

Functions and social background of the self government in the market-towns of the medieval Hegyalja region

I. Review of the theme. Aims of the thesis.

The main aim of this thesis is to examine the market-towns in a small region, which are the most specific element of the Hungarian society development.

The researches of medieval market-towns have old traditions in Hungary. Among others Elemér Mályusz, Jenő Szűcs, Vera Bácskai, Erik Fügedi, Erzsébet Ladányi and András Kubinyi have done research on the medieval oppidum in Hungary during the last 50 years. This researches have a common feature: they usually have examined the economical functions of this settlements, and the role, which they played in the development of the craftsmanship and in the trade of the country. The other important question was, whether the market-towns had contributed to the creating of the „western-type” citizenship in Hungary. These examinations had of summerizing character and focussed on the country-wide situation.

Recently, András Kubinyi had done researches on the *oppidum*, by means of the „central point system”, and had proven, that the medieval Hungarian market-towns can be inserted in the development of the settlements by functional viewpoints.

On the basis of this, the *oppidum* seems more urbanized, than before. Both the outstanding economic role, and the function in the Hungarian society development make us important to investigate them.

My dissertation is a micro-examination on the history of the medieval Patak and the neighboring market-towns in the Hegyalja region. The motivation of choosing this topic can be simply explained. In that region the useable sources have survived in an outstanding amount. What’s more: this documents mainly were issued by the councils of this settlements, and this is the most adequate basis for such a type of investigation. They contain informations mostly in sphere of administration-, social- and legal history.

The administration-history of the market towns isn’t too famous topic among the historians. And, however the abundance of sources in this region is well-known among the scientists, the history of the medieval Hegyalja have not worked up yet by this documents.

We must comment on the examined market towns two important facts.

Firstly, we have worked up the history of some settlements, which, actually aren't in a legal category of the *oppidum* during the Middle Ages, for instance Vámosújfalú, Hejce or Bekecs. The reason, I examined them in contrary of this fact is that they are similar to the real market-towns located in the vicinity by economic and social (wine-growing, wine trading citizenship and *extraneus* possessions), and legal (issuing of documents and complex structures of local town-councils) features too.

The second important thing is connected to the expression of „Hegyalja”. This notion had spread by the 16th century, and then it meant a region, which had a specific social, economical and ethnographical character, and separated from other neighboring settlements. But in the Middle Ages, neither this separation was the matter, nor this word was in use.

So, I examined some market-towns (Gönc and Szikszó), which, actually aren't in Hegyalja, but they are in the near vicinity. Because of the intensive wine-growing, there is a significant similarity to the Hegyalja region, between their economic and social picture.

The third settlement I investigated is Telkibánya. At first sight, its investigation could seem unjustified, because from the 14th century this settlement was a prosperous mining town. On the other hand, by the middle of the fifteenth century the mines started to be worked out, and that time Telkibánya usually appeared in the sources as a simple *oppidum*.

Researching Telkibánya can be justified with another interesting fact, that it was in a decisively wine-growing territory, and so this examination seemed a very fascinating task.

Finally, these three market towns had issued altogether 23 documents in the Middle Ages, and this offered us an excellent solution to gain data about their self-government and society.

The most important group of the documents, what I used during this research is the charters issued by the councils. They are mainly contracts of sales. Additional charters are principally letters, receipts and certificates.

The documents I use also include the charters of the local vicars, and the letters of inhabitants living in these market towns. In addition I make the most of collection of medieval documents and scientific literature dealing with the history of these settlements.

In the beginning, my most important aim was to define the background of the groups appearing again and again in the councils in a different positions.

The basic question was, whether family and social relationships, possessing of vineyards, craftsmanship and appearing in the town council were closely connected with each other.

The other main task was to collect informations about the legal-history background of the market-towns and their self-government.

II. Applied methods.

During the time I were writing the thesis, I made an effort to collect all of the available documents and scientific literature.

The most important part of the sources was the document issued of market towns and villages. This group contains 150 charters, which were read by me in manuscript form. I had searched them with the aid of the database made by the National Archives of Hungary (DL-DF).

The other part of the sources contains even more charters. It includes the documents issued by the local vicars, letters sent by inhabitants and documents, having different origin.

The largest part of this sources haven't published yet. For instance, even so important charters, as the privilege of Patak, donated by Sigismund in 1429 and in which the king gave to the settlement the rank of free royal cities, has'nt issued yet.

Mainly in the chapter summarizing the history of the region, I used the great collection of documents, as for example publications which published the documents of the age of the Árpáds, the Anjous and Sigismund.

In this respect, I must also mention the collection of documents, as *Codex Diplomaticus Hungariae*, *Hazai Okmánytár*, and the important collection of the Hungarian Pálos monasteries, collected by Zsuzsanna Bándi. Finally, I used the collection of the archives of the two cities: Bártfa, and Eperjes. These documents were published by Béla Iványi.

In the territory of legal history, I gained very important datas and analogies for the market towns' legal situation and customary law from a great law collections, such as *Zipser Willkür*, *Budai Jogkönyv*, *Tripartitum*, and the law collections of the market towns located in the Hegyalja in the early modern age.

Regarding the scientific literature, in the chapter I/1. I used mainly summerizing bibliography specialized on urban development, and in the chapters II/1. and II/2. I used studies, dealing with local ghistory, and wine-growing. In the Part IV. I had to make reference to a studies, which were written in the field of linguistics. The other parts of the dissertation are written mostly in the base of the sources.

During the research, I wrote the content of the documents into registers, and put the informations about citizens, as well as other important datas sifted out from them in a database.

This method finally proved very useful, because I was able to look over this huge amount of information in a very simple way.

III. The most important results.

The first part of the thesis (*The market-town, as a subject of a historical research*) summarizes the bibliography of the topic, and offers reasons for choosing this theme. The golden age of researches on market-towns was in the 1960' s, because of the fact, that economic history came into the limelight.

Showing interest in doing research on medieval market-towns seems nowadays lower than before. Nowadays from the point of view of the legal history Erzsébet Ladányi, and administration history Vera Bácskai had done researches in this topic, and András Kubinyi examined the role of the market-towns in the Hungarian urban network.

So, it can be said, that an investigation, dealing with administration and social history of the market-towns is rather justified.

The second part of the dissertation (*The determining factors of the self government in the medieval Hegyalja*) analyses the history of the examined settlements in 26 pages (II/1.). This, in many cases completes the insufficient studies of the local history writing.

In the following chapters of the second part (II/3. and 4.), we can realize the advantages of being a citizen of an *oppidum*, in contrast to living in a simple village. The citizens in the market towns were regularly attacked by others, as well as villeins. The advantage was, that a market-town possessed *persona authentica*, so citizens were able to defend their rights together, and in a legal way. The best example to this fact is that in Patak, in the 14th century the community usually took steps to protect their inhabitants.

In 1363 and 1389 for instance, a citizen from Patak had been charged with doing violation of the law, and the council evidently tried to defend them. In 1358 the council wrote a letter to Louis the Great, in order to protest because of a civil case against their citizen. As I think, the inhabitants of the market-towns had a strong self-respect, and they were totally aware of their rights.

This self-awareness had three sources. Firstly, they considered themselves as a real citizens, similar to the citizens of Kassa, Bártfa or Eperjes. It is visible by the terminology-using of the documents, issued by market-towns. In this sources the clerks of this settlements regularly used the following words, concerning the structure of the council, the town or the citizenship: *civitas*, *circumspectus*, *consul*, *pretor*, *scabinus*, *communitas*, and mainly the *cohors*.

The other important origin of their identity based on the local customary law, which they used in their property circulation. It was looked after by the members of the council, and was mentioned again and again in their charters.

Maybe, the third basis of their self-respect was the person of their landlord. The lord usually didn't intervene in the affairs and customs of the community, as he wouldn't be able to understand them. They intervened only in case of an event, which endangered the order of the settlement. In Újhely in the year of 1419 for instance the lord, László Perényi send into the settlement his delegate, the vicar of Patak, in order to solve a prolonged case.

Another time, the landlord tried to defend the town or improve the situation of the citizens. In 1409, for example, the Perényis protested at the king, because the tax-collectors wanted to levy *lucrum camarae* on the inhabitants of Patak. Their protestation was successful. Our data show us, that the statement of the previous researches, which pointed out, that the main aim of the lord was to decrease the privilege of the market-towns isn't true. The other important fact is that citizens rated this highly. The inhabitants of the medieval market-towns saw the lord as a defender of their rights. The more influential was the landowner, they had more self-respect. The third part of the thesis examines the council (*The council and its social background*). The structure of the self-government, as well as the terminology-using is parallel to the administration of the neighboring cities, however the council of the oppidum usually had less members than in the "real" cities.

The leaders of the settlement have two groups in the council. There was an inside ring, which included the *iudex* and *iurati*, and did the everyday tasks of the settlement. The other group was formed by more citizens (*electi homines, seniores*) and probably decided in an important matters, which affected all of the inhabitants in the settlement.

The structure of the council in the most of our market-towns were continuously changing, but by the end of the Middle Ages, in the most places had been got unified. This structure about the beginning of the 16th century were consisted of one or two *iudex*, and usually three or four *iuratus*.

The chapter III/2. analyses the election of the council and the most important rules of occupying a position. In the most settlements, the election celebrated in spring, before the starting of the regular works connecting to wine-growing. For instance, in Újhely it must have been about at 2. in February.

We can deduce the most important principles of the election. Council members had often been elected to the position of *iuratus*, before they were *iudex*. It could significantly help in achieving an adequate official experience needed by leading a community.

Some of the leaders concentrated the positions of the council in their hands. These people managed to get into the council several occasions, and sometimes for a very long term. For instance *Vid filius Erney* from Patak, occupied the position of the *iudex* between 1348 and 1351 in his settlement.

Occasionally the council members' career covered some decades. The best example is Stephanus filius Blasii from Újhely. 37 years passed from his first to the last election to the council (1389-1426).

In a long term, the same families were represented in the town hall. Sometimes close relatives appeared in the council, and occasionally at the same time. The best examples are from Újhely. No doubt, the elite families in these market-towns shared the council positions with each other. One leader family followed another, and in that way they were able to avoid evolving conflicts.

Sometimes these families appeared in the council again and again during a very long term. The best examples are from Újhely, and Szikszó: the Beke (1355-1465?), Szarvas (1386-1479), Sárkány (1457-1505), Chani (1414-1484) and Hennengh (1406-1484) relatives.

The fourth part of the dissertation analyses similarly the social background of the council members (*Relations between craftsmanship and membership of the council*). However, investigation of linguistics questions wasn't my aim in the beginning, the sources made me possible to do this research.

This is a basic problem not only of the historians, but of the linguists. It is widely accepted in the Hungarian historical science, that the personal names created from artisan names show us this people's real occupation. Spreading of this statement is due to the fact, that we don't have adequate sources to investigate the situation of the craftsmanship in the medieval market-towns. Our documents contain this kind of names in a sufficient number, so we could examine the connection between artisan names and the membership of the council.

The most important question, whether about the end of the fifteenth century, the personal names had turned into heritable names or not. In the first case they didn't show the real profession of the person.

To do this examination I had managed to choose 140 adequate charters from the sources, which contain 1342 names. These names mean 875 citizens. From the year of 1390, the proportion of people having personal names created from artisan names is about 12%, namely 82 person. It shows us at the same time the proportion of the craftsmen in the population of the examined market-towns

We can draw another important conclusion from these data. Citizens, having artisan names represented themselves in a council at a higher proportion, than in the entire population. While a general citizen had about 40% chance to get into the council, the citizens, who had personal names originated from craft names had almost 50%.

The other important conclusion is that this difference was continuously decreasing during the fifteenth century. The end of the Middle Ages people, possessing artisan names had less representation in the council, than others. It is connected with a basic linguistic change. By the end of the Middle Ages, the artisan names in the most cases had turned into heritable names.

To summarize these facts, the craftsmanship is connected with membership of the council. It can be observed, that an artisan had better chances to become council member, than a regularly citizen. However, having vineyards and trading with wine seems easier way to reach this aim in the Hegyalja.

The last part of the dissertation investigate the functions and authority of the market-towns (*The competence, jurisdiction and functions of the market-town council*). By our datas (V/1.), the council acted mostly in the territory of the settlement and when the court case touched citizens living there. In the case of properties, not only the market-town, but sometimes other clerical institutions (as for instance vicars) issued a document. Mostly, the task of the clerical organizations was to write down the inheritance matters and in case of last will, as the documents of the *oppidum* dealt with simple buying and selling matters. However, we also have some very good instances, that the council often confirmed the testaments by its seal.

We can see, that the authority of a market-town in what types of matters took the needed steps. Beside the supervision of the property circulation and the testaments, they task was to arrange for issuing a document in case of civil suits, pledges. They supervised the commerce and the local parish and lastly, protected their citizens' interest against the foreigners.

The council used the local customary law in these situations. This law adjusted to the wine-growing. We have an excellent instance to this. There was a special proceedings of wine selling and buying: the charters issued by the council would have been sealed when one year and three days had passed. In that form, this was only spread in the Hegyalja region.

IV. Published articles in this theme.

1. Medieval charters issued by market-towns of the Hegyalja. (Registers). [*Hegyaljai mezővárosok középkori oklevelei (regeszták)*]. Széphalom. A Kazinczy Ferenc Társaság Évkönyve 17 (2007) 135-145.
2. Personal names in the market-towns from the medieval North-East Hungary. (*Mezővárosi személynevek a középkori Északkelet-Magyarországról.*) Magyar Nyelvjárások 45 (2007) 151-187.
3. On the source value of names of crafts in medieval Hungarian market-towns. (*Középkori mezővárosi foglalkozásneveink forrásértékéről.*) Századok 142 (2008) 437-462.

Is being printed:

4. Documents of market-towns from the medieval Abaúj and Zemplén counties. (Registers) [*Mezővárosi kiadványok a középkori Abaújból és Zemplénből (regeszták)*] Széphalom. A Kazinczy Ferenc Társaság Évkönyve 18 (2008)
5. On the features of medieval documents issued by the market-towns of the Hegyalja (Subsequent confirmation of contracts of sales.) [*A hegyaljai mezővárosok középkori kiadványainak sajátosságaihoz (Adásvételi szerződések utólagos megpecsételése)*]. Agrártörténeti Szemle 51 (2008)