

the attention of the researcher on the number of charitable institutions of various kinds, the internal functioning of these institutions, issues of financing, the main occupation of the inmates. The author stated that the documents of office-work represent the largest group of sources for the history of children's homelessness and neglect of the region. This fact is, on the one hand, positive because it provides a wide information and negative, as some data are contradictions. Analysis of documents office is not only a valuable historical source in the light of the custody of homeless and neglected children in the South of Ukraine in the end XVIII – early XX century, and an interesting example of how the second half of the nineteenth century. acquires its expansion to non-state sphere of clerical work, allowing you to discover the topic of neonotonia.

Key words: *davagna documentation, care, charity, orphanages, Trustees.*

РЕЦЕНЗЕНТИ: *Гедьо А.В., д.і.н., проф.; Чупа В.І., д.і.н., проф.*

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GREEKS OF UKRAINE IN THE LEGISLATIVE POLICIES OF THE RULING GOVERNMENT IN THE SECOND HALF OF XVII-XIX CENTURIES

The article is based on a comprehensive analysis of the sources and literature, determines the place of Greeks of Ukraine in the legislative policy of Hetman and the Imperial Government in the second half of the XVII-XIX centuries.

The stages of the privileged position of the Greek Community are studied. Nizhyn Greek Community can be called one of the first formed in the Ukrainian lands. Greek merchants were invited by the Government of Hetman Bohdan Khmelnytsky in the middle of the XVII century to enhance trade on Ukrainian lands which were in decline because of the events of the National Liberation War. Hetman Government encouraged foreign merchants. They were provided a number of rights and privileges. The result of the active and far-sighted government policy was the formation of Nizhyn Greek Community.

Hetman Government was subsequently substituted by the Russian Empire. However, at first this fact did not affect the development and activity of the Greeks. Nizhyn Greek life activity was regulated by complex of political and legal instruments which were produced by the Hetman and later Imperial power. Those legislative decisions taken during the XVII-XVIII centuries gradually fixed the privileged position of Nizhyn Greek Community.

However, after the liquidation of the Hetman Institute, the Government of the Russian Empire took a hard line on the centralization of the power in the country. The main issue that bothered the authorities is a privileged position of the members of the Greek Community. Among the benefits, which Nizhyn Greeks were using for a long period were: their own judiciary; the presence of seals; the right to conduct trading business freely; the prohibition of other authorities to interfere in the affairs of the Greeks; Nizhyn Greek Magistrate had the right to issue passports etc. All these caused concern of the authorities of the Russian Empire, which led to the gradual elimination of the privileged position of Nizhyn Greeks.

Thus, the article highlights the legal basis of Greek merchants stay in Ukraine; economic, geopolitical and legal factors that influenced the Nizhyn Greeks receiving special status, rights and privileges.

Key words: *Greeks of Ukraine, Nizhyn Greeks, Hetman Universal, Hetman's Government, Hetman Bohdan Khmelnytsky, the Russian Empire, Granted Charter, Nizhyn Greek Magistrate.*

The middle of the XVII century was marked in the history of Ukraine by the events of the National Liberation War. Successful Cossack Army fighting resulted in the formation of the Ukrainian Cossack state under the terms of the Treaty of Zboriv (1649). However, the long war led to the economic decline of the country. In order to restore the functioning of all sectors of society, Hetman government encouraged foreign merchants to enhance trade affairs in Ukrainian lands. As a result, there was a formation of Nizhyn Greek Community. Nizhyn Greek life activity was regulated by a complex of political and legal instruments which were produced by the hetman and the tsarist government. Those legislative decisions taken during the XVII-XVIII centuries, gradually, step by step, were lining privileged state of Nizhyn Greek Community.

The aim of the article is to explain the process of separation of Nizhyn Greeks in legislative practice of hetman and the tsarist government.

The study of history of Nizhyn Greek Community began in the mid-nineteenth century from the article written by M. Storozhevsky [8]. This topic has gained relevance in connection with changes in the socio-political system of the Russian Empire. During the second half of the nineteenth century a number of works on the history of Nizhyn Greek fraternity appeared where the authors had focused on specific aspects of life of the Greek Community. K. Kharlampovich [10] Studies played a special role in the analysis of the legal practices of the hetman and the tsarist governments regarding Nizhyn Greeks. Unlike the works of his predecessors, the entire story of his "Sketches" is based on the most informative complex of sources - archive of Greek fraternity. During the period of "Restructuring" (Perestroika) historians received an access to many archival documents which had been impossible in Soviet times. And it is under these circumstances Shvydko G. [11] began her research activities. Subject of her work was studying of archival documents on the history of Nizhyn Greek fraternity. During the 90's of XX - XXI centuries specialization studies of Hellenistic problems deepened. Critical rethinking of scientific achievements of predecessors and analysis of sources on the history of Greek Community of Nizhyn belongs to A. Hedo [1]. She made a detailed analysis of the hetman Universals that concerned Nizhyn Greeks and provided a clear classification of them by such criteria as the nature of privileges. In general, the authors note that Nizhyn Greek Community had its own specific characteristics in education, social structure, traditions and self-government rights and privileges.

The study source base is published (hetman Universals and the tsarist government legislation) and unpublished (archival) materials that reflect legal practice of hetman and the tsarist governments regarding Nizhyn Greeks.

At Cossack times the basic document defining the position of Greeks on the Ukrainian territory was Universal. According to the classification of Hedo A. [1]. Universals were divided into the following: 1) universals which provided privileges to trade; 2) universals which released from the cart and housing obligations; 3) universals which established a special status of Greeks in Nizhyn; 4) universals which confirmed the previous acts.

The majority of the Universals of the first group are trading ones. This is not surprising, as stimulating of domestic trade was one of the important directions of hetman policy, taking into the account the economic downturn and the need for consumer goods. The Universal issued by B. Khmelnytsky on May 2, 1657, from which originated the legal regulation of the Greeks residing in the Ukrainian lands can be referred to such documents. Universal encouraged Greek merchants to trade in Ukraine. Herewith this Hetman authority undertook to ensure favorable trade conditions for foreigners [9, p. 43]. In an attempt to revive the

commercial activity the authorities did not even stop before the delivery of judicial autonomy to the Greeks and allowed to sue the Greek merchants and their servants according to their customs.

If the first Universal by B. Khmelnytsky only declared the encouragement of Greek merchants to trade in Ukraine, the next document defined the main incentive of the commercial activity - the right to free trade. The Universal by Khmelnytsky on 16 June, 1657 stated that trade because of active business Greek merchants had to cross the border and pay the duty very often. In this circumstances Hetman ordered to release the Greeks from the duty and strongly reminded to local authorities of the need to fully assist the Greek merchants, not hinder, and if necessary, to give them places in the inn so that the Greeks did not lose time and again and again came to Ukraine to trade [9, p. 44]. Greek merchants had to pay only inductus - duty of imported goods. However, a fixed amount of duty was set only in 1660.

So trade preferences and their own court from the very beginning were the main features of the privileged position of the Greeks and the basis for its further strengthening and improvement.

Legally, this was manifested in a number of the following Universals, which according to the above classification can be defined as confirmation ones.

The Universal issued by V. Vyhovsky on 9 February, 1658 Greek merchants' privileges having granted to them by B. Khmelnytsky [9, p. 44] were confirmed. And the next Universal by I. Vyhovsky on 3 May, 1659 reminded to the local officials that in case of aggression of the foreign merchants, guilty were to be punished [9, p. 46].

When Bohdan Khmelnytsky's son Yuri, came to the Hetman power Greek merchants again appealed to the Hetman to get a charter that would confirm their special position in the Ukrainian lands. In response, the young Hetman issued two Universals.

Their content was very traditional. It was forbidden to do any obstacles to Greek merchants when they were moving in the territory of Ukraine, during their trade in the fairs in cities and it was forbidden to collect taxes from the Greeks. Y. Khmelnytsky also reminded Greeks entitled to free judicial resolution of controversial issues [9, p. 46].

Some specification of legal issues is noticed in the Universal by Briukhovetsky on 16 March, 1665. Along with "ritual" for the Ukrainian Hetman confirmation of all the advantages and threats of punishment for those who would violate them, they talked about the features of court between the Greeks and Ukrainians. It could take place in the general court establishments, so disputes between the Greek and Ukrainian merchants were not within the competence of the Greek justice.

So for the period of 1657-1665 confirmation and defensive Universals were the lion's share of the legal framework for the Greek community. Issues raised in these documents, revolved around the trade privileges and their own court and almost did not go beyond the content of the plane that had been outlined by the Universals of Bogdan Khmelnytsky.

The period of the important changes for foreign merchants in general, and the Greeks in particular began from the Universal by I. Samoilovych. He issued two Universals in 1672, as well as the previous ones they confirmed the privileged position of Greek merchants in Ukrainian lands. But Universal issued on November 28, 1675 qualitatively changed the state of Greek merchants in contrast to other foreigners. In the Universal Hetman government appealed to Nizhyn city magistrate with orders not to interfere in the affairs of the judiciary of Greek merchants. The Universal determined that the appeal against the decision of the Greek court could be sent to the General Court [9, p. 53].

The most fundamental changes in the situation of the Greek community were made by the legislative activity of Mazepa. It completed the evolution of the Greek factor from scattered merchant community, whose members temporary were in Ukraine, to organized, geographically defined community. It opened up new prospects for the development of

traditions of self-government. In particular, it appeared in such decisions. Mazepa by his Universal on September 13, 1687 confirmed the right of the Greeks to sue only by their court and be out of the power of the regimental court and city magistrate. And by the Universal on December 18 of the same year he allowed to build their own church and do religious rites according to their custom [9, p. 54]. So for the first time the religious autonomy was added to judiciary one. By the Universal of I. Mazepa on 19 October 1696, Nizhyn Greek fraternity [9, p. 57] was legally formalized. The document stressed on the prohibition of Nizhyn Greeks to do themselves justice of criminal cases. For the first time the Greek households were exempt from municipal obligations [10, p. 21]. Another Universal on 16 May, 1701 Greeks were exempt from providing carts and military housing duties and municipal taxes [9, p. 59].

Both I. Skoropadsky and D. Apostol confirmed all the rights and privileges of Greeks. The absence of new subjects in their Universals indicates that during the ruling time of the Hetman Ivan Mazepa almost all the main spheres of the life of Greeks in Nizhyn had been identified and resolved.

However, the first half of the XVIII century began to Nizhyn Greeks not only with the strengthening and confirmation of their privileged position. After the "betrayal" of Hetman Ivan Mazepa, Hetman's government on Ukrainian lands had been fairly stable and could not become a guarantor of rights and privileges of Nizhyn Greeks. Even in times of Hetman Ivan Skoropadsky Hetman authority was so weak that the military and local governments saw no need to adhere to legislation [2, p. 87]. Therefore Nizhyn Greeks began to seek support and protection in Moscow tsars.

The Greeks turned the Russian government not for the first time. The development of trade business in the Russian Empire reached such a rate that Greek merchants could not stay out of this process. They wanted to find new markets and sought the permission of the Russian government for the right to trade in Moscow. The desire of Greek merchants was supported by the embassy order on 17 April, 1680. To protect the Moscow market from Greeks from Turkey, which could come to Moscow under the guise of Greeks from the Ukrainian town, it was necessary to have a letter signed by Hetman with the military seal, which would have confirmed their identity. [3]

In their petitions to Peter I they complained about the Hetman authorities and asked to give them such a document, which would guarantee the protection of their rights and privileges. This document has been received on 11 March, 1710 when Nizhyn Greeks got granted charter which confirmed all the rights and privileges granted to the community by the Hetman's government. Russian government did not ignore the issue of justice of Nizhyn Greeks. As it had been established before the Greeks had to do the justice among themselves and their servants in all the matters, except criminal and investigation [4].

Decree of the Russian Empress Anna Ivanovna on 8 August, 1734 approved the rights and privileges having been granted to Nizhyn Greeks in the time of Peter I. Among other things, the document dealt with proceeding in the Greek Community. The right of Greeks to do their own trial according to their traditions [5] was confirmed. So they could do trials in all the matters except criminal, but in the 13th paragraph of the decree emphasized that the Greeks had a right to appeal to the General Military Chancellery in Hlukhov in case of inability to solve complex civil cases independently.

An important place in the history of the community has Granted Charter by Elizabeth I granted to the Greeks on 3 November, 1742. Among the mentioned items of the Charter another one was added. It was added because the persistent request of the Greek merchants: it was forbidden to engage members of the Greek Community in public affairs of the city [6]. Special attention is paid there. Despite the absence of territorial separation, Greek Community estranged itself from the city community life. It existed independently, which was confirmed legally.

Reigning period of Hetman K. Razumovsky went down in the history of Nijinsky Greek Community as an attempt to control trial of Greek fraternity by local government. By the order of the Hetman on 16 April, 1751 Nizhyn regimental sergeant was introduced to Nizhyn Greek fraternity. The reaction of Greek fraternity was quick. In August of the same year the Greeks sent a petition to the Hetman about the violation of their privileges. The result was an Universal issued him in Glukhov on 28 August, 1751, which confirmed the rights and privileges of Nizhyn Greeks (exemption from the housing and cart obligation, the right of free movement for commercial activity, the inviolability of the deceased Greeks, the independence of the Greek court, etc.) [9, p.84] and military General's office issued a decree banning any harassment of Greek merchants.

After the liquidation of Hetman Institute in Ukrainian lands in the 60-ies of XVII century the highest authority in the territory of Little Russia was the Second Little Russian Collegium led by Count P.Rumyantsev. The course was set for the centralization of power in the Russian Empire. The main issue concerning Nizhyn Greeks which worried the Russian government, was almost uncontrolled acceptance to the brotherhood not only local Greeks, but also Greeks immigrants and other nationalities from Little Russian. The Decree on 10 February, 1775 granted the following rights and privileges to Nizhyn Greeks: Greek fraternity court was given the state seal; the right to trade freely within Russia was given; it was prohibited to General Court to interfere in the Greeks' business, in solving important issues and litigation higher authority is Little Russian Collegium; in case of disputes of Greeks with people of other nationalities, the Greeks brought Russians to the state judiciary, Russians brought Greeks to the fraternity court; Nizhyn Magistrate was denoted not to violate the rights and privileges of the Greeks, not to delay issuing passports, not to demand carriageway duty and not to restrict the disposal of property of the deceased people in different cities in the interests of the Greeks as the heirs and creditors. [7]

Another important point in the legal regulation of the Nizhyn Greeks life was ordering the judiciary, particularly the part that dealt with appeals.

The historic importance was the legislative Act on 21 April, 1785. The Russian government issued a "Municipal Statutes" in which city management passed to the competence of magistrates and merchants were divided into guilds. This legislative Act actually threatened the Greek Community with its longstanding tenor. Realizing this, members of the Greek Community in Nizhyn immediately addressed to the Empress to approve their privileges. In granted charter provided by Catherine II to Nizhyn Greeks on 1 September, 1785 it was noted that instead of the court of the Greek fraternity Nijinsky Greek magistrate would be created. In addition, special state of Greeks in Nizhyn was confirmed; their benefits were strengthened [2, p. 125]. Granted charter of 1785 completed a long process of formation of self-government of Nizhyn Greeks.

Thus, the government attention to the issues of the foreign colonization of Ukrainian territories affected in a number of political and legal acts which regulated life activity of Nizhyn Greeks. They provided to the Greek Community in Nizhyn economic and judicial privileges and shaped the political and legal framework of self-governing organization. Nizhyn Greek Magistrate became its manifestation.

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ГРЕКИ УКРАЇНИ В СИСТЕМІ ЗАКОНОДАВЧОЇ ПОЛІТИКИ ПРАВЛЯЧИХ УРЯДІВ У II ПОЛОВИНІ XVII-XIX СТ.

*В статті на основі комплексного аналізу джерел та літератури, висвітлюється
місце греків України в системі законодавчої політики гетьманського та імперського
урядів у II половині XVII-XIX ст.*

*Досліджуються етапи формування привілейованого становища грецької
спільноти. В числі тих, що утворилися першими на українських землях можна назвати
Ніжинську грецьку громаду. Греки-купці були запрошені урядом гетьмана Богдана
Хмельницького в середині XVII для активізації торгівельної справи на українських
землях, що перебувала в занепаді через події Національно-визвольної війни.
Гетьманський уряд всіляко заохочував іноземних купців. Їм надавалася низка прав та
привілеїв. Результатом активної і далекоглядної політики гетьманського уряду стало
утворення чисельної Ніжинської грецької громади.*

*Згодом гетьманський уряд було змінено урядом Російської імперії. Проте, на
перших порах цей факт ніяк не вплинув на розвиток і діяльність греків.
Життєдіяльність ніжинських греків регулювалася цілим комплексом політико-правових
документів, які продукувала гетьманська, а згодом й імперська влада. Ті законодавчі
рішення, що приймалися протягом XVII–XVIII ст. поступово закріплювали привілейоване
становище ніжинської грецької спільноти.*

*Однак, після ліквідації інституту гетьманства, уряд Російської імперії взяв
жорсткий курс на централізацію влади в країні. Основне питання, що турбувало владу –
це привілейоване становище членів грецької громади. В числі привілеїв, якими тривалий
час користувалися ніжинські греки були: власне судочинство; наявність печатки;*

право вільно вести торгівельні справи; заборона втручатися іншим органам влади в справи греків; Ніжинський грецький магістрат мав право видавати паспорти тощо. Все це викликало занепокоєння влади Російської імперії, що призвело до поступової ліквідації привілейованого становища ніжинських греків.

Отже, стаття висвітлює правове підґрунтя перебування грецьких купців на території України; економічні, геополітичні та правові чинники, що вплинули на отримання ніжинськими греками особливого статусу, прав та привілеїв.

Ключові слова: греки України, ніжинські греки, гетьманський універсал, гетьманський уряд, гетьман Богдан Хмельницький, Російська імперія, жалувана грамота, Ніжинський грецький магістрат.

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КРЕДИТНО-ФІНАНСОВІ УСТАНОВИ УКРАЇНИ СЕРЕДИНИ ХІХ – ПОЧАТКУ ХХ СТ. У ПРАЦЯХ ДОРЕВОЛЮЦІЙНИХ ДОСЛІДНИКІВ

В статті розглядається стан наукової розробки проблеми вивчення джерел з історії становлення кредитно-фінансової системи України другої половини ХХ – 1917 р. Предметом наукових досліджень були різні аспекти історії розвитку кредитно-фінансових установ України, проте на сьогодні у історичній літературі відсутні узагальнюючі наукові роботи, у яких було б здійснено комплексний аналіз джерел з історії розвитку кредитно-фінансової системи України зазначеного періоду.

Ключові слова: банк, кредитні товариства, кредитно-фінансова система, ощадні каси.

Процес становлення та розвитку мережі кредитно-фінансових установ України другої половини ХІХ – 1917 р. був предметом уваги багатьох сучасників та вже більше ста років у більшій чи меншій мірі привертає увагу вітчизняних та зарубіжних науковців. Дореволюційна історіографія багата дослідженнями, у яких висвітлювалися різні сторони фінансової та торгово-промислової політики самодержавства. Це період дискусії у суспільстві про подальші шляхи соціально-економічного розвитку імперії, у тому числі й інституту кредитування. Вивчення думок та поглядів сучасників цих процесів є метою даної статті. Загалом досліджень присвячених дореволюційній історіографії кредитно-банківської системи України, або ж Російської імперії в цілому дуже мало, здебільшого це частини дисертаційних досліджень, як-то В.І. Марочко [20, 22, 26, 34]. Окремо можна виділити статтю російського дослідника К.А. Ісинського, у якій розглядаються праці дореволюційних російських істориків з вивчення провінціальної банківської системи Росії середині ХІХ – початку ХХ ст. [16].

Перші спроби охарактеризувати новостворену кредитно-фінансову систему було зроблено у 60-х – 70-ті рр. ХІХ ст. і стосувалися вони Російської імперії загалом. Це роботи О.В. Яковлева, В.Ф. Лугініна, Н.П. Коллюпанова, О.І. Васильчикова [7, 25, 37]. У тогочасних роботах відсутній історіографічний аналіз літератури та міститься мало посилань на джерела. Проте усі автори висловлювали одну думку – потреба Росії в упорядкованому кредитуванні, а вже потім вони полемізували про найкращу систему