

HYPOSTASES OF THE NOBLE WOMAN'S INVOLVING IN THE DOMAIN SYSTEM IN THE MEDIEVAL BANAT¹

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Rezumat: Studiul de față intenționează să reliefeze modalitățile în care femeile nobile și-au făcut simțită prezența în sistemul stăpâniri funciare feudale, atât de impregnat de ascendentul masculinității. Prezențele feminine în sistemul domenal funciar medieval bănățean trebuiesc tratate însă cu atenție, date fiind situațiile multiple, diferențiate, nuanțate, derivate din faptul că regula generală de stăpânire masculină nu a fost totuși generalizată și unilaterală în acele vremuri, în pofida evidentului dezavantaj pe care femeile l-au avut prin și încă de la naștere. Este evident faptul că principalele modalități prin care femeile nobile au intrat în posesia unor bunuri funciare au fost acelea ale acordării sfertului de față (*quarta puellaris*) și a dotei (*dotalitium*), convertite în anumite circumstanțe în bunuri imobiliare. Lor li s-au alăturat și donația regală, cea testamentară paternă, precum și procedeul de *prefectio* (de preschimbare juridică a fiicelor în fii). De asemenea, întâlnim femeile nobile participând în tranzacții funciare, moștenind pământuri, nu numai zestrea și bunurile dotale sau judecându-se pentru drepturile lor în fața forurilor competente locale sau centrale. Informațiile documentare de epocă indică fără dubii faptul că femeile nobile stăpâneau și în acea vreme pământuri arabile, grădini, fânețe, case, bani, iobagi, animale, podoabe și veșminte prețioase, adevărate averi provenite fie din zestrea dobândită de la părintele nobil, fie din agoniseala de-o viață, în urma căsătoriilor, contractelor de vânzare-cumpărare sau a zălogirilor pe care le-au întreprins. Nu de puține ori în documente apare stipulat faptul că anumite bunuri au fost obținute de nobilele doamne din veniturile proprii, de multe ori ele fiind achiziționate în perioadele de văduvie.

Cuvinte cheie: Banat, epoca Angevină, comitate, femei nobile, stăpânire funciară

The present approach aims to analyze some issues concerning the noble women's right of landed ownership in the medieval counties of the Banat. The females' presence in the diplomataria of that time is sensible ever reduced than the males' one naturally following the particular medieval society dominated by men. But a more attentive reading of documents could reveal the women's more active role inside the communities they lived and their correspondent responsibilities, and dispel the partial shade they seemed to have been damned by their birth status.

Certainly the noble women directly, not as a part of their matrimonial alliance at all costs, owned landed properties they got by various means, the most current being their right of inheritance and dowry (de Werbotz 1637, tit. 88, 89, 90). The daughters' quarter and dowry converting into lands seemed to have been more circulated ways in the field than we used to think about, and the paternal legacy and *prefaectio* came to increase the chances of some noble women to get a series of estates or shares of (Rady 2000, pp. 103–109; Boldea 2015, pp. 137–149). We might

¹ An alternative of this study was published in: Ligia Boldea, *Prezențe feminine în sistemul domenal medieval bănățean (1300–1450)*, „Analele Banatului”, Serie Nouă, Arheologie-Istorie, XXIII, 2015, p. 235–251.

note that according to royal, county or chapter papers, noble young ladies frequently benefited of such lands assignment and their minor age did not encroach upon projecting future matrimonial alliances. Fathers' care or the brothers' one when the case was (or the king's himself in special situations) to provide a consistent dowry and inheritance for those young girls seems but natural as those things were the reason of keeping or ascending the social hierarchy at that time (Fügedi 1970, p. 208; Fodor 2011, p. 194).

The females' properties were individual or bearer shares as in the case of the males' ones. The first case is maybe more circulated than we would like to think about, as the noble women got individually lands by inheritance; when marrying, those lands were owned by the lady's new family's common right of property, but in the case of her husband death, the widow went on in the most of the cases with owning and menacing her own goods she had come into marriage or those she had bought along her life. The noble women owned apart from lands forests, vineyards, ponds, and mills and houses and places for yards naturally.

We have to attentively dwell upon the females' presences in the estate owning system in the medieval Banat for the many and nuanced situations generated by the fact that the general law of male domination wasn't a unilateral one in spite of the obvious disadvantage the women carried even from their birth. I intend so to discuss some aspects that engrossed my attention relative to the noble women's involving in the estates owning system: the right of lands owning on the basis of owning documents; the effective way the women owned their lands; their liberty and ability in managing or valorising their estates; the effective opportunity to valorise those estates by commercial transactions. Those are the questions I tried to give an answer in the present issue starting from concrete situations the office papers had put in light.

The legal reason for the noble ladies should have owned properties or a share of them consists in existence of owning papers. Since the 13th century ever more landlords became interested in estates owning safety and opportunity to prove their legal reason as landlords. The number of offices of authentication increased so both in the secular and the ecclesiastic milieu, following the exponential increasing of applications for documents to attest properties (Kiss 2001, p. 116; Andea 2015, p. 32). The 14th century and the Angevins' reforming measures led to written acts proliferation as absolutely necessary means to secure the right of land owning. An estate owning is henceforward mainly founded on the paper of property that certified that a land belongs to an individual, a family or to joint tenants. It was but a vital question to get such documents in that society based on land-owning with a callous competition and the clear sign of welfare and privileged social-legal status given by the land owning measure. A noblemen's constant concern in preserving their estates owning and equally in getting the acts to certify their right of owning is to be noted therefore (Páll 1957, pp. 396–397; Andea 2014, pp. 200–202). The ladies' concerns were similar, the rather that in my opinion their owning regime was more vulnerable in a society dominated by males' rights.

Losing or having such acts of property destroyed was one of the most difficult landowner's experiences; any appeal in front of a court could generate disagreeable results in absence of such written supports. The noble lady Elisabeth, count Manus' widow was but one who came into such a situation after her documents of owning for a half of *Rabe* estate in Timiș county had been destroyed in time (*quasquidem litteras privilegiales circa dictam dominam Elyzabeth destructas et putrefactas scire allegarunt*). She had been given the land by her grand-father for her daughter's quarter, together with the letter of privilege. Benedict an John, Gregory's sons seem to have been interested in the named land; and so Elisabeth and her son and other relatives had to demand Cenad Chapter in November 24, 1337, to acknowledge her right of owning and obliged the two noble men to give her back the part she had got (Fekete, *Temesi bánság*, p. 280/c).

There were other circumstances for some noble ladies to ask the chapters to transcript their papers for being perhaps deteriorated. Paul Magyar of Petroman's widow was one of them: she asked Győr Chapter in 1367 to copy a series of documents she had got from the former king Charles Robert (*Miscellanea Heimiana*, p. 206). Helen, Nicholas Himfi's widow demanded Cenad Chapter in 1387 to transcript for her an open letter of king Louis I (*Temes* 1896, p. 161).

The disputes on the owning documents were so intense than they had to come not rarely, in front of royal, palatine or county courts, with law actions for many years. It was the case of Peter, Bede of *Batka*'s brother, who accused his brother's widow, in March 26, 1353, to have given the owning papers on the possessions of *Batka* and *Karasnya* to Jacob of Bachtuysse, Peter's godfather, together with arms, clothes and other things (*Miscellanea Heimiana*, 90). The law suit of Thomas of Thelegdi's widow is noted down in May 16, 1382: that widow went to law against Lawrence, Teteus' son, to recuperate the owning papers on the estates of *Akach* and *Zentmiklos*. Even if Lawrence invoked an older paper of Charles Robert, the palatine of Hungary decided finally that the owning papers must be given back to the noble lady (Fekete, *Temesi bánység*, p. 1212). In September 29, 1387 a long and complicated law suit began concerning the owning papers on the possessions of *Ermen* and *Akasztow*: Benedict Himfi's widow accused her relatives (her sister-in-law and nephew) to have held back a series of owning papers belonging to the former ban of Bulgaria (*Krassó*, III 1882, p. 171). That law suit between the two widows went on up to 1391 with many adjournments in spite of the fact that Stephen of Remetea had agreed to give immediately back the acts he possessed. A complain of many noblemen in the family of Dancs of Macedonia dated in March 8, 1431, shows us that Frank of Macedonia's widow was accused to have forcedly and arbitrarily held back some papers (MNL DL 92802).

Perpetual or conditioned estates owning? The way the noble women owned the possessions they had been given is also important in my opinion. As long as the right of land owning was extremely well stipulated from the initial common laws to legal stipulations after, the office acts defined the legal way the land was possessed in any papers regarding that right. The basic rule in the case of male owning was that one of full right negotiable to heirs, while the female owning was more delicate. We might have noted the circumstances the women were given lands owning: by daughter's quarter or marital dowry, by royal, paternal or fraternal testamentary donations, or by *præfaectio*. I have noted by following the documents that the legal reasons oscillated between perpetual (*in perpetuu*) and conditioned right of owning the lands (Rady 2000, pp. 106–107). Those legal reasons are to be found in the cases of male possessions, certainly; the report between the two categories of land owning makes in my opinion the difference between male and female possessions. Certainly, the conditioned possessions were more frequent in the case of female possessions than the perpetual ones. It was a difference generated both by the nature of land possessions in the case of women: traditional or bought by their ancestors and the perspective of perpetuating that inheritance. It is to note that once married the women left their familial nucleus and entered a new familial one. It is why the possessions the daughters were given did not belong to their forefathers' estates except from some rare and special circumstances, and so the way they owned was frequently a conditioned one. I shall try to name on the basis of what the papers let us know the prerequisites that make a possession be a perpetual or a conditioned one.

A first situation of giving some possessions with the real right of owning concerns the women of a noble origin who lost their fathers/ husbands' support, as they died before those women's future be insured, at the risk of losing the noble status. Not to remain without heritage (*ne sine hereditate remaneret*) those women were given goodsto support their life, by the royal or ecclesiastic authorities. A widow named Ana and Clara, her daughter, for instance were given

in such circumstances, by the bishop of Cenad, in 1332, half of the possessions of *Beez* bishopric (*hoc tamen adiecto vendidissent, donassent, tradidissent et contulissent iure perpetuo ac hereditario irrevocabiliter possidendam tenentam et habendam*) (Fekete, *Temesi bánság*, p. 203). The same was probably the situation of noble lady Clara, John of Szer's daughter, when his father died without heirs. As an orphan young lady she was given her father's estates by Louis I, by 1359–1360, as a praiseworthy privilege for her father who had been a count of Caraş devoted to the royal house (DRH-C, XI, p. 344). Finally, I note the delicate case of Ana, Neagu of Recaş's daughter, disinherited by her father as she had married to a common man. King Sigismund of Luxemburg himself conferred her in 1404–1405, by a royal letter the right of owning a quarter of her father's estate in the county of Timiş, for her daughter's quarter (*introducisset ipsam Nobilem dominam in dominium earundem statuissetque easdem eisdem perpetuo possidendas*). We might note that the king intervened in the case both for the fact that the heir was a minor at that time, and Ana's husband, Stephen named *Tewrwk* stood out by loyalty to him and special merits (*Temes* 1896, p. 337).

The paternal will was another way by which the daughters could get some real estate with the right of perpetual owned. A sample in the field comes from the part of noble Ladislav of Omor who remembered his daughters Catherine and Ana in his will, in 1372, to be donated his possession *Rudarosama* in the county of Severin *in filios filiorum filiorum et heredum per heredis perempnaliter et irrevocabiliter possendas, tenendas pariter et habendas omne ius et dominium.....ipsum tam titulo perpetuationis, quam inpignorationis contingentem cum utilitatibus et pertinentiis earum universis* (Fekete, *Temesi bánsági*, p. 1073).

Prefaectio was also a method admitted by the central power that allowed fathers to leave legacy to their daughters with right of possession; it was happened in 1426 when noble Thomas of Coloswar gave shares from four of his estates in the county of Arad, to his youngdaughters Dorothea and Margaret (*introducatur prefatas nobiles puellas...in domynium earundem Statutasque easdem eisdem premissis Jure eis incumbenti perpetuo possidendas*) (*Temes* 1896, 594).

The daughter's quarter consisting in land was another way to leave estates for owning *in perpetuu*, as we can see in a paper from 1337; it refers to noble lady Elisabeth who was given by his grand-father's privileged letter half of his possession *Rabe*, Timiş County, for her daughter's quarter *perpetuo et irrevocabiliter possidendam* (Fekete, *Temesi bánsági*, 280/c). Another noble lady, Catherine, Paul of Hodeghaz's wife got in 1400 shares from two estates in the county of Timiş, from a relative of her, as *quarta puellaris* to eternally she and her children own (*per ipsas Nobiles dominas et filios filiorum heredumque ipsorum per successores pacifice et quiete ac irrevocabiliter possidendum tenendum vtendum pariter et habendum*) (*Temes* 1896, p. 289). I have also met the case of a brother giving up part of his lands to his sister; my example refers to noble Ladislav in the family of Dan of Duboz, who gave Ursula, in 1434, his shares from Sooth estate in Cenad County (*damus et donamus, imo dedimus et donavimus iure perpetuo et irrevocabiliter possidere*) (*Diplome* 2014, p. 50).

We might note that such samples are not to be generalized; other papers show how the daughter's quarter consisting in land or daughters turning into sons clearly depended on their marriage or on existence of some heirs. In 1421 for instance, when magister Ioan of *Naglak* made an adoptive alliance with brothers Nicholas and George Csáki, the agreement stipulated that ten estates in Cenad County were to be given to his daughters turned into sons. The daughters dying without any heir, those estates would be given to the two brothers as joint tenants and their descendants (*Krassó*, III 1882, p. 295). Nicholas of Chortow gave in 1355 to his sister Catherine and her sons one third of the possession of *Gulez* and some plots of the estate of *Zerdehel* (Caraş County) for her daughter's quarter on condition that those parts turn back to

their donators if the beneficers would like to sell them (*Krassó*, III 1882, p. 30). Andrew Chep of Gherteniş allowed in 1424 to his brother Jacob Chep's daughters to keep a fourth share of their father's estates, for their daughters' quarter, and he would redeem them when the girls get married (Pesty, *Krassó*, II/1 1884, p. 190). For *quarta puellaris* another noble lady, Dorothea got from her family in 1429 some estates in the counties of Timiş and Caraş when she married to a nobleman (*Krassó*, III 1882, p. 333). If dying without descendants, those lands would return to her family; if her husband would like to keep those lands he had to pay 200 forints to her family – those were the written conditions for her to get the lands. The ever larger donation of Ladislav of Omor for his sister Clara when she married was also conditioned by existence of the new family's descendants, otherwise the estates come back to Ladislav and his descendants (*Temes* 1896, p. 72).

Lands owning and managing. Hard to reconstitute now on the basis of the preserved papers the way some noble ladies made their estates working. Certainly, those estates were managed as the other feudal ones at that time. The noble women probably involved more or less in managing their lands relying on the estates dimensions. Any case, there are testimonies to show that the women had familiars, clerks and servants like the noblemen had. For the landlords, their familiars (*familiars*) were frequently noblemen serving mainly for military actions, and secondly for administrative or judiciary ones (Rady 2000, pp. 110–131; Engel 2006, pp. 154–155; Popa Gorjanu 2007, p. 364, 369–370); it clear that in the case of the noble ladies their servants were mainly of a modest descent, working for following the estates and domestic fields. Given their real jobs, they were in the other words more associated with *famuli* or *officials*, namely common clerks and servants even I have met some documents to name them *familiars*. But there are no preserved papers to present their administrative jobs. Their presence in documents is related to courts at the moment when part of their activities came in front of them. I have met them as representing their ladies in litigations, either to claim robbery or forced removing of some bonds² (*Krassó*, III 1882, p. 348), or to testify for their noble lady for having paid the taxes³ (Magina 2009, p. 37). It seems that the landladies were responsible with those servants 'up keeping and actions along the time they served them. There are certain circumstances to allow servants with their landladies' agreement leaving the estates they had worked on; it seems to be the moment the responsibilities of the noble ladies came to the end⁴ (MNL DL 54149).

Villains' presence and work made the main basis of valorising the agricultural potential was in any feudal estate. It was the same in the case of the noble women's estates, but I have to say that the papers of the 14th century and beginning of the 15th one refer to the bonds on those possessions only in a litigious context. The country judges were those to collect the bonds' taxes and to solve the social, administrative, juridical or moral questions in the rural communities; they made so a liaison between masters and their subjects (Magina 2014, p. 100). The country judge from *Zazinfalva* (Şanoviţa) for instance is mentioned in June 28, 1435 in the law suit within which Emeric Himfi's widow was accused for failure to pay *lucrum camera regalis*; that one didn't come in front of the court and the suit was adjourned, being sent to the count (Magina

² A named John of Kere, an officialis of the noble lady Ana, Emeric Himfi's widow claimed in March 5, 1435 in front of Caraş County court that noble Michael Chepi had plundered the villains of their possessions, invaded his own house intending to kill him, pronouncing shameful charges and wounding him

³ The servant of Emeric Himfi's widow (*familiaris ipsius domine*) testified in June 28, 1435 in front of Timiş County court for his landlady who had paid *lucrum camere regalis*.

⁴ A paper dated to January 27, 1421 certifies that the court of Torontal County absolved the widow of Jacob Chep de Gherteniş from having instigated one of her familiares (*familiaris predictae domine*) to make havock of 200 forints at the estate of *Beuldre*, as two noblemen had accused her. The accused lady disculpated herself saying that her servant had yet left her at that time, with her agreement and so she wasn't responsible for his actions.

2009, p. 37). The country judge of the noble widow of Donch, *Naglach* ban, in turn opposed in September 8, 1399 seizing of noble Peter, Pousa's son with the estate of *Harumfilew* (Beregsău) in Timiș County (MNL DL 92114).

We have no papers to prove how the villains carried out their feudal duties within the noble ladies' possessions. We might say that census paying was a never evaded reality, always present when speaking about the relations between masters and subjects, as it is noted down in papers as *terragium*, in the dispute between two landlords or in the case of some bonds removing from a master to another one (Prodan 1967, p. 12; Feneșan 1977, p. 255), with a reservation to certainly identify census with *terragium*. Questions regarding law and opportunities of bonds removing are rarely noted in the papers I have analyzed. In 1371, for instance, Blasius of Szer's daughter Ursula complained that Michael, the Romanian noble in Recaș forcibly removed some of her bonds from her estate *Ewsy* in Arad County (MNL DL 91775). There are cases of noble ladies who had to solve in the absence of their husbands questions generated by their bonds free removing. It was the case of the wives of the two noblemen Jacob and Nicholas Chep of Gherteniș who were in the royal campaign in Bosnia: the two ladies were given in May 16, 1416 by Pippo of Ozora, count of Timiș, the right to stop the villains who wanted to remove in the absence of their landlords (*Krassó*, III 1882, p. 283). Another noble lady in change, namely Julianne, wife of Mica, Hym of Egerszeg's son, allowed in 1400 the bonds on her estates removing (following certainly the right of removing payment) at the time she asked the castellan of Carașova's protection for all her goods the other members of the Himfis menaced (*Krassó*, III 1882, p. 235).

I also believe that gifts were always present according to the local produces, to the landlady's needs and the subject's capacities. The papers refer to bonds' crops, to herds of pigs feeding on acorns in the estate forests, or to cattle and working horses, and those are elements to let us reconstitute possible payments in kind the bonds had to do. Nor are the bonds' work duties noted clearly in the papers, even if they could be inferred from collateral references to the estates cultivated fields, hay fields, and forests or mills corresponding both to the domain needs and to other villains' duties (Prodan 1967, p. 75; Belu 1979, p. 287). The other things according to the feudal domain, namely the farmstead works, systematic land working or the daily life had probably had their rhythmicalness and normal evolution touched by certain social deadlocks from time to time; unfortunately for an accurate historical reconstitution, the last ones are the only events noted down in documents and were so preserved. I refer here to attacks and robbing during which the villains were either the passive part⁵ (*Krassó*, III 1882, p. 348), that is, the victims, or the active part together with their landladies⁶ (Iusztin 2018, p. 187).

Noble women and lands or financial transactions. The right of land owning materialized also in the noble women's opportunity to take part in specific economic transactions, according to the liberty the right of property on the basis of documents of possessing that all the noble owners had. So, we may meet noble ladies rallying in selling-buying operations or in lands or other goods pledging; the papers of that time prove the financial possibilities of the noble women who were entirely able to manage their or their families' goods when their husbands died or were absent. There are different cases noted down in the papers, with various hypostases and attitudes of the owners concerning their properties.

First of all the selling-buying agreements were of a special importance as long as land owning was at the bottom of the feudal society economic power. Formal procedures and conditions

⁵ The noble lady Ana, Emeric Himfi's widow claimed in March 5, 1435 noble Mihail Chepi to have plundered the bonds of her lands.

⁶ In August 23, 1446 in turn, it was registered the complaint of the vice castellans of Timișoara against Oswald of Beel's widow and two of her villains for robbery.

stood for those transactions in order to make the right of property available to be transmitted. Cenad Chapter emitted thus a paper in December 6, 1355 that clearly specified the law basis of the whole suit to register changes in the case of a property: "Sales and buying usually are proved by testimonies as so they could never be disputed and remain as ones sanctioned by protection of letters"⁷ (DRH-C, X, p. 389; Ciulei, Ciulei 1997, p. 134–136). To buy lands, houses and vineyards or mills show the noble women's concern in increasing their estates and welfare naturally; it is to be noted that we can find in a series of cases the mention on the fact that such acquisitions had been made by the ladies' own revenues generated mainly by their dowry and wedding gifts and their daughters' legacy. I might make a proper distinction of course: there were different levels of some noble ladies' welfare following both their paternal family's prosperity and that one of the familial nucleus they entered by marriage. We may speak so about an entire range of properties, from the humble ones consisting in some plots or shares of estates, to those of some well-to-do noble ladies with more estates but never comparable with the large male properties.

The document I have written about above, from 1355, refers such a selling-buying process with the participants' sources of revenues are clearly definite. So, the noble lady Lucia, a daughter of magister Albert of Zuha, Borşod County, sold to the noble lady Margaret, magister Posa of Szer's daughter, the estate of *Ozelew* on the Mureş bank, county of Cenad (where also existed a stone church dedicated to St. Peter); it was the estate she had got from her brothers *iure gentilitate, racione sue quarte partis puellaris eam contingentis*. Margaret bought the estate with all pertinences and the right of perpetual owning for 100 marks she had got *de rebus suis paraffernalibus et scralibus, secum de domo patris sui apportatis solvisse eisdem*.

For that lady Margaret, she belonged to a famous family (owning lands in all the Banat counties) and was married to Ladislav *Lack* from the Hermanns, a former count of the Székelys (his sons from the first marriage were barons of the country) went on with buying lands in the county of Cenad. With her step sons' agreement (Andrew Lackfi, voievode of Transylvania was one of them), she bought in May 12, 1356 other two estates nearby Lackfi domain and her relatives in-law pledged to protect it in the future (DRH-C, XI, p. 20). Two years later, in September 8, 1358, Margaret bought for 200 forints from her dowry, the estate of *Scentmiclos* (uninhabited) in the same county, with a stone church dedicated to St. Nicholas (DRH-C, XI, p. 321, 323; Szaszko 2014, p. 35).

The widow of John, Lawrence's son, was another noble lady interested in buying real estate; she used her own revenue to buy a mill in the estate of *Kis Tarnuk*, county of Cenad, where she also rebuilt another mill and a series of buildings in the former yard (DRH-C, XIII, pp. 141–142).

There were also circumstances that obliged the noble ladies and other members of their families to dispense with certain possessions. Margaret, Paul Magyar's wife for instance, sold in 1362 her possession of *Boka*, Cuvin County, to magister Dionisie of Makofalva, for 200 forints (Haţegan, Boldea, Ţeicu 2007, p. 99). Dorothea and Margaret together with Ladislav, their brother, living in the town of Lipova, sold a vineyard on the hill of *Macra* from the village of *Palelesy* (Arad County), to John of Maroth, for 500 forints (*Temes* 1896, p. 485). The couple of Catherine and John Magyar of Recaş also sold, in November 11, 1447, a vineyard on the hill of *Brosomal*, Recaş estate (Timiş County) to Michael of Cerna, the ban of Severin, for 32 forints (*Diplome*, p. 189).

The ladies' relatives or joint tenants seldom regarded with disfavour the estates selling that the noble ladies liked to do, so they made objections in front of the courts. It was the case of

⁷ *Solent vendiciones et empiones litterarum testimonio comprobari, ne temporum in processu per quempiam valeant retractari in concussum, quippe permanere, quod litterarum patrocino fuerint communitate.*

Ossana and her brothers Philip and Michael, Jacob of Saar's children all of them who were interdicted by Andrew and Stephen Chep of Gherteniş, in 1365 in front of Arad Chapter to sell their shares of the estates of *Pysky* and *Nadasd*, Timiş County (DRH-C, XII, p. 408). The same noble family of Gherteniş opposed in July 21, 1382, that Helen and Catherine, Stephen of Kayand's daughters sell, pledge or estrange the fourth part of the possessions of *Beuldre* and *Bykach* (Torontal County), and *Budun*, Timiş County (MNL DL 52425).

Lending money was another activity the noble ladies developed; those ones were generally granted by lands pledging from the part of debtors. In fact, beginning with the 13th to pledge became a way to insure the debt return, the creditor being entitled to sell the pledged good if the given money did not return to him. Pledging was frequently experienced in family, between joint tenants or between neighbouring lands owners to much better restrain the risk of estranging the pledged good if the borrowed money couldn't be given back. The most of such cases in the analyzed papers are represented by widows, more independent in managing their own revenues. These actions may also be taken for familial settlements in order to insure the children a certain amount, with the relatives' possibility to recuperate the properties (Solcan 2005, p. 159). Bede's widow for instance did so when lent 50 marks in dinars to magister John Himfi for his estate of Remetea pledging; that one payed back that amount in three instalments during the year of 1353 (*Miscellanea Heimiana*, p. 127, 132). Paul Kayand's widow demanded in March 13, 1406 in front of Cenad Chapter that Jacob and Nicholas Chep of Gherteniş pay back to her 100 forints for their shares of *Nagbikach* (Timiş County) estate pledging (*Temes* 1896, p. 371). Michael and Stephen, other two brothers of Gherteniş, borrowed 20 golden forints from lady Ana, Emeric Himfi's widow, by pledging their shares from the estate of *Beuldre*, Timiş County (*Diplome* 2014, p. 40).

There are some more explicit papers related to the conditions of lending/ borrowing. In January 12, 1434 for instance, the same noble lady Ana lent 70 golden forints to her nephews-in-law in the Himfis, in turn of the estates of *Kisermen* and *Gergelfalva*, Caraş County, and *Baskafalva*, Timiş County, for three years long (*Krassó*, III 1882, p. 347).

Few were the situations of lending without goods pledging. It is the case of the noble widow Margaret Himfi to whom Andrew of Chep owed 3 marks for some horses' payment (Horváth 2010, p. 118, footnote 20). Another case involved Dorothea, Thomas's daughter, who got back, together with her relatives, 100 forints from Gregory of Zenthiwan (*Diplome* 2014, p. 46).

I wish I remarked the considerable amounts resulting frequently from such transactions. These amounts added – to exercise our imagination at least – to other goods the noble ladies in discussion benefited, we can conclude on their life level, welfare and capabilities to manage such revenues.

Few conclusions

The present study does not intend to exaggerate the role of female right of owning. That right existed and manifested within the limits of the time traditions, customs and legislation. But omission of such a right clearly pointed out by the documentary data means to prejudice a judicious and complete analysis of medieval domanical structures in the Banat. The noble women owned estates in the measure their familial condition allowed them to, managed and valorised those properties (with a large ability and tenacity sometimes), left them to their descendants, but the phenomenon was comparably reduced than the same one in the cases of male owning. To administrate such possessions both in the case of female and male lands owners meant existence and work of clerks and servants, and naturally of villains to work the lands. I should not exclude

the women's direct involving in managing their lands especially in the case of small properties; it was possible that those ones have been distinct from the rural free properties only by the privileged status of the landlady. Finally, the noble women's involving in economic transactions proves if it was necessary, their opportunity to dispose of their real estate. Surely, the noble widows had the largest liberty to act, for being the most interested to preserve their own goods especially when they had sons or daughters. So, sales buying, pledges or credits were constant practices during the noble landladies' life.

References

- Andea 2014 = Susana Andea, *Actul scris și valoarea lui probatorie în practica judiciară din Transilvania (secolele XIII-XIV)*, „Anuarul Institutului de Istorie George Barițiu Cluj-Napoca”, LIII, 2014, p. 199–212.
- Andea 2015 = Susana Andea (coord.), Avram Andea, Adinel Dincă, Livia Magina, *Scris și societate în Transilvania secolelor XIII-XVII/ Writing and Society in Transylvania 13th–17th centuries*, Cluj-Napoca-Gatineau, Editura Argonaut–Symphologica, 2015.
- Balogh/Lumperdean/Mádly/Țeicu 2015 = I. M. Balogh, I. Lumperdean, L. Mádly, D. Țeicu (coord.), *Multiculturalitate, identitate și diversitate. Perspective istorice. În onoare prof. univ. dr. Rudolf Gräf la împlinirea vârstei de 60 de ani*, Cluj-Napoca, Editura Mega, 2015.
- Belu 1979 = Sabin Belu, *Situația social-economică a unor sate din Munții Apuseni în evul mediu*, „Anuarul Institutului de Istorie și Arheologie Cluj-Napoca”, XXII, 1979, p. 287–295.
- Boldea 2015 = Ligia Boldea, *Câteva observații asupra imaginii femeii în documentele medievale bănățene (1300–1450)*, în Balogh/Lumperdean/Mádly/Țeicu 2015, p. 125–150.
- Ciulei/Ciulei 1997 = Gheorghe Ciulei, Gheorghe G. Ciulei, *Dreptul românesc în Banatul medieval*, Reșița, Editura Banatica, 1997.
- Diplome 2014 = Pesty Frigyes, *Diplome privind istoria comitatului Timiș și a orașului Timișoara/ Oklevelek Temesvármegyé és Temesvár város történetéhez*, II (1430–1470), eds. Livia Magina, Adrian Magina, Cluj-Napoca, Editura Mega, 2014.
- DRH-C = *Documenta Romaniae Historica*, C, Transilvania, vol. X, XI, XII, XIII, București, Editura Academiei RSR, 1977–1994.
- Engel 2006 = Engel Pál, *Regatul Sfântului Ștefan. Istoria Ungariei medievale 895–1526*, eds. Adrian Andrei Rusu, Ioan Drăgan, Cluj-Napoca, Editura Mega, 2006.
- Fekete, *Temesi bánság* Magyar Nemzeti Levéltár Országos Levéltára (MNL), P 1732, manuscrisul lui Antal Fekete Nagy, *Temesi bánság oklevéltára*.
- Feneșan 1977 = Costin Feneșan, *Noi informații privind iobăgimea din Banat în secolul al XIV-lea*, în Matei 1977, p. 225–229.
- Fodor 2011 = Georgeta Fodor, *Destine comune: viața femeilor între public și privat. Țara Românească, Moldova și Transilvania (secolele XV-XVII)*, Cluj-Napoca, Editura Argonaut, 2011.
- Fügedi 1970 = Fügedi Erik, *A 15 századi magyar arisztokrácia mobilitása*, Budapest, 1970.
- Hațegan/Boldea/Țeicu 2007 = Ioan Hațegan, Ligia Boldea, Dumitru Țeicu, *Cronologia Banatului*, II/1, *Banatul între 934–1552*, Timișoara, Editura Banatul–ArtPress, 2007.
- Horváth 2010 = Horváth Richárd, *Bigámista volt-e Himfi Benedek bolgár bán? (Adalékok a Döbrentei Himfiek családi történetéhez)*, „Turul”, LXXXIII, 2010, p. 116–118.

- Iusztin 2018 = Zoltan Iusztin, *Politică și administrație în Banatul medieval (sec. XV-XV)*, Cluj-Napoca, Academia Română, Centrul de Studii Transilvane, 2018.
- Kiss 2001 = Kiss Gergely, *Contribution à l'évolution des chapitres dans la Hongrie médiévale*, „Specimina Nova Pars Prima. Sectio mediaevalis”, I, Pécs, 2001, p. 109–120.
- Krassó 1882–1884 = Pesty Frigyes, *Krassó vármegye története*, II/1-III, Budapest, 1882–1884.
- Magina 2009 = Livia Magina, *Câteva documente privind judele sătesc în Banat (secolele XIV-XV)*, „Banatica”, XIX, 2009, p. 31–39.
- Magina 2014 = Livia Magina, *Instituția judeului sătesc în Principatul Transilvaniei*, Cluj-Napoca, Editura Mega, 2014.
- Matei 1977 = Alexandru Matei (coord.), Ștefan Meteș la 85 de ani. Studii și documente arhivistice, Cluj-Napoca, 1977.
- Miscellanea Heimiana = *Miscellanea Heimiana*, a cărei copie se află în MNL, P 1732, manuscrisul lui Fekete Nagy Antal, *Temesi bánság oklevéltára*.
- MNL DL = Magyar Nemzeti Levéltár, Diplomatikai levéltár, Arkanum Adatbázis Kft.
- Páll 1957 = Páll Francisc, *Contribuții la problema locurilor de adevărire din Transilvania medievală (secolele XIII-XV)*, „Studii și materiale de istorie medie”, II, 1957, p. 391–402.
- Popa-Gorjanu 2007 = Cosmin Popa-Gorjanu, *Despre „familiales” și „familiaritas” în cazul familiei Himfi*, „Apulum”, XLIV, 2007, p. 363–382.
- Prodan 1967 = David Prodan, *Iobăgia în Transilvania în secolul al XIV-lea*, I, București, Editura Academiei RSR, 1967.
- Rady 2000 = Martyn Rady, *Nobility, Land and Service in Medieval Hungary*, London, 2000.
- Solcan 2005 = Șarolta Solcan, *Femeile din Moldova, Transilvania și Țara Românească în Evul Mediu*, București, Editura Universității din București, 2005.
- Szaszko 2014 = Szaszko Elek, *A Szeri Pósafi család. Egy alföldi előkelő család története a 14–15. században*, Teză de doctorat, Pázmány Péter Katolikus Egyetem, Budapest, 2014. Disponibilă în variantă electronică pe: www.academia.edu/7209933/A_Szeri_Posafi_csalad_PhD_dissertacio_The_Szeri_Posafi_family_PhD_dissertation
- Temes 1896 = Pesty Frigyes, *Oklevelek. Temes vármegye és Temesvárváros történetéhez*, I, ed. Ortway Tivadar, Pozsony, 1896.
- de Werbotz 1637 = Stephanus de Werbotz, *Decretum Latino-Hungaricum juris consuetudinarii incliti regni Hungariae et Transilvaniae (Tripartitum)*, Leustchovie, 1637.