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Filial Quarter: a look from medieval Slavonia**

The paper explores the phenomenon of the filial quarter, a specific form of female inheritance practiced among the nobility of the Kingdom of Hungary-Croatia, by focusing on medieval Slavonia as a case study. Starting from some general observations on the filial quarter, the paper subsequently delves into a more systematic analysis of the Slavonian material. It elucidates the mechanism through which the filial quarter spread to Slavonia in the 13th century, how it became an institutionalized custom in the 14th century and examines the different practices of the filial quarter being given either in land or as monetary payment.

Keywords: filial quarter, female inheritance, medieval Slavonia, customary law, Kingdom of Hungary-Croatia

Introduction

In 1271, if we are to rely on the memory of Margaret, mother of Mathew Csák, her son brought his crippled daughter to the monastery of the Blessed Virgin at the Rabbit Island, where Margaret was a nun. Mathew asked his mother to intercede with Saint Margaret, and his hopes were fulfilled, as the girl was cured after being placed next to the saint's tomb.¹ Mathew Csák, in question here, was one of the most powerful men in the Kingdom of Hungary-Croatia during the

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¹ The information comes from Margaret's testimony during the papal investigation of sainthood of Margaret, daughter of Béla IV, conducted during 1276, Ildikó Csepregi, Gábor Klaniczay, Bence Péterfi, eds., *The Oldest Legend: Acts of the Canonization Process, and Miracles of Saint Margaret of Hungary* (Budapest: CEU Press 2018), 365-371.

1270s, and historians are accustomed to perceiving him entirely in his role as a politician/warrior. This makes the scene described above even more extraordinary, as it shows him as a fragile, loving father. Even more interesting is the fact that it is through his daughter that his loving, parental side is revealed to us. This is in striking contrast to the typical view of medieval society of the Kingdom of Hungary-Croatia as a men's world, world of kindred, where women's names were rarely written down even in most of the transactions concerning them. Still, even this well-grounded impression of a male-dominated world has its exceptions, such as the one seen above, which we rarely get a glimpse of. However, there is also a more observable exception: women were entitled to inheritance known as the filial quarter, a fourth part of estates, which was shared among all the daughters, regardless of their number. Even though this inheritance had its specific limitations, as we will see, it cannot be denied that it was an inheritance, and as such, it represents an important piece in the discussions within Hungarian and Croatian historiography about kindred and its solidarity, that is about kinship more generally. The most important contribution for the understanding of the filial quarter is certainly that of Peter Banyó, who conducted a comprehensive survey of this phenomenon in Hungary from the 13th century until 1416.² Since discussing the filial quarter also involves examining the nature of customary law, the goal of this paper is to explore the phenomenon of the filial quarter in one part of the Kingdom of Hungary-Croatia, medieval Slavonia, which from the 13th century had its own customs, *consuetudines regni/terre Sclavonie*. Slavonia was a place where Croatian and Hungarian customary law intersected, which is important for understanding the filial quarter and the related question of wedding gifts. Since it draws on Banyó's findings, this study also focuses on the same timeframe, though extending the upper limit to 1426. The paper begins with some general observations on the filial quarter, using examples from medieval Slavonia, and then moves to a more systematic analysis of the Slavonian material. It explains the mechanism through which the filial quarter spread to Slavonia in the 13th century, how it became an institutionalized custom in the 14th century and argues that in Slavonia the dichotomy of filial quarter being paid in cash or given in land reflects differences in the practices of the lower and middle nobility.

Banyó's work was a reaction against the older generation of (legal) historians dealing with the filial quarter, who approached customary law as a static, rigid legal framework with strict rules, which for instance had a corollary that even István Werbőczy's *Tripartitum* written in 1517 served as an authoritative text for under-

² Péter Banyó, "The Filial Quarter: Inheritance of Noblewomen in Medieval Hungary" (MA thesis, Central European University, Budapest, 1999); thesis was later published in Hungarian as "Birtoköröklés és leánynegyed. Kísérlet egy középkori jogintézmény értelmezésére", *Aetas* (2000), no. 3: 76–92.

standing of the 13th and 14th centuries.³ Banyó demonstrated that not only the formulations on the filial quarter in royal decrees but also the propositions of customary law as found in charters, were not good guides for understanding the actual practices concerning the filial quarter.⁴ The main point of contention was whether the filial quarter was to be paid out in cash, as most of the previously mentioned sources (*Tripartitum*, royal decrees, propositions of customary law), with few exceptions, seemed to suggest, or given in land.⁵ Banyó discovered that an extremely high number of filial quarters were given in land, with the percentage higher in the 13th century than in the later periods when the ratio became more even. He connected this trend with the availability of landed resources, which were more accessible in the 13th century, and on this basis he also postulated the rising solidarity of kindred in the 14th and early 15th centuries.⁶ There is an important methodological issue concerning these conclusions, which rest on counting the filial quarters given in cash or land, which I will address later. Still, it is beyond doubt that a significant number of the filial quarters were given in land, underscoring Banyó's conclusions that the customary system was flexible. That is, this reflects M. Rady's assertion that "By the negotiation of rights, parties could create their own separate legal spheres that were determined by agreed rules" and "These new rules might even set aside some of the customary laws of the kingdom, including ones that otherwise appear to be the bedrock of the legal order".⁷ As an explanation for the high degree of filial quarters given in land, Banyó stresses that various "situational interests and needs" and the "natural endeavor of the noblemen to provide for their female descendants similarly as for the male ones" account for the quarter being given in land rather than cash. While I agree with these conclusions to a degree, several points seem extremely important to make, some of them apparent even from the material Banyó collected. To begin, I would like to use an example of transactions concerning the filial quarters connected to one family, Pekri of the Tétény kindred, a family of high standing that had estates in medieval Slavonia, but also in the county of Baranya.⁸

³ The problems of such an approach can be seen from Martyn Rady's discussion of Werboczy's *Tripartitum*, *Customary Law in Hungary: Courts, Texts and Tripartitum* (Oxford: Oxford University Press, 2015), 21-26, 66-67.

⁴ Banyó, "The Filial Quarter", 6-32.

⁵ The main exception was the case when noblewomen married commoners.

⁶ Banyó, "The Filial Quarter", 42-56.

⁷ Martyn Rady, "Everyday Law in the Middle Ages", *Banatica* 26 (2016), no. 2: 306.

⁸ For the Pekri see Antun Nekić, "Plemički rod Tetenj od 13. do sredine 15. stoljeća" (PhD diss., University of Zadar, 2017); following discussions relies on it, see pp. 175-179.

Benedict Pekri, who lived sometime in the middle of the 13th century, gave an estate to his sister, who married a local nobleman from Slavonia. Even though we are not informed on what grounds, it can be assumed that the filial quarter was in question. His sons were not eager to respect his decision, as they donated the same estate to their *familiaris* in 1283. However, it is unclear if this donation had any real impact on the actual holding of the estate, since Elizabeth, the granddaughter of Benedict's sister, still possessed the estate in 1306 – then known as Demeskfelde – when she sold it. The next information on the estate comes from 1320, when Benedict's great-grandson Paul Pekri, along with his brother, adopted Peter, called Castellan, and gave him his daughter Anna as a wife. Peter, founder of the Kasztellanfi family, was a newcomer to Slavonia from Italy, and his marriage with Anna proved to be advantageous.⁹ The newly wedded couple received the estate Zenthlelek with five villages, as well as the estate Demeskfelde. However, at that time, the latter was only a wish, since Paul Pekri did not manage to obtain it until 1329, showing the Pekri's family determination to reclaim the estate more than fifty years after it was given away. In 1329, when Paul finally acquired the estate, it was not immediately given to Anna and Peter. Instead, Paul gave it to his wife on the grounds that he had used some of her belongings (*rebus nobilis domine*), specifically 100 marks he took from her, likely from the *res paraphernales* she received upon their marriage. This reluctance to hand over Demeskfelde to his son-in-law was probably the reason for another contract in 1340. The tone and emphasis of this contract in contrast to the former changed, as the estates were now given to Anna *ob fauorem filialem*, with a stipulation that the estates would revert to Paul's hands if Anne died without heirs. In these two transactions there is no mention of the filial quarter, but later generations approached this as a question of the filial quarter. Paul Pekri's son Stephen gave some estate *ratione quarte* to Peter Castellan's sons, Ladislaus and Adam, which was confirmed by Stephen's son Nicolaus in 1397. However, Paul Pekri's grandson from his other son, also named Paul, refused to give anything to Peter's heirs, leading to a long and bitter litigation. The litigation continued even against John Maroth, the new owner of Pekri estates, as the Pekri family lost them due to their infidelity in 1403. During the litigation, settled in Maroth's favor in 1424, the Kasztellanfi used the argument that their ancestor was ignoble and without estates (*ignobili et impositionato*) and because of that *ius et quarta puellare dicte domine Anne cum possessione deberet pervenire*. There is an indication that the Kasztellanfi had already used the same argumentation against Paul Pekri, when they argued that the quarter should be given *cum possessione iuxta regni consuetudinem*, although it was not emphasized in that case that it should be so because

⁹ For the genealogical study of Peter's family see Pavao Maček, Ivan Jurković, *Rodoslov plemića i baruna Kaštelanovića od Svetog Duha (od 14. do 17. stoljeća)* (Slavonski Brod: Hrvatski institut za povijest – Podružnica za povijest Slavonije, Srijema i Baranje, Slavonski Brod, 2009); family tree is on pp. 240-241.

Peter was not noble. The Pekri held a serious grudge against the Kasztellanfi, as evidenced by their assertions in 1431 that everything given to Peter Castellan in the first half of the 14th century should revert to them, stressing that Peter's descendants were nobles with estates (*nobiles et homines possessionati*), but their attempts were futile. The Kasztellanfi were thus a family whose wealth and position were rooted in a lucrative marriage.

However, this fact also had its unexpected consequences. When Peter Kasztellanfi's son Nicolaus died without male heirs, his nephews Sigismund and Gaspar, sons of Ladislaus, and Peter, son of Stephen, took over his possessions. However, there was an obstacle to their full appropriation. Nicolaus had a daughter, Elizabeth, who was married to Peter Füziesdi, viceban of Slavonia between 1416 and 1418, and the couple requested some of her father's estate. They managed to acquire them on the grounds that they *ius femineum sequeretur*, meaning they came from Anne Pekri, and in this particular case it was apparently considered that the lands Elizabeth brought to her marriage were not connected to the filial quarter but presented different kind of inheritance.¹⁰ Similarly, Benedict of Dobra Kuća, whose mother Elizabeth was Peter Castellan's daughter, staked some claims on the grounds that Elizabeth had some rights to the Kasztellanfi estates. It seems the rights Benedict had in mind did not concern the filial quarter, but again *ius femineum*. However, unlike Füziesdi, Benedict was satisfied with a monetary payment, as was Peter of Voćin (Atyinai), each of them receiving 125 golden florins. Although the reason for the contention between Peter of Voćin (Atyinai) and Sigismund and Gaspar in 1417 is unknown, we do know the reason why Peter litigated with Peter Kasztellanfi. Peter Kasztellanfi was married to Peter's sister Helen, and this marriage also opened the way for land acquisition through the female line. Peter Kasztellanfi and his wife Helen requested part of her father's estate on the ground that it concerned *ius femineum*, claiming it from Helen's brother.¹¹ After Peter died childless, his cousin Sigismund of Voćin (Atyinai) inherited his estates, but also the litigation with Peter Kasztellanfi. The dispute, which dragged on for years (Peter was mentioned as deceased in 1418), finally ended in 1430 with Peter Kasztellanfi and his wife receiving five villages with 60 tenant plots.¹²

¹⁰ Magyar Országos Levéltár, Budapest [Hungarian National Archives, Budapest], Q szekció: Mohács előtti gyűjtemény [Q section: Pre- Mohács collection] (hereafter: MNL OL) I – (Diplomatikai fényképgyűjtemény) [Photo collection] (hereafter: DF)230968 .

¹¹ Helen and Peter's grand grandfather obtained the estate of Voćin by marriage to unnamed daughter of Egyed Monoszló, see Pál Engel, *Magyarország világi archontológiája 1301-1457/Középkori magyar genealógia* (PC CD-ROM, Budapest, 2001) (hereafter: MVA/KMG), sub voce Aba nem 3. Atyinai-gagyai ág 1. tábla: Atyinai; Zrinka Nikolić Jakus, "Obitelj Čupor Moslavački", *Radovi Zavoda za znanstvenoistraživački i umjetnički rad u Bjelovaru* 4 (2011): 279.

¹² MNL OL-DL 88052.

These last two examples concerning *ius femineum* demonstrate that women could inherit landed possessions outside the framework of the filial quarter, which is noteworthy to underline. When it comes to the filial quarter, several important aspects are worth stressing. First of all, land among the nobility of the Kingdom of Hungary-Croatia was considered an “inalienable possession”, to use A. Weiner’s concept, and as such besides its economic value, landed possessions had another value as “symbolic repositories of genealogies and historical events” and “their unique, subjective identity gives them absolute value placing them above the exchangeability of one thing for another”.¹³ These possessions were inseparable from the identity of their owner, whose goal was to transfer them to the next generation because their loss would represent a loss for one’s own self and the identity of the group they belonged to. With this in mind, it is not unexpected that tensions arose when the filial quarter was given in land, and we see repeated attempts by some Pekri’s to regain what was once donated to their female members and their husbands and offspring. An instructive example, cited by Banyó but without fully stressing its significance, comes from Szabolcs County, but is still worthy of consideration.¹⁴ At the end of the 14th century, Catherine returned to her brother the estate he had given her as her filial quarter, stating that she did so because she feared it might cause strife between their descendants.¹⁵ This, as well as examples among the Pekri, indicates that the donation of the land as a filial quarter was perhaps acceptable for one generation, that is for fathers and/or brothers, but that it could lead to trouble in the next generation. Since brothers in many cases handed filial quarters to their sisters, could it be that the closeness generated from upbringing in the same household, and thus closeness between siblings, influenced this? How did the distancing when sisters became members of other households influence these relations?¹⁶ These are extremely important questions, but unfortunately, the source material offers only hints to follow.

From Catherine’s example, who took money instead of land, thereby preventing the dissipation of the patrimony, one could argue that it was the solidarity of the kindred at play. However, we could then ask which kindred was in question, only to conclude that the framework of a kindred is a poor guide for answering such questions. Affines and the networks and relations created through marriage seem more fruitful. In this regard, the examples considered above, as well as practices such as returning marriages that E. Fügedi called attention to, suggest

¹³ Annette B. Weiner, *Inalienable Possessions: The Paradox of Keeping-While-Giving* (Berkeley: University of California Press, 1992), 33; the concept is stressed in Nekić, “Plemički rod Tetenj”, where the following remarks and discussion on filial quarter also appear.

¹⁴ Banyó, “The Filial Quarter”, 53.

¹⁵ Kálmán Géresi, *A nagy-károlyi gróf Károlyi-család oklevéltára*, vol. I (Budapest, 1882), doc. 250, p. 416.

¹⁶ See for example instructive remarks by Jonathan R. Lyon, *Princely Brothers and Sisters: The Sibling Bond in German Politics, 1100-1250* (Ithaca: Cornell University Press, 2013), 53-59.

that the bonds between families created through marriage were not a matter of one generation, but that the relations between affines, for better or worse, extended through time.¹⁷ The first precondition for this was the knowledge that such ties existed, and E. Fügedi's conclusion that the knowledge of female ancestors was poor would indicate otherwise.¹⁸ However, the examples given here, and the phenomenon of delayed donation of the filial quarter that Banyó stressed, also present in Slavonia, give ground to a different conclusion: the knowledge of female ancestors extended through several generations.¹⁹ The case of John, general vicar of Church of Zagreb, who knew four generations of his female ancestors, shown precisely in the case concerning the filial quarter, could thus be more usual than presumed.²⁰ What facilitated this knowledge? I would argue that this genealogical knowledge was, just as in the case of male relatives and ancestors, connected, not exclusively, but to a large degree to the "genealogy of land". That is, this kind of knowledge was connected to (potential) rights associated with the filial quarter, or *ius femineum* for that matter, as we have seen.²¹

When Custan and Ladislaus, nobles from Zala County, gave their sister Kate as a wife to Slavonian nobleman George in 1307, they gave to her and her husband half of the estate Kuzyn *in signum vnitatis et dileccionis, cognacionis ac consanguinetatis, maxime eciam pro iuribus predictae domine, que de possessionibus comitis Ambrosii patris sui iuxta consuetudinem regni proueniebant*.²² These rights concerned the filial quarter, as attested in 1358 when Ladislaus' son confirmed his father's donation *ratione quarte* to Kate's three daughters and their husbands.²³

¹⁷ Erik Fügedi, *The Elephánthy: The Hungarian Nobleman and his Kindred* (Budapest: CEU Press, 1998), 103-109. Banyó ("Filial Quarter", 62) also points to such a conclusion but without further explanation of the repercussions of such a statement. Marija Karbić stresses that women kept ties with their families of birth, but without emphasizing the continuity of relations between affines across generations, "Položaj plemkinja u Slavoniji tijekom srednjeg vijeka", *Historijski zbornik* 59 (2006): 29-30.

¹⁸ Erik Fügedi, "Verba Volant... Oral Culture and Literacy among Medieval. Hungarian Nobility", in: *Kings, Bishops, Nobles and Burghers in Medieval Hungary*, ed. János M. Bak (London: Variorum Reprints, 1986), 15-16.

¹⁹ See also example given by Tamás Pálosfalvi, *The Noble Elite in the County of Körös (Križevci) 1400-1526* (Budapest: MTA Bölcsészettudományi Kutatóközpont, 2014), 339.

²⁰ *Codex diplomaticus regni Croatiae, Dalmatiae et Slavoniae* = *Diplomatički zbornik Kraljevine Hrvatske, Dalmacije i Slavonije* (hereafter: CD), vol. XVII: 1386-1394, comp. Tadija Smičiklas, ed. Stjepan Gunjača, suppl. Jakov Stipišić (Zagreb: JAZU, 1981), doc. 380, p. 534.

²¹ Concept of "genealogy of land" comes from Patrick Geary, *Phantoms of Remembrance: Memory and Oblivion at the End of the First Millenium* (Princeton: Princeton University Press: 1994), 78-79; Patrick Geary, *Living with the Dead in the Middle Age* (Ithaca: Cornell University Press, 1994), 80-83; Patrick Geary, "Land Language and Memory in Europe 700-1000", *Transactions of the Royal Historical Society* 9 (1999): 170-172.

²² CD, vol. VIII: 1301-1320, ed. Tadija Smičiklas (Zagreb: JAZU, 1910), doc. 135, p. 147.

²³ Gyula Nagy Tasnádi, *Anjoukori okmánytár. Codex diplomaticus Hungaricus Andegavensis*, vol. VII (Budapest, 1920), doc. 186, p. 340.

In another case, Paul *de Raven* and his sons adopted John, son of Fabian, in 1367 because Paul wanted *sibi ac dictis filiis suis seu generacioni ipsorum noue affinitatis connexione providere*. To achieve this Paul gave John his daughter Margaret as a wife, along with the filial quarter which was provided *cum possessionibus et non cum pecunia*.²⁴ These two, and previous considerations, clearly indicate that understanding the filial quarter is inadequate if the relations with the affines are overlooked. Thus, instead of focusing solely on the tensions that giving “inalienable possession”, i.e., the filial quarter in land, could and did produce, it is important to recognize that these transactions also defined relations with affines in a significant way. If the “unalienable possession” did leave the kindred, it established a stake in another kind of network, those of affines, and such a connection reminded the two families joined through marriage of their roots, highlighting the kinship links through the female side. In reaction to the overwhelming emphasis on the kindred as a source of solidarity, M. Rady suggested that historians should look at other institutions and social relations providing it, suggesting, besides *familiaritas*, which has received considerable attention from historians, the county community as an important source of social cohesion.²⁵ I would argue that more emphasis should be placed on affines as an important source of solidarity and a network providing social cohesion over generations. That is especially important because these affinal relations were also a significant building block of county cohesion.²⁶

Diffusion of the filial quarter to Slavonia (13th Century)

Now, it is time to examine the filial quarter from another perspective. Following Banyó’s approach, the number of cases of the filial quarter in the source material covering medieval Slavonia, and the ratio between those given in land versus cash will be analyzed. I will divide the time spans in the periods: until 1320s, between 1320s and 1400, and between 1400 and 1430. The reasons for this demarcation will become clear from the following discussion.

There are only few recorded cases of the filial quarter in Slavonia in the 13th century, suggesting that this institution spread there from Hungary. This happened through the process of social diffusion and under the influence of royal decrees, that is the Golden Bull from 1222. The Bull stated that if a *seruiens* should die

²⁴ CD, vol. XIV: 1367-1373, comp. Tadija Smičiklas, ed. Marko Kostrenčić (Zagreb: JAZU, 1916), doc. 26, pp. 42-43; doc. 40, pp. 66-67; doc. 43, pp. 70-71; doc. 46, pp. 73-75; doc. 143, pp. 199-202.

²⁵ Martyn Rady, “Erik Fügedi and the Elefánthy Kindred”, *The Slavonic and East European Review* 77 (1999), no. 2: 307-308.

²⁶ Quite clear from Pálosfalvi, *Noble Elite*.

without a son(s), a quarter of his estates should pass to his daughter(s).²⁷ We find three such examples following the world of the law in Slavonia.²⁸ This is significant since Banyó found that in practice most of the quarters were given to women who had brothers.²⁹ There are several cases of such practice in Slavonia, and it is significant that they are connected to noblemen who had estates not only in Slavonia but in Hungary also, and who had strong ties with nobles from Hungary. This is the case with the aforementioned Benedict Pekri and George, as well as the Monoszló and Szencsei/Svetački kindreds.³⁰

Further evidence is provided by two cases revealing Croatian custom regarding marriage gifts in Slavonia. Namely, while in Hungarian customary law *dos* signifies dowry, the widow's portion of her husband's estate, in Croatia *dos* referred to the dowry, a gift given by the bride's family on the occasion of her marriage.³¹ Thus, when in 1332 several nobles from Rakovec sued their kinsman for giving part of his estate to his son-in-law *cum filia sua in dotem*, it is obvious that in this case *dos* referred to a nuptial gift.³² In the other case from 1322, the nobles from Dubica, Odolen and his sons, gave Odolen's daughter, married to Mark son of Andrew, some estate *pro dote et quarta filiali*.³³ In this case *dos* likely refers to dowry but is coupled with the giving of the filial quarter, indicating some kind of fusion between Croatian and Hungarian customary law. What these clues suggest is that the practice of giving the filial quarter was gradually introduced into Slavonia under the influence of royal legislation and through social diffusion, and that in the process collided and mixed with Croatian customary law.

A peculiarity of Slavonia, which persisted until the end of the middle ages, is that unlike in Hungary, there is no indication of Church's involvement in cases con-

²⁷ János Bak et al., ed., *Decreta Regni Mediaevalis Hungariae = The Laws of the Medieval Kingdom of Hungary*, vol. 1: 1000-1301. (Idyllwild: Charles Schlacks, Jr., 1992), 32.

²⁸ CD, vol. VI: 1272-1290, ed. Tadija Smičiklas (Zagreb: JAZU, 1908), doc. 224, p. 262; CD, vol. V: 1256-1272, ed. Tadija Smičiklas (Zagreb: JAZU, 1907), doc. 952, pp. 485-6, CD VI, doc. 422, pp. 505-6, the last two with high degree of certainty.

²⁹ Banyó, "The Filial Quarter", 10.

³⁰ For Monoszló see Lajos Thallóczy, Sándor Horváth, *Alsó-szlavóniai okmánytár (Dubicza, Orbász és Szana vármegyék), 1244-1710* (Budapest, 1912), doc. 3, pp. 3-4, and in general for the family see Nikolić Jakus "Čupor Moslavački". In the case of Svetački it was probably the filial quarter as it was an estate given by a brother to his sister, MNL OL-DL 94409; for the family see Vjekoslav Klaić, "Plemići Svetački ili nobiles de Zempche: (997.-1719.)", *Rad JAZU* 199 (1913): 1-66.

³¹ For the difference see Damir Karbić, "Hrvatski plemićki rod i običajno pravo", *Zbornik Odsjeka za povijesne znanosti Zavoda za povijesne i društvene znanosti Hrvatske akademije znanosti i umjetnosti* 16 (1999): 92. In Hungary the equivalent to dowry were *res parafernales*.

³² CD, vol. X: 1332-1342, ed. Tadija Smičiklas (Zagreb: JAZU, 1912), doc. 13, p. 16.

³³ MNL OL- Diplomataikai fénykégyűjtemény [Photo collection] (hereafter: DF) 262639.

cerning the filial quarter.³⁴ These cases fell under the regular jurisdiction of banal and county courts, and the judicial procedures related to the cases of filial quarter, dower, and *res paraphernales* were considered an old custom of the *regnum Sclavonie*, as noted in a case from 1505.³⁵ This is significant because, while Banyó does not heavily emphasize the Church's role in the inclusion of the question of the filial quarter in the Golden Bull, he still acknowledges Church's general influence on matters concerning the filial quarter.³⁶ In Slavonia, this influence cannot be seen, which may have contributed to the slower adoption of the filial quarter there.

Becoming institutionalized custom (14th Century)

The fourteenth century presents an entirely different picture. By then, it was established that daughters were entitled to their share of inheritance in the form of the filial quarter, making it an institutionalized custom. This is evident in several cases where it was explicitly stated that women expected the filial quarter due to them *iuxta regni consuetudinem*. We saw it in the case from 1307, and it was invoked in cases from 1365 and 1383, for instance.³⁷ It is not surprising then that the number of cases involving the filial quarter rose dramatically. Altogether, I found 39 cases of the filial quarter from the 1330s until the end of the century. From the 1330s and 1340s Slavonia increasingly opened up to influences from Hungary after nearly 50 years of oligarchical rule.³⁸ In this context, the prior development of social diffusion intensified, resulting in the widespread adoption of the practice of giving the filial quarter. However, there is a caveat regarding the

³⁴ I was able to find only one such a case from the 1410s, but it was connected to Zagorje in Varaždin County, Andrija Lukinović, ed., *Povijesni spomenici zagrebačke biskupije*, vol. V: 1395-1420 (Zagreb: Kršćanska sadašnjost, 2004), doc. 338, pp. 451-452; doc. 340, pp. 456-457; doc. 352, pp. 472-74; doc. 366, pp. 501-504.

³⁵ MNL OL-DL: 101358... *vestuta autem consuetudine regni huius Sclauonie observari solita requirente cause in facto iurium quartaliciozum sicuti etiam dotum et rerum paraffernalium (...)...xat octauali termino per iudicem suum ordinarium decidi solent et terminari...*

³⁶ Banyó, "The Filial Quarter", 14-15; the role of the Church concerning the introduction of filial quarter in Hungary is emphasized more strongly by Martyn Rady, "The Filial Quarter and Female Inheritance in Medieval Hungarian Law", in: ...*The Man of Many Devices, Who Wandered Full Many Ways...*: *Festschrift in Honor of János M. Bak*, eds. Balázs Nagy and Marcell Sebok (Budapest: CEU Press, 1999), 424-5. Regardless of these differences, both authors emphasise Church's involvement in matters concerning the filial quarter in the subsequent period.

³⁷ MNL OL-DL 100100; CD, vol. XVI: 1379-1385, comp. Tadija Smičiklas, ed. Marko Kostrenčić, suppl. Jakov Stipišić and Miljen Šamšalović (Zagreb: JAZU, 1976), doc. 272, p. 342.

³⁸ For the political history of the period see Nada Klaić, *Povijest Hrvata u razvijenom srednjem vijeku* (Zagreb: Školska knjiga, 1976), 343-357, 514-531; Antun Nekić, "The Oligarchs and the King in Medieval Slavonia, 1301-1342", *Südost-Forschungen*, 74 (2015): 1-25; Antun Nekić, "Društvene mreže i uspon oligarha: primjer Babonića (od 1270-ih do 1320-ih)", *Historijski zbornik* 70 (2017), no. 1: 1-34.

ubiquity of this practice in medieval Slavonia. For example, nobles from Zagreb County often married partners from Croatia and vice versa, which raises questions about the presence of the filial quarter in such marriages, a matter on which we are unfortunately poorly informed. It is certainly indicative that, excluding Turopolje, there are only a few registered cases of the filial quarter in Zagreb County.³⁹ Furthermore, many nobles from outside Hungary-Croatia came to Slavonia and married there. Did they adopt the filial quarter as a custom, or did they retain their own customs regarding marriage gifts and inheritance? Two cases are instructive. In 1390, Nicolaus de Surdis, a newcomer to Slavonia from Italy, objected at the papal court that he had arranged a marriage for his sister Margaret with Ákos of the Ákos kindred, a descendant of Slavonian ban Mikcs. It was agreed that Margaret's mother Helen would provide *pro dote et nomine dotis dicte Margarete septem millia florenorum de Ungaria*.⁴⁰ The marriage plans were disrupted, which is why the case ended at the papal court, and it reveals that the marriage gift was conceptualized as a dowry. The other case comes from 1425, involving two newcomers to Slavonia: Tomas Benvenuti from Italy and John called Glaynar of Ostrožin from the German lands. Again, dowry was in question, this time amounting to 50 golden florins, and the case was registered because the arrangement involved the possibility of a land transfer.⁴¹ These two cases suggest that these nobles conducted marriage transactions in the idiom – dowry – of their respective homelands. It is hard to estimate the frequency of such a practice, but there was quite a significant number of newcomers from Italian and German lands in Slavonia in the fourteenth and fifteenth centuries.⁴²

Another aspect to consider regarding marriages of Slavonian noblewomen to nobles outside Slavonia is illustrated by the following example. In 1368, Elizabeth, daughter of John of Voćin (Atyinai), from Križevci County, who was married to Croatian nobleman George, son of Gregory of Krbava, was granted *gratiam specialem* by the king. This entitlement allowed her to receive her filial quarter in land instead of cash, even though this was contrary to the custom of the realm.⁴³

³⁹ Suzana Miljan, "Plemićko društvo zagrebačke županije za vladavine Žigmunda Luksemburškog (1387.-1437.)" (PhD diss., University of Zagreb, 2015), 98-100.

⁴⁰ *Bullae Bonicacii IX. P. M. Bonifác pápa bullái. 1389–1396* (Budapest, 1889), doc. 102, pp. 83-84.

⁴¹ Lajos Thallóczy, Samu Barabás, *A Blagay-család oklevéltára: Codex Diplomaticus Comitum de Blagay* (Budapest: Magyar Tudományos Akadémia, 1897), doc. 149, pp. 276-7.

⁴² For Germans see Pálosfalvi, *The Noble Elite*, 308-309, 289-292, 301-305; Suzana Miljan, "Grofovi Celjski i Nijemci, službenici njihovih utvrda u Zagrebačkoj i Križevačkoj županiji u kasnom srednjem vijeku (1385.-1456.)", *DG Jahrbuch* 20 (2013): 20; Suzana Miljan, „Nijemci u Turopolju u kasnom srednjem vijeku“, *DG Jahrbuch* 18 (2011): 38; among Italians Kastelanfi, Tulberti, Surdis, Benvenuti; also see Antun Nekić, "Pridošlice i oblici integracije u kasnosrednjovjekovnoj Slavoniji", *Historijski zbornik* 76 (2023), no. 1: 29-50.

⁴³ MNL OL-DL 87430: *...gratiam specialem duximus faciendam, quod ipsa quartam suam puellarem de universis possessionibus et possessionariis porcionibus predicti Johannis filii Laurencii patris*

One of her sisters, whose name is not recorded, was also married to a Croatian nobleman, royal knight Novak of Ostrovica from the Mogorović kindred. Together with her other sister and her brother Stephen, who had actually given Elizabeth part of the Voćin estate as her filial quarter, they disputed Elizabeth's rights in 1378 and tried to expel her from the property.⁴⁴ Besides the fact that the case reveals dynamic relations between siblings, it shows that the practice of giving the filial quarter was present in marriages between Slavonian noblewomen and Croatian noblemen. Elizabeth's case is noteworthy because she received her quarter in land due to royal favor. However, it can be inferred that even the other sister, Novak's wife, expected her filial quarter, though not necessarily in land. This highlights the strong influence and agency of women in matters concerning the filial quarter. Even when they married nobles from areas where the filial quarter was not a customary practice, these women still demanded it. Evidently, the husband's origin was irrelevant; marital status alone was sufficient for (some) women to claim what they perceived as their undisputed right.

When examining the ratio of filial quarters paid in cash versus those given in land, it was predominately in favor of those in land, with 30 instances compared to 9.⁴⁵ However, this might not present a fully objective picture. It touches upon a potential methodological shortcoming in Banyó's work. When dealing with sources from Slavonia, it becomes apparent that they are predominately concerned with matters of land, and transactions concerning cash were only rarely put to writing. Consequently, payments of the filial quarter in cash that did not lead to litigation had much less chance of being recorded. The parallel with *res paraphernales* is instructive. These were marriage gifts a woman received from her family, and they consisted of moveable property. Despite being part and parcel of every marriage, they are rarely mentioned in sources, usually only appearing when (mis)appropriated by husbands or their relatives, which led to litigation. For instance, in 1350, Michael de Sancto Michaele sued nobles from Svetačje, from Križevci County, concerning the *res scriniales* of his daughter, which she brought to her marriage with the then-deceased Peter Svetački. This property was quite valuable, consisting of 200 marks, 15 silver vessels, 15 belts,

sui, ubilibet et in quibuslibet comitatibus regni nostri habitis et quouis nominis vocabulo vocatis sibi prouenire debentem licet iure, dominio atque portio eidem hereditaria successio veluti filio legitimo deberentur, quia tamen huic iuri regni nostri repugnat consuetudo tali non obstante consuetudine a suis fratribus et generacionibus dicti Johannis filii Laurencii patris sui non cum rebus seu pecunia sed cum possessionibus et possessionariis porcionibus pro se et suis prolibus procreatis et procreandis ab eadem iure et titulo perhempnali possidendam recipiendi reoptinendi meram et liberam habeat facultatem, testimonio presencium mediante.

⁴⁴ MNL OL-DL 87504.

⁴⁵ See Appendix. For some cases it was impossible to establish whether it was cash or land, MNL OL-DF 230441; MNL OL-DL 218562; MNL OL-DL 5007, 5083; CD XIV, doc. 125, p. 181.

17 saddled horses, and 60 studs.⁴⁶ However, if there had been no litigation, it would have left no written trace, as was the case for most instances involving *res parafernales*. This suggests that our evidence favors recording of the cases where the filial quarter was given in land. Therefore, any attempt to establish an actual ratio or some kind of statistical analysis is methodologically inadequate.

Nonetheless, the number of cases and the practice of giving the filial quarter in land should not be disregarded or neglected, as the choice between land or cash is still significant. While Banyó did not find any social distinctions among nobility influencing the choice of giving the filial quarter in cash or land, the Slavonian cases suggest otherwise. Namely, almost all the cases of the filial quarter given in land are connected to small communities of the lower and conditional nobility from Turopolje, Križevci, Rovišće, Moravče, Križevci, Komarnica, Garić and Garešnica. Such a practice among communities of lower nobility was recognized by Banyó, who drew parallels between Spiš and Turopolje.⁴⁷ Turopolje has received the most attention among Croatian historians in this regard. Suzana Miljan has made valuable observations about Križevci, which confirmed the picture presented by Turopolje.⁴⁸ The findings of this study further confirm this pattern for other similar communities and the lower nobility in general. Previous authors emphasized that these were highly endogamous communities, which meant that the land given as a filial quarter circulated between families, and in a sense there was no loss for either family.⁴⁹ Additionally, the availability of cash among the petty nobility likely influenced the choice of land as a medium for

⁴⁶ See the document in Éva Bátoriné Halász, “14. századi hercegek és hercegnők oklevelei” in: *Hercegek és hercegségek a középkori Magyarországon*, ed. Atilla Zsodlos (Székesfehérvár: Városi Levéltár és Kutatóintézet, 2016), doc. 8, p. 143. For further examples see Daniela Dvořáková, “Manželstvo uhorskej šľachty”, in: *Manželství v pozdním středověku: rituály a obyčaje (Colloquia mediaevalia Pragensia 14)*, eds. Paweł Kras and Martin Nodl (Prague: Filosofia, 2014), 9-10.

⁴⁷ Banyó, “The Filial Quarter”, 57-58; for a general comparison of Spiš and Turopolje see Gábor Szerényi, “Noble Communities in Spiš and Turopolje in the Thirteenth and Fourteenth Century”, in: *Slovakia and Croatia: Historical Parallels and Connections (until 1780)*, eds. Martin Homza, Jan Lukačka and Neven Budak (Bratislava: Department of Slovak History, Faculty of Philosophy, Comenius University in Bratislava, 2013), 222-226.

⁴⁸ For discussion on the filial quarter for Turopolje see Magdalena Apostolova Maršalevski, “Quarta puellaris po običajnom pravu Turopolja (13. – 16. stoljeće)”, *Zbornik Pravnog fakulteta u Zagrebu* 42 (1992): 141-149; Marija Karbić, “Property Relations and Family Structure of the Nobility in the Sava and Drava interamnum in the Middle Ages”, in: *Slovakia and Croatia: Historical Parallels and Connections (until 1780)*, eds. Martin Homza, Jan Lukačka and Neven Budak (Bratislava: Department of Slovak History, Faculty of Philosophy, Comenius University in Bratislava, 2013), 243-44; and for Križevci see Miljan, “Plemićko društvo”, 101.

⁴⁹ Banyó, “The Filial Quarter”, 57, Karbić, “Položaj plemkinja”, 22-23; Marija Karbić, “Heiratsstrategien des Kleinadels von Turopolje (Slawonien) im Spaeten Mittelalter”, *East Central Europe - L'Europe du Centre-Est* 29 (2002), no. 1-2: 167-176; Miljan, “Plemićko društvo”, 98-101.

filial quarters.⁵⁰ It is also notable that there are several cases where noblewomen from the layer of petty nobility married commoners, prompting the filial quarter to be given in land.⁵¹

Among the dozen cases of the filial quarter paid in cash, most were connected to families of the middling nobility, such as the Budrovac, Gorbonok, and Cristalouch families.⁵² Still, following the argument about the likelihood of registering filial quarters paid in cash, it is reasonable to suppose that the actual number of these cases was much higher within the middle nobility. Firstly, they had easier access to cash.⁵³ Their marriage patterns were also rather different from those of the lower nobility, as they frequently chose partners from all parts of the Kingdom of Hungary-Croatia, despite many marriages still occurring between Slavonian nobles.

There are, of course, some exceptions. For instance, nobles from Garić gave one sister her filial quarter in land, while the other received hers in money. However, from a later period, we see that even the latter eventually received her quarter in land, only to renounce it in favor of her sister.⁵⁴ Conversely, there are cases where middling nobility received land instead of cash. George *de Megeryche*, a former prothonotary of Duke Stephen, received the filial quarter in 1357 in land. It is significant that he received it from nobles with estates in Slavonia, but who were not residents there but in northern Hungary.⁵⁵ When George died without male heirs, his estates were taken over by his cousins, who took care of George's daughters and gave them 12 *mansiones iobagionales* in 1386, on the grounds that

⁵⁰ See the different conclusions regarding Turopolje by Karbić, "Položaj plemkinja", 23; still, having in mind the nature of the written sources, only the insight provided by archeology on the material life of this and other similar communities of the lower nobility could give more definite answers. For Turopolje see for instance the beginning of such an undertaking in Nikolina Antonić, "Prilog proučavanju gospodarstva i prehrambenih navika u Turopolju u 13. stoljeću-životinjski ostaci s nalazišta Kobilić 1", *Zbornik Odsjeka za povijesne znanosti Zavoda za povijesne i društvene znanosti Hrvatske akademije znanosti i umjetnosti* 34 (2016): 21-37.

⁵¹ Appendix n. 1.13, 1.14, 1.26.

⁵² See Appendix n. 2.1, 2.2, 2.4, 2.6, 2.7. For the definition, and all the problems connected to defining this stratum of nobility see the extremely important observations by Pálosfalvi, *Noble elite*, 7-51.

⁵³ Good part of the families from the layer of the middle nobility had markets (*forum*) or market towns (*oppidum*), and served as *familiars* for the aristocrats, which were all ways for acquiring significant resources, not to mention other possibilities for acquiring cash; for nobles from Križevci county see Pálosfalvi, *Noble Elite*; also see an instructive list of markets in Križevci and Zagreb County in Boglárka Weisz, *Markets and Staples in the Medieval Hungarian Kingdom* (Budapest: Research Centre for the Humanities, 2020), 166-169, 207-208.

⁵⁴ Appendix n. 2.3; even the other cases are specific. N. 2.9 in which the estate was lost on the ground of escheat, and the new owners paid out the dower, *res paraphernales* and the filial quarter to the female members of the family. The case of Zenthandras family from 1374 (n. 5) is also specific, since they were social climbers in the second half of the fourteenth century, see Pálosfalvi, *Noble Elite*, 260.

⁵⁵ Appendix n. 1.7. For a similar case, see Appendix n. 1.28.

these were due to them as a filial quarter, but primarily because George had acquired the estate, which devolved upon them after his death.⁵⁶ Thus, even the cases that seem to be exceptions are rather specific. That is, even when considering that some cases do not conform to the pattern, most of the cases support the conclusion that there was a dichotomy between the petty nobility, who typically gave the filial quarter in land, and the middle nobility, who tended to give it in cash. This dichotomy even opens the possibility that such divergent practices might have served as markers of status for those in the layer of the middling nobility or aspiring to be recognized as part of this group. Overall, this reveals a significant difference in contrast to the practices of nobles from Hungary as presented by Banyó.

Banyó conducted his inquiry until 1416, primarily because this period was well-covered by editions of source materials, especially the *Zsigmondkori oklevéltár*. The choice of the year 1426 in this study is also connected to this edition.⁵⁷ This inquiry revealed that the practice of giving filial quarters continued among the noble communities of Turopolje,⁵⁸ Križevci⁵⁹ and Kalnik⁶⁰, confirming the previous discussion, as all of these filial quarters were given in land. However, besides these instances, only a few additional cases of filial quarter were found.⁶¹ This is puzzling, especially since the quantity of preserved source material increases significantly after 1400, which would typically suggest an increase in the number of charters dealing with the filial quarter. Currently, there is no clear explanation for this development, and the resolution of what happened to

⁵⁶ Appendix n. 1.25. This case should not be read as a confirmation for the idea that the filial quarter was given only from the acquired, and not from the hereditary estates. The latter were also given as the filial quarter, as shown by Banyó ("Filial quarter", 54-55), and neither does material from Slavonia suggest that the filial quarter was given only from the acquired estates.

⁵⁷ Besides *Zsigmondkori oklevéltár* I relied on Thallóczy, Barabás. *A Blagay-család oklevéltára*; Ive Mažuran, *Povijesni izvori Slavonije, Baranje i Srijema* (Osijek: Državni arhiv u Osijeku, 2002); Ferdo Šišić, "Nekoliko isprava iz početka XV stoljeća", *Starine* 39 (1938): 130-320; Emilij Laszowski, *Monumenta historica nobilis communitatis Turopolje*, vol. I (Zagreb, 1904); Lukinović, *Povijesni spomenici*, vol. V; Andrija Lukinović, ed., *Povijesni spomenici zagrebačke biskupije*, vol. VI: 1421-1440 (Zagreb: Kršćanska sadašnjost, 1994); Éva B. Halász, Suzana Miljan, *Diplomatarium comitum terrestrium Crisensium (1274-1439)* (Budapest: Magyar Tudomány Akadémia, 2014).

⁵⁸ Laszowski, *Monumenta historica*, I, doc. 181, pp. 172-73; doc. 182, p. 174-75; doc. 187, pp. 179-80; doc. 197, pp. 189-191; MNL OL-DF 218698.

⁵⁹ Halász, Miljan, *Diplomatarium*, doc. 29, pp. 180-181; doc. 41, pp. 195-197; doc. 48, pp. 203-204.

⁶⁰ MNL OL-DF 256973.

⁶¹ Lower nobility from Garić region, in cash, from 1408, ZsO II, doc. 6460; another from 1409, which was given after a long litigation MNL OL-DF 230885; and those connected to Raven family, Pálosfalvi, *Noble Elite*, 128.

the practice of the filial quarter in Slavonia after 1400 will have to wait for future research. I can, however, propose some leads that might point in the right direction. Firstly, the chaotic situation resulting from the political upheavals between 1386 and 1403, during which many nobles, especially from Križevci County, lost their estates due to infidelity, could be a factor. The period that followed was marked by insecurity, particularly after the confiscations of 1403. Although many nobles managed to regain their estates by 1408, the process was rather messy.⁶² This insecurity likely had a significant impact on the practice of the filial quarter, as it would have been challenging to establish a quarter of land or its monetary equivalent if one did not know what assets they possessed at any given moment. Thus, the shock caused by the long period of political instability followed by a huge number of confiscations could have had a negative impact on the practice of the filial quarter. Another trend observable from the first half of the fifteenth century is the increasing amount of information on female family members. Until that period, such information was sparse, but from then on, women, and especially daughters, are much more frequently represented in the source material.⁶³ Women became more active protagonists in matters of land, and it is perhaps not a coincidence that the category of *ius femineum* discussed above began to appear in Slavonia during this time.⁶⁴ Additionally, T. Pálosfalvi points to the growing importance of inheritance through the female line, observable from the 1450s.⁶⁵ Taken together, these indications suggest that the position of women was changing. However, the precise nature and the extent of these changes, and how they correlate with the practice of the filial quarter, will require further study.

⁶² See Pálosfalvi, *Noble Elite*, and also Antun Nekić, “‘Iustos ab iniustus fidelesque ab infidelibus sequestrare et manifeste propallare’: registar nevjernih i politička kriza u srednjovjekovnoj Slavoniji početkom 15. stoljeća/ Iustos ab iniustus fidelesque ab infidelibus sequestrare et manifeste propallare: The Register of Rebels and Political Crisis in Medieval Slavonia in the Early 15th century”, *Miscellanea Hadriatica et Mediterranea* 8 (2021): 65-96.

⁶³ See for example Pekri (Nekić, “Plemićki rod”, 133-135); Kasztellanfi (Maček, Jurković, *Rodoslov plemića*, 240-1); Nelipići (Engel, MVA/KMG, sub voce Hrvatinic 2. tábla: Nelepec (dobrakucsai); Töttös (Bátmonostori), who were big landowners in Zagreb County (Engel sub voce: Töttös (bátmonostori), Zrinski (Miljan, “Plemićko društvo”, 233). Also see the similar remarks for the Himfi family by Cosmin Popa-Gorjanu, *Medieval Nobility in Central Europe: The Himfi Family* (Cluj-Napoca: Editura Mega, 2019), 157.

⁶⁴ See as an example MNL OL-DL 100492; MNL OL-DL 102069.

⁶⁵ Pálosfalvi, *Noble Elite*, 338-339.

Conclusion

The practice of female inheritance in the form of the filial quarter spread gradually from Hungary to medieval Slavonia during the 13th century, facilitated by social diffusion and under the influence of royal legislation. The concept of daughters receiving a share of the inheritance in the form of the filial quarter took deeper root only in the fourteenth century, when we see such a practice as an institutionalized custom. The slower adoption of this practice in Slavonia could be connected to the lack of Church involvement, unlike in Hungary. Additionally, the custom did not seem to permeate all of Slavonia, as evidenced by the low number of cases in Zagreb County, where Croatian customary law regarding marriage gifts and female inheritance was also present. The period between 1400 and 1430 saw a dramatic drop in the number of filial quarter cases, an issue that remains unresolved. In the short term, this decline might be linked to the political crisis at the beginning of the 15th century. In the long term, it could be related to changes in the position of women in society, who became increasingly visible in the source material.

These dynamics present a contrast to Banyó's findings for Hungary. One notable difference is the explanation behind the practice of giving the filial quarter in land versus money. In Slavonia, lower nobility tended to give land, while middling nobility favored monetary payments, which reveals a social dichotomy not observed by Banyó in Hungary. Finally, although the marriage strategies of the nobility received due attention from historians, this investigation into the filial quarter suggests that a better understanding of the role of affines and the social networks created through marriage requires a multigenerational perspective, which would allow a fuller appreciation of the significance of the filial quarter in shaping the lives of the nobility in the Kingdom of Hungary-Croatia.

Appendix. Filial quarters between 1330s and 1400

1. Land:

1. 1335 (CD X, doc. 155, pp. 213-14)
2. 1343 (CD XI, doc. 57, pp. 71-72) lower nobility
3. 1343 (CD XI, doc. 324, pp. 430), lower nobility, Zagreb County
4. 1354 (CD XII, doc. 191, p. 253), Garić
5. 1356 (Halász, Miljan, *Diplomatarium*, doc. 9, pp. 158-59), castle district of Križevci
6. 1357 (János Karácsonyi, *Az első Lónyayak. Családtörténeti tanulmány* (Nagyvárad: Sz. László nyomda, 1904), doc. 23, pp. 99-101), lower nobility
7. 1358 (CD XII, doc. 397, p. 494; doc. 383, pp. 498-99). Garić
8. 1359 (CD XII, doc. 586, p. 586), probably Rovišće
9. 1361 (MNL OL-DF 219391), Komarnica and Garešnica
10. 1362 (CD XIII, doc. 190, p. 263; doc. 209, pp. 284-85.), Garić
11. 1367 (CD XII, doc. 8, pp. 12-14).
12. 1367 (CD XIV, doc. 26, pp. 42-43; doc. 40, pp. 66-67; doc. 43, pp. 70-71; doc. 46, pp. 73-75; doc. 143, pp. 199-202).
13. 1369 (CD XIV, doc. 123, pp.178-9; doc. 129, pp. 184-85), ignobles, Rovišće
14. 1369 (CD XIV, doc. 124, p. 180; doc. 146, pp. 205), ignobles, Garešnica
15. 1369 (CD XIV, doc. 158, pp. 221-2), Garešnica
16. 1373 (CD XIV, doc. 424, pp. 545-7), lower nobility
17. 1377 (CD XV, doc. 190, p. 263), Glavnica
18. 1377 (MNL OL-DF 248659), lower nobility
19. 1377 (Halász, Miljan, *Diplomatarium*, doc. 20, pp. 167-168), castle district of Križevci
20. 1377 (Halász, Miljan, *Diplomatarium*, doc. 21, pp. 168-171) castle district of Križevci
21. 1378 (CD XV, doc. 271, pp. 372-3). Garešnica
22. 1380 (MNL OL-DL 35889), Rakovec, lower nobility
23. 1381 (CD XVI, doc. 174, pp. 205-206) Komarnica
24. 1384 (Laszowski, *Monumenta*, I, doc. 101, pp. 106-107), Turopolje

25. 1386 (CD XVII, doc. 8, pp. 7-8), lower nobility
26. 1391 (MNL OL-DL 100242), Garić, ignobles (husband was a *hospes* from Garić, MNL OL-DL 103390)
27. 1394 (CD XVIII, doc. 421, pp. 603-603) castle district of Križevci
28. 1394 (Béla Radvanszky, Levente Závodszy, *A Héderváry-család oklevéltára*, vol. 1 (Budapest, 1909), doc. 104, p. 109)
29. 1397 (CD XVIII, doc. 166, pp. 240-1)
30. 1397 (CD XVIII, doc. 182, p. 281; doc. 183, pp. 282-284.), Komarnica, Garić, Moravče

2. Money:

1. 1331 (CD IX, doc. 452, p. 559) Gorbonok, Budrovac
2. 1356 (MNL OL-DL 100065), Cristalouch
3. 1363 (CD XIII, doc. 208, pp. 283-84) lower nobility
4. 1369 (MNL OL-DL 65796) Gorbonok
5. 1374 (MNL OL-DL 100140) Zenthandras, lower nobility
6. 1378 (CD XV, doc. 287, p. 397) Budrovac
7. 1378 (CD XV, doc. 295, pp. 405-406), Budrovac
8. 1379 (CD XVI, doc. 43, p. 52)
9. 1382 (CD XVI, doc. 209, p. 255), lower nobility

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Antun Nekić*

Djevojačka četvrtina: pogled iz srednjovjekovne Slavonije

Sažetak

Djevojačka četvrtina oblik je ženskog nasljeđivanja koji se prakticirao među plemstvom Ugarsko-Hrvatskog Kraljevstva u srednjem vijeku. U radu se za razumijevanje fenomena djevojačke četvrtine kao studija slučaja uzima srednjovjekovnu Slavoniju u razdoblju od 13. stoljeća do 1426. godine. Srednjovjekovna je Slavonija od 13. stoljeća imala svoje specifično običajno pravo, *consuetudines regni/terre Sclavonie*. Na prostoru srednjovjekovne Slavonije susretalo se hrvatsko te ugarsko srednjovjekovno običajno pravo, što je iznimno važno za razumijevanje djevojačke četvrtine, odnosno za oblike ženskog nasljeđivanja u srednjovjekovnoj Slavoniji. U radu se analizira kojim mehanizmima se djevojačka četvrtina kao nasljedna praksa proširila iz Ugarske u Slavoniju u 13. stoljeću, te se ističe uloga društvene difuzije te kraljevske legislative. Praksa djevojačke četvrtine u Slavoniji hvata dublje korijenje tek od 1330-ih godina, te kroz 14. stoljeće postaje sastavni dio običajnog prava koji je usmjeravao nasljedne prakse slavonskog plemstva. Donekle sporije usvajanje djevojačke četvrtine u srednjovjekovnoj Slavoniji naspram Ugarske može se tražiti u činjenici da se crkva u Slavoniji, za razliku od Ugarske, nije miješala u slučajeve koji su se ticali djevojačke četvrtine. Pored toga, jako je malo primjera korištenja djevojačke četvrtine kao oblika ženskog nasljedstva među plemstvom srednjovjekovne zagrebačke županije, gdje se pak može zapaziti utjecaj hrvatskog običajnog prava u pitanju praksi nasljeđivanja. Kada je u pitanju period između 1400. i 1426. godine, primjetan je pad broja zabilježenih slučajeva djevojačke četvrtine. Ostaje otvorenim pitanjem što je uzrok tome, a dva aspekta zaslužuju pažnju. Prvi aspekt, u kratkoročnom pogledu, su posljedice koje je ostavila politička kriza koja je trajala od 1390-ih godina do 1408. godine. Drugi aspekt se pak tiče činjenice da se kroz cijelo 15. stoljeće može primijetiti mijenjanje društvenog položaja žena, koje u izvornom materijalu postaju sve vidljiviji dio plemićkog društva.

Gljučne riječi: djevojačka četvrtina, žensko nasljeđivanje, srednjovjekovna Slavonija, običajno pravo, Ugarsko-Hrvatsko Kraljevstvo

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