

# FROM KENEZII TO NOBILES VALACHI: THE EVOLUTION OF THE ROMANIAN ELITE OF THE BANAT IN THE FOURTEENTH AND FIFTEENTH CENTURIES<sup>1</sup>

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In this article I intend to present some results of my investigations regarding the upward social mobility of the knezes<sup>2</sup> from the Banat region, especially of the so-called “eight privileged districts of the Banat.” The region of Banat is geographically bordered by the Mureş/Maros river to the north, the Tisa/Tisza and Danube rivers to the west, south-west, and south, and by the Carpathian mountains bordering the valleys of the Cerna/Cserna and Timiş/Temes rivers towards the east. In the Middle Ages it comprised several counties. However, the Romanian districts were situated in Timiş/Temes and Caraş/Krassó counties.<sup>3</sup>

*Nobiles Valachi* was a medieval Latin term, frequently employed in charters from the fourteenth and fifteenth century, referring to a special category of nobles. The best English translation of it is “Romanian nobles.” “Wallachian nobles” would be misleading, for it may define a noble from the principality of Wallachia. It is also

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<sup>2</sup> The *knez*, an institution of undoubted Slavic origin, represented the leading class of the Romanian people in the early Middle Ages. The terms *Valachi* or *Olachi* were medieval Latin names that identified the Romance speaking population inhabiting a large area in Central and South-Eastern Europe.

<sup>3</sup> Much of the written sources concerning this topic have been published for more than a century, and afterwards repeatedly republished or included in different source collections edited in Hungary and Romania. The main source collections for this subject are: Frigyes Pesty, ed., *A Szörényi vármegyei hajdani oláh kerületek* (The former Romanian districts from County Severin) (Budapest: M. Tud. Akadémia, 1876); Frigyes Pesty, ed., *A Szörényi bánság és Szörény vármegye története* (The history of the Banat of Severin and of County Severin), vol. 3, (Budapest: M. Tud. Akadémia, 1878); Frigyes Pesty, ed., *Krassó vármegye története, III (Oklevéltár)* (The history of County Caraş. III Diplomatarium) (Budapest: Athenaeum, 1882); Eudoxiu Hurmuzaki and Nicolae Densusianu, eds., *Documente privitoare la istoria românilor* (Documents regarding the history of Romanians); vols. 1/1, 1/2, 2/3, (Bucharest: Socec, 1890–1911); E. Lukinich, L. Gáldi, and L. Makkai, eds., *Documenta historiam Valachorum in Hungaria illustrantia usque ad annum 1400 p. Christum*. (Budapest: M. Tud. Akadémia, 1941); Mihail Berza, et alii, eds., *Documenta Romaniae Historica, C Transilvania*, vols. 10–13, (Bucharest: Editura Academiei Române, 1977–1994); Costin Feneşan, ed., *Documente medievale bănăţene 1440–1653* (Medieval charters from the Banat 1440–1653) (Timişoara: Facla, 1981). The scholarship of the subject encompasses a wide range of works and studies that approach different aspects of the history of Romanian elite, knezes or nobles, in the Banat, among whose authors the most important are Frigyes Pesty, Gheorghe Vinulescu, Ioan Vuia, Victor Motogna, Maria Holban, Costin Feneşan, Viorel Achim, Ioan Haţegan, Dumitru Ţeicu, Ligia Boldea, Ioan Drăgan, Ioan-Aurel Pop, and Adrian Andrei Rusu. A list of their contributions would overburden this short overview.

well known that the medieval Latin name for the Romanians was *Walachi*, *Olachi*, therefore the translation of *nobiles Valachi* as “Romanian nobles” is appropriate.

Given the multiplicity and diversity of circumstances in which the knezes were mentioned in the surviving written sources, even defining this social class presents problems. However, systematic research focused on certain social and territorial units where knezes functioned without significant royal intervention, such as the regions of Maramureș and Hațeg in the fourteenth century, offered some clarification of the nature of this social category.<sup>4</sup> According to Radu Popa, the simplest definition of a knez is a possessor of land with subjects. The property of the knez was called a “knezat” (*kenesiatus*), meaning both land possession and a whole range of rights over tenant peasants. In the sources the term *kenesiatus* refers to a village or part of a village possessed by a knez, but it also comprises the abstract meaning of certain rights and obligations.

Another essential element that defined a knez was that, usually—until the mid-fourteenth century—his possession over land was not acknowledged in a charter, in contrast to most of the nobles of the kingdom. The emergence and development of the noble domains in the Banat resulted in significant changes within the class of knezes. The land donations to Hungarian nobles placed some knezes under the lordship of nobles, and thus different categories of knezes appeared: knezes subject to nobles<sup>5</sup> and the free knezes living on the domain of the royal fortresses. When the *kenesiatus* of a knez was donated to a noble, the rights of possession and lordship attributes of the knez were diminished. These knezes were reduced to the role of intermediaries between the noble lord and the inhabitants of the village. They acted as *villici*. They could judge the peasants of the village concerning certain petty crimes, were charged with maintaining order, the peasants owed them obedience, and they were responsible for the collection of dues in money, labor, or kind. These knezes, being subject to a noble, forfeited the opportunity to become nobles themselves as long as they remained on the noble domain.<sup>6</sup> In the

<sup>4</sup> Radu Popa, *Țara Maramureșului în veacul al XIV-lea* (The Country of Maramureș in the fourteenth century), 2<sup>nd</sup> edition, (Bucharest: Editura Enciclopedică, 1997); Radu Popa, *La începuturile evului mediu românesc. Țara Hațegului* (The beginnings of the Romanian Middle Ages: The Country of the Hațeg) (Bucharest: Editura Științifică și Enciclopedică, 1988), 165–184.

<sup>5</sup> An example of such subjection is that of the knez called Bach, dispossessed in 1320 of his possessions in favour of Ladislas Himfy. See Pesty, *Krassó*, 5, and Antal Fekete Nagy, *Temesi bánság oklevéltára, 1307–1340*, (The Diplomatarium of the Banat of Timiș), (manuscript in the National Archives of Hungary, Budapest), 92.

<sup>6</sup> In 1376 the knezes of the domain Remetea addressed a petition (Lukinich E., *DocVal* 287) to the wife of Benedict Himfy, the lord of that possession, complaining about the miserable conditions and various abuses committed by certain officials of that domain against them. The knezes declared that they would no longer endure them and that they were ready to leave together with their people to live in some other place. This proves that in 1376 it was still possible for a knez, as a chief of a group of people (in documents they are still

following I intend to study only those knezes who avoided this kind of subjection and thus had a chance for upward social mobility.

Approximately from the 1350s the sources begin to reflect social transformations among the knezes of the Banat with the emergence of the term *nobiles* along with that of *kenesy*. Soon variations in terminology appeared. The Romanian knezes were sometimes called *Walachi*, *Olachi*, or *nobiles Valachi*. In some cases, the leaders of the Romanians came to be called simply *nobiles*. Such variation in the terminology raises a question about the significance of these terms. Did they reflect a change in status? Is a *nobilis Valachus* or *nobilis kenesi* different from a *kenesius*? There must have been differences, for the creation and introduction of new terms would not be justified if they would not be based on social realities; even if, as we will see, royal and other chancelleries were not quite consistent in the use of these terms. However, I argue that the changes in terminology reflect a tendency toward gradual upward social mobility. The evolution step by step toward the status of “true nobles,” which meant the granting of privileges attached to a noble status,<sup>7</sup> involved transitory solutions expressed by the terms *nobiles kenesy*, *Valachi*, or *nobiles Valachi*. Adding the “ethnic” name *Valachus* to the term *nobilis*, was not intended to show their ethnicity, as it might be interpreted at first sight. It was the need to express the specificity of these nobles, to some extent similar to the *veri nobiles* but also having special obligations attached to their status, that still kept them apart from the majority of the kingdom’s nobility. It is, however, remarkable that in the decades after 1457, the date of the issue of a special royal privilege for Romanian nobles and knezes from the “eight privileged districts,” in which the term *nobiles Valachi* was officially employed, the qualification *Valachi* disappeared, replaced by the general term *nobiles*. It did not reflect a loss of ethnicity, they continued to be Romanians long thereafter,<sup>8</sup> but the differences between them and the nobles of the realm were gradually erased.

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called *homines*, only later they will be called *iobbagiones*), to move to another place. Thus, the knez by preserving a certain amount of freedom, really had a chance to acquire a landed property as knezial or a noble possession; cf. Maria Holban, “Mărturie asupra rolului cnezilor pe marile domenii din Banat în a doua jumătate a secolului al XIV-lea” (Evidence about the role of the knezes within the great domains from Banat in the second half of the fourteenth century); *Studii și Materiale de Istorie Medie* 2 (1957): 407–420.

<sup>7</sup> “Full” noble status may be taken as those rights which appear in the 1514 *Tripartitum*, Pars I, Tit. 9, such as: *habeas corpus*, freedom of taxation in exchange for military service, and political participation, Sándor Kolosvári and Kelemen Óvári, eds., *Werbőczy István Hármaskönyve* (The tripartitum of Stephen Werbőczy) (Budapest: Magyar Irod. Intézet és Könyvnyomda, 1897), 64–68.

<sup>8</sup> As far as their language is concerned, later evidence indicates that they were using Romanian; however many of them because Roman Catholics, in contrast to their previous Orthodox belief which remained dominant among the most of the Romanian population.

Even though there seem to have been cases of knezes' ennoblement previously,<sup>9</sup> only from the 1350s onward do the written sources begin to mention the knezes living on the territory of the royal fortresses or in the districts of the royal fortresses. In general, scholars speak about thirty-three districts in the whole of the Banat, but this number varied during the fourteenth and fifteenth centuries. A distinction must be made between privileged and unprivileged districts. The "eight privileged districts" (formally privileged since 1457) covered a compact area mostly in present-day Caraș and Timiș counties, and constituted the place where the Romanian nobility formed.<sup>10</sup> It is difficult, if not impossible, to reconstruct the early stages of development and evolution of the districts.

The methodology applied in this research consisted of the analysis of terminology specific to the knezes or nobles which is found in charters granted to them mostly in the period between 1350–1457. A selection of documents has already been made by history itself, so that in our examples some noble families from certain districts are better represented. Thus, noble families from Sebeș or Mehadia districts (such as Mâtnic and Temeșel) seem to provide a fairly clear model of upward social mobility that might be taken as the general pattern of evolution followed by other families, whose history is less well documented. The status transformations took place over a long time individually, that is, every knez and his family acquired privileges on an individual basis. After providing services, mostly military, the knezes asked the king for a reward. Thus, they were granted charters under various conditions. It seems that this evolution involved certain stages. A charter that granted a certain possession only for being "used and held" (*ad utendam et tenendam*) to a knez, was followed by another one that confirmed the hereditary knezial possession of the same property. Other services were

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<sup>9</sup> The ennoblement of knezes during the reign of Charles Robert, or even earlier, represents another type of evolution as in the case of the Zecul and Voya families, ennobled some time during the reign of King Charles Robert. We know, however, little about these processes. After the 1350s these families were involved in judgements concerning their landed properties which ended with their definitive dispossession in favor of influential royal officials such as John *Bissenus* or Benedict Himfy. During several stages in the legal process, the Zecul and Voya families presented their charters to the courts, proving their rights over the disputed possessions. In both families the first ancestor was a knez who was granted the land by the king. Later, the heirs of these knezes were always called nobles. See details in M. Holban, "Deposedări și judecăți în Banat pe vremea Angevinilor și ilustrarea lor prin procesul Voya (1361–1378)" (Dispossessions and judgements in the Banat during the age of the Angevins: 1361–1378), *Studii și Materiale de Istorie Medie* 5 (1962): 57–131.

<sup>10</sup> The eight privileged districts from the Banat with their medieval Hungarian names in brackets were: Lugoj (*Lugas*), Sebeș (*Sebes*), Mehadia (*Mihald*), Almăj (*Halmas*), Carașova (*Krassofw*), Bârzava (*Borzafw*), Comiat (*Komiathy*), and Ilidia (*Illyed*).

supplementary, rewarded with charters of a *nova donatio* type,<sup>11</sup> which can be interpreted as charters implying noble privilege. Many knezes could in this way possess some of their possessions as knezes, and some others as nobles. Some charters, fortunately enough, contain the provision that a possession, once donated as *nova donatio* to his former owner, that is to the knez, was “removed from the authority of the castellan.”<sup>12</sup> This fact implies that the knezes gradually became exempt from the specific obligations toward the royal castle within the domain of which their properties were located. Thus, they were transformed into nobles, similar more or less to the so-called *veri nobiles*.

A changed status seems to have been reflected in the variation in terms. Such terms as *nobilis kenezius*, and *nobilis*, apparently refer to former knezes who already possessed a privilegial charter. *Valachus* or *Olachus*, and *nobiles Valachi* seem to have been used interchangeably in the first ones. However, the social transformations occurred not only on an individual basis. The knezes and nobles acted and lived in a society that involved many collective actions and solidarity among the inhabitants of a given territorial unit. Life itself obliged them sometimes to act collectively. The examples I have selected refer to acquisition of privileges in a collective fashion as well. In one example, the district of Sebeş received the royal privilege for toll exemption on a collective basis. The second example is that of the royal privilege from 1457, issued for nobles and knezes from the eight districts, which comprised different regulations regarding status and rights.

The earliest examples reflect the social standing of knezes from the district of Sebeş. Thus, on 5 October 1350, Posa of Zer, *ispán* of County Caraş, ordered his vicecastellan in Sebeş to protect the possessions of a certain *Lupchyn woyvoda*<sup>13</sup> *alio nomine Johannes*, son of Iuga. According to the *ispán*'s report the voivod Lupchyn had shown him a charter issued by King Béla for the possessions “*Gepu and Tyuis ac alie quamplures possessiones in districtu Sebes existentes predecessorum suorum essent et fuissent hereditarie et nunc eidem de iure pertinerent.*” However, his hereditary possession was illegally seized by force by somebody not named in the

<sup>11</sup> For the description of this type of charter and its meaning see Pál Engel, “Nagy Lajos ismeretlen adományreformja” (An unknown reform of donations by Louis the Great), *Történelmi Szemle* 39 (1997): 137–57.

<sup>12</sup> Pesty, *Krassó*, 229–230, “quod nos consideratis fidelitatibus et obsequijs fidelis nostri Bogdan Valachi de Mothnwk ... possessiones Machwa et Dobregozte vocatas in pertinencys castri nostri (Sebes) existentes, quas alias idem sub servitute Kenesiatus tenuisse perhibetur sequestrantes et eximentes dominio dicti castri potestate.” See also note 25 below.

<sup>13</sup> The *woyvoda*, as in this example, was a knez with a specific military duty; he seems to have been the commander of the knezes in a given territorial unit. Such voivodes are documented for almost all regions inhabited by Romanians. It must not be confused with the institution of the voivode of Transylvania, which was one of the highest royal officers in the kingdom of Hungary.

charter. According to other charters of kings and dukes, the *ispán* said, it was the *comes*' duty to protect his possessions against any usurpation, in the name of the same kings or dukes. Therefore the vicecastellan was ordered to deliver seisin to voivode Lupchyn for the village of Tyvis.<sup>14</sup>

This is the earliest written record of a landowner within the privileged districts. Two elements must be stressed here: the voivod Lupchyn was a member of a land-owning family that had held charters for several possessions within Sebeş district since at least the thirteenth century, and that his possessions were hereditary.<sup>15</sup> Usually a hereditary estate was that of a noble, which would imply a noble status in the case of Lupchyn. However, it is known that the knezial possessions could also be inherited, and if those who donated half of the *kenesiatus* of the *Gyepew* in 1412, were Lupchyn's heirs, then he held a perpetual donation under a knezial title from King Béla IV. Though a very interesting case, the example of Lupchyn cannot be further investigated due to the lack of other sources.

A valuable insight is provided by the example of Bogdan of Mătnic; a knez in the 1350s, he started the process of social change that ended with the acquisition of noble status in the first decades of fifteenth century. In 1352, Iuga and Bogdan, sons of Stephen of Mătnic, were granted the possession *Mutnukpataka* under the following conditions: the recipients shall "possess and multiply that possession, and hold it in such liberty in which the knezes from the province Sebeş possess *liberas villas*."<sup>16</sup> The term *libertas* defined here the particular mode of possession of free villages by the knezes, while *libera villa* meant a newly established village that was exempted from tax payment.<sup>17</sup> Another provision of donation defined the legal and juridical status of these knezes as follows: "no judge may judge them, but they

<sup>14</sup> National Archives of Hungary, DL. 91419.

<sup>15</sup> Most probably the issuer of the charter seen by Posa of Zer was King Béla IV who reigned between 1235–1270. Other kings called Béla reigned in the eleventh and twelfth centuries. Though, it is impossible to say with certainty by whom and when the charter that the *comes* referred to was issued, it must be stressed that this is one of the earliest privileges known to have been granted to Romanians in the kingdom of Hungary. Unfortunately the genealogy of voivode Lupchyn is not known. The name of Lupchyn's father, Iuga is encountered frequently among knezes from the Banat. A hint on the evolution of Lupchyn's heirs is found only in 1412, when a group of knezes from *Gyepew* donated half of their *kenesiatus* held in *titulo perpetue donacionalis Regalis*; see note 27, below.

<sup>16</sup> "...in tali libertate, in qua libertate habent liberas villas quenesii in provincia Seebus, et in eadem libertate possident et multiplicarent..." Pesti, *Krassó*, 28.

<sup>17</sup> The term *libertas* was used in a similar sense in a charter issued by King Charles I when the *iobbagiones castri* from Hont received a possession "with the liberty of the nobles and not with the liberty of the *iobbagiones castri*." Erik Fügedi, *The Elefánthy: The Hungarian Nobleman and His Kindred*, (Budapest: Central European University Press, 1998), 43.



themselves can judge all cases except robbery, theft, and arson which must be judged at the seat of the noble magistrate in Sebeş.”<sup>18</sup>

In 1370, probably a different branch of the family of Mâtnic received a charter with a noble title for their previous knezial estates. King Louis granted two royal possessions located in the area of two rivers called Mâtnic as *nova donatio*, which long before had been settled and populated by *Struza* “in the name of the king” and under the title of his *kenesiatus*. The recipients of the donation were the successors of knez *Struza*, named in the charter as “our faithful Romanians” (*fideles Olachy Nostri*).<sup>19</sup> This term, as first noted by Costin Feneşan,<sup>20</sup> was used for Romanians living in the royal districts, who were considered Romanians of the king, subject directly to him and led by a royal representative, the castellan. The successors of *Struza* seem to have preceded Bogdan in being granted a noble title. They were, very probably, the “nobles of Mâtnic” mentioned in a royal charter of 1376. The charter recorded the settlement of a dispute between the citizens and *hospites* from Caran, on the one hand, and Bogdan, son of Stephen and Radul, son of Voinic, and other nobles from Mâtnic (*ac alios nobiles de Muthnuk*) on the other.<sup>21</sup>

In 1387 King Sigismund donated as *nova donatio* to Bogdan *Olah*, son of Stephen of Mâtnic, an estate called Măru (*Almafa*), located in the district *Temeskuz*, and held until that time under his knezat (*kenesiatus*) or service (*officiolatus*).<sup>22</sup> In 1391, Nicholas *Literatus*, son of Bogdan, went to the chapter of Transylvania asking for a transcript of the royal charter of 1387.<sup>23</sup>

The settlement of a dispute over a piece of land, claimed by inhabitants of the town Caran from the properties of Bogdan of Mâtnic, required a provincial congregation. Thus, Ban Nicholas of Peren summoned in 1391 “*nobiles et kenesios*

<sup>18</sup> Pesti, *Krassó*, 28 “...ita tamen quod nullus Iudex habeat iudicare ipsi autem poterunt iudicare preter tres causas, scilicet latrocinium furtivum et incendiarium, et si contingerit esse tunc ad sedem Iudicis ad Sebus admittere debeatis...”

<sup>19</sup> Pesti, *Krassó*, 101–3. The recipients were Roman and Ladislas, sons of *Struza*, who also represented their brothers Denis (with his sons Peter, Gruban, and Michael) and Iwan with his sons (Michael, Denis, and Zacharias).

<sup>20</sup> Costin Feneşan, “Districtul românesc Mehadia la sfârşitul secolului al XIV-lea” (The Romanian district Mehadia at the end of the fourteenth century), *Banatica* 5 (1979): 265–275.

<sup>21</sup> Pesti, *Szörény*, 6–8.

<sup>22</sup> Pesti, *Szörény*, 9–10, “sub ipsius keneziatu seu officiolatu hactenus habitam.”

<sup>23</sup> Pesti, *Szörény*, 13–4. Bogdan of Mâtnic had six sons, Nicholas, Stephen, Ladislas, Ladislas Jr., Peter, and John. Nicholas, called in this document *Literatus*, pursued an ecclesiastic career and by 1394 was a clerk of the choir in the bishopric of Transylvania from Alba Iulia. This is an explanation for appealing to such a remote place for authentication. This was usually the role of the chapters from Cenad, Arad, and Titel for the Banat. At any rate, it should be noted that this knezial family was Roman Catholic, like many other families from the Romanian elite of the Banat, see Viorel Achim, “Catolicismul la românii din Banat în Evul Mediu” (The Catholic belief of Romanians from the Banat in the Middle Ages), *Revista Istorică* VII 1–2 (1996): 41–55.

*districtuum et provinciarum quatuor scilicet de Sebes, de lugas, ac de karan et kompyathi.*" Through a general inquest, the ban learned from the "knezes and nobles" of the four districts that the disputed piece of land pertained *semper et ab antiquo* to Bogdan. Therefore the ban adjudicated the land to Bogdan and his sons.<sup>24</sup> On 11 June 1392, when King Sigismund was in Caran, Bogdan obtained from him a royal confirmation of the sentence of the ban. In this charter Bogdan was called *kenesius de Muthnuk*.<sup>25</sup> In October 1394 Nicholas, son of Bogdan, asked the chapter of Alba Iulia for a transcript of a royal charter issued on 19 April 1394 in Buda. This charter rewarded the faithful services of *fidelis Bogdan Valachus de Muthnuk*, with the donation of two estates, *Machwa* and *Dobregozte*, located in the domain of the royal fortress Sebeş. The two possessions held by Bogdan under the service of his knezat (*kenesiatus*), were separated from the *dominium* of the royal fortress.<sup>26</sup> This is clearly a donation with a noble title, because it conferred the estates as *nova donatio* and also contained the clause of perpetuity.

Moreover, the provision which declares the separation of the two possessions from their previous connection with the royal fortress is helpful for understanding the evolution of knezial possessions. In fact it provides us with unique information about the stages through which many knezial possessions must have passed until being completely held as noble possessions. This is the last charter mentioning Bogdan of Mătnic, who must have died sometime between 1394 and 1404, the latter being the date of the next charter given to his sons. In 1404, in the donation charter of two royal estates located in the district of Sebeş fortress to his sons, *nobiles viri* Stephen, Farkas, Ladislav, and John, he was called *Comes Bogdan de Muthnuk*.<sup>27</sup> What the title *comes* in this period meant, is not very clear. Bogdan of Mătnic was never appointed county *comes* (*ispán*); it must rather have been an honorific title connected with the pre-eminence and prestige of the person within the district. Whatever Bogdan's position, the sons were called *nobiles* in 1404. In conclusion we can say that the social evolution of Bogdan of Mătnic is quite clear: he is mentioned

<sup>24</sup> Pesti, *Oldh kerületek*, 52–3.

<sup>25</sup> Pesti, *Krassó*, 218–9.

<sup>26</sup> Pesti, *Krassó* 229–30, "... quas alias idem sub servitute Kenesiatus tenuisse perhibetur sequestrantes et eximentes dominio dicti castri potestate..."

<sup>27</sup> Pesti, *Oldh kerületek*, 53–54. The possession *Lybanfalua alias Vozestya* was formerly a *kenesiatus*. The sons of Bogdan gained it *ab alienis manibus* by way of a judgement. The order addressed by Philip of Korogh to his *vicecomes* from Sebeş castle contains the provision that a *kenesiatus* donated as noble estate had to be extracted from the authority of the royal castle. "Quocirca vobis Castellanis nostris in dicto Castro Sebesyensi nunc constitutis et in posterum constituendis vestrasque vices gerentibus firmiter et districte precipientes mandamus, quatenus, a modo in posterum Jamdictos Stephanum, farkasium, ... in dominio eiusdem possessionis Lybanfalua alias Vozestya vocate et suarum pertinenciarum vestris et vestrorum manibus ab eisdem exceptis, tenere conseruare et ab omnibus tueri debeatis."



as a knez, possessor of a charter with a knezial title since 1352, he was able to transform his estates (knezates) into noble estates only after more than two decades, in 1376 and 1394. He could do so only by performing military service to the king or the king's officials, a path that all knezes followed in their gradual evolution toward noble status. A note must be made concerning the titles he bore. Most often he is mentioned as *kenezius*. But a coincidence regarding usage of terms must be stressed: in charters that conferred noble title, that is, the *nova donatio* charters from 1376 and 1394, the former knez is called *Valachus* or *Olah*. In the charter from 1391 he was still called *kenesius*, and it seems justified by the fact that by that time he still held the possessions granted in 1394 as noble estates as knezates. This remark is sustained by the example of the sons of Struza, also called in their charter *fideles Olachy nostri*. In the usage of the term *Olachus*, *Valachus*, one may detect the origins of the term *Nobiles Valachi* that will be frequently used in charters until 1457. Conversely, knezes were—as far as we can see—not called *Valachi* or *Olachi*, but simply *kenesii*.

The family of Bogdan of Mâtnic seems to have acquired a strong position that allowed its members to win judgements against claims to land by the town of Caran and to participate in different local activities. The presentation of all surviving data about different members of the family of Mâtnic in the first half of the fifteenth century would make a long list, not entirely necessary in this context. Therefore only some cases characteristic of the evolution of this family will be presented. On 17 April 1406, the *fideles Wolahii*, Ladislás *dictus farkas*, and another Ladislás, representing themselves and their brothers Stephen, Denis, and John (Nicholas *Literatus* was dead by that time), obtained confirmation of two previous charters for the estates *Almafa*, *Machwa*, *Dobrogozta*, and *Muthnok*. Ladislás *dictus Farkas* was distinguished among his brothers by the way he advanced. In 1412, due to favours provided to the numerous knezes of Gyepew, a few members of this family donated half of their *kenesiatus* held *titulo perpetue donacionalis Regalis* to Ladislás *Farkas* and to his sons Nicholas, Stephen, Bogdan, and Michael.<sup>28</sup>

Another example is provided by a group of *Olahy* of *Patak*, who in 1389 were granted their former estate *Rwg* “to be kept and governed hereditarily” (*tenendam et gubernandam heredum per heredes*). The royal charter issued by King Sigismund in 1389 was in fact the confirmation of a previous charter issued by the palatine, Ladislás of Opole (1367–1372), and the sons of Posa of Zer who rewarded faithful services through the donation of a village. We can safely assume that both acts

<sup>28</sup> Pesti, *Krassó*, 277–79, “... directam et equalem medietatem possessionis ipsorum Gyepew vocatam, In Comitatu Themesiensi, in districtu karanSebes (sic) existentem habitam, ipsos titulo perpetue kenesiatus donacionalis Regalis concernentem...”

conferred the possession as a noble estate, though not explicitly stated as such. The charter recipients were called *Olachi*, and the possession was donated hereditarily.<sup>29</sup> We cannot conclude the series of examples from the district of Sebeș without mentioning one significant piece of information. In 1366, a royal disposition was issued according to which no one could own land within the district of Sebeș, unless he was a true Catholic, either *sub titulo nobilitatis* or *sub titulo kenesiali*.<sup>30</sup> This stipulation was part of a policy intended to promote conversion to Catholicism among Romanian Orthodox landowners.<sup>31</sup>

A few other examples suggest similar social changes among the knezes from the district of Mehadia. In 1376 Șurian, Bogdan, Demetrius, Thomas, and Basil, all sons of “*Bayk olachi nostri*,” were granted through royal donation the possession of Valea Bolvașniței. Their charter contains allusion to the liberty and custom of possessing land of other Romanian nobles from the Mehadia district (*ea libertate et consuetudine possidendam, tenendam et habendam, qua ceteri nobiles Olachi districtus de Mihald suas possessiones...*).<sup>32</sup> This time, the document mentions more clearly the *libertas* and *consuetudo* of holding possessions by Romanian nobles from the Mehadia district. Thus, though other earlier sources are not available, the reference to the custom of holding possessions by *nobiles Olachi*, suggests that a good number of these former knezes were granted charters that made their knezial properties similar to noble ones.

A more clear evolution is documented in the case of the family of the knez Dej of Temeșel. On 18 July 1387, Stephen of Losoncz, ban of Severin, donated the royal village of Patak “from the district of the Mehadia royal fortress” to Peter, son of Dej, *kenezius districtuum Castri regalis Michald*. The donation rewarded faithful past services performed by Peter and his brothers Hălmagiu, Christopher, and Michael to the former bans, but mostly for services carried out during the last conflict, when the ban fought “for the liberation of Queen Mary.” This was a temporary donation because it was not granted with full rights (*pleno iure*), but only for being “used and held” (*utendam et tenendam*). In this case the knezial obligations were explicitly recorded. It referred to obligations and payments

<sup>29</sup> Dl. 253679; The grantees of the charter from 22 April 1389 were: “Dionisius, Roman, oppress, Ladislaus et Mathyas filii Ladislai de Patak, item Philippus, Petrus et Johannes filii Phyles, Stephans filius Petri et Barates filius Susman de eadem Patak, Olahy, fratres scilicet patruales.”

<sup>30</sup> Lukinich, *Doc. Val.*, 207, “ut in tota provincia seu districtu Sebes nullus alter nisi vere catholicus et fidem quam Romana tenet at profitetur ecclesia fideliter colens, possessiones aliquas sub titulo nobilitatis aut sub titulo kenesiali tenere posset et conservare.”

<sup>31</sup> See a recent analysis of this information in Ioan Aurel Pop, “Un privilegiu regal solemn de la 1366 și implicațiile sale” (A royal solemn privilege from 1366 and its implications), *Mediaevalia Transilvanica* 1 1–2 (1997): 80 sq.

<sup>32</sup> Feneșan, 268–71.

(*condicionibus et solucionibus*), customarily paid from other “free knezial villages,” that is, each year, at the feast of Saint Michael (29 September), three groats for each hide, and the *quingagesima ovium* during the feast of Saint George the Martyr (24 April).<sup>33</sup>

In 1390, Peter, son of Dej, this time referred to as *nobilis kenezius* of Temeşel, initiated a request for a new charter for the possessions of *Kryuapatak* and *Patak*, as the result of the loss of former royal charters while the district was occupied by the army of Dan, prince of Wallachia. Before granting the required instrument, the king ordered the ban of Severin to make an inquiry into the veracity of the matter. From this, the ban learned by “certitude of the truth” from the “nobles and peoples of other status from the counties Sebeş, Lugoj, and Mehadia” (*a nobilibus et alterius status hominibus comitatum Sebus, Lugas et Mihald*)<sup>34</sup> that the applicants indeed had lost their charters. Therefore, the king granted the possessions as *nova donatio* “together with all their rights and jurisdictions ... by means of the following mode and obligation, that, when we or our successors, the kings of Hungary, shall start to move the army eastwards, they and their heirs shall come to the army with one *lancea* ... as it is the custom of certain *noble knezes* of those lands ...”<sup>35</sup> The charter from 1390 represented an advance for the recipients for two reasons. First, the possession of *Patak* was granted now as a noble property, while three years earlier it was only held as a knezial possession, with specific obligations mentioned clearly. More than likely the obligations in money or in kind were remitted, but the military ones were not only maintained, but also clearly specified.

Other examples from districts Caran and Comiat point to a similar trend. In these districts knezes also managed to change their former knezates into noble property. In 1397, for instance, Ladislas, son of Peter *dictus Olah de Wazylyowa*,

<sup>33</sup> Pesti, *Oláh kerületek*, 51–52, “...duximus concedendam sicut modo incumbit officio sub infrascriptis condicionibus et solucionibus, vtendam et tenendam, videlicet quod in festo beati Michaeli archangeli singulis annis, de qualibet sessione singulos tres grossos et in festo beati Georgy martiris, quingagesimam castellanis prescripti castri Mihald pro tempore constitutis soluere teneatur prout de alys liberis villis ipsorum kenezialibus soluere sunt consueti....”

<sup>34</sup> The growing number of Romanian nobles is also reflected by the name of the district assemblies that were called *universitas nobilium et keneziorum*. In 1391 *nobiles et kenesios districtuum et provinciarum quatuor scilicet de Sebes, de lugas, ac de karan et kompyathi* participated in a judgement concerning land possessions in the Sebeş district. This type of assembly comprising nobles and knezes is fairly well documented for more than sixty years. Ioan-Aurel Pop, *Instituții medievale românești. Adunările cneziale și nobiliare (boierești) din Transilvania în secolele XIV–XVI* (Medieval Romanian institutions: The knezial and noble (boyar) assemblies during the 14–16th centuries) (Cluj Napoca: Dacia, 1991), 105–12.

<sup>35</sup> Pesti, *Szörény*, 10–2, “... predictas possessiones Kryuapatak et Patak ... simul cum omnibus ipsarum Juribus Jursidiccionibus terris arabilibus ..., Tali modo et condicione mediante, quod dum nos vel nostri successores reges Hngarie temporum in processu exercitum versus plagam orientalem instaurando moveremus et mo(vere ... ipsi) (sic) et heredes ipsorum de dictis possessionibus ad predictum exercitum cum una lancea vt ... consuetudinis (sic) certorum nobilium Keneziorum dictarum terr(arum ... t) (sic) proficisci teneantur.”

and his relatives received as *nova donatio* the royal possession of *Paganch*, from the district of *Karan*, previously held and used by them. It was a hereditary donation with noble title and complete lordly rights.<sup>36</sup> Similarly, in 1406 a knez called Denis, son of Ciucă of *Lopathaka alionomine Myhalyanch*, and through him his relatives, was rewarded for military services performed during the Bosnian expedition, by a *nova donatio* of the possession held previously under their own *keneziatus*. Moreover, the charter contains a provision according to which the recipients were “ennobled by the plenitude of royal power according to the custom and as the other nobles of the kingdom, as long as the king’s benevolence shall last.”<sup>37</sup> The charter also included a clause of perpetuity. This type of charter is singular among the acts received in the Banat. No other known charter mentioned so clearly an elevation to the rank of the other nobles in the kingdom. As presented above, mentions of Romanian nobles, noble knezes or simply nobles can often be found in the preserved charters, but a clear reference to “ennoblement” according to the customs of the nobility of the kingdom is very rare.

A donation under a knezial title was issued in the name of the king in 1420, by Sigismund of Losoncz, castellan of several royal fortresses in the region, to Bogdan, son of Nicholas, son of Magoya, and his relatives for the *keneziatus* of three possessions from Comiat, *Magoyafalva*, *Rekethe* and *Stremptura*. In fact, a new charter was needed because the *literals instrumenta* regarding those possessions disappeared during an Ottoman incursion. Previously, the castellan was informed by *comprovinciales*, knezes and nobles from the districts Sebeş, Lugoj, and Comiat, about the veracity of the matter, and subsequently he donated these possessions “to be owned and held according to the custom of knezates of the other Romanians.”<sup>38</sup> Thus, the survival of the other type of landownership, that of the knez, is clearly documented.

The records are different for the districts of Bârzava and Almăj in the sense that they contain only indirect references to nobles or noble knezes. No individual charters have survived. In 1418 Pipo Spano (Scolari), *comes* of county Timiș, issued a charter regarding the settlement of a dispute and the perambulation of some “knezial possessions from the royal estates” located in Bârzava district. The *ispán* (*comes*) appointed eight arbiters, *certos probos ac nobiles kenezyos* to settle the

<sup>36</sup> Pesti, *Oláh kerületek*, 15–16.

<sup>37</sup> Pesti, *Oláh kerületek*, 54–56, “... more et ad instar ceterorum regni nostri nobilium de plenitudine nostre regie potestatis nobilitamus, nostro tamen duntaxat beneplacito perdurante ...”

<sup>38</sup> Pesti, *Oláh kerületek*, 56–57, “...more Keneziatuum ceterorum volahorum tenendas possidendas et habendas ....”

dispute between the knezes of Bârzava.<sup>39</sup> In 1433 the *vicecomes* of Caraş county and the noble magistrates recorded the results of an inquiry made by nobles from the same county at the request of Frank of Remetea, about a conflict between him and the *nobiles kenosios et universos populos de Borzafew*. The nobles who made the inquiry learned from those who had arbitrated the case that Frank of Remetea did not offend *prefati kenesi et populi de Borzafew*, who had “pillaged him without cause by the way of their force.”<sup>40</sup>

Approximately at the same time, the Romanians from the district of Almăj (*Halmas*) had conflicts with the same noble family of Remetea. On 21 August 1430 Nicholas of Radewitz, the ban of Severin, wrote to King Sigismund that, Emeric of Remetea had requested that he judge the matters in regard to “estates and violent trespasses” (*in facto possessionum et facta potentiarum*) between him and the *Kenosios et nobiles de Halmas*. A term for judgement was fixed, but when the time came, only the noble presented himself for judgement, while the knezes and the nobles from Almăj neither came nor excused their absence, “but insisted that all their legal matters could only be judged by the king.”<sup>41</sup> Slight as they are, these references indicate that noble knezes also appeared in the districts of Bârzava and Almăj, and one can assume that the mode of their evolution was similar to the better documented for Sebeş and Mehadia.

An interesting example is that of the noble family of Măcicaş, which toward the end of 1420s obtained not only charters confirming its former possessions, but also a relaxation of its knezial obligations regarding annual gifts. This fact is known from a complaint made by the bans of Severin. In 1454, in the assembly held by *universi nobiles de districtu Sebes*, the bans stated that the nobles from *Alsomachkas* did not pay their census and annual gifts according to the custom of knezes (*Census et munera annualia ut moris kenezatus est*). A member of the family from *Alsomachkas* answered this accusation by saying that they paid the obligations each year, but according to the *favorabilem remissionem* of King Sigismund. That is, each year on Ascension Day, one fattened calf and three boars; at Christmas three knot-shaped breads with roasted meat; and at Easter, twelve eggs

<sup>39</sup> Pesti, *Krassó*, 284–87. The arbiters were the noble Jacob of Abel, castellan of *Borzafew*, and seven knezes, Michael *Izach*, John *nyakazo*, Nicholas *Bachy* of *Borzafew*, Denis of Luca, and Dominic of *Grunlya* of Caraşova. The names of the knezes in the dispute were: Michael, Gruban, and Lucas, sons of Dya, Ladislas and Andrew, sons of Philip, Brank and Dan, sons of Ivan, Stephen, Mika, John, and George, sons of Laczk, Roman and Ivan, sons of Zarna, Stephen and Gruban, sons of Duma, and Michael, son of Ivan, on the one hand and Philip and Peter, sons of Iuga and Mailat Dragomir, on the other.

<sup>40</sup> Pesti, *Krassó*, 346.

<sup>41</sup> Ibid, 24, “... prescripti vero Nobiles et Kenessy de Halmas predicta, non venerunt neque miserunt sed iudicationem vestre Serenitatis in omnibus se admiserunt.” The translation of this sentence is problematic, but this is the most probable interpretation. It was interpreted similarly in Pop, *Adunările cneziale*, 129.

with three knot-shaped breads.<sup>42</sup> The bans were not satisfied with this answer and required a legal judgment in the matter. Thus, six nobles were elected to carry out an inquest. They learned that previously the noble family of *Alsomachkas* had paid the *census* and *munera* in the same amounts as others (*cum plures*). But after the death of Roman and Michael of Măciçaș in the battle for the Golubac fortress, King Sigismund agreed to the relaxation of their knezial obligations from the two possessions, *Alsomachkas* and *Alsothewis*, also giving them a charter that disappeared when an Ottoman army plundered the district.<sup>43</sup> The family of Măciçaș owned several estates in the district of Sebeș, being mentioned as a noble family since the beginning of the fifteenth century. It is, of course, a puzzle how a noble family still had knezial obligations. The only reasonable explanation could be that the villages mentioned were not exempted from knezial duties and changed into noble estates. Such examples of owning different estates under different titles are known also elsewhere in the Banat (for instance by Bogdan of Mătnic).

In Sebeș district, besides the noble family of Mătnic, the families of Bizere and Măciçaș also had an important economic position. The family of Bizere owned possessions in fourteen villages.<sup>44</sup> The estates of the Măciçaș consisted of eleven villages.<sup>45</sup> The families of Cerna and Temeșel, from Mehadia district, seems to have had a similar economic standing. In 1439, the sons of Stoian and Michael of *Chorna* owned twelve villages<sup>46</sup> and the family of Temeșel possessed in 1447 ten entire villages and half-villages in another ten estates from the Mehadia and Lugoj districts.<sup>47</sup> According to surviving evidence, these families were the well-off landowners in the area. The possessions of middle-size landowners from these

<sup>42</sup> Pesti, *Szörény*, 66–68, "... Tenemur enim Singulis annis exsolvere Circa festum Penthecostense vnum vitulum saginatum et Tres verres, et Tres cerculos Cum una asatura circa festum natalis domini, nec non doudecim oua cum tribus cerculis circa festum Ressurrectionis domini;" Pesti, *Krassó*, 395, John Hunyadi wrote in 29 May 1453 to the bans of Severin that he exempted the nobles Jacob, Șerban, Ladislas, and Iantsul from paying the knezial obligation to the bans "universos proventus keneziales, de predicta Also Matskas, Banis provenire debentes, generose duximus remittendos et relaxandes."

<sup>43</sup> Pesti, *Szörény*, 68–70.

<sup>44</sup> Pesti, *Szörény*, 26–27, In 1433, King Sigismund donated to Ladislas of Bizere *aule militis*, portions of the possessions of his uncle from the following Sebeș district estates: *Bizere, Kalowa, Warcharua, Zabadfalu, Rampna, Meel, Szlatyna, Nouakfalu, Myhalancz, Weelgh, Laczkan, Danilest, Apadya, and Ohabyca*.

<sup>45</sup> Pesti, *Krassó*, 378–380, A confirmation from 1440 for a group of nobles from Măciçaș mentioned: *Macskas, Tyvisk, Inferiorem Tinko, Perlo, Dobrogoszt, Ruginocz, Toplicza, Leurdis, Csuta, also Szekas, jelso Szekas, and Zazesth*.

<sup>46</sup> Pesti, *Szörény*, 36–39, *Chorna, Jordanyca, Paprad, Thoplocz, Plwgoua, Wereden inferiorem et superiorem, Fazakas, Thopliczan, Kyskralmezew, and Belabwk*.

<sup>47</sup> Pesti, *Oláh kerületek*, 70–73, The family Temeșel owned the villages *Themessel, Thwreguba, Wrbachyen, Alsohydeg, Krewa superior, pathak, Krwssowcy, Yabelchna, Zaly, Kwzephkrewa*, half of the villages of *Naghlwkawycza, Thoplichaan, Kislwkwawicza*, from the same district, and half of the villages from the Lugoj district *Barthafalwa, Gedefalwa, Felsewkwesd, and Alsokwesd*.



districts ranged between four and six estates, but many other Romanian nobles owned only one or two villages and sometimes even less. It should be added that many such families were already separated into branches and owned the estates in common or divided their possessions among themselves.

The epoch of John Hunyadi, which covers conventionally the reigns of King Albert (1438–1439), Wladislas I (1440–1444), and Ladislas V (1444–1457), is particularly relevant to our topic. A few charters from this period contain special provisions that help us understand and clarify the status of Romanian nobles. On 9 May 1439, King Albert donated to Michael, son of Michael and Basil, son of Stoian of Cerna, *walachorum nostrorum*, eleven estates from the Mehadia district. The estates held previously were donated “under those modes, taxes, forms, agreements, and obligations in which they were held and owned by the said parents of Michael and Basil, but also by they themselves until now, under all of the [conditions, etc.] [in which] the other faithful Romanian nobles of those parts were accustomed to hold and own their estates and goods.”<sup>48</sup>

On 6 August 1440, King Wladislas I issued a charter for all their estates to the nobles from Măciuş after the loss of their *litteralia instrumenta* in an Ottoman attack. The charter contained a similar provision.<sup>49</sup> On 11 June 1444, King Wladislas I issued a charter of donation with a similar content. The recipient was Nicholas of Bizere, *familiaris* of John Hunyadi, who distinguished himself as captain of a unit of soldiers in several wars. He was granted four possessions in the district Caransebeş (a new name of the former district of Sebeş), held by him and by his *condivisionales* relatives, through the charters of King Sigismund and Albert, also lost in an Ottoman raid. The charter contains the provision concerning the special conditions of Romanian possessions “and under those obligations and services under which other Romanian estates are held and owned in the named district and under the same conditions under which similar Romanian estates were accustomed to be conferred by our predecessor kings.”<sup>50</sup>

<sup>48</sup> Pesti, *Szörény*, 36–39, “... sub illis modis Censibus formis pactis et condicionibus quibus eas prefati progenitores ipsorum Michaelis et Blasy, sed et ydem hucusque tenuissent, et possedissent, Sub quibusque ceteri eis fideles wolahy nobiles parcium illarum possessiones suas atque bona tenere et possidere consueverunt...”

<sup>49</sup> Pesti, *Krassó*, 376, “... sub modis formis, censibus, pactis et conditionibus, nec non servitys praematurato et ex novo novaeque, seu servitiorum officys, quibus eas praescripti Progenitores eorundem Nicolai filij Dionisy et fratrum suorum ab olim et ipsi hucusque tenuisse et possedissee dignoscuntur...”

<sup>50</sup> Pesti, *Oláh kerületek*, 69–70, “...ac sub illis condicionibus et serviciis quibus alie possessiones Wolachicales in dicto districtu tenentur et possidentur ac sub eisdem vigoribus quibus similes possessiones wolachicales per predecessores nostros Reges conferre solite fuere...” For the discussion of social terminology and its use in different circumstances, see Adrian Andrei Rusu, *Ioan de Hunedoara şi românii din vremea sa* (John Hunyadi and the Romanians of his age) (Cluj Napoca: Presa Universitară, 1999), 159–196.

The wording of these provisions reflects the fact that Romanian nobles were subject to obligations specific to knezial possessions. Particular to the Romanian nobles was the limited range of fiscal exemptions, and thus this was the most important element that differentiated them from the majority of the kingdom's nobility (*veri nobiles, regni nobiles*). These documents and the privilege from 1457 mention clearly the obligations, the taxes in money and in kind, the services, and most probably the military duties. Perhaps the imprecision of terminology applied to the Romanian elite, often also called *nobiles*, had produced confusion even by that time (not only for the historian). This term is not a creation of the mid-fifteenth century. It appeared as early as 1376 in a charter referring to the district of Mehadia, applied to ennobled knezes. It constituted an appropriate term for distinguishing a particular type of landowner, who differed from the common nobility in regard to his privileges.

On 8 June 1451, John Hunyadi requested the "noble magistrates of the seven noble Romanian seats" (*Nobilibus viris Judicibus Nobilium Septemsedium volachicalium*) to hold an inquest in their extraordinary assembly (*proclamatae congregationis*). The object of the inquest was the donation of the fortress and Drencova (*Dranko*) district to the bans of Severin, *egregy* Michael and Basil of Cerna and Nicholas of Bizere.<sup>51</sup> The extraordinary assembly was held in January 1452, in Sebeş, "the principal judicial seat of the Romanian nobles' seats" (*Sedem scilicet Judiciariam principalem Septem Sedium Nobilium Walachicalium*), during which the participants confirmed the truth about the donation.<sup>52</sup> This is the first example of collective action by seven districts (formerly we know of examples of only three or four district assemblies acting together). It is a part of a policy initiated by Hunyadi, which led to the temporary creation of a union of the Romanian districts, first seven, and then, in 1457, eight. A less documented type of action was the request for collective privileges. The examples we have refer to a privilege obtained by a whole district regarding toll exemption, and the general privilege regulating the rights and duties of the knezes and Romanian nobles from "eight privileged districts."

The toll exemption of the inhabitants of Sebeş is known only from a charter re-issued in 1494 by King Wladislas II. According to that, the original exemption rewarded not only military services, but was also intended to compensate damages

<sup>51</sup> Pesti, *Szörény*, 58–60.

<sup>52</sup> *Ibid.*, 62–64. It is interesting to note that the nobles who testified in this matter came from seven districts including Comiat, which according to the privilege from 1457 was re-annexed to the other seven only in 1457. The nobles from Ilidia district did not participate in this assembly. This information modifies the chronology of events. Perhaps the rejoining of Comiat district to the other took place earlier, during the regency of Hunyadi.

and losses caused by the Ottoman invasions. It seems to have been issued some time between 1420 and 1437.<sup>53</sup> By that, the king granted to “all Romanians and people of other status or language from Sebeş district”—that is not only the elite!—exemption from the payment of any kind of toll, anywhere within the borders of the kingdom, either royal or private, for all their goods.<sup>54</sup>

On 29 August 1457 two noble representatives of the Romanian knezes and nobles from eight districts of the Banat went to Vienna to King Ladislas V Posthumous, asking for and obtaining a charter of global confirmation of all their previous privileges.<sup>55</sup> The confirmation was justified by the faithful services performed during the wars against the Ottomans. The king confirmed and promised to maintain and preserve “...each and every privilege of these same Romanians and knezes drawn up concerning any of their liberties, prerogatives, and rights as if inserted in the present charter word by word, under the same conditions, obligations, and services under which these have been issued and granted them by our predecessors, the kings of Hungary....”<sup>56</sup>

The second article comprises the decision of the king that from that moment on no possession or village within the eight districts shall be granted to extraneous persons (*aliqui extranei* refers to persons originating outside the group). This provision reflects the supplicants’ intention to close the circle of those who possessed land within the eight districts. It appears that this provision was motivated by the improvement of the services performed in the defense of the Danube fords, which would have resulted from the “strengthened” union of the Romanian nobles and the knezes. In the third article the king promised that the eight districts shall never be separated again, nor any one of them shall be donated to someone, and that they shall be maintained and preserved together by himself, as they used to be held by the former kings of Hungary. The fourth article concerns the

<sup>53</sup> In 1420 an Ottoman army invaded Transylvania for the first time penetrating into Banat. In the same year a battle took place near Severin castle between the Ottomans and an army commanded by the ban of Severin, Sigismund of Losoncz. After this date Ottoman armies repeatedly plundered the region.

<sup>54</sup> Pesti, *Szörény*, 117–18, “...Eisdem universos Wolachos et alterius status, seu linguagy homines predicti districtus Sebes, eorumque quemlibet, ab omni solucione tributaria, de personis, Rebusque et bonis ipsorum quibuscunque in locis quoruncunque Tributorum, tam Regalium quam Reginalium, quam aliorum quorumlibet, vbilibet intra ambitum dicti Regni Hungarie habitis, fieri debenda, suo beneplacito perdurante...”

<sup>55</sup> Pesty, *Oláh kerületek*, 73–5.

<sup>56</sup> Ibid., “...omnia et singula eorundem Valachorum et Keniziorum privilegia, super quibuscunque eorum libertatibus, prerogatiuis et Juribus confecta, ac si presentibus literis nostris de verbo ad verbum inserta essent, sub illis tamen condicionibus, oneribus et servitutibus, quibus eadem emanata et per predecessores nostros Reges Hungarie ipsis concessa sunt, Authoritate Regia pro eisdem nobilibus Valachis et Kenezys ceterisque Valachis presentibus scilicet et futuris perpetuo valitura, roboramus et confirmamus, eosque in unum quemque eorum sicuti maiorem, sic et minorem in omnibus huiusmodi eorum libertatibus prerogativis et Juribus manutene et conservare promittimus...”

restoration of the status of one district. King Ladislas decided to annex and rejoin the district of Comiat to the other seven. This district had been pledged by King Sigismund to John Hunyadi and afterwards reclaimed by the inhabitants themselves from Hunyadi.<sup>57</sup>

The next two articles of the privilege comprise regulations regarding the jurisdiction and judicial procedure of the nobles and the knezes.<sup>58</sup> They contain the principle that only their *comes* can judge the Romanian nobles and knezes, and that in case of dissatisfaction with his judgement, they had the right to bring lawsuits before the court of the Judge Royal and finally to the court of the *personalis presentia regia*. Moreover, the subsequent article of the charter, concerning the exaction of fines and judicial fees, limited the powers of *comes* and *vicecomes*. The king prohibited the taking of “war-horses, weapons, and falcons”<sup>59</sup> from those condemned or those who were to be condemned. In addition, the royal officials were not allowed to exact any fines in the absence of the noble magistrate of the Romanian nobles. The limitation of the power of royal officials, who could only exact fines when in the presence of the noble magistrate, seems to result from the principles of the judicial autonomy of the county nobility.<sup>60</sup> More specifically characteristic for the Romanian nobility of the Banat is the provision concerning the exemption of their war-horses, weapons, and falcons from fines. The importance given to particular items excepted from seizure is quite remarkable. These were important to Romanian nobles not only for their financial value, but more than that, for their social significance: they perhaps represented the higher social standing of their owners, and no one, not even the king's official, could deprive them of these marks of prestige.<sup>61</sup>

<sup>57</sup> Pesti, *Krassó*, 351–2. Pesti, *Oláh kerületek*, 66.

<sup>58</sup> Pesti, *Oláh kerületek*, 74, “...Preterea annuimus eidem Nobilibus Valachis et Kenezys ut nullus eos iudicet preter Comitem eorum pro tempore constitutum, cuius iudicio si non contenti fuerint, ad Iudicem Curie nostre, et dehinc in nostre Maiestatis personalem presenciam possint et valeant causas eorum provocare. Volumus insuper quod Comites eorum vel Vicecomites pro tempore existentes, in exigendis Byrsagys et Iudiciorum grauaminibus Equum leporarium, Arma et Aves convictorum vel convincendorum auferre non presumant, nec aliter pro exactione huiusmodi Birsagiorum, nisi sumpto secum Iudice nobilium eorundem Valachorum exire valeant modo aliquali.”

<sup>59</sup> The archivists of the National Archives of Hungary translated “*leporarium*” as “greyhound” (*leporativum*), see the abstract of the document DI. 26615 in the database *Magyar Országos Levéltár. A mohács előtti gyűjtemény adatai* (National Archives of Hungary. Data of the pre-1526 collection) CD-ROM, (Budapest: Arcanum Publishers, 1999). Thus instead of “war-horse” it could be translated simply as “horse”. This translation does not weaken the argument since greyhounds, just as falcons, were used for hunting exclusively by the social elites.

<sup>60</sup> Erik Fügedi, *The Elefánthy*, 63–8.

<sup>61</sup> In 1434 the voivode of Transylvania issued a privilege that confirmed the liberties and the rights of the inhabitants of the Dobra district. This privilege also contains the prohibition that the fines inflicted upon the knezes and other inhabitants should be exacted in horses and weapons: the condemned had to pay them from

The seventh and last article of the privilege contained provisions regulating status and jurisdiction. The first provision encompasses the statement that Romanian nobles were to be considered equal to the realm's nobility. That is, they were considered equal and similar to the *veri nobiles*. The second provision stipulates the exemption of the knezes from paying any kind of tolls, either to the king or to anyone else.<sup>62</sup> More than likely this is a new right granted to the knezes who previously had not been exempted from paying tolls. Further provisions of the last article concern jurisdiction over the tenant peasants of the knezes and nobles.

The examples of the charters issued by kings Albert and Wladislas I presented above, contained basically the same provisions to those in the first article. The continuity in defining status is obvious. All of them point in general terms to customs of possessing land in Romanian districts involving special duties, taxes, and so on. The differences between Romanian nobles and knezes do not seem very clear, however. Moreover, given the fact that the privilege from 1457 referred to their privileges in general terms, it is not very helpful in understanding the differences.

Therefore I must rely mostly on earlier evidence to define the category of *nobiles Valachi*. The documents examined revealed some steps in the process of upward social mobility of the knezes, which theoretically started with the confirmations of the knezates. The next stage was the separation of the knezat from the authority of the castellan, and perhaps it was not a coincidence that the charters of the *nova donatio* type were granted to former *kenezii*, who, receiving such a charter, were called *fidei Olachi*. I think that this was one of the most important

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other goods. Costin Feneșan, "Districtul Dobra și privilegiile sale până spre sfârșitul veacului al XV-lea" (The district Dobra and its privileges until the end of the 15th century) *Anuarul Institutului de Istorie și Arheologie din Cluj-Napoca* 27 (1985–1986): 301–21; see a detailed analysis in Pop, *Adunările cneziale*, 105–12.

<sup>62</sup> Pesty, *Oláh kerületek*, 74, "...Postremo eosdem Nobiles eorundem Valachorum instar verorum nobilium Regni nostri. Item Kenezios eorundem Valachorum ex omni solucione tributi tam nostri quam aliorum quorumcumque exentos esse volumus et supportatos..." A printing mistake in the two editions of this document resulted in different interpretations of this provision in Romanian historiography. In the first edition of the document, the whole sentence was separated into two by a full stop, and this led to the interpretation of the first part of the phrase as an individual sentence; in the second edition (see Pesty, *Krassó*, 405) in the place of the full stop appears a comma, which allows a completely different reading of the whole sentence. On the basis of the second edition, it has reasonably been argued recently that the interpretation of this article in the sense of "the assimilation of the Romanian nobles with the common nobility," was the result of a forced translation of the sentence, Ioan Drăgan, *Cnezi și nobili români în vremea Corvineștilor* (Knezes and Romanian nobles during the time of the Hunyadis) in *Nobilimea românească din Transilvania. Az erdélyi román nemesség* (The Romanian nobility from Transylvania) (Satu Mare: Editura Muzeului Sătmărean, 1997), 113–14, note 12. Nevertheless, the text of the original, in fact a copy from seventeenth century and the source of the first edition of the document published by Pesty, contains the version with full stop (see DI. 26615, National Archives of Hungary), which permits the conclusion that the first interpretation is not erroneous.

stages in the development of the knezes, resulting in limitations on the control of the castellan over the knezat.

Perhaps the provisions concerning the separation of former villages newly granted as possessions separated from castellan's authority, meant the remission of the knezial obligations in money, kind, or gifts. What was maintained from former knezial obligations, as explicitly stated in one example, was the military service. However, it seems that many such nobles owned their estates under different titles. A knez or a Romanian noble, as we have seen above, could own some estates under knezial title, and some under noble title. The process of upward social mobility depended very much on the services performed for the king or for his local officials. Only the king or his higher local officials, such as the bans and sometime the counts of Timiș and Caraș, were allowed to issue charters that modified the status of possessions within the Romanian districts. The need for soldiers to defend the southern boundaries of the kingdom, or in internal conflicts, brought the knezes from the Banat into contact with the crown and offered them the possibility to get charters. But one cannot assume that all of them evolved uniformly. The uneven survival of documents seriously limits the possibility of a thorough investigation into this topic and is an obstacle to definitive conclusions. However, future discoveries of unknown documentary material might contribute to the elucidation of a number of questions which cannot be answered for the time being.

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