

CHANGES IN THE PALATINAL JURISDICTION IN THE TERRITORIES OF THE TRANSYLVANIAN VOIVODE, THE BAN OF SLAVONIA AND THE BAN OF MAČVA IN THE EARLY 14TH CENTURY

Tibor Szócs*

Keywords: palatine, voivode of Transylvania, ban of Slavonia, ban of Mačva, *generalis congregatio*

Cuvinte-cheie: palatin, voievodul Transilvaniei, ban de Slavonia, ban de Mačva, *generalis congregatio*

The basic position: palatinal jurisdiction over the territory of the Transylvanian Voivode and the Slavonic Ban

The palatine (called in Latin *comes palatii* until the mid-11th century, *comes palatinus* in the 12th and early 13th centuries, and then – as a result of a process of change over a few decades – simply *palatinus* from the 1230s onwards)¹ was one of the most important secular dignitaries of the medieval Hungarian Kingdom. Its origins date back to the early 11th century, to the time of St. Stephen (1000–1038), who organised the structure of the court on the Western European, mainly Carolingian, model.² He also modelled the institution of the palatine on the Carolingian model. The early palatine was still essentially an official at the head of the royal court, who was both governor and judge of the people who lived on royal landed estates, which covered the whole country, and also had economic functions.³ He was also the judge of the

* Szegedi Tudományegyetem, Bölcsészet- és Társadalomtudományi Kar (Hungary), e-mail: szocstibi@gmail.com

¹ Tibor Szócs, “Nádorispán szavunk latin és magyar megnevezése és etimológiája,” in Tünde Székely, ed., *X. RODOSz Konferencia-kötet: bölcsész tudományok – élő- és élettelen természettudományok – orvostudományok – műszaki tudományok* (Kolozsvár: Clear Vision Könyvkiadó, 2009), 188–192; Tibor Szócs, *A nádori intézmény korai története 1000–1342* (Budapest: MTA TKI, 2014), 14–16.

² György Györffy, *King Saint Stephen of Hungary* (New York: Columbia University Press, 1994), 123–125.

³ Attila Zsoldos, *The Árpáds and Their People. An Introduction to the History of Hungary from*

subjects who came before the monarch in the royal court and passed judgments on behalf of the king.⁴ From the end of the 11th century onwards, his functions gradually changed. The economic management of the court was entrusted to a special officer, the *curialis comes* (from which the office of the judge royal, *iudex curie* in Latin, emerged in the first half of the 13th century).⁵ The main function of the palatine in the 12th century was to judge at the royal court, deciding on the lawsuits brought before the king. Then, at the end of the 12th century, he became a judge in his own right, thus creating the highest judicial forum in the medieval Hungarian Kingdom after the king's personal judgeship. An unknown foreign author, who wrote a description of Central Europe, including Hungary, around 1308, had already summed up the office as follows: "He is called a palatine who is the head of justice in the whole kingdom" (*Palatinus vocatur ille, qui est iusticiarius in toto regno*).⁶

At a time when the palatine was not yet a judge in his own right, the question of jurisdiction was not relevant: he judged those who came to the royal court, in effect representing the king's judicial power. When, at the end of the 12th century, the palatine became an autonomous judicial forum, the limits of how far and to whom his power extended among people of free status had to be clarified. These limits do not appear to have been artificially defined at the same time, but rather developed by customary law over the following decades. This shaping coincides with other important changes. In the early 13th century, the judge royal took over the leadership of the royal court⁷ and during the reign of King Andrew II (1205–1235), several important positions in the royal court were created (master of the horse, master of stewards, master of the cupbearers, Latin *magister agazonum*, *dapiferorum* and *pincernarum*), and at that time, the position of master of the treasury (*magister tavernicorum*)⁸, which had existed

cca 900 to 1301 (Budapest: Research Centre for the Humanities, 2020), 129–130; Szőcs, *Nádori intézmény*, 34–39.

⁴ Szőcs, *Nádori intézmény*, 34–35; Tibor Szőcs, "A history of the palatinal institution in the Árpáadian Age and in the first half of the Angevin Period (1000–1342)," *Chronica. Annual of the Institute of History University of Szeged XIII* (2017): 126–127.

⁵ Zsoldos, *Árpáds and Their People*, 130. For the birth of the institution of the judge royal see in detail Péter Váczy, "A királyság központi szervezete Szent István korában," In Jusztinián Serédi, ed., *Emlékkönyv Szent István király halálának kilencszázadik évfordulóján*, Vol. II. (Budapest: MTA, 1938), 53–57; for its prehistory see Tibor Szőcs, "Miből lett az országbíró? Az udvarispáni tisztségek kialakulása," *Századok CLI* (2017): 1063–1088.

⁶ Latin: Dragana Kunčer, ed. and transl., *Anonymi Descriptio Europae Orientalis. Anonym's Description of Eastern Europe* (Belgrade: The Institute of History, 2013), 141.

⁷ Váczy, "A királyság központi szervezete," 53–57.

⁸ Zsoldos, *Árpáds and Their People*, 130–131; Attila Zsoldos, *The Golden Bull of Hungary* (Budapest: Research Centre for the Humanities, 2022), 36.

since the 12th century, became an important position, managing not only the royal court but the financial policy of the whole country. In the early 13th century, the territorial jurisdiction of the Slavonic Ban beyond the river Drava was clarified, and in Transylvania, during the same period, the voivode extended his power to certain northern Transylvanian counties and was granted the right to appoint the counts.⁹ By this time, territorial centres had been established which gave their holders a higher degree of power than the county governors. But did the palatine have the right to judge in their territories?

The immature nature of customary law is reflected in the so-called Golden Bull of 1222, a provision of King Andrew II, according to which the jurisdiction of the palatine may extend to the whole country: “The count palatine shall judge without differentiation all the men of our realm, but cases concerning nobles condemned to capital punishment and loss of possessions shall not be concluded without the king’s knowledge”.¹⁰ The provisions of 1222 were repeated with minor changes in 1231 (“the renewal of the Golden Bull”), and a restriction was made on the jurisdiction of the palatine, but it was not territorial, but nullified jurisdiction over ecclesiastical persons and ecclesiastical matters: “The count palatine shall judge without differentiation all the men of our realm, except ecclesiastical persons and clerks, and cases concerning marriage, dowry, and other ecclesiastical matters which appear to belong for whatever reason to ecclesiastical jurisdiction. Cases concerning nobles condemned to capital punishment and loss of their possessions shall not be concluded without the king’s knowledge by any judge”.¹¹

Nevertheless, if we look at the earliest decisions of the palatine, whose territorial aspects we know, and the parties could choose which judge they were subject to (between 1206 and 1248 we know of 62 such cases, not counting those concerning the monastery of Pannonhalma in Győr county)¹², we see that none of them concern the territory of historical Transylvania, all of

⁹ Zsoldos, *Árpáds and Their People*, 128–129; Zsoldos, *Golden Bull*, 30–31.

¹⁰ *Palatinus omnes homines regni nostri indifferentet discutiat, sed causam nobilium, que ad perditionem capitis vel ad destructionem possessionum pertinet, sine conscientia regis terminare non possit.* – János Bak, György Bónis, James Ross Sweeney, eds. and transl., *The Laws of the Medieval Kingdom of Hungary. Decreta regni mediaevalis Hungariae, Vol. I. (1000–1301)* (Schlacks: Bakersfield, CA., 1989) 35.

¹¹ *Palatinus omnes homines regni nostri indifferentet discutiet, preter personas ecclesiasticas et clericos, et preter causas matrimoniales et dotis, et alias ecclesiasticas, quacumque ratione videntur ad ecclesiasticum examen pertinere. Cause nobilium, que ad perditionem capitis aut destructionem possessionum eorundem pertinent, sine conscientia rega per nullos iudices terminatur.* – Bónis et al., *Decreta regni mediaevalis Hungariae*, vol. I, 40.

¹² For their list see Szócs, *Nádori intézmény*, 59–61.

them stop at its western borders.¹³ The so-called *Registrum Varadiense* (Orodea Register / Varad Register) provides an excellent analytical tool for this investigation. The fragmentary surviving registry book of the Chapter of Orodea (Várad) records a total of 389 cases between 1208 and 1235, when parties visited the Chapter, mostly for the purpose of holding a trial by ordeal.¹⁴ Because of the Bihar County headquarters, quite a few of these requests were made from Transylvania, or at least had some Transylvanian relevance.¹⁵ In all cases, the court entries mention the judge, so it is possible to tell in which forum the case was brought, before the judge sent the parties to the Chapter of Orodea. Although the palatine as a judge appears in the entries of the *Registrum Varadiense* in 27 cases¹⁶, and we can find cases from Arad County, Bihar County or Solnok County¹⁷, but none of them concerned Transylvania, and we do not know of any other case where the palatine judged a Transylvanian case. Thus, although not prohibited in principle by the decrees of 1222 and 1231, there is no evidence that the palatine, who became an independent judicial forum, ever exercised jurisdiction in Transylvania. It has already been established in earlier literature, based on later examples, that the palatine did not

¹³ Shown on the map: Tibor Szőcs, “A nádori ítékezés és jogkör területi vonatkozásai a 13. század első felében,” In Attila P. Kiss, Ferenc Piti, György Szabados, eds., *Középkortörténeti tanulmányok* 7. (Szeged: Szegedi Középkorász Műhely, 2012), 420.

¹⁴ Chronological edition of the *registrum*: János Karácsonyi, Samu Borovszky, eds., *Regestrum Varadinense examinum ferri candents ordine chronologico digestum, descripta effigie editionis a. 1550 illustratum. Az időrendbe szedett váradai tüzesvaspróba-lajstrom: az 1550-iki kiadás hű másával együtt* (Budapest: Hornyánszky Ny., 1903). Romanian translation: Ion Ionașcu et al., eds., *Documente privind istoria României (DIR), C. Transilvania*, veacul XI, XII și XIII. vol. I–II. Veacul XIV. vol. I–IV (București: Editura Academiei R.P.R., 1951–1955), Veac. XI–XIII. vol. I, 37–147.

¹⁵ All the (identifiable) place names of the register were recorded and mapped by Ilona K. Fábrián, *A Várad Regestrum helynevei* (Szeged: Szegedi Középkorász Műhely, 1997), 23–160 (maps on the appendices between pages 160–161). Transylvanian entries of the register (using the new numbering by Karácsonyi, Borovszky, *Regestrum Varadinense*): no. 1, 6, 7, 10, 17, 18, 21, 22, 29, 31, 32, 35, 44, 47, 49, 52, 59, 60, 61, 74, 76, 77, 78, 80, 81, 84, 87, 94, 99, 103, 114, 115, 118, 120, 127, 128, 134, 135, 136, 140, 143, 156, 158, 170, 176, 177, 184, 186, 188, 207, 212, 219, 220, 224, 227, 228, 229, 230, 232, 238, 251, 254, 255, 262, 264, 283, 369, 388. For the Romanian translation, see previous note. His Hungarian-language critical excerpt (“regesta”): Zsigomd Jakó, Géza Hegyi, András W. Kovács, eds., *Codex Diplomaticus Transsylvaniae. Erdélyi Okmánytár*, 5 vols (Budapest: MOL and MNL OL, 1997–2021), vol. I, no. 36, 44–61, 63–73, 75–87, 89, 92–106, 108–113, 116, 156, 182.

¹⁶ Karácsonyi, Borovszky, *Regestrum Varadinense*, no. 9, 19, 62, 64, 97, 103, 116, 162, 175, 180, 189, 213, 217, 220, 226, 244, 245, 269, 275, 281, 290, 308, 309, 313, 314, 358, 387.

¹⁷ Arad: Karácsonyi, Borovszky, *Regestrum Varadinense*, no. 62, 213, 290. Bihar: no. 19, 64, 97, 387. Solnok: no. 220, 269.

subsequently interfere with the jurisdiction of the Transylvanian voievoda¹⁸, and this seems to have been the case from the very beginning.

Somewhat more complicated was the question of the territories south of the Drava River, where the ban had jurisdiction, who from the first half of the 13th century was called *banus totius Sclavonie* (“Ban of whole Slavonia”). This name implied that the Ban had jurisdiction from medieval Croatia all the way to the river Drava¹⁹, thus giving rise to a specific political term, *Ultra Drawam* (“Beyond Drava” or “Transdrava”)²⁰ which geographically refers the region south of the river Drava and politically the jurisdiction of the Slavonic ban.²¹

The literature was already more divided on the jurisdiction of the palatine beyond the Drava. According to Lajos Nyers, a Hungarian historian, the counties of Srim (Srijem, Szerém), Valko, Požega (Pozsega) and Virovitica (Verőce) were under the jurisdiction of the palatine until the end of the 15th century, as they did not belong to Slavonia.²² Although it is true that, geographically speaking, these counties did not belong to Slavonia, in the 13th century the ban of Slavonia did exercise jurisdiction over these counties, because they were also located south of the Drava River, i.e. they belonged to the “Transdrava”. This was also true for the counties (Somogy, Zala) that straddled the river.²³ This led to confusions of interpretation and jurisdictional frictions, which have been mitigated over time.²⁴ If we first focus on the early period, before 1250 we can find three cases of the judgments and measures of the palatine, which extended beyond the Drava. One case is mentioned in the 1398 charter of the Palatine Detre Bebek. In this document, the charter of Nicholas Garai of 1383

¹⁸ See e.g. Lajos Nyers, *A nádor bírói és oklevéladó működése a XIV. században (1307–1386.)* (Kecskemét: Hungária Ny., 1934), 13; Gyula Kristó, *A feudális széttagolódás Magyarországon* (Budapest: Akadémiai Kiadó, 1979), 120–121; Gyula Kristó, *Tájszemlélet és térszervezés a középkori Magyarországon* (Szeged: Szegedi Középkorász Műhely, 2003), 182.

¹⁹ Zsoldos, *Árpáds and Their People*, 129. For the development of the term “Ban of whole Slavonia” (with different reconstructions) see Attila Zsoldos, “Egész Szlavónia bánja,” in Tibor Neumann, ed., *Tanulmányok a középkorról* (Budapest: Argumentum, 2001), 269–281; Kristó, *Tájszemlélet és térszervezés*, 115–123.

²⁰ Kristó, *Feudális széttagolódás*, 91; Kristó, *Tájszemlélet és térszervezés*, 26.

²¹ Gábor Szeberényi, “Remarks on Government of Dalmatia in the Twelfth Century. A Terminological Analysis,” *Specimina nova. Sectio mediaevalis* IV (2007): 35–36; G. Szeberényi, “„Granicé” Slavonije u 13–14. stoljeću: Napomene za prosudbu granične uloge Drave i Gvozda,” *Scrinia Slavonica* XVII (2017): 420–426.

²² Nyers, *Nádor bírói és oklevéladó működése*, 13.

²³ For more information see Boglárka Weisz and Attila Zsoldos, “A báni joghatóság Szlavóniában és a Dráván túl,” in Tibor Almási, Éva Révész, György Szabados, eds., „Fons, skepsis, lex”. *Ünnepi tanulmányok a 70 esztendő Makk Ferenc tiszteletére* (Szeged: Szegedi Középkorász Műhely, 2010), 469–482.

²⁴ Weisz, Zsoldos, “A báni joghatóság Szlavóniában,” 478–480.

was transcribed, in which, among other things, the charter of the deceased palatine Stephen of 1247, issued in the case of the *Bela* estate between the rivers Drava and Mura, was mentioned.²⁵ Although we do not know exactly what this charter of the Palatine Stephen said (whether it was an induction of estate or a decision on a litigation), there is no reason to question the authenticity of the charter. The situation is different with the estate of *Wiscuz* (“Vízköz”), which was donated by King Béla IV and the new owners were registered by the Palatine Ladislav by order of the king.²⁶ The estate is in Somogy County, but across the Drava. Although the authenticity of the deed of donation is disputable, the fact that the donation was made can be proved, so perhaps the contribution of the palatine is not to be considered null and void.²⁷ However, the registration and induction was carried out by the same Palatine Ladislav, who was also the count of Somogy in one person²⁸, and since at that time the count could also be entrusted with the induction of a county estate²⁹, he could have carried out this task in this capacity. The only area entirely Beyond Drava is the estate between Tapolca (*Thapolcha*) and Pukor (*Pwker*) in Požega County. However, the 1228 charter that maintains this is forged or at least interpolated (i.e. the original text is mixed with later insertions and changes), and the parts of the charter that deal with the measures of the palatine are taken from another palatinal charter. It cannot be proved that any of the palatine ever judged in the case of the estate.³⁰ In addition to these, there is another case which formally also has a “Transdrava” aspect. In 1227, Palatine Dionysius, son of Ampod, judged in the case of the estates of *Vék*, *Bán* and *Rékas* in Baranya County, on the south bank of the Drava (Bán today Popovac, Croatia).³¹ Thus, in the south-western territo-

²⁵ Gyula Nagy Imre Nagy, Dezső Véghely, eds., *Zala vármegye története. Oklevéltár*, Vol. II. (Budapest: Zala Vármegye, 1890), 285. Critical excerpt: Tibor Szőcs, ed., *Az Árpád-kori nádorok és helyetteseik okleveleinek kritikai jegyzéke* (Budapest: MOL, 2012), no 75.

²⁶ Gusztáv Wenzel, ed., *Árpád-kori új okmánytár*, 12 vols (Budapest: MTA, 1860–1874) vol. XI, 337–340. (Szőcs, *Nádorok kritikai jegyzéke*, no. 69)

²⁷ Weisz, Zsoldos, “A báni joghatóság Szlavóniában,” 476; see also the commentary to Szőcs, *Nádorok kritikai jegyzéke*, no. 69.

²⁸ Attila Zsoldos, *Magyarország világi archontológiája 1000–1301* (Budapest: História, 2011), 193.

²⁹ Kristóf György Veres, “A földbirtok-adminisztráció és a királyi kancellária (1205–1272),” in István Kádas, Boglárka Weisz, eds., *Határon innen és túl. Gazdaságtörténeti tanulmányok a magyar középkorról* (Budapest: Bölcsészettudományi Kutatóközpont TTI, 2021), 71–74.

³⁰ Tadija Smičiklas et al., eds., *Diplomatički zbornik kraljevine Hrvatske, Dalmacije i Slavonije. Codex diplomaticus regni Croatiae, Dalmatie ac Slavonie*, 18 vols (Zagreb: CASA, 1904–1990), vol. III, 293–295 (Szőcs, *Nádorok kritikai jegyzéke*, no. 30). For its falsity or interpolation, see the commentary to Szőcs, *Nádorok kritikai jegyzéke*, no. 30.

³¹ Vladimír Rábik, ed., *Középkori oklevelek a Nagyszombati Szent Adalbert Egyesület levéltárában (1181) 1214–1543* (Szeged, SZTE Történeti Intézet, 2010), 26–28.

ries, which are relatively rich in sources, emerged a total of four charters some palatinal intercession, of which one is definitely false, one is uncertain, and one (the *Bela* estate) cannot be decided – this could even be considered credible. The judgment concerning the *Bán* estate can also be considered authentic. On the one hand, this represents a minimal conflict with the jurisdiction of the ban, but we believe that the small number of the presence of the palatine certainly indicates that the palatine did not *basically* act beyond the Drava, even from the first half of the 13th century. It is also striking that, according to a document that can be considered authentic, the estate in Požega County was already adjudicated by the Slavonic Ban Gyula in 1232, a few years after the alleged 1228 judgment of the palatine.³² Thus, the extension of the palatinal jurisdiction up to the river Drava can be considered to have been consolidated by the first half of the 13th century, and the palatines continued to respect the borders even later. A striking example of this is the charter issued in July 1255 by the Chapter Pécs, which reveals that Sophia, the widow of Matthew, had brought a suit before Palatine Roland in the case of filial quarter of Kudmen estate in Virovitica (Verőce) County (also completely beyond the Drava). But the palatine passed the whole case on to certain nobles to either reach a settlement or set a deadline for the trial. The nobles conducted the case, they also ordered the oath, and the parties finally made their confession before the Chapter Pécs.³³ It seems, therefore, that even Roland did not feel competent in the case of an estate that lay completely beyond the Drava.

All in all, therefore, we see that the palatine, which became an independent judicial jurisdiction at the end of the 12th century, had, in theory, jurisdiction over the whole country, as was stated in the laws of King Andrew II of 1222 and 1231. In practice, however, from the very beginning the palatine did not interfere in the affairs of the Transylvanian voivode and the Slavonic ban, who were the highest dignitaries after the king in their own provinces. But this was also only theoretically the case, as the boundaries of the territories ruled by the voivode and the ban had undergone minor changes over time. This inevitably led to conflicts between the jurisdiction of the palatine and that of the voivode or bans. The paper will now look at these “peripheral areas”, focusing on the changes that occurred in the 14th century.

³² Magyar Nemzeti Levéltár Országos Levéltára (Budapest, Hungary), Diplomatikai Levéltár (MNL DL) 100201.; Smičiklas, *Codex diplomaticus Croatiae*, vol. III, 367–368.

³³ Georgius Fejér, ed., *Codex Diplomaticus Hungariae ecclesiasticus ac civilis*, 11 vols (Budaë: Regia Universitas Ungarica, 1829–1844) vol. IV/2, 345–347. The document is original (MNL DL 396).

The peripheral areas of the Transylvanian Voivodship: Solnok and Crasna Counties

As we have seen in the previous chapter, from the very beginning the palatine did not interfere in the Transylvanian voivode's powers, and this remained the case throughout the Middle Ages. One striking sign of this is that the palatine never held one of the classical forums of justice in Transylvania, the county "general assemblies/congregations" (*generalis congregatio*).³⁴

The few cases that contradicted this can rightly be regarded as uncharacteristic exceptions. There are records from the 15th century, for example, when a Transylvanian estate was registrated by the palatine or the iudge royal, although

³⁴ The county "general assembly/congregation" is not to be confused with the national assemblies organised by the king, although in Latin terminology both were called *generalis congregatio*, because the institution of the county assembly derives from the custom of these royal assemblies. The county *generalis congregatio* was a judicial forum that appeared at the end of the 13th century (the first recorded date is 1273), when the responsible grand magistrate of the region (usually the palatine in the country, the voivode in Transylvania, the Ban in Slavonia – sometimes their deputy) would appear in person and, summoning the nobility, hold a few days' tribunal for them. In contrast to the national assemblies, no more comprehensive measures were taken here, only judgements were made. These assemblies were held by the palatine for a county or groups of two or three counties, usually every two years, and from the 1330s onwards he travelled around a large part of the country. In Slavonia and Transylvania (because they were smaller areas), assemblies were held for all the counties of the province at the same time. For the institution of the palatinal *generalis congregatio*, see Szőcs, *Nádori intézmény*, 163–180; for the Ban, see Éva B. Halász, "The congregatio generalis banalis in Slavonia in the thirteenth and fourteenth centuries," in Suzana Miljan, Éva B. Halász, Alexandru Simon, eds., *Reform and Renewal in Medieval East and Central Europe: Politics, Law and Society* (Cluj-Napoca and Zagreb and London: Romanian Academy and Croatian Academy and University College London, 2019), 373–389; for Transylvania, see Iván Janits [Borsa], *Az erdélyi vajdák igazságszolgáltató és oklevéladó működése 1526-ig* (Budapest: Királyi Magyar Egyetemi Nyomda, 1940), 38–41; Gyula Kristó, *Early Transylvania (895–1324)* (Budapest: Lucidus, 2003), 220–221, 229–234; András W. Kovács, "A 15. századi erdélyi tartománygyűlésekről. I. (1416–1479)," in Emese Egyed, László Pakó, Attila Weisz, eds., *Certamen X. Előadások a Magyar tudomány napján az Erdélyi Múzeum-Egyesület I. szakosztályában* (Kolozsvár: Erdélyi Múzeum-Egyesület, 2023), 253–299. By the Romanian historiography, the early Transylvanian assemblies are not related to the system of the assemblies of the palatine and the ban, but are seen as the representative body of the local nobility, see e.g. Ștefan Pascu, *Voievodatul Transilvaniei*, vol. I, 2nd ed. (Cluj: Dacia, 1972), 188, 253–254; Ioan-Aurel Pop, *Romanians and Hungarians from the 9th to the 14th Century. The Genesis of the Transylvanian Medieval State* (Cluj-Napoca: Centrul de Studii Transilvane, 1996), 187–188. The topic was addressed in a more comprehensive work, for the whole system, by Gheorghe Bichicean, *Congregațiile generale în Transilvania voievodală*, 2nd ed. (București: C.H. Beck, 2008), and, regarding the end of the 13th century and the beginning of the 14th century, Tudor Sălăgean, *Transylvania in the Second Half of the Thirteenth Century. The Rise of the Congregational System* (Leiden and Boston: Brill, 2016), especially pp. 143–148, 153–175, 186–189, 234–240. A more detailed review of the divergent views is not possible here.

this was the duty of the voivode.³⁵ But this was not typical, and there is no serious source value in such charter formulas as the privileges granted by King Charles I in 1331 or 1340, in which the parties and their Transylvanian estates were exempted from the jurisdiction of the palatine, the judge royal, the voivode and the vicevoivode.³⁶ All this points to chancery topos rather than to the territorial overlaps that existed in practice. The problem is not even the issue of jurisdiction over the “classical” Transylvanian territories, but that of the “periphery”. There is no consensus on what is meant by “Transylvania”. It can be defined, as many have done, as a territory under the rule of a Transylvanian voivode, or an area of a supposed “ancient voivodeship” (Zsigmond Jakó, Ioan-Aurel Pop)³⁷, but this does not in itself define the geographical boundaries. Géza Hegyi described the general understanding as “Medieval Transylvania is usually defined as the eastern province of the Kingdom of Hungary, comprising the Transylvanian basin, meaning the overall 15th century territories of the seven counties of central Transylvania (Hunedoara [Hunyad], Alba [Fehér], Târnava [Küküllő], Turda [Torda], Cluj [Kolozs], Dăbâca [Doboka], and Inner Szolnok [Inner-Szolnok]), as well as the Szekler and Saxon seats and districts.”³⁸ Zsigmond Jakó explained the rule under the Transylvanian voievoda as “the seven counties of central Transylvania, and the Saxonland (Saxonland) and Szeklerland (Szeklerland). We include Middle Szolnok (Közép-Szolnok) and Crasna (Kraszna) counties from the Partium, but not Záránd (Zaránd). The first two counties belonged under still unexplained common jurisdiction of the palatine and the voivode before the 15th century but formed an integral whole with Central Transylvania later on.”³⁹

This observation of Jakó’s was recently examined by Géza Hegyi, who

³⁵ Janits, *Erdélyi vajdák*, 30.

³⁶ 1331: Franz Zimmermann, Carl Werner, eds., *Urkundenbuch zur Geschichte der Deutschen in Siebenbürgen*, 7 vols (Hermannstadt et al., 1892–1991), vol. I. 443–444. (Ionașcu et al., *DIR, C. Transilvania*, XIV, vol. III, 390–391, Romanian translation 24–25, dated 1336; Hungarian critical excerpt: Jakó, Hegyi, W. Kovács, *Erdélyi Okmánytár*, vol. II. no. 710); 1340: Zimmermann, Werner, *Urkundenbuch*, vol. I, 501–502 and 502–503. (Romanian translation: Ionașcu et al., *DIR, C. Transilvania*, XIV, vol. III, 523–524 and 524–525; Hungarian excerpt: Jakó, Hegyi, W. Kovács, *Erdélyi Okmánytár*, vol. III. no. 2 and 3).

³⁷ “by historic Transylvania we mean the one-time formation which belonged under the jurisdiction of the Transylvanian voivode” – Jakó, Hegyi, W. Kovács, *Erdélyi Okmánytár*, vol. I, 30, 58, 88. (same in Hungarian, Romanian and German by Zsigmond Jakó); “Geographically and historically, Transylvania represents the territory of the ancient voivodate which ceased to exist in 1541,” Pop, *Romanians and Hungarians*, 10.

³⁸ Géza Hegyi, “The Affiliation of Medieval Sălaj (Szilágy) Region in the Mirror of Social Relations,” *Transylvanian Review* XXI, Suppl. no. 2 (2012): 67.

³⁹ Jakó, Hegyi, W. Kovács, *Erdélyi Okmánytár*, vol. I, 30, 58–59, 88. (same in Hungarian, Romanian and German by Zsigmond Jakó). This was also the basis of an earlier study by Gyula

showed in a meticulous analysis that in terms of geography and social history, the counties of Central Solnok and Crasna were much more closely linked to Hungary in the narrow sense than to Transylvania (in terms of the origin of the county's landowners, the location of their other estates and their family connections, and in terms of the areas of influence of the places of authentication).⁴⁰ Let us see what the situation is if we approach the question not from the point of view of the county's inhabitants (from a social-historical point of view), but from the point of view of the authorities over the county (from a political point of view).

We can only speak of the mixed jurisdiction of Central (Middle) Solnok County with the qualification that the county existed in this form only from the 1420s onwards.⁴¹ Initially, there was only one Solnok County, but in the form of two unconnected territorial groups (it is debatable whether an ancient "giant county" was cut into two parts by the counties that were later organised, or whether there was never any direct territorial connection between the two).⁴² Efforts were made to distinguish between the county halves from the first half of the 13th century, and the use of names fluctuated in the second half of the 13th century and throughout the 14th century: the part towards Transylvania was called both Inner and Outer Solnok. However, the proof of the unity of the counties is that until the first third of the 15th century there were never two counts of Solnok, the holder of the title was the lord of both parts of the county at the same time.⁴³ Most of the county's territory was outside Transylvania, but with the unification of the titles of count of Solnok and voivode of Transylvania from 1262 at the latest⁴⁴, Solnok County started on the road to integration into Transylvania. Then, from the first half of the 15th century, the part of Solnok County, which was closer to Transylvania (by then already called Inner Solnok), was again split into two, and Central Solnok County was created.⁴⁵ From 1426 onwards, the county of Central Solnok and the county of Outer Solnok were separately governed, and the Transylvanian voivode holding the title of count

Kristó (Kristó, *Feudális széttagolódás*, 105–107, 109–110), and he later expressed his agreement in Kristó, *Early Transylvania*, 22.

⁴⁰ Hegyi, "Affiliation of Medieval Sălaj", 69–86.

⁴¹ This was already emphasized by Géza Hegyi, who kept the name only for practical reasons in connection with the period before the 15th century. (Hegyi, "Affiliation of Medieval Sălaj", 69).

⁴² András W. Kovács, "The Authorities of Middle Solnoc and Crasna Counties in the Middle Ages," *Transylvanian Review* XXI, Suppl. no. 2. (2012): 33–35.

⁴³ For the naming of the counties of Solnok see W. Kovács, "Middle Solnoc and Crasna," 34–35. For the list of the counts of Solnok see Zsoldos, *Magyarország világi archontológiája*, 209–211.

⁴⁴ Zsoldos, *Magyarország világi archontológiája*, 209; and for the uncertainty of the chronology see also W. Kovács, "Middle Solnoc and Crasna," 33, note 47 and 53, note 18.

⁴⁵ W. Kovács, "Middle Solnoc and Crasna," 34–35.

of Solnok with interruptions until 1441, although he no longer exercised real control over the Outer Solnok County.⁴⁶ The special situation of Solnok County was therefore a consequence of this: it belonged to the Transylvanian voivode (slightly encroaching on Transylvanian territory) and lay outside it. In the light of all this, it is not surprising that in the early days the palatine exercised power over the territory. According to the *Regestrum Varadiense*, the palatine had several times adjudicated in Solnok County (including both the counties closer to Transylvania and those near the Tisza River).⁴⁷ The absence of early voivodeal jurisdiction is also indicated by the fact that the Palatine Dionysius from the Tomaj kindred held the title of count of Solnok from 1235 until his death around 1241.⁴⁸ As evidence of the later voivode's jurisdiction, it is common to cite the fact that the voivode, and not the palatine, held general congregations for the county of Outer Solnok.⁴⁹ This was indeed the case, but not from the beginning, from the time when the assemblies were established. We see that in 1314, Palatine Jacob (Kopasz) from the Borsa kindred held a *generalis congregatio* for the counties of Bihar, Békés, Crasna and Solnok.⁵⁰ In 1317, Dózsa Debreceni was appointed as “judge instead of the king” (*vice regie mayestatis persone iudex*) over five eastern counties, including Solnok, and held general congregations for them in this capacity.⁵¹ Between 1318 and 1320, Dózsa was

⁴⁶ Pál Engel, *Magyarország világi archontológiája 1301–1457*, vol. I. (Budapest: História, 1996), 201; Janits, *Erdélyi vajdák*, 27; W. Kovács, “Middle Solnoc and Crasna,” 34–35.

⁴⁷ Karácsonyi, Borovszky, *Regestrum Varadinense*, no. 220 (1219); no. 269 (1220), see also no. 277, when the Palatine Miklós, son of Barc, reported that in his surroundings there were “good men” (*boni homines*) from Solnok county, including a “comes”, and with their help he created peace.

⁴⁸ Zsoldos, *Magyarország világi archontológiája*, 210. The reason for this may have been that Dénes had already been the count of Solnok as master of the treasury between 1228 and 1230, and perhaps he wanted to regain this county instead of his count of Bihar, which he initially held in addition to his title of palatine.

⁴⁹ Gyula, Gábor, *A megyei intézmény alakulása és működése Nagy Lajos alatt* (Budapest, 1908), 12–14; Géza Istványi, “A generalis congregatio II.,” *Levéltári közlemények XVIII–XIX* (1940–41): 194–196; Janits, *Erdélyi vajdák*, 28 – further examples showing how closely the jurisdiction of the voivode was enforced in Outer Solnok County as well.

⁵⁰ Österreichisches Staatsarchiv, Haus-, Hof-, und Saatsarchiv (Wien, Ausztria), Familienarchiv Erdödy Erdödy D50; Hungarian critical excerpt: Gyula Kristó et al., eds., *Anjou-kori Oklevéltár. Documenta res Hungaricas tempore regum Andegavensium illustrantia 1301–1387*, 52 vols (Budapest and Szeged: Szegedi Középkorász Műhely, 1990–2024) vol. III, no. 849; The issuer of the charter and the celebrant of the assembly are not known, but it was dated “in Adrian”, which was the seat of Kopasz from the Borsa kindred and at that time Kopasz also held assemblies for other eastern counties (Kristó, *Tájszemlélet és térszervezés*, 176).

⁵¹ MNL DL 96064.; Fejér, *Codex Diplomaticus Hungariae*, vol. VI/2, 340–341; MNL DL 50655; Imre Nagy, Gyula Tasnádi Nagy, eds., *Anjoukori Okmánytár. Codex diplomaticus Hungaricus Andegavensis*, 5 vols (Budapest: MTA, 1878–1920), vol I, 435–436 (Hungarian excerpt: Kristó,

granted the title of voivode of Transylvania, and on 12 March 1320 he held an assembly for the counties of Szabolcs, Szatmár (Sátmar) and Solnok in his capacity as Transylvanian voivode and count of Solnok.⁵² However, he continued to bear the title of “judge appointed by the king”, even if he did not mention it in these documents. And, after his appointment as palatine January 1322, he still retained jurisdiction over the territory, and in May of that year he held assemblies for four counties, including Solnok and Crasna.⁵³ But what exactly is the meaning of this title of “judge appointed by the king” (*iudex per regem deputatus*), which appeared in the late 1310s and existed only for certain eastern (but not Transylvanian!) counties? According to Attila Zsoldos, who has analysed in detail the sources and the political history of the title, the “delegated judge” could have exercised a kind of palatine’s authority over the territories defined by the king and placed under his control.⁵⁴ Thus, although the first record of the Transylvanian voivode (and count of Solnok) holding the *generalis congregatio* for the inhabitants of Solnok County dates from 1320, it seems that Dózsa did not do so in his capacity as voivode. For, on the one hand, we have seen that both Palatine Kopasz in 1314 and Dózsa – the latter first as a deputy judge, later with the power of a national palatine – between 1317 and 1322 took it for granted that he would chaired the general assembly for Solnok County too. On the other hand, Dózsa as a voivoda could not hold a *congregatio* for Solnok County, because it was a group assembly, as was customary at the time: for Szabolcs, Szatmár and Solnok Counties at the same time. The voivode never had any jurisdiction over the first two counties. Thus we can say that until the first half of the 1320s the county of Solnok was under the jurisdiction of the palatine rather than the voivode. The turnaround, however, came soon afterwards, under the voivodeship of Tamás Szécsényi (1321–1342). The death of Dózsa Debreceni at the end of 1322, and the accession of Philip Druget to the dignity of the palatine, who extended his jurisdiction to the Dózsa’s area, also played a role in the turnaround, but the centre of his dominion shifted further north, to the territory of the former Amadé province.⁵⁵ After this, the general assemblies of the palatine did indeed “bypass” Solnok County. This is particularly striking

Anjou-kori Oklevéltár, vol. IV, no. 495, 496, 527, 528; Romanian excerpt of the latter two: Ionaşcu et al., *DIR, C. Transilvania*, XIV, vol. I, 276. no. 268., and its translation in *ibid.* 276–277.)

⁵² Tasnádi Nagy, *Anjoukori Okmánytár*, vol I, 553–554 and 554 (Their Hungarian excerpt: Kristó, *Anjou-kori Oklevéltár*, vol. V, 721–722; their Romanian excerpt: Ionaşcu et al., *DIR, C. Transilvania*, XIV, vol. I, 345. no. 399, 400.)

⁵³ MNL DL 39461 (Hungarian excerpt: Kristó, *Anjou-kori Oklevéltár*, vol. VI, no. 587)

⁵⁴ Attila Zsoldos, *A Druget-tartomány története 1315–1342* (Budapest: Bölcsészettudományi Kutatóközpont TTI, 2017), 81–87.

⁵⁵ For the Druget dominions, see Zsoldos, *Druget-tartomány*, 96–104.

during the reign of William Druget, who chaired a large number of *generalis congregatio*, and held them for almost all the counties (not Transylvanian) neighbouring Solnok, so the omission of the two Solnok Counties cannot be considered a coincidence.⁵⁶ After 1342, during the reign of Louis I, there were also a great number of general assemblies of the palatine, but Solnok was not affected by them.⁵⁷ At the same time, in April 1333, Tamás Szécsényi, the Transylvanian voivode, ordered the Outer Solnok (*Zonuk Exterior*) County to hold a *congregatio*.⁵⁸ In 1334 and 1335 and 1337, also by order of the voivode, a congregation was held.⁵⁹ Thus, from a political point of view, the county (counties) of Solnok became fully under the jurisdiction of the voivode from the second half of the 1320s, before which the respective Transylvanian voivode exercised only middle-level, i.e. count's jurisdiction there.

The other county, considered by Zsigmond Jakó as a county of mixed jurisdiction, is Crasna. Crasna was bordering the Inner (later Central) Solnok County, and its full integration into Transylvania took place beyond the period under discussion, only in the 16th century. The county belonged to the five counties over which Dózsa Debreceni, as a judge appointed by king, could exercise a palatine-like authority.⁶⁰ However, unlike Solnok, the county was not

⁵⁶ See Anita Kruták's map: Anita Kruták, "A nádori congregatio intézménye Druget Vilmos nádorsága alatt," in Attila P. Kiss, Ferenc Piti, György Szabados, eds., *Középkortörténeti tanulmányok* 7. (Szeged: Szegedi Középkorász Műhely, 2012), 426–434 (especially map no. 6 on page 434)

⁵⁷ For a list of the Louis-era assemblies, see Gábor, *Megyei intézmény*, 127–139; for Solnok County, see W. Kovács, "Middle Solnoc and Crasna," 35–36.

⁵⁸ Tasnádi Nagy, *Anjoukori Okmánytár*, vol. III, 13–14; Romanian translation by Ionașcu et al., *DIR, C. Transilvania*, XIV, vol. III, 296, Hungarian excerpt: Jakó, Hegyi, W. Kovács, *Erdélyi Okmánytár*, vol. II, no. 772; a similar document also dates from 1333 or 1334: Fejér, *Codex Diplomaticus Hungariae*, vol. VIII/3, 170–171; Romanian translation: Ionașcu et al., *DIR, C. Transilvania*, XIV, vol. III, 247, Hungarian excerpt: Jakó, Hegyi, W. Kovács, *Erdélyi Okmánytár*, vol. II, no. 773.

⁵⁹ 1334: MNL DL 105472 (transcription of contents in a later document) (Hungarian excerpt: Jakó, Hegyi, W. Kovács, *Erdélyi Okmánytár*, vol. II, no. 813); MNL DL 40672 (Hungarian excerpt: *ibid.* no. 815); Kálmán Géresi, ed., *A nagy-károlyi gróf Károlyi család oklevéltára. Codex diplomaticus comitum Károlyi de Nagy-Károly*, Vol. I (Budapest, 1882), 85 (Romanian translation: Ionașcu et al., *DIR, C. Transilvania*, XIV, vol. III, 324–325, Hungarian excerpt: Jakó, Hegyi, W. Kovács, *Erdélyi Okmánytár*, vol. II, no. 816). 1335: MNL DL 105208 (Hungarian excerpt: *ibid.* no. 855); MNL DL 105472. (transcription of contents in a later document) (Hungarian excerpt: *ibid.* no. 856); Magyar Nemzeti Levéltár Országos Levéltára (Budapest, Magyarország), *Diplomatikai Fényképgyűjtemény* (MNL DF) 278728. (Hungarian excerpt: Jakó, Hegyi, W. Kovács, *Erdélyi Okmánytár*, vol. II, no. 859); 1337: MNL DF 275800; MNL DL 105209; MNL DL 105210 (Hungarian excerpt: *ibid.* no. 934–936).

⁶⁰ 1317: MNL DL 50655 (its excerpt: Ionașcu et al., *DIR, C. Transilvania*, XIV, vol. I, 276 no. 268; Kristó, *Anjou-kori Oklevéltár*, vol. IV, no. 527); Zsoldos, *Druget-tartomány*, 81–86.

removed from the jurisdiction of the palatine after that date, and the Druget family's palatines, Philip Druget (1323–1327), John Druget (1328–1333) and William Druget (1334–1342), held several assemblies there. By this time, pairs of counties (or possibly groups of trio of counties) were beginning to form, for which congregations were usually held together. Crasna was mostly paired with Bihor County, and since Bihor was the “bigger brother”, the centre of the assemblies was always there, usually near Varad (Oradea).⁶¹ This pairing continued to exist later (e.g. in 1343, 1349, 1360, 1364, 1370, 1381 the palatine held assemblies for the counties of Bihor and Crasna).⁶² Although it has been suggested in the literature that the usual Bihor-Crasna pairing of counties was no longer found in the first third of the 15th century,⁶³ in fact, joint Bihor-Crasna congregations were still held in 1435 on behalf of the palatine.⁶⁴ Thus, in the Middle Ages, Crasna County could be said not to have had a mixed status, but to have been under pure jurisdiction of the palatine in the political sense as well. The situation of Outer Solnok County was different in this respect. This was obviously connected with the fact that the voivode was the count of Solnok, but it is important to note that his jurisdiction over the counties extended beyond the power of a count, in that the general assemblies were held there in his name. It will be mentioned below that the palatine, not the ban of Mačva, had this type of jurisdiction over the counties of the Banate of Mačva, and, as we have seen, the same situation prevailed until the 1320s in the case of Outer Solnok. Solnok then came under the political authority of the voivodeship, but this is certainly not related to the “borderland” nature of the area – if we can speak of a “borderland” phenomenon in the case of these counties.

⁶¹ For data and map see Kruták, “Nádori congregatio,” 428–429, 432.

⁶² 1343: MNL DF 247981 (Jakó, Hegyi, W. Kovács, *Erdélyi Okmánytár*, vol. III, no. 166); 1349: MNL DL 51529 (Ionașcu et al., *DIR*, C. Transilvania, XIV, vol. IV, no. 497. no. 30); 1360: MNL DL 41438 (Jakó, Hegyi, W. Kovács, *Erdélyi Okmánytár*, vol. IV, no. 47); Ștefan Pascu et al., eds., *Documenta Romaniae Historica (DRH)*, C. Transilvania, vols X–XVI (București: Editura Academiei Române, 1977–2006), vol. XI, 523–524 (Jakó, Hegyi, W. Kovács, *Erdélyi Okmánytár*, vol. IV, no. 49); 1364: Pascu et al., *DRH*, C. Transilvania, vol XIII, 104, 113–114 (Jakó, Hegyi, W. Kovács, *Erdélyi Okmánytár*, vol. IV, no. 318); 1370: Pascu et al., *DRH*, C. Transilvania, vol XIII, 795–798 (Jakó, Hegyi, W. Kovács, *Erdélyi Okmánytár*, vol. IV, 865); 1381: Pascu et al., *DRH*, C. Transilvania, vol XVI, 107–108, 125–126, 126–128 (Jakó, Hegyi, W. Kovács, *Erdélyi Okmánytár*, vol. V, 639); W. Kovács, “Middle Solnoc and Crasna,” 41–42.

⁶³ Kristó, *Tájszemlélet és térszervezés*, 181.

⁶⁴ Norbert C. Tóth, *Szabolcs megye működése a Zsigmond-korban* (Nyíregyháza: Szabolcs Községért Kulturális Közhasznú Közalapítvány, 2008), 120 (the congregation was held by the vice-palatine on behalf of his lord)

The territory of the Banate of Mačva

Up until the first third of the 13th century, the territory of Croatia and Slavonia was traditionally called the „banate”, but during the 13th century several smaller areas were also organised, also called banate (Latin: *banatus*), and headed by a ban. The first of these was the Banate of Severin (Szörény) in the 1220s, followed by the establishment of several smaller banates for a short period in the 1270s. Among these was Mačva (usually *Machou*, *Mochou*, or as an adjective *Machoviensis* in Latin sources). Its territory can be roughly localized south of the Sava River and west of the Drina River, east to the Kolubara River⁶⁵, and from the early 13th century it was under the varying degrees of rule of the Hungarian king.⁶⁶ It was first established as a banate for a short period in 1272, when the former lord of the region, Prince Béla of Mačva, who was also related to King Béla IV, was assassinated, and the territory he ruled was divided among the barons, who organised “banates” on the model of the Banates of Slavonia and Severin. This is how, for a few years (until 1279), the Banate of Braničevo, Bosnia, Kučevo, Usora and Sol were created alongside the Banate of Mačva.⁶⁷ After that, Mačva was given to Queen Elizabeth (mother of King Ladislas IV the Cuman), together with the Banate of Bosnia, and in 1284 it finally passed into the hands of the Serbian ruler Stephen Dragutin – not, as far as we know, by military means, but as a dowry.⁶⁸ Stephen ruled Mačva until his death in 1316, after which the Serbian ruler Uroš II annexed the province to his own country. Although King Charles I was in a very difficult military situation at the time, he led a campaign against Serbia in 1317, captured the castle of Mačva and consolidated his military success two years later, in 1319. In late 1319 or 1320, Charles re-established the office of Ban of Mačva, which continued until the end of the 15th century, until the Turkish conquest.⁶⁹ Although

⁶⁵ The different positions are well summarized (and also illustrated on a map) by Attila Pfeiffer, “A Macsói bánság és a macsói vár lokalizációjának kérdése a magyar és szerb történetírásban,” *Világtörténet* VII (2017): 130–133.

⁶⁶ For the early times see Sima M. Ćirković, “Zemlja Mačva i grad Mačva,” *Prilozi za književnost, jezik, istoriju i folklor* LXXIV (2008): 3–7; [Ђура Харди] Ђура Харди, “Господари и банови оностраног Срема и Мацве у XIII веку,” *Споменица Историјског Архива „Срем”* VIII (2009): 67–76; Pfeiffer, “Macsói bánság,” 126–128; Bálint, Ternovác, “A Macsói és barancsi területek története 1319-ig,” in Ilona Fábián et al., eds., *Micae Mediaevales VI. Fiatal történészek dolgozatai a középkori Magyarországról és Európáról* (Budapest: ELTE BTK Történelemtudományok Doktori Iskola, 2017), 232–235.

⁶⁷ Pál Engel, *The Realm of St Stephen. A History of Medieval Hungary 895–1526* (London and New York: I.B.Tauris, 2001), 108.; for a list of the Bans, see Zsoldos, *Magyarország világi archontológiája*, 50–53.

⁶⁸ Pfeiffer, “Macsói bánság,” 128–129; Ternovác, “Macsói és barancsi területek,” 235–238.

⁶⁹ Viorel Achim, “Raporturile regatului Ungariei cu țările de la frontierele sale sud-estice în

this reorganised banate was certainly modelled on the older Banate of Mačva, which had existed for 7 years, it is only from 1320 onwards that we can actually speak of a “real” Banate of Mačva. The first ban of Mačva became Paul Garai, who was also given the office of count of Valko and Bodrog. Later on, King Charles also tied other counties to the ban of Mačva: from 1323 he was also the count of Srim, from 1328 of Baranya, and from 1333 of Bács (Bačka), and after that the count of the five counties (Valko, Bodrog, Srim, Baranya, Bács) was held permanently by the Ban of Mačva for more than a century.⁷⁰ Some historians also consider these counties as the “province” of the Ban of Mačva⁷¹, Pál Engel wrote in this connection as follows: “Within his province [viz. the banate and the five counties] he exercised a military and judicial power similar to that enjoyed by the voivode, and he governed the counties entrusted to him through his deputies.”⁷² We see, however, that after the reorganisation of the banate, jurisdiction over the counties did not belong entirely to the banate of Mačva. On the one hand, until 1351, the *marturina* (tax of marten’s fur) was due to the Ban of Slavonia⁷³ (which was a rather unpleasant overlapping of rights for the Ban of Mačva, since the county was granted to him among other things, because of his income). In addition, also the palatine exercised legal authority over the “annexed” counties. This in turn led to the situation that some counties, which in the first half of the 13th century were still considered “beyond the Drava”, nevertheless came under the jurisdiction of the palatine. We can already see the precursors of all this before the reorganisation of the Banate of Mačva. In a charter issued on 6 May 1304, King Charles I warned all the judges of the country, especially those of Valko County (*universis iudicibus in regno suo constitutis, et specialiter iudicibus in Wlko [!] constitutis*), that Nicholas’ son Gergely had been removed from the jurisdiction of all judges of county, including the palatine.⁷⁴ The reason why the charter emphasised the judges of Valko County is that the said Gergely is identical with the nobleman Gergely from the village of Pacsinta (Pačetin) in Valko County, who was

primele două decenii ale secolului al XIV-lea,” *Revista Istorică. Serie nouă* XVII (2006): 170–172, 174–177; Engel, *Magyarország világi archontológiája*, 27. Pál Engel clarified that Charles I did not lead his first campaign against Uroš in 1319, but in 1317: Pál Engel, “Az ország újraegyesítése. I. Károly küzdelmei az oligarchák ellen (1310–1323),” *Századok* CXXII (1988): 115 note 123, and see also *ibid.*, 127.

⁷⁰ Engel, *Realm of St Stephen*, 152.

⁷¹ *Ibid.*, 152; Attila Zsoldos, “Kings and Oligarchs in Hungary at the Turn of the Thirteenth and Fourteenth Centuries,” *Hungarian Historical Review* II (2013): 220.

⁷² Engel, *Realm of St Stephen*, 152.

⁷³ Weisz, Zsoldos, “A báni joghatóság Szlavóniában,” 469–470.

⁷⁴ MNL DL 91155. (excerpt: Kristó, *Anjou-kori Oklevéltár*, vol. I, no. 603)

granted several privileges by King Charles I at that time.⁷⁵ The text also specifically emphasised that Gergely, who had an estate in Valko County, in the Transdrava territory, could not be judged by the palatine, taking it for granted that the holder of the office could also act in that territory, but no specific mention was made of the ban of Slavonia. Although during the Árpád era this county was considered to be the territory of the respective Slavonic bans, the change can be explained by the fact that the office of ban was held by Henrik Kőszegi⁷⁶, who was politically opposed to Charles I and preferred to support Wenceslaus (1301–1305) and then Otto (1305–1307) who were crowned kings in opposition to Charles.⁷⁷ Henrik Kőszegi did not extend his authority to this region anyway, since the counties of Valko, Srim, Požega and Bács belonged to the province of Ugrin Csák, loyal to Charles.⁷⁸ The young king thus obviously brought under his political control the counties which were the “honours” (*honor*)⁷⁹ of the future Ban of Mačva, taking it for granted that the palatine (in the absence of the Ban of Mačva at the time) could also act there. Thus, in the Anjou period, this territory was definitively outside the control of the ban of Slavonia. The jurisdiction of the palatine was certainly maintained also in the summer of 1314, when Gergely, son of Scemteu, sued Ban Gergely (*Gregorius banus filius Endre, nobilis de comitatu Syrimiensi*) before the Palatine Kopasz, in the matter of the estate of Réva (*Ryua*) in the Srim County. Finally, a duel took place in front of the palatine, who, together with the nobles of Srim, Bács and Valko Counties (*cum universis nobilibus Syrimiensis, Bachiensis et de Wolko comitatuum*), sentenced Gergely to death.⁸⁰ In fact, it is a mystery why such a remote case could have been brought before Palatine Kopasz, who, although his jurisdiction extended over a large part of the country, in practice only dealt with matters in north-eastern Hungary.⁸¹ Although Kopasz’s charter has survived only in a transcription of the contents dated 20 July 1314, the fact that his fellow judges were the nobles of Srim, Bács and Valko leads us to conclude that he held a group congregation for the three counties. From the content of the transcript (the children of Gergely, who had been sentenced to death by the palatine, redeem their father by selling the estate of Réva to the Ban Gergely),

⁷⁵ Ildikó Tóth, “Adalékok a Valkó megyei oklevéladás kezdetéhez,” *Acta Universitatis Szegediensis. Acta Historica* CXV (2001): 26–27.

⁷⁶ Engel, *Magyarország világi archontológiája*, 16.

⁷⁷ Gyula Kristó, “I. Károly király főúri elitje (1301–1309),” *Századok* CXXXIII (1999): 55.

⁷⁸ Tóth, “Adalékok a Valkó megyei,” 26; Zsoldos, “Kings and Oligarchs,” 222.

⁷⁹ For the concept of “honours” and its Anjou period meaning, see Engel, *Realm of St Stephen*, 151–153.

⁸⁰ Tasnádi Nagy, *Anjoukori Okmánytár*, vol I, 351 (Kristó, *Anjou-kori Oklevéltár*, vol. III, no. 793, for the continuation of the case see *ibid.* no. 794–795)

⁸¹ Szócs, *Nádori intézmény*, 108–111.

we can conclude that this congregation had taken place shortly before. That Kopasz was indeed absent from his mansion in Adorján (Adrian) in Bihar County in the summer of 1314 is also shown by the fact that during June and July 1314 he suddenly had several cases handled by his vice-judge Ladislas, while no document of the palatine from that period survives.⁸² Clearly, Kopasz could have held these congregations not of his own accord and on his own initiative, but at the royal instigation. However, this was before the reorganization of the Banate of Mačva around 1319–1320.

Later, from the 1320s onwards, when the Ban of Mačov received these counties, we see that the palatines continued to have authority over the counties. Although Baranya county was annexed to the Banate of Mačva in 1328, a year later Palatine John Druget held a general assembly for the county. And in 1330, the nobles of Valko county held a *congregatio* at his order, and soon the palatine joined them.⁸³ Even in 1343, Palatine Miklós Zsámboki held congregations for the counties of Bodrog and Valko.⁸⁴ In addition to this, Palatine William Druget had several other cases in Baranya county outside the congregations.⁸⁵ We see the same picture when we look at the issue from the side of the Ban of Mačva. Soon after his appointment, the first Ban, Paul Garai, held a general assembly in the name of the king (*vice et nomine regio*) in Hajszentlőrinc in Bodrog county in 1320.⁸⁶ The wording “in the king’s stead and in his name” clearly shows that he could not have done so in his own right, here symbolically exercised a royal right. In 1338, Miklós Ostfi held the title of “Ban of Mačva, count of Srim, Bács, Valko, Bodrog, Baranya, and the judge in the same, sent in the person of the king”. As already mentioned, the title of “delegated judge” meant a kind of “palatine-like” authority over the designated counties, which was mostly exercised by

⁸² 1314: MNL DL 69660 and 69661 (Kristó, *Anjou-kori Oklevéltár*, vol. III, no. 759, 782, 783, 823).

⁸³ 1329: Fejér, *Codex Diplomaticus Hungariae*, vol. VIII/3, 398–399 (Kristó, *Anjou-kori Oklevéltár*, vol. XIII, no. 252); 1330: MNL DL 91247 and 91248 (Kristó, *Anjou-kori Oklevéltár*, vol. XIV, no. 370, 381)

⁸⁴ 1343: Fejér, *Codex Diplomaticus Hungariae*, vol. IX/1, 144–146; Smečiklas, *Codex diplomaticus Croatiae*, vol. XI, 67–69 and 70; MNL DL 91340 (Kristó, *Anjou-kori Oklevéltár*, vol. XXVII, no. 398, 453, 454, 459)

⁸⁵ E.g. 1335: MNL DL 1901 (Kristó, *Anjou-kori Oklevéltár*, vol. XIX, no. 166); 1337: Tasnádi Nagy, *Anjoukori Okmánytár*, vol. III, 328 (Kristó, *Anjou-kori Oklevéltár*, vol. XXI, no. 113); 1342: Ludovicus Crescens Dedek, ed., *Monumenta Ecclesiae Strigoniensis*, vol. III. (Strigonii: Buzárovits and Argumentum, 1924), 411–412; Tasnádi Nagy, *Anjoukori Okmánytár*, vol. IV, 194–195 (Kristó, *Anjou-kori Oklevéltár*, vol. XXVI, no. 18, 97).

⁸⁶ Imre Nagy, Iván Nagy, Dezső Véghely, eds., *A zichi és vásónkeői gróf Zichy-család idősb ágának okmánytára*, vol. I. (Pest: MTT, 1871), 183–184 (Kristó, *Anjou-kori Oklevéltár*, vol. V, no. 811, 850)

holding general congregations.⁸⁷ However, in possession of such a title, the Bans of Mačva also emphasised that they were then exercising a palatinate jurisdiction: at the congregation of 22 October 1338 in Valko, Ban Miklós was already a judge in the capacity of a palatine (*iura palatinalia*) and in another document he used the title of judge “deputed in the person of the king and the palatine” (*in persona sua regia et palatini deputatus*). He retained this title in 1339.⁸⁸ On 28 November 1339, his successor, Domonkos Ostfi, also held a congregation for the County Baranya as a judge “in the person of the king and the palatine deputed”, as his predecessor had done.⁸⁹ Here it was also pointed out that the jurors as judges to the ban were appointed “according to the custom of the congregation of the palatine” (*iuxta more congregationis palatinatus*).⁹⁰

The successors of the Palatine Miklós Zsámboki (1342–1356) also regularly held congregations in the counties annexed to the ban of Mačva⁹¹, although it is also happened that the ban could convene the county congregation in his own right. However, it was only after the reign of King Louis I (1343–1382) that these counties were finally brought under the authority of the ban of Mačva.⁹² This is important because, for example, the Ban of Slavonia could organise congregations in his own right for the “annexed” counties beyond the strict borders of the Slavonic Banate.⁹³ This right was not granted to the Ban of Mačva. He had higher powers only in the immediate area of the Banate, and from the beginning of the 14th century until the end of the 14th century, he had only county-level (i.e. intermediate-level) powers in the counties annexed to the Banate (including, for example, Valko, which was also part of the Transdrava). The more extensive jurisdiction over the territory was vested in the palatine, and even if the ban of Mačva exercised it, it was always emphasised that he was now exercising the palatine’s powers.

⁸⁷ See “The peripheral areas of the Transylvanian Voivodeship: Solnok and Crasna Counties”.

⁸⁸ 1338: Ildikó Tóth, “A boszniai káptalan kiadatlan oklevelei (1300–1353),” *Acta Universitatis Szegediensis. Acta Historica* CXXVII (2007): 27–28; Smičiklas, *Codex diplomaticus Croatiae*, vol. X, 425; Tasnádi Nagy, *Anjoukori Okmánytár*, vol. IV, 543 (Hungarian excerpt: Kristó, *Anjou-kori Oklevéltár*, vol. XXII, no. 350, 519, 575). 1339: Smičiklas, *Codex diplomaticus Croatiae*, vol. X, 473 (Kristó, *Anjou-kori Oklevéltár*, vol. XXIII, no. 405).

⁸⁹ His title: *banus de Machou, comes Syrmienensis, Bachyensis, de Wolkou et de Baranya, ac per excellentissimum principem dominum Karolum Dei gratia illustrem regem Hungarorum iudex in eisdem in persona sua regia et palatini deputatus* – MNL DF 261637 (its excerpt: Kristó, *Anjou-kori Oklevéltár*, vol. XIII, no. 717)

⁹⁰ MNL DF 261637.

⁹¹ For details see Gábor: Gábor, *Megyei intézmény*, 127–139.

⁹² Istványi, “Generalis congregatio II,” 203.

⁹³ *Ibid.*, 200–202; B. Halász, “The congregatio generalis banalis,” 377.

“Marginal areas” beyond the Drava river

After the first third of the 13th century, contemporaries considered the Drava River as the northern border of Slavonia. However, to the east, towards the Banate of Mačva, there was an area whose belonging to Slavonia was not clear. It was the territory of the Požega County, which did not belong to the honour of the ban of Mačva.

The name of the palatine also appears in the various privileges granting immunity from jurisdiction in Požega. The people of the Požega Chapter, which belonged to the diocese of Pécs and was located in the Požega County, were exempted not only from the traditional bannish tribute of the *marturina* (tax of marten’s fur) by the privileges of Kings Ladislav (IV?) and Charles I, but also from the jurisdiction of the judge royal and the palatine, without mentioning any other official (e.g. “ban”).⁹⁴ The content of the privileges was mentioned and rewritten in a charter of 1528 (since then also lost), and we cannot exactly separate the privileges granted by Ladislav and Charles.⁹⁵ In 1342, Queen Elizabeth exempted three villages of secular property from the detailed “banate-type” taxes (e.g. the *marturina* and *submarturina* called *Nestalia*) and the inhabitants did not have to attend the congregation of the palatine or the count or vice-count (*ad congregationem domini palatini, vel comitis parochyalis, aut vicecomitis de eodem comitatu Posaga pro tempore constitutorum*).⁹⁶ As regards the collection of taxes, the queen instructed only the palatine and the judge royal and the counts not to collect the taxes from the inhabitants of the villages, and placed the people of the villages under the direct authority of the queen. Although the above provisions are highly formulaic, it is striking that the title of Slavonic Ban was not mentioned in any of the charters (not even in connection with the tax of marten’s fur!). Moreover, as already mentioned above, Požega County was one of the counties which formed the “province” of Ugrin Csák in the early 14th century and over which the sovereignty of Charles I, and thus of the palatine, was asserted from early times.⁹⁷ Queen Elizabeth’s charter directly considered the holding of the assembly by the palatine as natural in the county. Thus, from the first half of the 14th century onwards, the county of Požega can also be regarded as a county under the jurisdiction of the palatine, although in practice we are not aware of any judgments or measures of the palatine relating to the county until 1342. This is only natural for the late 13th and early 14th century

⁹⁴ Fejér, *Codex Diplomaticus Hungariae*, vol. VIII/7, 158–159.

⁹⁵ László Koszta, “A pozsegai társaskáptalan,” in Tamás Fedeles, Gábor Sarbak, József Sümegi, eds., *A pécsi egyházmegye története I. A középkor évszázadai (1009–1543)* (Pécs: Fény Kft., 2009), 239–240.

⁹⁶ MNL DF 233338 (Kristó, *Anjou-kori Oklevéltár*, vol. XXVI, no. 71)

⁹⁷ Tóth, “Adalékok a Valkó megyei,” 26; Zsoldos, “Kings and Oligarchs,” 222.

palatines who were based in their family estates and therefore mainly judged the people who came to visit them.⁹⁸ However, Palatines John and William Druget had already systematically travelled the country holding county *generalis congregatio*, and their activities did not affect the Požega County – this does not, of course, rule out the existence of a theoretically possible jurisdiction.

Summary

The national jurisdiction of the palatine did not extend to the territories ruled by the Transylvanian voivode and the Slavonic ban, where the voivode and the ban also supervised the middle-level (county) administration. There were, however, some peripheral areas on the borders of the Transylvanian Voivodeship and the Banate of Slavonia, where the question of jurisdiction changed during the 13th and 14th centuries. In addition, a separate system was formed by the (re)organisation of the Banate of Mačva around 1320.

On the side of the Transylvanian Voivodeship, the medieval counties of Solnok and Krasna are considered such a border zone. Although the title of count of Solnok was merged with that of the Transylvanian voivode in 1262 at the latest, the voivode initially exercised only county-level, i.e. intermediate-level power, and it was only in the 1320s that Solnok County came under a higher degree of voivodeal authority. In the case of Krasna County, this process took place even later, only in the 16th century, when it was integrated into Transylvania.

In Slavonia, the northern border was the river Drava, and thus the political term “beyond the Drava” meant the jurisdiction of the Slavonic Ban. Apart from a few exceptional cases, the palatine did not interfere in the Ban’s territory and did not judge in matters beyond the Drava. However, from the 14th century onwards, there are indications that the county of Požega, beyond the river Drava, did come under the jurisdiction of the palatine.

To the east, the situation is different in the counties of the Banate of Mačva. King Charles I added five counties to the jurisdiction of the ban of Mačva: Valko, Bodrog, Srim, Baranya and then Bács. Although in the 14th century the title of count of these counties was held by the respective ban of Mačva, they were also controlled at a higher level by the palatine. The powers of the ban of Mačva over the counties were only count-powers, and did not reach the level of the Slavonic ban or the Transylvanian voivode, who governed the counties under their jurisdiction in their own right and appointed their counts. In these

⁹⁸ Szócs, “History of the palatinal institution,” 128. More details: Szócs, *Nádori intézmény*, 81–113.

counties, the ban of Mačva himself was the middle-level leader, the count, and the palatine also had influence at a higher level over the counties.

SCHIMBĂRI ÎN JURISDICȚIA PALATINALĂ ÎN TERITORIILE VOIEVODULUI TRANSILVANIEI, BANULUI SLAVONIEI ȘI BANULUI DE MAČVA LA ÎNCEPUTUL SECOLULUI AL XIV-LEA

Rezumat

În Regatul medieval al Ungariei, palatinul (*palatinus*), cea mai înaltă demnitate seculară după rege, și judecătorul curții regale (*iudex curie*) aveau jurisdicție națională. Cu toate acestea, această jurisdicție era exercitată cu anumite restricții. În principiu, jurisdicția palatinului și a judecătorului curții nu se extindea asupra teritoriilor conduse de voievodul Transilvaniei și banul Slavoniei, unde aceștia supravegheau și administrația de nivel mediu (comitatul). Studiul analizează jurisdicția națională a palatinului în zonele periferice, unde jurisdicția palatinală s-a suprapus cu cea a voievodului Transilvaniei, a banului Slavoniei și a banului de Mačva, evidențiind schimbările din prima jumătate a secolului al XIV-lea, când jurisdicția palatinală fie a scăzut, fie, dimpotrivă, s-a extins în aceste regiuni. Comitatele medievale Solnoc și Crasna sunt considerate astfel de zone de graniță în partea voievodatului Transilvaniei. În cazul comitatului Solnoc, studiul descrie în detaliu procesul prin care acesta a trecut de sub jurisdicția palatinului sub cea a voievodului în secolul al XIV-lea. În partea sudică a regatului, palatinul, cu câteva excepții, nu a intervenit în teritoriul banului și nu a guvernat probleme dincolo de râul Drava. Totuși, începând cu secolul al XIV-lea, există indicii că comitatul Požega, parte a teritoriului banului slavon dincolo de râul Drava, a intrat sub jurisdicția palatinului. La est de această regiune, situația era diferită în comitatele conduse de banul de Mačva. Regele Carol Robert a anexat cinci comitate la jurisdicția banului de Mačva, iar titlul de comite al acestor comitate a fost deținut de către banul de Mačva din acea vreme, în secolul al XIV-lea. Cu toate acestea, comitatele erau controlate la un nivel superior de palatin. Puterile banului de Mačva nu au atins, așadar, nivelul celor ale banului Slavoniei sau ale voievodului Transilvaniei, care guvernau comitatele sub jurisdicția lor în mod direct și își numeau proprii comiți.