

A SCANDALOUS BUSINESS AND ITS RECEPTION IN THE CONSULAR CORRESPONDENCE BETWEEN PARIS, CONSTANTINOPLE AND BUCHAREST: ANDRE TINDEL (1844)

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ABSTRACT:

IN 1844, BETWEEN PARIS, CONSTANTINOPLE AND BUCHAREST AUTHORITIES AN EXTENDED CONVERSATION WAS HELD, WHICH SUBJECT DESCRIBED THE OFFENSES COMMITTED BY A CERTAIN FRENCH CITIZEN, ANDRE TITEL. AS PHYSICIAN, HE WAS WANTED BY THE OTTOMAN EMPIRE CAPITAL AUTHORITIES, BOTH FOR FORGING MONEY AND FOR TRAVELLING UNDER FALSE IDENTITY. AS A CONSEQUENCE, THE PRESENT STUDY AIMS TO TRACK THE WHOLE STORY, TO SEE IN FACT, WHICH WERE THE FACILITIES OFFERED BY GRANTING A PASSPORT OR OBTAINING THE SUDIT QUALITY (SUDIT - INHABITANTS OF ROMANIAN COUNTRIES UNDER THE PROTECTION OF A FOREIGN POWER, THEREBY HAVING THE RIGHT TO A SPECIAL JURISDICTION, TAX PRIVILEGES, ETC., WHICH THE OTHERS DID NOT ENJOY), BUT ALSO UP TO WHERE THE CONSULAR JURISDICTION COULD GET. ONE OF THE MOST POPULAR INSTRUMENTS USED BY FOREIGNERS TO CROSS THE BORDERS, SINCE MEDIEVAL TIMES, IT WAS THE PASSPORT. FROM SIMPLE „ROYAL CARDS”, „LETTERS”, „PASS PERMIT (SAUF-CONDUCT IN FRENCH)” ISSUED TO SOME TRADERS, MERCHANTS, MESSENGERS, PILGRIMS, AMBASSADORS, DIGNITARIES, MILITARIES, UP TO THE CURRENT ELECTRONIC PASSPORT, THIS GAVE THE HOLDER CERTAIN RIGHTS OR PRIVILEGES. DUE TO IT, THE INDIVIDUAL WAS ABLE TO IDENTIFY HIM/HERSELF AS NATURAL, LEGAL PERSON, WHO BELONGED TO A COUNTRY, PRINCIPALITY OR STATE.

KEYWORDS: PASSPORT, INHABITANTS, SUDITS, ROYAL CARDS, SAUF-CONDUCT.

PASSPORT LEGISLATION IN THAT PERIOD.

One of the most popular instruments used by foreigners to cross the borders, since medieval times, it was the passport¹ (Martens 1851: 80-82; Maries 1983 to 1984: 195)². From simple royal cards, letters, pass permit (salvconducte)³ issued to some traders, merchants, messengers, pilgrims, ambassadors, dignitaries, militaries, up to the current electronic passport, it gave the holder certain rights or privileges⁴. Due to it, the individual was able to identify him/herself as natural, legal person, who belonged to a country, principality or state. In the Romanian Principalities in Article 434 of the Organic Regulation of Moldova, it was

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stipulated that "All noblemen or Moldavian city dweller are free to travel in foreign countries, everywhere, wherever their interests require, without anything to stop them, except the events determined by law"⁵. Legal provisions concerning passports are also stipulated in Article 80, paragraph VIII of the Regulation: „, passports incomes issued by the Lord to those who want to travel abroad, who will pay for each passport the fees in amount of ten LEI (Romanian Currency). These passports sealed with the royal seal shall be authenticated by the nobleman himself. Foreign subjects will not be able to leave the borders of Moldova without their passports to be checked by the police. ... Foreigners will pass the borders as before. The amount collected from this fee will go into the treasury at the end of each year". The statutory period, passports and other documents for crossing the border, were issued by the Ministry of Internal Affairs in Muntenia and the Secretary of State of all citizens (Marshal) in Moldova and, with some exceptions, of those of other nationalities. Article 92 of the present Regulations stipulated that:„ All foreigners who visit the city will have to show themselves in 24 hours at Agie (Administrative Authority sec. XVII - XIX in Romania and Moldova, in charge of maintaining public order in the capital city), in order to show their passports and their residence. After investigating this document, Agie will issue, for free, a ticket to stay in the city for a certain period, on which fulfillment the foreigners will be indebted to renew ".⁶

A Controversial Business

In 1844, authorities in Paris, Constantinople and Bucharest, had a whole correspondence, which had as purpose the offenses committed by a certain Frenchman, André Tindel. As physician, he was wanted by the authorities of the Ottoman Empire Capital, both for charges of money laundering and travelling under a false identity. As consequence, the present study aims to follow the whole story, to see which what facilities were offered by granting a passport and obtaining the French Sudit status, but also what privileges someone could enjoy after obtaining of a passport.

On August 9th, 1844, the French Embassy in Constantinople address a note to the General Consulate in response to the letter received on August 17th, the same year, in which André Tindel's case was reported, known in Constantinople as "a man of less Orthodox conduct"⁷. He was chased by the authorities of the Ottoman capital for the guilt to travel with a false passport, but also on the charge of money forgery. From consular reports, it appears that, on May 2nd, he required a visa to Constantinople, on June 2nd he was very close to Braila, and on April 15th the same year, he was heading to Bucharest. According to consular report Tindel was traveling with François Souvel passport, who was captain in the French Navy, for 42 years. Therefore, shortly after the Chancellor of the French Consulate in Wallachia capital, discovered the case, intervened with the Embassy in Constantinople to complain against the theft of the passport and to accuse Tindel before the Consular Court of France. In favor of this assertion, he brought as evidence the passport, characteristics/features of the accused and signature. Therefore, on October 21st, 1844 Billecocq informed that Royal Embassy at Constantinople has decided that Tindel won't return there, against him being issued serious allegations⁸.

This decision gave Billecocq big trouble, who had reasons to believe that the High Porte was searching for this person, guilty in a money laundering and false identity affair. The charge had priority in Constantinople so that, following the orders of the King Embassy, who considered the presence and the arrival of Tindel as inappropriate here, this one wanted more specific instructions about the means needed to be used in order to solve this case.

On October 19th, 1844, the same Billecocq, informed that on October 11th the same year, the Austrian Consulate Chancellor came into his office to inform him that Bucharest Chief of Police had requested him to do a domiciliary search to a French jeweler, where

Tindel could hide. Therefore, the Chief of Police, Aga, rushed to the General Consulate of France, having as proof a fake golden Turkish penny. A certain, Kory, found at the residence of Mr. Jeweler Saget, a banknote. In order to have clarifications, Billecocq went to the police station, where he learned about the young man arrest, young man who claimed to be Souvel seaman, who was none other than Tindel. French representative Billecocq accompanied the Secretary of State, Jean Mano, who, with the most willing interest for the jeweler, Mr. Saget, as head of a family, set out in Bucharest of 8 years, respected by everyone, told him the story of the crime committed by Tindel against the Ottoman Empire. According to his information, this one was to be judged under the Wallachian law, independent of the Ottoman law. On October 26th, 1844, the French Counsel, Billecocq, received a letter from the Constantinople Ambassador, where they were talking about the action brought against André Tindel. According to his information, the defendant requested, on May 2nd, the same year, a visa to Constantinople, which is not very far from Braila. Tindel was living at a French jeweler using Greece and France consulates money, under the name of the salesman Souvel. Following the meeting between Aga and the French Consular Chancellor, it appears that he had a false passport, a letter on which basis he had obtained all the privileges, but also the identity of a French sailor, Souvel. Billecocq considered that the letter sent by the Constantinople Ambassador contained such a serious matter that the Counselor Court could not stay indifferent. However, this one wanted to receive all the evidence and papers related to the case, in order to certify or not the accusation against Tindel. In case he was found guilty, he had to be sent back to France where he was to be judged by his country authorities. Suspected of false identity and money laundering Tindel's presence in Constantinople, but also in the Romanian Principalities, forces the French Embassy to hand him to the Gate⁹.² On one hand,

² Martens 1851, 80-82; Mărieș 1983-1984, 195.

² Issued by the competent authorities, the traveler's passport ensuring free passage from one place to another. Ministers, ambassadors and consuls were entitled to issue these documents to their subjects in order to ensure them free passage.

³ Whether in times of peace the traveler only need a passport, during the war it was necessary the issuance of a pass permit (*salvconducte* in French) endorsed by the belligerent powers. In certain situations, due to the context, the pass permit (*salvconducte*) can be endorsed by the commanders of the army. Passports and pass permit were issued both to the *Suditi* and also to *Protégés*. In passports were mentioned holder descriptions, birth date, citizenship, age, etc. *Suditi* or foreign subjects were foreign citizens on the territory of Moldova and Wallachia under the protection of one consulate. *Suditi* category was formed of genuine subjects, namely foreign citizens coming from their country of origin and having same nationality, and *Protégés*, autonomous individuals, hiding by fraud or abuse under a foreign protection. *Protégés* were divided in foreign *Protégés*, namely subjects of various countries that didn't have capitulations signed with High (Ottoman) Porte and therefore they didn't have in Principalities a consular agent or consul, and in *Protégés* – Ottoman subjects coming from natives, inhabitants in Moldova from ancestors, born in Romanian Principalities and married with native women, old country taxpayers.

⁴ There are differences between rights and privileges. If the first are granted to all, the others shall be granted to "some".

⁵ Petru Net, George Tudor, *Repere Istorice și Juridice Ale Pașaportului Românesc, la un secol de la apariție (I)*, www.e-reporter.ro, address checked on January 31st 2015, 14:30.

⁶ DJANI, *Secretariatul de Stat al Moldovei*, file 1689/ 1849-1861, vol. II, f. 328. Bădărău și Vitcu 2004, 237.

⁷ The hole case can be found at DJANB, Microfilms France, roll 55, f. 58-68 and 125.

⁸ „Copy, August 9th 1855. “Mr. Consul General, observations that you sent me about Tindel crime, as reply to my letter written on August 17th 1855, especially draws my attention regarding public morality, of a penalty imposed to a French subject who, in our point of view, has deceived the good faith of the authorities and obtained a passport for entry. Known in Constantinople as not a moral man, Andre Tindel, Doctor in Medicine, born in Montpellier, left in April using the passport of François Souvel, an old captain in the French Navy. Shortly after, Chancellery Captain presented to me to complain that his passport was stolen by Tindel in the last place. I'm pleased to send you attached 2 pieces that look sufficient. First, is the passport issued by France Consulate General from Smirna which bear his signature and description, second Tindel petition asking the

it was impossible to abandon the fate of a fellow countryman to the Turkish General Court and on the other hand evade the law was contrary to the principle of international equity. Therefore, the Ambassador did not want Tindel to go to Constantinople, in order to avoid a conflict between the two parties, the Ottoman and the French one. However, if the Wallachian police imperatively required his arrest, the Consul should not, under any circumstances, give him, but to send him to Constantinople, to the Embassy with related instructions. Thanks to suzerainty, the Ottoman Empire, on numerous occasions addressed Bibescu, Prince of Wallachia, to claim Mr. Tindel, accused of money counterfeiting. Crown Prince Bibescu replied that he will comply with the procedures always followed in such a case, handing him over to the authority which he depends on.

High Gate insisted, but Prince of Wallachia has maintained his decision. Therefore, His Highness, Bibescu, two days ago, sent Marshal Emanoil Baliano to inform Billecocq, the French consul, on the situation and the urging of the High Porte. High Porte accuses that Mr. Tindel evades since long ago the Sultan's trial, continuing to do his crimes, without being disturbed, in this one states. In these circumstances, the high Divan (was a high governmental body in a number of Islamic states, or its chief official) sentenced him to death on March 2nd. Although we have no evidence about the completion of this business, of the quoted sources we notice that in these territories the consular authorities were facing the strong opposition of the central authorities, who made all the necessary arrangements to apply the Moldavian or Wallachian law of that period. Clearly, the ability to banish a French Suditi was possible, but this can be more clearly analyzed by lawyers.

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passport issuance. His travel to Constantinople is today, more than anytime, forbidden. Mr. Consul I let at your choice the repatriation methods that you considers more safe and economical” Roll 55, chapter 61-62.

⁹ Therapia, August 17th 1844. Mr. Consul General, André Tindel, Doctor of Medicine, manages to procure a false passport having the following descriptions: no. 11, French, young, sailor, born in 4 Hérault, 42 years old, travelling to Bucharest, April 15th 1844. This person, who wants to travel in Romanian Principalities, is compromised in money counterfeiting. He will be arrested by Ottoman authorities in Constantinople. I kindly ask you to decline the visa he will request for this destination and to submit this recommendation to the officers under your command. Roll 55, page 58.

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