

The Last Four Decades of Research on Wills in Hungary

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ABSTRACT

In recent decades, there has been growing interest in the use of wills as historical sources. This period has seen a tenfold increase in the number of source publication volumes and editions published by Hungarian researchers, and an even greater increase in the number of wills published in their entirety. In the period under review, around 70 researchers have been actively working with this source type: besides the archivists spearheading their publication, dozens of legal historians, historians, and ethnographers have been involved in the work. Following an overview of the most important historical research antecedents and a brief appreciation of the work of Ernő Tárkány Szücs in this field, the present study examines the respective work carried out in Hungary during the last four decades, grouped according to the researched periods. With the publication of the *Prothocollum Testamentorum* of Bratislava, the number of published wills from the late Middle Ages significantly increased, while important findings have also emerged in terms of research on the wills of the nobility. From the early Middle Ages, a significant selection has been made from among the extant testaments originating from various royal free cities (e.g., Nagyszombat [Trnava, Slovakia], Sopron, and Debrecen) and market towns (e.g., Gyöngyös, Győr, and Kecskemét), while a significant number of wills belonging to the Transylvanian nobility have also been published. While large numbers of extant testaments originating from market towns (Nyíregyháza, Szentes, Vác, Zalaegerszeg, etc.) in the 18th and 19th centuries have been published, important publications have also appeared containing the wills of the nobility, clergy, and village serfs. The vast majority of such volumes have included a longer or shorter introductory study, although we might also mention the dozens of important analytical essays published in volumes of collected studies, which illustrate the value of testaments as sources in the fields of social, economic, cultural, ecclesiastical, and legal history.

KEYWORDS

will, wills in source publications, value of wills as historical sources

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In recent decades, we have witnessed a significant increase in the amount of research on wills in Hungary. In support of this statement, I would refer here to three facts. While, apart from his own earlier research on wills, Ernő Tárkány Szücs includes only one work on this subject in the 18-page bibliography to his 1981 publication *Magyar jogi népszokások* (Hungarian Legal Folk Customs) — that is, Ferenc Pelle's short source publication from Kevermes (TÁRKÁNY SZÜCS 1981:861–878; PELLE 1976) — in 2008 I was able to identify around a hundred source publications and edited wills (mostly published in independent volumes), approximately nine-tenths of which were published after 1981 (HORVÁTH 2009). The “popularity” of this source type is demonstrated by the fact that, in a presentation given in 2021, I was able to refer to a further 50 or so publications that have appeared in the last decade (HORVÁTH 2021a).

In the present overview, I will endeavor to survey this prolific output, grouping the publications according to the subject of the research. After referring to the most important aspects of earlier research and providing a brief appreciation of the work of Ernő Tárkány Szücs in this field, I firstly discuss the findings of research on the period before 1526, then endeavor to provide an overview of the source publications and editions from the early modern period, and finally from the 18th and 19th centuries. Due to the limited space, I am able to discuss in their entirety only those source publications that have appeared in individual volumes, while in the examination of editions, I emphasize research that is important from the perspective of legal history.

RESEARCH ANTECEDENTS

Although some wills appeared in print at the end of the 18th century — István Bocskai's “testamentary will” was first published in 1794, for example (cf. CSIFFÁRY 2006:53) — it was not until the 19th century that their publication became more regular. The first volume of the journal *Tudományos Gyűjtemény* [Scientific Collection], which was launched in 1817, published several wills that were written in interesting circumstances, such as the will of András Fay, which was written in Constantinople, and the will of János Drágffy, made in the military camp [at the battle] of Mohács (HORVÁTH 2009:266). In the second half of the century, it was rather the wills of “famous people” that attracted the interest of researchers. In particular, the journal *Történelmi Tár* [Historical Collection] excelled in the publication of such documents. These included the testament of Lord Chief Justice Ferenc Nádasdy (SCHÖNHERR 1888) and the two “last wills” of Pál Esterházy, who was later elected palatine of Hungary (MERÉNYI 1911a, 1911b).

Following these individual publications, Baron Béla Radvánszky was the first to publish this type of source in larger quantities: his three-volume work contained the complete texts of 49 wills, two supplements, and a codicil, while he also provided references to existing publications of a further 23 testaments (also made by members of the high nobility) (RADVÁNSZKY 1879–1896). From the beginning of the 20th century, his work was often cited as a source by researchers investigating the lives of 16th- and 17th-century aristocratic families (cf. WEICHHART 1911).

The first significant publication containing urban wills was that of Pongrác Sörös, who in 1899 published 36 testaments and five estate inventories in the journal *Történelmi Tár* [Historical Archives], which were part of the legacy of his fellow Benedictine, the teacher Szaniszló Villányi (SÖRÖS 1899). The vast majority of these wills were compiled by 17th-century citizens of Győr and reflect the wealth of the city's inhabitants, and chiefly that of its merchants.



Urban testaments first appeared in an independent volume in 1930: the chief archivist of Sopron, Jenő Házi, published 313 wills from Sopron written between the 1390s and 1526 in two volumes, in the original New High German, including the complete text in a transcribed edition (HÁZI 1930, 1931). Although his publication has undoubtedly been of enormous help to researchers, it was six decades before the academic examination of these valuable sources began.

ERNŐ TÁRKÁNY SZÜCS AND RESEARCH ON WILLS

The work of Ernő Tárkány Szücs has been the subject of a number of studies in the last 15 years thanks to the staff of the Tárkány Szücs Ernő Legal Cultural Historical and Legal Ethnographic Research Group that bears his name. The recently celebrated centenary of his birth also provided an excellent opportunity to commemorate his achievements (cf. NAGY et al. 2021). The review *A népi jogélet kutatása Magyarországon* [Research on Folk Law in Hungary] also contains a detailed overview of his work (BOGNÁR 2016:147–168), while Mária Homoki-Nagy recently wrote a perceptive study on his role in Hungarian research on wills (HOMOKI-NAGY 2021).

As emphasized by Mária Homoki-Nagy, “strictly speaking [Ernő Tárkány Szücs] analyzed the testamentary practice of the serfs and the peasantry in four of his works” (HOMOKI-NAGY 2021:81). Published in 1961, the first of these was the volume *Vásárhelyi testamentumok* [The testaments of Vásárhely], which became important to researchers not only because of the 48 wills and dozens of other inheritance documents it contained; perhaps of even greater significance was the introductory study, which runs to nearly 300 pages, in which Tárkány Szücs set the standard for the examination of this source type, not only from a legal historical perspective (TÁRKÁNY SZÜCS 1961). He based his assertions not only on the documents published in the volume but also on the entirety of the material in the book of testaments from Vásárhely dating from between 1730 and 1796, the two volumes of which contain no fewer than 477 wills and other declarations in the event of death (TÁRKÁNY SZÜCS 1961:10). The quantity alone is remarkable (cf. PALÁDI-KOVÁCS 2021:830), as is the fact that no researcher in Hungary had previously been concerned with the publication and analysis of serf wills, as already mentioned in the above overview of the research antecedents. Nor had anyone before Ernő Tárkány Szücs ever attempted to provide a monograph-length overview of the society and economy of a settlement, and of the legal status of its inhabitants, based on extant wills that were drawn up there.

In his next work, in chronological order, he examined the wills of heirless serfs, drawing on a far wider source base: in addition to the wills made by inhabitants of the Great Plain, he also refers to a large number of sources in Western Transdanubia (TÁRKÁNY SZÜCS 1966). “The present study is an excerpt from a more extensive work that I am writing on the testamentary rights of serfs,” he explains in the study (TÁRKÁNY SZÜCS 1966:401). We can fully concur with the statement made by Mária Homoki-Nagy: later researchers can only regret that this compendium was never completed (HOMOKI-NAGY 2021:82). Nevertheless, he did produce a smaller source publication containing 12 documents and a short but valuable introductory study on the wills of the peasants of Makó (TÁRKÁNY SZÜCS 1974); while his 1981 monograph *Magyar jogi népszokások* [Hungarian Legal Folk Customs] also included an important chapter on wills (TÁRKÁNY SZÜCS 1981:726–757).

A discussion of the wide-ranging themes featured in this latter work (cf. BOGNÁR 2016:158–164) is beyond the scope of the present brief overview. However, it should be emphasized that



these volumes and studies occupy an important place among Ernő Tárkány Szücs's publications in the field of legal ethnography (BOGNÁR – SZABÓ 2021). As Mária Homoki-Nagy maintained, the author of these works “created an integral whole: not only in the field of legal history and economic history, but also in the field of ethnography” (HOMOKI-NAGY 2021:87). It is scarcely a coincidence that a second edition of *Magyar jogi népszokások* had already been published by 2003, while a third edition was brought out on the centenary of the author's birth (TÁRKÁNY SZÜCS 2003, 2021).

FINDINGS IN THE LAST FOUR DECADES

As mentioned above, a review of the output during the four decades since the first publication of *Magyar jogi népszokások* requires a brief reflection on 150 or so publications. The smallest group comprises works that publish or examine sources from the Middle Ages; the next group, testaments from the 16th and 17th centuries, has attracted the attention of a significantly higher number of scholars; while the vast majority of the works refer to the 18th and 19th centuries.

RESEARCH ON WILLS FROM THE MIDDLE AGES

The two main groups of publications dealing with wills written before 1526 examine the testamentary practices of royal free towns and the (high) nobility.

With respect to research on wills originating from the royal free towns, the most important findings have undoubtedly been achieved by Katalin Szende. She began her career in the late 1980s, analyzing the Sopron wills that had been published by Jenő Házi; her study on material culture in particular (SZENDE 1990) attracted significant recognition. A few years later, she expanded her research to include the late medieval testaments of Bratislava and undertook comparative investigations in several of her studies. I would like to highlight two of these: in 1997, she published the study *Családszerkezet és örökösödési szokások a késő középkori Sopronban és Pozsonyban* [Family Structure and Inheritance in Late Medieval Sopron and Bratislava], which is also important from a legal historical perspective (SZENDE 1997), while two years later she undertook no less a task than defining the place of Hungarian urban wills within European jurisprudence — even including Eperjes [now Prešov, Slovakia] among the examined cities (SZENDE 1999). In 2004, she summarized the most important findings from her 15 years of research in this field in the volume *Otthon a városban. Társadalom és anyagi kultúra a középkori Sopronban, Pozsonyban és Eperjesen* [At Home in the City. Society and Material Culture in Medieval Sopron, Bratislava, and Prešov], which is of interest not only to researchers of wills but also of value to historians, ethnographers, and sociologists (SZENDE 2004). The sheer quantity of sources examined by Szende is remarkable. She carried out quantitative analyses of 314 late medieval testaments from Sopron, 883 from Bratislava, and 122 from Prešov (SZENDE 2004:85), interestingly referencing 27 of her own earlier studies in the volume's 410-item bibliography, eight of which were published in English and three in German, mostly in foreign publications (SZENDE 2004:245–271). Even after the publication of the monograph, Katalin Szende continued her research in this field, addressing a number of questions that are also important from a legal historical perspective. In one such study, for example, she examined family relations and



inheritance patterns in Prešov (SZENDE 2005), while elsewhere her focus was on the children mentioned in late medieval urban wills (SZENDE 2008).

In the 1990s, Katalin Szende researched the above-mentioned wills from Bratislava as unpublished archival sources, as did Judit Majorossy, who used data obtained from them in her study *A Krisztus Teste Konfraternitás helye a pozsonyi polgárok életében* [The Place of the Body of Christ Confraternity in the Lives of Medieval Citizens of Bratislava] (MAJOROSSY 2005). As a result of their joint work, an almost complete collection of wills from the city written before 1529 has since been published (MAJOROSSY – SZENDE 2010, 2014). I regard this as a significant achievement not only because of the quantity involved — more than 800 wills dating from between 1410 and 1529 — but also because it makes possible comparative analyses, for example of the formal characteristics of the wills or their formulaic solemnity. It is also worth mentioning that the two substantial volumes were published by the reputable publishing house Böhlau Verlag, meaning that copies are available in many countries.

Although data from a noble testament had already been used by Márta Belényesy in 1957 in her study *A ló becse a középkorban* [The Value of the Horse in the Middle Ages] (BELÉNYESY 1957), the wider historical value of this source type was highlighted by László Solymosi in 1974 (SOLYMOSSI 1974). In his valuable thesis, an extended version of which was published two years later as part of a larger study (SOLYMOSSI 1976), he also addressed questions such as the role of the horse in funeral processions or the testamentary supplements relating to the commemorative duties that those servants named in the wills as *dusnoks* (or *torlós*) were obliged to perform. He also drew attention to several valuable late medieval wills, two of which he later published with a detailed introduction (SOLYMOSSI 1999).

András Kubinyi made a major contribution to the examination of the wills of the nobility dating from before 1526. In his comprehensive study, published in 1999, he analyzed the most important characteristics of these wills, drawing on 50 source documents (13 from the high nobility and 37 from the lesser nobility) from the Jagiellonian period (KUBINYI 1999). Among his relevant studies, I would highlight one in which he analyzes the circumstances surrounding the drafting of the will of an aristocratic woman. He was able to draw valuable conclusions based on the minutes of the witness hearing (KUBINYI 1997).

Several studies on this subject have also been written in the past two decades. Mária Makó Lupescu wrote two important studies analyzing late medieval noble wills in Transylvania, including an examination of their object-historical data (LUPESCU MAKÓ 2001, 2003), while Beáta Kulcsár wrote the overview *Magyar nemesi végrendeletek a középkorban* [Hungarian Noble Wills in the Middle Ages] (KULCSÁR 2008). Having examined the wills of three Várdai wives, Borbála Kelényi presented how these sources can be used in family history research (KELÉNYI 2012a). She also wrote two publications on the will of Dorottya Kanizsai (KELÉNYI 2012b, 2012c) and in another study collected Hungarian expressions used in the late medieval wills of noble women (KELÉNYI 2013).

RESEARCH ON 16TH- AND 17TH-CENTURY TESTAMENTS

In the context of research on early modern sources, my observations chiefly concern urban wills, and wills from market towns in particular. However, I would also like to make some brief comments on the wills made by the nobility, ecclesiastics, and village serfs.



Among the cities already mentioned in the context of the Middle Ages, research into the early modern period has focused on Bratislava and Sopron. With respect to Bratislava, I would highlight Attila Tózsza Rigó's study *A városi elit családszerkezetének vizsgálata az 1529–1557 közötti pozsonyi végrendeletek alapján* [Analysis of the Family Structure of the Urban Elite Based on the 1529–1557 Testaments of Bratislava], the findings of which are based on 338 testaments from the three decades referred to in the title (TÓZSA RIGÓ 2005). In another study — expanding his investigations to wills from Vienna — he discussed the impact of the Reformation on the testamentary practice of citizens (TÓZSA RIGÓ 2012). In this context, he also made many valuable observations concerning the language and formulas of the wills.

In Sopron, Péter Dominkovits and D. Anita Szakács were the next to focus their research on the Middle Ages, and both have published several sources and studies on this topic. In a volume that came out in 2008, with introductory studies in Hungarian and German, Anita D. Szakács published nearly 100 wills written between 1544 and 1787 by doctors, surgeons, apothecaries, bath attendants, and midwives in Sopron (D. SZAKÁCS 2008). In the words of the author, “the local early modern healthcare society is represented almost in its entirety” in the volume (D. SZAKÁCS 2008:XLIII), lending particular value to her efforts. Her 2018 volume, published jointly with Péter Dominkovits, which likewise contains introductory essays in two languages, contains a selection from the wills of Lutheran civic leaders and the intellectual elite of Sopron: the volume reproduces the complete texts of a total of 45 wills and three inventories (DOMINKOVITS – D. SZAKÁCS 2018). The vast majority of these sources date from the 17th century.

In 2007, Péter Dominkovits compiled an independent volume in which he published the inheritance documents of Kristóf Lackner, a 17th-century humanist scholar and prominent mayor of Sopron. The wills of Kristóf Lackner, as well as those of his father and wife, were published together in the same volume, which also contains the inventories, inheritance shares, and valuations of the bequeathed estate of the mayor, who died without an immediate heir. The author also published the contents of a notebook recording the many foundations established by Lackner, for example (DOMINKOVITS 2007). Around 150 documents from the rich collection of early modern wills in the Sopron archives are now available in print. Péter Dominkovits also drew attention to the number of wills still in manuscript form (as many as 2,500) (DOMINKOVITS 2018).

In terms of source publication, the activities of Gábor Németh covered two settlements. Firstly, he published 64 testaments and letters of ‘fassio’ from Gyöngyös dating from the period between 1642 and 1710 (NÉMETH 1991). What makes this collection particularly interesting is the fact that the published sources were preserved in the archives of the local Calvinist Church, which means that it is thanks to the successful efforts of the Franciscans that the last wills written by the minority population of the town, which remained predominantly Catholic even under the Ottoman occupation, were preserved for posterity. In 1995, Gábor Németh published a volume containing 90 Hungarian-language wills made by citizens from Nagyszombat (now Trnava, Slovakia) dating from the 150 years between 1542 and 1690 (NÉMETH 1995). Bearing in mind the situation in the town during this period and the role of its population, the importance of this volume, which includes a valuable introductory study, can scarcely be overestimated.

The work of Enikő Rűsz-Fogarasi has also contributed to the number of published urban wills: she published 20 early modern wills from Marosvásárhely (Târgu Mures, Romania) written in the hundred years between 1586 and 1689 (RŰSZ-FOGARASI 2014). Importantly, the selected sources were published both as facsimile reproductions of the original text and in



modern Hungarian versions — obviously taking the needs of a wider readership into account. The author also dealt with this source type in other works: in one short study, for example, she published the will of Péter Nagy Szabó, who served a one-year term as town magistrate in Marosvásárhely (Târgu Mures, Romania) on at least nine occasions (RÜSZ-FOGARASI 2012). The abundance of relevant documents preserved in the archives of Kolozsvár (Cluj-Napoca, Romania) was highlighted by Gyöngy Kovács Kiss in a study that has appeared in several publications (KOVÁCS KISS 2004, 2008). Interestingly, she also published an excellent volume on the institution of the property settlement judge in Cluj (KOVÁCS KISS 2012).

From among the 17th-century testaments preserved in Győr, I myself have published a total of 350 in three volumes (HORVÁTH 1995–1997), representing around one-third of the sources I have examined to date. Although around 90 percent of the published wills were made by citizens of Győr, one-tenth of them originate from villages, mostly from one of the several communities of serfs under the manorial jurisdiction of the Győr Chapter (Importantly, at this time the market town of Győr was also under the manorial jurisdiction of the Győr Chapter.) Over the past three decades, I have written several studies with the aim of drawing attention to the value of the Győr wills as sources, encompassing, among other things, the examination of family relationships, funeral customs, and the role of writing itself. A monograph on the everyday lives of the citizens of Győr in the 17th century summarizing the results of my research to date was published in 2017 (HORVÁTH 2017). I also summarized in a separate study those data from the Győr wills that I considered useful from a legal historical point of view (HORVÁTH 2014).

With respect to research on 17th-century wills from market towns, it is important to mention the research carried out in Szombathely by Péter Dominkovits, who undertook the collection of data from these sources concerning the relationships of the testators outside the town (DOMINKOVITS 2008). In his subsequent dissertation on the economic and social history of Szombathely in the 17th century, he also made use of data from these testaments (DOMINKOVITS 2019).

Péter Dominkovits can also be credited with publishing the will of Gergely Rauser, chief justice of Pápa, written in 1624 (DOMINKOVITS 2004a). Three further 17th-century wills from Pápa have also been published: the will of Mihály Kutassy from 1637 and that of his widow, Zsuzsanna Orosztonyi, written 19 years later, were published in 1998 (HERMANN 1998), while the joint will of György Sándor and his wife Anna Nyikos, written in 1663, was published in the late 19th century (TRSZTYENSZKY 1884).

The market town of Védeny in Moson County, under the manorial jurisdiction of the Győr Chapter, deserves mention as an example of how wills from this period have survived from settlements far smaller than those mentioned above: we know of 32 wills written here in the period between 1618 and 1719. Roman Kriszt has undertaken an in-depth study of these wills: his recently published work includes a meticulous analysis of the contents of 30 source documents and faithful reproductions of the original texts of six German-language testaments (KRISZT 2021).

As mentioned above, the three volumes in which source documents from Győr are published also contain several dozen wills made by village serfs. This is of particular importance, since only a few village testaments from the 16th and 17th centuries have been published, and as yet they have not been analyzed in depth. I myself undertook to describe the village of Káptalanvis (Sopron County) drawing on six wills made in the settlement (HORVÁTH 1993). I subsequently provided an outline of life in Káptalannyúl in Győr County, summarizing data from Győr



sources in relation to this settlement as well as four wills that were written there (HORVÁTH 1995). However, I have also come across wills in other manorial archives: in the archives of the Benedictine Archabbey of Pannonhalma I was able to study the wills of four former inhabitants of the village of Kajár in Győr County – who, incidentally, all belonged to the same family (HORVÁTH 1996). I was also able to publish three wills from Túrje in Zala County preserved in the archives of the Premonstratensian monastery in Csorna (HORVÁTH 2019). I summarized the experience I obtained in the course of researching village wills — mainly from the archives of Győr, Sopron, and Veszprém counties — in a short study (HORVÁTH 1999).

I would like to highlight another important study in the context of research into this type of source: rather than the wills themselves, Ildikó Kristóf examined the ritual of will making — “the norms and forms of will drafting” — in Hungarian villages and market towns in the 16th and 17th centuries (KRISTÓF 1999). As part of her research, she painstakingly examined dozens of works from the *ars moriendi* and *ars bene vivendi* literature to be found among the printed sources of old Hungarian literature. In addition, she endeavored to collect data from manorial court proceedings related to testamentary dispositions. Her findings can be of value to all researchers of wills.

Very few of the wills made by Roman Catholic clergy in the 16th and 17th centuries have been published. Among the bishops of Győr during this period, it is only the will of Miklós Dallos, who died in 1630, that is available in print, thanks to Zsófia Kádár (KÁDÁR 2013), while I myself have published the wills of three canons of Győr from the 1650s and 1660s (HORVÁTH 1995–1997:II.179–181; III.55–57; III.105–107). Wills made by village parsons have been published by Péter Dominkovits: interestingly, all three of the testaments he published were made by a former parish priest from Sopron County (DOMINKOVITS 2003, 2004b).

Like the wills of the clergy, the wills of the nobility from the 16th and 17th centuries cannot be said to have been published in large numbers. No comparable source publication has appeared since the abovementioned work by Béla Radvánszky (RADVÁNSZKY 1879–1896); I can mention only examples of the separate publication of the wills of “famous individuals”. Dating from 1603, the voluminous will of István Ecsedi Báthory, for example, was published in a separate volume with a short introductory study (VADÁSZ 2012). Among the wills made by aristocratic women, the testaments of Éva Lobkowitz Poppel and Erzsébet Batthyány have also been published (KOLTAI 1996; ZSÁMBÉKY 1999). Among the wills made by rulers, that of John Sigismund has received the greatest attention from researchers: following its publication by Gusztáv Heckenast, Péter Szabó wrote a study on the circumstances surrounding its execution (HECKENAST 1990; SZABÓ 2012).

In the interests of completeness, I should note that several wills made by “famous individuals” from this period were also published in the collected volume *Testamentum*, although in most cases the text is not complete. However, the volume does occasionally contain references to possible earlier editions of the documents in question (CSIFFÁRY 2006).

Nevertheless, a large quantity of wills made by Transylvanian nobles have been published, mainly by Kinga S. Tüdös, who drew attention to their value as sources in as early as 2001 (TÜDÖS 2001). In the first volume of her *Erdélyi testamentumok* [Transylvanian Testaments] series, launched in 2003, she published 138 testaments of the warring Székely people of the Transylvanian region of Háromszék (Trei Scaune) from the period between 1548 and 1711, along with a detailed introductory study (TÜDÖS 2003). She continued her publication of sources by dedicating three volumes to wills made by the nobles and elite of Transylvania. She selected



45 sources from the period before 1600; another 72 from the first six decades of the 17th century; and 69 from the period between 1661 and 1723 (TÜDŐS 2006, 2008a, 2011). She deserves recognition not only for the number of wills published but also for the methodical and meticulous way in which she published them. These three volumes also include the wills of many “famous figures”: in the last volume, for example, besides the wills of several members of the Apor, Bánffy, Bethlen, and Teleki families, we also find the wills of Lőrinc Pekry and his wife, Kata Szidónia Petrőczy (the first Hungarian woman poet), as well as the will of the famous printer Miklós Misztótfalusi Kis. Also worth mentioning is the fact that Kinga S. Tüdős has published several studies on this topic, in both Hungarian and Romanian (TÜDŐS 2008b, 2008c).

Interestingly, a volume of early modern Transylvanian wills was also published in Budapest, containing a selection of wills made by members of the high nobility between 1549 and 1600. Published in 2006, the book was edited by Ildikó Horn in collaboration with Enikő Rüszt-Fogarasi and Kinga S. Tüdős (HORN 2006).

Finally, together with Péter Dominkovits, I have also endeavored to expand the number of published wills of members of the lesser nobility, publishing around 50 from Sopron County dating from the 17th century (HORVÁTH – DOMINKOVITS 2001). In the introductory study to the volume — subsequently published in a revised and expanded edition (HORVÁTH 2016) — I called attention to several interesting legal historical aspects of these sources, including, for example, the vindication of special rights for women, peculiarities in form, and the extensive legal knowledge of the people who drafted the wills. Two years later, a brief supplement to the volume was published (HORVÁTH – DOMINKOVITS 2003).

RESEARCH ON 18TH- AND 19TH-CENTURY WILLS

Based on a bibliographical review of will-related literature, it is not difficult to conclude that Hungarian research has focused most intensively on the 18th and 19th centuries, and on urban and market town sources in particular. About half the wills that I know of belong to this group, thus in what follows I make no attempt to provide an overview of the entire output: apart from mentioning the individual volumes of published sources, I refer only to the more important trends.

Following the publication of the works of Ernő Tárkány Szücs, it was the settlements of the Hungarian Great Plain that first became prominent in this respect. Published in 1983, the first independent volume was the Debrecen source publication by István Rácz, which contained a short introductory study followed by 42 testaments, 40 of which date from between 1700 and 1848 (RÁCZ 1983). His work also provided inspiration for others: Péter Antal undertook a more detailed analysis of wills from Debrecen dating from the 1820s in a study that is fascinating also from a legal historical point of view (ANTAL 1986). At the turn of the millennium, Mónika Mátay examined 18th- and 19th-century wills from Debrecen, even extending her research to encompass their “afterlife” — documents related to divorce proceedings proved to be an excellent source in this respect. First, she examined a divorce case from Debrecen using the microhistorical method, analyzing the extant will “in context” (MÁTAY 2000), after which she undertook the meticulous examination of the will of a “malicious tanner from Debrecen” (MÁTAY 2003). The examination of wills was an important aspect of her PhD dissertation *Halál, akarat, törvény. Testamentumok és hagyatéki perek a 18–19. századi Debrecenben* [Death, Wills,



Law. Testaments and Probate Trials in Debrecen in the 18th and 19th Centuries] (cf. [MÁTAY 2004:269](#)). A few years later, she published a separate volume dedicated to the examination of divorce case documents from Debrecen ([MÁTAY 2006](#)). At present, the last in the series of Debrecen-related publications is the 2018 volume by Ilona Kovács, which contains 50 wills made by renowned citizens of Debrecen — most of whom had connections with the Debrecen Reformed College — as well as a short biography of each testator ([KOVÁCS 2018](#)).

In terms of the quantity of published sources, the output from the city of Kecskemét is even more significant. The value of the Kecskemét wills as sources was first emphasized by Ilona Sz. Kőrösi in a short article published in 1984, while László Novák also later referred to their existence ([SZ. KÖRÖSI 1984](#); [NOVÁK 1987](#)). Attiláné Molnár used data from the extant sources from the first 100 years or so when examining the history of the composition of peasant property ([MOLNÁR 1989](#)). Tibor Iványosi-Szabó undertook the publication of these sources in four volumes ([IVÁNYOSI-SZABÓ 2002–2004](#)). The first two volumes contain a comprehensive collection of over 900 documents from the period between 1655 and 1781, although, due to space constraints, he was obliged to be selective, publishing around 500 further sources from the pre-1848 material. Taking into account the approximately 200 wills dating from the 18th and 19th centuries that were discovered by Gábor Székely in the archives of the Calvinist denomination ([SZÉKELY 2006](#)), one can justifiably state that the largest quantity of known wills currently originates from Kecskemét.

I am aware of two other cities in which work has begun on what is intended to be the publication of the material in its entirety. One of these cities is Vác, where, thanks to the work of Ferenc M. Horváth, three volumes have been published so far, including 620 testaments, thereby making available in print all the extant wills from Vác dating from between 1706 and 1785 ([HORVÁTH M. 2006–2014](#)). The value of this undertaking is enhanced by the fact that, in addition to the wills, other surviving inheritance documents (inventories, auction records, receipts, etc.) have also been published. The second city is Zalaegerszeg, where 384 wills that have been preserved from the period between 1701 and 1826 were published in two volumes by [Erzsébet Csomor in 2015](#) ([CSOMOR 2015](#)). The work was continued in 2021 with the publication of 168 testaments dating from 1827 to 1848 ([CSOMOR – KULCSÁR 2021](#)). Thus, while Ernő Tárkány Szűcs was merely able to refer to the existence of such documents, alluding to the friendly correspondence of Alajos Degré, the documents themselves are now available in print ([TÁRKÁNY SZÜCS 1981:728](#)).

Most of the settlements, however, have focused on selected volumes from the outset. This was the case in Nyíregyháza, for example, where the publication of testaments began in 1987 with a volume by Zoltán Németh that included the complete text of 52 source documents in the original language (Slovak) as well as in Hungarian translation ([NÉMETH 1987](#)). In 1995, Éva Kujbusné Mecsei continued the work begun by Németh, publishing 80 wills dating from the period between 1789 and 1848 ([KUJBUSNÉ MECSEI 1995](#)). Importantly, both these volumes contain a chronological list of unpublished wills, as well as archive references, which are of huge help to researchers. A similar approach was adopted in the Jászberény volume by Istvánné Czégény, which contains around 100 sources, 54 of them dating from before 1800. The volume also includes a complete list of Jászberény wills running to 48 pages — a total of around 1,500 wills, according to the introduction ([CZÉGÉNY 2001](#)).

Ibolya Nagy was the first to use data taken from wills from Szentes in connection with her examination of funeral customs ([NAGY 1986](#)). Methodological research on these wills is



associated with the name of Mária Homoki-Nagy, who has published several important studies on this topic in the last two decades. The meticulous analysis of a single document, the will of nobleman György Szetskó Sr. from 1831, first shed light on the legal historical value of wills as sources (HOMOKI-NAGY 2004). This necessitated the use of an “extraordinary” source — the will of a testator with nine children from two marriages, who was also responsible for the care of a minor — in this case involving the rights of widows and unmarried women (*jus viduale* and *jus capillare*), morning gifts, guardianship, the designation of surrogate heirs, and many other fascinating aspects of legal history. She subsequently published several shorter studies on this topic, examining, for example, lawsuits initiated in connection with wills. Through her analysis of the testaments of three members of the Dóczy family, she also used these sources to research the history of an individual family (HOMOKI-NAGY 2016, 2018b). The selection that she published in 2018 is significant not only for the 150 wills it contains, mostly dating from the early 19th century, but also for its introductory study, which is enormously valuable from a legal historical point of view (HOMOKI-NAGY 2018a).

There are also examples of published selections of extant wills originating from a group of settlements. István Rácz, for example, published a small collection of wills from the so-called Heyduck towns (RÁCZ 1985), while János Kemény published 186 testaments from material originating from six market towns in the Danube–Tisza Interfluve — Baja, Dunapataj, Kiskunfélegyháza, Kiskunhalas, Kiskunmajsa, and Szabadszállás (KEMÉNY 2005). Although this is probably only a small fraction of the wills preserved in the archives — in the Kiskunhalas archives, for example, I personally examined nearly 600 wills dating from before 1848 (HORVÁTH 2001a), 35 of which have been published — their publication is still of enormous help to researchers.

Smaller source publications from other municipalities have also appeared. Gyula Kocsis published 25 of the 18th-century wills from Cegléd, subsequently publishing a further 13 in his volume of inheritance documents (KOC SIS 1993, 1997). István Rákos covered wills from Szeged in his research on economic and social history, publishing 12 wills as an appendix to his study (RÁKOS 1982). János Bene published inheritance documents from Nyírbátor dating from the period between 1811 and 1849: in addition to the 16 estate inventories, the collection included 17 testaments (BENE 1989). Tamás Szálkai’s selection from Derecske reflects a similar ratio: alongside the 15 testaments, the same number of other types of inheritance documents — inventories, settlement certificates, auction records, dowry lists — were published, dating from 1745 to 1893 (SZÁLKAI 2010). László Héja’s selection from Törökszentmiklós covers an even longer period: chronologically, the most recent source dates from 1919 (HÉJA 2016).

Adriana Švecová’s huge work on the wills of Nagyszombat [Trnava, Slovakia] deserves particular mention. Although the period 1700–1871 referred to in its title suggests that the work will be a continuation of Gábor Németh’s above-mentioned source publication (NÉMETH 1995), the two volumes, which have a combined total of 1,384 pages, are not a classic source publication. After an introductory essay of around 200 pages, only six wills are published in full, followed by reproductions of 22 pages from testaments. The 1,000 plus pages that come next contain *regestae* [a so-called calendar, or descriptive list] of a total of 1,522 wills. In each case, the author provides the name of the testator, the date of the will (or the date of its ratification), the language in which it was made, its length, the names and signatures of the witnesses, and the number of seals. She then provides a brief summary of the contents of the will, usually running to between 10 and 15 lines or one and a half pages (ŠVEC OVÁ 2014). The work thus contains a



complete list of the wills that were made in Trnava and preserved in the city's archives, although the *regestae* can also contribute to research on a number of subtopics, as can the introductory study.

Research on wills made by people living in villages is far less extensive. The most important work in this field is István Kelemen's *Sopron vármegyei jobbágyvégrendeletek a XVIII. század elejétől 1848-ig* [Serf Wills from Sopron County from the Early XVIII Century up to 1848], which contains 188 "last wills" of 185 testators from 42 settlements. Significant among these settlements is the village of Páli, in the Rábaköz region: the author has published 37 documents from here dating from the three decades between 1816 and 1847. The value of the volume is further enhanced by the 70-page introductory essay, in which the author, a historian with a degree in law, provides an excellent overview of the specific legal historical aspects of the published sources (KELEMEN 2008). Among the smaller studies, I would mention Ferenc Pelle's publication of wills from Kevermes dating from the second half of the 19th century, as well as wills made during the First World War, which were also referred to by Ernő Tárkány Szűcs (TÁRKÁNY SZÜCS 1981:736–737), as well as Kelemen Kothencz's analysis of early 19th-century testaments from Bajszentistván (KOTHENCZ 2016). I myself have endeavored to call attention to the existence of extant village testaments from Győr County dating from the first half of the 19th century, most of which record the last wills of members of the lesser nobility (HORVÁTH 2011a).

Only a few of the wills made by members of the nobility in this period have been published in recent decades, and I would like to refer here to two such publications. One is the work of Éva Gyulai, who published two extant (and slightly divergent) handwritten manuscripts of the will and estate inventory of Ferenc Aszalay — the former secretary of Ferenc II Rákóczi — with a brief introduction (GYULAI 2008); while the will of Ferenc Tolvay Menyőei, made in 1710, was published in 1995 as a separate publication (B. PRAZNOVSZKY – M. PRAZNOVSZKY 1995).

Among the wills of Church dignitaries, the last will of Bishop of Veszprém Márton Padányi Bíró, made in 1762, was published with the complete text in Latin, a Hungarian translation with detailed annotations, and a remarkable introductory study, along with a facsimile edition of the original document as an appendix (HERMANN – JAKAB 2013). This source is of interest not only because of its length — a 55-page manuscript bound in leather — and the person of the testator, but also because few wills made by Church dignitaries have been published to date from this period (cf. HERMANN – JAKAB 2013:16–18). In terms of its form, it is not a traditional will, although it can be said to contain the more important features of a will. It is rather a detailed account of Padányi's 17 years as a bishop and his major accomplishments — as well as of the respective expenditures.

In several shorter studies, I myself have dealt with the wills made by members of the minor clergy in the 18th and 19th centuries. Firstly, I endeavored to demonstrate the analytical potential of this source type by examining the wills and other extant inheritance documents of three parish priests from Lébény (Moson County) (HORVÁTH 2001b). I then examined the inheritance documents of pastors from Magyarkimle and Horvátkimle (Moson County) who died between the second half of the 18th century and the first half of the 19th century, with special regard to their relationship networks and education (HORVÁTH 2020, 2021b). There is still enormous potential for research into this source type, as large quantities of documents have survived: in the Diocesan Archives of Győr, for example, the "Testamenta" collection of the Episcopal Archives alone contains 1,076 items (VAJK 2005), while the Archbishopric Archives of Veszprém also boast a rich collection (HERMANN 2010).



Brief mention should also be made of research on the wills of groups in “special circumstances.” Among the minority nationalities living in Hungary, we know most about the wills of the “Greeks,” thanks to research undertaken by Izabella Papp. Her first study was written on György Zavirasz (PAPP 2000), whom she referred to as the “Greek scholar” of Kiskunság — whose will had, in fact, already attracted research interest (FÜVES 1968). She subsequently included the testaments of “Greek” merchants in several of her works, publishing a total of 18 documents (PAPP 2001, 2004). Eight of the documents originated from Jászberény, five from Túrkeve, and the remainder from other settlements. The earliest was written in 1781, while the most recent dated from as late as 1936. I published three 18th-century wills belonging to “Rascians” from Győr (HORVÁTH 2011b) — who were, in fact, also “Greek” merchants.

To the best of my knowledge, György Ságvári is the only researcher to have studied military wills: he has reviewed around a dozen 18th-century Hungarian-language and Hungarian-related testaments preserved in the war archives (Kriegsarchiv) in Vienna — publishing the complete text of one of them — drawing attention to the special circumstances of military personnel (SÁGVÁRI 2008).

PRINCIPAL TRENDS IN LEGAL HISTORICAL RESEARCH

As we have seen above, wills can contribute to research on a wide range of topics. Data from wills can be of use to researchers of funeral customs as well as to researchers interested in folk religion and the history of religious associations. However, the data can also be used to examine relationships outside the settlement and explore everyday life, for example (cf. HORVÁTH 2017:246–267). Several researchers have recognized the value of wills as legal historical sources, and new findings have emerged in recent decades.

Mária Homoki-Nagy published a detailed introductory study to her Szentes source publication, as well as other studies on the subject besides the shorter works already mentioned above. She has written, for example, on the topic of rights specific to women (HOMOKI-NAGY 2013). She has published a large-scale compendium on everyday law in the wills of the serfs and peasantry (HOMOKI-NAGY 2018c), as well as an insightful foreword to the reprint of Beniamin Nánásy’s *Testamentom a’ Magyar Országai törvények szerént* [Testament According to the Laws of Hungary], a seminal work on the subject originally published in 1798 (HOMOKI-NAGY 2007).

István Kajtár discussed legal cultural-historical texts in several of his works — extending his investigations to include wills — and dedicated a separate study to the occurrence of sacral elements (KAJTÁR 2009, 2016). In his last study, he provided an overview — essentially a summary — of legal cultural-historical sources, methodological/theoretical issues, and findings, supplemented by an extensive bibliography (KAJTÁR 2018).

I consider it important to mention that, alongside Mária Homoki-Nagy and István Kajtár, other members of the Tárkány Szücs Ernő Legal Cultural Historical and Legal Ethnographic Research Group have also contributed to research on this topic. I have referred already to Kelemen Kothencz’s work on Bajaszentistván, as well as to some of my own publications. Three further names deserve mention: Csabáné Herger wrote a study on testamentary practice in Pécs in the 1850s — that is, the period under the “rule” of the Austrian Civil Code (HERGER 2018). Erzsébet Bánkiné Molnár examined how the interests of women were manifested in wills in the Jászkunság region (BÁNKINÉ MOLNÁR 2013), while József Gelencsér presented five testaments



from Vásárhely at the István Kajtár Memorial Conference in October 2019 — where two further presentations were also delivered on this source type (The volume of conference proceedings is currently being edited.) It would therefore be no exaggeration to say that the members of the Tárkány Szücs Ernő Legal Cultural Historical and Legal Ethnographic Research Group, which was established in 2011, have also played an important role in the publication and analysis of testaments (cf. [NAGY – SZABÓ 2021](#)).

IN PLACE OF A SUMMARY

Having reviewed the output over the past four decades, it is clear that the boundaries of this research topic have been extended in several respects. I have been able to refer to publications from almost the entire territory of Hungary, as well as from beyond the country's borders — from Romania, Slovakia, and Austria. In terms of the date of drafting, the published testaments span half a millennium, from the beginning of the 15th century to the first decades of the 20th century. The number of wills available in print has risen enormously: up until the middle of the 20th century, around 500 wills had been published in total, including the 313 wills from Sopron published by Jenő Házi ([HÁZI 1930, 1931](#)), while the number published in the last four decades stands at 5,500. As can be seen from the bibliography to the present study, around 70 researchers were dealing with this source type in the period under review; besides the archivists at the forefront of publication, dozens of legal historians, historians, and ethnographers were involved in the work. Importantly, this figure refers only to those researchers who published major source publications or wrote studies specifically on wills. It does not include those who “merely” made use of wills in other research — as did Zsuzsanna Peres, for example, in her study on early modern aristocratic marriage contracts or the obligations of aristocratic female guardians ([PERES 2014, 2018](#)).

The vast majority of wills from the medieval period, which in Hungary is not as rich in sources as it is in Western European countries (cf. [SZENDE 1999](#)), are now available in print, thanks to the publication of over 800 source documents from Bratislava. The proportion is somewhat less favorable in the case of wills from the early modern period, although over 1,000 have already been published, most of them from cities and market towns, as well as testaments of members of the Transylvanian nobility. Understandably, most of the published sources date from the 18th and 19th centuries, since in some of the settlements that predominate in terms of publication there are no earlier extant sources. In addition to the vast majority of wills originating from market towns, there are now several hundred village wills available, while researchers have also dealt with the wills of certain ethnic groups in “special circumstances,” such as the Cumans, Jasz, “Greeks,” and “Rascians.” Rather than publishing “interesting sources,” the focus has shifted towards the publication of greater numbers of wills from individual settlements, thus also providing opportunities for quantitative studies. As we have already seen, around 1,500 wills from Kecskemét, more than 800 from Bratislava, 620 from Vác, 552 from Zalaegerszeg, and almost 500 from Sopron are now available in print, while over 100 wills have been published from cities such as Debrecen, Győr, Jászberény, Trnava, Nyíregyháza, and Szentes.

There have also been significant changes in terms of publication method. While in the 19th century and the first half of the 20th century the testaments generally appeared without an



introduction, since the 1980s — following the source publication method used by Ernő Tárkány Szücs (TÁRKÁNY SZÜCS 1961) — a longer or shorter introductory study has been included at the beginning of every source publication volume. Some of these studies have emphasized the significance of the published sources with respect to social and economic history, while others have been important from a legal historical perspective (e.g.: HOMOKI-NAGY 2018a; KELEMEN 2008). In other cases, researchers have undertaken more detailed analyses of already published documents, as did Katalin Szende, for example, in relation to the wills from Sopron previously published by Jenő Házi.

Several of the source publications also include other types of inheritance documents in addition to wills, thus providing an opportunity for a more thorough analysis. The Szentes volume, for example, includes six agreements related to estate partitions in addition to its 150 testaments (HOMOKI-NAGY 2018a:288–298). However, as mentioned earlier, other types of documents (inventories, auction records, dowry certificates, receipts, etc.) are also to be found in the publications from Vác, Nyírbátor, and Derecske.

In conclusion, we can state that interest in wills as historical sources has increased significantly among researchers in Hungary as well as in neighboring countries in the last four decades (cf. OLECHOWSKI – SCHEMETTER 2011). An increasing number of scholars are participating in the research, and an increasing number of settlements are producing source publication series — which is certainly encouraging for the future as well. We thus have every reason to hope that the substantial national overview mentioned above, which Ernő Tárkány Szücs had planned to compile, will indeed be completed sometime in the not too distant future.

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