tat zhe den" (duke set a judicial duel)
13. "na srok u polia oboi iszy stali" (litigants came to judicial duel on time)
14. "Pocelui, gospodine, na tom krest tvoi ... liudi" (plaintiffs propose to defendant's servants give an oath)
15. "Veliu, gospodine, tem liudem na tom krest celovati" (Sir, I will order my servants to give an oath - defendant accepted the proposition of oath)
16. "Krest na tom celovali..." (they gave an oath)

²⁶ ASEI v. 3. № 364.

²⁷ ASEI v. 3. № 319.

²⁸ ASEI v. 3. № 357.

17. “Kniaz velikii... opravil ... obvinil ...” (The grand duke declared not guilty... declared guilty ...– a verdict)
18. “Na sude bili...” (names of the witnesses)
19. “Podpisal ...” (it was signed by...)
20. “... pechat velikogo kniazia” (the great duke’s seal)

In this judgment charter statements of witnesses were retold: «I prished te liudi pered velikogo kniyazyza, da v tekh rechakh Stiu opravili, a Ostaf’ya obvinili” (that people came to the grand duke and said that Satia was not guilty and Ostafii was guilty). In Moscow charters statements of witnesses are generally presented with a direct speech – each witness named himself and told what he remembered. The other peculiarity of this charter is a judicial duel and oath that were condemned. In Moscow charters litigants often asked for judicial duel, but they had it.

Table № 3: grand dukes’ of Moscow judgment charters.

Vasilii Dmitrievich	Ivan III		Dmitrii Ivanovich	Ivan Ivanovich	
1416 – 1417 ²⁹	1465 - 1471 ³⁰	1465 - 1469 ³¹	1498 ³²	1485 - 1490 ³³	1485 - 1490 ³⁴
Si sud sudil - That case was judged by	Si sud sudil - That case was judged by	Se bil chelom -	Sii sud sudil - That case was judged by	Si sud sudil - That case was judged by	Sii sud sudil - That case was judged by
Tiagalisa - Litigants were	Tiagalsa - Litigants were	Jaloba nam - we accuse	Tiagalis’ - Litigants were	Tiagalsa - Litigants were	Tiagalsa - Litigants were
Otial ... ou nas derevni – he took of our villages	Jaloba mi – I accuse	Pochemu zovete ... svoim...? – Why do you call that ... yours?	Jaloba nam – we accuse	Jaloba... na togo – I accuse him	Jaloba nam - we accuse
To ... zemlia izvechnaia sviatogo Mikhaila – that always was the land of st. Michal. Reference to boundary demarcation.	Otvechai! Answer!	Charter	Otvechai! Answer!	Otvechai! Answer!	Otvechaite! Answer!
V tom li otode ... skazyvaete svoi zemli? – Is that allocation for your land?	Tak rek – said so ... charters	Vozrev vo vse gramoty - the judge reads carters	Tak rek – said so ...	Tak rek – said so ...	Tak rek – said so ...
V tom – that is	Vozrel v gramotu - the judge reads the carter	Charters’ citation	Pochemu zh vy ... nazyvaete ... ? – Why do you call that ...?	Pochemu ta cerkov’... tvoia votchina? – why that church is your property?	Skol’ davno brat ... zemli prodal...? – When your brother sold these lands?
Kniaz velikii...	Charters’	Kniaz velikii...	Charter	Tak rek: izstariny	25 years ago

²⁹ ASEI v. 3. № 31.

³⁰ ASEI v. 2. № 464.

³¹ ASEI v. 2. № 381.

³² ASEI v. 2. № 416.

³³ ASEI v. 1. № 521.

³⁴ ASEI v. 1. № 522.

opravil ... obvinil i prisudil – The grand duke declared not guilty... declared guilty and adjudge	citation	opravil ... obvinil i prisudil – The grand duke declared not guilty... declared guilty and adjudge		– said so: by the right of the olden times ...	
Na sude byli... - names of the witnesses	A gramota ... kniazha ... es' li? – Do you have duke's charter?	A tuto byli - names of the witnesses	Velel pered soboiu gramotu chesti - the judge orders to read carter aloud	Pochemu ...tobe ta zemlia votchina? – why that land is your property?	O chem zho vy im... molchali? Why you didn't claim?
	No	Podpisal ... - it was signed by...	Charter's citation	Charters, Starozhil'tsy - witnesses	Ne nadobny byli nam - we didn't need them
	Kniaz velikii... opravil ... obvinil – The grand duke declared not guilty... declared guilty		A vy pochemu ... nazywaete ...? - Why do you call that ...?	Pochemu zhe ta cerkov' ... vasha votchina? – why that church is your property?	Kniaz velikii... opravil ... prisudil ... obvinil – The grand duke declared not guilty... adjudge ... declared guilty
	Na sude bili... - names of the witnesses		Tak rek ... izstariny – said so ... by the right of the olden times	Так рекли... отцы наши ... придавали ... земли к той церкви...	Na sude bil... - name of the witness
	Podpisal ... - it was signed by...		O chem zhe ... im... molchali? Why you didn't claim?	Koi zh zemli imianem ... pridavyvali? – what were names of granted lands?	Podpisal ... - it was signed by...
			Skazali nam gramotu – they said they have a charter	Bezymiannye – lands without names	
			Kniaz velikii... opravil ... obvinil – The grand duke declared not guilty... declared guilty	Shlete li sia na ... znahori? – Do you accept witnesses?	
			Na sude bili... - names of the witnesses	No, we don't	
			Podpisal ... - it was signed by...	Zemli ne pridavyvali – they didn't grant lands	
				Shlete li sia na ... znahori? – Do you accept witnesses?	
				No, we don't	
				Kniaz velikii... opravil ... obvinil I prisudil –	

				The grand duke declared not guilty... declared guilty and adjudge	
				Na sude bili... - names of the witnesses	
				Podpisa... - it was signed by...	
				Pechiat' - seal	

Yuri Vasil'evich's judgment charter of 1471 is pretty similar with Moscow charters presented in table № 3. The only special feature is the enlarged statement of motivation. Mikhail Andreevich's charters have some peculiarities. The earliest charter of 1435 – 1447 looks the most “muscovite”, but it doesn't contain citation of charters that had been presented as evidences. The second charter of 1460s -1470s reminds default judgment charter or *doklad* procedure, it is not normal judgment charter. The third Mikhail Andreevich's charter of 1478 – 1482 also doesn't contain citation of charters and it omits all introduction items and set phrases. Usually Moscow judgment charters cite all the documents, but there are a lot of exceptions: seven trials that were judged by Andrei Perelenshin in 1490s;³⁵ one trial of the beginning of 16th century that was judged by Ivan Boltin;³⁶ one trial of 1492 judged by Mikhail Shapkin and Ivan Golova Semenov;³⁷ and one of 1511 judged by Ivan Zabolotski and Andrei Kharlamov.³⁸ Even relatively late charters of 1520s sometimes don't include document's citation.³⁹ So, I dare to presume that Mikhail Andreevich's charters peculiarities were consequence of scribes' incompetence, but not of separate judicial system.

I cannot see any fundamental difference between judgment charters of appanaged princes, grand dukes of Moscow and Ryazan. It might be interpreted in various ways. I like the hypothesis that unification in judicial sphere passed ahead of annexation of this territories to Moscow.

³⁵ ASEI v. 1. № 584, 583, 585, 586, 589, 592, 593.

³⁶ ASEI v. 1. № 635.

³⁷ ASEI v. 2. № 287.

³⁸ AGR № 25.

³⁹ Archive SPbII RAN Collection 107 (Sobranie Pogodina). Op.1. № 1.