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# FAMILIES IN TESTAMENTS

## Some aspects of demography and inheritance customs in a Late Medieval Hungarian town<sup>1</sup>

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*Na temelju oporuka iz arhiva grada Požuna (Bratislave) autorica analizira strukturu gradskih obitelji te donosi zaključke o obiteljima u kasnosrednjovjekovnim ugarskim gradovima.*

### I. Testaments: life in a perspective from beyond

The author of the *Epistle to the Hebrews* illustrates the relation between the Old and New Testament, and the significance of Jesus Christ's death with the following example: "For where a testament is, there must also of necessity be the death of the testator. For a testament is of force after men are dead: otherwise it is of no strength at all while the testator lives." (Hebr. 9,16-17. King James version)

This parabol, which was perhaps even more ex-

pressive for the contemporary and medieval audience than for us, refers to an exceptional, in many respects paradoxical, act in human life. Before crossing the threshold of eternity, composing a testament was the last chance for the testator to deal with mundane matters and with goods acquired during his/her lifetime, to take care of people who, for one reason or another, were bound to him/her and to provide for the time when he/she would be irretrievably far from them. Moreover, this was the last occasion when a person could fix the best possible image of himself in the eyes of generations yet to come.<sup>2</sup>

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<sup>2</sup> For a general account see Ahasver von Brandt, *Mittelalterliche Bürgertestamente*, Heidelberg, 1973.; Paul Baur, *Testament und Bürgerschaft. Alltagsleben und Sachkultur in spätmittelalterlichen Konstanz*, (hereafter Baur, Testament) *Konstanzer Geschichts- und Rechtsquellen* 31., Sigmaringen, 1989. (overview of the research: *ibid.* 12-32) and most recently: Martha C. Howell, "Fixing Movables: Gifts by Testament in Late Medieval Douai", *Past and Present* 150 (1996) 3-45.



On the other hand, for the community, this last series of private decisions before the irreversible change guaranteed public order and stability. In order to let life proceed on a family level as well as on larger scale, it was essential to be sure that the wealth one accumulated would serve the purposes of his descendants "to the third or fourth generation". The right of composing a testament at one's free will was already a fundamental issue in the laws of Stephen I (1000-1038),<sup>3</sup> and in later centuries it became a corner-stone of the liberties of the Hungarian nobility, and – peculiarly enough, under more liberal conditions – of urban law system and the autonomy of towns.<sup>4</sup>

In theory, practically everyone was entitled to make a will, except for those underage or incompetent.<sup>5</sup> Even if the majority of the medieval population – either because of the prevalence of unwritten law, or because they were propertiless or died unexpectedly – died without leaving behind a written will, the diversity of social strata comprised by the testaments can hardly be surpassed by any other source of private life. There is no other material in medieval archives which gives so vivid a picture of so many people in their social settings, i.e. the circle within which the testators maintained social relations, established business connections and redistributed their wealth. Moreover, due to the considerable number of last wills (hundreds or thousands in most significant towns from the Middle Ages and the Early Modern period), this material is appropri-

ate for quantitative and comparative analysis as well.

The examples and conclusions in this article are based upon more than 430 last wills composed between 1420 and 1485, i.e. generally in the lifetime of two generations in Pozsony (Bratislava, Preßburg),<sup>6</sup> a free royal town and significant commercial centre along the Danube, at the western border of the medieval Kingdom of Hungary. With its estimated population of 5000, Pozsony hardly reached the lower limit of bigger medium-sized towns (*größere Minderstädte*)<sup>7</sup> on a European scale, but within the country it ranked among the three biggest cities after the capital, while a Swiss epic poem from the fourteenth century, which might be considered an unbiased source, counted this town among the 72 biggest settlements of Europe.<sup>8</sup>

## II. Households and families as reflected in the testaments

### 1. Possibilities and limits of evaluating testaments

There are good reasons why testaments are usually omitted from the range of sources of urban demography. It is clear that last wills were not intended to give a full account of the members of the testators' household. Nevertheless, due to the scarcity or complete lack of medieval and early

<sup>3</sup> First Code-book, Cap. 6., edited in: Lévante Závodszky, *A Szent István, Szent László és Kálmán korabeli törvények és zsinati határozatok forrásai*, [The sources of code-books and synodal decisions in the age of St. Stephen, St. Ladislaus and Coloman], Budapest 1904. p.141.

<sup>4</sup> See e.g. the paragraphs on inheritance and testaments in the Buda town law: *Das Ofner Stadtrecht. Eine deutschsprachige Rechtssammlung des 15. Jahrhunderts*, Ed. Karl Mollay, Budapest - Weimar, 1959. par. 315. (hereafter: Mollay, *Ofner* and Martinus Georgius Kovachich, *Codex authenticus iuris tavernicalis*, Buda, 1803. Cap. CXXIII., CXXIV., CXXXIII.

<sup>5</sup> Alexander Gál: *Die Summa Legum brevis, levis et utilis des sogenannten Dr. Raymundus von Wiener Neustadt*, Weimar 1926.

<sup>6</sup> The wills are registered in the so-called *Protocollum Testamentorum* in the Municipal Archives of Bratislava (Archiv Mesta Bratislavy), hereafter: PT. The first volume of these protocols terminates in 1529, but the series of wills proceeds continuously up to the 19th century, which involves the possibility of more complete long-term research.

<sup>7</sup> See Hektor Amman: "Wie groß war die mittelalterliche Stadt?", in: *Die Stadt des Mittelalters*, Bd. 1. ed. Carl Haase (Wege der Forschung 243), Darmstadt 1978, 415-422., esp. 417.

<sup>8</sup> For a modern survey see Heinz Stoob, "Preßburg und das Städtewesen im europäischen Südosten vor der Türkenzeit", in: *Westmitteleuropa — Ostmitteleuropa. Festschrift für Ferdinand Seibt zum 65. Geburtstag*, München, 1992. pp. 319-330. An earlier detailed monograph: Tivadar Ortvay, *Geschichte der Stadt Preßburg*, 4 volumes in 7 parts, Preßburg, 1892-1903. The Swiss source: Károly Mollay: "XIV. századi német vélemény a magyar parasztról és a magyarországi nemesekről" [A German opinion from the 14th century about the Hungarian peasants and nobility], *Ethnographia* LXVIII (1957) pp. 356-357.



modern written material used traditionally for family reconstruction in modern times (parish registers, taxation returns),<sup>9</sup> we cannot disregard information on demography contained in last wills. Although we are aware that testaments are like snapshots of the families – some members already deceased, others not yet born at the time when the will was composed – our task is to sort out relevant details from the often fragmentary references and to try to draw these into a coherent picture. In research so far, beside emphasising legal aspects, testaments have been exploited to demonstrate the kinship and interdependence of leading merchant families, e.g. in the Hanseatic towns,<sup>10</sup> and recently attention has been drawn to social aspects of family life as reflected in these testaments.<sup>11</sup>

Since demography is expected to deal with population as a whole, we cannot avoid addressing the question, what percentage of urban inhabitants were involved in leaving a last will. Counting 60% of the adult population (3000 out of 5000 inhabitants), the 430 wills in two generations' time give us an average result of 7.2 % (less in the first decades and more during later ones). This is of course a small minority of the townsfolk, but it is a remarkable figure compared with the proportion of testators in contemporary European towns, and is not far from the limit of modern statistical sampling.<sup>12</sup> It must not be forgotten, of

course, that the sample is socially and financially uneven: among the testators, mobile and more educated elements of urban society (merchants, "lay intellectuals", e.g. town notaries, craftsmen, and their female relatives) were over-represented at the expense of wine-growing citizens and their families. Nevertheless, the circle of the testators was not restricted to the elite: the proportion of magistrates or members of the city council among them hardly exceeds 20%.<sup>13</sup>

The value of individual testaments as sources on demography shows great disparity. Generally we can agree with the conclusion drawn from the analysis of early modern wills from Győr: the exhaustiveness of the testaments depended mostly on the complexity of relationships within the family.<sup>14</sup> That is, if a person married only once and had children in that marriage, it was enough to say that he/she left everything to his/her spouse, while in the case of several children from subsequent marriages, property had to be divided carefully. In any case, because of legal considerations, at least members of the nuclear family had to be mentioned. To make a virtue of necessity, we should also keep in mind that the arbitrary mention of certain members of the family reflected the testators' preferences, therefore the wills convey pieces of the subjective image of late medieval urban families.

<sup>9</sup> Erik Fügedi, "The demographic landscape of East-Central Europe", in: *East-Central Europe in Transition*, Ed. Antoni Maczak, Henryk Samsonowicz and Peter Burke, Cambridge, 1985. pp.47-58., here pp. 47-48. (hereafter: Fügedi, Demographic).

<sup>10</sup> See Ahasver von Brandt, "Die Stadt des spätmittelalters im hansischen Raum", *Hansische Geschichtsblätter* 96 (1978) 1-14., here: p. 12. ff.

<sup>11</sup> Baur op. cit. pp. 205-220.

<sup>12</sup> Katalin Szende, "es sey vil oder wenig, groß oder khlein". Besonderheiten und Unterschiede in der materiellen Kultur der Einwohnerschaft der königlichen Freistädte Preßburg und Ödenburg (1450-1490), in: *Alltag und materielle Kultur im mittelalterlichen Ungarn*, Hg. A. Kubinyi — J. Laszlovszky, (Medium Aevum Quotidianum 22) Krems, 1991. pp. 108-119., On the counting of the percentage: pp. 109-110.

<sup>13</sup> The proportion of testators of the same rank in Constance was approximately 70-80%. See Baur op. cit. 116. In Sopron, a town socially and economically comparable to Pozsony, due to the better coverage of tax rolls, it is possible to determine the wealth of the testators with the help of property- and income-tax returns. This investigation brought the result that 17.2% of the testators paid tax under the local average, 41.2% between the average and the treble of it, while the upper layers of urban population were represented by 41.6% of the testators.

<sup>14</sup> Horváth József, "Egy végrendeletkutató tapasztalataiból" [Experiences of a researcher of testaments], in: *Vera (nem csak) a városban. Rendi társadalom - polgári társadalom: Supplementum*, ed. Á. Varga László, Budapest, 1995. pp. 433-444., here: p. 439.



## 2. The family and its members

### *Marriage and the spouses*

The right of the citizens to choose partners at their free will, i.e. without restriction by the lord, was just as fundamental a privilege in medieval towns as testamentary rights. Both served not individual emotional needs but economic and social ones for the towns by attracting and accumulating wealth inside the community.<sup>15</sup> Last wills provide us useful additional evidence about how these principles interacted in practice.

Engagement, being usually far from the time of death in the life-cycle, is rarely recorded in testaments. The case of Kunigund, widow of the barber Chuncz Krieg, who probably pursued this craft on her own after her husband's death and then bequeathed half of her equipment to her new fiancé, seems to be the only exception, but this case was obviously a remarriage.<sup>16</sup>

As to marriage ages, testaments give us no direct information. The socioeconomic conditions imposed on marriage, however tenancy or guild membership for the groom and appropriate dowry for the bride were generally arguments for marrying late,<sup>17</sup> and these terms are reflected in the wills from Pozsony as well. The concluding part of the present article will discuss the role of last wills in providing these conditions and thus facilitating marriage for the next generation. Marrying off with a proper dowry was the most important provision which a family — not only the parents but a much wider circle of relatives — owed their daughters in order to complete their upbringing "zu Eren und Nutz".

The possibility to get married was vital for every lay woman. It was marriage which opened up real perspectives and ensured a woman's disposing capacity, not only in legal terms, but in social and economic life as well. Edith Ennen's transformation of the proverb "*Stadtluft macht frei*" to "*Heirat macht frei in der Stadtluft*" is justified by our sources as well.<sup>18</sup> As to the social background of the spouses, economically based endogamy within different professional groups was the most typical case. This is proven not only for craftsmen, but for merchants as well. Pozsony was a link between South-German, Austrian and Hungarian towns from Nuremberg to Buda, a network which we might call the "Danubian marriage market", since members of German-speaking merchant clans were connected by strong family ties (Verwandschaftsfamilien) within the catchment area of their business activities. For example, Albrecht Gailsam, the head of a far-fetched commercial enterprise (Gesellschaft) in Pozsony in the second half of the 15th century, who left behind a very detailed will (1483), was married to the granddaughter of Hans Siebenlinder, mayor of Buda. Among the ancestors of his wife there were citizens from Vienna and presumably from Basel too, while one of his nieces married a member of the well-known Haller merchant family from Nuremberg.<sup>19</sup> According to his testament, he had interests (and a private chapel) in Vienna and debtors among the Hungarian aristocracy.

The control of the family over marriage strategies was of course very strong. As D. Herlihy put it, "the circulation of women ... also produced a cir-

<sup>15</sup> See the general survey by David Herlihy, *Medieval Households*, Cambridge (Mass.) - London, 1985. (hereafter: Herlihy, *Households*), especially pp. 112–130 (Domestic roles and family sentiments). On urban aspects see also Erika Uitz, *Die Frau in der mittelalterlichen Stadt*, Freiburg, 1992. pp. 25–26 (hereafter: Uitz, *Frau*).

<sup>16</sup> 1467 (PT 144r.) A contemporary testament from the nearby town of Sopron, also situated beside the border to Austria, may also refer to engagement. The relatively wealthy, unmarried tailor journeyman Niklas bequeathed "ein silbrein ringll vergult und 1 löffl mit silber beslagen schaft er jungfraw Marte, des Merts Sigharten tochter" (The girl's father was one of the executors of the testament.) Hází Jen\_: Sopron szabad királyo város története II/1. Sopron 1930. pp. 191–192.

<sup>17</sup> Paul M. Hohenberg – Lynn Hollen Lees, *The Making of Urban Europe*, Cambridge (Mass.) 1985, pp. 79–80.

<sup>18</sup> Edith Ennen, "Die Frau in der mittelalterlichen Stadtgesellschaft Europas", *Hansische Geschichtsblätter* 98 (1980) pp. 1–23, here p. 8.

<sup>19</sup> Will of Albert (Albrecht) Gailsam: PT 194r—195r, about the Gailsam family and their relations to merchants from Buda see Kubinyi András, "A budai és pesti polgárok családi összeköttetései a Jagelló-korban" [Family connections of burghers from Buda and Pest in the Jagiello period], *Levéltári Közlemények* 37 (1966) pp. 227–291 pp. 244–248, (hereafter: Kubinyi, *Budai*) with a detailed genealogical table, and *ibid.* p. 273. for general remarks.



culuation of capital".<sup>20</sup> Therefore in several wills the bequests of parents in favour of their children were dependent on the "decent marriage" (zu ernen heiraten) of the daughters and especially the sons. After the death of the parents, bride and groom had to acquire the consent of the relatives or the executors of the testament. If someone married without the permission of the family, he or she risked losing the whole legacy.<sup>21</sup>

The mediatory role of women was equally important in the case of remarriages. In some instances the wife said explicitly that her property should devolve upon her second husband just as she inherited it from her previous spouse: "...schaff ich meinem lieben mann Wolfgang Prawn mein tail haws oder das halbhaws mit der wil, als mir es mein voriger man seliger geschafft hat."<sup>22</sup>

Speaking about the image of marriage as reflected in last wills, it is worth noting that the disposal of property served also as an occasion for the spouses to express their affection towards each other in a very personal way. Both husband and wife often emphasized that they "worked faithfully together" to gain a livelihood and accumulate wealth for the family (*treulich miteinander erarbeit haben*). This aspect was important, among other reasons, to prevent protestation of other relatives against the will, but may also refer to relationships based on mutual love and understanding. E.g. Barbara, Hans von Eger's wife described her husband as "*ein getreuer Hauswirt, wann ich von im anders nit verstanden hab als treu und lieb*".<sup>23</sup> A single example of the opposite situation, i.e. that a wife was disinherited because of her misconduct is that of Heinrich Barbierer

from 1473 who forgave his wife for the "death" she brought to the family, but excluded her from all his properties: "...vergib ich durch Gots willen meiner hawsfrawn von wegen der töd so sy an mir und an meinen kindt pegangen hat, und ist das mein entlichen willen und meinung das mein hawsfraw noch wie frembter hin fyr nigcz mer zesprechen und noch erben scholl von meinem gütt..."<sup>24</sup>

In the majority of married men's testaments, bequests in favour of the wife depended on her willingness to take care of their children or stepchildren and provide them proper education, schooling or training: "*Auch pitt ich dich libew hawsfraw Anna das dw dir meinen sun Hannsen empholhen welst lassen sein. Ob er zu einem briester wurd, das du im wellest helfen nach deinem vermögen*"<sup>25</sup>

Remarriages, as we mentioned above, were quite common, and especially frequent among artisans, "strengthening business networks which had focused on the widow's late husband".<sup>26</sup> It was also more frequent, that widows married below their station than women in their first marriage. Widows having small children were more inclined to remarry, and the new husbands found it also favourable that they were trusted with the guardianship of the goods inherited by their stepchildren.<sup>27</sup> In other instances – and this seems to have been the more frequent solution – women could benefit from the wealth of their late husband only as long as they remained widows.

"*Mer schaff ich und wil daz die bemelt mein hausfraw sol besiczen und inhaben die weil si witib ist alle meine erb die ich meinen zwen chindern hinder mein lass*."<sup>28</sup>

<sup>20</sup> Herlihy, *Households*, p. 136.

<sup>21</sup> This legal constraint was codified in the Buda town law: Mollay, *Ofner Stadtrecht* p. 187., paragraph 345., as well as in the so called tavernical law, which was the basic code in all free royal towns in Hungary, see Kovachich Cap. CXL. Cf. Kubinyi, *Budai* p. 234.

<sup>22</sup> Will of Anna, Wolfgang Prawnin, PT 112r., see also in this context the will of Anna, Michel Wohnerin, PT 116v.

<sup>23</sup> PT 44r, see also Baur, 206–207.

<sup>24</sup> PT 149v.

<sup>25</sup> Will of the baker Kuntz Frank (died in Vienna), 1468 (PT 144r).

<sup>26</sup> Quote from: Derek Keene: "Tanners' widows 1300–1350", in: *Medieval London Widows*, ed. C.M. Barron — A.F. Sutton, London–Rio Grande 1994. pp. 1–27. here p.8.

<sup>27</sup> On remarriages see: Caroline M. Barron, "Introduction: The Widow's World in Later Medieval London, in: *Medieval London Widows* (as note 26.), pp. XIII–XXXIV, here: p. XXIV.

<sup>28</sup> Will of Bartolme Scharrach, 1453. (PT 69v–70r). He also bequeathed his wife a vineyard and one of his shambles to use them as long as she upholds her widowhood.



It is also worth noting that, unlike in testaments from the 17th-18th century, previous marriages of the testators are seldom mentioned, only when some points of the former spouses' will had not been executed so far, or if the interests of the children required: "*Item was vormallen mein man seliger Ott Swann geschafft hat mich auszurichten, das schaff ich auszurichten von den guttern, die ich im geschafft hab meinem man Augustin*".<sup>29</sup>

This fact deprives us of a large amount of information, which is only partly compensated by observations on the history of mentalities, namely that people did not intend to give a full account of their life and let bygones be bygones, unless they had economic consequences.

#### *The preceeding generation: data on parents*

Living parents and relatives from the ancestral family are rarely mentioned in the wills. Not more than 7% of our sources (27 testaments) contain any references to them, and even if they come up, we can in most cases assume that the parents lived in another household. Daughters bequeathed some of their garments to their mothers while sons usually donated wine to their parents. Real estates (vineyards or houses) are most likely to occur in those instances when unmarried children bequeathed (returned) their heritage to their parents.<sup>30</sup>

In some cases the relationship might have resembled a settlement relating to support for life which provided food and lodging for a lifetime in a well-described part of the house: "*Auch schaff ich vnd pit das mein mueter ir lebtage beleib in dem hawss in aller mass als sie dan yetz wonung hat*".<sup>31</sup>

It was also not unusual to refer to possible sources of conflict:

*"Item ich schaff das mein vater Andre generet wird neben meinem kind Wolfgang vnd im furgesehen wird mit speis und klaid sein lebtage nach ersamer zimleichkait von meinen gelassen guetern. Wolt er aber ungeduldigen sein und unleidleichen von wegen ungedult, so sol man im ... schicken ain ewige pfrundt nach meiner gescheftherren rat..."*<sup>32</sup>

The examples show that conflicts were expected, especially between a father/mother-in-law and the rest of the family.

The scarcity of data on the ancestors is in accordance with contemporary views spread by legal and theological literature, which reflected the strengthening significance of both husband and wife within the family at the expense of the ancestral clan.<sup>33</sup> Deceased parents also occur in the wills in connection with gifts to the church "*für meiner vorvader seel hail willen*", that is, the children wanted to contribute to the salvation of their parents.

Table 1. Mentioning parents and grandchildren

men	7	10	8	8	6
women	5	9	5	2	3
total	12	19	13	10	9

#### *The forthcoming generation: data on fertility and children*

Testaments do not enable us to provide exact statistics on the number of children in the investigated period, because testators often spoke about their descendants only in general terms. Furthermore, children who died before their parents were not mentioned either, unless they had descendants themselves (i.e. grandchildren of the testator)

<sup>29</sup> Will of Affra, Augustin Mischulberin, 1467 (PT 134 r-v).

<sup>30</sup> E.g. Katharina, Zistlerin tochter, 1464 (PT 117v), Barbara, Wolfgang Wurmer tochter, 1467 (PT 132v), Wolfgang des Kuentz Peckhen sun 1481 (PT 187r).

<sup>31</sup> Will of Jeronime Wanusch, 1480 (PT 181v-182r). See also the wills of Gothart Hertel (1466) PT 121v, and Simon Vaszieher, 1464/1468 (PT 144r).

<sup>32</sup> Last will of Hans Rechnitzer, merchant, 1467 (PT 135r-136v). A similar disposition can be found in Hans Strobmer's will in 1481 (PT 189v) where the testator orders his wife to take care of his mother, but if "*sie sich paid nicht miteinander betragen mochten*", the wife can substitute her duties by giving a vine-yard to the mother.

<sup>33</sup> Claudia Opitz, "Mutterschaft und Vaterschaft im 14. und 15. Jahrhundert", in: *Frauengeschichte — Geschlechtergeschichte*, Ed. Karin Hausen, Heide Wunder, Frankfurt/Main, New York 1992. pp. 137-153, here: p. 139.



who had to be included in the division of the property. For example, the rich merchant Albrecht Gailsam mentioned above, referred to his daughter Margaret (Marusch) and his son Ludwig in his will, while his other two children, Jerome and Ursula, whom we know from other sources, were omitted, so they must have died in the meantime.<sup>34</sup> On the other hand, children of full age, even if they had already been married off with a proper dowry, nearly always appear in the wills, at least since it was important to disclaim their future demands: "*er vormals dy andern zwo sein töchter versehen und versorigt hatt*"<sup>35</sup>

Nevertheless, the proportion of couples without any living children was surprisingly high, roughly 46%.<sup>36</sup> Of course, childless couples or those having only under-age children were more inclined to leave a testament, and to provide reversionary heirs for the case if their children died before reaching full age.

The small number of children, however, was generally characteristic. Most couples had only one or two children by the time one of the parents died, higher numbers of children in a family resulted from remarriages. E.g. Bartholme Scharach, another of the leading merchants of Pozsony married four times; the testaments of his three former wives mention no children, only his fourth marriage was blessed with a son and a daughter. Mathes Meindel's eight children (an exceptionally large number of descendants, unparalleled in our material) resulted from three subsequent marriages. In general, it can be observed, that more prosperous families, such as those mentioned above, were inclined to have more children.<sup>37</sup>

In most cases (c. 75%) we have indications that the one or two children mentioned were under age. Further research may provide information whether smaller number of children and more extensive domestic personal help (wet nurses,

maidservants, etc., see later) provided relatively more "free" time for other activities of townswomen (Table 2 on next page).

As to the distribution of children by sex, we have no exact data, since in several cases only "kinder" or "zwei kinder" were mentioned in general. According to Table 2. 163 boys (42.4 %), 129 girls (33.5 %) and at least 93 children of unspecified sex were mentioned in 392 families (including childless ones). If we disregard those children whose sex is unknown, the boy/girl ratio is 56 : 44. It is a generally accepted phenomenon that the number of boys amounts to more than 50% of all childbirths, but in our case this proportion seems somewhat unrealistic. The explanation may not lay in demographic trends but in the fact that male descendants were more important for the family and therefore more often mentioned by name.

An interesting aspect concerning children, which we can discuss on the basis of the testaments is the question of name-giving customs. Here again, our data is fairly fragmentary: children mentioned only by number and gender cannot be taken into consideration. Nevertheless, the picture which can be outlined from the survey of 160 male and 121 female descendants is quite characteristic: among masculine names 45 different ones occurred while only 23 kinds of feminine names were in use. (Table 3). In case of boys, the predominance of the most frequent Hans (Johannes, Hensl) and Wolfgang (Wolff) is compensated by 4 other names which were used more than 5 times (Martin — the patron saint of the local collegiate chapter; Georg/Jorg; Andre and Michel — patron saint of the second biggest parish church), while 30 names (including the otherwise very popular Peter) occur only once or twice. It would be tempting to explain this variety with the large number of immigrants from different places with different customs, but the similar traits in name-

<sup>34</sup> PT pp. 194–196., Kubinyi, Budai p. 244.

<sup>35</sup> *Will of Mert Leyschel, 1471 (PT 151r).*

<sup>36</sup> *This proportion is in accordance with Kubinyi, Budai pp. 232–233., although his calculations are based mostly on charters.*

<sup>37</sup> *See Kubinyi, Budai p. 233. where the dominance of patricians among families with more children is apparent.*



Number of Children	Family		boys		girls		unknown		children altogether
	N.	%	N.	%	N.	%	N.	%	
0									
Pozsony	180	46							
Buda	24	30							
1									
Pozsony	97	24.7	53	54.6	35	36.1	9	9.3	97
Buda	28	35	15	54.6	13	45.4			28
2									
Pozsony	49	12.5	48	49	42	42.8	8	8.2	98
Buda	13	16.2	8	30.8	18	69.2			26
3									
Pozsony	25	6.4	35	46.7	34	45.3	6	8	75
Buda	5	6.3	8	53.3	7	46.7			15
4									
Pozsony	8	2	18	52.9	9	26.5	7	20.6	34
Buda	6	7.5	13	53.3	11	45			24
5									
Pozsony	3	0.7	5	33.3	5	33.3	5	33.3	15
Buda	2	53.3	10	100					10
8/6									
Pozsony	1	0.3	4	50	4	50			8
Buda	2	2.5	8	66	4	33			12
?(at least 2)									
Pozsony	29	7.4					58		58
altogether									
Pozsony	392	100	163	42.4	129	33.5	93	24.1	385
Buda	80	100	62	53.5	53	46.1			115

Table 2. Number of children in families in medieval Pozsony and Buda.

Source: Archiv Mesta Bratislavy, Protocollum Testamentorum.

Kubinyi: A budai és pesti polgárok...p. 233.

giving observed in a village in Northeast Hungary may cast doubts on such conclusions.<sup>38</sup> Among feminine names, Margareth (Marusch) was by far the most popular, followed by Katherina, Barbara, Dorothea and Anna, accompanied by 18 less frequent names. It is interesting that Maria comes up only once, this name was likewise rare among rural and noble population in late medieval Hungary.<sup>39</sup>

Table 3. The most frequent masculine and feminine names.

Masculine		Feminine	
Hans	25	Margaret	29
Wolfgang	23	Katharina	19
Martin	10	Barbara	19
Georg	10	Dorothe	11
Andre	9	Anna	9
Michel	7	Elisabet	5
Jacob	5	Magdalena	4
Thomas	5	Helena	3

<sup>38</sup> Kubinyi András, "Egy Hont megyei mezővárosiasodó falu népessége a középkor végén" [Population of a village on its way to become a market-town in Co. Hont in the Late Middle Ages], in: Studia Miskolcensis 1. (1994) pp. 7-17., here 11. (hereafter Kubinyi, *Alsónyék*).

<sup>39</sup> ibid. p. 12, note 31.





The naming of a child after his/her father or mother was not too frequent (4 boys and 5 girls in our sample, although the mother's name is not always mentioned, e.g. in case she was a previous wife of the testator). This custom was even more unusual among peasants, while in noble families, the father's name was very often given to the son.<sup>40</sup> The importance of the grandparents' name in this respect cannot be justified from our sources. It is also worth mentioning that many children were appointed heirs in their fathers' testaments before they were born. In some cases it was uncertain whether the wife was pregnant at all, while one will was composed by a woman deliberately before childbirth: "... ich schaff meinem kind, des ich schwanger bin, meinen weingarten zu Rechistorff genant der Preller ledig."<sup>41</sup> Therefore, when speaking about medieval families, we must keep in mind the large number of stepchildren and orphans who never met either of their parents.

#### *The third generation: data on grandchildren*

It is traditional to speak about the "danger of the third generation", i.e. that the majority of urban families became extinct before the lifetime of its third generation. The expression was introduced by F. Röhrig in connection with merchant patricians from Lübeck,<sup>42</sup> and was pointed out later in several European medieval towns, among other places in Buda, where beside 59 descendants of full age, only 8 grandchildren were mentioned in the fragmentary archival material.<sup>43</sup> The Pozsony testaments confirm the general view: further generations of the testator's family were hardly ever included, in our sample only 26 testaments (7 %) contain data on altogether 32 grandchildren

(see table 1). Not a single will would stretch over four generations. In case of the grandchildren, the name and sex was even less important, they were simply called "the children of my son/daughter", and were nominated as reversionary heirs or given a smaller amount of movable goods. Exceptionally, a grandchild could inherit substantial part of the family estates, e.g. Hans Snebeis's disinherited his son in his testament and bequeathed half of the heritage to his grandson instead.<sup>44</sup>

#### *The extended family: collateral relatives*

Collateral relatives: brothers/sisters, nieces/nephews, brothers/sisters-in-law etc. come up much more frequently, in practically every second document. This again, however, is not a consequence of living together, but of hereditary customs: these relatives were included in the system of inheritance, and had special rights for ancestral property<sup>45</sup>. According to their claims they were usually satisfied with a certain piece of real estate (most often a vineyard), cash or some mobile goods (see below), in order to prevent their protestation against the testator's will: "*Item ich schaff meinem prueder Walent meinen weingarten in Donawleiten gelegen also das er doch nicht meinem hawswirt vnd meinem sun den weg in Mawrer [vine-yard] nicht wern sul sunder hinfur der albeg der weg frey sein sull.*"<sup>46</sup>

References to other relatives give us an insight in personal priorities. As M. Mitterauer remarked: "The network of family connections differs for each person concerned and cannot be statistically defined."<sup>47</sup>

Childless testators were inclined to bequeath a

<sup>40</sup> *ibid.*

<sup>41</sup> Will of Affra, Augustin Mischulberin, 1467 (PT 134 r-v). She also bequeathed some items of chattel to the expected child. The childbirth really proved to be fatal for the mother, since six and a half months after its composition the will was entered in the *Protocollum Testamentorum*.

<sup>42</sup> Fritz Röhrig, *Die europäische Stadt*. Propyläen Weltgeschichte IV. Berlin, p. 346.

<sup>43</sup> Kubinyi, *Budai*, p. 227, Note 2.

<sup>44</sup> PT 206r.

<sup>45</sup> See below note 70.

<sup>46</sup> Will of Dorothea Paerin, PT 176v-177r.

<sup>47</sup> Mitterauer–Sieder, p.27.



sum corresponding to that offered for the education of children to nieces and nephews. Cristoff Sailer wrote for instance in 1467: "... befilch ich meiner hausfraw Agnesen meinen vetter Christan an irs kinds stat wie ich ir vertraw und soll inn dartzu haben mitsambt meinen geschefttherren, das er nachgee der lernung und mit gotlicher hilf ain priester wurd zu hail unser sell."<sup>48</sup>

Generally speaking, it was because of the small number of children that collateral relatives were involved to a greater extent to the economic life of the family. This custom was typical of both the powerful south-German commercial enterprises and of the smaller-scale activities of the Pozsony burghers.

On the other hand, several examples can be found when relatives outside the core family were explicitly excluded from the heritage on the grounds that they did not contribute at all to the acquisition of the bequeathed property. "

*ste soziale Determinante war indessen so groß, wie sie ... vom Erblasser testamentarisch bedacht wurde."*<sup>50</sup>

On the whole, our material confirms the picture developed recently from the evaluation of a wider range of sources. The presence of nuclear families was overwhelming among testators in Pozsony: More than three quarter of the households represented this household type, with the reservation that parents were often rearing stepchildren from previous marriages or took in orphaned relatives. It was not unusual for mothers to be ordered to abandon their children after their husband's death, and the kindred of the late husband looked after them: "... ob sache wer; daz mein sun Christan List, da Got vor sey, ee abgieng mit dem tode, wenn mein sun Jorg, so sol des Cristan Lists hawsfraw mein smir inner ains manads aws dem hawse tzihen, vnd darinne nicht wonen, vnd die kind meins vorgeanten suns Cristan Lists sullen inne haben meine süne, seine brueder."<sup>51</sup>

On the other hand, the proportion of complex and extended families was minimal in towns. Speaking about parents above, we already noticed their rare occurrence. Now we can add that the cohabitation of members of three generations was also dependent on the phase of the family cycle. In most cases documented in the Pozsony wills, the "authority resided in the middle generation", whereby usually only one surviving parent lived together with the family. This model was much more widespread in Western and Central-Europe, than the strongly patriarchal one when the head of the eldest generation ruled. We also have to keep in mind that beside low life expectancy and relatively late age at marriage, "the statistical possibility of grandfather, father and child living in the same household existed only for a relatively short time."<sup>52</sup>

### 3. The household system

#### *Family structures*

After having listed the components of the family, our attention should be drawn to the forms of their coexistence. As M. Mitterauer and R. Sieder argued in their highly inspiring overview of family structures, in order to overcome romantic prejudices concerning the "ideal" large preindustrial family, "knowledge of the size and structure of the family in the past is ... of considerable importance to present-day society".<sup>49</sup>

It is obvious that testators did not give direct references to the structure of their family, but in many cases it can be reconstructed on the basis of the heirs mentioned in the wills. We can support E. Isenmann's view, who considered testaments crucial sources concerning the contemporary notion of a family: "*Die Familie als wichtig-*

<sup>48</sup> PT CXLI v.

<sup>49</sup> Mitterauer – Sieder 25–27.

<sup>50</sup> Eberhard Isenmann, *Die deutsche Stadt im Spätmittelalter*, Stuttgart, 1988. p. 291.

<sup>51</sup> Testament of Peter List, PT 33v. On the custom of mothers abandoning their children see Herlihy, *Households*, p. 153.

<sup>52</sup> Mitterauer – Sieder, pp. 33–35.



*From family to household: domestic servants*

Irrespective of the size and type of medieval towns, no "proper" household could work without the extensive help of domestic servants. The quite high average number of persons/household can also be explained with their presence.<sup>53</sup> Although their work is hardly seizable in most of our sources, testaments are an exception. The lack of last wills by less prestigious members of urban society – to which domestic servants also belonged – is compensated by the fact that they appear as recipients of certain goods, debtors, or even money lenders, etc. in the wills.

The greatest "advantage" of domestic servants as compared with children was that they fulfilled several duties in urban households (which were usually performed in peasant families by older children) without having rights in the future. Servants had no claim on the household resources during the lifetime of their masters / mistresses, neither on the heritage after their employees' death. This is why they were so often compensated with smaller bequests like: "*Item ich schaff XL fl. der frawn Ursule meiner kochin.*"<sup>54</sup> or "*Item der Marethen unser schafferin schaff ich meinen rok, hauben, mantel, dem leinrein pelcz und II kwrczel, ain als welbisch und ain flëxein das eltist ëxelpfaitel.*"<sup>55</sup>

Both of these examples, chosen at random, refer to older, married women, but it was far more typical to have young unmarried women, or rather girls, with the families. In some cases the close relationship is reflected by the testators, who reared girls as if they had been their own children: "*Item meiner diern Margrethen die ich dan von jugent erzogen hab, schaff ich ain gericht's pett mit aller zugehorung und meinen prawn rokch.*"<sup>56</sup> or "...

*der dirnlein das häst Margaretha, das mein hausfraw zeucht durch Gots willen, V fl.*"<sup>57</sup>

These cases show that strong emotional ties had existed between young servants and their mistresses, and that wealthier families in Pozsony contributed to the welfare of the community by rearing and socializing an overproportionate number of children.

"Life-cycle servants" spent their years of late childhood in service and thus prepared for marriage by collecting experience and at least the minimum of dowry: a bed together with the necessary bedclothes and linen. (The German *terminus technicus* for endowing was "*zu pett und tisch ausrichten*".) This convention is demonstrated nicely in the wills of their employees where either the duty of giving a dowry or the list of necessary items is mentioned:

"... *auch schaff ich das mein Bolfgang [the husband] sol vertigen mein dienerin Madelen zu pet und zu tisch als es gehort.*"<sup>58</sup>

"*Item so schaff ich meiner diern der Anndlein I pet, I polster, II leilachen, I deckh und II kchuss.*"<sup>59</sup>

These *par excellence* gender-specific bequests were not confined to relatives of the testator: in the absence of unmarried young women within the family, maidservants, daughters of friends or even unspecified "poor virgins" ("*arme Junckfraw*") were to be chosen by the executors. For the well-to-do members of the family, this handsome gesture was mostly of symbolic meaning, but propertiless girls were dependent on this pro-

<sup>53</sup> See in general: Herlihy, *Households* pp. 153-155. From a gender-specific point of view: Uitz, *Frau* pp. 82-83. In our sources, domestic servants were almost exclusively women. When the term "diener" was used connected with a man, he was a dealer involved in commercial enterprises.

<sup>54</sup> Will of Niklas Jung von Sool, 1465 (PT 119 r-v).

<sup>55</sup> Will of Anna, Caspar Venturin, 1469 (PT 145.r-v). It was typical that by means of bequeathing once expensive and fashionable garments got into the possession of lower and lower social groups, conveying them the taste and customs of the elite.

<sup>56</sup> Will of Dorothe, Andre Langin, 1473 (PT 160r) Besides this "stepdaughter", she also had a son.

<sup>57</sup> Will of Stephan Stamphaer, 1474 (PT 162v).

<sup>58</sup> Will of Magdalena, Wolfgang Vorsterin, 1461 (PT 128v - 129r).

<sup>59</sup> Will of Michel Wohner (merchant), 1472 (PT 154v).



protective social network in order to be able to enter "fullness of life". We can join David Herlihy's statement who considered donations for dowries "the principal expression of Christian charity in the Later Middle Ages".<sup>60</sup>

### *Families in perspective*

At the end of our survey, we should address this question: how do our data and conclusions fit into a Hungarian and a European spectrum? On a national level, we have very few comparable materials, and even less has been evaluated according to the same principles. The rare exceptions include A. Kubinyi's analysis of Buda citizens, and of a complete list of inhabitants of the village Alsónyék (Northeast Hungary) from the first quarter of the sixteenth century, already cited above in connection with name-giving customs.<sup>61</sup>

The structure and size of urban families in Buda, reconstructed on the basis of charters, property transactions, etc., reinforce in every respect the conclusions drawn from the Pozsony testaments. In both towns, the proportion of nuclear families (70–75%) outnumbered by roughly 8–10% that of medieval Hungarian rural communities, but even more significant was the discrepancy in household sizes. At Alsónyék, 348 inhabitants lived in 44 households, so the average household consisted of 7.9 persons. Approximately two decades later in Keresztúr, a small village in the western part of the country, according to a detailed census, the population amounted to 294 in 46 households.<sup>62</sup> This number was significantly higher than that of urban households (including

domestic servants). E.g. in Bártfa (Bardejov, Slovakia), the average number of inhabitants *per house* was between 5.5 – 6.3.<sup>63</sup>

The great difference between villages and towns was in the fertility rate.

The average number of descendants per family at Alsónyék was 4.7 – an exceptionally high fertility rate, especially compared to the low fertility rate observed above among Pozsony testators, where about 385 children fell on 392 testators' households, which gives an average of 1 child per family. The values from Buda, where only 1.4 *surviving* children fell on each household, seem to be more realistic.<sup>64</sup> In other words, in the small village, the proportion of children amounted to nearly 60%. The survey of Bohemian settlements before the 30 years' war yielded a very similar result: households in towns consisted of 5.1–6.3 persons, in villages of 8.2 persons; the average number of children in urban families was 2.2, in rural ones 3–4.<sup>65</sup>

The consequence of these figures is, that in the urban context, the fertility rate was not enough even for simple reproduction. Therefore towns had to rely on constant immigration in order to stop the decrease of the population. Supported by a conscious immigration policy of the local administration, year after year a considerable amount of the rural population arrived in towns to establish new lives, new social contacts, and new marriages, which changed their place in the network of relatives. The newcomers presumably soon adapted themselves to the demographic patterns of the urban community.

<sup>60</sup> Herlihy, *Households* p. 142.

<sup>61</sup> See above Kubinyi, *Budai* and Kubinyi, *Alsónyék*.

<sup>62</sup> Fügedi, *Demographic* p. 52.

<sup>63</sup> Alzbeta Gácsová, *Spoločenská štruktúra Bardejova v 15. storočí a v prvej polovici 16. storočia*, Bratislava 1972.; see also Fügedi Erik, *A középkori Magyarország történeti demográfiája* [Historical Demography of Medieval Hungary], in: *Történeti Demográfiai Füzetek* 10, Budapest, 1992. 1–60., here 50–51. A conscription from the market town Szigetvár from 1551, immediately before the siege of the Turks reports about an average family size of 3.6 persons (including domestic servants), but in this case more than one-third of male heads of households were already captured by the Turks. See Fügedi, *Demographic* p. 52.

<sup>64</sup> Kubinyi, *Alsónyék*, pp. 10–11. and the Tables, pp. 15–17. In families of the upper and middle layers on Constance, the average number of children slightly exceeded 3 (3.2), see Baur, *Testament* p. 215., on Buda see Kubinyi, *Budai*, pp. 232–234. The survey by Hohenberg–Lees (see note 17) p. 80. counts an average of 5 childbirths/family for the preindustrial age from which 3 children survived to adulthood. This seems to be too high a figure in the urban context of East-Central Europe.

<sup>65</sup> Fügedi, *Demographic* pp. 54–55.



After several revealing studies in the 1970–80s,<sup>66</sup> the prevalence of the nuclear family in medieval settlements – villages and towns alike – is no longer a surprise to historians or ethnographers. Less settled is to what extent East-Central Europe followed the eastern (low age at first marriage combined with a higher proportion of multigenerational families) or western (relatively high age at first marriage combined with low fertility rate) demographic pattern.<sup>67</sup> The data listed above can only tell a part of the story. The most crucial defect is the lack of information on marriage ages, since upon this further differences depended. As far as we can judge from household sizes, East-Central Europe seems to have been a transitional territory where the "line of demarcation" lay not between territorial units, but between rural and urban settlements, the former being closer to (but not necessarily characterized fully by) the eastern, the latter to the western system of development. More detailed knowledge on market/landlord towns – a transitional type of settlement both socially and economically – would help to refine the picture, but the lack of detailed conscriptions has not made comparison possible so far. A systematic collection of data from late medieval / early modern sources: court protocols, correspondence, and not least, last wills may prove to be fruitful in the future. In spite of these uncertainties, it is clear that extended family types became typical in Hungary only during the 18–19th centuries, and even then not as a result of historical tradition, but due to economic necessity.<sup>68</sup>

### III. Epilogue: Family structure and inheritance customs

The topics discussed above were mostly concerned with different aspects of demography. These subjects, however, especially when analysing testaments, cannot be separated from the system of inheritance customs. In one of the earliest, pioneering essays on historical demography, Frédéric Le Play already pointed out on a general level that marriage and the right to procreate descendants was closely linked to ownership. He also drew the later much debated conclusion that the practice of partible or impartible inheritance and family organization were strongly connected, the former custom producing laterally extended families while the latter lead to the system of the stem family.<sup>69</sup> The connection between the structure of property and that of the household has manifested itself from time to time on the previous pages. Therefore, in concluding this sketchy survey, I would like to recapitulate my arguments by putting this hitherto secondary aspect into the limelight.

The peculiarities of urban families can to a great extent be connected with inheritance customs in the towns, which differed from that of the nobility particularly in this respect, that urban men and women alike were entitled to inherit the deceased spouse's property on equal terms with the children. Regulation on a national scale (the so-called *Ius tavernicale* of the seven free royal towns) stated that the property of a person who died without leaving a testament should be divided equally between the widow(er) and the children – or the members of the family could main-

<sup>66</sup> See e.g. Mitterauer – Sieder, with further references.

<sup>67</sup> John Hajnal, "European Marriage Patterns in Perspective", in: *Population in History*, ed. D. V. Glass – D. E. C. Eversley London, 1965. See also: Mitterauer – Sieder p. 37.

<sup>68</sup> Fügedi, *Demographic* pp. 52–55., Mitterauer – Sieder p. 30.

<sup>69</sup> Frédéric le Play, *Les ouvriers européens. Etudes sur les travaux, la vie domestique et la condition morale des populations ouvrières de l'Europe*, 6 vols., Paris, 1855–1878.



tain a community of goods, as the rich Pozsony merchant, Wolfgang Vorster ordered in his will: "... *mein hausfraw und unser gemelte kinder all unser gueter vorund und ligund miteinander treulichen geniessen sullen und damit handeln zu gewin und verlust ungetailt.*"<sup>70</sup> This measure was intended of course against the partition of the wealth of the family.

When a testament existed, this rule applied for the ancestral property (*bona avitica vel paterna*), while goods acquired by the husband alone could be bequeathed to whomever he wanted. Concerning property acquired by both spouses, the wife had the right to protest against the testament if she had not got a just share.<sup>71</sup> This system meant that widows and daughters had equal chances to inherit as their male counterparts.

The town codebook of Pozsony protected ancestral property to a greater extent, failing a direct descendant, as a principle, these goods had to revert to that branch of the family where they originated from, and theoretically widows were not allowed to possess real estate with full rights either.<sup>72</sup> Therefore, in case of an under age heir, an adult reversionary heir had to be appointed. This was one explanation for the frequent occurrence of collateral relatives. Finally, last wills are the best proofs that people found ways around the customary rules: the actual distribution of property showed much greater variety than what legal sources would indicate.

By dividing landed property between various members of the household, and bequeathing dowry to relatives or other maidens, the individual testators enabled a wide range of young people to get married under good conditions. On the other hand, inheritance customs put widows or

widowers in a very favourable position on the marriage market, which in turn resulted in greater differences of age, lower fertility rates, and reduced potential for population growth than among noblemen or the peasantry. Town authorities also encouraged the concentration of wealth within urban families through inheritance customs designed to prevent the decrease of the tax base through handing property down to relatives outside the urban jurisdiction.

The basic differences between urban and rural marriage patterns were already apparent from the comparative material surveyed above. The background of the significant discrepancy in marriage ages, and partly in fertility, can also be explained by different relations to property: In villages, young men married early, to take over the farm with the help of a wife. In towns, on the contrary, men had to establish a livelihood (which often included the possession of immovables) in order to be able to marry – or to choose a wealthy widow as a lucky start. So even if we cannot argue that peasants married early and burghers (along with the upper layer of the nobility) late, and are aware that there were several exceptions from the rule, trends in demography would support this simplified view.

Finally, I would like to emphasize again that testaments survived in vast quantities in several town archives throughout Europe. This circumstance implies the possibility of developing comparative aspects concerning, among other topics, demography and household structure on regional and overregional scales, and to test our preliminary conclusions against a more solid analytical framework in the future.

<sup>70</sup> Will of Wolfgang Vorster, 1487 (PT 209 r-v). He also ordered that this community "of meals and work" should be maintained even after the sons married.

<sup>71</sup> See Kovachich (note 4.).

<sup>72</sup> Király János, *Pozsony város joga a középkorban* [The Law of Pozsony in the Middle Ages], Budapest, 1903. pp. 155–166.



## OBITELJI U OPORUKAMA

### Neki aspekti demografije i običaja nasljeđivanja u jednom kasnosrednjovjekovnom ugarskom gradu

#### Sažetak

Sastavljanje oporuke je izuzetan, po mnogočemu paradoksalan čin u ljudskom životu. To je posljednja prilika za oporučitelja da se pozabavi svjetovnim poslovima i dobrima što ih je stekao/stekla za svog života. Povrh toga, to je bila i posljednja prilika kada je osoba mogla pokušati stvoriti najbolju moguću sliku o sebi u očima budućih generacija. S druge strane, za zajednicu je ovaj posljednji niz privatnih odluka prije neizbježnog kraja jamčio javni red i stabilnost. Teoretski je svaki stanovnik kasnosrednjovjekovnih ugarskih gradova mogao sastaviti oporuku, pa su, iako je većina ljudi umirala ne ostavljajući svoju posljednju volju u pisanom obliku, testamenti oblik privatnih dokumenata koji obuhvaćaju najviše različitih socijalnih slojeva.

Primjeri i zaključci u ovom članku temelje se na više od 430 oporuka sastavljenih između 1420. i 1485, uglavnom u vrijeme života dvije generacije u Požunu (Pozsony, Preßburg, Bratislava), slobodnome kraljevskom gradu i važnom trgovačkom središtu pokraj Dunava, na zapadnoj granici Ugarske, s oko 5000 stanovnika od kojih je oko 7,2% sastavilo oporuke. Testamenti su bili registrirani u tzv. *Protocollum Testamentorum* u Municipalnom arhivu (Archiv MXXX-eXXXsta Bratislavy). Iako oporukama nije bio cilj dati pune podatke o sastavu oporučiteljeva domaćinstva, zbog gotovo potpunog nedostatka srednjovjekovnih i ranonovovjekovnih izvora što se inače koriste za istraživanje obitelji (popisi \_upljana i poreza) ne smijemo zanemariti informacije o demografiji sadržane u toj vrsti građe.

Pažnja se, prilikom istraživanja podataka o obitelji i njezinim članovima, prvo usmjerava na brak i supružnike. Mogućnost udaje bila je od životne važnosti za



svaku laičku ženu. Tek je brak otvarao ženi prave mogućnosti djelovanja, ne samo u pravnom, već i u socijalnom i ekonomskom pogledu. Što se tiče dobi u kojoj se ulazilo u brak, oporuke nam ne pružaju izravne obavijesti. Socioekonomski uvjeti (posjedništvo ili pripadnost cehu za mladoženju i prikladan miraz za mladu) bili su uzrokom kasnog sklapanja braka, a odražavaju se i u požunskim oporukama. Povrh toga, Požun je bio veza između južnonjemačkih, austrijskih i ugarskih gradova od Nürnberga do Budima, u čijoj su mreži (i ženidbenom tržištu) članovi njemački govorećih klanova bili povezani čvrstim obiteljskim vezama. Posrednička je uloga žena u vezi s imutkom i socijalnim prestižem dolazila naročito do izražaja prilikom preudaja. Poneki je put žena izrijeком zahtijevala da njezina imovina prijeđe na drugog muža, baš kao što ju je naslijedila od prvoga. Kada je riječ o slici braka kakvu nam pružaju oporuke, vrijedno je spomenuti da je raspolaganje imovinom služilo i kao izraz emocionalnih odnosa na vrlo osobnoj razini. Muževi i žene su podjednako naglašavali da su »radili vjerno zajedno« da bi stekli potrebno za život i osigurali imutak za obitelj. Ovo je bilo važno i kako bi se mogli odbiti mogući protesti drugih rođaka protiv oporuke.

Živuci roditelji i rođaci iz prethodne generacije spominju se samo u 7% oporuka. S druge je strane bio značajan i mali broj djece. Većina je parova imala samo jedno ili dvoje djece u trenutku smrti jednog supružnika, dok je veći broj djece u obitelji bio rezultat ponovnog sklapanja braka. Kao tendencija, a ne kao pravilo, može se uočiti da su bogatije obitelji imale više djece. U 392 obitelji (uključujući one bez djece) spominju se 163 dječaka (42,4%), 129 djevojčice (33,5%) i najmanje 93 djece bez navođenja spola. Odnos između dječaka i djevojčica bio je 56:44. Mnoga su djeca spominjana kao nasljednici u oporukama svojih roditelja i prije no što su bila rođena. Što se tiče unuka, požunski testamenti potvrđuju općenito mišljenje o »opasnosti od treće generacije«: daljnje su generacije oporučiteljeve obitelji spomenute samo u 7% oporuka. Niti jedna se oporuka nije doticala četvrte generacije.

Kolateralni rođaci javljaju se često, gotovo u svakoj drugoj oporuci. To nije bila posljedica zajedničkog života, već običaja nasljeđivanja. Navođenje drugih rođaka pruža nam uvid u osobne prioritete. Oporučitelji koji nisu imali potomaka običavali su nećacima i nećakinjama namijeniti svotu novaca za obrazovanje kakva se inače ostavljala vlastitoj djeci.

Oporučitelji nisu davali izravnih podataka o strukturi svojih obitelji, ali se ona u mnogim slučajevima dade očitati iz spominjanja nasljednika. U Požunu su prevladavale osnovne obitelji - tom je tipu pripadalo gotovo tri četvrtine domaćinstava, uz napomenu da su roditelji često odgajali djecu iz prethodnih brakova, ili su uzimali osiročene rođake. Broj kompleksnih i proširenih obitelji bio je u gradu neznatan.

Bez obzira na vrstu i veličinu srednjovjekovnog grada, nijedno »pravo« domaćinstvo nije moglo postojati bez pomoći domaćih slugu. Dok o njihovu radu većina izvora šuti, oporuke su iznimka. Nepostojanje oporuka služinčadi nadoknađeno je njihovim spominjanjem u drugim testamentima, gdje se javljaju kao primatelji nekih dobara, dužnici, pa čak i posuđivači novaca i sl. Iako sluge nisu imale nikakva prava na dio nasljedstva umrlog gospodara, često su dobivali manje legate.





Na kraju našeg istraživanja, podaci i zaključci uspoređeni su s drugima iz Ugarske i Europe. Struktura i veličina budimskih obitelji, kakva se može rekonstruirati iz isprava i ugovora, potvrđuje na svaki način zaključke nastale na temelju analize požunskih testamenata, dok se i jedni i drugi bitno razlikuju od podataka iz ruralnih područja. Velika je razlika između sela i grada postojala u stopi prirasta stanovništva. U malom selu Also´onye´ek, primjerice, djeca su dosegala do 60%. Ako je suditi prema veličini domaćinstava (premda nemamo podataka o dobi sklapanja braka), Istočna je Srednja Europa izgleda bila prijelazno područje demografskih obrazaca. »Demarkacijska linija« nije razdvajala područja, nego selo od grada, s time da je ono prvo bilo bliže, iako ne identično, istočnom obrascu, dok su gradovi slijedili zapadni.

Prethodno razmatrana pitanja ne mogu se odvojiti od sustava običaja naslijeđivanja. Osobitosti gradskih obitelji mogu se u velikoj mjeri povezati s običajima naslijeđivanja u gradu. Oni su se razlikovali od običaja plemstva ponajprije po tome što su obudovjeli supružnici imali jednako pravo naslijeđivanja kao i djeca. Regulacija nasljednog prava na nacionalnoj razini (tzv. *Ius tavernicale* za sedam slobodnih kraljevskih gradova) ustanovila je da, u slučaju da osoba umre bez oporuke, njezina imovina mora biti jednako raspoređena na udov/ca/icu i djecu, odnosno da članovi obitelji mogu zadržati zajednicu dobara.

Požunski je gradski zakon u većoj mjeri štitio naslijeđenu imovinu. Ukoliko nije bilo izravnih potomaka, ova je imovina morala biti vraćena grani obitelji iz koje je prvotno potekla, a udovice teoretski nisu mogle u potpunosti raspolagati nekretninama. Zbog toga, ako je nasljednik bio malodoban, trebalo je imenovati zamjenskog nasljednika. To je razlog čestoj pojavi kolateralnih rođaka u oporukama. Napokon, testamenti su najbolji dokaz da su ljudi pronalazili načine kako da zaobiđu običajna pravila, jer je stvarna raspodjela imovine slijedila mnogo raznolikije obrasce no što ih otkrivaju pravni izvori.

Dijeljenjem zemlje različitim članovima domaćinstva i osiguravanjem miraza rođakinjama i drugim djevojkama, oporučitelji su omogućavali velikom broju mladih ljudi da sklope brak pod povoljnim uvjetima. S druge strane, običaji naslijeđivanja doveli su udovice i udovice u povoljni položaj na bračnom tržištu, što je kao posljedicu imalo velike dobne razlike, niži natalitet i smanjene mogućnosti rasta stanovništva, no što je to bilo kod plemstva i seljaštva. Gradske su vlasti odredbama o naslijeđivanju poticale koncentraciju imovine unutar gradskih obitelji, kako bi spriječile smanjivanje porezne osnovice predajom imovine rođacima izvan gradske jurisdikcije.

Temeljne su razlike između gradskih i seoskih bračnih obrazaca očite iz već razmatranog komparativnog materijala. Pozadina se znatnih razlika u dobi sklapanja braka i dijelom u plodnosti može protumačiti i različitim odnosom prema imovini: na selu, mladići su se ženili rano, kako bi uz pomoć žene mogli preuzeti imanje. U gradovima, naprotiv, muškarci su morali osigurati zaradu (što je često uključivalo i posjedovanje nekretnina), da bi se uopće mogli oženiti. Ako bi imali sreće, mogli su naći i bogatu udovicu. Zbog toga, čak i kada ne bismo mogli dokazati da su se seljaci ženili rano, a građani (zajedno s gornjim slojem plemstva) kasno, i svjesni da je ovo pravilo imalo mnoge izuzetke, demografski bi tren-



dovi potvrđivali ovo (pomalo pojednostavljeno) gledište.

Napokon, htjela bih naglasiti da su se oporuke sačuvale u velikom broju u mnogim arhivima diljem Europe. Ta okolnost omogućava usporedna proučavanja, između ostalog i demografije i strukture domaćinstava na regionalnoj i nadregionalnoj osnovi, što bi nam omogućilo da naše preliminarne zaključke provjerimo u budućnosti na solidnijem analitičkom temelju.

MEDIUM AEVUM QUOTIDIANUM 35  
(Krems 1996)



OTIVM 3/1-2  
(1995.)

## VORWORT

Alltagsgeschichte ist ein Forschungsbereich, der nicht nur in starkem Maße interdisziplinären Ansätzen und Methoden verbunden ist, sondern auch im besonderen von wissenschaftlicher Kooperation bestimmt wird. Aus diesem Grunde freut es uns umso mehr, daß wir Ihnen mit diesem Heft das Ergebnis einer solchen Zusammenarbeit präsentieren zu können, die sich im Rahmen der Lehrtätigkeit der Herausgeber an der *Central European University* in Budapest entwickelt hat. *Otium*, die kroatische Zeitschrift für Alltagsgeschichte, und *Medium Aevum Quotidianum*, die in Österreich erscheinende internationale Zeitschrift für Alltagsgeschichte und Geschichte der Sachkultur des Mittelalters, bieten Ihnen hiermit eine gemeinsame Ausgabe, die vor allem Beiträge von Historikern aus dem mitteleuropäischen Raum - aus Deutschland, Kroatien, Österreich, Slowenien und Ungarn - enthält.

Das Generalthema des Heftes bezieht sich auf die Problemkreise "Familie und Alltag" mit besonderem Bezug auf "Familie und Tod". Es werden dabei Fragestellungen angesprochen, die für eine allgemeine Alltagsgeschichte ausgesprochene Relevanz besitzen. Dies trifft besonders auf verschiedene Verbindungen zwischen 'privatem' und 'öffentlichem' Raum zu. Dušan Kos (Ljubljana) setzt sich mit adeligen Begräbnisritualen in Kärnten, Zdenka Janekoviæ-Römer (Zagreb) mit denen des Adels von Dubrovnik auseinander. Erhard Chwoyka (Saarbrücken) behandelt das Motiv des "Ungleichen Paares" vom 15. bis zum 17. Jahrhundert. Michael Mitterauer (Wien) konzentriert sich auf das Problem der Schwagerehe. Elisabeth Vavra (Krems) untersucht die Reflexionen auf Todesfälle in autobiographischen Quellen des Spätmittelalters und der frühen Neuzeit, während sich Dušan Mlacoviæ (Ljubljana), Katalin Szende (Sopron) und Brigitte Pohl-Resl (Wien) Familienaspekten in der testamentarischen Überlieferung widmen.

Wir hoffen mit dieser Ausgabe Anstoß und Anregung zu weiterer und verstärkter wissenschaftlicher Zusammenarbeit im Bereich der Alltagsgeschichtsforschung gegeben zu haben.

Neven Budak und Gerhard Jaritz

## PREDGOVOR

Povijest je svakodnevice područje istraživanja koje ne zahtijeva samo u velikoj mjeri interdisciplinarnost, nego je napose određeno međusobnom suradnjom znanstvenika. Iz tog razloga posebno nas veseli da ovim sveskom možemo predstaviti plod takve suradnje, a koji je nastao kao rezultat nastavničke djelatnosti izdavača na Central European University u Budimpešti. Otium, hrvatski časopis za povijest svakodnevice, i Medium Aevum Quotidianum, međunarodni časopis za povijest svakodnevice i materijalne kulture srednjeg vijeka, koji izlazi u Austriji, odlučili su izdati zajednički broj koji sadrži priloge povjesničara/ki iz srednjoeuropskog prostora: Njemačke, Hrvatske, Austrije, Slovenije i Mađarske.

Središnja se tema broja odnosi na “Obitelj i svakodnevicu”, s posebnim osvrtom na “Obitelj i smrt”. Pri tom se obrađuju pitanja od izrazite važnosti za opću povijest svakodnevice. To se odnosi pogotovo na različite veze između “privatnih” i “javnih” sfera života.

Dušan Kos (Ljubljana) bavi se pogrebnim ritualima korušskog plemstva, a Zdenka Janeković (Zagreb) obrađuje istu problematiku u vezi s dubrovačkim patricijatom. Erhard Chvojka (Saarbrücken) obrađuje motiv “nejednakog para” od 15. do 17. stoljeća, a Michael Mitterauer (Beč) problem leviratskog braka. Elisabeth Vavra (Krems) proučava promišljanja smrtnih slučajeva u autobiografskim izvorima kasnog srednjeg i ranoga novog vijeka, dok se Dušan Mlacović (Ljubljana), Katalin G. Szende (Sopron) i Brigitte Pohl-Resl (Beč) posvećuju obiteljskoj problematici u oporukama.

Nadamo se da smo ovim izdanjem dali nov poticaj daljnjem intenziviranju znanstvene suradnje na polju historije svakodnevice.

Neven Budak i Gerhard Jaritz

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