

ABOUT A THEFT OF OXEN FROM SOLNOC COUNTY (1353)

Abstract: The aim of this short study is a clear one from my point of view. It is a part of my interest in the evolution of crimes and criminality in these parts of the medieval kingdom of Hungary. I stated this on various other occasions, even in my other studies dedicated to this particular aspect of medieval life: criminality has its own roots and these roots are connected with the “social soup” of different areas. These roots are connected with violence, pride, the idea of justice and many other aspects of medieval life. The act of stealing, in this instance, a pair of oxen from a peasant, could be regarded as an act of courage, of bravery, a desperate gesture, an act of insubordination to the rules of the mightier, an act of power (*manibus armatis...*), an act of revenge, but it has a simpler explanation from our point of view: an act of disrupting the balance of forces, an unstable one, in a world dominated by violence and intolerance.

The study offers, also, the possibility of a reconstructed genealogy for two minor noble families of the region in the fourteenth century.

Keywords: Solnoc County, Zothmar County, crime, theft, abduction, violence, justice

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This article continues a series of studies I have dedicated, throughout time, to the subject² of medieval criminality in the South-Eastern corner of the Kingdom of Hungary in that era. Through a series short articles, I aim to bring to the forefront some of the “tales of crime” from the Transylvanian Middle Ages. Through this collection of past stories, I wish to familiarise the historical community and the larger public with the “banality of evil”, if I were to use the phrase consecrated by Hannah Arendt, a survivor of the Holocaust, who was invited to recount the events of Adolf Eichmann’s trial in Jerusalem.³

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² See *Banditismul în epoca medievală*, forthcoming, in AMN, with more elaborate references, the two popularising articles derived from and inspired by my PhD Thesis, printed in the collection *Povești despre Cluj*, volumes I and II, published in 2015 and 2016 by Editura Școala Ardeleană from Cluj-Napoca, my recently published PhD Thesis: *Proscriși și infractori în Transilvania (secolele XIV-XVI)*, Cluj-Napoca, Editura Argonaut, 2017, or *Neamul Kállayi și infracționalitatea medievală*, published in the proceedings of the 2003 historians’ colloquium from Bistrița.

³ Hannah Arendt, *Eichmann in Jerusalem: a report on banality of evil*, Viking Press, New York, 1963.

My contention is that criminal acts were part of medieval quotidian reality, that they belonged to a series of activities designed to highlight the “manhood” of those individuals, their struggle for land, but also contradictory sets of values and ideals that animated the era. The actions I will present will only strengthen the point I am making.

In a well-known work about the “communities of violence”, David Nirenberg shows that in modern historiography the fourteenth century has been associated with terms such as “full of calamities” or “crises”, and one of its features was war.⁴ Unlike in the thirteenth century, if there was a conflict between the king and his barons at the level of Europe, there was also a polarisation of social relations between the urban elite and the workers, the residents of the urban and rural areas, or between peasants and seigneurs.⁵

Richard W. Kaeuper states that in modern historiography, besides the great wars of the era, involving the military and their specific behaviour, discussions have also focused on a “private war”, on the home front of internecine struggles among the knights, which have been regarded as something non-specific or, rather, as a way of imposing hierarchical order.⁶ From his point of view, however, there is a dichotomy between the code of honour of the period and the behaviour of those who professed the idea of honour in an imperfect society, where, even if such ideals were achieved, they could not be at all compatible with the ideal of an even more orderly and more peaceful society, as people aspired to in the late medieval period.⁷

Richard Kaeuper is seen, in any case, as one of the most important historians who have lately approached the subject of internal struggles among the nobility. He is an American historiographer⁸ and his analytical structure is closer to English or Australian historiography.⁹

Kaeuper has spoken about the fact that, in 1387, Honoré Bonet wrote to King Charles VI of France, telling him that “it’s no big deal that in this world wars and battles break out, since they were first and foremost waged in heaven”.¹⁰ Literary statements certify the fact that the nobility was often offended by the state of peace, as recorded in numerous such works.¹¹

Chanson Gaydon (the twelfth century) informs about the fact that these knights preferred not to have peace, for, accustomed to battle cries, they loved war more than *Nones and Complines*¹² [*Night Prayer or Apodipnon in the East*] and would have preferred to erase a city from the face of the earth than to have two cities

⁴ David Nirenberg, *Communities of violence*, New Jersey, Princeton University Press, 1996, pp. 18-19.

⁵ *Ibidem*.

⁶ Richard W. Kaeuper, *Chivalry and Violence in the Middle Ages*, New York, Oxford University Press Inc., 1999, p. 3.

⁷ *Ibidem*, pp. 3-4.

⁸ See the initial considerations of the researcher Claire Valente, *The Theory and Practice of Revolt in Medieval England*, Aldershot, Ashgate Publishing Limited, 2003, note 3, p. 2.

⁹ *Ibidem*, mentioned alongside the late Maurice Keen († 2012), Philippa Maddern († 2014) or John Roland Seymour Phillips.

¹⁰ Richard W. Kaeuper, *Chivalry and violence in the Middle Ages*, p. 162.

¹¹ *Ibidem*.

¹² *Ibidem*, p. 163.

surrender to them without a fight.¹³ Boson, the hero of *Girart de Roussillon* (fifteenth century), is depicted as a man whose taste for battle is endlessly renewed.¹⁴

Returning to the first statement of the American historian, we may believe that the Hungarian nobility was undergoing a process of “settlement” and “composition” (after 1212), in particular through its aristocracy, and identified in the thirteenth-fourteenth centuries with these ideational values or adhered to them, at the level of images. This can be noticed in the sigillography and iconography of the period:



Fig. 1. A representation of King Andrew II in *Codex Stuttgarti*.¹⁵



Fig. 2. Comes Mathias, son of Ban Roland, seal (1281)¹⁶.

¹³ *Ibidem*.

¹⁴ *Ibidem*, p. 162.

¹⁵ Ödön Böncz, *A magyar viselet IV László koráig*, în *Archaeologiai Értesítő*, Kiadja a Magyar Tudományos Akademiá, Budapest, 1887, vol. 7, p. 2.

¹⁶ Béla Majláth, *Egy lovas pecsét a XIII. századból*, în *Archaeologiai Értesítő*, Kiadja a Magyar Tudományos Akademiá, Budapest, 1879, vol. 13, p. 397.



Fig. 3. Types of Hungarian seals in the eleventh-fourteenth centuries.¹⁷

Karen Jones notes that in the medieval period there was, including among the non-privileged population layers, a desire to prove one's masculinity, one's manhood, in relation to the others¹⁸ - all the more so among the nobility. There were also sets of conflicting rules, imposed by the family, the church or the members of the social group¹⁹: Christian ethics and the virtues of honour and of self-control clashed with the secular values that defined the status of men and their identity, based on physical aggressiveness and sexual conquests, including for the older men.²⁰

Trevor Dean indicates, in the footsteps of other historians of criminality, the fact that an official report was made when one or more limits of tolerance to violence had been violated, the first border delineating public order from private honour.²¹

¹⁷ *Archaeologiai Értesítő*, Kiadja a Magyar Tudományos Akademiá, Budapest, 1880, vol. 14, plate XX.

¹⁸ Karen Jones, *Gender and Petty Crime in Late Medieval England. The Local Courts in Kent: 1460-1560*, Woodbridge, The Boydell Press, 2006, p. 2.

¹⁹ *Ibidem*, p. 3.

²⁰ *Ibidem*.

²¹ Trevor Dean, *Crime and Justice in Late Medieval Italy*, New York, Cambridge University Press, p. 24.

Hannes Kleineke notices that, in the case of the nobility from the area of Cornwall, for example, there were various reasons that headed the populace towards a life exposed to crime: violent land disputes, various resources that generated great profits in the area, a murderous disposition leading even to hiring gangs of familiars to carry out the dirty work of these nobles; the examples discussed by this scholar lead to a simple conclusion: the great mass of the nobility cannot be treated as a homogeneous mass.²²

The document we want to refer to is part of the typology that I proposed in my PhD Thesis for validation by the scientific community. This typology shows similarities with the typological rudiments present in Trevor Dean's book, which inspired me in my doctoral approach, and with the typology proposed by Karen Jones in 2006.

The taxonomy structured by the series of crimes presented in the document from the year 1355 is this: type I, 4.m.I (ox theft); I, 13.b (wounding a battle horse); I,3 (armed attack); I,13.of (injury of persons), and I,2.e and 2.m.I (the robbery of clothes and big livestock).²³

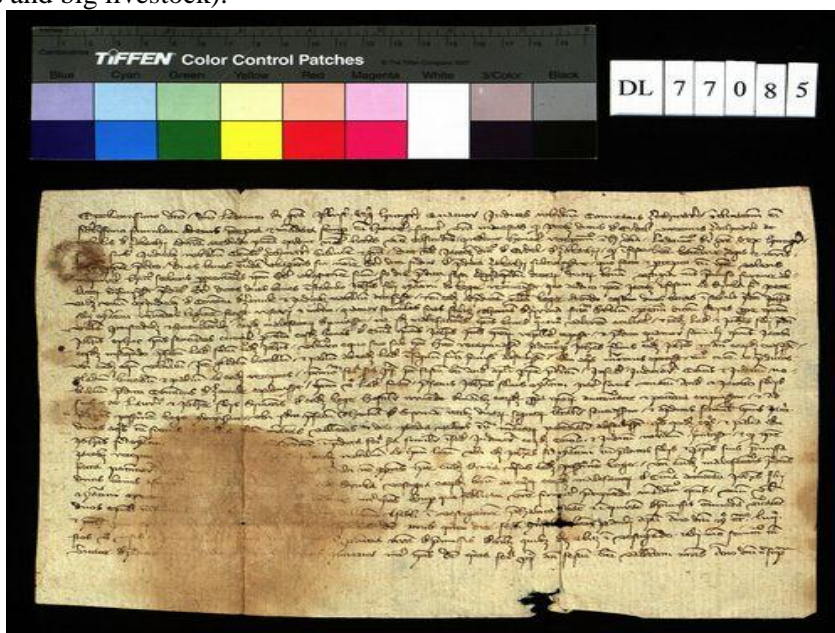


Fig. 4. DL 77085 (obverse).

The document²⁴ is part of the collection stored in the National Hungarian Archive, DL 77085,²⁵ recorded in: Archive of the Zichy family, 214, C. 45, a

²² Hannes Kleineke, *Poachers and Gamekeepers: four fifteenth century west country criminals, in Outlaws in Medieval and Early Modern England. Crime, Government and Society: 1066-1600* (eds. John C. Appleby, Paul Dalton), Farnham, Ashgate Publishing Limited, 2009, pp. 145-146.

²³ Mihai Hasan, *Proscriși și infractori în Transilvania (secolele XIV-XVI)*, Cluj-Napoca, Editura Argonaut, 2017, pp. 45-46.

²⁴ The original can be found here: <https://archives.hungaricana.hu/hu/charters/view/46690/?pg=0&bbox=-779%2C-3376%2C4349%2C23>, accessed on 03.02.2018.

transumption of the act issued by the noble judges of the county of Satu Mare on February 13, 1354,²⁶ sent to King Louis I. The document of February 13, 1354 is original, written on paper, “with traces of 3 ring-shaped seals applied on the fold”.²⁷

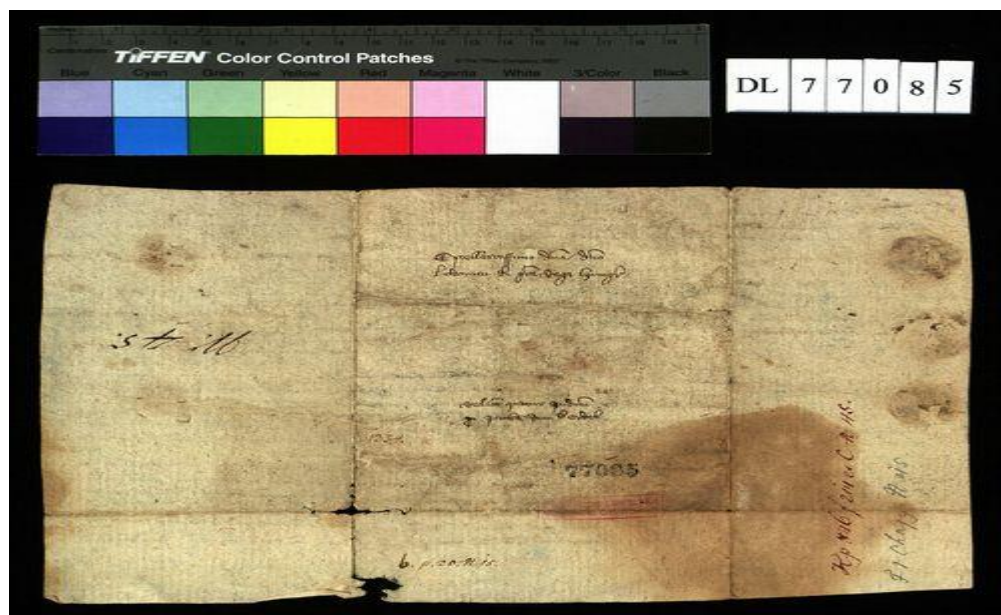


Fig. 5. DL 77085 (reverse).

This document was published in a first phase in the diplomatarium of the Zichy family, volume II, then in the series *DRH-C*, and in the last phase, as a regest in *CDT*. The original shows a stain of moisture which has partly affected the document, featuring the following formula of address: ” *Excelentissimo domino, domino Lodouico, dei gratia regi Hungarie*” (see the obverse) and the sender: “*quatuor iudicum*”.

The document of the four noble judges in the county of Satu Mare, from February 13, 1354, shows that the investigation initially requested by the king (or in the name of the king) was carried out. The *inquisitoria*-type letter was presented to the court by the vice-comes of Satu Mare, the noble Iacobus *dictus de Erdel* from Zakachy [today Săcășeni, formerly Socaciu, SM], who, as suggested by the text of the letter, had brought it before the county court after 29 January 1354, when it was drafted in the royal chancellery of Buda. The document of 29 January indicates that the vice-comes had personally gone to the royal court: “*Lodouicus dei gracia...dicit nobis Iacobus dictus de Erdel de Zakachy*” to solve the case that concerned him directly: “*duos boves cuiusdam iobagionis sui nomine Stephani dicti Fudur de*

²⁵ Cf. *Codex Diplomaticus Transsylvaniae* (Erdély Okmánytár), ed. Zsigmond Jakó, Magyar Országos Levéltár, Budapest, 2008, volume 3 (1340-1359), pp. 274 and 275 (hereinafter *CDT*).

²⁶ *Documenta Romaniae Historica*, series C, Transilvania, volume X, București, Editura Academiei RSR, 1977, doc. 251, p. 258 (hereinafter *DRH-C*).

²⁷ *Ibidem*.

*predicta Zakachy subtraxissent*²⁸. The robbery happened in Zakachy [Săcășeni], on the territory of Satu Mare county, and, as we learn further, the thieves were from Kege [Chegea] in Solnoc county.

2/5/2018

Săcășeni către Chegea 447276 - Google Maps

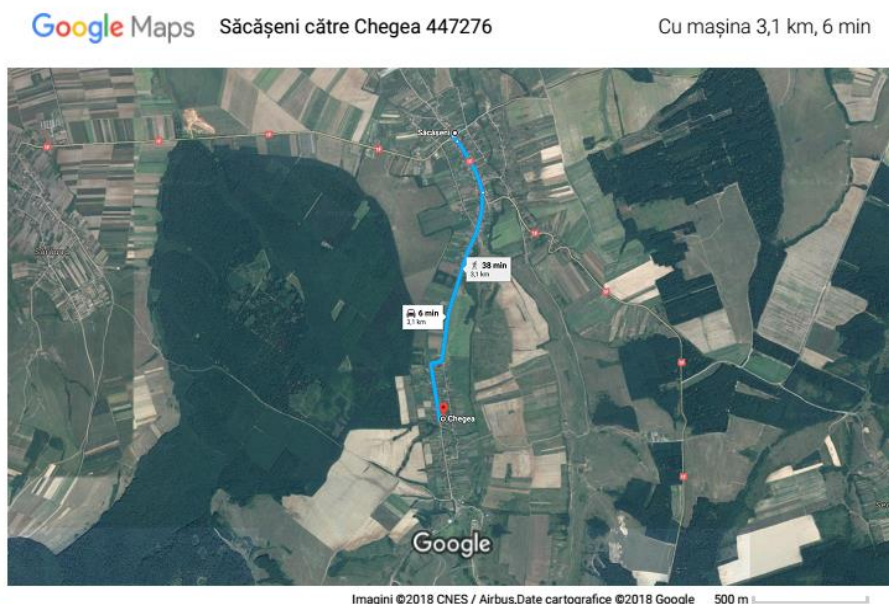


Fig. 6. The distance (at present) between Săcășeni and Chegea: 3.1 km (cf. Google Maps).

The noble master Iacobus *Erdélyi* Szakácsi was a familiar of Nicolaus Csák, who was comes of Satu Mare between 1353-1354.²⁹ The comes was mentioned in office between 20.06.1353 and 13.02.1354,³⁰ the last date being also the one in which he brought the *inquisitoria* before the county courthouse.

The case went to trial at the royal court, as it transpires from the documents preserved, at least in this phase, in view of the fact that the function performed by Iacobus, that of vice-comes and *ex officio* judge of the county of Satu Mare, would have placed him in a position of abuse of power, to which plaintiffs were very attentive, even in that period.³¹ For the same reason, we believe that this case was not tried entirely by the court of Solnoc county, in whose area of jurisdiction the wrongdoers lived (he was transferred directly to the court), and neither in other courts (the court judge, the palatine). Given this fact, plus the costs of a trial by the king and the last instance court (royal tribunal), Iacobus wanted to solve the problem in the costliest way possible for the perpetrators and without dragging the trial through other courts. And, again, like in thousands of other cases, we only have a sequence of the trial: the investigation (second, here) phase, in this case.

²⁸ *Ibidem*.

²⁹ Pál Engel, *Magyarország világi archontológiája 1301-1457*, vol. I, MTA Történettudományi intézete, Budapest, 1996 [Archontológia], p. 188.

³⁰ *Ibidem*.

³¹ Mihai Hasan, *Proscriși și infractori în Transilvania*..., p. 396.

The two localities mentioned in the trial appear to have been located near the boundary line between the counties: "...the judges of Satu Mare county.... went at once to... to one of the judges of county Solnoc", about over $\frac{1}{4}$ of a Hungarian mile³² away (3.1 km, on the road, at present), as shown by the situation in the field (see figure 6). In the area can be found forest remnants, which indicates the fact that in the fourteenth century the forested area must have been more extensive, perhaps bordering the road connecting the villages. The fact was confirmed also toponymically, in 1361, when reference was made to the point *Câmpia plopilor* (Nyaresmezew) on the Zakachy estate.³³

Returning to the case discussed, in the original text, preserved in the transumption, we understand that the two oxen of Stephanus *dictus Fudur* (flamboyant?, proud?) were stolen during the feast of Saint Catherine (25 November). Since said Stephanus complained to the master of the theft, it follows that the owner was not at home at that time, and we may suspect that he was attending mass. Sending this serf to investigate the traces suggests that no neighbours were in the area to give descriptions of the thieves.

It follows, also, that Iacobus was the one making the subsequent decisions: "after 'this' happened and he found out, he wanted to look for those who had committed this crime.." and Stephanus was lucky because the master was in Zakachy. However, the pursuit was triggered on November 26. As it was late November, it might have already snowed in the region, and if the theft took place around noon, two-three hours may have passed before the vice-comes was informed. Sending the serf in pursuit of the perpetrators, at nightfall, was useless in those conditions. The early winter weather is suggested by Ștefan's search for traces of the oxen: "to track down those two mentioned oxen" (*prosequendum dictorum duorum bovm vestigia*).³⁴ The noun *vestigia* is part of the same family of words as the verb *vestigatio* = to search, to track, to identify, to trace, to be on the trail of.³⁵ The tracks of the oxen could be identified clearly only in mud or loose snow, in autumn-winter, with low traffic on the roads connecting villages. It seems that the thieves, very sure of themselves, had not tried to cover their tracks, because Stephanus found the oxen in the stable (*stabulo*) of Iohannes Kegyei, son of Martinus.

However, a question should be raised: was the gesture of the Kegyei family premeditated? Personally I'd be inclined to think that yes, because the two oxen of Stephanus "the proud" must have drawn their attention some time before, and the feast of St. Catherine proved to be a very good opportunity for theft. The related documents (17 October 1354, 22 October 1361) suggest that the Erdélyi family had property issues with the members of the Kegyei family, who owned, through

³² Nicolae Stoicescu, *Cum măsurau strămoșii*, București, Editura Științifică, 1971, pp. 99-100: they had in mind the distance of 7.6 km or 11.13 km.

³³ DRH-C, XII, București, Editura Academiei RSR, 1985, doc. 61, p. 45.

³⁴ DRH-C, X, doc. 248, p. 254.

³⁵ J. F. Niermeyer, *Mediae latinitatis lexicon minus, fasciculus I*, E.J. Brill, Leiden 1976, p. 1080, entry: *vestigatio*, with this meaning from the above-mentioned document from 1354, in the laws of Edmund.

Iohannes, the brother of Martinus,³⁶ also part of the Vynemethi estate [Ujnmeth, today Unimăt, SM = *Noul Neamț*, the New German], and the reason that generated the conflict seems to have been Kege [Chegea], ultimately claimed as part of the heritage of the vice-comes's family (cf. the document of October 17, 1354). It seems very plausible that the logical consequence of the series of violent actions from November 1353 was the taking over, at least partially, or at the level of documents, of the Kege estate by Iacobus. Thus, the initial gesture of the ox theft of 1353 must have had some connotations related to the family *honour*, demonstrating an ability to respond, beyond the limits of the law, to the family that was seen as being more potent. In keeping with those written above, the consequences were certainly detrimental to the family of Iohannes Kegyei.

The serf Stephanus walked back $\frac{1}{4}$ of the mile he had initially covered and reported to the vice-comes that he had identified the oxen in the stable of the Kegyei family. This action must have unfolded throughout the day of 26 November, and “*on hearing this, that Iacobus went at once to Synka, son of Pete, that is, to one of the judges of county Solnoc*”. The character is rather obscure, for in those years he was identified just on this occasion in the *nomenclature* of the nobility from Solnoc,³⁷ and his genealogy is limited to a minimal tree: father-son. A single chronological and genealogical extension could be admitted, possibly, if the character of Petrus, son of Synka, mentioned on October 17 1354,³⁸ was the son of the noble judge in county Solnoc, certified in February 1354. The association would be appealing,³⁹ because it would fit in the anthroponomic pattern grandfather-grandson⁴⁰ (*Pete-Synka-Petrus*), and this Petrus was prevented, among others, from enjoying the usufruct of the Zakachy estate [Săcășeni]. We could thus consider that Synka, if we accept the association of persons, was an owner in the vicinity of Săcășeni and maybe even *cometaneu* (fellow yeoman) with the vice-comes at the border of the two counties. This would explain the rapid movement of Iacobus to the *curia* of Synka for the matter of the theft of oxen, on the same day, most certainly.

³⁶ DRH-C, XII, București, 1985, doc. 61 [22.10.1361], p. 45. Martinus was the name of the father of Iohannes Kegyei cf. doc. 248, p. 254 and doc. 274, p. 284 (DRH-C, X).

³⁷ Șerban Turcuș *et alii*, *Antroponimia în Transilvania medievală (secolele XI-XIV). Evaluare statistică, evoluție, semnificații*, Cluj-Napoca, Editura Mega, 2011, volume II, p. 1251.

³⁸ *Ibidem*. See also DRH-C, X, doc. 274, p. 284. The chronological extension of up to 1374 for Synka, offered by the study of Petri Mór: *Szilágy vármegye monográfiája*, 5. kötet. *Birtokosok, családok története A-K*, Kiadja Szilágy Vármegye Községe, 1903, p. 430, the entry *Erdélyi* is just a printing error, since his reference is to the document of 17 October 1354, quoted from Nagy Imre, *Anjoukori Okmánytár*, volume 6 (1353-1357), Budapest, Kiadja a Magyar Tudományos Akadémia, 1891, doc. 159, pp. 243-244.

³⁹ In 2011 I hesitated, together with the co-authors of the above-mentioned paper, in merging the Synka characters into one; we were cautious because of the parsimonious nature of the identities of the characters attested in the source: DRH-C, X, doc. 274, p. 284.

⁴⁰ Mihai Hasan, *Antroponimia și modalități de transmitere a antroponimelor în cadrul familiilor nobiliare transilvănene de la sfârșitul secolului al XIII-lea și din secolul al XIV-lea*, in *Acta Musei Napocensis*, 48/2, Cluj-Napoca, Editura Argonaut, 2011, pp. 9-30 and *Anthroponymy and modes of anthroponym transmission in the Transylvanian noble families in the late thirteenth century and throughout the fourteenth century* [II], in *Acta Musei Napocensis*, 50/2, Cluj-Napoca, Editura Argonaut, 2013, pp. 97-101.

From the curia of judge Synka, the document says, the two officials went to the village of Kege [Chegea], where they announced that the two oxen found in the stable would be taken into the custody of the court (“legitimately”); in parallel, lest the perpetrators should “have” the oxen missing, four servants (*famuli*) of the vice-comes: Thomas de Zyrma (probably a petty noble), Nicolaus, Stephanus and Petrus *dictus Feyes* were sent by their master to oversee the village. Indeed, two of the sons of Iohannes, i.e. Ladislaus, the first born, and Iohannes, his fourth son, of course, the perpetrators of the theft, tried to take the oxen out of the parental yard, feeling that “this could imperil them” (*ex hoc ipsis sencientes evenire periculum*), but the four who had been sent to guard them (*custodibus*) and to spy on them from afar (*speculatoribus*) spotted them. The legal language of the text is obvious, for the four acted on official mandate from the master (who was also an official with judiciary powers in criminal matters) and from a judge of the neighbouring (identical) county. The verb *deputasset* is used (here, it seems, with the meaning of official mission: to *delegate* in order to retrieve)⁴¹ for the mission of those men. Also, the preference for the action of spying (*speculare*), rather than for investigation (*explorare*), previously undertaken by the serf Stephanus (that *vestigatio* of the oxen tracks) indicates the preparation of a flagrant by the posse of the vice-comes. We cannot rule out that the four had done this before. Surely, they were armed with bows and arrows, because one of them mortally wounded the horse of Ladislaus Kegyei, during the chase that started when the offenders tried to take the oxen out of the yard. We don’t know the location of Iohannes Kegyei’s curia, but it must have been in his part of the village, most likely towards Zakachy, and the direction of flight of the two brothers must have been to the South, across the field that was possibly covered in mud and/or snow. We can imagine the slight advance of the two, forcing the oxen to run as they were riding their horses, probably without too much noise, the four followers on their heels and the decision of the best archer of the four to stop the fugitives. Iohannes managed to escape, but Ladislaus, left without a horse, was captured by the four servants, who took his horse, his sword (*gladium*),⁴² his dagger (*biccellum*) and his mantle (*pallium*) as proof of the theft perpetrated by the two nobles. It seems that the oxen disappeared or were never found, as will be seen. It can be noted that Ladislaus was ready for any situation, as he was armed with weapons specific to one-on-one fights.

The text of the document becomes rather obscure here, because the data from the evening of November 26 or perhaps 27 November (Tuesday or Wednesday) are blurred or unclear. On Monday, December 2, Iacobus, the vice-comes, may have presented the so-called “capture” to the court in county Solnoc. The comes himself may have heard this case (unofficially, the vice-comes, since the voivode of Transylvania held this honour). At the same time, we know that the servants had been attacked by the relatives of Ladislaus (*proximi*); one was injured, and they were dragged to Kege by the attackers. So, only two servants were, at that time, in the village of Kege, one being the noble Thomas de Syrma, the other two having left earlier to Zakachy with evidence of the fight and of the theft. We suspect that

⁴¹ J. F. Niermeyer, *op. cit.*, entry: *deputare*, 11., p. 322, where the association *deputare* + *custodia* appears.

⁴² I notice that in the translation of the text, the sword does not appear among the things seized by the four servants of the vice-comes, see DRH-C, X, doc. 248, pp. 255 and 256.

Iohannes the young alarmed his relatives, who, heavily armed, attacked the two servants left with Ladislaus behind. Here, on the way to Kege (as shown in another place of the text), there was a violent clash between Iohannes the old man, his sons, Andreas and Iacobus, and, probably, the second cousins Laurentius and Iohannes, sons of Simon Kegyei, who either now or in the village (the text claims that the injury occurred in the village, but it makes no sense) badly wounded Thomas with two arrows. After the release of Ladislaus, they carried those two into the village, took their horses, harnesses and cloaks, all valued at 13 marks (3.18 kg silver, calculated by the mark of Buda, in the amount of 0.245 gr. or of 2.67 kg by the mark of Transylvania, in the amount of 0.206 gr.). The horses were ordinary (*equatiales*), judging by the price, and not for battle, and the cloaks seem to have been of average quality, for they were worth a mark and a half a piece, that is, about 10-12 silver denarii. Such property was associated with the social layer to which these servants belonged.

I do not know how those two servants managed to get home, in Zakachy. They were probably retrieved by the other servants of the vice-comes. Over the following days, the wounded horse of Ladislaus Kegyei died due to the injuries caused by arrows, and the carcass was skinned so that its hide could be shown to the judges on Monday, December 2, 1353. The two conflicting parties brought before the judges evidence that would have contributed decisively to the establishment of guilt. The text of the royal document insists strongly on the fact that the action of Iohannes and his relatives was *diabolical* (*nequiciosam simulacionem*), and Iacobus took Synka to court to ascertain the facts. Everything was proved thus, but the oxen were not found. In fact, the memory of the oxen in this context would appear hilarious if they did not play the role of judiciary argument in the determination of guilt. The text says that the traces of the horses and oxen were tracked, and the finding was that everything had happened as shown in the legal document. The culprits were the Kegyei family, as indicated by all the evidence. In February the court of Satu Mare reinforced the previous investigation.

From here on, the news related to the trial are almost completely missing. On February 13, 1354 the court of Satu Mare county notified the king that it had also investigated the case, and the facts were exactly as found by the court in Solnoc in the first instance. The fact that on October 17, 1354 Iacobus *Erdélyi* stopped the Kegyei family members from any action of laying down the boundaries around the Kege estate or from settling on it, under the deed issued by the chapter of Oradea,⁴³ suggests by inference who had prevailed in the trial, claiming rights on that estate.

The document of 22 October 1361 suggests a conflict between the relatives of Iohannes Kegyei from the Újnemethi family and Iacobus *Erdélyi* for a flat area in the Zakachy estate,⁴⁴ and in the same year, it appears that there was an agreement for the sale of an estate between Iohannes Kegyei and his sons, and Iacobus and Iohannes, sons of Pető Szántói, in view of the attacks the Erdélyi Szakácsi family had waged on the Kege estate.⁴⁵

⁴³ DRH-C, X, doc. 274, p. 285.

⁴⁴ DRH-C, XII, doc. 61, p. 45.

⁴⁵ Petri Mór, *Szilágy vármegye...*, p. 723.

However, on November 4, 1365 Petrus de Kege appeared in the position of familiar and procurator of the Dobokái family in a lawsuit with the Kusályi family,⁴⁶ so the family must have stayed there and looked for more powerful allies in the Dobokái family members from the Kőkényesradnót kin, whose familiar Petrus became.

The fact is that these gestures, epitomising the “banality of evil”, were triggered by the fight for territory. I would be tempted to believe that the members of the Szakáci family were the moral authors, who forced the less potent nobility in the surroundings to take desperate measures against a more powerful noble. I would be tempted, from the start, to think that Louis I or his baron judges favoured the noble Iacobus because of the solidarity of the most powerful, but we must not forget that in 1351 the Angevin king reinforced the Golden Bull, including the *jus resistendi* of royal servants, so he tried to limit the abuses of the aristocracy. We must not forget that the Angevin system produced more legal acts than all the previous Arpad monarchs, and the type of western justice was always upheld through the justice of the king and of his judges. Abuse was not accepted at the level of political and legal discourse, but it was favoured by the pyramid of familiarity and the almighty power of the magnates at the institutional county or castellan level.

What is certain is the theft of the oxen of that serf Stephanus and their loss in the midst of winter, the forest and the wolves on the border of counties Solnoc and Satu Mare. What is certain is that Thomas was seriously injured and that a horse was shot to death with an arrow, that violent blows were exchanged by both parties to the trial to “share” or “obtain” justice. The theft of the oxen could be seen as a desperate gesture, as an act of defiance, as an act of courage, of power, of vengeance if it did not have another, simpler explanation: the destruction of a precarious balance in a society dominated by violence and intolerance.

⁴⁶ DRH-C, XII, doc. 436, p. 454.

ANNEX

Reconstruction proposal for the families *Újnemethi* and *Kegyei*