

# Economic Issues in the Congress Debates of the Chambers of Commerce and Industry in the Old Kingdom of Romania (I)

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## Abstract

*The article highlights the fact that the history of the Chambers of Commerce and Industry in the Old Kingdom of Romania confirms the thesis according to which, as well as in other countries that started later their capitalist development, the institutions and the modern economic legislation, inspired from the Western developed world, were adopted, in most cases, before the development of the modern economic-social structures. Although set up as early as 1864, significant positive changes occurred in the activity of the chambers of commerce and industry only after the adoption of the new organisation and operation law (May 1886) and of the application regulation (August 1887). Between 1899 and 1913, an important role in promoting the economic policy of the chambers of commerce and industry was played by the 14 annual congresses in which there were discussed important aspects of the application and alteration of the trade and industrial legislation. The archive documents used in this article for the illustration of the economic issues registered in the agenda of the congresses of the chambers of commerce and industry represent an "image" of Romania's difficult and sinuous route in the modernization process of its economic institutions in the decades before the First World War.*

**Key words:** *economic history of Romania, chambers of commerce and industry, annual congress, old institutions of trade, hawking, fair and stock market, bankruptcy, primitive capital accumulation*

**JEL Classification:** *N00, N73, N93*

In Romania, as well as in other countries that started later their capitalist development, the modern institutions and legislation were inspired from the experience of the advanced countries, being adopted, in most cases, before the development of the modern economic-social structures. It is also the case of the Chambers of Commerce and Industry set up during the reign of Alexandru Ioan Cuza (October 1864). The low level of our country's economic development in the decades following the Union of Principalities, the low representation of the native elements in the industrial and commercial background of the time, the existence of guilds until their official closing down in 1873, falling the activity of the chambers of commerce under the control of the state authorities<sup>1</sup> (ministry, prefectures), the refusal of some tradesmen and

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<sup>1</sup> By the 1864 law, the activity of the chambers of commerce fell under the authority of the Ministry of Interior, Agriculture and Public Works, set up in the same year. In 1869, it became, by its separation from the Domestic Affairs, Ministry of Agriculture, Commerce and Public Works. By Law on the 30<sup>th</sup> of

industrialists to be involved in exercising the attributions stipulated in the setting-up law etc. were some of the reasons for which the Chambers of Commerce institution operated with difficulty and slow, differently from the Western world where it had been imported from.

After the adoption of the new law for organisation and operation (May, 1886) and of the application regulation (August, 1887), there were significant changes in the activity of the chambers of commerce and industry, in the years that followed, as there were better conditions for this institution to carry out its role assigned by the law, namely that of *advisory body of the Government regarding the trade and industry, concerning the defence against and promotion of the interests of tradesmen and industrialists*.

The evolution of the chambers of commerce and industry cannot be separated from that of Romania's economic evolution in the second half of the 19<sup>th</sup> century and the beginning of the 20<sup>th</sup> century. They actually started to function only after having obtained the state independence, in the context of the "acceleration" of the modernisation process of Romania's society and economy. Similarly to other low-developed countries in the Eastern and South-East Europe, the increase of the state consumption (production means for railroad building, building of roads, ports, docks, telephone, telegraph, weaponry and ammunition, military equipment etc.), as well as of the demand for consumers' goods from the ever-growing number of civil and military servants represented a developing market<sup>2</sup>. Under these circumstances, the increase of the volume of trading activities in economy and the sorting out of the multiple issues generated by the industrialization of the country (a result of the state policy as well as of the „export capitalism's"<sup>3</sup>), led to the increase of the role of chambers of commerce and industry.

Between 1899 and 1913, an important part in promoting their economic policy was played by the 14 annual congresses, organised by each chamber in its turn, as follows: Ploiești (May 16, 1899), Bucharest (May 8-9, 1900), Iași (May 16-17, 1901), Craiova (May 29-30, 1902), Brăila (May 24-25, 1903), Galați (May 22-23, 1904), Pitești (May 21-23, 1905), Bucharest (May 8-9, 1906), Constanța (May 21-22, 1908), Botoșani (May 21-22, 1909), Focșani (May 21-22, 1910), Ploiești (May 19-21, 1911), Tulcea (May 3-5, 1912), Iași (May 19-21, 1913). These congresses debated issues referring to: hawking and fairs, the law of bankruptcy and the extension of the bankruptcy condition to non-traders; the law of patents; the alteration of the law of chambers of commerce; trading conventions and customs tariffs, the trade with postal effects, alteration of the trade code, the sugar manufacturers' cartel, brokers and trade agents, trading education, the stock exchange law, the law of companies' registration, the law for the promotion of the national industry, the free areas, the Sunday rest law, the Romanian railroad transport, the organisation of the cereal internal and foreign trade, the trading relations with the Orient countries, navigability on the Prut<sup>4</sup>.

The setup of the institution of chambers of commerce and industry congresses in 1899 was mainly due to the great efforts of the chamber in Ploiești<sup>5</sup>. However, there must be highlighted the fact that other chambers had previously tried to organise such manifestations. For instance,

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March, 1883, it was created the Ministry of Agriculture, Industry, Commerce and Domains, within which "The superior council of agriculture, commerce and industry" operated.

<sup>2</sup> Virgil Madgearu, *Evoluția economiei românești după războiul mondial*, Scientific Publishing House, Bucharest, 1995, p. 15.

<sup>3</sup> *Ibidem*, p. 20.

<sup>4</sup> *The Report of the Permanent Committee Secretary of the Chambers of Commerce Congresses*, shown in the 12<sup>th</sup> Congress of the Chambers of Commerce and Industry, National Archives – County Direction Prahova (NA-CDPH), *The Chamber of Commerce and Industry Ploiești Fund*, Record 1/1911, f. 24-25.

<sup>5</sup> Issues concerning the preparation and conduct of the first congress in Mihai Irimiea, „A Successful Initiative in Prahova: the First Congress of the Chambers of Commerce and Industry of Romania (Ploiesti, May, 16, 1899)”, *The Petroleum-Gas University of Ploiesti Bulletin*, Economic Sciences Series, No. 5B/2008, pp. 7-12.

in 1893 the chamber in Iasi sent the Ministry of Agriculture, Commerce and Domains a project for the alteration of the regulation regarding the chambers of commerce, a project that put forward the organisation of congresses on an annual basis, without receiving, however, an answer in the following years<sup>6</sup>. In May 1887, the Chamber of Commerce and Industry Focșani required the adhesion of the other chambers to organise some congresses “which should discuss about the causes due to which the Romanian trade and industry still find themselves in a primitive condition and should obtain, by means of the Government, some improvements that should bring these domains to the level of the requirements of the time<sup>7</sup>. The congresses should have had an open character, without the limitation of participation only to the members of the chambers of commerce, so that “*each tradesman and industrialist should be able to take part in and express their problems*”. This initiative was not approved of by the Ministry either, as we could see from an address on the 13th of November, 1896, from the Chamber of Commerce and Industry Focșani to the chamber of Ploiești<sup>8</sup>.

At the first congress of the chambers of commerce and industry that took place in Ploiești, on the 16<sup>th</sup> of May, 1899, there participated members of the chambers of commerce only from Ploiești, Iași, Pitești, Bucharest and Galați, a total of 27 delegates out of 49 initially registered. The absence of some delegates was especially due to the high level of transport expenses, as these would imply a real “pecuniary sacrifice”<sup>9</sup>, as one of the participants put it.

In time, the importance of the event increased, as well as the number of participants. For instance, at the 12<sup>th</sup> congress that took place in 1911, which was organised also in Ploiești, all the 11 existing chambers at that date took part, (Craiova, Pitești, Ploiești, Bucharest, Brăila, Galați, Focșani, Iași, Botoșani, Constanța, Tulcea) 220 delegates being registered. If the Government was represented, in the first congresses, only by the prefect of the host county, at this event organised by the Chamber of Commerce and Industry Ploiești the very Minister of Industry and Commerce participated, together with the general secretary of the Ministry and other 14 civil servants, directorate, service or office managers. At the opening of the congress, the Minister (D. S. Nenițescu) declared that he came in the middle of the representatives of trade and industry, together with the entire high official staff of the ministry “to get the administration rules from the source, as there is no better water than the one from under the cliff”<sup>10</sup>. There were present representatives from some newspapers such as “Universul”, “Dimineața”, “Epoca”, “Viitorul”<sup>11</sup>.

The annual congress institution of the chambers of commerce and industry was born out of the desire to strengthen the bonds of friendship and interests among the members of the chambers, but also in order to “*discuss and express wishes regarding the measures to be taken for the prosperity of trade and industry*”<sup>12</sup>.

<sup>6</sup> National Archives – County Direction Prahova, *The Chamber of Commerce and Industry Ploiești Fund*, Record 1/1911, f. 5-6.

<sup>7</sup> The Bulletin of The Chamber of Commerce and Industry District VII Focșani, No. 43/1889, p. 40.

<sup>8</sup> National Archives – County Direction Prahova, *The Chamber of Commerce and Industry Ploiești Fund*, Record 12/1896, f. 3.

<sup>9</sup> The Bulletin of The Chamber of Commerce and Industry District III Ploiești no. 231/1899, p. 2. In a few years, the participants in the congresses could benefit from the 50% deduction of train tickets, as a result of the steps taken by the Ministry in this respect (National Archives – County Direction Prahova, *The Chamber of Commerce and Industry Ploiești Fund*, Record 2/1905, f. 65).

<sup>10</sup> The Bulletin of The Galați Chamber of Commerce and Industry, No. 5(68), May 1911, pp. 132-133.

<sup>11</sup> National Archives – County Direction Prahova, *The Chamber of Commerce and Industry Ploiești Fund*, Record 3/1911, f. 173.

<sup>12</sup> Art. 5 of the *Regulations of the Chambers of Commerce and Industry Congress*, National Archives – County Direction Prahova, *The Chamber of Commerce and Industry Ploiești Fund*, Record 2/1911, f. 256-257.

The need for a better organisation with a view to promoting the interests of tradesmen and industrialists was highlighted from the very first congress. “*Until now, the chambers of commerce have had a mere decorative function and our opinion has hardly been listened to*”<sup>13</sup>, said the chairman of Iași chamber (G. D. Șerban), one of the most fervent supporters of the idea of congress. Another person from Iasi put forward, at the same time, a system that would achieve “unity of opinion” regarding the economic issues about which the Ministry required their point of view. Starting from the existence of some divergent opinions concerning various economic issues, as this could have been an explanation of the fact that the Ministry did not take into account the proposals sent from the territory, there occurred the necessity to centralise and harmonise the points of view of general interest of the chambers by the organising institution of the annual congress, before being sent to the Government.

The annual congresses of the chambers of commerce and industry filled, in a way, the gap left after the premature ceasing of activity of the *Romanian Economic Congress*, a public use institution whose purpose, formulated in its status, was “the economic regeneration of Romania, with the help of all legal means”. The *Program* of the congress contained a series of important economic objectives: the development of education, especially the agricultural, trading and arts and crafts one; the application of the protectionist principle for the Romanian industries; the application of the prohibitive principle for the raw materials that are similar to the ones existing in the country; the state intervention, by offering bonuses to the native manufacturers who faced competition from the foreign merchandise present on the domestic market; customs protection for the machines and the materials necessary to the industries in the country; offering export bonuses and returning the customs duties when exporting domestic industrial products; laws to protect the trade and industry against unfair competition; denouncing the trade conventions and their renewal on protectionist bases; the decrease of the railroad tariffs with a view to favouring export and domestic production; the development of land and water communication means, correction and navigability of rivers; the improvement of the infrastructure of ports by encouraging the development of trading transaction centres, reestablishment of guilds etc.

*The Romanian Economic Congress* took place two times only, in 1882 and 1884. We share the point of view of the authors of a remarkable work about the two economic congresses<sup>14</sup> namely that they had a powerful echo in the epoch, thus contributing to the clarification of the economic policy, to the setting-up of some targets and strategies meant to speed up the modernisation process of Romania.

Many of the economic issues discussed in the two economic congresses organised in Iasi in 1882 and 1884 would be reissued in the agenda of the 14 annual congresses of the chambers of commerce and industry. After 15 years, the battle of the Romanian tradesmen and industrialists to achieve some objectives from the documents of the *Romanian Economic Congress* would be materialised in the adoption, at these annual congresses of the chambers, of some decisions that were subsequently sent to the Government. The initiators of the congress wanted, in this way, “the voice of tradesmen and industrialists to be listened to and respected”.

At the first congress that took place in Ploiești, on the 16<sup>th</sup> of May, 1899, according to the previously-announced program, only three of these problems were discussed, namely: hawking, fair and stock market set-ups and the law of bankruptcy. During the period the congress was prepared, it was insisted that the agenda should be ampler. Thus, the chambers of commerce and industry from Iași and Brăila sent the organisers several proposals aiming at supplementing the agenda (the improvement of the law referring to the organisation and functioning of the chambers, reintroduction of guilds, alteration of the legislation regarding the support of the industry, the alteration of the law concerning Sunday rest, the alteration of the customs

<sup>13</sup> The Bulletin of The Ploiesti Chamber of Commerce and Industry, No. 231/1899, p. 7.

<sup>14</sup> C. Botez, I. Saizu, *Acțiuni ale României după războiul de independență. „De la Plevna politică la Plevna economică”*, Editura Junimea, Iași, 1988.

conditions, the alteration of the stock exchange law, offering some rights for the operation of the chambers etc.<sup>15</sup> At the same time, during the sessions of the congress, some of the participants proposed that other matters should be discussed, apart from those included in the program: the set-up of a chamber of commerce in every county, denouncing the trade conventions and applying protectionist measures, the adoption of a law which should punish unfair trade, firm measures for the application of the trade law, the urgent set-up of vocational schools in every county, the necessity to support the program adopted in the congress by the deputies of the Second College in the Parliament of Romania etc.

The debates about the hawking issue were opened by the Chamber of Commerce and Industry Ploiești Chairman, Ion K. Gogâlniceanu, who emphasized the fact that, although the hawking law had already been promulgated, it had not been enforced until that date, although numerous complaints had been made by the Ministry of Commerce, by prefectures and by the police. “*We could not obtain any result, because hawking is practiced everywhere and the law has still not been enforced*”, he concluded. “*Hawking – a delegate from Bucharest would highlight – gives way to bankruptcy, it would leave the shops empty and would take the merchandise from house to house; as a general rule, all these are only foreigners who have all kinds of stuff on their shoulders*”. The congress empowered the chairman to intervene to the ministers of Commerce, Domestic Affairs and Justice in order for the hawking law to be enforced “*more seriously*” until the moment it is altered.

The hawking law was adopted on the 17th of March, 1884, and the application regulation was promulgated on the 11th of June, 1888. Years later after it was adopted, reality would prove that the law could not offer protection to “*stable and serious*” trade, as it was very difficult to put an end to illegal hawking performed by peddlers, especially foreign servants, in the shadow of the indifference of the local bodies of the state administration<sup>16</sup>. This state of affairs would make stable merchants protest. Some time before the first congress, in the *Statistical General Report for 1894* sent to the minister of Agriculture, Industry, Commerce and Domains, the chairman of the Chamber of Commerce and Industry Ploiești stipulated it was necessary to guarantee “*the trade of stable people, who work legally, not under the mask of hypocrisy*”. As concerns the hawking law, he considered it had to be altered because, in reality, it cannot apply as “*it does not punish, or it hardly punishes ... and hawking is practiced as it has been so far*”.

Three years after the first congress, the new chairman of the Chamber of Commerce and Industry Ploiești, eng. I. Gheorghiu, in the annual report of the chamber to the Ministry, referring to the illegal hawking, said that “*it became a matter which was debated by each and every chamber of commerce, as well as in the congress of the chambers of commerce; however, it still remained as it used to be. We have a law that regulates it but which does not apply; various measures have been taken, but without a practical outcome (...) We would like to find a means to stop it or, better said, to enforce the existing law*”<sup>17</sup>. Under these conditions, it is easy to understand why the hawking matter was found again on the agenda of the 1901 congress in Iasi, as well as on the agenda of the 1908 congress, organised by the chamber in Constanta. Without too much success, if we consider the 1909 report of the same chamber in Ploiești of which we extracted the following fragment: “*...there were discussions in the congresses of the*

<sup>15</sup> The Bulletin of The Chamber of Commerce and Industry District III Ploiești no. 230/1899 (supplementary), p. 1-4.

<sup>16</sup> According to the law, the hawking authorization was given by the communal authority where the trader lived (art. 8); the communal, administrative and police agents had to “*immediately stop*” any form of illegal trade (art. 21); the contraventions were punished by a 100-1000 lei fine (art. 16). *Hawking Law* on the 17<sup>th</sup> of March, 1884, in C. Hamangiu, *Codul general al României cuprinzând legile uzuale de la 1861-1900*, Bucharest, 1900, pp. 2120-2126. See also the law’s application *Regulation*, in the same place pp. 2325-2332.

<sup>17</sup> Chamber of Commerce and Industry District III Ploiești, *General report for 1902 addressed to the Minister of Agriculture, Industry, Commerce and Domains*, Ploiești, 1903, pp. 39.

chambers of commerce in this respect, but the law still remained inapplicable. Today, much like in the past, both the streets of the towns and rural communes are strolled upon with various hawking merchandise, purchased by God-knows-what fair or unfair methods, merchandise sold to the naive public, often at exaggerated prices and nobody stops the selling, nobody asks about the source of this merchandise, so this law seems not to exist at all”<sup>18</sup>. In October 1913, as a result of numerous requests and claims concerning the illegal hawking from the territory, the Ministry of Industry and Commerce issued a circular letter by means of which the chambers were granted the control right over the hawking trade and severe measures were established against those who would break the law.

On the agenda of the first congress of the chambers of commerce and industry there also was, as we pointed out before, the issue of setting-up new fairs and stock markets. As their interests were threatened, tradesmen required in the congress the closing down of the existing fairs and the interdiction to set up new ones. In a report addressed to the Minister of Commerce by the chamber in Ploiești, read in the congress by chairman Gogâlniceanu, the desire of the tradesmen was substantiated as follows: “*The periodical fairs and markets in the rural communes are a centre of commercial corruption, because unfair tradesmen trade their merchandise that comes from bankruptcies, unhygienic, forged drinks, trying to cheat the peasants who, not knowing very well what they buy and consume or the current price, become the victims of the profiteers (...) Most of the dishonest profiteers, on the occasion of these fairs, find the means of getting rich to the detriment of our tradesmen; they sell the merchandise at this price to sell as much as they can and to get a higher amount of money (...) These fairs and markets, which are so ruining for the rural population, are held today only by the landlords on whose lands they are made and who get much money out of it...*”

The proposal to close down fairs did not aim at those that were set-up before 1866 (about 100) whose legal existence could be invoked by the existence of some princely charters. It was considered that there could be closed down only those fairs that were set up by the County Councils Law which contained provisions in this respect. The existence of some periodical fairs for selling animals and crops was acknowledged, although there was the concern that inn-keepers or manufacture traders could not be stopped from coming to these fairs (stock markets). “*The laws we have – a delegate from Bucharest would say – are not enforced as they are, for they are interpreted according to the will of the one who is required to enforce them*”.

The fair matter was also discussed in the 7<sup>th</sup> Congress that took place in Pitești on the 21<sup>st</sup> and 22<sup>nd</sup> of May, 1905. In the report that was presented by the organising chamber, it was shown the fact that fairs were too numerous and had no usefulness, due to the fact that “*all the needs that required their setting up have now been fulfilled*”<sup>19</sup>. They were considered to be “*a means to get rid of old merchandise and a means to deceive and to corrupt*”, mainly a threat at the “*stable and fair*” trade, both in towns and in villages. The congress decided an intervention should be made at the Ministry to revise the operating rights of fairs and to regulate the modality of selling merchandise in the weekly fairs and stock markets, in the sense of restricting the selling rights only to animal or vegetal agricultural products, products of household and peasant industry<sup>20</sup>.

<sup>18</sup> Ibidem, *General report for 1909...*, p. 18

<sup>19</sup> In June, 1898, in a report addressed to the relevant Ministry, the Chamber of Commerce and Industry Ploiești would write: “*The necessity for such fairs to exist had its reason when we lacked the means of communication and the villager, being too far away from the town, could not purchase the instruments required for his production, as he had to spend too much money and time away from his job. Today, when almost the entire country is provided with railroads, when almost each hamlet is connected with the fairs by well-maintained means of communication, the existence of these fairs and stock markets can no longer be accounted for*”.

<sup>20</sup> National Archives – County Direction Prahova, *The Chamber of Commerce and Industry Ploiești Fund*, Record 4/1905, f. 25.

The participants in the first congress in Ploiești also discussed about the legislation referring to bankruptcy, an ever-increasing phenomenon after the Independence War, a fact that caused concern both on the part of the Government and the chambers of commerce. From a circular letter sent on the 16<sup>th</sup> of November, 1882 by the Ministry of Justice to the chambers of commerce in the country, we learn that the number of bankruptcies rose from 21 in 1878 to 120 in 1881 and 1882, then to 177 in the first 9 months of 1882, although in this period there were favourable economic conditions (good years for agriculture, increasing export, lowering the limit of public and private credit etc.). Between 1878 and 1882 the document refers to, there was recorded throughout the country a number of 488 bankruptcies, most of them in Bucharest (136), Iași (73), Galati (47), Botoșani (37), Braila (18). As regards the nationality of the bankrupt tradesmen, 320 were Jewish (66%), 112 Romanian (23%) and 56 other nationalities (11%)<sup>21</sup>. In 1882, the counties situated in the responsibility area of the Chamber of Commerce and Industry Ploiești (District III) were not on this list, but in 1901, they were also on the bankruptcy list, as follows: 27 in Prahova, 5 in Buzău, 3 in Dâmbovița. In 1901, 2388 claimed bills were registered at the Prahova Court of Law<sup>22</sup>.

The above-mentioned circular letter issued by the Ministry of Justice concluded that the bankruptcies were the result not only of lack of skill in business, but also of fraud, illicit actions, the wish for quick enrichment without hard work, to the detriment of others. The Minister (Eugen Stătescu) demanded the chambers to carry out thorough inquiries on bankruptcy circumstances, so that they "*should make the Government understand the measures to be taken in order to fight it and diminish it*". Following the recommendations of the Ministry regarding the monitoring of bankruptcies, the appointment of "bankruptcy syndic judges" from trustworthy and disinterested persons for covering the frauds and the better collaboration with the courts of law, the chambers of commerce could have had a more significant contribution to "*restricting evil and elimination of this disease which, if it were to increase, it would threaten to ruin and damage the reputation of the whole Romanian trade*".

From the annual reports of the chambers to the Ministry we also learn other causes related to the increase of the phenomenon. For instance, in the 1894 report, the chairman of the chamber in Ploiești put down the following: "The trade law is highly faulty, it contains many gaps and is interpreted by our magistrates in favour of the bankrupt people, which encouraged many to take this way (...) With such a law that protects fraud to the detriment of the honest, we cannot expect a fast improvement".

The new *Trade Code* adopted in May 1887, inspired from the Western doctrine and jurisprudence, filled in many gaps in the previous trade legislation regarding bankruptcy<sup>23</sup>. „If it applied thoroughly, it would still have satisfactory results”<sup>24</sup>, said the chairman of the chamber of commerce in Bucharest, at the 1899 congress. On this occasion, the chamber in Ploiești showed a report of proposals regarding the alteration/cancellation of some articles in Book III (*On Bankruptcy*) of the Trade Code. There were put forward, among others: the arrest of the

<sup>21</sup> Ibidem, Record 1/1882, f. 22-23.

<sup>22</sup> Chamber of Commerce and Industry District III Ploiești, *General report for 1902 addressed to the Minister of Agriculture, Industry, Commerce and Domains*, Ploiești, 1903, pp. 19-20.

<sup>23</sup> In the *Trade Code* in 1887, the juridical norms regarding bankruptcy were included in *Book III*, structured as follows: Title I – *On bankruptcy statement and its outcomes* (art. 695-729); Title II – *On managing bankruptcy* (Art. 730-767); Title III – *On liquidating liabilities* (768-802); Title IV – *On liquidating assets* (Art. 803-818); Title V – *On distribution among creditors and on closing the bankruptcy* (Art. 819-831); Title VI – *On the cease and suspension of bankruptcy* (Art. 832-865); Title VII – *Provisions about the bankruptcy of trading companies* (Art. 866-874); Title VIII – *On penal offences regarding bankruptcy* (Art. 875-888). See Law Decree no. 1.233/1887, published in the Official Gazette no. May 31/10, 1887.

<sup>24</sup> *The First Congress of The Chambers of Commerce in the Country*, The Bulletin of The Chamber of Commerce and Industry District III Ploiești no. 231/1899, pag. 5.

bankrupt persons by the examining magistrate without the sentence of the court, under the conditions of some serious fraud signs; the syndic for the administration of bankruptcies should be chosen according to a list shown by the chamber of commerce in the district of the trade court required to try the cause, in the order in which the proposals in the annual table made by the chamber were registered; the recruitment of the syndics only from Bachelors of Law or Law PhDs who had practised law or magistracy for at least 5 years; the selling of the assets by mutual agreement of the parties; continuation of the trading activity, only with the consent of the trade court, in the situations that would represent an advantage for the creditors etc. A trader from Ploiești put forward in the congress the very elimination of the juridical norms from the Trade Code that refer to bankruptcy, and traders should be subjected to the provisions of the Civil Code, like any regular citizen, and “debtors could be pursued, sequestered as per the civil laws”, thus arguing that it was not rational to “make special laws for each and every specialty”.

At the congress in 1900 in Bucharest and 1902 in Craiova, the alteration of the Trade Code was requested, in the sense of extending the bankruptcy condition to non-traders as well, arguing that they also took credits from banks or private persons, but they were not subjected to the same penalties stipulated by the law, as the case was for the traders who become bankrupt. Bankrupt merchants could go to jail, while non-traders, in the worst-case scenario, could only be deprived of the goods they purchased on credit.

In the 1911 congress that took place in Ploiești, as a result of the discussions on the report called “*Credit organisation*” shown by the Chamber of Commerce and Industry Botoșani, a resolution was adopted, which required the following: (1) the extension of art. 3 in the Trade Code, being considered “trade deeds” all enterprises that use credits, among which agricultural tenancies and those which, on the date when the law was adopted (1887) were not as developed as in the year of the congress; 2) the extension of the bankruptcy condition to all non-traders and enterprisers of any kind who take credits “so as they could be pursued as easily and with the same effect like tradesmen, so that their fortune should be monitored more easily, so that their alienation documents made to the prejudice of creditors should be destroyed easily and quickly”<sup>25</sup>; 3) the supplementation of the law regarding bankruptcy (the obligation of the prosecutor to notice ex officio and to declare bankruptcy for all who used credits, in case there were 5-10 claimed bills; the administration and liquidation of the fortunes of bankrupt people by a person appointed by the court), measures to recover the credits from bad payers; 4) simplifying the procedures to cash the debts from supplies made by tradesmen and industrialists; 5) the setting up of a credit institution under more advantageous conditions to satisfy the needs of the trade and industry.

The discussions on this topic were resumed in 1912 at the 13<sup>th</sup> congress in Tulcea, when the report called “*Alteration of the Trade Code Regarding Bankruptcy*” was presented by the organising chamber. The congress decided upon the setting up of a commission made up of the chairmen and secretaries of all the chambers in the country, whose purpose was the drawing up of a final document that was to be sent to the Parliament of Romania.

Summing up what we have illustrated so far, we may say that the archive documents that contain the issues registered in the agenda of the congresses of the chambers of commerce and industry represent an “image” of Romania’s difficult and sinuous route in the modernization process of its economic institutions in the decades before the First World War. In the years when the last congresses of the chambers took place, the modernized area of the economy mainly included the urban market, while in the rural world there continued to exist the old trading forms (hawking, speculative rural shop and pub, occasional fairs and stock markets) which *fully exercised the primitive capital accumulation function*<sup>26</sup>.

<sup>25</sup> *The 12<sup>th</sup> Congress of the Chambers of Commerce and Industry in Romania*, The Bulletin of The Botoșani Chamber of Commerce and Industry, No. 13-14, June 1911, p. 3.

<sup>26</sup> Victor Axenciuc, *Introducere în istoria economică a României. Epoca modernă și contemporană*, „România de Măine” Publishing House, Bucharest, 1997, p. 165.



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## Probleme economice în dezbaterile congreselor Camerelor de comerț și industrie din Vechiul Regat al României (I)

### Rezumat

În articol se subliniază faptul că istoria Camerelor de Comerț și Industrie din Vechiul Regat al României confirmă teza potrivit căreia, ca și în cazul altor țări care au pășit mai târziu pe calea dezvoltării capitaliste, instituțiile și legislația economică modernă, inspirate din lumea occidentală dezvoltată, au fost adoptate, de cele mai multe ori, înainte de dezvoltarea structurilor economico-sociale moderne. Deși înființate încă din anul 1864, în activitatea camerelor de comerț și industrie s-au produs schimbări pozitive semnificative abia după adoptarea unei noi legi de organizare și funcționare (mai 1886) și a regulamentului de aplicare a acesteia (august 1887). În perioada 1899-1913, un rol important în promovarea politicii economice a camerelor de comerț și industrie l-au avut cele 14 congrese anuale în care s-au dezbătut aspecte importante ale aplicării și modificării legislației comerciale și industriale românești. Documentele de arhivă folosite în articol pentru prezentarea chestiunilor economice înscrise pe ordinea de zi a congreselor camerelor de comerț și industrie reprezintă o fidelă „imagine” a drumului greu și sinuos parcurs de România în procesul modernizării instituțiilor sale economice în deceniile de dinaintea Primului Război Mondial.