

János Incze

**"MY KINGDOM IN PLEDGE"**  
**KING SIGISMUND OF LUXEMBURG'S TOWN PLEDGING**  
**POLICY**  
**THE CASE STUDIES OF SEGESD AND BÁRTFA**

MA Thesis in Medieval Studies

Central European University

Budapest

May 2012

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by

János Incze

(Romania)

Thesis submitted to the Department of Medieval Studies,  
Central European University, Budapest, in partial fulfillment of the requirements  
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Accepted in conformance with the standards of the CEU.

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Chair, Examination Committee

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Thesis Supervisor

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Examiner

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External Reader

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Supervisor

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I, the undersigned, **János Incze**, candidate for the MA degree in Medieval Studies, declare herewith that the present thesis is exclusively my own work, based on my research and only such external information as properly credited in notes and bibliography. I declare that no unidentified and illegitimate use was made of the work of others, and no part of the thesis infringes on any person's or institution's copyright. I also declare that no part of the thesis has been submitted in this form to any other institution of higher education for an academic degree.

Budapest, 14 May 2012

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Signature

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## LIST OF ABBREVIATIONS

- DL** - Magyar Országos Levéltár [Hungarian National Archives] – Diplomatikai Levéltár (Collectio Diplomatica Hungarica) [Archives of Diplomatics]
- DF** - Magyar Országos Levéltár [Hungarian National Archives] – Diplomatikai Fényképgyűjtemény (Collectio Diplomatica Hungarica) [Collection of Diplomatic Photographs]
- Fejér** - Fejér, Georgius. *Codex Diplomaticus Hungariae ecclesiasticus ac civilis*. Buda: Typis typogr. Regiae Universitatis Ungaricae, 1829-1844, vol. I-XI.
- ZsO.** - Borsa, Iván, Norbert C. Tóth, Elemér Mályusz, Tibor Neumann, *Zsigmondkori oklevéltár 1387-1424, I-XI* [Cartulary of the Sigismund period 1387-1424, I-XI]. Budapest: Magyar Országos Levéltár, 1951-2009.

## INTRODUCTION<sup>1</sup>

“-Listen!” started the mayor in solemn silence. “The city is in great danger. The ruler wants to pledge it to the Polish king. All the senators sprang to their feet. “Us? In pledge?” they shouted.”<sup>2</sup>

King Sigismund of Luxemburg was one of the most important political figures of Europe in his age. As the son of a Holy Roman emperor (Charles IV, 1355-1378), Sigismund ruled Hungary (1387–1437), Bohemia (1419–1437), and the Holy Roman Empire (1433–1437). He is mainly known as one of the most important initiators of the Council of Constance (which ended the Papal Schism), and his name is linked to the defeat of the crusaders at the battle of Nicopolis (1396). To his contemporaries Sigismund was also known for his bad finances; because of his serious financial problems he often borrowed various amounts of money or pledged royal (imperial) domains. As a result of his pledging activity in Bohemia he left the Bohemian throne to his successor with a difficult financial heritage, near insolvency. His successor had to initiate a thrifty financial policy for which he was often blamed by contemporaries.<sup>3</sup> In the Holy Roman Empire Sigismund’s pledging activity led to an increase in imperial town pledgings to an extent previously unknown.<sup>4</sup>

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<sup>1</sup> When I will refer to geographical names in the thesis, I will first give their Hungarian forms because most frequently they appear under these names in the sources. These will be followed in parenthesis by the alternate name and country of these localities. In the cases of personal names, I will use their commonly used English names if they have them and if not then the spelling will be based on the ethnic character of the personalities.

<sup>2</sup> This is how Gyula Krúdy imagined in his book the pledging of the city of Késmárk (Kežmarok, Slovakia) by King Sigismund to the Polish ruler in 1412. Krúdy’s story touches upon the pledging of Szepesség, and bears the title of: “Tizenhat város tizenhat leánya” [Sixteen daughters of sixteen towns], Gyula Krúdy, *Krúdy Gyula válogatott elbeszélései* [Gyula Krúdy’s selected essays] (Szentendre: Mercator Stúdió, 2005), 70, [http://www.akonyv.hu/klasszikus/krudy/krudy\\_valogatott\\_elbeszelesei.pdf](http://www.akonyv.hu/klasszikus/krudy/krudy_valogatott_elbeszelesei.pdf) (accessed 9 May 2012) [translation by the author].

<sup>3</sup> Jörg K. Hoensch, *Kaiser Sigismund. Herrscher an der Schwelle zur Neuzeit 1368-1437* (Munich: Beck 1996), 516.

<sup>4</sup> These were mainly pledging the towns’ sources of revenue. Ibid., 510.

Sigismund's pledgings in Hungary have not been researched thoroughly, although it is known that he was certainly involved in many such transactions.<sup>5</sup> Not by coincidence, Sigismund's reign in Hungary is known as the period when the royal domain structure was transformed, caused by the king's policy of alienating his domains.<sup>6</sup> Often the alienations were carried out through pledging as an intermediate step; in many cases the ruler eventually donated the pledged properties to the former pledgees. One can ask if Sigismund's pledging activity had such profound consequences in Bohemia and in the German territories, then what impact did it have in the case of Hungary. The fact that Sigismund even acquired the Hungarian throne through pledging – at that time the Margraviate of Brandenburg to his cousin Jobst (Jodok) – expresses well the important role of pledges in his Hungarian reign.<sup>7</sup> This thesis strives to present a small part of this huge and complex topic by analyzing one of the most interesting aspects of Sigismund's pledging policy, namely, pledges of the towns. Compared with the pledging of royal domains and castles, the town pledging represents a more specific case of the royal pledging policy because it could have an impact on the settlements' rights and autonomy. What is mainly known about King Sigismund's Hungarian town pledgings is that he pledged the Szepesség (Spiš region, today Slovakia) with all of its towns in 1412, which returned to the Hungarian crown only after several centuries, in 1772. As this thesis will demonstrate, Sigismund's town pledgings in Hungary were much more than this single transaction.

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<sup>5</sup> In the literature review these will be discussed in detail.

<sup>6</sup> Pál Engel, who studied the alienation policy of Sigismund, distinguished two main periods when royal properties were alienated; one is the first decades of Sigismund's reign, when most of the alienation happened because of the king's unstable situation, Pál Engel, "A magyarországi birtokszerkezet átalakulása a Zsigmond-korban" [The transformation of the Hungarian domain structure in the Sigismund period], in *Kelet és Nyugat között. Történeti tanulmányok Kristó Gyula tiszteletére* [Between East and West. Historical studies in honor of Gyula Kristó], ed. László Koszta (Szeged: Szegedi Középkorász Műhely, 1995), 141-159.

<sup>7</sup> Elemér Mályusz, *Zsigmond király uralma Magyarországon* [King Sigismund's reign in Hungary] (Budapest: Gondolat, 1984), 15-16.

The quotation from Krúdy's novel expresses well the possible reaction of the inhabitants of a pledged royal town. What would the reaction of the dwellers of a royal town have been if they woke up one morning faced with the fact that from that day on they were in pledge? The reader of Krúdy's work is informed that from the day of pledging the dwellers of the pledged town came under the authority of another ruler, even more, they were ripped of the kingdom's body. Was the situation so drastic? Did pledging represent a real danger for the towns as Krúdy described or was this only the product of the author's imagination? One can argue that Krúdy's is a literary work, but the scarce information of historical scholarship indeed presents a similar picture.<sup>8</sup> Do the scholarship and Krúdy have the right to make such a statement when it is unknown precisely what was in fact at stake in the cases of town pledging? What if an entire settlement was pledged or just its tax? What did it mean? What were the circumstances? How it affected the town's self government and development are the most important questions which need to be answered. In this thesis I will endeavor to answer these questions through two cases studies which represent two different categories of King Sigismund's Hungarian town pledging policy. The two towns will be Bártfa (Bartfeld, now: Bardejov in Slovakia) and Segesd in Somogy County (southern Transdanubia).

To analyze in detail all the royal towns pledged by Sigismund in a single study is out of question because of the extent, and because of the transactions' complexity.<sup>9</sup> Therefore, only these two cases of town pledging will be presented; I will attempt to answer the above

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<sup>8</sup> The scarce information in the secondary literature does not help in finding out if the pledging of a royal town resulted in imposing the authority of the pledgee, whether he became the town's new overlord. The cases presented by István Bariska in his work about the pledged Western Hungarian towns, although they are later examples, support this assumption. Vera Bácskai, who studied the history of the market towns in medieval Hungary, emphasized that with the privatization of the royal market towns (in which she also included the pledgings) their opportunities for development decreased. Vera Bácskai, *Magyar mezővárosok a XV. században* [Hungarian market towns in the fifteenth century] (Budapest: Akadémiai, 1965), 18; István Bariska, *A Szent Koronáért elzálogosított Nyugat-Magyarország, 1447-1647* [Western Hungary pledged for the Holy Crown, 1447-1647] (Szombathely: Vas Megyei Levéltár, 2007), 120-123.

<sup>9</sup> How many towns were pledged by Sigismund has still not been calculated. Vera Bácskai surveyed the alienated royal towns at the time of King Sigismund's reign. Her list contains many cases of pledged royal towns. Bácskai, *Magyar mezővárosok*, 18-19.

raised questions and to suggest a methodology for studying the history of pledged towns with the help of these two case studies. Moreover, because in the Hungarian literature the definition, characteristics, and the legal procedure of royal pledging is still lacking, an entire chapter will be devoted discussing these problems (Chapter II). Another chapter (Chapter I) will present thoroughly the most important works of the secondary literature about Sigismund's pledging practices in Hungary. The two case studies will be the pillars of the thesis (Chapter III and IV); both chapters of the pledging cases will be studied on the basis of the same criteria and divided into the same subchapters. These subchapters will consist of a short description of the town's history and privileges, a presentation of the pledgees' life stories, and of the pledge transactions, an analysis of the period of pledging, and the social and economic consequences of the transactions. A thorough comparison will follow (Chapter V), which will contrast the cases of the two pledged towns based on the subchapters. The research will be based mainly on the close reading of primary sources such as published and unpublished charters and data from account books; occasionally regestas (summaries) of such documents available in print or among the archival inventories will also be consulted.

For comparison I have chosen the cases of the pledging of Bártfa and Segesd. The two towns were situated in different parts of the medieval Hungarian Kingdom, they represented towns with different legal statuses (Bártfa was a free royal town; Segesd was a market town); their pledgees did not have much in common either. Segesd's pledgee was a Hungarian baron; Bártfa's was a foreigner, whose involvement in the country's politics had only started a few years before the transaction studied here took place. The two pledging cases differed in the length of the pledging as well; while Segesd's pledging was for a short term, Bártfa's was for decades. In addition, these two instances of pledging are even more interesting because in Segesd's case a number of charters shed light on various phases of the transaction and let one

to follow the story in a relatively detailed way. On the other hand, Bártfa's archives were preserved in a good condition; they contain a number of sources about the town pledging period and therefore the story of pledging is ideal for a case study.

## CHAPTER I.

### LITERATURE REVIEW OF KING SIGISMUND'S PLEDGES

Sigismund of Luxemburg's habit of frequently pledging royal domains has aroused the curiosity of historians for almost a century. German and Czech scholars have already pointed out the significance of Sigismund's pledging policy. German scholars have made significant achievements in studies of imperial town pledgings thanks to the monumental work of Götz Landwehr, published in 1967. Landwehr's work is a monograph about pledged imperial towns in which he analyses them according to the pledgees, the pledgors, the objects of the pledges, and so on. Additionally, Landwehr gives a theoretical framework of pledging, and provides charts containing data about the total pledgings of the emperors.<sup>10</sup> Jörg K. Hoensch touches upon the imperial pledgings in his work about Emperor Sigismund. Hoensch considers Sigismund's pledging activity noteworthy because of the frequency of imperial town pledgings. As he says, Emperor Sigismund gained new officials and was able to pay their services by pledging imperial towns.<sup>11</sup> Sigismund's pledging praxis had the greatest impact on Bohemia of all the countries where he was ruler. The Bohemian pledges have been studied by Jaroslav Čechura and Milan Moravec; they emphasize that Sigismund's political activity was linked strongly with his pledging policy. His pledging activity can be divided into two phases, one between 1420-1422, and the other from 1436 to 1437. It was

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<sup>10</sup>Götz Landwehr, *Die Verpfändung der deutschen Reichsstädte im Mittelalter* (Köln: Böhlau, 1967), 396-457.

<sup>11</sup> Hoensch, *Kaiser Sigismund*, 510.

common in both phases that he pledged mainly ecclesiastical domains and used the money of the pledgings to cover the expenses of his military campaigns.<sup>12</sup>

Syntheses of Hungarian history usually mention that Sigismund borrowed huge sums and was involved in different pledge transactions.<sup>13</sup> Besides this general statement, the authors usually mention the famous act of putting the Szepesség in pledge in 1412. In spite of the fact that this case is the most famous pledge of the ruler it is still not researched well enough in Hungarian historiography; no thorough analysis has not been written since 1907, when the work of Lajos Ilyefalvi<sup>14</sup> was published. The newest works of Slovak historiography about this well-known pledge transaction was written by Ivan Chalupecký<sup>15</sup> and Henryk Ruciński.<sup>16</sup> Unfortunately these works mainly summarize the results of previous research. The pledging of Szepesség was all that was known about Sigismund's pledges in the Hungarian historiography until the economic historian Emma Lederer's (1897-1977)<sup>17</sup> research that first shed clear light on this issue in her book about medieval financial transactions in Hungary published in 1932. She was the first scholar who tried to collect all the data about the king's pledges; her main aim was to give an assessment of how many royal domains were put in pledge, the magnitude of the sums involved, and the possible reasons for

<sup>12</sup>Jaroslav Čechura, "Die Säkularisation der kirchlichen Güter im hussitischen Böhmen und Sigismund von Luxemburg" in *Sigismund von Luxemburg, Kaiser und König in Mitteleuropa 1387-1437. Beiträge zur Herrschaft Kaiser Sigismunds und der europäischen Geschichte um 1400*, ed. Josef Macek, Ernő Marosi, Ferdinand Seibt (Warendorf: Fahlbusch Verlag, 1994), 128-129. Milan Moravec, "Zástavy Zikmunda Lucemburského v českých zemích z let 1420-1437" [Sigismund of Luxemburg's pledges in the Bohemian territories between 1420-1437] *Folia historica Bohemica* 9 (1985): 170-173.

<sup>13</sup>Norbert C. Tóth, *Magyarország története 6. – Luxemburgi Zsigmond uralkodása (1387-1437)* [History of Hungary 6. Sigismund of Luxemburg's reign 1387-1437] (Budapest: Kossuth, 2009), 107; Pál Engel, "A magyar királyság jövedelmei Zsigmond korában" [The royal revenues of Hungary at the time of King Sigismund's reign], in *Honor, vár, ispánság*, [Honor, castle, domain (*ispánság*)], ed. Enikő Csukovics (Budapest: Osiris, 2003), 430.

<sup>14</sup>Lajos Ilyefalvi, *A Lengyelországnak elzálogosított 13 szepesi város története* [The history of thirteen cities of Spiš pledged to Poland] (Makó: Gaál László Könyvnyomó intézet, 1907).

<sup>15</sup>Ivan Chalupecký, "Die Zipser Städte im 13.-16. Jahrhundert," *Historia urbana* 5 (1997): 79-89.

<sup>16</sup>Henryk Ruciński, "Polityczne dzieje Spisza w późnym średniowieczu" [The political history of Scepusia in the late Middle Ages], in *Historia Scepusii*, ed. Martin Homza, Stanisław A. Sroka (Bratislava: Katedra slovenských dejín UK FiF Bratislava 2009), 342-349.

<sup>17</sup>Emma Lederer (1897-1977) earned a doctoral degree in economic history, but her interest in history was much wider. She was the author of various historical works and initiated the archivist specialization at universities in Hungary.



the pledges. In her work she provides an overview about the evolution of the custom of pledging in medieval Hungary, discussing the question of the interest rate, about which she declared: “We cannot define it even approximately.”<sup>18</sup>

Lederer presents the history of different loans, pledges, and the role of bourgeois property in the economic life of the Hungarian Kingdom in the Middle Ages in a detailed way, with an abundance of data. An entire chapter is dedicated to state loans, including King Sigismund's.<sup>19</sup> In this important work, she firmly claims that a significant part of royal domains were alienated through pledges during the reign of Sigismund,<sup>20</sup> a claim that Pál Engel discredited several decades after Lederer's book was published.<sup>21</sup> She perceived the royal pledges as the first step to selling the properties involved,<sup>22</sup> arguing that most of the pledged royal domains were never redeemed, they remained private property, therefore the sentences about the possible redemption of the pledges included in the charters were just formalities.<sup>23</sup>

Lederer's entire work is pervaded by the idea that pledges were actually a form of taxing the nobility, imposed by the ruler. In her point of view, Sigismund abstracted money from the upper nobility, and his priority was to gain as large sums as he could from them.<sup>24</sup> She argues that in this period the balance of the state budget was not taken into account; there were no attempts to cover the expenses from the income.<sup>25</sup>

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<sup>18</sup> Emma Lederer, *A középkori pénzüzetek története Magyarországon (1000-1458)* [The history of financial transactions in Hungary in the Middle Ages (1000-1458)] (Budapest: Kovács J. ny., 1932), 28.

<sup>19</sup> *Ibid.*, 172-201.

<sup>20</sup> *Ibid.*, 184.

<sup>21</sup> Engel's charts about the alienation of royal domains demonstrate that only a limited number of royal domains became private property through pledging. Pál Engel, *Királyi hatalom és arisztokrácia viszonya a Zsigmond korban (1387-1437)* [The relation between royal power and aristocracy in the Sigismund era (1387-1437)] (Budapest: Akadémiai Kiadó, 1977), 207-223.

<sup>22</sup> Lederer, *Középkori pénzüzetek*, 184.

<sup>23</sup> *Ibid.*

<sup>24</sup> *Ibid.*, 185.

<sup>25</sup> *Ibid.*, 184.

In her work Lederer stressed the role of hard cash in the transactions, opposing the idea of defining pledges as fictional transactions.<sup>26</sup> In her opinion, Sigismund's most intensive pledging activity took place at the end of his reign. This was again disproved by later research. Sigismund took the Hungarian throne by pledging territories of Western Hungary; the cartulary of the Sigismund period shows clearly the high frequency of royal pledges at the beginning of his rule. Lederer compiled a chart about the kings' pledges which contains the name of the pledged domain, the sum obtained by the king, and the year of pledging.<sup>27</sup> Lederer considered the king's pledges as the most significant financial transactions in the medieval history of the kingdom, claiming that they served the interests of both sides, of the pledgor and the pledgees. The book contains several remarks on the case of putting royal towns in pledge. In Lederer's point of view, the development of royal towns was supported by the ruler for using their financial potential in the short term, for the king's own purposes, in the form of loans and pledges. Lederer's book is still the basic work about the history of medieval Hungarian royal pledges, despite the fact that it was published in the first part of the last century and her research was limited by the accessibility of sources.<sup>28</sup> This was the reason, besides her now-obsolete conceptual framework, why the results of her research are not always accurate.<sup>29</sup>

József Deér (1905-1972) is another author whose name should definitely be mentioned related to King Sigismund's pledges. He wrote a short book about the king's military defense policy four years after the publication of Lederer's work.<sup>30</sup> He emphasized the importance of hiring a large number of mercenaries in Sigismund of Luxemburg's time.

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<sup>26</sup> Ibid.,186.

<sup>27</sup> Ibid.,187-188.

<sup>28</sup> Ibid.,183.

<sup>29</sup> Later in the thesis these will be presented.

<sup>30</sup> József Deér, *Zsigmond király honvédelmi politikája* [King Sigismund's military defense policy] (Pécs: Pécsi Egyetemi Könyvkiadó, 1936).

This work is generally concerned with the military history of the period and the military reforms of the king; Deér also studied the loans of Sigismund in relation to this issue. He did not make a clear distinction between loans and pledges; in his view, pledges were just a different type of loan. However, he made a significant statement concerning pledges, namely, that the ruler never took seriously the legal dispositions of the diet of Temesvár (Timișoara, Romania), which prohibited the king from pledging properties in the future.<sup>31</sup> Furthermore, Sigismund referred to the decrees of the diet only when he wanted to seize someone's domains. Deér tried to calculate all the possible revenues of the king, including his loans. For this, he collected data about Sigismund's loans without making any distinction between loans and pledges. In this way he oversimplified the whole issue of the pledges, suggesting that almost all these sums were spent on military expenses, which also meant that the pledges were not analyzed separately. He disregarded various aspects of the pledges such as the consequences caused by these transactions in the structure of property ownership in the country, in the balance of power between the king and the nobility, and so on. He was one of the first Hungarian medievalists who intended to rehabilitate the negative image of Sigismund in historiography. Therefore it is not surprising, that in Deér's work the king's loans (which he considers Sigismund's primary income)<sup>32</sup> were used for the benefit of the country, to protect Hungary from its enemies.<sup>33</sup>

Another military historian, Gyula Rázsó (1930-2007) returned to the intriguing question of Sigismund's pledges in the 1960s, when he wrote a study about mercenaries in Hungary in the fourteenth and fifteenth centuries.<sup>34</sup> His contribution to the research on loans

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<sup>31</sup> Deér, *Zsigmond honvédelmi politikája*, 81.

<sup>32</sup> *Ibid.*, 80

<sup>33</sup> *Ibid.*, 89.

<sup>34</sup> Gyula Rázsó, "A zsoldosság gazdasági és társadalmi előfeltételei és típusai Magyarországon a 14-15. században" [The economic and social preconditions and types of hiring mercenaries in Hungary in the fourteenth and fifteenth century], *Hadtörténeti Közlemények* 63, No. 1 (1962):160-217.

is in fact the continuation of Deér's legacy, by raising the same questions and using the same research methods. Once again, pledges were not distinguished from loans. Rázsó's primary goal was to expand Deér's data about Sigismund's loans. In his view, the borrowings (in which he included the pledges) were a form of taxing the nobility, imposed by the ruler because he did not have sufficient revenues. The king never repaid the borrowed sums to the high nobility,<sup>35</sup> who were otherwise blamed for the king's lack of incomes because they seized the incomes from various taxes which had previously been in the ruler's domain.<sup>36</sup>

Elemér Mályusz (1898-1989), the most famous Hungarian researcher of the Sigismund period, the initiator of the Sigismundian cartulary, made some major remarks related to the pledges of Sigismund in his monograph about the king's rule in Hungary.<sup>37</sup> Mályusz was one of the greatest experts on this period; he had a well-defined image of the ruler, which was lucidly expressed in his work. He had a clear opinion of almost everything which was related to Sigismund, and he always supported his views with data; this is why his remarks on pledges should be taken into consideration.

Following Mályusz's argumentation, Sigismund's pledging activity should be divided in two parts: the first period, when his power was limited by the aristocracy, and the second period when his power was consolidated. Concerning the first period, Mályusz wrote about underpayment in the pledge transactions, namely, that the aristocrats took various royal domains in pledge from the ruler without paying their real value.<sup>38</sup> Sigismund was able to demand the real price of these estates in the second part of his reign when his power was no longer restricted. At that time, according to Mályusz, Sigismund capitalized on his strong position, and not only gained the real value of these pledges, but created an uneasy situation

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<sup>35</sup> Rázsó, *A zsoldosság*, 166.

<sup>36</sup> *Ibid.*, 164.

<sup>37</sup> See footnote 7.

<sup>38</sup> Mályusz, *Zsigmond király*, 27.

for the pledgees by asking for more money than they had paid previously if they wanted to keep the pledged domains.<sup>39</sup>

Mályusz studied the towns' political and economic situation under Sigismund's reign and he claimed that Sigismund was ready to pledge any royal towns at any time for momentary interests.<sup>40</sup> The statements in his book are always supported with concrete examples, and in case of royal town pledges he also followed this way of presentation. Mályusz understood pledging royal towns as an impediment to their development, illustrating his opinion through the example of Modor (Modra, Slovakia).<sup>41</sup> One should mention here the name of István Bariska, historian and town archivist of Kőszeg (Western Hungary), despite the fact that he was mainly interested in the pledgings of a later period (fifteen-seventeenth centuries). His name cannot be omitted because of the important role of his work played in the studies of pledgings in the Hungarian historiography.<sup>42</sup>

Despite all the mentioned results the Hungarian historiography has still not provided a precise definition of royal pledging in the medieval Hungarian Kingdom. It is well-known among historians in general terms what it meant to pledge something in the Middle Ages, but problems emerge when the discussion turns to concrete cases. This topic has not escaped the attention of legal historians, who have produced considerable results in the research on medieval pledging. Legal history books dedicate a few pages to describing what pledging generally was and how it worked in the Middle Ages. These works, however, provide only general information; they are not trying to specify in which century what type of pledging was practiced, and they are not emphasizing the particularities of royal pledging. Their

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<sup>39</sup> The development of these settlements played a significant part in the changes of the price/loan to be paid for them. *Ibid.*, 70-71.

<sup>40</sup> *Ibid.*, 155.

<sup>41</sup> Modor was pledged by the ruler to Mihály Gutí Ország in 1437, when Sigismund authorized him to collect extraordinary taxes in the town whenever he wanted. *Ibid.*, 155.

<sup>42</sup> See footnote 8.

achievements are still worth mentioning, and the definition of medieval royal pledge at the time of Sigismund's reign should start with their presentation.

Péter Ágoston (1874-1925) wrote an entire book about the history of the Hungarian right to pledge,<sup>43</sup> separating the different periods of history, including the Middle Ages, into small units. Ágoston's main preoccupation is the question of the duration of the pledge at the time after the Árpadian dynasty, including Sigismund's reign: how much time a property was usually pledged for, what happened if this time expired,<sup>44</sup> what kind of legal possibilities the pledgor and the pledgee had.<sup>45</sup> Based on his research, Ágoston accentuates the frequent occurrence of pledges with a fixed time of redemption, but he also mentions pledge contracts with unspecified due dates of redemption.<sup>46</sup>

Ferenc Eckhart (1885-1957) was one of the most acknowledged Hungarian legal historians, whose main work, the *Hungarian Constitutional and Legal History*, is still used today at universities, despite the fact that it was written in 1946.<sup>47</sup> In this fundamental work, Eckhart draws attention to the similarities between the pledge and the sale of a property, claiming that in the medieval Hungarian legal system the pledge was known as a temporary sale.<sup>48</sup> Eckhart distinguishes three main variants for acquiring the right to pledge an object: first through a contract of pledge, secondly through judicial decision, and thirdly by different customs and laws, which permitted the inheritance of the pledged property.<sup>49</sup>

<sup>43</sup> Péter Ágoston, *A zálogjog általános tanai* [The general rules of pledge right] (Nagyvárad: Politzer, 1906).

<sup>44</sup> Later in the thesis such questions will be elaborated, having in mind that Ágoston's work is outdated.

<sup>45</sup> Ágoston, *A zálogjog tanai*, 39-40.

<sup>46</sup> Ibid.

<sup>47</sup> Ferenc Eckhart, *Magyar alkotmány- és jogtörténet* [Hungarian constitutional and legal history] (Budapest: Osiris, 2000) The work firstly was published in 1946.

<sup>48</sup> Eckhart, *Magyar alkotmány- és jogtörténet*, 312-313. Gábor Béli (b. 1958) provides a similar definition, stating that the pledging was considered as a sales contract, with maintaining the right of redemption. Gábor Béli, *Magyar jogtörténet. A tradicionális jog* [Hungarian legal history. The traditional law] (Budapest: Dialóg Campus, 1999), 109.

<sup>49</sup> Eckhart, *Magyar alkotmány- és jogtörténet*, 313.

In the most recent scholarly literature, Gábor Béli's book on Hungarian legal history contains significant information related to the history of pledging. In this book, Béli defines pledge as an object's temporary transfer of the right of ownership until the discharge of a particular obligation.<sup>50</sup> According to Béli, *hypotheca* (hypothecation, a particular form of pledging) was unknown in the Hungarian legal system,<sup>51</sup> and when the time came for redemption, the whole sum had to be repaid at once. The right of pledge expired not only by redemption, but also by the pledgor renouncing the property, or simply selling it to the pledgee.<sup>52</sup>

As this short summary points out, many unanswered questions remain due to the fact that this topic was not the primary interest of any of these historians. The aim of the thesis will be to re-evaluate the evidence and clarify the most significant aspects of Sigismund's town pledging activity.

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<sup>50</sup> Béli, *Magyar jogtörténet*, 85.

<sup>51</sup> He does not specify in which period was unknown.

<sup>52</sup> *Ibid.*, 86.

## CHAPTER II.

### DEFINING ROYAL PLEDGING

One should start the history of pledging<sup>53</sup> with the definition. In this thesis, my aim is not to provide an analysis of Sigismund's pledges from a legal perspective, but I think it is necessary to discuss the most significant aspects of it. For this work I read a number of charters containing essential legal information. Despite the scholarship's above presented results, what was meant precisely by pledging a royal domain has still not been defined; under what conditions something was pledged, what the differences were between a royal and a simple pledge, how much the interest rate was, and so on. Before starting to discuss the various cases of Sigismund's pledges, answering these questions are the basic steps to be taken.

In the Tripartitum, a compilation of Hungarian laws and customs first published in 1517,<sup>54</sup> Stephen Werbőczy offers a short definition of pledging: *...impignoratio est juris proprii necessitate cogente temporalis ad utendum alteri concessio*<sup>55</sup> and from the point of view of the pledgee: *...impignoratio est juris alieni, cum fructuum perceptione ac capitalis*

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<sup>53</sup> The pledge transaction was not a unique phenomenon for Sigismund's realms; it was practiced in various countries. In the English scholarly literature it is called Welsh mortgage. Although some features were common, Welsh-mortgage is not exactly the same type of transaction in which Sigismund was involved, so following the guidance of Martyn Rady, I will use consistently the term of pledge, which is more proper. I express my thanks to Professors Derek Keene and Rady for their advice in the usage of this term. The Oxford English dictionary defines Welsh-mortgage as a type of mortgage when the creditor takes the profits and rents of the pledged estate, and is redeemable at any time. A. Simpson, E. S. C. Weiner ed., *The Oxford English dictionary* vol. 20, (Oxford: Clarendon Press, 1991), 146.

<sup>54</sup> Stephen Werbőczy (c. 1458– 1541) was a Hungarian statesman and jurist, who made a compilation of the Hungarian laws and customs. His work was entitled Tripartitum, and firstly was published in 1517. Even if Werbőczy's work was published a century after Sigismund's death, Werbőczy's statements were still valid, because he noted old customs and laws which probably were the same at the time of Sigismund's reign. More about Werbőczy and his work: Martin Rady, ed. *Custom and Law in Central Europe* (Cambridge: University of Cambridge, 2003).

<sup>55</sup> "...pledging is the temporary transfer of his own property right to another's use, out of necessity." First part, chapter eighty-one - Stephen Werbőczy, ed. János Bak, Martin Rady, Péter Banyó, *The Customary Law of the Renowned Kingdom of Hungary: A Work in Three Parts, the "Tripartitum" = Tripartitum Opus Iuris Consuetudinarii Incltyti Regni Hungari* (Salt Lake City: Charles Schlacks, Jr., 2006.), 158-159 (translation quoted).



*summae repetitione*....<sup>56</sup> These statements define the pledging in general terms, and indicate that the pledgers, forced by necessity, temporarily transferred their rights over the pledged property to someone else. According to Werbőczy, the pledgees took the revenues of these properties for a predetermined period, and in the case of redemption they were entitled to reclaim the initial sum for which the property had been pledged. The Tripartitum did not give special attention to the case of royal pledges<sup>57</sup>, but they are mentioned in different places. Werbőczy considered pledging a dangerous activity, contrary to salvation, which is close to usury.<sup>58</sup> The Tripartitum contains valuable information about the expiry of letters of pledge. Pledge contracts older than several decades exceeded their agreements and were considered void, without legal force.<sup>59</sup> The problem of pledging property above the common estimation of its value is discussed in the Tripartitum; Werbőczy claims that all the forms are prohibited for everyone.<sup>60</sup> Even these information are not sufficient for studying pledging in medieval Hungary. Fortunately, the available charters contain further essential information for research. They contain specific terms, phrases, and formulas that were used in relation to pledging.

In Sigismund's preserved contracts of pledge, the notion of pledging was described by the Latin words *impignorare* and *obligare*. Both words were usually used together<sup>61</sup> for legal reasons as was common in Hungarian legal practice. Probably words with similar meanings were used in these documents to define the pledging as precisely as possible, in

<sup>56</sup> "...pledging is... the retention of the right of another, with the gathering of its fruits and demanding the capital sum." Ibid.

<sup>57</sup> However, in the chapter twenty-three of the first part, the royal property is distinguished from other properties. Werbőczy, *Tripartitum*, 81.

<sup>58</sup> Ibid. 159.

<sup>59</sup> Ibid. 161.

<sup>60</sup> Ibid. 163. Elemér Mályusz brings some concrete examples about cases when probably royal properties were pledged over its value in the Sigismund period. Mályusz, *Zsigmond király*, 70-71.

<sup>61</sup> *impignorauiumus et obligauimus*, e.g., Georgius Fejér, *Codex Diplomaticus Hungariae ecclesiasticus ac civilis* (Buda: Typis typogr. Regiae Universitatis Ungaricae, 1829—1844), vol. I—XI, (hereafter Fejér). X/4 CXLII (this is a document number).

order to avoid ambiguity, and to exclude the possibilities of abuse. The term *obligare* was used to describe the emerging bond between the pledgor and the pledge holder. This bond was embodied by the object of the pledge, and meant that until the pledge was redeemed this legal bond existed.<sup>62</sup> Furthermore, *obligatio* expressed the obligation of the pledgor to pay back his debts with money or with the pledged property. *In titulo pignoris* was the most frequent formula of pledging used in royal charters, which literally means “in title of pledge.”<sup>63</sup> The pledgee acquired the right of possession of the pledged object conveyed by the contract of pledge, emphasizing the temporary character of the possession, and at the same time showing that the right of ownership did not belong to the pledge holder. *Et presentium vigore impignoramus* was another formula which occurred in the documents, the expression *et presentium vigore* referred to the document which registered the transaction of pledge.<sup>64</sup>

Sometimes to express pledging the words *impignoramus, obligamus et assignamus*,<sup>65</sup> were used, and the last word was used for bestowing, meaning that the rights over the pledged property were transferred to the pledgee. Here it is clearly expressed that pledging meant that the ruler temporarily transferred different rights over an object to the pledgee. The long expression: *pignori duximus obliganda et obligamus presentium per vigorem*<sup>66</sup> was stylistically the most elaborate, which shows the erudition of the scribe. The second phase of pledging was when the pledgees were instituted into the pledged domains after the completion of the transaction, meaning that starting from that point they were the legal

<sup>62</sup> Landwehr, *Die Verpfändung*, 384. *Obligare* was used also in the German terminology of pledging, in Sigismund’s imperial charters pledging imperial properties was expressed by this term. 375-380.

<sup>63</sup> ... *impignoratam et vero titulo pignoris obligatam*... Iván Borsa, Norbert C. Tóth, Elemér Mályusz, Tibor Neumann, *Zsigmondkori oklevéltár 1387-1424, I-XI* [Cartulary of the Sigismund period 1387-1424, I-XI] (Budapest: Magyar Országos Levéltár, 1951-2009), (hereafter ZsO.) IX. 755.

<sup>64</sup> DF 212 748.

<sup>65</sup> DL 100 237.

<sup>66</sup> DF 212 748.

owners.<sup>67</sup> In addition to these phrasings, another formula was used for pledging which can be related to King Sigismund. *Nomine pignoris et vadii fuisse inpignoratam et obligatam* can be read in a document issued at Sigismund's command in 1412.<sup>68</sup> In this case Sigismund was not the pledgor; the expression of pledging was used in relation with a conflict between Władysław II Jagiełło and the Teutonic Order. Even if this was not a charter of pledge, the document is still worth mentioning because of the term of *vadium*, which was rarely used for pledge.<sup>69</sup>

The clause of inheritability of pledged possessions is another characteristic of these legal documents. Usually a provision was included that the pledgee's heirs were entitled to inherit the pledged domain with all of its pertaining lands and inherent rights. Also the debt of the ruler as pledgor was supposed to be automatically inherited by his successors; the death of the pledgor did not cause redemption or any kind of changes of rights. The provisions settled in the contract were valid for the long term; all the heirs of both contractual sides had to obey them. Changes in the conditions of pledging could have been carried out only by modifying the contract. Besides inheritability, the pledgees gained the right of transferability<sup>70</sup> over these estates to transfer or to pledge further to anyone they wanted. By the transfer of pledge, the new possessor had the same obligations and rights which were included in the contract of pledge. Pledging was not only about collecting the revenues of the

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<sup>67</sup> *Introductio*, instituting the owner into a property was a legal act, practically the implementation of the charter's content, which followed all the domain acquisitions; only after the *introductio* could the new holder (in the case of pledging the pledgee) exercise its rights. Béli, *Magyar jogtörténet*, 83, or see the glossary of terms in: Werbőczy, *Tripartitum*, 449. For instance, Miklós Garai was instituted in the pledged royal domains of Komárom County in 1422. ZsO. IX. 609. In the same year János Maróti was instituted in pledged royal domains in Slavonia. Ibid., 770.

<sup>68</sup> ZsO. III. 3028.

<sup>69</sup> This term occurs only in very few charters of pledge, for instance ...*vadia et pignora recepissent*... can be read in a charter from the same year. ZsO. III. 2661.

<sup>70</sup> *in vita et in morte commiteret*, Fejér, X/V, XXII.

pledged domain; the pledgees were obliged to protect the inhabitants of the domain.<sup>71</sup> The pledgor also could further transfer the pledge in the form of sale or pledging. Sigismund often exercised this right, called *subinpignoriatio* in Hungarian legal usage, to pledge a property which was already in pledge to somebody else.

The king assumed the responsibility not only for himself, but on behalf of his successors as well, to protect the pledgees and their heirs in their newly acquired lands, a legal institution called warranty (*evictio*).<sup>72</sup> This is indicated by the Latin words *protegere* and *defensare* in the sources. This means that if the pledgees were involved in a law suit the expenses had to be covered by the ruler. This included proving the rights of the pledgee to the pledged estates if a claimant appeared and demanded those properties. These Latin words were used in various ways, sometimes accompanied by the term *conservare*, as in the charter of putting in pledge the town of Debrecen and the castle of Szklabonya (Sklabiňa) to Andrzej Balicki, where it was written: *Promittentes eundem Andream Baliczky suosque heredes et posteros...in predictis castro, et civitate... pacificum conservare et contra quosuis protegere*.<sup>73</sup> The same warranty is formulated in a different way in the charter pledging the town of Segesd: ... *promittimus... oppidi ac villarum prescriptarum et universarum pertinentiarum eorundem contra quoslibet inpetitores usque tempus redemptionis eiusdem et easdem manutenere protegere defensare et tueri*.<sup>74</sup> It is clearly formulated here that during the period of pledging the ruler defends the rights of the pledgee over the pledged possessions

<sup>71</sup> The dwellers of the market town Szepsi (Abaúj County) complained to the ruler in 1391, because their pledgee did not protect them from anyone. ZsO. I. 2069.

<sup>72</sup> Warranty was not a special case of the royal pledging but a general requirement from the pledgor. A clause of warranty was included in the charter of donation and sale as well. Lederer, *Középkori pénzüzetek*, 25,

<sup>73</sup> Fejer, X/V, XXII. Bardejov's charter of pledge has the same formula word by word. DF 212 748.

<sup>74</sup> DL 100 237.

against any claimants. If the pledgor was not able to fulfill his warranty, the pledgee was compensated with another property of the same value.<sup>75</sup>

A clause on redemption was another characteristic of the charters of pledging. The pledgees and their heirs were required to return the pledged royal possessions to the ruler at any time without any opposition if he repaid the original sum of the pledge. Not only Sigismund, but also his successors had the right to reclaim the pledged property at any time if they repaid the price. It cannot be clearly determined from the available documents how strictly this clause was adhered to, but in theory it could even have included harvesting the crop sown by the pledgee.<sup>76</sup> The redemption clause was not expressed by a single well-defined formula; it was expressed in various ways, like: *absque aliquali contradictione, renitencia et recusa nobis remittere*.<sup>77</sup> In another charter it was phrased in a different way, using almost completely different words: *vel debeunt, absque difficultate et occasione aliquali*<sup>78</sup> having practically the same meaning. The ruler as pledgor could redeem his possessions only if he or his successors repaid the initial sum of the pledging: *...in bona semper moneta qualibet estimatione seclusa unita solutione*.<sup>79</sup> The clause of redemption also included that the pledgor was obliged to return the expenses of the investments and reparations carried out on the pledged possession.<sup>80</sup> Among the pledges of Sigismund one can indeed find cases when he guaranteed in the contract to repay the costs of the reparations on

<sup>75</sup> Lederer, *Középkori pénzüzetek*, 25. This special clause of compensation does not appear in the royal charters of pledging.

<sup>76</sup> The sources do not specify these small but not unimportant circumstances.

<sup>77</sup> Fejér, X/V, XXII.

<sup>78</sup> Fejér, X/4 CXLII.

<sup>79</sup> ZsO. IV. 1944.

<sup>80</sup> Eckhart, *Magyar alkotmány- és jogtörténet*, 313. Béli, *Magyar jogtörténet*, 110.

the pledged castle to the pledgee. This could be a way of refurbishing run-down royal castles, as the example of the castle Dévény (Devín) shows.<sup>81</sup>

The main difference between a donated or sold royal possession and pledged domain was the right of the ruler to redeem his property at any time. From a legal perspective, the pledged properties were never alienated;<sup>82</sup> the pledgee never gained the right of ownership through a simple pledge transaction. Another crucial point is the rarely denoted time period of royal pledging. In Sigismund's transactions of pledge the notion of pledging something for a set number of years was unknown; the duration of the pledge was rarely specified,<sup>83</sup> usually only that redemption could terminate the pledge period.

The preserved source materials suggest that the royal possessions were hardly ever redeemed in the original meaning of the word because no sources testify to the king redeeming his property. Only a few cases of redemption are known,<sup>84</sup> when it was not the king who paid back the borrowed sum, but one of his men in the king's name. These cases in fact were not redemption, but *subinpignoriatio*, when the ruler pledged his possession further to somebody else.<sup>85</sup> The new pledgee paid the sum of redemption to the previous pledgee

<sup>81</sup> The castle of Dévény (Devín, Theben, Slovakia) at the western border of the country had a significant defensive function. The pledging and subsequent refurbishing of the castle significantly improved its defensive qualities. ZsO. V. 1136.

<sup>82</sup> In a charter issued in 1390 King Sigismund warned Friedrich of Scharfeneck that it was prohibited to alienate royal domains which the king had donated to him from the kingdom's body by pledging. ZsO. I. 1463.

<sup>83</sup> In non-royal pledgings there are examples when the period of pledging was determined, Lederer, *Középkori pénzüzetek* 17. According to Werbőczy the alienation of royal rights over a property last for one hundred years, but this in Sigismund's contracts of pledge was not defined. Werbőczy, *Tripartitum*, 81. In rare cases Sigismund pledged something until a condition was satisfied, for example, Sigismund pledged Buda's income from gold minting in 1402. The pledgee held Buda's income in pledge until the ruler's debt of 8000 florins was repaid. ...vncz das sie der obgenant Sume geltes genczlichen werdent ausgericht vnd bezahlt... Fejér, X/4, LIV. In 1417 Sigismund pledged domains to Stibor of Stiboricz until the revenues of the pledged domains covered payment of mercenaries. ZsO. VI. 711. As these cases show, in these transactions the period of pledging was determined not in terms of years, but until the terms of the contract were satisfied.

<sup>84</sup> ZsO. II. 996. Ibid. IV. 1944.

<sup>85</sup> According to Eckhart, the time period of further pledging was limited to the initial pledge period. Eckhart, *Magyar alkotmány*, 313. The charters are silent about this restriction; there are no mentions about restraining in any way the right of further pledging.

owner<sup>86</sup> (who handed over the pledge contract) and gained all rights over the properties in this way.

Through the act of pledging the pledgee was entitled to enjoy the usufructs and revenues of the pledge until the redemption of the pledged property.<sup>87</sup> Sigismund pledged mainly royal domains; the pledge holders acquired the revenues of the royal domains and their *pertinentiae* through the transactions such as the incomes from meadows, lakes, woods, fields, and so on. These revenues were in fact the interest rate in the pledging. This was a covered charging of interest, a practice developed to circumvent the prohibitions of the Catholic Church.<sup>88</sup> This extra financial gain explains the willingness of the pledgees to accept royal domains as pledges in order to receive the incomes for the duration of the pledge. In the cases of Sigismund's pledges the possessions were pledged for an undetermined period, carrying the possibility that the incomes from the pledged property could exceed the initial sum of pledge. In fact, the pledgee's interest was to hold something in pledge as long as possible, to control the incomes of the pledged possessions for an extended period of time.<sup>89</sup>

Reading the charters it becomes clear that these contracts of pledge were similar in many regards; the charters had to contain an enumeration of the pledged possessions, the name of the pledgor, and the sum of the transaction. Of course, in some parts there were

<sup>86</sup> In Gyula Rázsó's opinion Sigismund never repaid his debts, including the pledges. For me this seems to be too strong a statement, but so far I have not been able to find any sources contradicting it. Rázsó, *A zsoldosság*, 166.

<sup>87</sup> Béli, *Magyar jogtörténet*, 110.

<sup>88</sup> In this period usury and interest was not strictly separated, which meant that any kind of interest taking related to any type of loans became prohibited. István Orosz, *Kamat és uzsora a 15-16. századi Európában* [Money rate and usury in Europe between 15-16th. Centuries] in: *Pénztörténet – Gazdaságtörténet: Tanulmányok Buza János 70. Születésnapjára*, [Monetary History – Economic History: an anniversary volume in honor of János Búza's seventieth birthday], ed. József Bessenyei – István Draskóczy, (Budapest – Miskolc: Mirio kulturális Bt., 2009), 239. Jacques Le Goff, *Your Money or Your Life: Economy and Religion in the Middle Ages* (New York,: MIT Press, 1988). John Wesley Baldwin, *The Medieval Theories of the Just Price. Romanists, Canonists and Theologians in the Twelfth and Thirteenth Centuries* (Philadelphia: The American Philosophical Society, 1959). John H. Munro, *The Usury Doctrine and Urban Public Finances in Late-Medieval Flanders (1220 -1550): Rentes (Annuities), Excise Taxes, and Income Transfers from the Poor to the Rich*. <http://mpira.ub.uni-muenchen.de/11012> (Last accessed January 29, 2012).

<sup>89</sup> Landwehr, *Die Verpfändung*, 378-379.

various differences; sometimes not all the appurtenances of the pledged possessions were specified in these documents; in other cases even the smallest villages were listed. Furthermore, in some cases only a single person appears as pledgee of the given royal properties, in others all the male members of a family were pledgees.<sup>90</sup> Great attention was paid to stating the precise sum in the document, the currency of the pledge, and in which currency it should be paid back. The Hungarian golden florin was used most frequently in Sigismund's pledges, but there were cases when Bohemian copper was used for redemption,<sup>91</sup> or the sum was calculated in florins, but paid in copper coins.<sup>92</sup> During the pledge the value of pledging remained intact, it neither grew nor decreased,<sup>93</sup> however, the changes of currency were taken into account. The money of redemption was supposed to have the same value as when the property was pledged, even if meanwhile the money was influenced by inflation. In the charter of pledge of Komárom, Sigismund assured the holder of the pledge that when the pledged domains were redeemed by himself or by his successors, the initial sum of the pledge would be repaid in *pura et bona pecunia, tunc in regno nostro currenti*.<sup>94</sup>

Concerning the object of pledging, as was already mentioned, Sigismund usually pledged royal domains, but there are data about pledging various taxes,<sup>95</sup> towns,<sup>96</sup> customs,<sup>97</sup>

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<sup>90</sup> DL 8 944.

<sup>91</sup> ZsO. VIII. 563, Ibid. IV. 672.

<sup>92</sup> ZsO. IV. 1137. This type of currency was called the calculation florin, and was an unstable currency opposite the golden florin. Mária Pakucs-Willcocks: *Sibiu – Hermannstadt. Oriental Trade in Sixteenth Century Transylvania* (Cologne: Böhlau, 2007), 46. Pál Engel, "A 14. századi magyar pénztörténet néhány kérdése" [Some questions related to the fourteenth century Hungarian money history] *Századok* 124 (1990): 87.

<sup>93</sup> Landwehr, *Die Verpfändung*, 381. There were some exceptions, as I have already mentioned in the case of pledging the castle of Dévény, when the possible changes in value of the pledged possessions were reckoned with in the sum of redemption.

<sup>94</sup> ZsO. IX. 608.

<sup>95</sup> The yearly tax of Venice paid to Hungary. ZsO. II. 76. About the pledging and the political motivations of the pledging see: Mályusz, *Zsigmond király*, 107.

<sup>96</sup> The case of pledged royal towns is the main theme of the thesis; these cases will be elaborated later.

<sup>97</sup> ZsO. II. 808, Ibid., VIII.551.



rights,<sup>98</sup> mint,<sup>99</sup> jewels,<sup>100</sup> and even counties.<sup>101</sup> By pledging domains various rights were conferred on the pledgee, at this point the charters are cautious about specifying which seigniorial rights were temporarily transferred. The pledgor became unencumbered by pledging something which covered the value of the borrowed sum because the pledges served as an assurance and payment complement until the redemption.<sup>102</sup>

In theory, by pledging a property all the rights were temporary transferred to the pledgee except for the right of ownership. Only the alienation of the pledged object was prohibited to the pledgee.<sup>103</sup> However, in practice transferring the rights gained by pledging were more complicated; there was no law or custom which obliged the pledgor to transfer all the adhering rights of the pledge. Usually the royal charters not always specified what rights were conveyed with which pledged domains. In some cases in the contract of pledge the transferred rights were indicated in detail, for instance, Andrzej Balicki also got, besides the regular incomes of the pledged town its judiciary revenues when he took it in pledge in 1410.<sup>104</sup> In this case, Balicki was not able to gain complete ownership of the town; Sigismund was careful enough not to hand over the revenues of the salt chamber.<sup>105</sup> This example shows clearly that Sigismund as the owner of the property determined the conditions of the pledge. In this case, for the king it was more important to keep the revenues of salt for himself than to raise the sum of the pledge and lose the revenues for the duration of the pledge.

In another instance, the pledgee even acquired the right of patronage over the pledged domains, which was not at all ordinary. This person was Hermann II, Count of Celje,

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<sup>98</sup> ZsO. V. 449.

<sup>99</sup> ZsO. II. 2022.

<sup>100</sup> ZsO. VI. 976, Ibid., VII. 2048.

<sup>101</sup> ZsO. II. 995.

<sup>102</sup> Landwehr, *Die Verpfändung*, 383.

<sup>103</sup> Béli, *Magyar jogtörténet*, 109.

<sup>104</sup> It is a transaction in which Debrecen was involved.

<sup>105</sup> *...excepta una integra curia in dicta civitate Debrecen pro domino pertinente et per nos pro camera, seu reposito salium nostrorum regalium reservata et deputata...* DF 212 748.

Sigismund's father-in-law, who for an immense sum took in pledge the castles of Csáktornya (Čakovec, Slovakia) and Sztrigó (Štrigova, Slovakia) in 1415, with the right of patronage, which meant that he obtained the right to be involved in the election of the parish priest in these possessions.<sup>106</sup>

The legal process of pledging can be traced with the help of several official documents. First, the contracts of pledge are the starting points of this process. After the pledge was concluded, information about the pledging can be extracted from the documents related to the pledged possession or to the pledgee. The transactions of sale of the pledged property could contain some hints about the pledging process. Documents about further pledging and about donation represent the final documents in this process, a *subinpioratio* could have been followed by another one, but donating the formerly pledged possession to the pledgee was the most frequent outcome of the pledging process.

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<sup>106</sup> ZsO. V. 449. János Kanizsai the archbishop of Esztergom, and his brother, István, got the same right: *ecclesiarum patronatibus* when Sigismund pledged them possessions in 1410. ZsO. II. 7792.

## CHAPTER III.

### SEGESD, PLEDGING A QUEEN'S ESTATE

The year of 1389 was a turning point in the history of Segesd, a significant market town in the medieval Hungarian Kingdom.<sup>107</sup> The town was previously part of the Segesd *comitatus* (*ispánság*) under the jurisdiction of the Hungarian queens; on 22 June 1389 it became private property as the result of a pledge transaction. In order to understand the changes and the conditions of the pledging, it is necessary to examine the earlier history of this town.

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<sup>107</sup>Segesd is in Somogy County, south of Lake Balaton.



Fig. 1. The estate of Segesd between the thirteenth and fourteenth centuries (the map shows more settlements than those that were pledged). Map made by Kálmán Magyar. Magyar, *A segesdi királynéi*, 30.

## The history and legal status of Segesd before the pledging

The estate of Segesd was initially the property of the Hungarian rulers. After the Mongol invasion (1241-42) of the country, King Béla IV reorganized the domain as a manor. Following the Mongol onslaught the estate was usually mentioned in the written sources as a *comitatus* (or *districtus*), led by a *comes*. Because of the lack of sufficient sources there are many uncertainties related to the history of the *comitatus*, so, scholars have often had to rely on assumption-based reconstruction.

When and how the *comitatus* of Segesd came under the jurisdiction of the Hungarian queens can only be inferred. Kálmán Magyar, an archaeologist, in his monograph on the town of Segesd, argued that probably a queenly possession should be assumed only after the 1270s.<sup>108</sup> The queen's court was held at the huge estate of Segesd and it was administered by a *comes* (*ispán*) appointed directly by the queen and by a *vicecomes* (*alispán*). It is hard to define precisely how many settlements pertained to the estate, but it is estimated that in the early period of the estate's history even half a hundred settlements could have pertained to it.<sup>109</sup> By the thirteenth century, however, the queens or the kings themselves had already donated some parts of the estate to private landowners.<sup>110</sup> Nevertheless, in the history of the Segesd *comitatus*, often visited by queens, sometimes accompanied by their kings,<sup>111</sup> King Sigismund's pledging undoubtedly had the greatest impact.

<sup>108</sup> Kálmán Magyar, *A középkori Segesd város és megye története, régészeti kutatása: Egy királynői központ a X-XVIII. században* [The history and the archeological study of the medieval town and county of Segesd: A queenly center in tenth to eighteenth centuries] (Kaposvár: Segesdi Községi Tanács, 1988), 28.

<sup>109</sup> Kálmán Magyar reckoned with all the settlements which were mentioned in the documents, the number fifty is the result of this calculation. Kálmán Magyar, *A segesdi királynői ispánság történetéről : XI-XV. század* [About the history of the queenly *ispánság* of Segesd: XI-XV centuries ] (Kaposvár: Segesdi Községi Tanács, 1985), 31.

<sup>110</sup> Donating parts of the manor started from the year 1268, and continued to various extents until 1389, Ibid., 33.

<sup>111</sup> Some royal visits to Segesd (without being exhaustive) were: Béla IV in 1424, see: Imre Szentpétery, *Az Árpád-házi királyok okleveleinek kritikai jegyzéke. Regesta regum stirpis Arpadianae critico diplomatica* [Critical edition of the charters from the Árpadian period] (Budapest: Magyar Tudományos Akadémia, 1927), vol. 1 no.2, 727 (regesta number). King Stephen V issued charters from Segesd in 1271, Ibid., vol. 2 no.1, 2081, 2082; Béla IV made another visit in 1263, Ibid., vol. 1 no. 3, 1371.

As a royal market town, Segesd enjoyed certain privileges, but precisely what these were is unknown. Little is known about the legal status of the town; only scattered charter information is extant. The first such document is from the year 1248, when Queen Maria Laskarina (1235–1270) donated to the settlers of Verőce (Virovitica, Croatia, Verőce County) the same privileges as Segesd's settlers<sup>112</sup> had.<sup>113</sup> Unfortunately the document does not contain data about the legal status of the town, but it provides useful information about the settlers' tax payments to the ruler. The queen ordered the settlers to pay 40 *marcas* yearly on Saint Michael's feast day (29 September), in addition to seven hundred loaves of bread, six cows, and sixteen *cubulos* of wine.<sup>114</sup> The settlers of Segesd must have had the same obligations in the thirteenth century, but it is not known whether the annual tax had increased, and if so to what extent, until the town was pledged to Miklós Zámbó.

The next document is similar; another ruler donated the same privileges which Segesd had. This time King Sigismund was the donor, and the market town of Csurgó (Somogy County) received these privileges in 1405. The document of the donation is an outline of the rights and institutions of Segesd. In this charter the ruler donates to the market town of Csurgó those customs, laws, liberties, gains, exemptions, privileges, legal authority, public offices, and legal courts, which the citizens and the inhabitants of Segesd used and enjoyed

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<sup>112</sup> Settlers (*hospites*) were migrant or foreign manpower settled by rulers or landowners in a region. Settlers enjoyed various privileges in the country, see: Katalin Szende "A magyar városok kiváltságolásának kezdetei" [The beginning of granting privileges to the Hungarian towns] in *Debrecen város 650 éves: Vároštörténeti tanulmányok* [The city of Debrecen is 650 years old: studies of urban history], ed. Attila Bárány, Klára Papp, Tamás Szálkai (Debrecen: Alföldi Nyomda Rt. Méliusz Műhelye, 2011), 29-30.

<sup>113</sup> ...*quod nos hospitibus nostris de Wereuche congregatis et congregandis eandem libertatis condicionem duximus ordinandam, quatenus hospites de Segusd ex Regie benignitatis gracia favorabiliter obtinuerunt...*, Gusztáv Wenzel, *Árpádkori új okmánytár. Codex diplomaticus Arpadianus continuatus* [New cartulary of the Arpadian period] (Pest: Magyar Tudományos Akadémia, 1861), vol. 2, 128 (charter).

<sup>114</sup> ...*singulis annis ratione census quadraginta marcas in monetis domini Regis cum eadem celebritate secundum magis et minus, sicut se qualitas temporis obtulerit, in festo Sancti Michaelis homini nostro ad hoc a nobis constituto soluere teneantur; preterea ratione victus annuatim nobis debent dare sexcentos panes, sex boues pascuales, centum panes, vinum sexaginta cubulos quatuor palmarum...*, Ibid.

and through which they were governed.<sup>115</sup> Unfortunately the document does not specify what type of privileges, liberties, public offices etc. Segesd had, but these references are enough to establish that the town had some sort of autonomy. Another charter issued by King Sigismund, on 26 March 1393, provides further information on Segesd's legal status. In this charter the ruler addresses the citizens, settlers, the people, judges and jurors of the town,<sup>116</sup> thus confirming indirectly the existence and the functioning of the town's autonomy.

Segesd enjoyed a privileged ecclesiastical status; it was one of the few churches in the country to be exempt from the authority of bishop of Veszprém; it was directly subordinate to the archbishop of Esztergom.<sup>117</sup> The rights of the bishop of Veszprém were limited only to the believers' pastoral care; the parish priest of Segesd had to attend the synod of the archbishop, not of the bishop.<sup>118</sup> The bishop of Veszprém did not have the right to collect the tithe under the jurisdiction of Segesd's church;<sup>119</sup> the parish priest of Segesd even had a long conflict with the bishop because he refused to obey to the bishop's authority.<sup>120</sup> The parish

<sup>115</sup> ...*omnibus Juribus, Consuetudinibus, gratiis, libertatibus, commoditatibus, exemptionibus, honoribus, priuilegiis, Jurisdictionibus, Judiciis et generaliter vniuersis et singulis conditionibus, quibus oppidum nostrum Segusd vocatum, Comitatu in praedicto existens, ciuesque et habitatores eiusdem vtuntur, reguntur, et gubernantur, atque gaudent quibusuis vocabulis exprimantur* ..., Fejér X/4, CLXXXI.

<sup>116</sup> ...*fidelibus suis iudici iuratis ac uniuersis civibus hospitibus et populis de Segesd*..., DL 100 256.

<sup>117</sup> In a charter issued in Rome in 1389, Segesd was listed among the exempt churches and its privileged status was defined in the following way: ...*Segesdino ...ecclesiarum predictarum nullum alium preter ipsum archiepiscopum in eorum superiorem habere... et eidem... tamquam eorum immediato superiori... obedientiam... exhibere ac ad sinodum eiusdem..., quotiens illam per ipsum... celebrari contingeret, accedere et procuracionibus legatorum ac provisionibus nunciorum sedis apostolice persolvendis et aliis oneribus supportandis contributionem debitam facere consueverant, et quod tam... frater noster Iohannes quam predecessores sui archiepiscopi Strigonienses*..., Bernát L. Kumorovitz, *Budapest Történetének Okleveles Emlékei (1382 – 1439)* [The charters of Budapest's history 1382-1439] (Budapest: Budapesti Történeti Múzeum, 1987) vol. 3, 87 (charter).

<sup>118</sup> See the footnote above. Magyar, *A középkori Segesd*, 70.

<sup>119</sup> Gerő Pál Bozsóky, *Királyok és királynék városa: Segesd* [Segesd, the town of kings and queens] (Segesd: Segesd Önkormányzata, 2001), 200-201.

<sup>120</sup> In 1319 the bishop of Veszprém complained about the disobedience of Segesd's priest, who denied the bishop's right and placed the church of Segesd under the jurisdiction of the archbishop of Esztergom, Gyula Kristó, *Anjou-kori Oklevéltár Documenta res Hungaricas tempore regum Andegavensium illustrantia 1318-1320* [Cartulary of the Angevin period 1318-1320] (Budapest: József Attila Tudományegyetem, 1998,) vol. 5, 631 (regesta). The bishop even excommunicated Segesd's parish priest, Fejér VIII/7, CVIII. The conflict did not end until 1327. László Szabó Bártfai, *Pest megye történetének okleveles emlékei 1002-1599-ig*. [The charters of Pest County's history] (Budapest: Vallás- és Közoktatásügyi Minisztérium, 1938), 211 (regesta). Magyar, *A középkori Segesd*, 68.

priest had held significant offices in the past; he had often been the king's or the queen's special chaplain as he had held this office for two decades before the pledging.<sup>121</sup> In many cases a church had exempt status if it was situated on royal territory;<sup>122</sup> this probably was the reason the parish of Segesd was exempt. According to the unwritten custom of the age, in this period the parish priest of an exempt church had judicial authority over the entire territory of the parish;<sup>123</sup> he was the main authority for legal matters like marriages, testaments, and so on.<sup>124</sup> In this case the territory meant probably that of the town; it is uncertain whether the exemption could also have extended to the parishes of the villages of the Segesd estate as well.<sup>125</sup> From the villages which had been pledged to Zámbo only the church of Aranyos was listed among the country's exempt churches along with Segesd on the archiepiscopal visitation of 1397.<sup>126</sup>

## The career of Miklós Zámbo

The pledgee of Segesd, Miklós Zámbo, had been an important office holder in King Louis the Great's government, but he lost his influence during King Sigismund's reign.

<sup>121</sup> Ibid., 69.

<sup>122</sup> "Der Ursprung der Exemption lag in der königlichen Gründung...sie waren meist frühere königliche Eigenkirchen," András Kubinyi, "Stadt und Kirche in Ungarn im Mittelalter," in *Stadt und Kirche. Beiträge zur Geschichte der Städte Mitteleuropas*, ed. Franz-Heinz Hye (Linz: Österreichischer Arbeitskreis für Stadtgeschichtsforschung 1995), 186.

<sup>123</sup> István Tringli, "Sátorajáújhely egyházai a reformáció előtt" [The churches of Sátorajáújhely before the reformation], in: *Erősségénél fogva várépítésre való: tanulmányok a 70 éves Németh Péter tiszteletére*, [Because of its strength it is suitable for fortification: Anniversary volume in honor of Németh Péter's seventieth birthday], ed. Juan Cabello, Norbert C. Tóth (Nyíregyháza: Szabolcs-Szatmár-Bereg Megyei Önkormányzat Múzeumok Igazgatósága, 2011), 14.

<sup>124</sup> Albert Gárdonyi, "Városi plébániák kiváltságos állása a középkorban" [The privileged status of urban parish churches in the Middle Ages], in *Emlékkönyv Károlyi Árpád születése nyolcvanadik fordulójának ünnepére* [Anniversary volume in honor of Árpád Károlyi eightieth birthday], ed. Sándor Domanovszky (Budapest: Sárkány Nyomda Részvénytársaság, 1933), 164.

<sup>125</sup> According to Pál Bozsóky the exemption referred only to the Saint Michael parish church of the town, but unfortunately he does not provide any reference, Bozsóky, *Királyok és királynék*, 201.

<sup>126</sup> This is the only source describing Aranyos as an exempt church; later similar sources omit mentioning this; ...*extra dictam Ecclesiam Cathedralem infrascriptae sunt dignitates et beneficia Domino eorum Archiepiscopo subiecta videlicet:... Item Plebaniae: ....de Segesd, de Aranyos... in registro penes ipsum D. A. Episc. habito plenius continetur...*, Fejér X/2, CCLXXX; Gárdonyi, *Városi plébániák*, 166.



Zámbó's family background was modest; he came from a family of the lower strata of the nobility. Zámbó's career started with serving the queen; from there he ascended to higher positions in the government. At the end of King Louis' reign, the ruler changed the composition of the royal council; instead of militant barons (who were supporting the king's foreign military campaigns) he needed persons who had competence in their respective fields. Thanks to this change in the philosophy of appointments and to his own financial expertise, Zámbó became a member of the royal council.<sup>127</sup> During his career he held a number of public offices. He first held the office of chief treasurer (*summus thesaurarius*)<sup>128</sup> from 1377 to 1382; then he was appointed *comes* of the following counties: Trencsén (1377-1380),<sup>129</sup> Komárom (1382-1384),<sup>130</sup> Pozsony (1383-1384) one after the other.<sup>131</sup> He was the castellan of the following castles: Óbuda from 1367 to 1377<sup>132</sup> Beszterce (Bystrica) in 1373,<sup>133</sup> Sztrecsény (Strečno) in 1373,<sup>134</sup> Trencsén (Trenčín) in 1377,<sup>135</sup> Komárom (Komárno) in 1383,<sup>136</sup> Pozsony (Bratislava) in 1383,<sup>137</sup> and Saskő (Šášov, today all in Slovakia with the exception of Óbuda) in 1385.<sup>138</sup> The most important royal office he held was as master of the treasury,<sup>139</sup> which he held first from 1382 until 1384 and again from 1385 until 1388.<sup>140</sup> Although he held several important public offices, he did not use his influence to acquire

<sup>127</sup> Pál Engel, *The Realm of St. Stephen. A History of Medieval Hungary, 895-1526* (London: I. B. Tauris, 2001), 189-190.

<sup>128</sup> Pál Engel, *Magyarország világi archontológiája 1301-1457* [Secular archontology of Hungary 1301-1457] (Budapest: Magyar Tudományos Akadémia, 1996), vol.1, 52 (hereafter Archontológia).

<sup>129</sup> Ibid., 212.

<sup>130</sup> Ibid., 105.

<sup>131</sup> Ibid., 168.

<sup>132</sup> Ibid., 379.

<sup>133</sup> Ibid., 280.

<sup>134</sup> Ibid., 436.

<sup>135</sup> Ibid., 448.

<sup>136</sup> Ibid., 344.

<sup>137</sup> Ibid., 394.

<sup>138</sup> Ibid., 406.

<sup>139</sup> *Magister tavernicorum*, (master of the treasury) was one of the most important public offices, the office-holder was a baron who, among other duties, was responsible for the king's finances. For more detail see: Werbőczy, *Tripartitum*, 255.

<sup>140</sup> Engel, *Archontológia*, 38. Imre Szentpétery (Ifj.), "A tárnoki ítélőszék kialakulása" [The emergence of the master of treasury's court of law] *Századok* 68 (1934): 524. Mályusz, *Zsigmond király*, 35.

large domains during King Louis' reign.<sup>141</sup> King Louis, however, did donate a number of smaller domains to Zámbo for his merits.<sup>142</sup> He had some properties in Somogy County, where Segesd was situated, even before he took the queen's former estate in pledge. Zámbo may have gotten acquainted with the estate of Segesd while serving the queen.<sup>143</sup> Even if this is uncertain, it can be claimed that even before the pledging he was already familiar with the power relations in the county as he knew the domains in it. Zámbo purchased the settlement of Atád in Somogy County for 1000 florins as early as 1377,<sup>144</sup> and then two years later he received the domain of Egyházasgamas in the same county as a donation from the ruler.<sup>145</sup> From this perspective, taking Segesd in pledge in 1389 can be perceived as the continuation of Zámbo's policy to extend his influence and acquire more domains in the county. Therefore it can be inferred that when the ruler decided to take back the castle of Somló and the Pápa domain from Zámbo, he asked for the estate of Segesd in exchange.<sup>146</sup> After taking Segesd in pledge, Zámbo acquired further domains. Only a year after the pledge transaction, he purchased other domains in the county for 600 florins.<sup>147</sup> In 1392 the queen donated the domain of Bélcz to him, which was the last last property Zámbo acquired in the county

<sup>141</sup> Engel, *The Realm of St. Stephen*, 190.

<sup>142</sup> In 1381 he obtained the Vas County domains of Péter Makuai, who died without heirs; in the next year, under the same conditions, he acquired the domains of the deceased Péter Felpinc in Tolna County, DL 94 106, DL 42 256.

<sup>143</sup> Since the castle of Óbuda was a possession of the queens, Zámbo as its castellan knew the queen personally. In a charter from 1402 Zámbo even stated that he served the queen frequently, and for his merits the queen donated a domain to him in Somogy County. DL 7 798. About the Castle of Óbuda see: Engel, *Archontológia*, 379.

<sup>144</sup> ...*possessionem eorum Athad nuncupatam, in Comitatu Symighiensi existentem, cum omnibus suis vtilitatibus et pertinencys vniuersis...* prefato Magistro Nicolao Zambo pro mille florenis... *dederunt, tradiderunt, et vendiderunt* ...., Fejér IX/7, LXIII.

<sup>145</sup> The charter uses the form Eghazasgamas (DL 8 780). About the settlement see: Dezső Csánki, *Magyarország történelmi földrajza a Hunyadiak korában* [The historical geography of Hungary in the age of the Hunyadis] (Budapest: Magyar Tudományos Akadémia, 1985) vol. 2 (reprint), 607.

<sup>146</sup> This transaction will be discussed later in detail.

<sup>147</sup> These were Merke, Kerektó, Ziithke, Indiia and Lepled, ...*possessiones Merke, Kerektow, Ziithke, Indiia, Lepled vocatas in comitatu Simighiensis situatas ... pro sexingenti auri plene ab eodem magistro Nicolao...* prefatus magister Frank vendidit, dedit, et tradidit iure perpetuo et irrevocabiliter..., DL 236 513. The domains of Ziithke and Indiia could not be identified. About the settlements in Somogy County see: Csánki, *Magyarország történelmi földrajza*, 629, 619, 625.

before his death.<sup>148</sup> Miklós Zámbo as a baron and an office-holder of important positions, was often accused of violent behavior. In 1379 his tenant peasants were denounced for attempted murder and taking someone else's hay;<sup>149</sup> in 1383, the bishop of Pécs complained about Zámbo seizing someone's property.<sup>150</sup> A year later Queen Mary was informed about Zámbo again seizing again someone else's property and damaging it.<sup>151</sup> In 1386 he was forbidden to seize domains in Vas County.<sup>152</sup> Shortly before his death he was involved in a law suit<sup>153</sup> and his lands in Csallóköz were seized by the ruler. This incident was just the first step in losing his domains; after Zámbo's death,<sup>154</sup> his widow, Erzsébet Szuharekai,<sup>155</sup> inherited the domains, but could keep them for only a short while. The ruler revoked the pledged estate of Segesd and the widow lost other domains as well.<sup>156</sup> A high dignitary of the kingdom, knowing personally and serving King Louis and King Sigismund, Queen Elizabeth and Queen Mary, Miklós Zámbo had a successful career even though in his final years he was prosecuted by the ruler's command, his domains were seized,<sup>157</sup> and he was involved in a lawsuit. Zámbo's rise was followed by a miserable fall.

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<sup>148</sup> ZsO. I. 2549.

<sup>149</sup> The aggrieved party was convinced that the serfs were acting with Zámbo's consent. They accused the serfs of mowing the hay on their estate of Vány in Pest County, Bártfai, *Pest megye történetének*, 427. DL 98 075.

<sup>150</sup> Zámbo seized the domains of Emely, Szemely, in Baranya County, DL 87 869.

<sup>151</sup> Zámbo occupied László Töttös' domain in Baranya county ...*ad possessionem suam Krakou vocatam pertinentem succidi et demactari preter hoc terras ipsius ville arabiles occupari...*, Imre Nagy, Iván Nagy, Dezső Véghely, *A zichi és vásonkeői gróf Zichy-család idős ágának okmánytára* [The cartulary of the older branch of the count Zichy family of Zich and Vásonkeő] (Budapest: Magyar Történelmi Társulat, 1878) vol. 8, 239 (charter).

<sup>152</sup> Zámbo wanted to acquire the estates of Mézadó and Geren in Vas County, DL 91 923.

<sup>153</sup> ZsO. I. 3477.

<sup>154</sup> He died between December 1394 and April 1395. on 16 December 1394, when the domain of Segesd was seized, he was alive, but in April of the next year a document mentions his widow and him as deceased, DL 7 999, ZsO. I. 3950.

<sup>155</sup> In a charter issued in 1391, the brothers of Zámbo's wife (Erzsébet) were called Zuhareka., ... *nobili domine Elizabeth igitur consorti et Egidio ac Ladislao filiis Nicolai de Zuhareka fratribus...* *ipsius domine Elizabeth...* DL 78 071. The identification of the family is difficult, only a few documents mention it, related to domains in Baranya County, ZsO. I. 2272, 4126, 5409; ZsO. II. 7.

<sup>156</sup> In 1400 her and her relatives' lands in Tolna and Baranya County were seized by the bishop of Pécs, ZsO. II. 7.

<sup>157</sup> The prosecution and the reason for seizing his lands will be presented in detail below.

## The pledge transaction and its background

The charter pledging Segesd and its estates, issued 22 June 1389 in Buda, presents the details of the transaction. The former master of treasury, Miklós Zámbo, received the town of Segesd (*oppidum nostrum Segesd*) with 11 associated settlements in pledge.<sup>158</sup> Furthermore, Zámbo also got two other villages with their *pertinentiae*: Dalmad and Somodor in Somogy County.<sup>159</sup> The document mentions the rights which Zámbo acquired over these settlements by the transaction. The right of patronage (*ius patronatus*) was one of the rarest rights transferred through an act of pledging; Zámbo was entitled to exercise this right in the town of Segesd and all the villages mentioned above under the same terms and privileges under the rule of the sovereign.<sup>160</sup>

The charter does not provide further details about what other rights came to Zámbo as a result of the pledge, so this document will not help determine the character of Zámbo's authority in the town of Segesd. Another significant passage in the document covers as security; the ruler promised that he would not take back the pledged town and villages from the pledgee; the only exception would be if he redeemed them by repaying the sum of pledge.<sup>161</sup> It is also worth mentioning that for issuing the charter the queen's, the barons', and the prelates' advice and consent were also needed.<sup>162</sup> This formula of mentioning the queen, barons, and prelates does not occur frequently in pledging charters, but in fact the reason for

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<sup>158</sup> All these settlements are in Somogy County today, besides the names indicated in the charter, in parentheses I include their present-day names: Aranyas (Aranyospuszt), Achad (Magyaratád), Barath (Győrújbarát), Boorch (Barcs), Belchew (Belcsa, today nonexistent, near Barcs), Bolhass (Bolhás), Csakany (Csákány), Gesstenye (today pertaining to the town of Segesd), Wthwes (Ötvöskőny), Sabass (Szabás), and Visoncha (Csokonyavisonta), DL 100 237; Csánki, *Magyarország történelmi földrajza*, 566-707.

<sup>159</sup> Dalmad today is Dalmand in Tolna County, Somodor's name has remained unchanged and it is still in Somogy County. About Somodor see: Csánki, *Magyarország történelmi földrajza*, 640, and about Dalmad see: Csánki, *Magyarország történelmi földrajza*, vol. 3, 408.

<sup>160</sup> ... *ius patronatus quarumlibet ecclesiarum in ipsis opido et villis habitarum sub eisdem libertatibus et condicionibus sub quibus apud manus nostras regias hactenus extiterunt...*, DL 100 237.

<sup>161</sup> ...*sub tali conditione quod ipsum opidum cum premissis villis ullocumque tempore ab eodem domino Nicolao Zambo aliquibus cautelis pretensis in concambium vei permutationem aliarum possessionum vel castrorum rehabre volumus...*, Ibid.

<sup>162</sup> ...*serenissime principis domine Marie dicti regni Hungariae regine consortis nostri precare prelatorumque baronum nostrorum exinde maturo prehabito consilio...*, Ibid.

its use in this case is simple. Segesd, as it was mentioned, was the property of the Hungarian queen, therefore the king could not make any decision that had an effect on the estate without her consent. The reference to the barons and prelates and that the ruler is acting according to their advice was a frequently repeated formula in royal charters. It also needs to be added that the contract was concluded in the early years of Sigismund's reign when his power was still unstable, and his decisions were strongly influenced by the barons.<sup>163</sup>

The fact that Segesd ended up in the dominion of the former master of the treasury was the result of a complicated domain change and pledge transaction of major significance. The ruler took back the castle of Somló (Apácasomlyó)<sup>164</sup> with the domain of Pápa (both in Veszprém County) from Zámbo and also some villages from the same county and some from Vas County which had formerly been pledged to him by the king and the queen<sup>165</sup> for 8200 forints. In exchange for these possessions and a further 2571 florins Zámbo lent to Sigismund, the ruler pledged him Segesd and the above-mentioned villages for a total of 10 771 florins. According to the charter, the expenses for the repair of Somló castle were included in the sum of the pledge, but the charter does not specify how much this sum was. It can be supposed that the sum of 2571 florins was the cost of the restoration of the castle because the value of Somló and its *pertinentiae* remained intact (it had been pledged previously for 8200 florins, and in the 1389 charter it was valued at the same sum).

Regarding the cost of repair, first, the sum of 2571 is mentioned as a loan, and second, the document reveals that the cost of reparation would be estimated later by Miklós Garai,

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<sup>163</sup> See footnote 6.

<sup>164</sup> The castle served as protection for the important nunnery of (Somló/Apáca)Vásárhely, which stood under the direct jurisdiction of the archbishop of Esztergom. The nunnery functioned as a place of authentication (*locus credibilis*) – almost the only one among the nunneries of the country – and as a convent. About the nunnery and castle see: Pál Lukcsics, *A vásárhelyi apácák története* [The history of the Vásárhely nuns] (Veszprém: Egyházmegyei könyvnyomda, 1923).

<sup>165</sup> ... *per nostram et reginalem maiestates*..., DL 100 237.

*ban* of Macsó.<sup>166</sup> Thus, the final sum of the transaction covered more than 10 771 florins, but the precise sum is unknown. As can be read in the contract of pledge, if the ruler wanted to redeem these properties this sum of 10771 florins had to be repaid; the unknown cost of the repairing the castle was not counted in the sum of redemption.

The reason for exchanging these possessions was probably related to royal politics, more precisely to the changes which the coronation of Sigismund brought. Miklós Zábó was the first among the barons who, despite having been an important high official, lost his influence and with it his office as well. As Elemér Mályusz pointed out, Zábó had to resign from his office in favor of Miklós Kanizsai, which was a loss of power for Zábó and as a consequence he could not preserve further all his possessions. Miklós Garai, the son of the former palatine who lost his life protecting the queen's life,<sup>167</sup> sought to acquire Somló Castle with its pertaining lands. This is the reason behind the exchange of properties; Sigismund had to repay the deed of Garai's father; the ruler could not refuse his wish.<sup>168</sup> Sigismund regained the castle of Somló by the pledge transaction, and donated it to Miklós and János Garai in the same year.<sup>169</sup>

<sup>166</sup> „...reformatione et recuperatione ipsius castris Appachasomlow ... nobis magnificus vir dominus Nicolaus de Gara banus Machoviensis fidelis noster oretenus vel per certas suas litteras informabit...”, DL 100 237. Ban (banus): viceroy of Croatia and Dalmatia, for further details see: Werbőczy, *Tripartitum*, 249.

<sup>167</sup> He was killed on 25 June 1386 near Gara settlement, Mályusz, *Zsigmond király*, 19.

<sup>168</sup> *Ibid.*, 35. It is still unclear, however, how the costs of the castle's repair could have been included if they were to be estimated later.

<sup>169</sup> Engel, *Archontológia*, 415. The Garai brothers probably wanted to transfer the center of their domains from the southern to the inner parts of the country because of the Ottoman incursions on the southern borders of the kingdom, Mályusz, *Zsigmond király*, 36.

## Segesd during the pledge

Segesd was situated along an important medieval military road. Zámbó, by taking in pledge the *comitatus* of Segesd, gained authority over this route as well. In the Árpadian period control of this military road had been secured with a fortification which had been destroyed during the centuries.<sup>170</sup> The existence of a castle on the estate at the time when Segesd was pledged has been debated. In Kálmán Magyar's opinion, a castle probably had existed in the center of the estate because a charter from the year 1404 mentions *castrum nostrum Segösd*.<sup>171</sup> Magyar also notes that in the written documents the city is called *oppidum* in this period and only the charters after 1526 use the terms *castellum et fortalitium* of Segesd.<sup>172</sup> Magyar argues that this discrepancy can be explained by the fact that Segesd was a part of another, larger, estate, and this is the reason why the sources speak about the market town but not the castle.<sup>173</sup> In my view, however, the sources have been misread and misinterpreted. The charter issued by the ruler on 3 November 1404, when Sigismund pledged further the town of Segesd, says *oppidum nostrum Segusd vocatum*<sup>174</sup> and there is no mention whatsoever of a castle on the estate. The written sources at the time usually talk about *oppidum Segesd*,<sup>175</sup> or about *oppidum seu districtum Segusd vocatum*.<sup>176</sup> The charter of 1389 also calls Segesd a market town;<sup>177</sup> there is no trace of mentioning a castle on the Segesd estate in any of the documents.

Magyar also supposed that there was a manor-house (*curtis*) in the town owned by the

<sup>170</sup> Magyar, *A középkori Segesd*, 86, 107.

<sup>171</sup> He took over this (mis)reading of the charter from Gerő Bozsóky and Gábor Kiss. Ibid.

<sup>172</sup> Ibid., 107.

<sup>173</sup> Ibid., 86.

<sup>174</sup> DF 200 390, György Fejér also read the same, Fejér X/4. CXLII.

<sup>175</sup> DF 286 391, DL 9 094, or as *civitas Segusd* DL 7 996.

<sup>176</sup> ZsO. I. 3950.

<sup>177</sup> Magyar's information about the town of Segesd having been pledged to Zámbó in 1393 should be corrected; this had happened in 1389 when the town and the above-listed villages were pledged to him, Magyar, *A segesdi királynéi*, 34.

queen until the *comitatus* of Segesd became private property,<sup>178</sup> which, however, was not owned by Zámbo. Otherwise, I presume that the pledgee would have used the manor house of the queen as his residence. In 1391, Queen Mary issued a charter in the town of Segesd, which according to Magyar indicates that she was dwelling in Segesd, in the supposed manor house or elsewhere, which is not clear from the document.<sup>179</sup> As is known, Zámbo's own manor house and a plot (*fundus curie*) were situated in the town center because Zámbo sold them in 1394,<sup>180</sup> only one year before his death.<sup>181</sup> Whether Zámbo felt that his end was coming or he sold it for other reasons remains a mystery, just as the question whether he acquired it before or after the pledging of the town.<sup>182</sup> What seems plausible is that Zámbo in fact lived in the town, and that was why he wanted to have the passage about security included in the contract of pledge, namely, to avoid even the possibility of his town being revoked as easily as Somló Castle with its pertaining lands had been.

Little is known about the villages pledged as part of the estate from the perspective of the present study.<sup>183</sup> After 1241 settlers moved to the estate, but it is impossible to tell where they settled precisely, and it is also obscure if their descendants were living in the settlements which Zámbo took in pledge. Indicating a toll station in the settlement of Belcső is the only detail described in the charter of pledge.<sup>184</sup> Besides Belcső, a toll station also existed in

<sup>178</sup> Magyar based his argumentation on early data from 1284, and he uses analogies to prove the existence of the manor house. *Ibid.*, 41.

<sup>179</sup> In the charter it stands as: *...datum in Segesd...* meaning that the document was issued there, which is not proof of the queen dwelling in the curia; she could also have been on a visit, DL 230 695. ZsO. I. 1944. She could even have been accommodated in Zámbo's residence as his guest.

<sup>180</sup> *...ac unum fundum curiae suae in civitate Segesdiensis vocata in loco fori habitum...Georgio filio Antimi... pro ducenti florenis auri per ipsum Georgium... persolutis dedisset donasset et contulisset...*, DL 7 996. The new owner took over the property at the beginning of the following year, ZsO. I. 3782.

<sup>181</sup> A document from 1395 mentions the late Miklós Zámbo and his widow, ZsO. I. 3950.

<sup>182</sup> He could not get property rights to the manor house through pledging, as I indicated in a previous chapter, and thus he did not have the right to sell it, that is why I think that he acquired the manor house by other means. Kálmán Magyar reported that they probably found the manorhouse during the archeological excavations, Magyar, *A középkori Segesd*, 162.

<sup>183</sup> For more information about these settlements see: Csánki, *Magyarország történelmi földrajza*, 566-707.

<sup>184</sup> *...opidum nostrum Segesd apellatum cum universis suis pertinentiis et presertim villis...Belchew cum portu...*, DL 100 237.



Atád.<sup>185</sup> Speaking of Atád, it should be clarified that it was made up of two settlements. Probably Zámbo purchased one settlement in 1377 and took the other one in pledge in 1389. This assumption is supported by a document from the year 1395, when the ruler donated the two domains of Atád to György Kővágóórsi.<sup>186</sup>

Pledging the estate of Segesd affected the churches on the estates as well. The church of Segesd as an exempt one had the privilege of independent tithe collection; they (i.e., its priests) were obliged to pay the tax only to the archbishop,<sup>187</sup> which probably made the Saint Michael church of Segesd wealthy. According to a medieval principle, the right of patronage pertained to that person on whose land the church was built.<sup>188</sup> Following this principle, Segesd's right of patronage pertained to the royal couple and was transferred to Zámbo through pledging. He, on the basis of the patronage right, was entitled to intervene in the life of the exempt churches pledged to him. Zámbo, as the new patron of Saint Michael's church and all village churches which he acquired by pledge, had the right to decide who would hold the office of parish priest in these churches. He was obliged to protect and support the churches as their patron and even the right to be buried in one of these churches was reserved for him.<sup>189</sup> Pledging the church of Segesd did not change its legal status; sources from 1449 and 1464 still mention it as an exempt church.<sup>190</sup> Even if the pledging did not affect the legal

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<sup>185</sup> DL 100 270. The toll station is mentioned later as well, for instance, in 1452, ...*similiter portionis eisdem in tributo possessionis Athad exigi solito omnium in comitatu Simigiensis... titulo pignoris possidendas...*, DL 93 211.

<sup>186</sup> DL 100 270.

<sup>187</sup> Gárdonyi, *Városi plébániák*, 165.

<sup>188</sup> Transferring the right of patronage to the pledgee demonstrated that he became the landowner of these domains, Ferencz Kollányi, *A magán kegyúri jog hazánkban a középkorban*. [The private patronage right in medieval Hungary] (Budapest: Magyar Tudományos Akadémia, 1906), 175.

<sup>189</sup> Zámbo did not use this right, he was not buried in Segesd but in the Pauline monastery of Told (Somogy County), which he had founded, Magyar, *A középkori Segesd*, 77; Beatrix F. Romhányi, *Kolostorok és társaskáptalanok a középkori Magyarországon* [Monasteries and Collegiate Chapters in medieval Hungary] (Budapest: Pytheas, 2000), 68.

<sup>190</sup> Magyar, *A segesdi királynéi*, 36, 38.

status of the church, it was still affected, as the patron really intervened.<sup>191</sup>

The transaction of 1389 was the precursor of a greater change for the town which deeply affected the rights of the settlement and its inhabitants. During the period of pledge to Miklós Zámbo a document was issued which had an impact on the town's autonomy for a long period.<sup>192</sup> Four years after Zámbo became the pledgee of the *comitatus* of Segesd, on 26 March 1393, he gained royal confirmation for extending his rights over the town, to the detriment of the inhabitants.<sup>193</sup> Probably the citizens opposed Zámbo's authority and did not readily accept the changes in the city's life caused by the pledge. Whatever the cause was, on 26 March 1393, the ruler ordered all the inhabitants of the town to obey and to be submissive to Zámbo's and his men's judgment. Moreover, Sigismund also ordered the inhabitants of Segesd to assist in the enforcement of these judgments, and to pay the taxes and payments which Zámbo imposed on the citizens as he pleased, without any resistance or contradiction.<sup>194</sup> The ruler also authorized the former master of the treasury to impose any appropriate punishment on the inhabitants of Segesd, to treat them just as if they were Zámbo's own tenant peasants.<sup>195</sup> The charter came into force just after the content of it was presented to the inhabitants of the town. The self-government of the town was severely violated and the pledgee held full judicial power in the town; he became the lord of life and death.

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<sup>191</sup> There are no sources about Miklós Zámbo's relation to the Saint Michael church of Segesd, but later, when the Marcali family took over the estate, also through pledging, they acquired full indulgence for the church, Magyar, *A középkori Segesd*, 75.

<sup>192</sup> DL 100 256.

<sup>193</sup> Perhaps before 1393 he tried to impose his authority on the inhabitants of Segesd, and the ruler was only was informed about the whole conflict in this year.

<sup>194</sup> *...Nicolaum Zambo vel homines suos harum latores in vestri medium benigne acceptantes sibique in omnibus obedire obtemperare iudicioque eorundem astare datio collectas ac alias solutiones quas iidem super vos inposuerint iuxta libitum voluntatis prefati domini Nicolai Zambo extradare et plenarie amministrare debeatis renitentia et contradictione absque omni...*, Ibid.

<sup>195</sup> However, the punishment should be understood in a figurative sense, which did not mean only physical punishment, *...vos et quemlibet vestrum iuxta suum velle iimo tanquam iobagiones suos proprios punire, dampnificare et penis debitis plectere valeat atque possit premissa auctoritate nostra mediante, aliud agere inpremissis nullatenus facere presumatis*, Ibid.

The pledging did not modify the exemption of the Church of Saint Michael. The transfer of patronage into private hands did not have a major impact on the parish. The autonomy of the settlement was affected much more by the pledge than the rights of the town's parish church. In 1393, the town lost the right to be governed by an elected governing body; the inhabitants became the tenant peasants of the supreme owner of the town who ruled the settlement without restriction.

## **The consequences of pledging and the pledge period after Sigismund's death**

The former Master of Treasury, besides having full judiciary rights in the settlement, also benefited from various incomes of the town. There are no sources about the amount of tax paid by the settlement to its new overlord, so it cannot be determined how much money Zámbo earned yearly from the pledged estate. Only small details are known about what other types of income Zámbo might have enjoyed. A document issued by the Zagreb chapter in 1394 relates how Mikcs Prodavizi seized the domain of Segesd from Zámbo and caused damage in levy and in harvesting the crops.<sup>196</sup> The term *tributum* referred to the customs; and according to this source more than one toll station existed on the territory of the Segesd estate; one is known at Belcső village and another at Atád. *Collecta* was another word used here, which referred to taxes without any specification about what taxes Zámbo collected from the Segesd estate. Besides customs and taxes, Zámbo also benefited from the market of Segesd, attested already in 1374.<sup>197</sup> The sources do not specify what type of market Segesd

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<sup>196</sup> ...et in exactione tributorum collectarum frugum et aliorum proventuum dicte possessionis Segesd eidem magistro Nicolao dampnum retulerat..., DL 7 999.

<sup>197</sup> ...in vestre maiestatis presentiam in comitatibus foris conprovincialibus publice et manifeste... feria segunda in Segesdino..., DL 6 190; Boglárka Weisz, "Vásárok a középkorban" [Fairs in the Middle Ages], *Századok* 144 (2010): 1441.

had;<sup>198</sup> the only known detail is about when the market was held.<sup>199</sup>

As was presented above, aggressive behavior was not alien to Miklós Zámbo's personality. In this context it is no surprising that he wanted to gain full authority in the town, but how he exercised this authority until his death remains an unanswered question. After Zámbo's death the ruler confiscated his lands in Csallóköz, and the estate of Segesd had a similar fate. The story of the confiscation suggests that Zámbo was not alone in seeking to expand his domains by acquiring more land; he seems to have fallen victim to a similar action. A year before his death, János Kanizsai, archbishop of Esztergom, accused him of owing Kanizsai 1200 florins from the *lucrum camere* incomes of the previous year, which he administered as Master of the Treasury.<sup>200</sup> The archbishop needed this sum for the defense of the kingdom's southern frontier. Whether Zámbo was really guilty or not is uncertain, but it is certain that the ruler first seized and then pledged Zámbo's lands in Csallóköz to János Kanizsai.<sup>201</sup> The former Master of the Treasury died without heirs; his domains were inherited by his wife. She, after losing the domains of Csallóköz, also lost the Segesd estate. The charge was the same, namely, fraudulent misuse of funds of the treasury's tax incomes (*lucrum camere*), for which her deceased husband remained in debt.<sup>202</sup> The procedure was the same as in the other case; the ruler confiscated the pledged Segesd estate. The document,

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<sup>198</sup> In the age, three types of fairs existed: daily, weekly, and yearly, Weisz, *Vásárok*, 1397.

<sup>199</sup> It was held on Mondays.

<sup>200</sup> ... *in mille et ducentis florenis auri de lucro camere nostre pro anno iam preterito eidem domino Johanni archiepiscopo provenire debentibus debitorie obligatur, de quibus sibi ad plurima nostra litteratoria edicta, eidem Nicolao Zambo iniuncta satisfacere recusavit...*, Lajos Thallóczy, Antal Áldásy, *A Magyarország és Szerbia közti összeköttetések oklevéltára 1198-1526* [A cartulary to the history of connections between Hungary and Serbia 1198-1526] (Budapest: Magyar Tudományos Akadémia, 1907), LXXXI (charter).

<sup>201</sup> ...*pretextu iam dicti debiti mille et ducentorum florenorum auri, universas possessiones et quaslibet possessionarias portiones annotati Nicolai Zambo ultra fluvium Danubii a parte Challowkuz et in districtu eodem Challowkuz ubique habitas et existentes...prelibato domino Johanni archiepiscopo pro ipsius debitis, quibus de dicto lucro camere sibi tenetur, titulo veri pignoris obligavimus*, Ibid.

<sup>202</sup> ...*condam magister Nicolaus Zambo dominus et maritus suus ratione conductionis lucrui camere regie eisdem debitor remanisset...* The original charter was destroyed during World War Two. It was kept in the National Archives, but the building and collection were damaged during the war. Fortunately a significant number of charters from the Sigismund period had been transcribed by László Fejérpataky, among them this document; today it can be accessed in the Library of the Hungarian Academy of Sciences in the Department of Manuscripts & Rare Books, Ms. 5001/2. I would like to thank Norbert C. Tóth for this reference.

issued in 1395 by the Buda chapter, does not give any information about the amount of the debt that was cleared in return for confiscating the estates. The widow was ordered to return the Segesd estate to the king and the queen.<sup>203</sup> She had to promise to deliver all the charters connected to the pledging transaction (four or five items) to Archbishop János Kanizsai a week before Saint John the Baptist's feast. If she could not contact the archbishop, she was told to leave the documents in the sacristy<sup>204</sup> of the Esztergom chapter. It is noteworthy that she had to hand over the documents to the same archbishop who was behind the accusation, even though there are no sources claiming that the archbishop obtained the town of Segesd or any other parts of the estate.

Even if this looks like a sinister picture, there are no signs that the situation changed after Zámbo's death, when the town returned to royal authority for a short period. Segesd was pledged again in 1404 to the Marcali brothers,<sup>205</sup> but the document of the pledge does not state clearly what rights the new pledgee gained. It seems unlikely that the story of pledging to Miklós Zámbo was a short sad episode in the town's history.

After six years of pledging the ruler regained the estate of Segesd and it did not cost him anything. In spite of the fact that the annual incomes of Segesd which Zámbo enjoyed for this short period cannot be determined precisely, it can be firmly stated that these revenues together did not exceed the sum for which the property had been pledged, and nor probably the amount of the loan (2571 florins).<sup>206</sup> Consequently, from a financial perspective, the entire transaction was unprofitable for the Zámbo family,<sup>207</sup> mainly due to the charges of

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<sup>203</sup> ...*eisdem dominis regi et regine pacifice remisisset et resignasset*... Ibid.

<sup>204</sup> In the Middle Ages the sacristy served as the archives of the church, that why the pledging documents were kept there.

<sup>205</sup> Fejér X/4, CXLII.

<sup>206</sup> Even in the case of a town with greater importance than Segesd, like Bártfa (Bardejov), in this period the annual tax was 500 florins.

<sup>207</sup> Mályusz goes even further. In his view the entire transaction ended with a 10 771 florin loss for the Zámbo family, Mályusz, *Zsigmond király*, 36. Although the transaction was a financial failure for Zámbo, I think the losses were less than 10 771 florins because during the pledge Zámbo benefited from the incomes.

fraudulent misuse of funds that were brought against the pledgee. How profitable this transaction was for the ruler will be discussed below. It is apparent that the town of Segesd lost the most from the pledging. These events in a period of less than six years had a great impact on the town's self-government and history. Pledging the manor of Segesd in 1389 was only the beginning of a long series of transfer from one private person to another. For a short period (after 1395) most of the estate was returned to royal ownership, although György Kővágóórsi acquired the villages of Atád, Szabás, and Ötvös.<sup>208</sup> By 1404 the market town of Segesd was in the possession of the widow of István Losonci, *ban* of Macsó. István Losonci had lent 1333 florins to the king, who pledged to him the castle of Kőrösszeg (Cheresig, Romania) in exchange.<sup>209</sup> Before 1404, Sigismund exchanged the castle for the town of Segesd and three villages. The villages are the same ones which were in the possession of Kővágóórsi. As the charter states, the ruler held back the settlements with the town of Segesd from him,<sup>210</sup> then gave all of it with their customs and *pertinentiae* to Losonci.<sup>211</sup>

On 3 November 1404, further pledging of the Segesd estate continued; it was once again involved in a complicated domain exchange. This time the Marcali family became the pledgee of the town and its *pertinentiae*. The family had shown interest in purchasing the manor; in 1401 they acquired several settlements from the part of the Segesd estate which were not pledged to Zámbo, <sup>212</sup> and three years later they succeeded in acquiring the rest of it by pledge. According to the transaction, the ruler exchanged Segesd for the castle of Tátika and the market town of Keszthely (both in Zala County). The castle and the town had initially

<sup>208</sup> The ruler donated these domains of the Segesd estate in 1395, DL 100 270; Magyar *A segesdi királynéi*, 35.

<sup>209</sup> István Losonci acquired the castle in 1390, Engel, *Archontológia*, 349. About the history of the castle see: Alexandu Avram, "Fortificații medievale din Crișana" [Medieval fortifications in Crișana], *Biharea. Culegere de studii și materiale de etnografie artă* 1 (1973): 191-227.

<sup>210</sup> The charter unfortunately does not give information about the cause of the sequestration: ...*ab eodem oppido sequestratis et per alias literas nostras magistro Georgio parvo de Kuwago-Urrs collatis...*, DL 286 391.

<sup>211</sup> ...*oppidum nostrum Segesd vocatum in comitatu Simighiensi habitum simul cum tributis et ceteris pertinentiis eiusdem universis demptis tamen possessionibus Totaiid, Szabancs et Wihues vocatis...*, Ibid.

<sup>212</sup> ZsO. II. 883.

been pledged to Frigyes of Sárfenék (Friedrich von Scharfeneck) for his services and for his salary,<sup>213</sup> which the ruler probably owed him.<sup>214</sup> Later (the document does not state when) the ruler pledged Tátika and Keszthely further, with their *pertinentiae*, for 8020 florins, to the Marcalis: Miklós, the former voivode of Transylvania, Dénes, the *comes* of the Szeklers, and their nephews: György, László, and Miklós.<sup>215</sup> Finally, after presenting the background of the transaction, the charter comes to the point of pledging Segesd. Sigismund revoked the castle of Tátika and the *oppidum* of Keszthely and in exchange he pledged Segesd with its usufruct and incomes to the Marcalis.<sup>216</sup>

Finally, after all these transactions, the ruler donated Segesd with its *pertinentiae* to the Marcali family in 1417. The number of the pertaining villages decreased during the pledging transactions. From the initially pledged eleven villages, only five remained as settlements pertaining to the domain.<sup>217</sup> The document lists the brave deeds of the male members of the family for the kingdom's benefit, concluding that the ruler donates the town of Segesd with its *pertinentiae* to the family for these merits. The *pertinentiae* of the domain are specified (cultivated and non-cultivated arable fields, customs, streams etc.), but this is only general information. This document does not help in discovering out what changes happened in the life of the town during the pledgings nor whether the town's self government

<sup>213</sup> The document does not specify Frigyes's services, probably these had a military character because in the charter it says: ...*strenuo militi Friderico de Scharfeneck...*, Fejér, X/4, CXLII.

<sup>214</sup> ...*castrum nostrum Thadika cum oppido Gesztel ac aliis villis et pertinentiis suis nobili ac strenuo militi Friderico de Scharfeneck ratione fidelium servitiorum et salarii sui in quo sibi obligabamur...* Fejér X/4 CXLII

<sup>215</sup> ... *pro praedictis octo millibus et viginti florenis auri puri, imo impignoramus et obligamus, per eosdem tamdiu pignoris titulo tenendum et possidendum, quovsque non eadem summa octo millium et viginti florenorum auri per nos vel nostros successores, Reges Hungariae, data fuerit et totaliter persoluta. Facta autem huiusmodi solutione, ipsi Nicolaus, Dionysius, Georgius, Nicolaus et Ladislaus, vel ipsorum haeredes aut successores sui ille aut illi, cui vel quibus ipsa fieret, aut impenderetur, praedictum oppidum cum suis pertinentiis vniuersis nobis vel nostris successoribus regibus Hungariae, remittere et resignare debeat, vel debebunt, absque difficultate et occasione aliquali.* ... Ibid.

<sup>216</sup> ...*et obligamus oppidum nostrum, Segesd vocatum in Comitatu Simeghiensi habitum cum vniuersis pertinentiis suis fructibus redditibus pro praedictis octo millibus et viginti florenis auri puri...*, Ibid.

<sup>217</sup> ...*quoddam opidum nostrum regale Segesd nuncupatum, necnon quasdam possessiones nostras regales Gezhwnye, Bolhas, Barcz, Bwlchow, et Aranyas vocatas in comitatu Simigiensi adiacentes et habitas ad idem opidum Segesd pertinentes... terris arabilibus cultis et incultis silvis... tributis vadis portibus item aquis fluuiis rivulis aquarumque decursibus pratis fenetis campis pascuis montibus vallibus vinetis vineis...*, DL 10 618.

was restored or not.

Pledging the estate of Segesd in 1389 for political and economic reasons was a reasonable decision for both sides to the contract. The ruler received some money, and he could regain domains which he wanted. Zámbo, as a former Master of Treasury, was experienced in financial matters; he must have known the value of the estate. Moreover, it seems that it was his conscious choice to take Segesd in pledge. The events did not turn out as he expected; in the end the entire transaction was a failure for him and his family. However, not only Zámbo lost on the affair at the end, but the transaction was at least as disadvantageous for the town as it was for him. The former large estate of the queens at Segesd was dissolved forever, the town's rights were violated, and instead of the royal couple, private persons became the overlords of the domain.



## **CHAPTER IV.**

### **THE TAX OF BÁRTFA:**

#### **PLEDGING THE REVENUE OF A FREE ROYAL TOWN**

Bártfa was one of the most important cities of the Kingdom of Hungary, one of the few free royal towns. Situated on the northeastern border of the kingdom, Bártfa owed its riches to the flourishing commerce between Hungary and Poland. Bártfa was important for the kingdom not only from the economic perspective, but also because of its strategic position. The city played an important military role in the kingdom's defense. On 29 August 1412, Sigismund pledged the city to a Polish nobleman, Andrzej Balicki. The charter does not contain information about the rights transferred to him which he could exercise in the territory of the town. The character of Balicki's authority as pledgee of the settlement can be deduced indirectly from the rights and privileges of the city. To do this a general overview is needed of the privileges and various rights which the settlement enjoyed in this period. Fortunately, the city archives of Bártfa are an example of the rare case when a medieval town archive in Hungary has been well preserved and numerous charters are available.

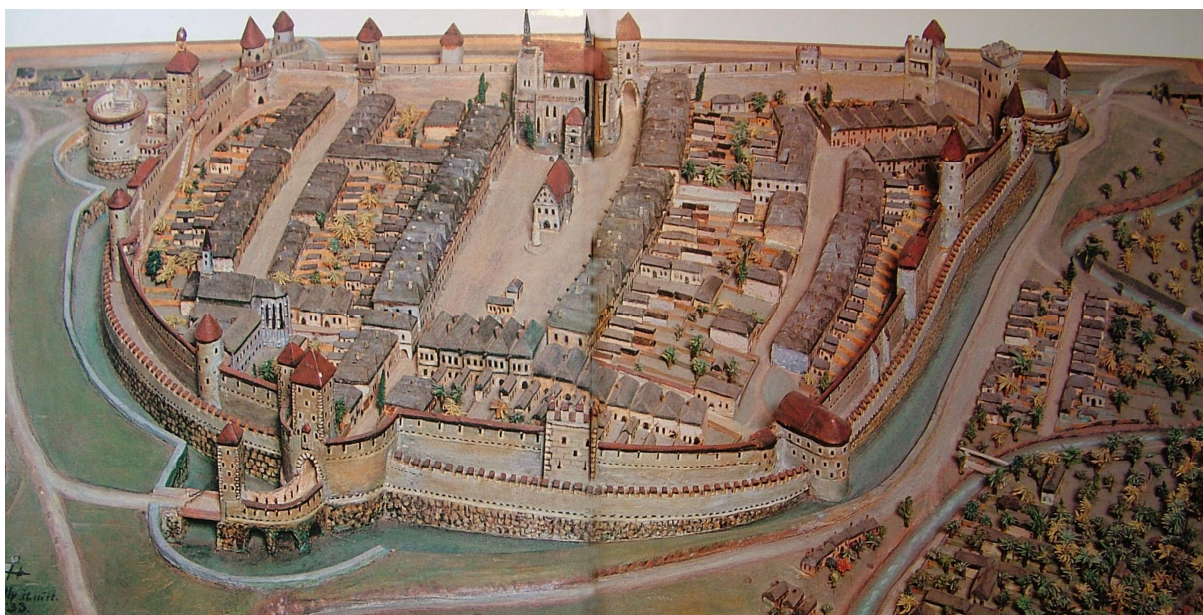


Fig.2. Model of the medieval town of Bártfa, made by J. Milly based on the plans of G. Gaspar (in the Šariš Museum in Bardejov). Gabriel Drobniak, Alexander Jiroušek, *Chrám Sv. Egídia v Bardejove. Die St. Aegidien Kirche in Bardejov. St. Egidius' Church in Bardejov* (Košice: Sáša Agentúra, 1998) (on the inside cover).

## Bártfa's History and Legal Status

Bártfa became a free royal town, that is, a town subject directly to the king,<sup>218</sup> in 1370, when King Louis (1342-1382) granted it the privileges of Buda and Kassa (Košice).<sup>219</sup> The privilege charter authorized the citizens of Bártfa to elect their own magistrates. No one could intervene in the city's internal affairs. The entire territory of the town was in the possession of the burghers,<sup>220</sup> the settlement was surrounded by walls;<sup>221</sup> none of the landowners or even the *comes* (*ispán*), the administrative leader of the county appointed by the king, had

<sup>218</sup> ...*libertatibus, gratiis, concessionibus et praerogativis perpetuis temporibus utantur gratulentur et potiantur, quibus cives nostri fideles Cassovienses et Budenses gaudent potissime et fruuntur*, Fejér, IX/4, CXXXI. In 1376 the charter was reissued, see: Alajos Rhody, *Érdekes adatok Bártfa szab. kir. város múltjából* [Interesting data about the history of the free royal town of Bártfa] (Budapest: Franklin, 1903), 7.

<sup>219</sup> Bártfa was first granted privileges in 1320, when King Charles I (1301-1342) freed the town of taxes for 10 years. Béla Iványi, *Bártfa szabad királyi város levéltára 1319-1526* [The city archives of the free royal town of Bártfa 1319-1526] (Budapest: Athenaeum, 1910), 17 (regesta).

<sup>220</sup> Erik Fügedi, "Mezővárosaink kialakulása a XIV. században" [The emergence of Hungarian market towns in the fourteenth century] in *Kolduló barátok, polgárok, nemesek. Tanulmányok a magyar középkorról* [Mendicants, Burghers, Nobles. Studies about the Hungarian Middle Ages] (Budapest: Magvető, 1981), 347.

<sup>221</sup> King Louis granted the privilege of surrounding the town with walls before 1352. ...*edificationem nouam ciuitatis nostre, Bardfa quam muro et turribus a Maiestate nostra regia muniri et roborari mandauimus...*, Fejér IX/2, LVI.

jurisdiction inside the city walls.<sup>222</sup> The town exercised ownership rights over its own land;<sup>223</sup> the city council could decide about the city's real estate. Free royal towns enjoyed the privilege of paying the yearly tax in one sum.<sup>224</sup> The yearly tax of the town had already been determined in 1378, when King Louis ordered the burghers of Bártfa to pay 500 florins yearly.<sup>225</sup> The town judge<sup>226</sup> and the council,<sup>227</sup> elected annually by the burghers, were granted full jurisdiction in the settlement, including the so-called "right of the sword" (*ius gladii*),<sup>228</sup> which authorized the town council to make judgments in important lawsuits, even involving death penalty.<sup>229</sup> Furthermore, Bártfa was entitled to hold a weekly market,<sup>230</sup> and later an annual fair as well;<sup>231</sup> the town's traders were exempted from paying royal customs on the entire territory of the kingdom.<sup>232</sup> Not only the Hungarian kings granted privileges to Bártfa; the Polish kings also donated exemption from customs on the territory of Poland.<sup>233</sup>

<sup>222</sup> The privileges exempted the medieval towns from the jurisdiction of the county's *comes*. Erik Fügedi, "Középkori magyar városprivilegiumok" [Medieval Hungarian town privileges] in *Kolduló barátok, polgárok, nemesek*, 261.

<sup>223</sup> Ibid., 260.

<sup>224</sup> Fügedi, *Mezővárosaink*, 348.

<sup>225</sup> "...ut dicti fideles cives nostri de dicta Bardfa in recognitionem dominii nostri naturalis pro eorum collecta annuali annis singulis in festo sancti Georgii martiris, quingentos florenos aureos nobis et ad cameram nostram regiam persolvere teneantur..." Rhody, *Érdekes adatok*, 7.

<sup>226</sup> The judge's authority extended further than the city's boundaries; he had authority over the burghers even if they were not in the settlement, Ibid., 286. The master of the treasury was the highest judge in the city (in all free royal towns in general), but this meant only a court of appeal and not direct intervention. Stanisław A. Sroka, *Sredniowieczny Bardiow i jego kontakty z Malopolska* [The relations between Bardejov and Little Poland in the Middle Ages] (Cracow: Societas Vistulana, 2010), 32.

<sup>227</sup> The city council was at the same time the court of law and the center of the administration. Fügedi, *Középkori Magyar*, 280.

<sup>228</sup> The town gained this significant privilege in 1365 from the same ruler. This also indicates that they must have had privileges granting them autonomy from before, Ibid., 6.

<sup>229</sup> Fügedi, *Mezővárosaink*, 340.

<sup>230</sup> On Saint Giles' feast day (September 1). Iványi, *Bártfa*, 20. In Erik Fügedi's opinion, Bártfa had been a place where fairs were held even before it became a town, Fügedi, *Középkori magyar*, 243-244.

<sup>231</sup> Iványi, *Bártfa*, 45. Granting the privilege of holding an annual fair made it possible for the town to participate in long-distance trade, Fügedi, *Középkori magyar*, 238. About the city's fairs see: Weisz, *Vásárok*, 1440.

<sup>232</sup> Iványi, *Bártfa*, 37.

<sup>233</sup> Ibid., 52.

As to the ecclesiastical administration, the burghers of Bártfa acquired the right of electing their own parish priest,<sup>234</sup> but they were not authorized to administer the incomes of the tithe of the church.<sup>235</sup> The fortification in the town expressed the important military role of the settlement. The castle (*castrum*) mentioned in fifteenth-century sources inside the city walls<sup>236</sup> was probably only a tower or a fortified building, which later became the building of the thirtieth (*tricesima*, customs office).<sup>237</sup> The building initially was not under city council's authority, but Sigismund donated it to the city with the tower and the gate<sup>238</sup> in 1412.<sup>239</sup>

## The pledge transaction and its background

The charter pledging Bártfa was issued in the same year as the fortification in the town became the property of the settlement. Sigismund pledged the castle of Szklabonya (Sklabiňa)<sup>240</sup> and the so-called *lucrum camerae* tax<sup>241</sup> on its pertaining lands, with Turóc

<sup>234</sup> This information is known from an interesting case when, despite the fact that the town's burghers elected their own parish priest, after the death of the previous priest the ruler imposed his own candidate, Ibid., 30. This case supports the idea that even though the free royal towns enjoyed many privileges, after all the ruler was their supreme overlord, Fügedi, *Középkori magyar*, 258. The ecclesiastical privileges were granted by Charles I. ...*Jacobus Plebanus de Bardfa, suo nec non vniuersorum ciuium et hospitum nostrorum de eadem vice et nominibus ad nostre Maiestatis accedendo presenciam, exhibuit nobis quasdam litteras nostras patentes, maiori sigillo nostro consignatas, litteras quondam Serenissimi Principis, Domini Karoli, regis Hungarie, Genitoris nostri karissimi, pie memorie, super libertatibus et metis eiusdem ciuitatis nostre per eundem eis concessis...* Fejér IX/III, CLVII.

<sup>235</sup> As a solution, the city council decided to take in lease the tithe. Iványi, *Bártfa*, 79, 145, 210.

<sup>236</sup> Ján Lukačka, Martin Štefánik, ed., *Lexikon stredovekých miest na Slovensku* [Lexicon of medieval towns in Slovakia] (Bratislava:Prodama, 2010), 93.

<sup>237</sup> About the thirtieth see: Zsigmond Pál Pach, *A harmincadvám eredete* [The origins of the thirtieth customs] (Budapest: Akadémia, 1990).

<sup>238</sup> ...*praetactam portam, simul cum turri et toto castro super eadem constructis...* Fejér, X/5, CXVIII. Sroka, *Sredniowieczny Bardiow*, 35.

<sup>239</sup> For more about the Bártfa's privileges see: Lukačka, *Lexikon stredovekýchI*, 97-98.

<sup>240</sup> The castle of Szklabonya was probably built at King Charles I command to extend his power by building new fortresses where the crown lacked them, Erik Fügedi, *Castle and Society in Medieval Hungary* (1000-1437) (Budapest: Akadémia, 1986), 113.

<sup>241</sup> *Lucrum camerae* or "profit of the Chamber" was a direct tax, paid by each household. For further details see: Gyöngyössy Márton, "A kamara haszna a késő középkorban." [The *lucrum camerae* in the late Middle Ages] in *Pénztörténet - gazdaságtörténet: tanulmányok Buza János 70. születésnapjára* [Monetary History – Economic History: an Anniversary volume in honor of János Búza's seventieth birthday.] ed. József Bessenyei, István Draskóczy (Miskolc: Mirio Kulturális Bt., 2009), 141-152.

County and the town of Bártfa, to Andrzej Balicki.<sup>242</sup> This pledge transaction was a continuation of a previous pledge; in 1410 the ruler had initially pledged the same castle and county along with the town of Debrecen to the same Polish nobleman. The transaction of 1410 was purely financial, Balicki received the properties in pledge not for his merits,<sup>243</sup> but for the 13 000 florins he loaned the king. The castle with its *pertinentiae* and with the same rights was pledged on same basis as the previous owner of the castle, the knight, Wenceslas de Sylburg, possessed it.<sup>244</sup> In addition to the castle, Balicki gained the county as well (Turóc), where the castle was situated.<sup>245</sup> The town of Debrecen was in the possession of the Debreceni family until 1405; in this year, after the death of the last male member of the family, the estate of Debrecen devolved to the ruler. Debrecen was in the possession of the ruler for only five years before he pledged it. The town was not a free royal town although it had a number of privileges. The members of the town council were elected by the burghers; the town judge and the jurors were in charge of any type of lawsuit.<sup>246</sup> Debrecen's traders were exempt from paying customs in the country; the management rights over the territory of

<sup>242</sup> ...castrum nostrum Sklabonya in comitatu de Turoch existens cum dicto comitatu item lucro camere nostre regie in pertinentiis dicti castri dumtaxat dicari et exigi consueto ... DF 212 748.

<sup>243</sup> There were cases when Sigismund pledged a royal property for the merits of a person. For instance, Palatine Miklós Garai took the domain of Dévény in pledge partially for his merits. The charter elaborates on his merits in detail, ZsO. V. 1136.

<sup>244</sup> ...castrum nostrum Sklabonya in Comitatu de Thurocz existens cum dicto Comitatu, nec non universis et quibuslibet suis pertinentiis, iuribus, et obventionibus, quibus idem castrum strenuous miles Wenceslaus de Sylburh ex nostra provisione hactenus habuit, tenuit et possedit... Fejér X/V XXII.

<sup>245</sup> It exceeds the goal of the present paper to discuss the phenomena of pledging counties in detail. Surely it is not a misreading of the charter, in the documents of pledging from both 1410 and 1412, respectively, the same formula appears: *cum dicto comitatu*, DF 212 742, DF. 212748. This is not a unique case there is data about other counties pledged by Sigismund, but it is still unknown what kind of rights over the county the pledgee was meant to have. There are data about pledging the Croatian county of Busán *comitatus Busaan*, ZsO. II. 996, and about the County of Trencsén. Engel, *Királyi hatalom*, 58. Probably the office of the county's *comes* was pledged, because from the year 1411 until 1470 the members of the Balicki family held this office for Túróc County, Engel, *Archontológia*, 216.

<sup>246</sup> István Orosz, "Debrecen útja a mezővárostól a szabad királyi városig" [The way of Debrecen from market town to free royal town], in *Debrecen város 650 éves: Várostörténeti tanulmányok* [The city of Debrecen is 650 years old. Studies of urban history], ed. Attila Bárány, Klára Papp, Tamás Szálkai (Debrecen: Alföldi Nyomda Méliusz Műhelye, 2011), 116-117. István Szendrei, *Debrecen története 1693-ig* [The history of Debrecen until 1639] (Debrecen: Alföldi, 1984 ), 175-176.

the town were in the possession of the settlement.<sup>247</sup> The *comes* of the county and the overlord did not have any right to intervene in the town's internal affairs.<sup>248</sup> The town was granted permission to hold three fairs annually and also the patronage right; the "right of the sword" was granted to the town in 1365.<sup>249</sup>

Besides their legal status, the major differences between Bártfa and Debrecen were the amount of the yearly tax and the military importance of the settlements. Debrecen earned the privilege to be surrounded by walls, but the walls were not built.<sup>250</sup> Bártfa was surrounded by impressive city walls and the settlement was also fortified with barbican. Both towns paid the annual tax in one lump sum, but the amounts differed, which shows the economic difference between Bártfa and Debrecen. Debrecen paid only 300 florins yearly, while Bártfa paid 500 florins.

It is difficult to tell what kind of bargain changing Debrecen for Bártfa was for Andrzej Balicki. The town of Bártfa was situated much closer to the Polish border, to the Balicki family's lands there, and he could get much more from the yearly tax of Bártfa than of from Debrecen. Sigismund pledged Debrecen with its tax, all of its laws, legal authority, and incomes.<sup>251</sup> Only the salt chamber (*curia*, the office for salt distribution - the building with its territory) was not pledged to him.<sup>252</sup> The salt office of Debrecen had the primary role in distributing salt arriving from Transylvania towards the territories beyond the Tisza

<sup>247</sup> Orosz, *Debrecen útja*, 129; Szendrei, *Debrecen története*, 220-221.

<sup>248</sup> Szendrei, *Debrecen története*, 205.

<sup>249</sup> Ibid. 224-227.

<sup>250</sup> Orosz, *Debrecen útja*, 117.

<sup>251</sup> ... *item Ciuitatem nostram Debrecen vocatam, in Comitatu Byhoriensis existentem, cum tributo in eadem Ciuitate exigí solito, nec non omnibus quibusuis iuribus, iurisdictionibus, prouentionibus, et obuentionibus vniuersis solitis consuetisque et ordinatis, dempta solummodo et excepta vna integra Curia, in dicta Ciuitate Debrecen pro Domino pertinente, et per nos pro Camera, seu repositoio salium nostrorum regalium reseruata et deputata, cuius quidem Curiae terras, prata, syluas, nemora, et alias quaslibet vtilitates, et fructuositates idem Andreas Baliczky durante ipsa obligatione habebit et tenebit, vsque tempus redempcionis eorumdem, pignori duximus obliganda et obligamus praesentium per vigorem...*, Fejér X/V XXII.

<sup>252</sup> ...*excepta vna integra Curia, in dicta Ciuitate Debrecen pro Domino pertinente, et per nos pro Camera, seu repositoio salium nostrorum regalium reseruata et deputata, cuius quidem Curiae terras, prata, syluas, nemora, et alias quaslibet vtilitates, et fructuositates...*, Ibid.

River.<sup>253</sup> The ruler did not want to privatize such an important office as the salt chamber in the kingdom. Consequently, almost the entire settlement of Debrecen was initially pledged to Andrzej, which later was exchanged for Bártfa's taxes (the yearly tax and the New Year's gift). Through the pledging Andrzej gained extended authority in Debrecen, but with the domain exchange his authority was restricted only to the collection of taxes in Bártfa. Exchanging Debrecen for Bártfa had political reasons. Probably Sigismund was the initiator of the exchange; he wanted to redeem Debrecen and donate it to the Serbian despot, Stefan Lazarević (1374-1427).<sup>254</sup> Balicki used the opportunity to ask for Bártfa in Sáros County in exchange for Debrecen.

### **Serving two Lords: The Balicki family in Poland and Hungary**

The Balicki family, a Polish noble family from the Topór kindred,<sup>255</sup> had its estates near Ossolin (in Lesser Poland, Małopolska). Andrzej's father, Jan of Ossolin, castellan of Wiślica,<sup>256</sup> was the progenitor of the kindred. As his name indicates, Jan possessed the village of Ossolin, where he built a wooden residence. As a loyal servant to the Polish ruler, Jan received several domains from the king. At his death, the family possessed the domains of Ossolin, Klimontów, Morawica, Balice, and Goźlice.<sup>257</sup> Jan had three sons, Andrzej (Bártfa's pledgee) Jan, and Mikołaj. Andrzej got his second name from the domain of Balice, which is why the charters in Hungary mention him as Andreas Balicki, simply indicating that he was from Balice. The family, which was known in Poland as Ossolin and in Hungary as Balicki (a

<sup>253</sup> István Draskóczy, "Sókamara és város-vidék kapcsolata Debrecenben az 1430-as években." [Salt chamber and the relations of city-countryside in Debrecen in the 1430's] In *Debrecen város 650 éves*, 162.

<sup>254</sup> King Sigismund donated various domains in Hungary to Lazarević; he probably wanted to win the Serbian despot's loyalty, Málýusz, *Zsigmond király*, 112.

<sup>255</sup> *Polski Słownik Biograficzny* [Polish Biographical Lexicon], ed. Roman Grodecki (Cracow: Polska Akademia Umiejętności, 1935) vol. 1, 232.

<sup>256</sup> Andrzej Przybyszewski, *Ossolińscy herbu Topór* [Ossolinscy of the "Topór" Kindred] (Radomyśl Wielki: Wydawnictwo Historyczna, 2009), 6.

<sup>257</sup> *Ibid.*, 7.

branch of the Ossolin kindred), laid the foundation for their later success in the age of Sigismund of Luxemburg.<sup>258</sup> Although Andrzej earned a reputation in Hungary, not he, but his cousin, Prokop, was the first member of the family who came to Hungary; he became the castellan of Radna.<sup>259</sup> Prokop soon extended his influence further. In order to redeem his debt of 6000 florins owed to Prokop (as payment of his salary), Sigismund pledged the domain of Újvár (Hanigovce, Slovakia) in Sáros County with its castle and several domains in Zemplén County in 1398.<sup>260</sup> This was the first property acquired by a member of the family in Hungary. Prokop probably came to the country with Stibor of Stiboricz (1347-1414), another Polish aristocrat, one of King Sigismund's most trusted men, who earned several public offices in the country. Prokop served Sigismund loyally, fighting for the king's cause even when imprisoned,<sup>261</sup> and died after such a battle.

Andrzej Balicki was a knight in Sigismund's royal court,<sup>262</sup> in 1412 he participated in a joust during the royal summit in Buda.<sup>263</sup> He served the Polish ruler, too; in 1418, he was the envoy of the king, Władysław II Jagiełło, when he came to Hungary.<sup>264</sup> Revenging his uncle's decapitation, Andrzej led an incursion against Sáros County, the same county of which he later became *comes*.<sup>265</sup> He assumed the risk of leading a private expedition against a

<sup>258</sup> The Ossoliński family later became an influential and famous Polish aristocratic family. For more detail see Andrzej Przybyszewski, *Ossolińscy herbu Topór*.

<sup>259</sup> Engel, *Archontológia*, 397.

<sup>260</sup> ... *fideli nostro nobili viro Procopio Balyczky pro sex milia florenis auri quibus sibi ratione fidelium servitiorum suorum maiestati nostre exhibitorum obligabamus pignoris titulo assignaveramus...* DL 8 944. Daniela Dvořáková, "Lengyelek Luxemburgi Zsigmond udvarában," [Poles in Sigismund of Luxemburg's court] *Századok* 136 (2002): 404; Engel, *Archontológia*, 453; Engel, *Királyi hatalom*, 40. The market town of Sztropkó (Stropkov) was among the domains that pertained to the castle. About the history of the castle and the town see: Ján Beňko, *Stropkov: Monografia mesta* [Stropkov: the monograph on the town] (Martin: Gradus, 1994). Ede Unghváry, *Sztropkó és várának története: Eredeti okiratok s más kútfők nyomán* [The history of Sztropkó and its castle on the basis of original charters and other sources] (Sátoraljaújhely: Zemplén, 1912).

<sup>261</sup> About the cause of the imprisonment and political events see: Mályusz, *Zsigmond király*, 47-55. János M. Bak, *Königtum und Stände in Ungarn im 14.-16. Jahrhundert* (Wiesbaden: Franz Steiner Verlag, 1973), 32-36.

<sup>262</sup> ZsO. II. 2602. The *Polish Biographical Lexicon* suggests that Andrzej was probably a member of the Order of the Dragon. *Polski Słownik Biograficzny*, 232. About the order see: Mályusz, *Zsigmond király*, 60-61.

<sup>263</sup> *Polski Słownik Biograficzny*, 232.

<sup>264</sup> Ibid.

<sup>265</sup> Sroka, *Sredniowieczny Bardiow*, 33.



Hungarian county without the Polish ruler's consent.<sup>266</sup> It is uncertain whether Bártfa was damaged or not during the incursion, but the town could not escape the fate of falling victim to borderland incursions; around the year 1403 Polish troops captured it.<sup>267</sup> They looted the lands in the vicinity of Bártfa until the Rozgonyi brothers (one of them, Simon, was *comes* of the county) conquered the city back.<sup>268</sup> Prokop's domains were inherited by his cousins: Andrzej (the protagonist here), Jan, and Mikołaj.<sup>269</sup> King Sigismund used the opportunity of Prokop's death and the determination of the deceased man's cousins to gain his properties; in 1404 the ruler pledged the same domains to them for another 6 000 florins, thus, for 12 000 florins altogether.<sup>270</sup>

The acquisition of the domain of Újvár was an important step in Andrzej Balicki's Hungarian career. This is shown by his new signature, Balicki de Újvár.<sup>271</sup> The Balicki brothers held the domain of Újvár for only six years because the ruler wanted to grant the domain to someone else.<sup>272</sup> The new transaction was not unprofitable for them at all; instead of Újvár, they got the castle of Szklabonya, Debrecen, and Turóc County. Although the charter issued in 1410 states that the ruler pledged all these for 13 000 florins borrowed by

<sup>266</sup> The ruler of Poland, Władysław II Jagiełło, wrote in a letter to *Comes* Simon Rozgonyi of Sáros County: *...scientes, quod quidquid Baliczky vobis dampni fecit, sine scitu nostro fecit...*, *Dokumenty polskie z archiwów dawnego Królestwa Węgier* [Polish documents preserved in the old archives of the Hungarian Kingdom], ed. Stanisław A. Sroka (Cracow: Societas Vistulana, 1998), No. 30 (regesta).

<sup>267</sup> Daniela Dvořáková, "A lovag és királya: Stiborici Stibor és Luxemburgi Zsigmond: képek és történetek egy középkori magyar nemes életéből" [The knight and his king: Stibor of Stiboriczi and Sigismund of Luxemburg: moments and stories from the life of a medieval Hungarian nobleman] (Bratislava: Kalligram, 2009), 430.

<sup>268</sup> ZsO. II. 7633.

<sup>269</sup> *...dilecti Andree similiter Baliczky apellati fratris dilectis patruelis dicti condam Procopii...*, DL 8 944; Dvořáková, *Lengyelek*, 405.

<sup>270</sup> *... pro quibus sibi et per ipsam Jan et Nicolao fratribus suis uterinis etiam in sex millibus floreni auri puri...pro duodecim millibus florenis auris puris obligandam...*, DL 8944; Dvořáková, *Lengyelek*, 405; ZsO. II. 3034; Benko, *Stropkov*, 31.

<sup>271</sup> *... Endre Balicky de Wjvar...* DF 258 983.

<sup>272</sup> As early as 1408 Sigismund already donated Újvár with its *universis pertinentiis* to the secret chancellor, Imre Perényi, but only entered in the possession of the domain in 1410, ZsO. II. 6078; Dvořáková, *Lengyelek*, 405; About the office of the secret chancellor, see: Werbőczy, *Tripartitum*, 250.

Andrzej Balicki,<sup>273</sup> it is almost certain that in fact this was a domain exchange.<sup>274</sup> The sum of the new pledge transaction increased by 1000 florins; probably the newly pledged domains were worth more than the domain of Újvár. The document of the transaction does not clarify what these 1000 florins were precisely, if this was a loan or something else. The Balicki brothers had every reason to be satisfied with the new deal; instead of the market town of Sztropkó they acquired a much more important town, Debrecen.<sup>275</sup> Although farther from Poland than Sztropkó, its yearly tax was surely more than that of Sztropkó.<sup>276</sup> The Újvár domain was exchanged for Szklabonya, in addition, they also acquired the office of the county *comes*. Andrzej built his career by other means as well; he married the daughter of Stibor of Stiboricz, the influential Polish baron who ruled over huge territories in the vicinity of Turóc County.<sup>277</sup> Andrzej Balicki lived in two countries and served two lords, but his rising career probably ended at the siege of Vyšehrad in 1420.<sup>278</sup> Following Andrzej's death, his widow Rachna, was the pledgee of Bártfa until her death. The date of her death is

<sup>273</sup> ... *fidelis noster dilectus Andreas de Baliczky, veluti accepti beneficii memor, ad nostri specialem requisitionem nobis tredecim millia florenorum puri auri in promptis dedit, mutuauit et effectualiter assignauit...*, Fejér X/5, XXII.

<sup>274</sup> Sigismund donated Újvár Castle as early as 1408, but in fact he was only able to redeem it from the Balickis two years later, 22 June 1410. Twenty days earlier he had pledged Szklabonya, Debrecen, and Turóc County. The connection between the two events is clear. Probably the condition for redeeming Újvár was to pledge the other domains, ZsO. II. 7713, 7655. Pál Engel and Daniela Dvořáková had the same opinion. Engel, *Archontológia*, 453; Dvořáková, *Lengyelek*, 405.

<sup>275</sup> Sigismund managed to redeem the town of Sztropkó two years earlier than castle Újvár, Benkő, *Stropkov*, 32. ZsO. II. 6078.

<sup>276</sup> Even though the tax of Sztropkó is unknown, it can be argued that it was probably less than that of Debrecen. Debrecen was more important; it was on the way to becoming a free royal town. Sztropkó meanwhile was a small market town.

<sup>277</sup> At 1405 Andrzej was already married, Dvořáková, *Lengyelek*, 405. Here the information of the *Polish Biographical Lexicon* should be corrected, which claims that Andrzej died unmarried, *Polski Słownik Biograficzny*, 232.

<sup>278</sup> Dvořáková, *A lovag és királya*, 377. The date of his death is disputed; the first mention of his widow is from 1423. She was mentioned in Bártfa's account book as early as 1421, but without noting whether she was a widow or not. Because she was collecting the city's tax at this time, it can be assumed that her husband was dead. *Item dedimus domino Andrae capellano dominae Rachne mitram pro 8 fl. Cassoviensibus*, László Fejérpataky, *Magyarországi városok régi számadáskönyvei* [Old account books of Hungarian towns] (Budapest: Athenaeum, 1885), 188. For more detail, see: Dvořáková, *Lengyelek*, 406. Sroka supported 1420 as the year of Andrzej's death, Sroka, *Sredniowieczny Bardiow*, 38.

uncertain; Daniela Dvořáková puts it before 1431.<sup>279</sup> One can be more precise in stating that she died in or before 1430, because by 1430 Mikołaj Balicki was already the pledgee of the settlement and tried to collect its tax.<sup>280</sup> Rachna continued to expand the family's territory in Hungary, taking Árva castle (Orava) in pledge from her brother Stibor shortly before her death.<sup>281</sup> Andrzej was followed in the office of *comes* of Turóc County by Mikołaj Balicki, who was either his brother or his nephew.<sup>282</sup> After Rachna's death he became the pledgee of Bártfa or the *capetaneus* of Bártfa, as he called himself in a document.

## Bártfa during the pledge period

Bártfa was pledged with its yearly tax and with the so-called New Year's gift (12 marks of silver).<sup>283</sup> The charter makes no mention of the *pertinentiae* of Bártfa or anything else being pledged.<sup>284</sup> According to the charter, Balicki did not get any authority in the town besides the tax and the gift. The New Year's gift had an interesting detail; Sigismund had exempted the citizens from paying it to the town castellan of the city's castle (fortification)<sup>285</sup> only a few months before he pledged the settlement to Balicki.<sup>286</sup> The citizens had to pay the arrears.<sup>287</sup>

<sup>279</sup> Dvořáková, *Lengyelek*, 406.

<sup>280</sup> Iványi, *Bártfa*, 222. She was also mentioned for the last time by her name in the town's account book in 1429. *Item familiares dominae Rachne exposuerunt den. 624 pro expensis apud Johannem Bütner in ebdomada post corporis Christi*, Fejérpataky, *Magyarországi városok*, 290.

<sup>281</sup> Engel, *Királyi hatalom*, 56; Dvořáková, *Lengyelek*, 406.

<sup>282</sup> Because of the lack of sources this problem cannot be solved; Dvořáková, *Lengyelek*, 406.

<sup>283</sup> *...civitatem nostram Barthffa vocatam cum collectis consuetis quiengentos florenos auri facientibus necnon duodecim marcis argenti ratione encenneorum more solito...* DF 212 748. Debrecen also had a New Year's tax, Szendrei, *Debrecen története*, 139.

<sup>284</sup> The importance of this remark will be elaborated below.

<sup>285</sup> Although *castrum* stands in the charters it is probable that this word referred to the city's fortification not to a castle inside the city walls. For more see: Lukačka, *Lexikon stredovekých*, 97.

<sup>286</sup> Simon Rozgonyi judge royal (*iudex curiae regis*) was in possession of the castle: *...comes Simon ipsum castrum nostrum Barthfa vocatam pro honore tenuisset ...* DF 212 746. About the office of judge royal see: Werbőczy, *Tripartitum*, 254.

<sup>287</sup> *...singulis annis persolvere non curasset eadem demptis tamen muneribus strennalibus...* DF 212 746. It is also noteworthy that this type of tax is mentioned here as *strennalibus*, and in the charter of pledge as *encenneus*.

The first data about the city paying the yearly tax to the pledgee is from the year 1414. The castellan of Szklabonya, Michalko, in the name of his master collected 400 florins from the town.<sup>288</sup> The next document about Bártfa paying the Balickis is from 1418, when the town was called upon to pay 48 florins to a man of Mikołaj Balicki. Mikołaj asked for the money as the *comes* of Turóc county.<sup>289</sup> Bártfa's account book was fortunately preserved and it contains relevant information about the contact between the pledgee and the town starting from the year 1419.<sup>290</sup> The most important information is about paying the yearly *census* to the pledgee. In the account book the payments of the tax are registered continuously from the year 1433 until 1439. In these six years the entire sum of the yearly tax was paid.<sup>291</sup> Only sporadic data survive from the period before 1433, but this does not mean that the town did not pay the tax. In theory each free royal town paid its yearly tax in one sum, so Bártfa also should have paid in this way, but as it did not always work this way. Before 1433 there is data about the town paying a part of the yearly tax, or paying for several years at once. In 1433, too, the town did not pay the tax in one sum, on 4 June of this year the town paid 300 florins to the pledgee;<sup>292</sup> ten days later they paid 112 florins more.<sup>293</sup>

The settlement paid 184 florins to the pledgee in 1419<sup>294</sup> and 1000 florins in 1424. In this year (1424) the city government complained to the ruler that Andrzej Balicki's widow

<sup>288</sup> *Nos Michalko castellanus de Sklabina... commissione magnifici viri et domini domni Andree Baliczky iudex necnon iurati de Bartpha persolverint quadringentos floreni admunere...de collecta...* DF 212 755.

<sup>289</sup> He signed the document as *Nicolaus de Blaicze, Comes of Thurocz*, DF 212 759.

<sup>290</sup> For more details see: Fejérpataky, *Magyarországi városok*, 8-11.

<sup>291</sup> After 3 July 1433: *Item censum domino Baliczky flor. auri 500*, Ibid., 321. After 24 December 1434: *Item domino Baliczki hab wir beczalt stat czins 500 rot fl*, Ibid., 348. After 30 December 1435: *Item solvimus Baliczky censum fl. auri 500*, Ibid., 360. After 30 November 1436: *Item solvimus domino Baliczky censum fl. auri 500*, Ibid., 370. After 6 December 1437: *Item solvimus domino Baliczky censum annuum... fl.auri 500*, Ibid., 381. After 12 December 1438: *Item dedimus magnifico viro domino Nicolao Osolynsky quingentos florenos pro censibus civitatis, sicuti tenemur sibi solvere singulis annis*, Ibid., 403. After 2 October 1439: *Item direximus domino N. Baliczky ratione annui census flor. auri 500*, Ibid., 492. In these cases there is no precise information about the date of the payment. Only the dates of the previous transactions and the census payments were registered and can be found in the account book.

<sup>292</sup> Iványi, *Bártfa*, 256.

<sup>293</sup> Iványi, *Bártfa*, 257.

<sup>294</sup> *Item dedimus extra 200 fl. minus sedecim domino nostro Andree*, Fejérpataky, *Magyarországi városok* 181.

demanded more than 1000 florins under the pretext of the yearly tax.<sup>295</sup> Sigismund called upon the widow to respect the city laws and be content with 1000 florins.<sup>296</sup> The contract of pledge stated that the town's yearly tax was only 500 florins, so one can wonder why it was doubled in 1424. The details of the charter provide some information that can serve to help solve this problem. It is possible that these 1000 florins were in fact not only one year's tax, but for two years. Perhaps the city had remained indebted for the yearly tax from the previous year and paid it together with the tax of the current year. It may have been that in 1424 the town paid the tax for two years. As a supporting argument another case can be mentioned when the town paid the tax for six years.<sup>297</sup> This happened nine years after Sigismund's death (in 1446), but it can be used to support this argument. The fact that the document of 1424 claims that the yearly tax had a value of 1000 florins<sup>298</sup> does not mean that the town paid 1000 instead of 500 florins yearly for a long while. The 500 florin yearly tax included in the pledge transaction did not change, as later sources attest.<sup>299</sup>

Another particularity of this case is the currency in which the town paid the tax. The new coin (*nova moneta*) was a currency introduced by King Sigismund in 1392. 100 denarii of the *nova moneta* were worth 1 golden florin. This currency devalued over time; ten years after the first time this new currency was issued 132 denarii were worth one golden florin.<sup>300</sup>

There is no data about how many denarii were equal to one golden florin in 1424, but there is

<sup>295</sup> ...*fidelium nostrorum dilectorum judicis et juratorum ac universorum civium hospitum et incolarum nostre civitatis Barthffa gravi cum querela quod quamvis ipsi olim domino et marito vestro mille florenos nove monete et demum eodem domino et marito vestro de medio sublato vestre fidelitati ac vestris officialibus per vos ad hoc deputatis ratione et pretextu annui census et collecte solvere soluti et consueti extitissent...*, DF 212 795.

<sup>296</sup> ...*pretacti annui census et collecte dictos mille floreni nove monete quos ipse Balicki singulis annis recepissee et exegisse asseritur amplius et de inceptis recipientes eosdem in eorum antiquis libertatibus et consuetudinibus conservare debeatis...*, Ibid. The other sources contradict the statement in this charter that each year the town paid 1000 florins.

<sup>297</sup> ... *pro omnibus debitis census annui nostri per ipsos cives ab annis sex nobis retenti fecimus, pro quibus debitis singulis a dictis annis sex, prefati cives solutionem intergram nobis fecerunt cum effectu ...*, DL 44 416. Probably the Balicki family was called Balicai in Hungary. In this document Mikołaj Balicki calls himself: *Nicolaus de Balice*.

<sup>298</sup> ...*dictos mille florenos nove monete quos ipse Baliczki singulis annis recepissee et exegisse...*, Ibid.

<sup>299</sup> ...*annui census et collecte dictos mille florenos...*, DF 212 795.

<sup>300</sup> Dvořáková, *A lovag és király*, 377.

data from 1422 and 1426. In 1422 a florin was 225 denarii and 320 denarii in 1426.<sup>301</sup> This small detail is important because paying in *nova moneta* was disadvantageous for the town as a consequence of the great devaluation of the currency. Another instance shows the importance of the currency; in 1499 the pledgee of the town, a member of the Balicki family, asked the town to pay the tax in a different currency than it had used to be paid before. He argued that it was not profitable for him to get the sum in the old currency.<sup>302</sup>

The yearly tax payment continued; in 1427 the account book notes 2250 florins paid to Rachna, Andrzej's widow.<sup>303</sup> This was more than four years' tax; probably the town paid the yearly tax back until 1423 with this sum. This may be an explanation why only sporadic information can be found in the account book about the paid tax until 1427. Moreover, it may be that because the tax was not always paid in a single sum, as was already pointed out, the citizens of Bártfa did not pay the tax always in money. In the account book there are quantities of data about smaller payments to the Balickis in various objects. In these cases the value of the items was always indicated. Supposedly, the smaller payments in money and the items handed over to the pledgee were summed up and had been calculated into the yearly tax. Another source might support this assumption; in 1433 the town paid 412 florins to a man of Mikołaj Balicki,<sup>304</sup> and in his receipt the composition of the sum is listed in detail. 250 florins were paid in cash, 100 for wine, 20 for "Gregern von Crocaw," 12 for *malvasia* (or malmsey, a type of wine), 16 for three horses, 2 for a wagon, and 32 for twenty Polish marks (also paid in cash).<sup>305</sup> Besides this document there are other similar sources. In 1430

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<sup>301</sup> Ibid.

<sup>302</sup> Iványi, *Bártfa*, 45

<sup>303</sup> *Item dominae Rachne solvimus pro censu anni praesentis 2250 kam. florenos in octava beati Georgii Martyris*, Fejérpataky, *Magyarországi városok*, 233.

<sup>304</sup> This case was already discussed above; the source also lists the previous payment of 300 florins.

<sup>305</sup> The 20 florins paid to *Gregern von Crocaw* were not counted in the sum for unknown reasons. *Ich Michel Gleybicz bekenne öffentlich mit diesem briffe, das ich von meynes hern wegen, hern Niclus von Balicz, an seynen jerlichen czinse empfangen hab von den erbern hern Richter und Burgern II ½ c. rote gülden am cleynen gelde, und I c. rote gülden am weyn, an zwen kuffen, dy ich gegeben habe Gregern von Crocaw, zampt mit den*

the same pledgee asked for two castrated horses or, if the citizens of the town did not have them, then two foals.<sup>306</sup> The pledgee assured the representatives of the town that the value of the horses (or the foals) would be included in the sum of the yearly tax. This was not the only case when the pledgee asked for horses; the account book registers another case when Andrzej's widow asked for a horse<sup>307</sup> and two bridles.<sup>308</sup> Besides horses, the burghers of Bártfa gave various goods to the pledgees. Several times beer was transported to the Balickis.<sup>309</sup> There were cases when sheep skins,<sup>310</sup> greaves,<sup>311</sup> and small things for cooking<sup>312</sup> were demanded by the pledgees. Once Rachna asked for a headband,<sup>313</sup> and there is also information about lutenists paid for their services to the Balickis.<sup>314</sup>

There was continuous contact between the town and the pledgees. Either the representative of the town visited the pledgees, or the pledgees sent their own servants. Until 1421 a chaplain called Andreas collected the tax for the Balickis.<sup>315</sup> Afterwards, the sources mention couriers sent by the pledgee, but they remain unidentified.<sup>316</sup> When the envoys of the

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*XX roten gülden, dy sy mir hab in bereit gegeben und XVI rote gülden vor III pferde, dy ich selber gekaufft habe, und II rotgulden vor eyn wagen, und XII rote gülden an malmasien, und XX mark polnisch vor XXXII rot gülden. Summa macht IIII c. XII rote gülden...* Iványi, Bártfa, 257.

<sup>306</sup> ...ad se festu sancte Georgii martiris et nos promittimus vobis mediante presenti littera in censu predicto defalcare id quodcumque pro ipso spadone dabitur si vos non potest spadonem... vel duos poledres..., DF 212 914.

<sup>307</sup> *Item emimus dominae Rachnae unum equum pro 40 flor. camerae, quem dedimus ei, ut relaxationem nobis fecit in solutione lozungis* Fejérpataky, *Magyarország városok* 213. This must have been a special horse since it was so expensive.

<sup>308</sup> *Item pro 2 frenis pro equis solvimus den. 100 eadem feria sexta superiore*, Ibid., 212.

<sup>309</sup> 30 January 1419 *Filiis Pacz Peter dedimus 6 fl. et 11 den. pro vectura cervisiae ad dominum Andream Baliczki*, Ibid., 181. After 13 May 1440, *Item pro cervisia quam direximus domino Baliczky den. 650*, Ibid., 502.

<sup>310</sup> After 12 January 1420, *Item excepimus domino nostro duas mastrucas wlpinas pro 20 flor. novae monetae*, Ibid., 188.

<sup>311</sup> 5 July 1426, *Item Longus Georgius exposuit ad dominam Rachnam den. 300 et 28 den. solvimus pro subsoleatione ocrearum feria sexta proxima post visitationis Mariae*, Ibid., 212.

<sup>312</sup> "11 June 1426 *Item pro parvis rebus ad coquinam dominae Waliczky hincinde exposuimus den. 500 feria tertia proxima notabene ipso die beati Barnabae*, Ibid., 226.

<sup>313</sup> After 19 January 1421, *Item dedimus domino Andreae capellano dominae Rachne mitram pro 8 fl. Cassoviensibus*, Ibid., 188.

<sup>314</sup> 14 June 1426. *Item lautenistis qui hofisarunt ante dominam den. 100 eadem feria sexta ante Viti et Modesti*, Ibid., 226.

<sup>315</sup> January 1420, *Item dedimus domino Andreae capellano domini ... 8 flor. Capellano domini Andreae dedimus 2 fl. et ort.* Ibid., 188. Nothing more is known about this chaplain.

<sup>316</sup> *Item Baliczky famuli circa festum beati Georgii expenderunt super civitatem . fl. 55. Item nuntio domino Baliczki . . 40 den. Item 100 den. pro expensis notarii et nuntio Baliczky 57 den. apud Pan Nickel*, Ibid., 314,

Balickis went to the town, their expenses (food, drink, accommodation) were covered by the town. There is also information about the pledgee paying the expenses of the town's envoy.<sup>317</sup> Longus Georgius was the most frequently mentioned envoy in the account book. He was the representative of the town, sent regularly to the pledgees.<sup>318</sup>

The residences of the Balicki family in Hungary are rather well known. After they took the castle of Szklabonya in pledge, the family moved there. An envoy visited Rachna in Szklabonya in 1426,<sup>319</sup> and the members of the Balicki family often wrote letters to the town from this castle.<sup>320</sup> Mikołaj signed as Mikołaj Balicki de Szklabonya.<sup>321</sup> Longus Georgius was sent to the pledgees at the castle in 1432.<sup>322</sup> Sometimes the pledgees visited Bártfa. Rachna came in 1426,<sup>323</sup> and there is information about another member of the family being present in the settlement in 1435.<sup>324</sup>

In Bártfa's contract of pledge there is nothing about the date when the yearly tax had to be submitted. The sources suggest, however, that there was a concrete due date for paying the tax. In the very first data about the town paying the tax, Castellan Michalko asked for the *collecta* of Saint George, namely, the tax which was paid on the saint's feast day.<sup>325</sup> There are other sources as well indicating that the town's yearly tax in theory was paid on 23 or 24 April (Saint George's day; the saint's feast day was often celebrated in Hungary on 24 April). In 1430 Mikołaj asked the town for two horses and promised that the value of the horses

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488, 491.

<sup>317</sup> *Item Lang Jorgen als her verczert hat das ym Baliczky hat geschant vor 200 den. item fl. 2 Summa huius 400 den., Ibid., 301.*

<sup>318</sup> Probably his name was Lang Jorg, as this entry of the account book suggests: *Item Lang Jorg exposuit den. 300 ad dominam sabbato ante Prothei et Jacincti martyrum, Ibid., 212.*

<sup>319</sup> Iványi, Bártfa, 171.

<sup>320</sup> *...datum in castro nostro Sklabina... Nicolaus heres de Balicz..., DF 212 911; ...datum in castro nostro Sklabina... Nicolaus de Balicz alias comes de Thurcz..., DF 212 917.*

<sup>321</sup> *...Miikola Balickii de Zklabonna..., DF 212 940.*

<sup>322</sup> *Item Lang Jorgen sicud expendit ad castrum Skawona cum equis directis Baliczky super expensas sibi datas expendit fl. 2, Fejérpataky, Magyarországi városok, 301.*

<sup>323</sup> *Ibid., 226.*

<sup>324</sup> *Item quod Baliczky exposuit quando hic fuit, quod prius non est scriptum fl. 14, Ibid., 360.*

<sup>325</sup> *... et hoc de collecta Sancti Georgii martyri..., DF 212 755.*



would be counted in the yearly tax *census* of St. George's.<sup>326</sup> In the case when the town paid Rachna more than four years tax, the sum of 2250 florins was paid on April 23.<sup>327</sup> This small detail was omitted from the contract of pledge because the due date of the yearly tax remained the same as King Louis had set in the letter of privilege in 1378.<sup>328</sup> It seems that pledging the yearly tax did not change the date of payment; it was paid on the same day as it was before the pledging. However, sometimes the sources contradict this and show that the fixed day of the payment was not kept in all cases. According to the account book, between the years 1433-39 the yearly tax was paid generally at the end of the year, when the date of paying the tax was registered for each year. Only in 1433 was it paid in June.<sup>329</sup> Not paying in time could have caused problems for the town, as happened with the New Year's gift.

In the sources, the New Year's gift paid by the town to the pledgee appears under two appellations: *munera strennalia* or *encenia*. The expression *munera strennalia* was used to denote the New Years' gift given by the free royal towns to the royal couple starting in the second half of the fourteenth century.<sup>330</sup> It was often not the royal couple that received these gifts, but high dignitaries like the master of treasury or the steward of the royal household (*magister curiae regiae*). Béla Iványi, who studied the use of this expression, confounded the New Year's gift paid to the Balickis with another tax paid by the burghers to the steward of the royal household.<sup>331</sup> The two charters used by Iványi as references do not contain the expression of *munera strennalia* in any of its forms,<sup>332</sup> that is why I think that the two taxes were different from each other and should be kept separate by the historians as well. Moreover, it does not seem probable that the town paid the New Year's gift twice a year to

<sup>326</sup> ... *censum quem debetis nobis dare ad festum Sancti Georgii...*, DF 212 907.

<sup>327</sup> See footnote 304.

<sup>328</sup> See footnote 225.

<sup>329</sup> See page 59.

<sup>330</sup> Béla Iványi, "*Munera strennalia*," *Südost-Forschungen* 4 (1939): 173.

<sup>331</sup> *Ibid.*, 175.

<sup>332</sup> *Ibid.* The first is from 1412, the second from 1440, DF 213 044, DF 212 744.

different persons. The charter of the pledging transaction reports that Sigismund pledged Bártfa's yearly tax with the New Year's gift,<sup>333</sup> not one of the New Year's gifts, but the only one.

*Encenia* (or *encaenia*) means 'gift' or 'present,' often used to denote the New Year's gift.<sup>334</sup> The gift was not incidentally called a New Year's gift, although the pledge transaction of Bártfa does not have a passage where the date of payment was specified; another source shows that indeed it was paid on the first day of the New Year (on the Feast of the Circumcision).<sup>335</sup>

The New Year's gift does not appear in the account book, but other documents suggest that the town paid it, or at least the pledgees demanded it. It is unknown when and why, but Sigismund exempted the citizens from the obligation of paying the New Year's gift to the Balickis. The first information about the gift after the pledging is from 1426, when King Sigismund prohibited Rachna from collecting anything under the pretext of the New Year's gift. As it stands in this charter, the burghers were not obliged to pay the New Year's gift in 1426,<sup>336</sup> but the pledgee still demanded it. The ruler's intervention did not have a lasting effect; four years later the burghers of Bártfa were complaining to him again because of the pledgee's abuses. Mikołaj Balicki still demanded the gift despite the ruler's prohibition.<sup>337</sup> He went even further, he started to threaten the citizens that if they did not pay

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<sup>333</sup> See footnote 284.

<sup>334</sup> *Lexicon Latinitatis medii aevi Hungariae*. A magyarországi középkori latinság szótára [The Hungarian dictionary of medieval Latin], ed. János Harmatta (Budapest: Argumentum-Akadémiai Kiadó, 1992) vol. 3, 331.

<sup>335</sup> In a letter probably written by Mikołaj Balicki himself, he demanded that the burghers of Bártfa pay the New Year's gift, usually paid on the Feast of the Circumcision (the first day of January). ...*vos amonendo de XII m arcas argenti quod nobis tenemini dare singulis annis circumcisio domini et nescimus quo spiritu ducti nobis predictum argentum dare abnegatis...* DF 212 917.

<sup>336</sup> ...*pro totalis censu eorum anuali et non prescriptorum encenneorum seu munerum strenalium solucionem facienda obligare debere agnoveritis...*, DF 212 836.

<sup>337</sup> Iványi, Bártfa, 222.

the twelve silver marks he demanded plus the yearly *census*,<sup>338</sup> he would take hostages and arrest any citizen in Hungary and on the roads leading to Poland.<sup>339</sup> Mikołaj's threat at the first glance may look like that he went beyond the authority of the pledgee and wanted to abuse the citizens' rights, but in fact he was referring to a specific right, to the so called "right of *repressalia*." One could exercise *repressalia* if someone was indebted to him and in order to force him to pay the creditor was entitled to arrest the indebted person or anyone else from his community.<sup>340</sup> In this case the citizens of Bártfa were indebted to Mikołaj, who by exercising the right of *repressalia*, could have captured any member of Bártfa's community; he was also entitled to seize their properties. Moreover the seized properties could be pledged and the arrested people held in captivity until the debt was paid off.<sup>341</sup> The word *arestare* (to arrest) used by Mikołaj in his letter had another meaning in addition. The right of *arestatio* conferred on him the authority to impede the merchants of Bártfa from arriving at their destination.<sup>342</sup>

The document threatening the burghers of Bártfa has another interesting detail, that is, Mikołaj signed the letter as captain of Bártfa (*capetaneus in Bartffa*).<sup>343</sup> The use of this title is important because it suggests that Mikołaj, besides collecting the town's taxes (*census*, New Year's gift), had other authority inside the city walls. The document of the pledge transaction

<sup>338</sup> ...*presentibus admonemus ita ut personaliter locuti sumus vobis et monuimus quatenus census cum encionalibus videlicet argento quod serenissimus princeps rex noster et dominus graciosus mandavit nobis dare et persolvere quatenus dictum census cum argento nobis dare et solvere non negligatis...*, DF 212 911.

<sup>339</sup> ...*quod si non feceritis firmiter scitote quod volumus vos et quemlibet vestrum ubi poterimus in regno Hungarie et Polonie in viis civitatibus in Cracovia vei ubicunque potuerimus recipere et arestare captivare tamdiu donec praedictus census et cum argento nobis plenarie non fuerit persolutus...*, Ibid.

<sup>340</sup> István Tringli, "Vásártér és vásári jog a középkori Magyarországon," [Marketplace and market law in medieval Hungary] *Századok* 144 (2010): 1326. The right of *repressalia* was not a peculiarity of the medieval Hungarian legal system; the right was also known in the Mediterranean world. For further details see: Svetlana V. Bliznyuk, "Diplomatic relations between Cyprus and Genoa in the light of the Genoese juridical documents: Asg, *Diversorum Communis Ianue*, 1375–1480," in *Diplomatics in the Eastern Mediterranean, 1000 - 1500: Aspects of Cross-cultural Communication*, ed. A. D. Beihammer, M. G. Parani, C. D. Schabel (Leiden: Brill, 2008), 284–285.

<sup>341</sup> Tringli, *Vásártér és vásári jog*, 1326.

<sup>342</sup> Ibid., 1325.

<sup>343</sup> DF 212 911.

(1412) entitles the pledgee only to collect the town's taxes, so his power as the town's captain had to have originated from somewhere else. The title of captain is misleading, because it denotes the office holder of the thirtieth customs.<sup>344</sup> Consequently he could not have had any military rights in the town. In fact, it looks like Mikołaj only claimed this title to emphasize his power in order to intimidate the burghers of Bártfa into paying the money. There are no written sources attesting to Mikołaj as the office holder of the thirtieth customs, moreover, this is the only source in which Mikołaj calls himself captain of Bártfa.<sup>345</sup> Mikołaj did not achieve the desired result with his threats; several months after his letter he was still demanding the New Year's gift.<sup>346</sup>

The story continued in a similar way, three years later, in March 1433, Sigismund once again prohibited Mikołaj from demanding the gift.<sup>347</sup> Mikołaj again did not obey the ruler's will, and in November of the same year the citizens complained to the ruler again.<sup>348</sup> Even though it is unknown why and when the ruler exempted the burghers of Bártfa from the New Year's gift, these cases make it clear that Mikołaj tried and probably succeeded in collecting it. He even opposed the ruler's will, and as the sources reveal, his act did not have any other consequences apart from the ruler's threat. At the end, by unknown means, the town achieved its goal, since after 1433 the gift is no longer mentioned in the records anymore; probably the Balickis renounced their claim to collect it.

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<sup>344</sup> Lukačka, *Lexikon stredovekýchI*, 82.

<sup>345</sup> He had several public offices, the most frequently occurring in the charters is the *comes* of Túróc County; the title of captain does not appear in these documents: DF 212 759, 212923, 212914, 212917.

<sup>346</sup> In 17 December 1430 he wrote: ... *vos amonendo de XII marcas argenti quod nobis tenemini dare singulis annis* ..., DF 212 917.

<sup>347</sup> ...*ipsos munera seu encenia diei strennarum seu anni novi exigere et extorquere niteremini et velletis*..., DF 212 940; Iványi, *Bártfa*, 253.

<sup>348</sup> Iványi, *Bártfa*, 258.

## The consequences of pledging and the period in pledge after Sigismund's death

After King Sigismund's death the town continued to pay the yearly tax to the pledgees.<sup>349</sup> The contract of pledge for the year 1412 included no temporal restriction; that is why the death of the pledgor did not cause any change in the pledged status of Bártfa. According to the contract, the town's yearly tax remained in the possession of the Balicki family until it was redeemed. A major change in the contract terms of pledging Bártfa occurred as late as 1470, when King Matthias (1458-1490) reformulated the terms. On 24 April, the king agreed with another Andrzej Balicki on new terms of pledging the town. One can only rely on inference to understand this change.

If the new terms of the contract were disadvantageous for the pledgee, for the town they were certainly advantageous. The new terms created a much more favorable position for the ruler as well. Although the document raises the possibility that the pledgee wanted a new and more advantageous contract for himself, things did not happen as he expected. In the source the king relates that when he was in Körmöcbánya (Kremnica, Slovakia), Andreas de Balycza, *comes* of Turóc County, visited him and presented Bártfa's contract of pledge to him.<sup>350</sup> It is noteworthy that in this document the New Year's tax does not appear as a part of the initial contract of pledge.<sup>351</sup> By this time the pledgee had certainly renounced collecting it.

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<sup>349</sup> A charter from 1446 tells about a conflict between the pledgee and the town because of the unpaid yearly tax census, Ibid., 444. In 1450 Mikołaj bought two horses from a citizen of the town; he paid from the yearly tax, Ibid., 550. In 1464 another Andrzej Balicki received the yearly *census* of 500 florins, Ibid., 1552. In 1466 the same Balicki complained because the citizens refused to pay the tax, Ibid., 1631.

<sup>350</sup> ... *in civitate nostra Crempniciensi constituti fuissemus magnificus Andreas de Balycza alias comes comitatus de Twurocz obtulit nobis quasdam litteras privilegiales illustrissimi principis olim domini Sigismundi regis Hungarie predecessoris nostri felicitis reminiscencie sigillo suo dupplici quo utebatur impendentis communitas...*, DF 214 490. The charter does not misinform; according to the itinerary of King Matthias, he was indeed in Körmöcbánya around this time. The charter was issued on 24 April, and Matthias had visited Körmöcbánya on 12 April, Richárd Horváth, *Itineraria regis Matthiae Corvini et reginae Beatricis de Aragonia 1458-(1476)-1490* (Budapest: Magyar Tudományos Akadémia Történettudományi Intézete, História, 2011), 90-91.

<sup>351</sup> ...*idem dominus Sigismundus rex castrum Sklabyna vocatum cum suis pertinenciis in dicto comitatu de Twrocz existentibus ac lucrum camere in pertinentiis eiusdem castri exigi solitum, necnon civitatem Bartpha*

A copy of the document was preserved in the town archives, but it is uncertain whether it is unclear due to the fact that it had been copied or whether the terms were confusing even in the original document. To be precise, in the charter the first pledgee of Bártfa (Andrzej) was confused with the other Andrzej who had contacted King Matthias. In the charter the latter seems to be the same person who took Bártfa in pledge in 1412.<sup>352</sup> King Matthias wanted to regain the pledged properties, or at least some of them. First, Andrzej wrote off 3 000 florins of the debt (from the initial sum of 13 000 florins of the pledge), then Matthias redeemed the castle Szklabonya for 5 000 florins, and finally Bártfa was pledged again under new terms.<sup>353</sup> Matthias pledged the town with its yearly tax *census* for 5 000 florins, but with a major change. The town was expected to pay the 500 florins of tax until the payment added up to 5 000 florins, which was the sum of the new pledge transaction, and then the town would be redeemed. In other words, this time the pledging of the town had a temporal restriction; the community of Bártfa got a chance to redeem themselves in ten years.<sup>354</sup> Andrzej seemingly received the city in pledge with the same terms and conditions as it had been pledged previously to his ancestor, but in fact his agreement was much more limited. The community of the town was obliged to pay the tax even in turbulent times,<sup>355</sup> and the ruler assured

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*cum solitis suis censibus ad quingentos florenos auri monete Crempniciensis se extendentibus prefato Andree Baliczky in tredecim milibus florenorum auri impignorasse...*, DF 214 490.

<sup>352</sup> ... *magnificus Andreas de Balycza alias comes comitatus de Twurocz obtulit nobis quasdam litteras privilegiales illustrissimi principis olim domini Sigismundi regis ... prefato Andree Baliczky in tredecim milibus florenorum auri impignorasse...*, Ibid. Even though the two persons are distinguished by name (*Andreas de Balycza*, and *Andreas Baliczky*) the little word *prefato* clearly connects them and presents them as the same person. It is unknown if it was a scribal mistake or a conscious act by Andrzej to present himself as the person who took in pledge Bártfa.

<sup>353</sup> ...*ipse Andreas ad nostram regiam petitionem de predictis tredecim milibus florenis auri tria milia florenos auri nobis relaxavit, nos dictum castrum Sklabyna cum suis pertinenciis ab eodem pro quinque milibus florenis auri redemimus...*, Ibid.

<sup>354</sup> ...*civitatem Bartpham predictam quam idem Andreas Balicky civitatem per ius tenuit ac de facto tenet, in illis quinque milibus florenis auri, qui sibi adhuc solvendi restabunt, eidem denuo inscripsimus et impignoravimus omni eo iure quo prius tenuit, ... pro eorum solitis censibus...tamdiu donec de prescriptis quinque milibus florenis auri eidem satisfactum fuerit...*, Ibid.

<sup>355</sup> ...*in regno nostro Hungarie, quod absit, tempore intermedio ex quacumque parte gwerre et disturbia suboriantur, prescriptos quingentos florenos auri in festo beati Georgii martiris parata in pecunia semper persolvere teneantur et cogantur...*, Ibid.

Andrzej that if the town was not able to pay then the ruler himself would do so.<sup>356</sup> Pledging royal properties under such conditions was unknown in Sigismund's custom of pledging. There is a clear difference in the approach to pledging between the two rulers. Matthias was an entirely different party to the pledge contract than Sigismund was. Due to his desire to regain the properties or due to the fact that he had money at his disposal, Matthias achieved concrete results in redeeming the pledged properties. As this single example suggests, King Matthias had a different pledging policy than Sigismund. It also shows that if he had the desire and the funds, the ruler was able to regain his pledged properties.

Matthias' attempt to regain the town, however, was unsuccessful in the end for unknown reasons. Bártfa remained in pledge for decades longer. In 1498 Wladislas II (1490-1516) tried to redeem the town with a contract of pledge similar to that of Matthias in 1470. This time the whole yearly *census* was not pledged, but only 300 florins from it until the citizens had paid a total of 2000 florins.<sup>357</sup> When the payment of the yearly *census* reached 2000 florins, the settlement would be redeemed. It remains a mystery whether King Wladislas II's attempt was more successful than Matthias', because in the city archives the Balicki family last mentioned in 1500.<sup>358</sup>

The kings of Hungary did not recover Bártfa's annual tax until at least 1500. In 1412 King Sigismund had easily gained 6000 florins, but he and his later successors on the Hungarian throne lost much more. If the Balicki family had succeeded in collecting yearly the town's tax at least until 1500, they could have gotten 44 000 florins (88 years of pledging

<sup>356</sup> *Item in quocumque anno dictus Andreas conscriptam summam quingentorum florenorum auri super dictos civies nostros recipere non posset, nos id reddere assumpsimus...*, Ibid.

<sup>357</sup> *...dictorum duorum milium floreni de censu ordinario dicte civitatis nostre Barthffa trecenti floreni singulis festivitibus beati Georgii martiris... prescripta summa duodecim milium floreni integraliter complebatur nostram ad rationem de censu ordinario nobis debito persolvere ...*, DF 216 199; Iványi, *Bártfa*, 3407.

<sup>358</sup> The very last data referring to the Balicki family in this context is also about the town paying the family, Iványi, *Bártfa*, 3494.

at 500 florins of tax per year) only with the 6 000 florins invested.<sup>359</sup> Moreover, for decades they also benefited from the New Year's gift besides the tax, not to speak of the symbolic capital that they gained by being in control of a royal town's taxes. Through the pledging transaction of the year 1412, the Balicki family also received the title of *comes* of Turóc County, which helped them acquire even more power and new lands in the region.<sup>360</sup> In a short term perspective Sigismund gained money easily and fast, which probably satisfied his needs, but the consequences of pledging had a much longer lasting effect. For the town it was of limited importance for whom they had to pay the yearly tax. From this perspective the pledging of the tax *census* was like privatizing it. In these transactions, much depended on the persons who privatized the tax. The Balicki family did not always have a good reputation in the country or in the region. Even before Andrzej took Bártfa in pledge in 1412, a document from 1406 presented him as pillaging the region.<sup>361</sup> In 1429 the inhabitants of Nagyturány (Turany, Slovakia) complained because Prokop Balicki, son of Rachna and Andrzej, collected taxes from them illegally.<sup>362</sup> Mikołaj was also involved in a lawsuit because he seized one of his relatives' domains.<sup>363</sup> The town of Bártfa experienced aggression from the family when they were forced to pay the New Year's gift even if it was not prescribed by the ruler. In the document in which Mikołaj threatened the burghers of Bártfa with taking hostages, he called them his subjects, expressing his wish to treat them so.<sup>364</sup> Even if it was

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<sup>359</sup> It is difficult to estimate how profitable it was for them to take the castle of Szklabonya in pledge.

<sup>360</sup> They were interested in gaining more power in the region, which is why they also took the castle of Árva (Orava, Slovakia) in pledge.

<sup>361</sup> He was collecting customs illegally from the people of Kisszeben (Sabinov, Slovakia). ...*Nicolaus Iudex de Scybinio de medio aliorum exurgendo, in sua et ceterorum cohospitum suorum personis proposuit eo modo: quod dum quidam cohospites ipsorum cum eorum rebus mercimonialibus in terram Scepsiensem causa negotiationis in libera via transire voluissent, tunc Endre de Baliczky de Ujvár per suos homines eosdem Cohospites ipsorum ratione sui tributi in villa Ujfalú exigi, consueti circa villas Syroka, et Hedrech dictis rebus et bonis eorum spoliari fecisset et faceret incessanter...*, Fejér, X/4, CCLXII.

<sup>362</sup> Dvořáková, *Lengyelek*, 406. Why Mikołaj and not Prokop inherited the status of pledgee is an unanswered question.

<sup>363</sup> *Ibid.*, 407.

<sup>364</sup> *Paratam conplacencie voluntatem subditum nostrorum...*, DF 212 911.



irrelevant for the town who was collecting the yearly tax, they certainly wanted to avoid any kind of abuse by the collector; being in pledge to the Balickis meant that this was not always avoidable.

## CHAPTER V.

### THE PRACTICE OF TOWN PLEDGING IN THE LIGHT OF TWO CASE STUDIES

The two case studies of this paper represent two extremes of King Sigismund of Luxemburg's town pledging activity. Segesd and Bártfa were situated in different parts of the country, the first in the inner part of the kingdom, the second in the borderlands. Their importance and legal status differed significantly from each other. Bártfa was one of the seven free royal towns, with extended autonomy and a number of royal privileges. Its importance was constituted by its economic and military potentials. The town was granted various economic privileges, and because of its geographical position it was also important for military reasons.<sup>365</sup> Segesd's importance had a different character; the town's military role was minor, and neither can its involvement in trade be compared with Bártfa's. The market town of Segesd was the center of a large estate under the authority of the Hungarian queens. A number of villages pertained to the town, which supplied the needs of the queens, and it also had a major role in the administration of the estate. Segesd's parish church had an exempt status; it was directly subordinate to the archbishop of Esztergom's authority. Bártfa's church did not have this significant ecclesiastical privilege, but its burghers were granted the right to elect their parish priest. The amount of tax paid by the two towns differed as well; Bártfa's yearly tax was arguably much more than the sum paid by Segesd to the ruler

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<sup>365</sup> Bártfa's military importance in defending the kingdom's borders is well expressed by the significant military role the town played in the Polish-Hungarian conflict in 1395. Norbert C. Tóth, "Az 1395. évi lengyel betörés: a lengyel-magyar kapcsolatok egy epizódja" [The Polish incursion of 1395: A chapter in the history of Polish-Hungarian relations] in *Honoris causa: tanulmányok Engel Pál tiszteletére*, [Honoris causa: Studies to the Honor of Pál Engel], ed. Tibor Neumann, György Rácz (Budapest: Magyar Tudományos Akadémia, Pázmány Péter Katolikus Egyetem, 2009), 467, 484. For more about the conflict and Bártfa's role in it see: Julius Bartl, "Political and Social Situation in Slovakia at the Turning Point of the 14th and 15th Centuries and the Reign of Sigismund of Luxemburg," *Studia Historica Slovaca* 9 (1979): 75; and Dvořáková, *A lovag és királya*, 286.

each year. As a consequence of these differences it is no wonder that pledging them had a dissimilar character and different outcomes.

## **The differences between the conditions and terms of pledging Bártfa and Segesd**

The conditions and terms differed in Segesd's and Bártfa's contracts of pledge. It should be emphasized that in the case of Bártfa, only the town's tax and New Year's gift were pledged, not the entire settlement. The erroneous information in the secondary literature claiming anything else should be corrected, even if it was only mentioned in a regesta.<sup>366</sup> Pledging the entire settlement of Bártfa probably would have been a more difficult task even for a ruler, and it would have provoked the resistance of the burghers. As was presented in the chapter dealing with Bártfa's pledging, Andrzej Balicki did not gain any other rights through the pledge besides collecting the tax and the gift. The members of the family were not entitled to intervene in the town's self-government and internal affairs. The Balickis acquired no judicial rights in the town, nor any special rights in the town's ecclesiastical matters. The contract of pledge entitled Andrzej only to collect 500 florins yearly as tax and twelve marks as a New Year's gift. In comparison with Bártfa's pledging, Andrzej Balicki gained more extended jurisdiction in Debrecen by taking the town in pledge. This transaction, as described in the chapter dealing with Bártfa's pledging, was the previous step in the Balickis' involvement in Sigismund's pledges. The town of Debrecen, in contrast with Bártfa, was pledged almost entirely; only the salt chamber was not pledged. As it stands in

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<sup>366</sup> In Béla Iványi's regesta (*Bártfa*, 68) one can read that Bártfa was pledged, without any further information provided, which can easily lead to misunderstanding. Daniela Dvořáková (*Lengyelek*, 405) follows Iványi's example and writes about pledging Bártfa *with* its yearly tax and New Year's gift. These misunderstandings are probably the result of limited knowledge about pledged medieval towns in the scholarship.

the charter issued in 1410, Debrecen was taken in pledge by the Polish noble with all of its rights, jurisdiction, tax, profits, and incomes.<sup>367</sup>

Segesd was pledged in a similar way to Debrecen. The charter of 1389 claims that Segesd was pledged with its *pertinentiae* (*cum universis suis pertinentiis*). The expression of “*pertinentiae*” used in the charter is a frequent one in this period in the cases of selling, donating or pledging various domains. The use of the term in charters had a practical reason; it served to comprise all the various properties – lands, rights, etc. pertaining to the particular domain which was the subject of the contract. By using this formula nothing was omitted; the term of “*pertinentiae*” included everything (domains, rights) from the legal perspective. Even though there were differences in each particular case, in general terms the meaning of the formula was similar.

Segesd’s contract of pledge (1389) did not elaborate what the associated properties and rights were precisely, but there are other examples which can suggest what was usually understood under the term of “*pertinentiae*.” The charter issued in 1404 by King Sigismund pledging the town of Sztropkó contains this formula, and is quite readable in spite of having being damaged at some point. In this document the Balicikis took in pledge the market town of Sztropkó, the domain of Pazdics, and Újvár castle from the king. All of these were pledged with all of their villages, profits, growths, taxes, vineyards, mountains, valleys, meadows, pastures, fishponds, forests, mills, flowing waters.<sup>368</sup> Moreover the scribe added that besides these listed items all of the associated *pertinentiae* of the pledged settlements which the former owner possessed were also pledged. In another case, when Sigismund pledged the town of Segesd to the Marcalis in the same year, besides all of its pertaining

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<sup>367</sup> See footnote: 252.

<sup>368</sup> ...*opidum Stropko et possessionem Pazdich simulcum villis portionibus fuctibus proventibus tributis quibuscumque vocabulis vocitatis nemoribus, montibus, vineis, vallibus, pratis, pascuis, piscinis molendinis aquis aquarumque decursibus et aliis pertinentiis universis quibus ...per annotatum magistrum Ladislaum et alias priores habitum et tente fuerunt...* DL 8944.

lands the ruler also pledged the town's income and profits.<sup>369</sup> In 1417 the ruler donated Segesd to the Marcalis, and, fortunately, the charter of the donation contains in detail all of Segesd's *pertinentiae*. According to this source, Sigismund pledged Segesd with all its profits, arable lands – cultivated and uncultivated, forests, customs, streams, ports, flowing waters, rivers, brooks, meadows, plains, pastures, mountains, valleys, vineyards, and woods.<sup>370</sup> It should be taken into account that this is not a pledging contract, but a deed of donation; however, it is highly likely that in 1389 Miklós Zábó took Segesd in pledge with these *pertinentiae*. The word “*pertinentiae*” in the pledging contract of the year 1389 probably comprised this or a similar list of rights, incomes and properties pertaining to the estate of Segesd. This assumption is confirmed by the information in the pledge contract, where Sigismund pledged Segesd with all of its *pertinentiae* under the same conditions and privileges as he had previously possessed it.<sup>371</sup> The king was Segesd's landowner before the pledge, therefore if Zábó gained the right to possess the town through pledging under the same privileges and conditions as the king owned it before, then this means that Zábó became the landowner of the town and its associated domains. Even though Sigismund gave extended authority to Zábó only four years after the pledge transaction (in 1393), this does not mean that Zábó had not had such an extended authority before this date. Sigismund's command to the inhabitants of Segesd to obey the pledgee's will can be perceived as a reaffirmation of an already-existing situation. Probably after the date of the pledge Zábó

<sup>369</sup> ...*oppidum nostrum Segesd vocatum, in Comitatu Simeghiensi habitum, cum universis pertinentiis suis, fructibus, redditibus, pro predictis octo millibus et viginti florenorum auri puri imo impignoramus et obligamus...* Fejér X/4, CXLII.

<sup>370</sup> ...*ad idem oppidum Segesd pertinentes, simul cum omnibus et singulis eiusdem oppidi et ipsarum possessionum vtilitatibus et pertinentiis signanter terris arabilibus cultis et incultis, sylvis, praesertim vero theloneis seu tributis, vadis, portibus, item aquis, fluviiis, riulis aquarumque decursibus, pratis foenetis, campis, pascuis, montibus, vallibus, vinetis, vineis, nemoribus, et earundem vtilitatum integritatibus, quouis nominis vocabulo vocitatis, iure ad ipsum et easdem spectantibus, sub ipsius et earundem veris metis et antiquis limitibus, quibus ipsum et eadem ab olim rite tentae et servatae fuerunt...* Fejér X/5, CCCLXVI.

<sup>371</sup> ...*sub eisdem libertatibus et condicionibus sub quibus apud manus nostras regias hactenus extiterunt...* DL 100 237.

had tried to bring the dwellers of Segesd under his authority, but they refused to accept it and tried to express opposition. The charter of 1393 is the result of this opposition.<sup>372</sup> How much extended authority Zámbo gained through this pledge is eloquently expressed by the fact that even the patronage right of the exempt churches (those of Segesd and Aranyos) was transferred to him. Compared with the case of pledging Bártfa, one can see a huge difference. In Bártfa's case only the town's two types of tax were pledged; in the case of Segesd, the entire settlement with all of its income and jurisdictions.

## The comparison of the pledgees

The pledgees of Bártfa and Segesd represented two different social categories. Miklós Zámbo was a Hungarian nobleman whose family came from the ranks of the lower nobility. However, thanks to his talent and to the political events in the period that favored him, he earned more and more important public offices. The Balickis were foreigners, who had only started to get involved in Hungarian internal affairs a few decades before the pledging. They were newcomers who had been serving the Hungarian kings for only a short while. Zámbo, on the contrary, had already been serving the rulers of the kingdom loyally for decades. He was a baron, a member of the royal council, who knew personally not only King Sigismund but his predecessor and their queens as well. Both pledgees, before taking these towns in pledge, had already had pledge transactions with the ruler; as a result, Sigismund knew what kind of business partners they were. The two pledgees symbolize well a specificity of King Sigismund's pledging activity in Hungary. He pledged royal properties to both Hungarian

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<sup>372</sup> Segesd's was not the only market town which gained a new landlord through a pledge transaction. The pledging of Modor, another market town, had a similar character; it was even more detrimental for the town than that of Segesd. There the ruler even entitled the pledgee to collect extraordinary taxes whenever he wanted, Mályusz, *Zsigmond király*, 155.

nobles and foreigners; the Balickis were not the only foreign family involved in pledging.<sup>373</sup>

In fact, this was characteristic for the entire reign of King Sigismund, who often surrounded himself with foreign retainers<sup>374</sup> and relied on their services and advice in many cases.<sup>375</sup>

Miklós Zámbó, like Andrzej Balicki, already knew the domain he planned to take in pledge. The pledged properties were their conscious choice; moreover, it can even be assumed that when the ruler came up with the idea of swapping domains, they themselves asked to take Segesd and, respectively, Bártfa's taxes in pledge. Miklós Zámbó, before taking the estate of Segesd in pledge, purchased one of the two Atád settlements in 1377; he also founded a Pauline monastery at nearby Told in 1384, that is, five years before the pledging transaction. As the image (Fig. 3) shows,<sup>376</sup> the two Atád settlements were close to the estate of Segesd. Which village Zámbó purchased from the two is immaterial, because both were in the area of Segesd.

<sup>373</sup> The instance of Friedrich of Scharfeneck was mentioned already, but there are other examples as well. There were other Poles serving the ruler and taking in pledge royal properties. For example, Donin Skrzyni took in pledge the castle and the market town of Ludány in 1421: ZsO. VIII. 563. Lessel Hering, an Austrian nobleman, held the royal castle and market town of Dévény in pledge until 1417: ZsO. VI. 178.

<sup>374</sup> According to Pál Engel, the important public offices in five counties of the kingdom were all held by foreigners in the first part of the fourteenth century, among them the Balickies: Engel, *Királyi hatalom*, 53-58.

<sup>375</sup> This caused serious problems in the reign of the king because by granting public offices to foreigners the Hungarian barons lost their influence: Mályusz, *Zsigmond király* 47-54.

<sup>376</sup> The images were made with the Mindmap software. Pál Engel, *Magyarország a középkor végén: digitális térkép és adatbázis a középkori Magyar Királyság településeiről* [Hungary in the late middle ages: Digital map and database], (Budapest: Térinfo Bt.- Magyar Tudományos Akadémia Történettudományi Intézete, 2001. CD-ROM).

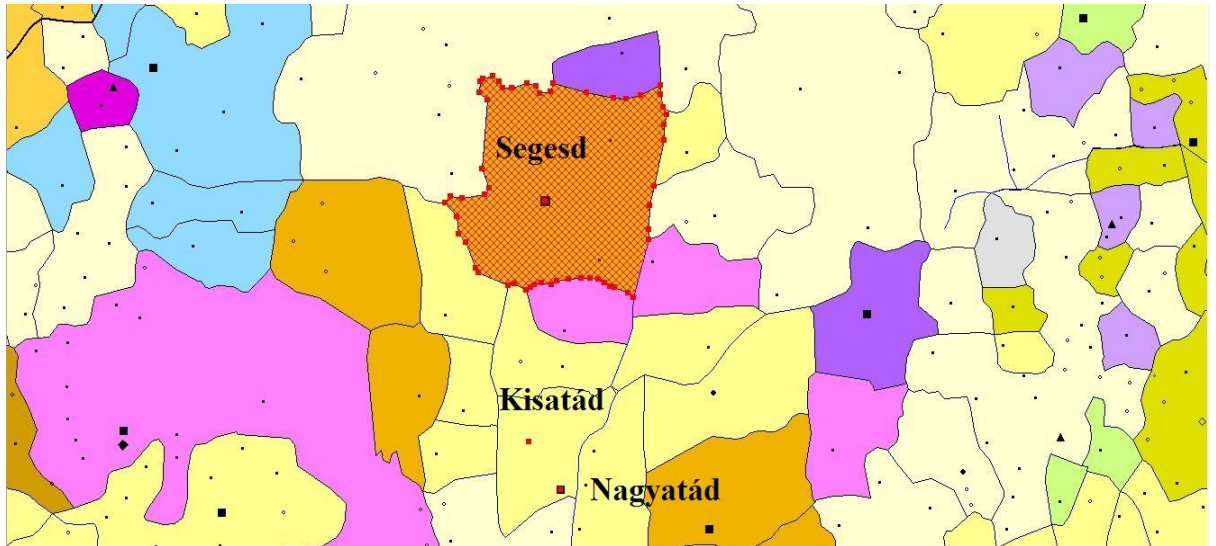


Fig.3. Map showing the region of Segesd, each domain has a different color. The estate of Segesd is marked with cross-hatching; Kisatád, and Nagyatád are marked with red squares, all the black dots and squares are marking different settlements.

Andrzej Balicki, the pledgees of the Újvár domain, also knew the city of Bártfa, so it is possible that he even visited the town several times before taking the town's taxes in pledge. As the image below (Fig. 4) shows, the domain of Újvár was in the vicinity of Bártfa and of its pertaining lands. Moreover, both were close to the border of Poland, consequently to the Balickis' family holdings.

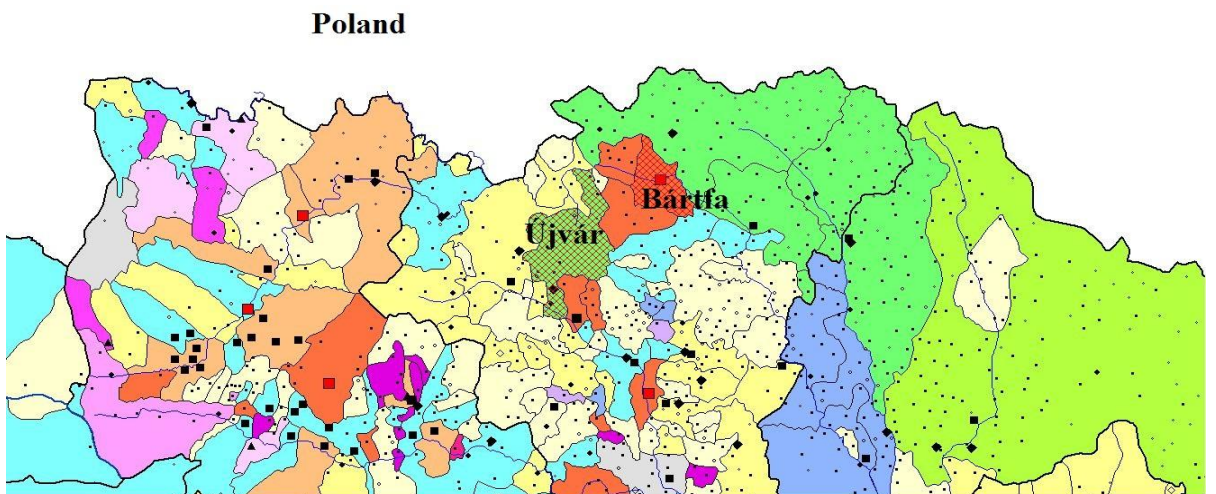


Fig.4. The domain of Újvár (cross-hatched) and Bártfa with its pertaining lands (red cross-hatching) near the northern border of medieval Hungary.



## The pledge transactions and the motivations behind them

Eberhard Windecke writes in his *Memoires* that after Sigismund's coronation: "the Roman King Sigismund sent Gunther, count of Swarzenburg, Lord Heinrich Lantzenbach of Clum, and Matis Lunel to Basel to offer and persuade the town of Basel to take in pledge the towns and castles between Schaffhausen and Basel which the king wanted to pledge."<sup>377</sup> Taking into account that the *Memoires* is a narrative source and therefore the information transmitted should be treated with care, this story of Windecke still sounds convincing. The ruler could suggest that someone take royal domains in pledge. However, in the case of Segesd and Bártfa it is unlikely that Sigismund pledged them as he pledged the towns about which Windecke speaks in his story. Much time has passed and sources are lacking, thus precisely who was the initiator of the transactions cannot be determined. What can be assumed is that probably both transactions were concluded in Buda, because both charters of pledge were issued there (Segesd's on 22 June 1389, Bártfa's on 29 August 1412) and because the ruler resided in Buda at the time of concluding the transactions. In the years of the pledges the ruler did not visit either Segesd<sup>378</sup> or Bártfa,<sup>379</sup> which means that he was not involved personally in the negotiations; the future pledgees came to the capital in order to conclude the transactions.

From the beginning of his reign Sigismund often paid the services of various office bearers and noblemen with domains or by pledging domains to them because of his serious

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<sup>377</sup> ... sant der Romsch konig Sigemont grofe Gunthern von Swarzenburg, her Heinrich Lantzenbach von Clum und Matis Lunel von Basel un ließ sie do versuchen und werben, obe die stat von Basel wolte verpfenden die stet sloß...von Schoffhusen an biß gon Basel... Windecke does not specify to which settlement he refers to. He mentions another case as well, when he was personally ordered to offer similar transactions to the burghers of Mainz, Worms and Speyer: Wilhelm Altmann, *Eberhard Windeckes Denkwürdigkeiten zur Geschichte des Zeitalters Kaiser Sigmunds* (Berlin: R. Gaertners Verlagsbuchhandlung, 1893), 85-86.

<sup>378</sup> The king spent almost the entire month of June, 1389, in Buda (from 6 June until 24): Pál Engel, Norberth C. Tóth, *Királyok és királynék itineráriumai, 1382-1438* [Itineraries of kings and queens, 1382-1438] (Budapest: Magyar Tudományos Akadémia Történettudományi Intézete, 2005), 61-62.

<sup>379</sup> Sigismund resided in Buda in 1412 when the charter about the pledging of Bártfa's taxes was issued. The king stayed in the capital between 22 July and 16 September: Ibid., 94-95.

financial problems. Initially, Prokop Balicki took the domain of Újvár in pledge in this way, which contributed to pledging Bártfa's taxes to his cousins. It is unknown whether the ruler pledged the castle of Somló to pay Miklós Zámbo's services as happened in Prokop Balicki's case. It is certain that pledging Segesd was the result of exchanging domains (Segesd for the castle of Somló), just as happened in the case of Bártfa. King Sigismund exchanged and pledged the royal domains in accordance with his financial needs and the political situation. In both cases the pledgees had to lend money to the king in response to taking the pledge. Zámbo lent at least 2 571 florins to King Sigismund, and it is even possible that the entire sum of the transaction (10 771 florins) was in fact a loan. In the case of the Balickis, they loaned him 6 000 florins (when they took Újvár in pledge), and the rest was counted in the sum of the transaction as payment for Prokop's services.<sup>380</sup> These investments of the pledgees had different results.

One can presume that the sums included in the pledge transactions reflect the real value of the pledged domains to some extent. One may assume that studying the pledge transaction can reveal the value of the domains in the kingdom in this time period. However, this optimistic approach seems to be unrealistic. For the pledging of Segesd this theory can be accepted but must be treated carefully. Segesd was pledged in 1389 for 10 771 florins; this sum included a loan of 2 571 florins; Somló castle, which Sigismund took back through the transaction, was valued at 8 200 florins. According to the data in the charter,<sup>381</sup> the difference between Segesd's and Somló's value in favour of the former was only the amount of the loan. Following this line of thought, Segesd's value had to be around the sum of the transaction, 10 771 florins. Segesd's further pledging complicated the problem, because the members of the Marcali family took Segesd in pledge for 8 020 florins in 1404. The difference between the

<sup>380</sup> Whether 1000 florins from the entire sum were part of the loan or not is debated. This was discussed above. See page: 57.

<sup>381</sup> DL 100 237.

two sums is 2 751 florins. One can argue that this difference in the value of the town is due to the fact that in 1404 Segesd was pledged with fewer villages.<sup>382</sup> It seems plausible, but analysis of the other case suggests quite a different story. Prokop Balicki took the domain of Újvár in pledge for 6 000 florins, which means that this sum was the value of the huge estate centered on Újvár castle.<sup>383</sup> After Prokop's death, when his cousins took the same domain in pledge, the ruler then pledged it for another 6 000 florins, which doubled the sum of the pledge. It can be asked then, how much the domain of Újvár was worth, 6 000 or 12 000 florins?<sup>384</sup>

Another example can show how complicated it is to determine the value of pledged domains based on the sums of the pledge. In 1412, Andrzej Balicki took Bártfa's taxes in pledge as a result of exchanging them for the taxes of the town of Debrecen. As was presented above, Andrzej held the entire settlement of Debrecen in pledge with only the exception of the salt chamber. If the sums included in the transaction of pledges reflect the real value of the domains, then exchanging Debrecen for the taxes of Bártfa meant that the entire settlement of Debrecen was worth as much as Bártfa's taxes. As these examples show, the sums of the pledge transactions should be treated with care in defining the real value of the pledged domains.<sup>385</sup> This is because in these transactions political and other factors

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<sup>382</sup> Sigismund pledged the estate to Miklós Zámbo with 11 associated villages (*pertinentiae*) and with two other villages from the same county where the estate was situated. When the ruler further pledged Segesd to the Marcalis, the two other villages were omitted from the transaction. Another significant difference between the two pledgings is the fact that the charter of further pledging Segesd does not enumerate which villages were pledged with the town to the Marcalis. Consequently it is unknown if the same number of villages (11) had been pledged or fewer. It seems that fewer than eleven villages were pledged, as was presented above in the chapter dealing with pledging of Segesd.

<sup>383</sup> In the document of donating the domain of Újvár to Imre Perényi all the associated settlements of the domain are listed. The list contains the market town of Sztrapkó, many villages, some of them with toll stations, ZsO. II. 6078.

<sup>384</sup> It can be argued that 6 000 florins was the real value of the domain and it was doubled because the ruler did not pay back this sum, resulting in a doubling of his debt. If this version is accepted, however, then the question of why Prokop's cousins had to pay for taking Újvár in pledge remains unanswered; why was it not pledged to them for the money Prokop loaned the king?

<sup>385</sup> Mályusz also writes about some estates being pledged for increasing amounts of money. He explains this mainly with the changing values of the estates, but it could have simply been Sigismund's increasing need for

played important roles besides the economic factor, just as in the case of exchanging domains where properties with the same value were not always exchanged. In some cases the value of the domain was not the most important issue, but the geographical position, which enabled the pledgee to unite the pledged property with his neighboring domains.<sup>386</sup>

Pledging taxes of a free royal town close to the Polish border to a Polish family does not seem to have many hidden political motivations. For a ruler, strengthening the loyalty of a foreign noble family could have been one of the political motivations for the pledge. Another one may have been the ruler's intention to regain the domain of Újvár in response to the request of the secret chancellor, Imre Perényi.<sup>387</sup> Pledging had potential dangers as well, that using the advantages of pledging and the possibilities provided by their lands in Poland the family could strengthen its position in northern Hungary. In the other case, pledging Segesd could have had the same political motivation, to regain the castle of Somló for the purpose of donating it to someone else. It seems unlikely that this pledge served as recompense for Zámbo because he had lost the office of master of the treasury and as a compensation the king pledged the estate of Segesd to him.<sup>388</sup> Consequently, in both pledge transactions, besides the political motivation, the money borrowed played the most important role. The amount of money could overrule the importance of origins, the period of service to the king, or even loyalty.

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money. Moreover, Mályusz argues that King Sigismund pledged the royal domains for their real value only in the second part of his reign, when his political position stabilized: Mályusz, *Zsigmond király*, 70-71.

<sup>386</sup> Béli, *Magyar jogtörténet*, 103.

<sup>387</sup> ZsO. II. 6078.

<sup>388</sup> The facts contradict this assumption; Zámbo lost his office a year earlier, before the pledging. Moreover, if the transaction was about compensation, then why did the ruler want to take back Somló? Zámbo was mentioned for the last time as master of treasury on 9 April 1388, and the pledge transaction was concluded on 22 June 1389: Engel, *Archontológia*, 38.

## The results of pledging

Andrzej's taking Bártfa's taxes in pledge resulted in constant contact between the town and the pledgees, starting from 29 August 1412 (the date of pledging) at least until 1500. Bártfa first became a neighbor to its future pledgee in 1404, and eight years later, when the contact with the neighbor was strengthened, the town's rapport with Andrzej changed. From that year the town's and the Balicki family's history were linked for a long period. The pledgee's envoys and men often visited the town, sometimes even at the town's expense. In other cases, the town sent its envoys to do its duty of paying the taxes. There were also instances when the pledgees themselves came to the town demanding various goods under the pretext of the tax. As a result of the pledge, the burghers of Bártfa realized how insistent a family could be in collecting taxes and what a variety of goods they could demand under the pretext of the tax. Furthermore, the pledged taxes generated conflicts between the pledgees and the town, which often had to seek justice from the ruler.

For the Balickis, having the tax of a Hungarian free royal town had major significance. First, they had a stable source of income which was independent of the yearly harvest, weather conditions or from any other circumstances. Because the yearly tax was not paid in one sum, the town's irregular tax payment served to cover the pledgees' expenses and to satisfy their actual needs. That is why the Balickis often demanded various goods which they needed instead of money from the citizens. Secondly, the taxes served as a tool for developing and maintaining the standard of living of the nobility. As the data in the Bártfa account book shows, there were cases when the pledgees asked for malmsey, bridles, greaves, lutenists, head-bands, and so on. These examples show that the pledgees used the town's commercial connections for purchasing goods which they considered necessary or which were difficult to purchase through their own resources.

For Miklós Zábó the advantages of taking Segesd in pledge differed from Bártfa's advantages for the Balickis. By this transaction Zábó extended his authority and influence in the region. The pledged estate of Segesd was so important for the former master of treasury that he even moved to the town, as is shown by the manor house he owned. Probably Zábó was thinking in long term when he took the estate in pledge, that is why he wanted to include the security in the charter of the transaction. He did not know at the time of concluding the pledge transaction what the future would bring for him. Selling his own manor house in the town was probably related to the charges against him (fraudulent misuse of public/royal funds), which caused him to lose his domain in Csallóköz.<sup>389</sup> It is unknown whether he sold the house because of the charges or because he felt his end coming, but it seems possible that selling the manor house was a sign of a change in Zábó's plans for the pledged estate. What changes the pledging caused in the life of Segesd has already been noted. It should be added that the resistance of Segesd's inhabitants to the changes show clearly how detrimental the pledging was for the settlement.

It is apparent that taking Bártfa's taxes in pledge was a good bargain for the Balickis. The other transaction also seems to have been profitable for the pledgee at the time when the transaction was concluded. If Zábó could have avoided being charged, then probably the entire story of the pledging would have taken a different course. This course of events was favorable for the ruler. First, he could maintain and improve Miklós Garai's loyalty by regaining the castle of Somló from Zábó and giving it to Garai. Secondly, the king easily and quickly gained further money from the exchange of pledges. The most advantageous element for the ruler, however, were the allegations against Zábó, since Sigismund used this opportunity and turned the entire pledge transaction to his own benefit. Regaining the

<sup>389</sup> Zábó sold his manor house after he lost his domains in Csallóköz. King Sigismund seized the domains of the former master of the treasury in Csallóköz in April 1394, and Zábó sold his house in December of the same year: ZsO. I. 3753; Antal Áldásy, *Magyarország és Szerbia*, LXXXI.

estate without any financial effort was an excellent deal, since it offered Sigismund the chance to be involved in further transactions and to turn to profit from the same domain again.

What was profitable for the ruler was not always so for the kingdom. From the perspective of the kingdom and from of the later Hungarian rulers, both of Sigismund's pledge transactions were disadvantageous. By pledging Bártfa's taxes, not only did King Sigismund lose this important source of incomes until his death, but nor were his successors able to collect it for a long time. In the previous chapter how much the Balickis could have earned from the transaction was calculated. If the Balickis earnings were around 44 000 florins with a 6 000 florin investment, then this meant at least a 38 000 florin loss for the royal treasury (not including the sum of the New Year's gift). The other transaction initially was less unprofitable for the royal treasury because the pledging period was shorter. Nevertheless, pledging Segesd in 1389 resulted the town ceasing to exist as a royal domain. The town's tax was certainly less than Bártfa's, but Segesd was the center of a large estate, and by pledging the estate besides the tax of the town, all the other sources of income of the estate were also lost for the future Hungarian kings.<sup>390</sup> Additionally, as the disobedience of Segesd's inhabitants shows, pledging their town violated their self-government. A royal market town being transferred to private hands in medieval Hungary did not necessarily always mean that the town's situation became worse. Instances are known where the new overlord gained privileges for his new settlement.<sup>391</sup> It was in the lords' interest to support a market town's development in order to collect more tax and other revenues. However, the resistance of Segesd's inhabitants suggests that probably Zámbo's authority was not so

<sup>390</sup> Segesd was donated to the Marcali family and Sigismund did not get it back, the pledging had long term consequences.

<sup>391</sup> Miklós Garai gained the market town of Kőszeg from the ruler in 1392. Twelve years later Garai procured exemption from various customs payments, moreover, he achieved having the ruler strengthen the town's privileges: Bácskai, *Magyar mezővárosok*, 64.

favorable for the town. It cannot be estimated how beneficial King Sigismund's pledging activity was for the kingdom based on these two case studies, but the fact that after Sigismund's death the pledging of royal rights was prohibited by the nobles of the realm was indeed a significant warning.<sup>392</sup>

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<sup>392</sup> Albert from the house of Habsburg, Sigismund's son-in-law followed King Sigismund on the Hungarian throne after Sigismund's death (9 December 1437). He was elected by a small group of nobles in accordance with Sigismund's will. After his coronation, under the pressure of the nobility Albert issued a decree in 1439. The 16<sup>th</sup> paragraph of the decree states that the royal right will be not pledged, and sold in the future. *Perpetuas vero venditiones vel impignorationes iurium regalium et corone nec cum consilio, neque sine consilio quorumcunque faciemus.* Vera Bácskai, György Bónis, Ferenc Döry, ed. *Decreta Regni Hungariae: 1301-1457. Gesetze und Verordnungen Ungarns* (Budapest: Akadémiai Kiadó, 1976), 291.



## CONCLUSION

His Royal highness asked me what would be the reactions of Késmárk's burghers if another king would rule over them, for a while and collect the tax. The Royal majesty does not want to lose Késmárk forever, but only for a while, till he gains money and redeems his beloved town. The king assures you that he loves much the burghers of Késmárk, and he sends you his royal best wishes.<sup>393</sup>

The two case studies presented in this thesis illustrate well that two types of pledging should be distinguished in King Sigismund's town-pledging policy. One option was when an entire town was pledged, with all its pertinent rights, income, and authority. The other option was when only the town's sources of revenues were pledged without transferring any judicial or other rights to the pledgee. These two patterns were not in Hungarian royal town pledgings. In the Holy Roman Empire this kind of differentiation was well known in the imperial town pledging policy, where, besides pledging entire towns, it often occurred that the ruler pledged various offices, taxes, properties and rights of the towns.<sup>394</sup> Nevertheless, Sigismund's town pledging practices differed from those of his father, who had only pledged the different rights and incomes of imperial cities, not their entirety.<sup>395</sup>

If there were two types of royal town pledging at the time of King Sigismund's reign, then it can be assumed that the differentiation would be present in the charters of the pledge transactions as well. The charters of the transactions were legal documents; their content had legal power, therefore it was crucial to be precise in every detail. Consequently, the documents had to contain data on which differences can be determined. These two case studies show that the two types of town pledging can be distinguished at the level of the

<sup>393</sup> Krúdy, *Tizenhat város*, 71 [translation by the author].

<sup>394</sup> Landwehr, *Die Verpfändung*, 90.

<sup>395</sup> Hoensch, *Kaiser Sigismund*, 510. For instance, he pledged the town tax of Esslingen and Reutlingen, ZsO. VI. 2690, ZsO. IV. 1611.

charters. Segesd, an entirely pledged settlement, was pledged with its “*universis pertinentiis*,”<sup>396</sup> a formula which appears frequently in other town pledgings as well. The cases of Debrecen, Sztrókó, and Segesd have been presented as towns which were pledged in their entirety; in addition, I would like to mention here another case. In 1435, Sigismund pledged the market town of Modor with all of its pertaining lands and incomes to a German nobleman, Paulus Wolfurt.<sup>397</sup> The result of the pledging speaks for itself; the ruler even authorized the new pledgee to collect extraordinary taxes from the inhabitants of the settlement.<sup>398</sup> This is a clear sign of pledging the entire settlement. It was common in all four cases (Debrecen, Sztrókó, Segesd, Modor) that the towns were pledged with their *universis pertinentiis*. The charters of these pledgings either contain this formula or simply list in general the pertaining lands, rights, incomes, and so on. Based on this common element, one can assume that if this formula was included in the charter of pledging a medieval town in Hungary at the time of Sigismund’s reign, then it should be understood as the entire settlement being pledged.

In the other case, Bátfá’s charter of pledging (1412) does not contain the expression “*universis pertinentiis*” related to the town, nor does it appear in the renegotiation of the terms of pledging Bátfá’s taxes in 1470. The significance of this small detail was presented already. Bátfá’s case was not the only one of pledging the revenues of a town in Sigismund town pledging praxis. The case of pledging Buda’s income from gold minting is known as well – although in this latter case for the duration of pledge the mint was restricted to

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<sup>396</sup> See footnote: 184.

<sup>397</sup> ... *opidum nostrum Modra vocatum... in comitatu Posoniensis existentem simulcum universis suis utilitatibus et pertinentiis...* DL 12 717.

<sup>398</sup> Mályusz, *Zsigmond király*, 155.

repaying the borrowed sum in installments.<sup>399</sup> In both cases (Bártfa, Buda) only one type of revenue was pledged, the formula of “*universis pertinentiis*” does not appear. As a result, based on Bártfa’s example, one should assume that in this type of pledging the pledgees did not gain any other jurisdiction over the place; the transaction did not transfer any other authority to the detriment of the town’s self-government. These two types of pledging had another characteristic; they affected towns with different legal statuses: market towns (*oppida*) and free royal towns.<sup>400</sup> The examples discussed here suggest that only the market towns could be completely pledged by the ruler, and in case of the free royal towns only the revenues could be subject to pledging.<sup>401</sup> It is clear that these two cases are not sufficient to prove the validity of this hypothesis; further investigation is needed to analyze more cases in detail.<sup>402</sup>

From the economic point of view, pledging both Segesd and Bártfa’s taxes was disadvantageous for the kingdom in the long run. It is unknown, however, precisely what the political gains of the pledging were for the parties involved; judging these two pledge transactions only based on their economic features would be a mistake. It seems that political interest also played an important role in King Sigismund’s pledging policy. The already mentioned domain exchanges are clear signs of such considerations. The ruler donated, pledged, and sold the royal domains according to the actual political situation and his interest.

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<sup>399</sup> Sigismund pledged to Ulrich Wolfurt in 1402: ...*verseczen und geben In, auch In mit Krafft dicz briues, unser Guldein Münze zu Offen, In solcher masse, dass sie die inne haben, nützen und nyessen sullen mit allen den eren nützen, und rechten, die dorzu gehören an all aufzug und guerde...* Fejér, X/4, LIV.

<sup>400</sup> In the light of these results, research into the pledging of Szepesség should be revised.

<sup>401</sup> In the German territories, pledging the imperial towns entirely was much more detrimental than when only revenues or rights were pledged, Landwehr, *Die Verpfändung*, 90-91. Supposedly in Hungary the situation was similar; in Bártfa’s and Segesd’s cases, the pledging had a much greater impact on the latter town.

<sup>402</sup> A register is preserved about the pledged royal domains, including pledged towns from the year 1437. Intriguingly, Bártfa does not appear in the list, probably because the list contains only market towns. For the list and for further details see: Engel, *Királyi hatalom*, 194-204. Only a few instances of free royal towns involved in pledge transactions are known; more research is needed to find new cases. It is known that Pozsony and Eperjes (Prešov, Slovakia) were involved in pledge transactions at the time of King Sigismund’s reign, Fejér, X/4, CXX, Fejér X/8, XLIX.

This resulted in the fact that an already pledged domain was pledged or exchanged several times more, leading often to a series of complicated transactions. It is worth noting, that through pledging the king could have control over the pledgees. If the pledgees lost the king's support for any reason, then they could simply lose their domains held in pledge by the king withdrawing these properties from them. Evidently it was not the king who redeemed the domains with money, but somebody else in the king's name. The Balickis experienced this royal policy based on economic grounds, when Sigismund pledged further the domain of Jahodník in Túróc County in 1436. The domain was held in pledge by Mikołaj Balicki, but this did not impede the ruler from pledging it further to László Necpáli, *comes* of Trencsén County. The motivation of the pledging was simple; because of his bad financial situation the ruler borrowed money from Necpáli, and trusted him to redeem the domain at his own expenses.<sup>403</sup>

Taking into consideration that the analysis of the political motivations would lead to only uncertain assumptions, and because the political aspect of the transactions was not my primary research goal, I have decided to avoid a detailed analysis of these in the present paper. More research is needed to find out the entire political agenda of the transactions, taking into account that with the lack of sources often only assumptions can be made.<sup>404</sup> Besides the political implications of the transactions, the approximate real values of the pledged domains should also be estimated. As was discussed above, the sums of pledging do not always reflect the real value of the domains, therefore, based on these sums the total amount of money involved in Sigismund's Hungarian pledges cannot be reckoned. The

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<sup>403</sup> DL 63 255.

<sup>404</sup> For instance, such an assumption is that pledging Bártfa's taxes to a Polish noble may have been related somehow to the pledging of Szepesség to the Polish king. Both transactions were concluded in the same year, the territories involved in the pledgings are relatively close to each other, and both pledgees were Polish.

calculations of Emma Lederer, József Deér, and Gyula Rázsó should be revised, and used with caution.<sup>405</sup>

This study called the attention of scholars to the importance of King Sigismund's pledge transactions, a topic that has been undeservedly neglected for decades. This thesis shows that studying pledges is much more than simply reckoning the sum of the pledges; this topic is worth studying and extends too many aspects which are waiting to be explored. For example, it is still unknown what it meant to pledge an entire county, or how the royal domain and castle pledging worked precisely. Scholars still have not provided a thorough overview of King Sigismund's pledging activity in Hungary, without which the king's economic policy cannot be understood nor his personality<sup>406</sup> nor can his entire Hungarian activity be properly assessed.<sup>407</sup> This study covered only a small slice of this huge topic by presenting the procedure, function, and consequences of the royal town pledging through the examples of Segesd and Bártfa.

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<sup>405</sup> For instance, József Deér, and Emma Lederer indicate in their charts that the sum for pledging Újvár to the Balickis had the value of 12 000 florins. It was presented already, that in fact the loan only amounted to 6000 florins and another 6000 florins were paid for Prokop's services. Although their data need to be used with caution, these works can still be useful tools in studying the king's pledges, Lederer, *Középkori pénzüzetek*, 187-188; Deér, *Zsigmond honvédelmi politikája*, 82-87.

<sup>406</sup> The ruler was often accused of irresponsible spending and economic policy by his contemporaries. According to Windecke, Sigismund's brother, Wenceslaus, King of Bohemia (1378-1419) and the Romans (1376-1400), blamed Sigismund because he pawned and sold various silver and gold jewels, Altmann, *Eberhard Windeckes Denkwürdigkeiten*, (pars 63) 57. A contemporary anecdote claims that Sigismund's reign was all about increasing his debts, Dvořáková, *A lovag és királya*, 25.

<sup>407</sup> German and Czech scholars have already analyzed Sigismund of Luxemburg's pledging activity in the Holy Roman Empire and Bohemia. They provide evidence that Sigismund's pledging activity was a significant part of his economic policy and it had political implications. For more detail see the literature review in Chapter I above.

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## APPENDIX

Data from Bártfa's account book containing information about the relation of the town and the pledgee. All this information is gained from the work of László Fejérpataky, the page numbers are referring to the books'. Fejérpataky, *Magyarországi városok*.

Date	Original text	Page number
30 January 1419	Item dedimus extra 200 fl. minus sedecim domino nostro Andreae	181
30 January 1419	Dedimus 9 fl. de tractibus concessos domino Andreae capellano domini nostri Andreae	181
30 January 1419	Filiis Pacz Peter dedimus 6 fl. et 11 den. pro vectura cervisiae ad dominuin Andream Baliczki	181
2 April 1419	Famulo domini Andreae dedimus 4 fl. qui fuit circa dominum regem Poloniae	181
2 April 1419	Misimus domino Andreae Baliczki cervisiam et pro vectura summa facit 21 et ortonem fl. et 3 flor. et 40 fl. quos promisit solvere pro domino rege Poloniae	181
After 12 January 1420	Item excepimus domino nostro duas mastrucas wlpinas pro 20 flor. novae monetae	188
After 12 January 1420	Dominus Andreas capellanus expendit pro negotiis iam dictis 22 gross	188
After 19 January 1420	Item dedimus domino Andreae capellano domini .... 8 flor.	188
After 19 January 1420	Capellano domini Andreae dedimus 2 fl. et ort.	188
After 19 January 1420	Dominus Andreas Capellanus nostri domini expendit cum famulis 25 fl. et 12 den	188
After 7 June 1420	Item perbibit dominus Andreas domini capellanus. ... 3 fl.	189
After 19 January 1421	Item dedimus domino Andreae capellano dominae Rachne mitram pro 8 fl. Cassoviensibus	189
After 19 January 1421	Item dedimus 4 aureos flor. domino Andreae capellano domini nostri quos sibi tenebamur de anno praeterito	190
After 28 July 1421	Capellanus domini Andreae expendit 8 fl.	191
30 November 1421	Item dedimus sibi 9 flor. in die beati Andreae	191
31 August 1426	Item ad dominam Waliczky dedimus pro expensis Lang Jorg den. 400	211
31 August 1426	Mattes Gynth exposuit ad dominam Waliczky 400 sabbato ante Aegidii	211

5 July 1426	Item Longus Georgius exposuit ad dominam Rachnam den. 300 et 28 den. solvimus pro subsoleatione ocrearum feria sexta proxima post visitationis Mariae	212
7 September 1426	Item Lang Jorg exposuit den. 300 ad dominam sabbato ante Prothei et Jacincti martyrum	212
14 June 1426	Item exposuimus super domina Rachna sicuti infra sub P. etiam scribuntur expensae praefatae dominae: primo filiis pro equis quos eis propinavimus, pro 1 palefredo dedimus den. 800	212
14 June 1426	Item pro alio equo solvimus den. 1250 feria sexta proxima ante Viti et Modesti Item pro 2 frenis pro equis solvimus den. 100 eadem feria sexta superiore	212
14 June 1426	Item de iudice cepimus 1 Lang von Thyn nigri coloris quem dominae Rachnae propinavimus eadem feria sexta videlicet proxima ante Viti et Modesti	212
After 26 June 1426	Item emimus dominae Rachnae unum equum pro 40 flor. camerae, quem dedimus ei, ut relaxationem nobis fecit in solutione lozungis	213
12 June 1426	Item exposuit Paulus procurator et Longus Georgius ad regem ex parte civitatis den. 1200 feria quarta proxima post diem Barnabae apostoli pro tunc domina Waliczky fuit in Bartffa	213
12 May 1426	Item familiari dominae Rachne Waliczki dedimus den. 200 pro expensis e converso ad dominam dominica proxima ante Penthecosten	214
After 25 August 1426	Item familiares Nigri Zewisch et dominae Rachnae exposuerunt den. 250 et 6 in septimana beati Aegidii	214
23 April 1426	Item gerulo litterarum dominae Andreyn Waliczki dedimus den. 150 in die beati Georgii martyris	215
5 June 1426	Item dedimus ei den. 300 pro expensis ad dominam Waliczki feria quarta proxima. post diem corporis Christi et 53 den. tenetur civitati et Lang Jorg non	219
9 June 1426	Item pro pullis exposuimus quando domina Waliczki hic fuit den. 500 et 9 dominica proxima ante Barnabae apostoli	226
11 June 1426	Item pro parvis rebus ad coquinam dominae Waliczky hincinde exposuimus den. 500 feria tertia proxima notabene ipso die beati Barnabae	226
14 June 1426	Item lautenistis qui hofisarunt ante dominam den. 100 eadem feria sexta ante Viti et Modesti	226
2 October 1426	Item Paul Procuratur exposuit ad dominam Waliczki den. 200 feria quarta post Michaelis	227
5 June 1426	Item Lang Jorg exposuit den. 300 ad dominam feria quarta post corporis Christi	227
27 December 1426	Item ad dominam Rachnam et ad montem b. Martini exposuit iudex et Petrus Konstil et Czanser den. 1200 ipso die beati Johannis post diem nativitatis	227
30 April 1427	Item dominae Rachne solvimus pro censu anni praesentis 2250 kam. florenos in octava beati Georgii Martyris	233
9 May 1427	Item familiares dominae Rachne consumpserunt den. 1400 et	237

	solvimus eosdem feria sexta post Stanislai Item iidem familiares exposuerunt eodem tempore den. 250 et 25 aput Cloz de Kunstil	
After 1 May 1427	Item Lang Jorg exposuit ad dominam 400 in septimana post Philippi et Jacobi	237
After 29 May 1427	Item Scholder exposuit versus dominam Rachnam 150 den. in ebdomada post ascensionis	237
After 23 April 1428	Item familiares dominae Rachne exposuerunt aput nos den. 1550 in ebdomada post Georgii aput Wolffgangum	267
After 27 February 1428	Item ex parte census dominae Rachne idem iudex solvit pro nobis 100 aureos florenos.	270
After 26 May 1429	Item familiares dominae Rachne exposuerunt den. 624 pro expensis aput Johannem Butner in ebdomada post corporis Christi	290
13 January 1432	Item Lang Jorgen sicut expendit ad castrum Skawona cum equis directis Baliczky super expensas sibi datas expendit fl. 2	301
3 February 1432	Item Lang Jorgen als her vorczert hat das ym Baliczky hat geschant vor 200 den. item fl. 2 Summa huius 400 den.	301
After 23 March 1432	Item Stephan Mawlfranken czerunge als her mit Baliczky dyner off dy heide ist geriten pferde czu kawffen fl. 8	304
11 April 1432	Item in alia sexta feria post Judica, Lang Jorgen czum Baliczky das man tag gebe czu halber lozunge, czerunge fl. 10	304
After 4 May 1432	Item Hannus Cromer dedit in alia septimana Longo Georgio ad expensas in Lewtzchoviam ad dominum Baliczky fl. 3	305
23 April 1432	Item domini propinaverunt hominibus Baliczky qui hic fuerunt super festo beati Georgii pro lozunga in vino medias 22 facit fl. 6 den. 16	306
23 April 1432	Item Baliczky famuli circa festum beati Georgii expenderunt super civitatem . fl. 55	314
After 29 March 1433	Item cursori ad dominum Baliczky cum littera ratione sui census . fl. 6	317
29 May 1433	Item cursor Baliczky cum littera ipsius adveniens ratione sui census expendit in hospitio cum bibalibus sibi datis fl. 2 den. 50	320
After 19 June 1433	Item den czwen dynern dy mit Micheln Baliczky dyner gereten seyn obir walt expensas. . . fl. 5	320
After 26 June 1433	Item Michel Gleybicz expendit veniens pro censu Baliczky . . fl. 6	321
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After 24 December 1434	Item domino Baliczki hab wir becalt stat czins 500 rot fl.	348
After 15 April 1435	Item pro expensis nuntio Baliczky fl. 1	353



After 4 November 1435	Item Baliczky hot vorczert do her hy was 300 vnd 94 flor. cam.	358
After 16 December 1435	Item quod Baliczky exposuit quando hic fuit, quod prius non est scriptum fl. 14	360
After 23 December 1435	Item pro cervisia Neyssnern quando Baliczky venit, quod est scriptum ad rationem suam. . fl. 7,5	360
After 30 December 1435	Item solvimus Baliczky census fl. auri 500	360
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After 30 November 1436	Item solvimus domino Baliczky census fl. auri 500	370
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After 10 January 1438	Item Paulo Gerber pro expensis ad dominum Baliczky. . . . fl. auri 1	383
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After 12 December 1438	Item dedimus magnifico viro domino Nicolao Osolynsky quingentos florenos pro censibus civitatis, sicuti tenemur sibi solvere singulis annis	403
23 April 1434	Lassil Cangisser de Cracovia tenetur marcas 14, debet dare Lorincz Swarczin super censu Baliczky ad festum Georgii et non dedit	409
After 27 March 1439	Item pro famulo domini Baliczky 25 den. concessimus sibi	485
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After 5 June 1439	Item nunctio domini N. de Baliczky pro expensis 20 den.	488
After 29 May 1439	Item 6 gross. Polonicales nunctio domini Baliczky	488
After 17 July 1439	Item 1 fertonem pro expensis nunctio domini N. Baliczky	489
After 12 June 1439	Item ultimo nunctio domini Baliczky	489
After 14 August 1439	Item 100 den. pro expensis notarii et nunctio Baliczky 57 den. aput Pan Nickel	491
After 2 October 1439	Item direximus domino N. Baliczky ratione annui census flor. auri 500	492
After 22 April 1440	Item solvimus domino Baliczky flor 430	501
After 22 April 1440	Item pro expensis familiarium Baliczky den. 305	501
After 6 May 1440	Item pro putiro domino Baliczky den. 200 Item Johanni Botner ad Baliczky den. 60	502

	Item vectoribus cervisiae Baliczkv den. 200	
After 6 May 1440	Item pro cervisia quam direximus domino Baliczkv den. 650	502
After 13 May 1440	Item ductoribus cervisiae domino Baliczky ad Epperies den. 150	502