

# LAY OR MONASTIC? THE MEDIEVAL LANDSCAPE AND PROPERTY DISPUTES OVER TIBURCZTELKE (CHINTENI, CLUJ COUNTY)

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*Keywords:* medieval properties, landscape reconstruction, extinct village, Cluj-Mănăştur abbey, trial

*Cuvinte cheie:* proprietăți medievale, reconstrucția peisajului, așezare dispărută, abația de la Cluj-Mănăştur, proces

## *Introduction*

Studying the developments and present-day traces of the medieval rural landscape has been, for a long time now, a widely acclaimed research field across Europe. Multiple investigation methods and strategies were developed during scientific inquiries on the settlement systems and medieval estates with all their functional aspects and extensions (ranging from types of settlements and their structure, economic units and outbuildings, field systems, to their connections to ecclesiastic networks or road systems), while generating new and insightful data on the historical land use and land coverage. Consequently, several research fields are needed to supply relevant input and generate valid conclusions: history, archaeology, human geography, with ever-growing valuable contributions from the exact sciences. A result of these collaborations is the field of landscape archaeology. It brought forth substantial data on the rural landscape, through interdisciplinary methodology and approaches. For the research of the Middle Ages, a big step was taken as scientists began to regularly confront the written sources on landscape features with the present-day situation in the field in order to generate archaeological and historical reconstructions<sup>1</sup>.

For Transylvania, however, the circumstances are strikingly different. While the ample dictionaries concerned with the historical geography of the

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<sup>1</sup> We will limit our examples to the territory of Hungary as it supplies the closest parallels and best examples to the research on medieval Transylvania. Zatykó 2003; Szabó 2005; Zatykó 2010; Vadas 2013; Sárosi 2016; Pető 2018.

medieval kingdom of Hungary or present day Romania (that also include parts of Transylvania) are still a kingpin for the start of any research on the settlement system<sup>2</sup>, little else was done for large territories of the province. The details of the Transylvanian medieval settlement system, estate structures, and economic networks mainly drew the interest of the historians<sup>3</sup>. A few regional works concerned with the historical or ecclesiastical geography tried to corroborate the written, archaeological, or art historical data depending on its availability<sup>4</sup>. Recent archaeological monographs on the Székely Land<sup>5</sup> and Crasna County (outside the voivodeship)<sup>6</sup> should be listed as well. These are part of an ongoing trend to follow up and complement the scarce archival and toponymic data with information retrieved through field research in order to construct a more detailed picture of the archaeological topography. However, despite the progress these studies made in the field of medieval archaeology, they never envisioned a detailed analysis of the local historical landscape. From this perspective, the Transylvanian academia stands at the beginning of both field work and archival studies<sup>7</sup>.

In the outlined scientific context, we shall attempt to locate more accurately and reconstruct the landscape and historical setting of a small land plot situated approximately 10 kilometers north of Cluj-Napoca, within the present day borders of Chinteni (Fig. 1). During medieval times this land was called *Tiburcztelke*<sup>8</sup> and was at the center of a long-lasting litigation over its property rights between the Benedictine abbey from Cluj-Mănăstur (Kolozsmonostor) and a noble family, later named Tiburcztelkei. Despite *Tiburcztelke* being noticed and briefly discussed by the scientific milieu<sup>9</sup>, attempts to precisely determine its location and analyze more closely the controversies revolving around it were never made. Earlier scientific interest for this medieval property was incorporated into the historical inquiries concerning the monastic estate

<sup>2</sup> Csánky 1913; Suciu 1967–1968; Györffy 1963–1987; Engel 2001; Szabó 2001–2010.

<sup>3</sup> See for example, Jakó 1944; Mittelstrass 1961; Prodan 1968; Meschendörfer, Mittelstrass 1996; recently, Kovács 2005a; Hegyi 2006; Niedermeier 2012; Szabó 2012; Weisz 2012; Weisz 2013; Hegyi 2016.

<sup>4</sup> Popa 1988; Rusu 1996; Lukács 1997; Burnichioiu 2012a; Burnichioiu 2012b.

<sup>5</sup> Benkő 1992; Sófálvi 2005; Benkő 2012; Botár 2013; Sófálvi 2017.

<sup>6</sup> Csók 2015.

<sup>7</sup> Toda 2012; Bencze 2015a; Bencze 2015b; Bencze, Toda 2015–2016 (2019). For a similar research in Banat, based mainly on written sources, see: Iusztin 2018.

<sup>8</sup> For the names of extinct villages and land plots we shall use the medieval form with the highest charter frequency throughout the article.

<sup>9</sup> Csánky 1913, 336–337, 418; Prodan 1968, 561–586; Györffy 1987, 351; KmJkv 1990, 33, 38–40; Entz 1996, 93, 499; Szabó 2012, 51–52; Diaconescu 2013, 267, 282, 339, 413; Țigău 2018, 56, 57, 58, 61.

of the Benedictine abbey in Cluj-Mănăştur (*Kolozsmonostor*). At times it was a secondary topic in the research on the interactions between landowners and political actors from the medieval county of Cluj.

### *Medieval properties in the Chintău Valley*

The Benedictine abbey – a major player in the recorded quarrels over *Tiburcztelke* – was one of the most important landowners in northern Transylvania. Rich charter data allows the identification of four large estate units held by the abbey in Cluj County alone (Fig. 1). The exact crystallization period of this estate is unknown, along with the exact foundation date of the monastery. Though, based on the study of the written sources, it seems most likely that King Ladislaus I (1077–1095) was the founder<sup>10</sup>. It can also be hypothesized that the land possessions in Cluj County were part of the initial royal *dotatio* the abbey received from the king. Because of its royal foundation, the abbey was placed under the authority of the archbishop of Esztergom. The abbey's privileged status (*exemptio*), its extended properties, and considerable wealth caused repeated conflicts with the Transylvanian Bishoproic. In this context, the Benedictine monastery was constantly trying to maintain the integrity of its estates, additionally damaged during the Mongol invasion at the middle of the thirteenth century. The abbey's conflicts and litigations with the noble families and the town of Cluj that held lands neighboring the monastic properties, unfolded during the fourteenth and fifteenth centuries. This effort was documented throughout the late medieval period until its dissolution in 1556, when the national assembly decided on the secularization of the property of the Catholic Church. As a direct consequence, the abbey was handled by the treasury and its properties and lands were passed on to various owners<sup>11</sup>.

One of the four estate units from Cluj County was centered on the valley drained by the Chintău stream (a tributary of the Someşul Mic river). The property unit extended towards west, reaching the headwaters of the Popeşti and Sălişteia streams. The Benedictines from Cluj-Mănăştur were undoubtedly the dominant landowners in this area. Based on the medieval written evidence at least five lands and land plots were recorded as monastic and *Tiburcztelke* was one of them. In this cluster, the largest and central village was *Kayanthow* (today Chinteni). The other known lands surrounded Chinteni and mostly ranged along the border area of the estate cluster. It was a compact block of lands, but two larger properties stand out, one of which survived until present

<sup>10</sup> Ub 1892, 521, d. 570: *monasterium beatae virginis de Coluswar fundatio sancti regis Ladizlai*; KmJkv 1990, 19–20.

<sup>11</sup> KmJkv 1990, 88. See also, FRT 1911, 127–132, d. 49.

day (Chinteni) while the other (*Mariatelke*) was last recorded in the fifteenth century. Except for *Tiburcztelke*, all of the smaller properties disappeared at some point during the fifteenth century as well. These were often recorded by documents as separate land plots as a direct consequence of the disputes fueled by property claims and violent trespasses.

At this point we shall conduct a schematic overview of the spatial configuration of the land plots around *Tiburcztelke* and list the earliest charter data. The first to be recorded by a preserved authentic document was *Mariamagdalenä Theleke* (later on *Mariatelke*) in 1315<sup>12</sup>. It was located west of Chinteni at the headwater of the Sălișteä and Popești Valleys and represented approximately one third of the estate unit. In the medieval period it was neighboring *Zomordok* (Sumurducu), *Wjbuda* (within the borders of Sălișteä Veche), *Bwdatelke* and/or *Obwda* (in the area of Vechea). The remainder of the territory was dominated by Chinteni, while the land plots of *Tiburcztelke*, *Bewnye*, and *Szilvastelke* were located along its northern boundary, ranging from west to east. In this area, further to the north, the neighboring noble properties were *Bwdatelke* and/or *Obwda*, *Gyows* (now Deușu) and one of several villages called *Machkas* during the Middle Ages, namely *Josephmachkas* (*Chepeghewmachkas* and *Gyosmachkas* also have to be considered)<sup>13</sup>. The first authentic mention of *Tiburcztelke* comes from 1332, when its two neighboring monastic lands, Chinteni and *Bewnye* were recorded<sup>14</sup>. *Szilvastelke* was mentioned within the borders of the estate unit during the first half of the fourteenth century (in 1339) as part of a dispute with the Macskási nobles<sup>15</sup>. Except for a rather ambiguous charter from 1285<sup>16</sup>, all the other documents dated to the thirteenth and the beginning of the fourteenth century that mention Chinteni, *Tiburcztelke*, and *Bewnye* are forgeries of later dates<sup>17</sup>. The lack of earlier documents can be ascribed to the major destructions that the abbey suffered in its early years. However, based on the name structure of these lands, which includes the lexeme *-telke*, one can presume that these place names could have emerged earlier than indicated by the charter evidence<sup>18</sup>. This can also explain the fierce efforts of the abbey to keep this particular estate cluster intact. Also, the architectural origins of the still standing Catholic parish

<sup>12</sup> EO 2004, 115–116, d. 255, MNL DL 28717.

<sup>13</sup> At this stage in the research, the spatial identification of all the lands and parts of land that contained the name *Macskás* is not possible. For several attempts, see: Csánky 1913, 375–379; Szabó 2009, 502–523.

<sup>14</sup> EO 2004, 272, d. 742, MNL DF 292762.

<sup>15</sup> EO 2004, 373, d. 1039, MNL DL 28725 and DF 289168.

<sup>16</sup> EO 1997, 265, d. 412, MNL DL 38708.

<sup>17</sup> For a thorough analysis of these charters, see: Jakó 1984, 111–139.

<sup>18</sup> Laszlovsky 2018, 92. A discussion on the meanings of this term in the following pages.



church in Chinteni were traced back the first part of the thirteenth century<sup>19</sup>. Despite the fact that the boundary of the estate unit was already formed by the fourteenth century, all the emerging perambulations and reambulations of the late medieval period seem to have resulted during land disputes primarily based on the lack of early original documents. *Tiburcztelke*, in particular, was at the center of the tensest ownership litigations in the area.

### *Spatial identification of the land plot and medieval boundaries*

#### *Research method and available sources.*

We followed several research steps to identify the former location of the village of *Tiburcztelke*, along with the outline and possible changes in the medieval property boundary and structure. The analysis of the primary written sources was a starting point because the medieval documents preserved many relevant place names from the area. So far, we identified and used more than 50 documents connected to this micro-region that cover the fourteenth century until the middle of the sixteenth century, when the dissolution of the abbey took place. The character of the documents differs, from donation and instatement letters, to a variety of charters produced during the fourteenth century trial over *Tiburcztelke*: requests for investigation, reports containing perambulations and reambulations, witness depositions, complaints, prohibitions, sentences. The long-lasting trial led to the compilation of forged charters by the abbey personnel<sup>20</sup>. These documents are also useful for the reconstruction of the boundary configuration during the second half of the fourteenth century, as they confirm and clarify some of the landscape features mentioned by authentic sources. Most of the medieval archival entries are somewhat biased because the place names come mainly from perambulations and litigations thus they reflect only certain types of data which were useful for those trials over property rights. This depended on the need for an accurate delimitation of the contested boundaries. As a consequence, most place names indicate either boundary signs (*metae*), or border lots and physical features on which the boundary signs were located. Additional written records from the second half of the sixteenth century and the subsequent one, such as land registers, census reports, donations, and purchase letters, offer some data on the inner structure of the land plots. Also, they provide a documentary link between the modern period cartographic evidence<sup>21</sup> and the medieval toponymy, by pointing out various mutations of the

<sup>19</sup> Entz 1994, 55.

<sup>20</sup> Jakó 1984, 116–118, d. 2–3 and 127–128, d. 11. The transgressions were already exposed by 1383, but documents continued to be falsified until the beginning of the fifteenth century.

<sup>21</sup> The fundamental historical maps are the military surveys of the Habsburg Empire compiled

place names, such as corrupt forms, translations, or substitutions. Out of the approximately 16 noteworthy medieval toponyms and descriptive phrases connected to the area of *Tiburcztelke*, some were preserved but changed their form across time (e.g. *Tiburț/Valea Tiburțului/Groapa Tiburțului, Sebide/Zebedeu/Schebdö, Bénye/Bönye e[rdö]* or *Warhegy/Dealul Cetății*, recorded on maps from the nineteenth and twentieth centuries). In essence, this research consisted of a retrogressive inquiry for the spatial distribution of the medieval place names by retracing the preserved elements starting with the twentieth century maps and topographic plans and going back in time in order to ensure a valid correlation to the boundary descriptions. The spatial identification of some key points recorded by perambulations and reambulations enabled us to conduct several targeted field walks (between 2017 and 2019) and locate boundary markers, landscape elements, and archaeological traces, which we concluded to be medieval and early modern. All these were integrated into thematic maps.

*Location and extension of the land plot.*

An important research objective was the detailed boundary reconstruction of the northern limit of the monastic cluster<sup>22</sup>, which unveiled as we started mapping the identified place names. Here, we will discuss in detail only the segment directly connected to the land plot called *Tiburcztelke* but first, preliminary remarks on the general location of this extinct village are required. A descriptive phrase about the terrain, where the plot was located, comes from a charter forged during the second half of the fourteenth century: an alleged donation from 12 March 1301 by Abbot Lazarus to *Tyburtius* consisted of a *locum sessionalem seu fundum curie*, in a valley at the boundary of Chinteni, near the border of Deușu and Bewnye (*in quandam valle seu terra intra metas possessionis... Kayantow*)<sup>23</sup>. Even though, it is a forged document, we can safely presume that the location is accurate since this was produced for the abbey to justify its claims over *Tiburcztelke*. Several other documents recorded the boundary of this land plot as part of the larger Chinteni estate<sup>24</sup>, or by constant association with other monastic land plots<sup>25</sup>. The *Tiburcz* name persisted until

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from the middle of the eighteenth century until the end of the following one (available online, <https://mapire.eu/en/browse/country>).

<sup>22</sup> Bencze, Toda 2015–2016 (2019), figs. 3–5.

<sup>23</sup> EO 2004, 35, d. 2, MNL DL 28714.

<sup>24</sup> See, for example: EO 2008, 376, d. 1080, MNL DL 28074 (*particula terre...Tyburczthe-lke vocata...intra metas possessionum ipsius monasterii videlicet Kayanthow et Mariathelke ac Bewne...*) or DRH C 2006, 667, d. 435, MNL DL 38708 (*quaquidem metas supradicti nobiles de Zomordok, Bwdathelke, Gyows et Machkas prenotatas veras et iustas metas ipsisque possessionum domini abbatis silicet Mariathelke et Kayantho esse et semper fuisse dixissent et affirmassent, et eedem mete includerent possessionem Thyburchtheleke prenotatam*).

<sup>25</sup> 1435: MNL DL 28822 (*possession[um] p[re]fati monastery b[ea]te marie virginis... Kayantho*

this day as the name of the valley and hill located directly to the north from the settlement of Chinteni. Moreover, an explicit indication of the former village location on the First Military Survey of the Habsburg Empire (*Laage des gewesten Dorfs Tiburcz*) is also consistent with the medieval reference and points to the same valley, just as the two contemporary place names do (Fig. 2)<sup>26</sup>.

Table 1. Place names along the northern boundary of *Tiburcztelke*. / Toponime de-a lungul hotarului nordic al moșiei *Tiburcztelke*.

ID	place name	type	first character entry	occurrence in written and cartographic sources				
				14 c.	15 c.	16 c.	17–18 c.	19 c.
1	<i>Kayantho</i> (Chinteni)	settlement/ cultivated land	1285?/1332					
2	<i>Tiburcztelke</i> (extinct)	settlement/ cultivated land	1285?/1332					
3	<i>Mariatelke</i> (extinct)	settlement?/ cultivated land	1285?/1315				?	?
4	<i>Bewnye</i> (extinct)	woodland/cultivated land/settlement	1332					
5	<i>Szilvastelke</i> (extinct)	woodland/forest	1339					?
6	<i>Warhegy</i>	hill	after 1350					
7	<i>Zakadwuthberch</i>	hill	after 1350					
8	<i>Kayanthou Pada/ Josephzenaffywe</i>	hayland/pasture	1339					
9	<i>Zyluastelkeberke/ Yosephberke</i>	hill	1339					
10	<i>Saashalom/Faashalom</i>	hill	1379					
11	<i>Aranyasfoka</i>	stream	1379					
12	<i>via ired ad Gyows</i>	road	1379					
13	<i>mons Zebedey</i>	hill	1379					
14	<i>viam de...Kayantho ad Machkas</i>	road	1379					

*et Thybwrch a parte possession[um] Dyos et Buda).*

<sup>26</sup> On the Third Military Survey the area is called *Lippa Ucz* (probably a transcription error or a corrupt form).

ID	place name	type	first charter entry	occurrence in written and cartographic sources				
				14 c.	15 c.	16 c.	17–18 c.	19 c.
15	<i>via Vasarosuth/Beerchuth</i>	road	1418					
16	<i>via Wagaaswuth</i>	road	1435					
17	<i>Kewhathar</i>	boundary sign	1435					

Place names along the *Tiburcztelke* section of the boundary (Fig. 3; Tab. 1) were listed by charters either as *metae* or as the natural elements these were positioned on. We can observe that these locations were rather easy to identify in the field because they were either connected to the high altitude points of the area (*mons Zebedey*, *Warhegy*), or to linear features (*via ad Gyows*, *Ara-nyasfoka*), both of which share good visibility. According to charter descriptions, the *metae* can be classified as natural or manmade, linear or pointed, or based on the material they were made of, quality, state of preservation, and age. Even though, the listed micro-features that represent the boundary signs are numerous, we could not identify them in the field because of the intensive post-medieval land use. Most of them were land piles or trees, some described as old, referring to age or state of preservation, and repeatedly restored. For example, out of the eight signs recorded shortly before 13 December 1379<sup>27</sup> on the summit of *Zebedey* none can be found today. Despite this, the present day linear scrub separating the territories of Chinteni and Deuşu is very suggestive of what at least some segments of the historical boundaries could have looked like. We could imagine linear signs (*metae cursuales*) marked in this manner or as moats or mounds, for example, in the area of *Saashalom/Fashalm*<sup>28</sup>. In other areas roads were used as linear boundaries as well, but in the vicinity of *Tiburcztelke*, we only know of estate limits which intersected road tracks (*via ad Gyos*, *via de Kayantho ad Machkas*, and two other roads on the *Zebedey* and in *silva Bewnye*). A holm oak (*Quercus ilex*) was recorded as guide for finding the actual boundary signs in the eastern end of the northern border of the *Bewnye* land plot<sup>29</sup>. Some of the signs inside the woodland area near *Bewnye* could also have been trees. So far, we only know of one stone boundary sign (*kwehathar*) indirectly connected to *Tiburcztelke*. It separated *Bewnye* and *Machkas* in 1435,

<sup>27</sup> DRH C 2006, 686–687, d. 442, MNL DL 38708 (only six were included in the charter from November 19: DRH C 2006, 667, d. 435).

<sup>28</sup> DRH C 2006, 686, d. 442.

<sup>29</sup> DRH C 2006, 667, d. 435 (*prope unam via<m>, qua venit de predicta possessione Kayantho ad Machkas, circa unum arborem ilicis in nemore duas metas reperissent*).

and was positioned next to the cleared or cross-cut holloway which connected Deuşu and Măciçaşu (*via Wagaaswuth*)<sup>30</sup>.

The location, relative to the present day villages of Vechea, Deuşu, Măciçaşu, and Chinteni, of some of the discussed boundary areas and signs resulted in a linear and quite detailed reconstruction of the estate boundary. The situation in the field was compared to the most relevant perambulations from: 1379, the beginning of the fifteenth century, and 1435. The reconstruction (Fig. 3, 5) proved to be consistent with the terrain configuration of the medieval period as shown by the elevation profile of the boundary line (Fig. 4). Despite this accomplishment, we could only presume *Tiburcztelke* had common boundaries with *Mariatelke* during the fourteenth century in the area of *Saashalom/Fashalm* (where *Mariatelke* was probably bordering Chinteni), because we have no precise data on the starting point of its northern limit towards the west. Moreover, authentic documents from the second half of the fourteenth century record *possessio Thyburchthelke in toto inclusa intra terminos et cursus metales... possessionum ipsius domnini abbatis Kayantho et Mariathelke*<sup>31</sup> and further complicate the delimitation, because this would imply the nobles were trespassing on both monastic properties. Another grey area in the boundary reconstruction is connected to the exact separation between *terra Bewnye* and *Tiburcztelke*. The 1435 perambulation separated Chinteni, *Tiburcz*, and *Bewnye* (to the south) from Deuşu, *Bwda*, and *Machkas* (to the north). From west to east, the starting point of the description appears to be at (or quite close to) the eastern limit between *Tiburcz* and *Bewnye*, next to a road crossing the *Zebedey* hill from north to south. This assumption is backed up by the fact that, further to the north, only the second land plot was mentioned and separated from the *Machkas* estate. There appears to be a continuous association of *Tiburcz* and *Bewnye* and the delimitation attempts were rather inconclusive. The ambiguities are also deepened by the 1370 charter data on the consent of Stephen (son of Gerard *Rufus*) and his sons to return both these plots to the abbey, the rightful owner<sup>32</sup>. Much later, in the eighteenth century, the boundaries of *Tiburcz* included a patch of woodland called *Tiburtzi Bönye*<sup>33</sup>. It was either a late medieval or early modern expansion or a medieval situation previously undocumented. As of yet, we still have not reached a final conclusion on how the boundary of *Tiburcztelke* unfolded in the eastern part, but based on the fact that the area was occupied by

<sup>30</sup> MNL DL 28822; for the discussion on the *Bewnye* – *Tiburcztelke* boundary, see below.

<sup>31</sup> DRH C 2006, 664, d. 435.

<sup>32</sup> EO 2014, 350, d. 890, MNL DL 26757. This association evolved by the beginning of the 1380s as the noble claimants of *Tiburcz* extended their influence over *Bewnye* (DRH C 2014, 285–297, d. 232, MNL DL 28757).

<sup>33</sup> Szabó 2009, 931.

*Kayanthou Pada*, also known as *Josephzenaffywe*<sup>34</sup>, we can assume that it was the limit during the second half of the fourteenth century and at the beginning of the fifteenth century. This particular tract of land, a hayland, was disputed and ultimately divided between the Macskási nobles and the abbey. It appears that the abbey managed to keep the plateau and a considerable part of the *Machkas* woodland<sup>35</sup>. The most plausible scenario is that the hayland *Kayantow Pada*, was situated to the east, above today's Tiburț valley, on the plateau and the slope slightly descending towards Măcicașu<sup>36</sup>.

The southern boundary can only be discussed for the modern period, as the medieval litigations never focused on this area, rather than on completely integrating *Tiburcztelke* into the abbey estate block by highlighting the northern boundary over and over again. According to the preserved toponymy we carefully assume that, during its occupation by the noble claimants, *Tiburcz* extended on the Tiburț and Lipăuț hills similar to the situation from the seventeenth and eighteenth centuries, as Chinteni is located directly south from these.

The disappearance of *Mariatelke* during the fifteenth century most likely gave way for an expansion of *Tiburcz* towards the west, by incorporating those lands. We know that by the eighteenth century the already uninhabited property of *Tiburcz* had pasture and woodland near the boundary with Sumurducu, in an area called *Csonkás*<sup>37</sup>. At that time, *predium/pusztá Tiburcz* bordered Chinteni to the east and south, Sumurducu to the west, and *Buda* and *Deușu* to the north.

### *Landscape reconstruction and site identification*

#### *Medieval land use and land coverage.*

During our investigation of the written sources we managed to reconstruct part of the medieval land use, such as: settlement area, presumed arable land, forest and woodland, hayland or meadow, marshland, and possibly several ponds (Fig. 5, 6). There are situations where the historical land use persisted until this day, or its medieval traces are still unspoiled by present day land use. In the case of several woodland plots (e.g. the *Bewnnye* area) the land coverage appears to be rather well preserved, though, no actual historical vegetation could be identified so far. Nonetheless, land use patterns documented during the Middle Ages and the Early Modern endured the passage of time and the

<sup>34</sup> EO 2004, 373, d. 1038, MNL DF 289168.

<sup>35</sup> ZsOkl 1999, 527–528, d. 2113, MNL DL 28792.

<sup>36</sup> This area was still recorded as a *Szénafű* in the second half of the nineteenth century by the Third Military Survey of the Austro-Hungarian Monarchy.

<sup>37</sup> Szabó 2009, 931.



traditional communities of the twentieth century are, partially, still adhering to them. Meanwhile, some regions were severely affected by adverse factors. The major modern interventions, which significantly altered the landscape of the entire Chintău valley, were forest clearance and water regulation. The latter mainly destroyed the historical marshy areas (at the mouth of the Tiburț valley and in the floodplain along the Chintău stream), where we suspect the presence of fishponds during the medieval times. Due to deforestation and intensive sheep and cattle grazing, landslides and erosion occurred on the sides of the hills, which again caused the destruction of some of the earlier, medieval features of the landscape, such as roads or hayland (on the Tiburț and Zebedeu hills) (Fig. 7, 12).

*Cultivated lands* were among the least recorded landscape elements by the medieval archival documents we investigated. Two plough fields were mentioned in the area and just one might have been used by the inhabitants of *Tiburcztelke*. It was located to the west from *Aranyosfoka* and the road connecting Chinteni and Deușu, in a valley lying between low altitude hills<sup>38</sup>. If indeed *Tiburcztelke* extended in the direction of *Mariatelke*, all the way to *Saas-halom*, then these plough fields could have been partly located on its territory even before the eighteenth century. Putting aside the fourteenth and fifteenth century charters, the *urbarium* compiled in 1590 listed the obligations of the tenant peasants from *Tiburcz*. They were supposed to plant wheat and oat for the prince. 20 buckets of wheat went into two of their fields (*fordulás*) and, additionally, they were sowing between 7 and 10 buckets of oat<sup>39</sup>. D. Prodan believed that for the bucket the standard measure from Cluj was used and one bucket corresponded to one *iugerum* of sown land<sup>40</sup>. Hence, they were cultivating between 27 and 30 *iugera* for the prince alone<sup>41</sup>. Together with the people from Chinteni they also ploughed a field in the time of the Jesuits, where a total of 32 wheat buckets could be sown<sup>42</sup>. In 1590 this land was already listed as fallow. We do not hold data on the location of all these fields but we know the latter formed a single plot, as part of an outer field system<sup>43</sup>. Besides the aforementioned work

<sup>38</sup> DRH C 2006, 686, d. 442 (*tres veras metas, in valle, in terris arabilibus, in quodam berch*).

<sup>39</sup> Jakó 1944, 18–19. For a detailed analysis of the late sixteenth century *urbaria*, see also: Prodan 1968, 560–586.

<sup>40</sup> Prodan 1968, 573.

<sup>41</sup> The extent of a *iugerum* varied along the centuries and according to different regions. For a detailed overview of the term in the Hungarian Kingdom, see: Bogdán 1978, 19, 27, 30, 177–191. One *iugerum* equaled a surface of approximately 37×225 meters (Bogdán 1978, 183), which is slightly bigger than two acres.

<sup>42</sup> Jakó 1944, 19.

<sup>43</sup> All the sixteenth century data refers to the Jesuit and princely estate management and field system, but we can make assumptions that this organization was partly based on an older pattern.



obligations, the tenant peasants were also tending to their own plots. For this region, the reassigning of land to the tenant peasants was documented only at the end of the sixteenth century, probably as part of the reorganization of the Jesuit estate. Thus, we find out that *Tiburcz* was mainly inhabited by *coloni* (peasants owning houses), but *inquilini* and widows were also mentioned.

In 1588, the *Tiburcztelke iobagiones* were growing cereals, along with *ex omni genere frugum... omniumque leguminu[m] vt in aliis pagis*, and were giving wine to the Jesuits<sup>44</sup> (from their own vineyards?). In that period, the harvested goods from *Tiburcztelke* were transported and stored in Chinteni, where a manor (*maior*) was organized<sup>45</sup>. Something similar probably existed in *Tiburcztelke* in the first half of the fifteenth century, because in 1435 the tithes owed by the nobles from *Bwda* for using the *Bewnye* property of the abbey were to be transported here<sup>46</sup>.

We cannot locate the mentioned fields, but our targeted field walk revealed manmade terraces or lynchets, on both sides of the Tibur  valley (Fig. 8). Some of them were preserved better while others can be barely seen due to the combined impact of water erosion, grazing, and deforestation. We cannot infer whether these were exclusively agricultural, or dwellings were also placed on them<sup>47</sup>, as the valley was a *locum sessionalem* (house plot) already by the middle of the fourteenth century<sup>48</sup>. But, the lynchets visible on the upper part of the Zebedeu hill were most likely agricultural. Nonetheless, the terraces are proof of intense land use with landscape altering effects.

Further assessments can be made in relation to land cultivation, as four out of the five names of the land plots inside the Chint u valley estate cluster contain the suffix *-telek*<sup>49</sup>. This element is a lexeme, which means that it bears significance all on its own. The meaning of *telek* is relevant as it denominates a tract of land of a specific type. The research of historical toponymic suffixes is a popular topic within linguistics, but also archaeologists and historians of the Hungarian academia have dealt with it. Their conclusions on the use of *telek* are highly relevant for the study of the medieval settlement system, as it can be traced back

<sup>44</sup> Jak  1944, 8–9.

<sup>45</sup> In 1583, the Stephen Sz nt , called *Arator*, monk of the Jesuit Order, suggested the establishment of a *praediolum* in Chinteni for livestock breeding. This might have been the origin of the manor. (FRT 1911, 272, d. 80)

<sup>46</sup> MNL DL 28822.

<sup>47</sup> See below, a detailed discussion about the archaeological traces directly connected to the settlement area.

<sup>48</sup> EO 2004, 35, d. 2.

<sup>49</sup> This lexeme has high occurrence in the medieval counties of Cluj and D b ca (B tori 2015, 96).

to the Árpád period<sup>50</sup>. Apart from the fact that this formula could be indicative of an older origin of the settlements around Chinteni, the changes in meaning point at a change in field system management (documented for the territory of Hungary). It turns out that by the late medieval period the meaning of *telek* went from denominating a naturally fertile land to a cultivated one (*terra culta*) and, further, to name a land fertilized by animals (*terra fermata*)<sup>51</sup>. J. Laszlovszky concluded that most of these *telek*-type land plots and settlements were the result of community endeavors in forest clearance in order to produce good plough land<sup>52</sup>.

*Meadows and hayland.* According to the preserved documents, the general impression is that the boundaries of *Tiburcztelke* did not circumscribe sufficient field for grazing and hay supply. There is no direct indication for the presence of such fields across the estate before the Early Modern. The first indication of hay harvesting recorded that the inhabitants from the investigated land plot, at that time tenant peasants of Deme of *Tiburcztelke*, trespassed on the property of Nicholas of Wass called *BalugJánostelke* (north of Săliște Veche) and illegally harvested hay and cut down wood from this land portion located outside their boundaries<sup>53</sup>. Furthermore, because the charters compiled during the lawsuits over the hayland and meadow *Kajathoupada*<sup>54</sup> never mentioned *Tiburcztelke*, it is most likely that its inhabitants had no access to it. Much later, a land register from 1787 recorded four haylands in *Tiburtzi Rét*, *Tiburtzi Bönye*, *Tekéntőn*, *Csonkási szénafű*. Except for the last one (located close to the boundary with Sumurducu), these patches of land could have belonged to *Tiburcztelke* during medieval times<sup>55</sup>.

The medieval lands of *Tiburcztelke* definitely included meadows and hayland because animal husbandry was practiced. The *urbaria* compiled after the monastic dissolution recorded oxen and cattle, horses, sheep, pigs, and poultry (chicken and geese, the latter mentioned as goslings: *pipebeóll*)<sup>56</sup>. Additional space for grazing was needed because of the large herbivores. For example, in 1590 the villagers from *Tiburcz* owned in total 143 oxen and two horses. One inhabitant owned 16 oxen, the largest number *per capita* in all the villages of the Jesuits.

<sup>50</sup> Laszlovszky 1999, 435.

<sup>51</sup> Laszlovszky 2018, 92–94.

<sup>52</sup> Laszlovszky 2018, 108.

<sup>53</sup> EO 2008, 336, d. 950, MNL DF 252767 (*fenum... et fenetali in possessione Bolugianusteleke*).

<sup>54</sup> ZsOkl 1999, 527–528, d. 2113.

<sup>55</sup> Szabó 2009, 931.

<sup>56</sup> See, for example, the document from 1590–1594: Jakó 1944, 18–19. They also practiced beekeeping.

*Water bodies and water management.* Inside the small Tiburț valley the main water source is a stream flowing from east to west. Its headwater is located towards *Kajathoupada* and has two main seasonal tributaries, one on the northern bank (Lab) and another on the southern bank (Groapa Tiburțului). The Tiburț stream is also a tributary of the Chintău valley, which was called during medieval times *Aranyasdalpathaka* or *Aranyasfoka*. This is the only water body recorded by name in the area during the Middle Ages, because it was intersected by the estate boundary<sup>57</sup>. The only other medieval appellation related to water is Chinteni, called in Hungarian *Kajántó* (“Lake of Kaján”). The origin of the name was most certainly connected to the existence of marshes and, probably, ponds along the stream. One of them could have been located at the mouth of the Tiburț valley, as shown by the First Military Survey (Fig. 2). The place is dominated by a manmade lake even now. In modern times the lowlands of *Tiburcz* were muddy and marshy. Unfortunately, we cannot assess whether the situation was similar during earlier times, as we have no data on the long-term water level changes that took place in this area<sup>58</sup>. Presuming a rise in the water level over the more recent periods (part of the late medieval and modern period weather phenomenon known as the Little Ice Age) would only be an unconfirmed and biased theory at the moment.

The *urbarium* from 1590 mentioned a useless pond (*hituan*) on the *Tiburcz* property<sup>59</sup>. A pond was also recorded in 1676<sup>60</sup>. Later on, in the second half of the eighteenth century the Tiburț valley was described as follows: *quod Predium transeat vallis, a septemtrione meridiem versus protensa vulgo Tiburtz völğ nominata continuis Paludibus av lacubus [!] nihil aliud, qvam Lampestras, et in circuitu arundines alentibus et proerantibus stagnans*<sup>61</sup>. At that time the settlement was already deserted and some ponds were left unattended. The tone of the phrasing is rather dissatisfied with the presence of lamprey as the only fish species in the area. The same document also mentioned a hayland that had *Tiburcz* *To* in the north (probably at the mouth of the Tiburț valley) and *Kajántoi To* in the south. Furthermore, the traces of two (or maybe three?) ponds silted with mud accumulations can be observed in the interior of the valley: near its eastern end (Figs. 6/c and 9) and in the central segment (Fig. 6/a–b). Downstream from these, the ruins of what seems to be a cemented dam (probably from the twentieth century) were noticed.

<sup>57</sup> For instance, in 1379: DRH C 2006, 667, d. 435.

<sup>58</sup> Thorough research was conducted for other areas of the Carpathian Basin, for example: Kiss 2011; Vadas–Rác 2013.

<sup>59</sup> Jakó 1944, 19.

<sup>60</sup> Szabó 2009, 930.

<sup>61</sup> Szabó 2009, 931.

Four wells (*putei pro aqvatione*) were also documented in the modern period in connection to pastures. Two were positioned on the *Kosta Tiburtz-uluj*, one was built in stone in a place called *Racs*, and the fourth next to a stream towards Deuşu. All these locations were impossible to accurately determine. But during our field walk we identified the circular lining of an abandoned well made of quarried stone in the western part of the valley, in the floodplain of the Tiburţ stream (Fig. 10)<sup>62</sup>.

*Woodland and forest.* Data on the woodland used by the medieval owners and communities from *Tiburcztelke*, Chinteni, *Machkas* and Deuşu is quite rich as this is the main forested area along the northern border of the Chinteni monastic estate. The inhabitants and owners from *Tiburcztelke* did not have access to the woodland or grove in the east (*Zyluastelkeberke*) and these were directly administered by Chinteni or disputed with the Macskási nobles<sup>63</sup>. The main woodland area connected to *Tiburcz* is dominated by *silva Bewnye* (Fig. 11). Almost the entire *Bewnye* property, lying north-east from *Tiburtz-telke* and south-west from *Machkas* was covered in trees and this situation was recorded, in perambulations, complaints and land registers, starting with the second half of the fourteenth century until the modern period. It was still called *Bönye* in the nineteenth century and marked as such on the Third Military Survey. According to our evaluation, the chances are that the present day woodland coverage is similar to its medieval extent, strictly in the area between *Tiburcz* and Măcişaşu. The initial western part, falling now into the territories of Chinteni and Deuşu (on the Zebedeu hill), was probably cleared. We also know that at its south-western limit a *nemus* existed and, in that *nemus*, a holm oak (*arbor ilex*) was recorded<sup>64</sup>. According to the investigations of P. Szabó on the medieval terminology employed for various types of woodland, the *nemus* in this situation was probably a tract of woodland pasture in the sense of the Hungarian term “berek”<sup>65</sup>. If the transcription of a forged document from the beginning of the fifteenth century is correct, a grove, *Fashalm* (“hill with threes”)<sup>66</sup>, was located near what we believe was the western limit between *Mariatelke* and Chinteni. All other records of the place name read *Saashalom*, but close to it a *Kerek Erdő* was located on the Second Military Survey. Exactly how much of the forest were the people from *Tiburcz* using is unclear, but the peasants of Deme were definitely cutting down wood from *BalugJánostelke* in 1357. At that time, the conflicts with the Benedictines were escalating, so obstacles were probably

<sup>62</sup> For further details, see below.

<sup>63</sup> EO 2004, 373, d. 1039.

<sup>64</sup> DRH C 2006, 667, d. 435.

<sup>65</sup> Szabó 2006, 65–66.

<sup>66</sup> EO 1997, 259–260, d. 400, MNL DL 37227.

met when trying to access the woodlands on the *Zebedey* and east of it, because these were closely watched by the abbey.

In the modern period we know that the *Tiburz* property included one prohibited forest (in 1590), meaning that it was the demesne of the owner<sup>67</sup>. At the same time, Chinteni was probably still the owner of *Bewnye* (or of most of it). The eighteenth century woodlands of *Tiburcz* included the *Csonkás* part (located near Sumurducu, formerly on the *Mariatelek* property, probably made up of oak), *Szép erdő* (consisting of fully grown oak trees of the *Quercus glandulifera* species and *virgultis mixtas*), *Tiburtzi Bönye* (*arbores mixtas pro foco palosqve ac virgulta alens*), *Tiburtzi Berek* (*Mesztetsin Populos Tiliás mixtas virgultis*)<sup>68</sup>. According to the location descriptions we suspect the latter lay on the Tiburț hill, but *Szép erdő* and *Tiburtzi Bönye* were positioned on the Zebedeu hill along with woodland plots that belonged to Chinteni and Deșu.

*Roads and road tracks.* Similarly, to the estate boundaries, medieval roads were an important component that defined the spatial structure of a given territory. Most road tracks in our research area were recorded by written sources, in the same context as the other landscape elements. Medieval road tracks have a high occurrence among the individualized spatial appellatives of the region, because of their role as boundary markers. Field data was collected for the border regions, but the interior of the *Tiburcztelke* land plot (and of the entire Chinteni estate unit) lacks sources until the Early Modern.

Based on the medieval denomination, we know that the estate unit was connected to some major roads, referred to as *regia*, *publica* and *magna*<sup>69</sup>, which ensured communication outside the micro-region. The roads in the area of *Tiburcztelke* bear no such appellations, so, we evaluated the various segments composing the road network from a local point of view and tried to establish which roads carried more weight, when it came to connecting this land and the settlement area to its immediate surroundings and the neighboring villages.

Several documents simply record roads connecting settlements with the term *via*. One segment of the main road crossing Chinteni estate, from north (Deșu and Vechea) to south (towards Cluj), was recorded at the northern boundary of *Tiburcz* along the *Aranyospatak*. The second important road was a market road (*via Vasarosuth alio [nomine] Beerchuth...versus Cluswar*)<sup>70</sup>, but it did not touch the territory of *Tiburcztelke*. However, access to it and to

<sup>67</sup> Jakó 1944, 19.

<sup>68</sup> Szabó 2009, 931.

<sup>69</sup> EO 2004, 115–116, d. 255; DRH C 2006, 666, d. 435; KmJkv 1990, 606, d. 1605, MNL DL 36392, 128, no. 1.

<sup>70</sup> ZsOkl 1999, 527–528, d. 2113.

the *Wagaaswth* between Deuşu and Măcicaşu<sup>71</sup> was possible due to the density of the local network across *Tiburcz* and *Bewnye*. Medieval origins can be assumed for various road tracks in this area of the estate, still unaffected by recent changes in the habitat. Local roads were recorded in the fourteenth and fifteenth century sources, on the summit of the *Zebedey* hill (Fig. 12) and one connected the area east of *Bewnye* to Măcicaşu (*viam de...Kayantho ad Machkas*)<sup>72</sup>. Their spatial distribution can be correlated to the structures developed inside the estate cluster. Thus, the mapping of the preserved holloways reflects a highly dense road network connected to the existence of *Tiburcztelke* (Figs. 5 and 6) and to an intensive land use during historical times.

### *The settlement*

*Site extension and archaeological finds.* Given all this data, we set out to locate the medieval and early modern settlement of *Tiburcztelke*. The current land use inside the valley – a pasture and an abandoned orchard – is not very invasive<sup>73</sup>. This is favorable to the preservation of old landscape elements but does not allow the identification and collecting of archaeological material resulted from the historical occupation of the site. This was the main obstacle in achieving a detailed topographic plan of the site's extension (Fig. 6).

We shall shortly describe the general aspect of the entire valley, to provide a picture of the site's location. The *Tiburţ* stream and its floodplain occupy the floor of the valley (its height ranges between 473 and 515 meters). *Tiburţ* flows from east to west and has two well-defined sources at the headwater. As previously pointed out, it drains the entire valley and a seasonal tributary descends from the *Zebedeu* hill (595 meters) in the north (*Lab*) while another one separates the *Lipăuţ* (583 meters) and *Tiburţ* hills (570 meters) in the south. The latter, formed a large gully or ravine called *Groapa Tiburţului*. Other dry gullies of smaller amplitude can be observed as the drainage system of the valley has an aggressive impact on the intensively grazed and deforested hill slopes and plateaus. Basically, the valley floor is flanked north and south by massive hills. At the base and in the vicinity of the waterbed these hills have large plateaus and gentler slopes that were turned into lynchets or terraces. Towards the summit their slopes become abrupt and the terraces give way to pasture areas, scrub, and woodland.

Larger but poorly preserved terraces lie on the southern bank of the

<sup>71</sup> MNL DL 28822.

<sup>72</sup> DRH C 2006, 667, d. 435.

<sup>73</sup> At the mouth of the valley, construction works for infrastructure, housing, and economic purposes were done in recent years and accelerated to the point that these are now stretching towards the site area altering the landscape.



stream. Others were also mapped north of the waterbed and are currently used by two active farms (which altered their old configuration). On the upper side of Zebedeu hill lynchets can still be observed. None of the cartographic sources at hand documented this situation. The lynchets generally follow contour lines parallel to the stream, have reduced inclination, and can vary in width from 9 to 45–50 meters (Fig. 8). Even though, the state of preservation is generally good, during the field walk we were unable to locate any archaeological artifacts or complexes on the ones in the southern half of the valley. Hence, we cannot decide if they were only intended for crops or also had buildings on them (toft and croft). This situation contradicts the information recorded on the First Military Survey. The historical map placed the extinct village south of the Tiburt stream and in the eastern half of the valley. But these agricultural terraces were the only manmade features we could identify in that area. As previously stated, three silted areas located along the stream seem to be former ponds, for the development of which human intervention was required.

The investigation of the terraces in the north resulted in the identification of a rather limited lot of ceramic material (potshards and burnt adobe), evidence of archaeological features, and a stratigraphic sequence. Most of the relevant material was collected from gully erosion areas and from the eroded edges of these terraces, as the pasture area has very low visibility. Recently, one sector was mechanically excavated in the western part of the valley (Fig. 6/1) and more material became visible. At this point we have to mention that our field work revealed human activity in the valley during Prehistoric and Roman times as well and that none of these sites was previously recorded by archaeologists. From the mapping of the ceramic finds, five distinct distribution areas were outlined, but these could have very well formed compact sites<sup>74</sup>. The Prehistoric material occupied the largest surface (Fig. 6/1–5) followed by the Roman traces (Fig. 6/1–2, 4–5). In the mechanically excavated sector a well lining was unearthed. It is located on the first terrace above the floodplain, has an interior diameter of 1.1–1.2 meters, and its walls were built from quarried stone (Fig. 10). At this point, nothing can be said about its dating. In the same area, the limits of the mechanical excavation revealed a vertical stratigraphic sequence. The material scattered around the well was mixed: Prehistoric, Roman, and early modern ceramics (Fig. 13/9). The late medieval material was poorly represented in this area. But further to the east, on the terraces and in the eroded right bank of the Tiburt stream, the early modern finds were mixed with medieval ones (Figs. 6/1 and 13/1–8). Modern period ceramics were also collected next to one of the active farms (Figs. 6/3 and 13/10–13). The total distribution area of the

<sup>74</sup> See RAN 56997.08, 56997.07, and 56997.06.



medieval and modern material covers a surface of approximately 3–3.5 hectares (Fig. 6), but the extent of the deserted village was probably bigger.

The ceramic finds were generally non-diagnostic, but some pieces that are connected to the existence of a settlement during the investigated period are worth mentioning (Fig. 13), even though, only general conclusions can be put forward. 25% of the 159 collected pottery shards could be identified as specific parts of vessels, but their extreme fragmentation rendered most of them useless for the identification of the vessel shapes. The identified pottery fragments do not include import or special types of ceramics for the late medieval period (from the fourteenth to the first half of the sixteenth century). Only common ware (pots – some with lids – and, possibly, jugs) with semi-fine and fine fabric was observed so far (Fig. 13/1–5, 7?). In most cases, reduction firing was noted. A couple of shards indicate the presence of a mixed firing atmosphere and others have secondary burns, probably because they were used for cooking. The kaolin-based fragments (Fig. 13/13) were found in areas of the site, where the modern period artefacts were dominant, so, they could be dated especially to the seventeenth and eighteenth centuries<sup>75</sup>. The same can be assumed for the fragments displaying fine gray fabric (Fig. 13/8). Despite the fact that this fabric was used for a well-known type of high quality ware during the Late Middle Ages, the lack of larger pieces and diagnostic decoration is problematic because this ceramic type was popular during the early modern as well, but with different characteristics in terms of shape, decoration, and surface treatment<sup>76</sup>. Aside from these, the majority of the collected material comes from the Early Modern, roughly from the sixteenth and seventeenth centuries, though some pieces could also be of slightly more recent date, namely, from the eighteenth century. Tableware is dominant among the pottery finds. Several forms of cooking and serving ware for solid food and liquids were identified: cooking pots, lid fragments, plates (Fig. 13/11), cups (Fig. 13/12?), and jugs (Fig. 13/9, 10). Their fabric ranges from fine to semi-fine and generally indicate oxidized and reduction firing processes. Their surfaces were sometimes covered in engobe (Fig. 13/6, 9, 10), bicolored glaze (Fig. 13/11, 12) and display fluted, painted, and cogwheel decoration (Fig. 13/8, 9, 10).

*The missing built structures.* The analysis of the information preserved by charters on the investigated settlement showed that our field walk did not retrieve any data on the built structures of the village. Several documented

<sup>75</sup> Out of the few archaeological references to this late material in the Romanian academia, see for example: Rusu–Marta 2002, 137; Crişan–Goman 2010.

<sup>76</sup> For the situation of the Carpathian Basin reduction-fired jugs and the Ottoman technological influence see the work of A. Kolláth with extended bibliography: Kolláth 2017.

elements of the built heritage shall be discussed here and, hopefully, revealed by future research.

The unfolding of events during the dispute over this property actually gives insight on the intention of Deme of *Tiburcztelke* to build a chapel in 1341 and the strict opposition of the abbey<sup>77</sup>. Nothing was passed on about the effects of the noble's intention and the first reference to a priest, presumably active in *Tiburcztelke*, comes from the year 1374. Bishop Demetrius allowed the sons of Ladislaus Nádasí (Peter and Stephen) and John *Rufus* of *Tiburcz*, their *familiares* and wives to elect their own confessor priest<sup>78</sup>. From this moment on, it took almost sixty years for an actual church building to be recorded for the first time, in 1432. The church was a *filia* of the Chinteni parish church<sup>79</sup> and its existence was reconfirmed in 1499<sup>80</sup>. In 1582, during the Jesuit administration, the restoration of the church in *Tiburcz* was recommended along with those in Chinteni and Băgara<sup>81</sup>. All the enlisted data clearly show that a parish church was erected and functioned for a while on the territory of *Tiburcztelke*, quite independently from the parish of Chinteni. Its existence can be hypothesized already starting from 1341, but the sources do not document what happened in this matter: was the chapel built or not? Perhaps, later on this chapel became a *filia*, or the church in *Tiburcztelke* had nothing to do with the chapel, which might have never been built, as it was never included in the network of tithe collection. Still, the ones who could erect a church or a chapel were the nobles of *Tiburcztelke* or the Benedictine administration. So, two scenarios can be advanced: one of an existing church in *Tiburcztelke* that was acknowledged by the abbot, or the alternative that the religious building was raised after *Tiburcztelke* returned to the abbey.

The peasant houses or traces of a noble residence that formed the village are also unidentifiable, but the ceramic material confirmed the charter indications on the human presence in the valley. One of the forged charters of the abbey stated that the valley was donated to *Tyburcius* as a *fundum curie*<sup>82</sup>. The document was probably never administered as evidence in the trial<sup>83</sup>. Though it shows that in the second half of the fourteenth century the abbey had to justify its close connection to a land plot and village (?) already active before the settling of Deme

<sup>77</sup> EO 2008, 58–59, d. 76, MNL DF 275166.

<sup>78</sup> DRH C 2002, 443, d. 301, MNL DL 73745.

<sup>79</sup> MNL DL 37234, 7.

<sup>80</sup> MNL DL 74272.

<sup>81</sup> FRT 1911, 217, d. 72.

<sup>82</sup> EO 2004, 35, d. 2.

<sup>83</sup> Jakó 1984, 127–128.

and his family (prior to 1339)<sup>84</sup>, but deserted at the time of its first mention in 1332. Another interesting detail was included in a document from 1435, a revision of the boundaries of *Bewnye*, which was held occupied by the nobles from *Bwda*. The abbot eventually allowed their peasants to use the land on the condition to pay the tithe and to transport it to *Tiburcz*<sup>85</sup>. This would mean that the village must have had a building for the storage of the crops. We also know quite certainly that tenant peasants and, even, the Tiburcztelkei family lived on that land, but the first *census* naming the family heads and enlisting the house plots (including the deserted ones), comes from the late sixteenth century *urbaria*<sup>86</sup>. Explicit data was also recorded in 1676 when thirty house plots existed. However, by that time the village was already mentioned as *Pusztá Tiburcz*<sup>87</sup>.

### *The historical context*

*The disputed land during the Late Middle Ages: noble property vs. violent trespass?*

The intricacies of the trial and the vague but numerous listings of the noble claimants of *Tiburcztelke* require a detailed presentation of the data recorded so far. Unfortunately, some of the lineage issues related to the Tiburcztelkei nobles and descendants cannot be clarified based on the preserved documents, but the sequence of events can be presented in detail.

The very first authentic appearance of *Tiburcztelke* in written documents comes from 1332, when King Charles I (1308–1342) donated to John Koppáni, son of *Ugrinus*, the uninhabited lands of *Tiburcztelwke* and *Bynne* (*Bewnye*), in the vicinity of Chinteni<sup>88</sup>. The charter also recorded the names of the former owners, the deceased *Tyburcz* and Alexander. John received these lands as a compensation for the part of his lost land in Copăceni (Turda County), which was assigned by the king to the royal people and *hospites* of Újtorda (today part of the settlement of Turda). Little is known about the family of *Ugrinus*. Between 1336 and 1338 John was the noble retainer of the Transylvanian voivode, but it appears that the family became extinct already in the fourteenth century and its last member, John's son Nicholas, was documented for the last time in 1368<sup>89</sup>. Additionally, it seems that

<sup>84</sup> For a discussion on all the actors mentioned by charters in connection to the donation, claims and trial over *Tiburcz*, see below, the historical context.

<sup>85</sup> MNL DL 28822.

<sup>86</sup> FRT 1911, 120, d. 45 (1580); Jakó 1944, 2–3 (1579–1581), 8–9 (1588), 18–19 (1590–1594), 420 (1579). The community in *Tiburcz* was the smallest among the former Benedictine properties that were passed on to the Jesuits.

<sup>87</sup> Szabó 2009, 931.

<sup>88</sup> EO 2004, 272, d. 742.

<sup>89</sup> Diaconescu 2013, 288.

they were not involved in the actual use of the newly received lands. Besides this mentioning, no other data confirms that they were eager to use or inhabit the two lands and no opposition of the abbey to this donation or to their instatement can be found either. However, the early fourteenth century existence of *Tiburcztelke* can be correlated to the 1332 donation letter to John Koppáni and to the linguistic structure of the place name. It could be that *Tyburcz* and, probably, Alexander were the first ones to start a land clearance in this area. It was obvious that an association with *Tyburcz* could provide legitimacy to the claimants and, no wonder, the Benedictines compiled their forged donation charter to *Tyburcz*<sup>90</sup>. Whether this connection actually existed or not is impossible to say.

On the other hand, the real ownership problems were just commencing and it was not the Koppáni family that emerged as the counterpart of the abbey in this matter. The first data about a trial was recorded already in 1339, when the *ispán* of Cluj exempted Abbot John and his tenant peasants from Chinteni from paying their part of the fine imposed on them in the litigation with the servant of Stephen Pogány. This was decided after the abbot presented the charters, which confirmed that the abbey and its people were exempted from the noble court of justice<sup>91</sup>. There seems to be some sort of connection between this episode and the events from 1340 and 1341 that involved the retainer of Pogány, Deme. It was then that Abbot Jacob prohibited Deme and his three brothers from the illegal occupation of the part of the land called *Tyburgh* located within the boundaries of Chinteni<sup>92</sup>. The document from 1341 relates that Deme and his family (brothers John and Gregory) had planned to build a chapel there but the abbot clearly underlined that if that would happen he had the right to destroy the chapel. This land was still occupied in 1347, by the same Deme, when King Louis I (1342–1382) asked the Transylvanian voivode to investigate the matter of the ownership of *Tiburcz*<sup>93</sup>. At this point, the abusive occupation and Pogány's support for Deme in this matter are obvious and were recorded by the investigation report from the same year<sup>94</sup>. The litigations and investigations continued and the illegal occupation by the noble was recorded once again in 1359<sup>95</sup>. Deme was documented alive for the last time in 1360 (16 January)<sup>96</sup>. He

<sup>90</sup> EO 2004, 35, d. 2.

<sup>91</sup> EO 2004, 367–368, d. 1025; once in the archives of Cluj-Mănăştur, the original document disappeared between 1898 and 1941 and its whereabouts are still unknown.

<sup>92</sup> EO 2008, 41, d. 26 (lost document) and 58–59, d. 76.

<sup>93</sup> EO 2008, 144, d. 370, MNL DF 275170 and DL 26753.

<sup>94</sup> EO 2008, 146–147, d. 377, MNL DF 275170 and DL 26753.

<sup>95</sup> EO 2008, 378, d. 1085, MNL DL 28074.

<sup>96</sup> EO 2014, 42, d. 14, MNL DL 26980.

probably died sometime after this date because in October (the same year)<sup>97</sup> his son Nicholas was in the position to start litigations with the abbot of Cluj-Mănăştur due to mutual damage caused by their peasants, but managed to reach an agreement out of court. The arrangement was not successful because shortly after, on 6 December 1360, Nicholas was murdered by the people of Chinteni<sup>98</sup>. The inquiry in this matter was conducted by the cathedral chapter of Transylvania, which discovered that the people of Chinteni premeditatedly murdered Nicholas. In 1363 the vice-voivode called to trial the seventeen tenant peasants and *hospites* from Chinteni, who were involved in the murder<sup>99</sup>. The result of the trial is unfortunately unknown.

Still, what can be said about the one who claimed that *Tiburcztelke* was rightfully owned by him and started this long dispute? Documents clarify that Deme was the retainer of Stephen Pogány, who arrived to Transylvania after 1320, due to a property exchange with Charles I<sup>100</sup>. Deme probably occupied *Tiburcztelke* with the help of his master and definitely had his support during the trial. Possible links with John, son of *Ugrinus*, are not documented, although, as we shall see Deme's family will support their claim and refer to a certain donation made by King Charles I to their ancestors. Deme is mentioned in documents for the first time with his three brothers (Anthony, John *dictus Polus*, and Gregory) in 1340, when Pogány's power was already secured in Transylvania. Otherwise nothing else is known about him. His origins are unclarified, but in 1353 he was referred to as a noble of *Tiburcztelke* for the first time<sup>101</sup>. Whether he was already a noble or not when he occupied *Tiburcztelke*, remains to be verified by further investigations. Sources reflect that he was active in the region and was taking into pledge lands in the neighboring settlements. Deme was also pawning land from Manus Kályáni, his son, and brother, together with Nicholas Wass: starting with 1353, two streets in Deuşu<sup>102</sup> and a tract of land in *Bewnye* from 1355<sup>103</sup>. Moreover, in 1357 magister Deme of *Tiburcztelke* appeared again

<sup>97</sup> EO 2014, 60, d. 67, MNL DL 29036.

<sup>98</sup> EO 2014, 66, d. 81, MNL DL 73684.

<sup>99</sup> EO 2014, 106, d. 208, MNL DL 73698.

<sup>100</sup> Pogány, from the lineage of Hontpázmány (Karácsonyi 1901, 210–212), managed to build up a demesne composed of 20 or 23 settlements by means that were not always lawful or fair. As the noble retainer of voivode Thomas Szécsényi (1321–1342), he was appointed castellan of Ciceu, Cetatea de Baltă, and Unguraş. After his death in 1352, his descendants did not remain in Transylvania, and most of their estates were donated by the king to the Pelsőci Bebek family (Diaconescu 2013, 33 and 339).

<sup>101</sup> EO 2008, 255, d. 688, MNL DL 26980.

<sup>102</sup> EO 2008, 255, d. 688. The pledge was renewed several times until it was paid off in 1360 (EO 2014, 42, d. 14).

<sup>103</sup> EO 2008, 293–294, d. 802, MNL DF 275288. This was another one of the abbey's disputes

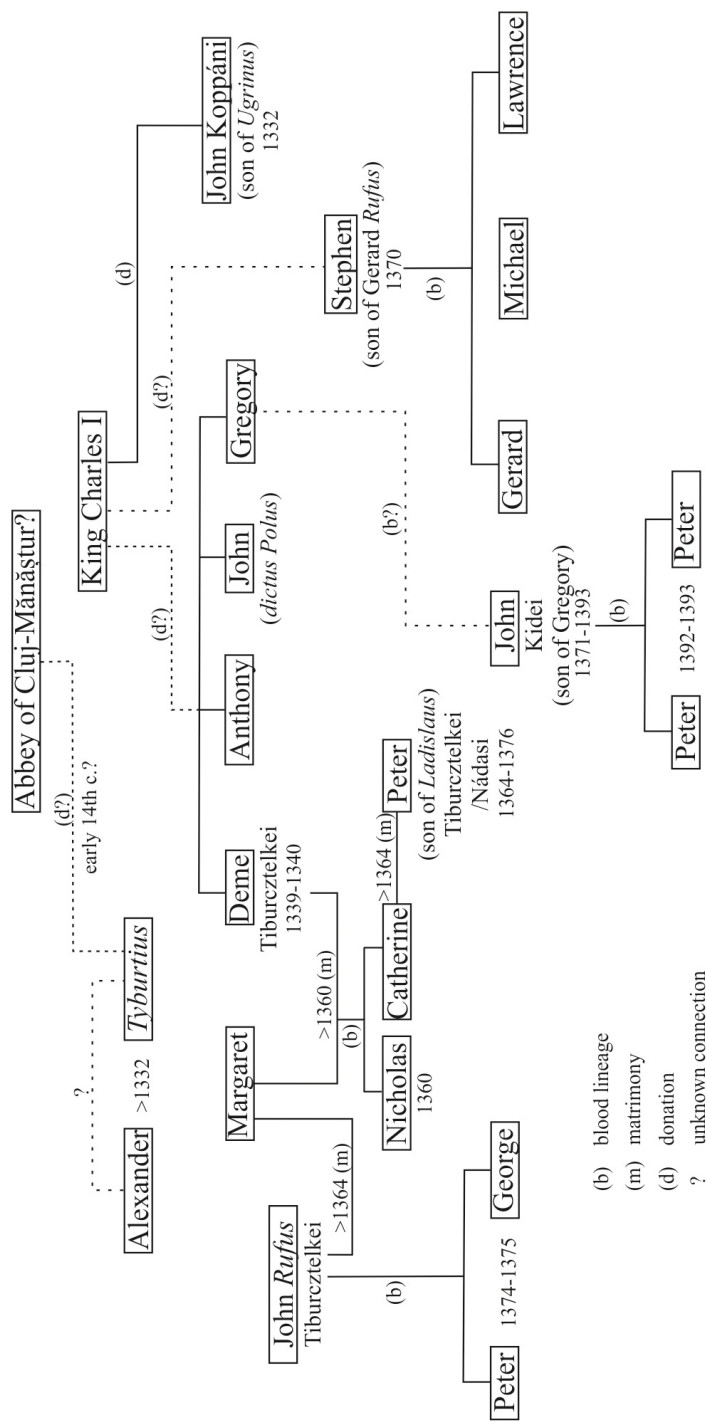


Table 2. Owners and claimants of Tiburczelke during the fourteenth century. /  
Proprietari și pretendenți ai moșiei Tiburczelke în secolul al XIV-lea.

in a prohibition. Nicholas Wass related that Deme's peasants were illegally cutting down trees and the hay on the border of his land called *BalugJánostelke*<sup>104</sup>.

After his death, followed shortly by that of his son, in the litigations for *Tiburcztelke* the family of Deme was represented by his widow Margaret and daughter Catherine. It seems that the women continued the pawning practice Deme started. One finds out that in 1364 the widow of Deme and his daughter held in pledge one third of the Deuşu and *BalugJánostelke* villages. However, by that year both women were already married: Deme's widow became the wife of John *Rufus*, and his daughter the wife of Peter of *Tyburch* (son of Ladislaus), from the Nádasi family<sup>105</sup>. The litigations for *Tiburcztelke* continued and in September 1370 a new claimant was introduced: Stephen son of Gerard *Rufus* and his three sons (Gerard, Michael, and Lawrence). For now, we have no data to explain Stephen's lineage (neither to the Koppáni, nor to the Tiburcztelkei families)<sup>106</sup> and his only link to this property is a presumed donation by King Charles I. It is unknown if it was the one invoked by Deme and his descendants or something else entirely. But the noble and his sons handed over *Tiburcz* and *Bewnye* and admitted that a mistake was made during their donation. They recognized the abbey as the real owner and declared null all the ownership documents anyone else might have had over these properties. Other claimants though, were not this willing to renounce<sup>107</sup>. During the same year, as the Transylvanian chapter tried to introduce the abbey into the possession of *Tiburcztelke*, Deme's widow, daughter, and John Kidei opposed it<sup>108</sup>. King Louis I requested an investigation to clarify the situation and asked both parties to present their original documents. From this point on John, the son of Gregory Kidei appeared among those that claimed their ownership over *Tiburcztelke*. Several, trial stages and postponements were recorded during the 1370s and other new descendants stepped in. For example, in 1374 and 1375 the litigations were upheld by the sons of John *Rufus* of *Tyburch*, Peter and George<sup>109</sup>.

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with a noble family. The Kályáni nobles pretended *Bewnye* was their hereditary property, but lost the trial in 1358 as they failed to appear in court (EO 2008, 349–350, d. 989, MNL DF 275177).

<sup>104</sup> EO 2008, 336, d. 950.

<sup>105</sup> EO 2014, 146–147, d. 331, MNL DL 28069.

<sup>106</sup> Except for, maybe, a connection to John *Rufus*, husband of Margaret.

<sup>107</sup> EO 2014, 315, d. 792, MNL DL 28718.

<sup>108</sup> EO 2014, 350, d. 889, MNL DL 26982. John *Rufus* allegedly complained during the same year about the abbey occupying the land (EO 2014, 351, d. 892) and he might have referred to this event as well.

<sup>109</sup> DRH C 2002, 507, d. 364 and 528–529, d. 380, MNL DF 275193. Most likely both sons were from a previous marriage than that with Margaret of *Tiburcztelke* because, otherwise, they could not uphold the litigations due to their young age.



With the two noble ladies passed away by 1377<sup>110</sup>, John Kidei became the main opponent of the abbey. Kidei's capacity as claimant in the trial is not explained, but M. Diaconescu suspects a blood lineage on his father's side. The father of John was most likely Gregory *Banus*, who died in 1346 or 1347 and was married to Elisabeth (of the Kidei family)<sup>111</sup>. There is a high probability he is one and the same with Gregory, brother of Deme, who appeared alongside him in the quarrels over *Tiburcztelke* in 1340 and 1341.

In 1377, John Kidei was asked to present the official documents that proved his ownership of *Tiburcztelke*<sup>112</sup>. The text related that Abbot Otto presented his charters issued earlier by Vice-voivodes John Lepes (1369–1372), Ladislaus, son of *Peteu* (Sept. 1372–Feb. 1373?), and Ladislaus Nadabi, son of *Ugrinus* (1372–1376). Interestingly, none of these documents survived or some could have been forged for Abbot Otto<sup>113</sup>. At this point the disputes extended over *Bewnye* as the nobles from *Tiburcztelke* were using this property as well and collecting the tithes. John Kidei presented the requested documents in the trial over *Tiburcz* during the following year, but the striking thing was that the name of the land was not even recorded in his charters<sup>114</sup>. This means that the donation of Charles I to John Koppáni was not referenced by the noble claimants and they presented something else. In the following, the suspicious case was referred to the royal court of justice<sup>115</sup> and the trial was expedited by the king in 1379<sup>116</sup>. This development was in fact caused by John Kidei's reaction to the decision of the vice-voivode in 1378 to rule in favor of the abbey. The reambulations and depositions from 1378 and 1379 were all in favor of the abbey and only few witnesses were on the side of John Kidei, who kept evading a direct confrontation and was continuously arguing against the boundary signs (according to a relation from 19 November 1379)<sup>117</sup>. Voivode Ladislau Losonci (1376–1385 and 1386–1392) intended to finally settle the trial with the same outcome after the solemn oath of Abbot Otto from 5 December 1379 on the

<sup>110</sup> DRH C 2006, 121–123, d. 98, MNL DL 26982.

<sup>111</sup> Diaconescu 2013, 282.

<sup>112</sup> EO 2014, 350, d. 889.

<sup>113</sup> Especially, if we think that the existence of vice-voivode Ladislaus, son of *Peteu*, is only attested by two indirect sources, this one included (DRH C 2006, 124, n. 21). The ambiguities revolving around the main power offices of the voivodeship during this time need further research because, according to the investigations of W. A. Kovács, the office of Ladislaus Nadabi started during the time of the presumed office of Ladislaus, son of *Peteu*, before 25 November 1372 (Kovács 2005b, 236–237).

<sup>114</sup> DRH C 2006, 505–507, d. 307.

<sup>115</sup> DRH C 2006, 518, d. 320, MNL DL 38708.

<sup>116</sup> DRH C 2006, 606–607, d. 395, MNL DL 38708.

<sup>117</sup> DRH C 2006, 662–675, d. 435.

truthfulness of the boundary and a final reambulation<sup>118</sup>. At this point, the forgeries of the abbey were already used starting with 1378 and both Vice-voivode John Temesi (1376–1385 and 1386–1389) and Voivode Ladislaus (unknownly?) considered the abbey's charter dated 28 June 1285 authentic. However, its content was thoroughly verified by the Transylvanian chapter, together with the sworn men of the king and voivode and the indicated boundaries proved to be accurate according to the witnesses and neighbors<sup>119</sup>.

Then, the matter was taken once again to the king by John Kidei (1380) and this led to the reopening of the trial and the continuation of the dispute as revealed by a charter from 1 May 1383 issued by Queen Mary (1382–1385 and 1386–1395)<sup>120</sup>. This document continuously referred to the estate with the name of *Bewnye* (*Been alio nomine Tyburchteleke*) and telling the two apart does not appear to be an issue for the involved parties<sup>121</sup>. On this occasion, the trial was postponed because the abbot only had copies of the old charters (while Kidei demanded the originals!), but the noble managed to get back his own documents, previously seized by the voivode (and even handed over to the abbot from Cluj-Mănăştur!). Except for several postponements between 1380 and 1383, many details on the evolution of the trial during the 1380s remain unknown. We can say, though, that John Kidei went as far as to file a complaint against Voivode Ladislaus, because of his treatment of this legal action, and that either Abbot Otto or the delegate of the voivode failed to appear before the royal court of justice on several occasions.

The hiatus that followed in the trial was most certainly due to the forgery scandal the abbey was facing (some of the fake documents were truly instrumental for this case!). This determined the death sentencing of the scribe Stephen Szengyeli and the disappearance of Abbot Otto in 1383<sup>122</sup>. One must imply that these fake documents were uncovered because of the trial over *Tiburcztelke*, as the old charters were specifically requested as proof of ownership and consequently, the forgery dated to 1285 was supposed to be presented before Queen Mary.

Meanwhile, in 1385, the nobles of *Tiburcz* wanted to occupy the neighboring monastic land *Bewnye* and collect the tithes from it, probably as a reaction to the recent exposure of the forgery activities that weakened the abbey. It seems that the nobles of *Tiburcz* were more numerous than the litigious

<sup>118</sup> DRH C 2006, 685–688, d. 442.

<sup>119</sup> DRH C 2006, 662–675, d. 435.

<sup>120</sup> DRH C 2014, 285–297, d. 232.

<sup>121</sup> We cannot say if the root of this could be connected to the original donation to John Koppáni that included both land plots, or to a slow but gradual trespass of *Bewnye*.

<sup>122</sup> On the details of this episode and the forged documents, see: Jakó 1984; KmJkv 1990, 38–40.

documents of the previous couple of years reflected, because Peter Nádasí and John *Rufus* resurfaced alongside John Kidei. But, Abbot Paul asked the Transylvanian chapter to send its man to forestall the events<sup>123</sup> and prompt measures were taken immediately in his favor<sup>124</sup>.

Finally, in 1393, the trial involved John Kidei and his sons Peter and the other Peter. The dispute now concerned both *Tiburcztelke* and *Bewnye*. It was only then, after 54 years, that a final ruling was made by the Transylvanian vice-voivode. Despite the many protests and postponements of the nobles, on 15 September he decided in favor of the abbey but simply because the nobles did not show up five times, while Abbot Paul presented the documents<sup>125</sup>.

It is hard to decipher whether the successors of Deme truly had authentic documents (like the charter issued by King Charles I invoked frequently in the sources) which would attest or refute their right to the land. If they had legal documents why were these either critiqued by the court or, most often, not presented at all (as was the case in 1393)? If they had no authentic documents or, perhaps, no legal documents at all, stalling would have benefited them. Thus, the three-generation long lawsuit finally reached an end, and with it Deme's descendants disappeared from the sources. Even though details are not known about how the reclaiming of the land went or where did Deme's descendants relocate, after this episode it seems that the abbey more or less held the land in peace.

During the fifteenth century, the ownership claims of the nobles never reemerged and this is probably the reason why only a small number of new documents referring to this property were compiled and preserved. Most of what was passed on is represented by copies of the old charters and few new forgeries that reconfirmed and strengthened the position of the abbey as the sole owner of *Tiburcz*. The early fifteenth century forgeries also raise some questions on the lawfulness of the charters presented in court in 1393, but only speculations can be put forward.

One authentic charter stands as an exception. It was issued in 1467, when Abbot Peter had to oppose the donation of *possessio Thyborcz*. This was a reaction to the donation of the land by King Matthias (1458–1490) to Valentine and Ladislaus, nobles of *Thewke*<sup>126</sup>, as a reward for their services to the king<sup>127</sup>. Whether, this was an error derived from the fourteenth century confusion revolving around the property and its ownership, one cannot say. However, apart from this event, nothing can be cited that could, even remotely, cast doubts

<sup>123</sup> DRH C 2014, 640–641, d. 470, MNL DF 275199.

<sup>124</sup> DRH C 2014, 641–642, d. 471, MNL DF 275199.

<sup>125</sup> ZsOkI 1951, 343–344, d. 3107, MNL DL 28735.

<sup>126</sup> The Tőke/Tőki family from the County of Dăbâca (Csánky 1913, 418).

<sup>127</sup> MNL DL 27183.

on the monastic ownership of *Tiburcztelke*. The abbey kept the land plot until its dissolution. Moreover, the place was under its administration. It appears to have been a safe property of the monastery because the tithes from *Bewnye* could be transported here in the fourth decade of the fifteenth century<sup>128</sup> and thus the organization of a monastic grange can be hypothesized.

The other fifteenth century documents we identified so far are connected to the religious activities and the monastic parish system. By 1432 the village of *Tiburcztelke* was integrated into this network and had a close connection to Chinteni, since the church found here was a *filia* of the parish church in Chinteni. At this point, Abbot Anthony commissioned Michael Porcsalmi (*Michaeli nato Johannis de Porchalma*) to fulfill the function of parish priest in both churches with all their benefits. Later on, in 1499, Matthias, the parish priest of *possessio Thyburch* was mentioned<sup>129</sup>.

### *Outline of the post monastic changes*

After the last Benedictines had left Cluj-Mănăştur in 1556, in the company of their abbot, the properties of the abbey were taken over by the treasury. In 1569 King John Sigismund Zápolya (1540–1551, 1556–1570) donated Baciu, Băgara, Leghia, Chinteni, and *Tiburcz* to Francisc Forgách, former Bishop of Oradea<sup>130</sup>. After his death, three of the former Benedictine properties, Chinteni, Băgara, and *Tiburcz*, were handed over to George Blandrata, the medic of Cristopher Báthory of Somlyó. He then sold them in 1579 to Alexander Kendi of Lona and Wolfgang Bánffi Lossonczi for 5200 golden florins<sup>131</sup>. Shortly after, two separate lists recorded that each of them had approximately 20 peasant families living in *Tiburcz*, since the property was split between the two<sup>132</sup>. Their ownership of the village was a short one because a document from 1581 attests that Wolfgang Bánffi Lossonczi handed over his parts from the above mentioned three estates to the Jesuits, who settled at Cluj-Mănăştur, and was redeemed with other property parts by Voivode Cristopher Báthory (1576–1581)<sup>133</sup>. Alexander Kendi was granted the same treatment for his half of the lands<sup>134</sup>. This was part of the actions of Prince Stephen Báthory (1571–1586) to take back the former monastic properties in order to endow the

<sup>128</sup> MNL DL 28822.

<sup>129</sup> MNL DL 74272.

<sup>130</sup> EFKK 2003, 45, d. 79.

<sup>131</sup> ANR CJ-F-00324–1–153, CJ-F-00320–1–3–2–91–1 and CJ-F-00320–1–2–2–ZZ–15.

<sup>132</sup> Jakó 1944, 2–3, d. 1 (1579–1581) and 420, d. 1 (1579).

<sup>133</sup> ANR CJ-F-00320–1–2–2–AA–5.

<sup>134</sup> The document proving this is undated and only its transcription in a source from 1764 was preserved (ANR CJ-F-00320–1–2–2–II–22), but we know that the Jesuits received all of *Tiburcz* in 1581.

Jesuit Order, which honored his invitation and settled in Transylvania. This entire chain of events was also related in the donation letter issued by the prince for the Jesuits from Cluj in the same year<sup>135</sup>.

As noted in the previous pages, the estate management of the Jesuit Order is well documented. They were concerned with productivity, taxation, population count, as shown by the *urbaria*, letters, and reports. However, reclaiming the parish network for the Catholic Church was also the order's objective. As a consequence, they recorded the existence of a church in *Tiburcz*. The document from 1582 was compiled as a result of a *visitatio* and recommended that several churches on their estates be restored (*Fere omnia templa nostrorum pagorum indigent reparatione, praesertim in Tiburcz, Kajanto et Bogartelke*). It also indicated the sequence of repairs and funding solutions. One detail is connected to the reintroduction of Catholic priests to those churches<sup>136</sup>, which means they were lost after the Reformation<sup>137</sup>. *Tiburcz* was owned by the Jesuits at the end of the sixteenth and beginning of the seventeenth centuries, but a hiatus intervened as they were first banished between 1588 and 1595. In this interval the 1590–1594 *urbarium* listed this land (along with the entire domain of Cluj-Mănăştur) as princely. Despite this, plough land and tracts of forest managed by the monks were still mentioned. The Jesuits definitely held *Tiburcz* once again, until 1603, when they were expelled from Cluj<sup>138</sup>. During the seventeenth century the property had several noble owners (such as Denis Bánffy or John Polyák) or belonged to the treasury<sup>139</sup>. Until now, we have no data on a depopulation phenomenon prior to the seventeenth century. By the 1670s it was called *pushta* or *pushta hely*, meaning that it was uninhabited (even though thirty house plots were still mentioned). Later on, the area was used only for ponds, meadows, and pastures.

### *Conclusions and outlook*

The land called *Tiburcztelke* was already inhabited by the middle of the fourteenth century. In fact, it is highly probable that it was repopulated by Deme and his family, since the existence of *Tyburcius* does not appear to be a confection of the monks in Cluj-Mănăştur, but a historical fact. We cannot advance any final conclusions on how the family of Deme came to settle on this land, nor on the actual connection between *Tyburcius* and the abbey (perhaps a former estate manager

<sup>135</sup> FRT 1911, 130–131, d. 49.

<sup>136</sup> FRT 1911, 217, d. 72.

<sup>137</sup> Stephen Szántó highlighted the fact that the Catholic priests were only holding sermons a couple of times a year in most of their parish churches and the situation needed mending (FRT 1911, 205, d. 68).

<sup>138</sup> Jakó 1944, 5, n. 1.

<sup>139</sup> Szabó 2009, 930.

of the monastic property or a lesser noble commissioned by the Benedictines to clear the land). However, the events revolving around this land plot illustrate well how certain land disputes could evolve. The quarrel can be regarded as one of the most aggressive litigation processes of Cluj-Mănăstur, when also murder was involved and a series of document forgeries took place. This was the event that launched the long line of forgeries (of allegedly thirteenth-century documents) of Abbot Otto. The constant need to emphasize the unity of the monastic land cluster from the Chintău valley was most likely based on an older estate structure for which the abbey probably lost its ownership documents. Several court decisions and deferment acts from both parties raise serious questions on the actual existence of any original document. This situation generated a series of corrupt practices, best illustrated in the case of the abbey, but the repeated failure to present them in court raises doubts on the charters of the noble descendants as well. The continuous association of the various monastic lands found in the area and the multiple reambulations focusing, with the exception of *Szilvastelek*, only on their northern boundaries point out that the nobles' claim could not advance to the point where a complete and individual perambulation of *Tiburcztelke* could be requested and admitted by the court of justice.

The reconstructed boundaries are prone to future re-evaluation and adjustments, but the main uncertain boundary segments are linked to the constant association of the multiple monastic land plots. Along these boundaries the written records show a variety of land uses that were confirmed during the field survey. Moreover, the field work revealed landscape features and archaeological material inside the property and backed up our presumption on the location of the medieval and early modern settlement. Regardless, any further analysis of the site of *Tiburcztelke* should envisage interdisciplinary field work (based on intrusive and non-intrusive methods) in order to identify its built elements, inner structure, long-term mutations and total extent.

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## SECULAR SAU MONASTIC? PEISAJUL MEDIEVAL ȘI DISPUTELE ASUPRA DREPTULUI DE PROPRIETATE AL MOȘIEI TIBURCZTELKE (CHINTENI, JUDEȚUL CLUJ)

### *Rezumat*

Istoria micii proprietăți din valea Chintăului, numită *Tiburcztelke*, a cunoscut episoade tensionate în cea de-a doua jumătate a secolului al XIV-lea. Dreptul de proprietate și, implicit, folosirea sa au constituit pricina unui proces, documentat pe parcursul a trei generații, între abația benedictină de la Cluj-Mănăstur și o familie de mici nobili care și-a legat titulatura de numele moșiei disputate. Proprietatea și așezarea din cuprinsul acesteia înregistrează cinci veacuri de existență, începând cu secolul al XIV-lea și până în cel de-al XVIII-lea, când satul a fost depopulat. Numărul mare de documente păstrate cu referire la lunga judecată a atras atenția prin cantitatea și calitatea detaliilor referitoare la părțile implicate și la elementele peisajului arheologic medieval.

Astfel, a fost posibilă localizarea și parțiala delimitare a zonei în care a apărut și evoluat *Tiburcztelke*. În linii mari, este un teritoriu flancat la sud de Chinteni, iar la nord și nord-est de Vechea, Deușu și Măcișu. Datele arhivistice, cartografice și toponimice au permis identificarea satului dispărut, a unor zone agricole, păduri, posibile heleșteie, pășuni sau vechi drumuri. Studiul de caz aparține micro-istoriei și analizei peisajului local, însă abundența surselor a permis restituirii detaliate ale realităților medievale la un nivel dificil sau imposibil de atins pentru multe alte zone. S-au putut observa dificultățile unui proces cauzat de ocuparea ilegală a unui teritoriu și care a generat episoade de violență și practici de corupție, în condițiile în care niciuna dintre părțile implicate nu pare să fi deținut acte originale. Evoluția judecății și deznodământul său arată că este vorba despre o proprietate monastică la origini și de o tentativă nobiliară stăruitoare de a o desprinde din blocul moșiilor abațiale.

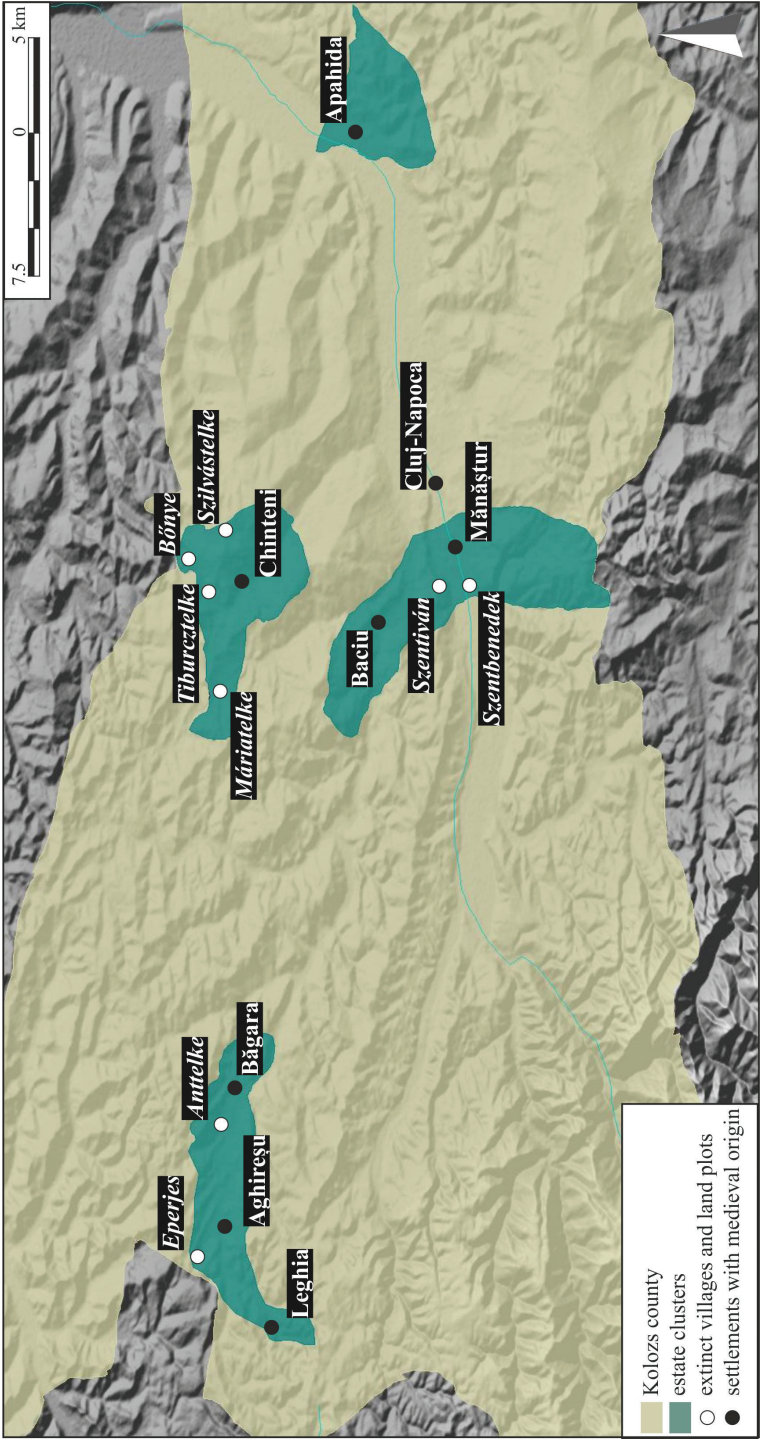


Fig. 1. The abbey's estate clusters in Cluj County. / Blocurile de posesiuni abățiale de pe teritoriul Comitatului Cluj.



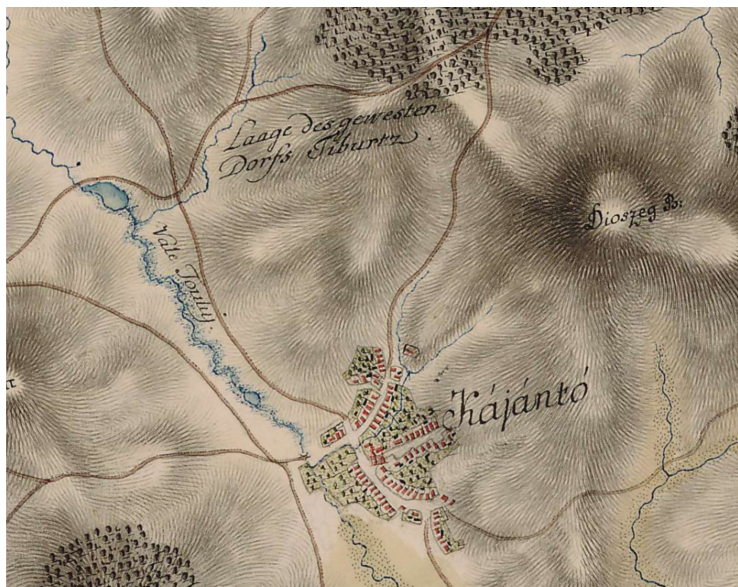


Fig. 2. Location of the deserted *Tiburcztelke* on the First Military Survey.  
/ Localizarea satului părăsit *Tiburcztelke* pe Harta Iosefină.



Fig. 3. Spatial distribution of the medieval place names. /  
Distribuția spațială a toponimelor medievale.

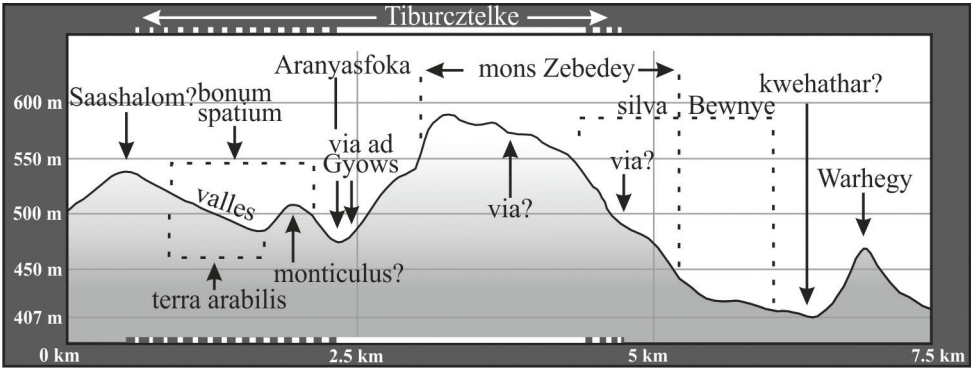


Fig. 4. The elevation profile of the northern perambulated boundary. / Profilul altimetric al hotarului de nord.

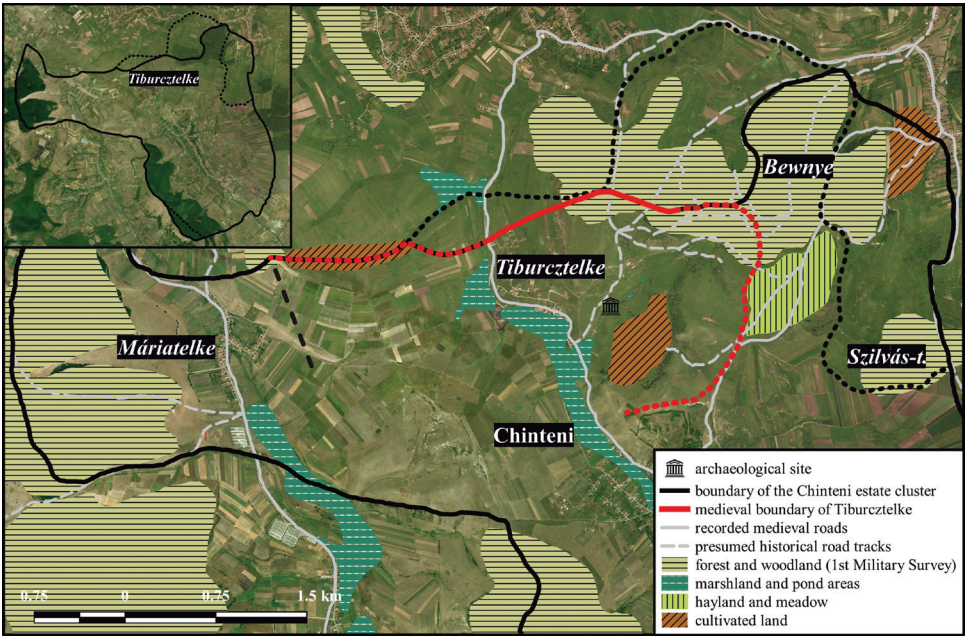


Fig. 5. Medieval boundary reconstruction and land use. / Reconstituirea hotarului medieval și a formelor de utilizare a mediului ambiant.



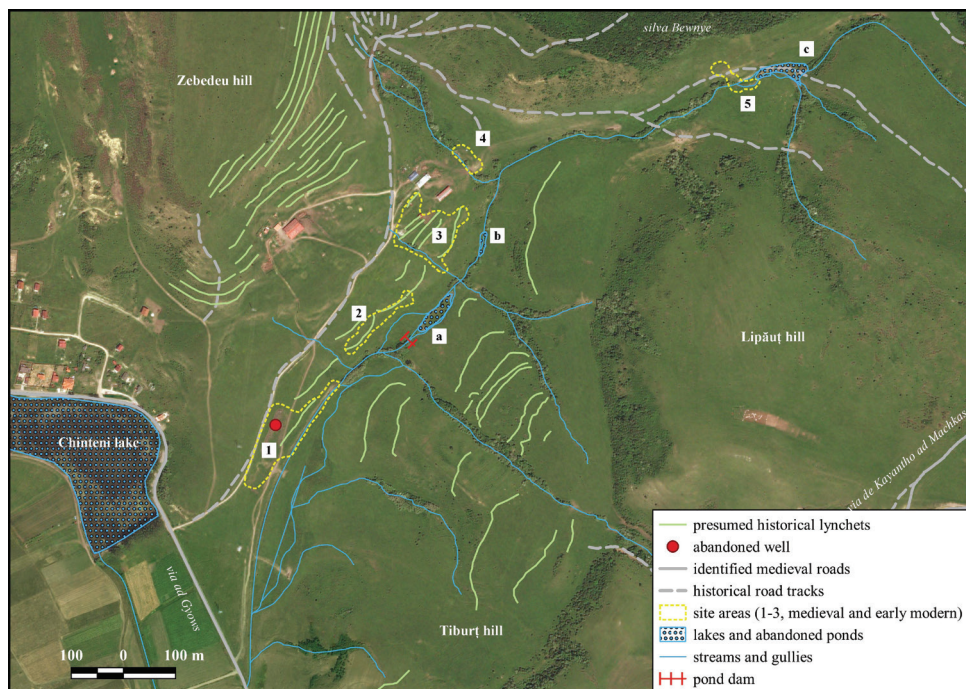


Fig. 6. Landscape features and archaeological sites in the Tiburț valley.  
/ Elemente de peisaj și situri arheologice în valea Tiburțului.



Fig. 7. The historical terraces with the Zebedeu hill in the background.  
/ Terasse istorice și dealul Zebedeu în plan îndepărtat.



Fig. 8. Soil erosion on the pasture from Tiburț hill. / Eroziunea solului pe pășunea de pe dealul Tiburțului.



Fig. 9. Silted pond in the eastern part of the Tiburț valley. / Heleșteu colmatat în partea de est a văii Tiburțului.





Fig. 10. Abandoned well in the floodplain. / Fântână abandonată în lunca inundabilă.



Fig. 11. *Bewnye* forest as seen from Lipăuț hill. / Pădurea *Bewnye* văzută de pe dealul Lipăuț.





Fig. 12. Abandoned road tracks and presumed historical lynchets on the Zebedeu hill (Photo by Szilamér Pánczél).  
/ Drumuri părăsite și posibile terase antropogene pe dealul Zebedeu (Fotografie Szilamér Pánczél).



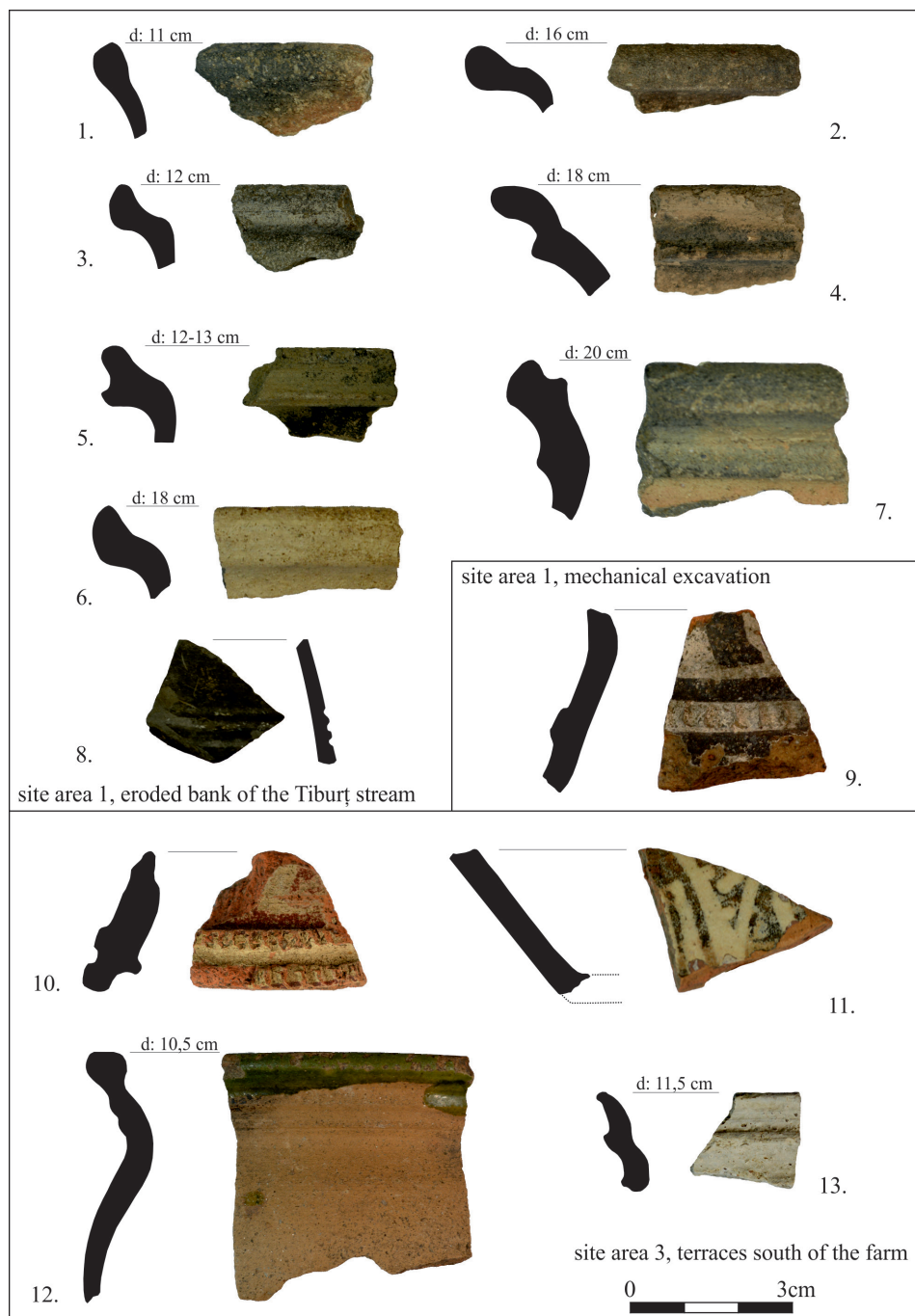


Fig. 13. Late medieval and early modern ceramic finds. /  
Fragmente ceramice medievale târzii și moderne timpurii.