

# Legal Folklore among the Petty Nobility of the Káli Basin

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Received: June 3, 2022 • Accepted: July 20, 2022

Published online: December 7, 2022

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## ABSTRACT

In the Káli Basin in the Balaton Uplands, four of the eight settlements bordering each other (Balatonhenye, Köveskál, Kővágóörs, Monoszló) were inhabited by petty nobles belonging to the gentry, living in curial villages, with a great deal of autonomy, self-governance, and within the framework of their established legal norms and legal customs. They lost most of their privileges in the mid-19th century, but some of their old and new legal customs survived until the mid-20th century. The study reviews part of their extensive living conditions, essentially from the last third of the 18th century. The way of life in this region, known for high-quality grapes and livestock, has changed a lot in the more than 200 years. The study describes each typical component of this life in view of the provisions of established law, customary law, and legal customs. Considering legal distinctions, it addresses secular and ecclesiastical administration, legal relationships regarding vineyards, certain work customs, succession laws, and the vestiges of petty nobility that survived into the 20th century. The role of certain legal customs contrary or complementary to the laws (*contra legem*, *praeter legem*) is also mentioned. The study provides a brief overview, or at least a taste, of the special (petty noble) legal folklore of the Káli Basin, which is rich in legal customs.

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## KEYWORDS

gentry, curial settlement, law, customary law, legal custom, vineyard

## ARISTOCRACY AND GENTRY

In the 18th-19th centuries, the proportion of nobility with privileges in the Kingdom of Hungary, which belonged to the Habsburg Empire and then to the Austro-Hungarian

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Monarchy, was believed to be close to 5%. The high proportion — even in European terms — of nobility partly made up for the free peasantry that existed elsewhere during feudalism.

Ennoblement and the legal status of nobility were gained in hereditary or patrilineal ways. In the former case, nobility could only be granted by the monarch. In these circles, the most common method of acquiring noble status was, on the one hand, by a *royal charter*, which was accompanied by a land donation; or by a grant of arms patent, which did not come with an estate. The most common method of acquiring noble status through patrilineage was for a legitimate child to be born to a noble father (BÉLI 2000:36–38; HOMOKI-NAGY 2001:17). The nobility formed the upper stratum and order of society. Its members were entitled to noble liberties, i.e., privileges. Among other things, except for certain exceptions, they could not be arrested, they were subject exclusively to the monarch, and they were exempt from labor service and taxation.

Despite the repeatedly confirmed principle, the nobility was not uniform but differentiated in its social and economic status. The two large groups of the nobility were the nobles (magnates, aristocrats) and the gentry. The latter was further stratified. The bulk of it was made up not by the middling nobility but by the petty nobility. Their ranks included the nobles without land donations, or armalists (their name came from the Latin equivalent of grant of arms letter: *litterae armales*). The ranks of petty nobility were also increased by curialists/curial noblemen, i.e., one-plot noblemen. Their name comes from the Latin term *curia*. Here, however, the word *curia* designated not only the manor house but also the courtyard and outer plots associated with it. A nobleman was called curial even if his single-lot estate later diminished in size due to inheritance or other reasons. A curialist did not own serfs, so he usually cultivated the land with his family members, servants, farmhands, and cotters. A considerable part of the petty nobility had a standard of living close to that of serfs and peasants. After 1848, they largely merged into the peasantry emancipated from serfdom. In feudal society, however, they lived in curial villages/boroughs with noble privileges. These settlements were not under manorial authority.

The 31 laws adopted on April 11, 1848 brought fundamental changes in the life of the country, including the rights and obligations of nobles and serfs. These were significant standards for the development of bourgeois society, which on the one hand included provisions regarding the state, and on the other hand wanted to ensure equality and freedom. Although the April laws abolished the privileges of the nobility, the institution of nobility did not disappear for many decades (POMOGYI 2008:807). The monarch continued to grant noble titles. The legal status of nobility has been invested with additional rights — albeit limited in scope. Thus, first and foremost, the aforementioned noble title, then the nobiliary particle (*nom de terre*), the use of the crown that denoted rank, and participation in the election of members of Parliament regardless of other conditions. In several branches of law, the distinctions between nobles and non-nobles remained for a longer or shorter time due to customary laws or statutory provisions. They were abolished by 1945, though not entirely. Statute IV of 1947, however, abolished the use of noble rank titles, nobiliary particles, crests, insignias, and any expressions referring to descent from a noble clan. The use of honorifics, such as *méltóságos* [illustrious], *nagyságos* [magnificent], *tekintetes* [honorable], and *nemzetes* [noble/notable], among others, became prohibited in styling.

## THE SUBJECT OF THE RESEARCH

After 1948, research on the middling nobility (gentry), including the petty nobility, was neglected for a long time by the disciplines of history, legal history, and ethnography. In the 1970s,



however, there was a shift, especially in the fields of social ethnography and legal ethnography. All of this was linked with the subject of research increasingly extending to the culture of other strata beyond the peasantry.

In the 1980s, a research group of almost 20 people, led by ethnographer Emőke Lackovits, began researching in the Káli Basin, located in the Balaton Uplands in formerly Zala and today Veszprém County, rich in natural and man-made beauty. Group members represented various sciences; hence, the study was a complex investigation of one of the micro-regions of Transdanubia. The findings were published in books and studies. I was part of the collection and research, too, which resulted in my monographic volume (GELENCSEI 2019), from which I would like to highlight some of our findings.

The diverse landscape of the Káli Basin includes 8 municipalities, the former inhabitants of which were of different social status and religion. Before 1848, the people living here were largely nobles and serfs. However, four of the settlements (Balatonhenye, Monoszló, Köveskál, Kővágóörs) were clearly curialist villages. The latter two gained borough status in the first half of the 19th century. From the research perspective, it was significant that noble traditions and legal customs have been well preserved in memory and survived almost up until the time of the collection and research. Fortunately, in addition to the data obtained from informants orally, a large number of written sources related to the life of the petty nobility have survived, too: besides state archives, in local church archives and private archives of descendants of the gentry, including keepsake boxes from the 18th and 19th centuries. I was able to make the most of all these options during the research. The other four settlements in the basin (Kékkút, Mindszenthálla, Salföld, Szentbékálla) were serf villages under the authority of an ecclesiastical or secular landlord.

In 1939, legal historian György Bónis made important observations in his work on Hungarian legal folk traditions. First of all, he noted: “The realm of living law includes not only such distinguished inhabitants as law, decree, or judicial ruling. Beyond statutory law and official customary law, there is a set of rules that the people themselves maintain and claim to be bound by. This set, one might say legal system, is extremely persistent.” It is not in writing, though, so it is hard to cognize. It contains remnants of old rules passed down to the people, ceremonies and symbols related to legal actions, but also recently developed procedures and principles. Hungarian legal folklore is a collection of rules, customs, and symbols. Just as judicial and administrative customary law can be explicatory, supplementary, or counter to law, so can legal folk customs. György Bónis clearly separated statutory law and official customary law from legal folk traditions. He even used the concept “legal custom”: the collector and researcher of the custom should pay attention to whether there is a legal notion behind said custom (BÓNIS 1939:1, 5–6). As early as 1919, the historian Károly Tagányi drew a sharp dividing line between customary law and legal custom. In his opinion, in contrast to historical, written customary law, there are living, unwritten legal customs, legal ceremonies, and symbols in all nations (TAGÁNYI 1919:1, 3). The opinion of legal folklore scholar Ernő Tárkány Szűcs — somewhat differing from Bónis’ — was that legal tradition was a passive body of knowledge, which became a legal custom only when brought to life and applied persistently. He also provided an extended definition of customary law, from which I would highlight this: regulation, “based on the perceived or existing autonomy of a smaller or larger community of society, expressing the common conviction of the majority, developed, maintained, and passed down internally as a result of actual practice, containing prohibitions, permissions, or mandates for the reconciliation of interests in human



social relations” and living conditions, imposed by society through mandatory and traditional means (TÁRKÁNY SZÜCS 1981:41). Legal historian Barna Mezey noted that “official law” did not want to deal with the greater part of everyday life. Thus, life became the main director of living conditions. Most of the customs that were created have been imposed by the community that created them. The legal customs created in this way are also considered law — they represented a system of norms for smaller communities. If necessary, they were enforced (MEZEY 2009:46).

For my part, during the collection, research, and processing of the material, I essentially abided by the cited definitions and aspects. Even though, in my opinion, legal folk customs do not constitute an entire legal system, and I also agree with Bónis’ opinion regarding legal folklore. From the diversity of Hungarian and international terminology, I used the term legal folk custom, as well as legal folklore, coined by lawyer and archaeologist László Papp in the 1940s (PAPP 1948). The technical term “legal folklore” is the broadest possible concept. As such, my research also covered a wide range. In addition to examining legal customs, it also covered other areas, living conditions, and norms. From the functioning of feudal noble communities to the survival of noble traditions into the 20th century. I also wanted to point out the content of established (legislative) law and official customary law in each period, and to what extent it prevailed, that is, how the local community and the local legal custom related to all of this.

## THE NOBLE COMMUNITY OF KŐVÁGÓÖRS

In the multifaceted institutional system of feudal Hungary, abundant in autonomies and local governments, the curial villages were created and operated through the self-organization of the local petty nobility. Laws, official customary law, and legal writers hardly attended to them. The noble communities in the territory of historical Hungary were for the most part located in clusters, bordering each other (DEGRÉ 1977:55–71; KÓSA 2001:134–135). This was also the case in the Káli Basin, in the above-mentioned four settlements. Among them, the petty nobles in Balatonhenye, Köveskál, and Monoszló followed the Reformed faith, while in Kővágóörs they followed Lutheranism and, in smaller numbers, Catholicism.

The relationship between the noble community and the local commons (*compossessoratus*) was a complicated issue in Hungary. There were differences from settlement to settlement, just as different opinions developed in the historical, legal history, and ethnographic literature. I, along with others, take the position that the two — under certain conditions — coincided.

The noble communities of Transdanubia generally organized in the 18th century. The municipal body, and several of its offices, emerged from the management of commons. The principal officer was accompanied by elected jurors. Typically, some sort of agreement was drawn up and signed. Through this statute, they regulated their lives by general will. The noble community also exercised landlord rights in the village, such as mill rights, butchery rights, and tavern rights (DEGRÉ 1977:66).

Köveskál, located in the center of the Káli Basin and home to prestigious families with a long lineage, must have developed its municipal body as early as 1729, as this is the date the locality’s seal indicates. In neighboring Monoszló, the municipal body of the noble community can be dated to around 1740. In 1742, a legal act related to the noble uprising was signed by “the local mayor” and a juror, as well as 8 other residents. They even used a seal. In 1744, they were involved in a border dispute with Köveskál. From Monoszló, 21 people and the justice, from



Köveskál, 18 people and the justice participated in the perambulation. The municipal body representing the community had already been established, but at first, in addition to the leaders, the consent of holder members was also needed, as evidenced by a 1788 document from Monoszló. In addition to this noble justice, the two jurors, and the agile steward, it bears the signature of another 56 people.

The settlement of Kővágóörs provided an excellent opportunity to study the organization and functioning of noble communities. At the end of the 18th century and in the first half of the 19th century, the settlement was inhabited by gentry, “agiles,” and people without privileges. Simply said, agiles were semi-nobles born of a noble mother and a non-noble father, who owned noble properties acquired through their mothers or wives (HOLUB 1981:109). Until 1848, their considerable numbers made agiles a significant social factor in the Káli Basin. In Köveskál and Kővágóörs, they even established a partially separate body. In Kővágóörs, non-nobles included domestics, servants, maids, shepherds, and tenants. The latter, the tenants, were in part Christian, in part Jewish. Accordingly, several communities and organizations were formed in the settlement. Of particular significance were two noble commons, separated on religious grounds: the Lutheran and the Catholic. Their membership included agiles as well. Although, despite all their efforts, they did not gain noble legal status, they were still somewhat separate from an organizational point of view, headed by an “agile steward” in the first third of the 19th century.

The two noble estates/communities, which were organizationally separate from each other, held meetings and issued decisions separately, with the participation of their members. They each elected a justice and a council (jurors), as well as other minor officials, and contracted people for specific tasks. Peculiarly, the two noble commons also assembled together, which was usually called a common assembly. As a result of self-organization, a differentiated municipal body was formed, acting as a normative regulator, in individual cases performing administrative activities that affected the economy. They had community-managed assets and regalian rights. In addition to managing their internal affairs, they also performed judicial activities. The scope of their decisions also extended to non-noble persons living in the settlement. Among them, the closed community of Jewish people represented a particular spot. The regulations and other decisions made by the noble community also extended to them, and in some cases only affected them.

The organization, operation, and powers of the noble commons and noble community can be considered the historical antecedent of the later municipal autonomy.

Adding a few more details to the above, the following can be said. The high degree of autonomy of the Kővágóörs noble community (commons) in their own internal affairs was demonstrated in the following areas. First of all, they created regulations and rules with normative content. The scope of regulation covered the organization and functioning of the community, the peace of the community, and local conditions. The community also administered and issued decisions and orders in individual cases beyond its own internal affairs. It created its differentiated public body consisting of collegial bodies, officials, employees, and contractors. This was primarily done on the basis of legal customs, and then through individual decisions as determined by regulations. Without detailing the tasks and changes, I will only indicate the most important institutions: common assembly, Lutheran and Catholic (common) assembly, justice, council (jurors), clerk, town crier, wine steward, brandy steward, butchery steward, patrolman, fire warden, swine-herder warden, hayward, meadow warden,



forest warden, forester. There was also a mountain warden, agile steward, and Jewish steward in the settlement, less bound by or outside the scope of the commons. The noble community oversaw the maintenance of public order and public safety, and the prevention of fires. The regulation and management of the order of farming also extended to the farming of non-commons areas, including the sequence and date of work in the fields. The community managed and controlled the common movable and immovable property, regulated and managed public farming. (Forests, pastures, meadows, reed beds, land, buildings, quarries, and a brandy distillery made up the commons.) Within the framework of regalian rights, they maintained a butchery, a tavern, and had the right to hold markets. The material basis of the administration of justice and arbitration was provided by national and local rules, customary law, and legal customs. Jurisprudence covered violations, minor crimes, and simpler cases of private law. The punishment was a fine and flogging, which the community collected and carried out, respectively. The community also took care of the roads and bridges necessary for transportation. In Kővágóörs, during the period I examined, three regulations with a normative content were created.

The one from 1789 was signed by 102 noble and agile persons, that is, essentially the entire community. At the same time, the legal norm also had a contractual nature. It was created in the presence of a bailiff sent by the county. It regulated, among other things, grazing, forest use, and the details of the exercise of regalian rights. It imposed strict rules on Jewish merchants and craftsmen regarding Sunday shop hours and transport. The regulations for distilling brandy were created out of fire safety concerns.

The regulations of 1817 were adopted at the assembly of the Lutheran noble commons. On the one hand, it regulated the body of the noble commons, that is, the community, and on the other hand, it made provisions regarding its operation. A normative rule has been established regarding common property, especially with regard to accounting. A regulation was created in connection with alcoholic beverages and their stewards, as well as the fee for such stewardship. Grazing was also regulated here.

The third regulation, of 1835, was also created by Lutheran nobles with commonage, in a prescribed manner, after public announcement by the town crier, at a meeting. Its subject was organizational issues, living conditions related to public property, the conditions of Jewish settlement, and public safety conditions. Individual decisions were also included in the regulations.

The regulations essentially achieved their objective: they regulated certain important aspects of community life. They protected community assets, from securing borders to collecting revenues. They ensured public order, peace, the lives and property of individuals. They influenced the order of farming. Although the rules were not always observed even by the rule-making nobles themselves, regulations played a significant role in the expression of autonomy and in regulating the system of human relations. The autonomy was limited by the fact that the noble communities were under the authority of the county.

Based on the findings of the research in the Káli Basin, we also have information about the regulations of Monoszló. It can be assumed that similar norms regarding certain conditions of life were also adopted in the other noble communities of the basin. Despite their value, the regulations of the Káli Basin fell short of the standard of the village laws of Transylvania's *Székelyföld* [Szekler Land]. However, here, too, the regulations were written in Hungarian, and this was also the language used in administration and records.





## LEGATION AND SUPPLICATION IN MONOSZLÓ BETWEEN 1802 AND 1830

During feudalism, in Protestant curialist settlements, community and church leadership was intertwined and essentially consisted of the same persons. This was also the case in Reformed Monoszló. The account book of the parish from 1802 to 1830 even revealed how the gentry members of the parish and the church supported the Reformed colleges, operating nearby or far away, in the spirit of Christian love, compassion, and even fellowship. *Legation* and *supplication* were the institutionalized forms of this. According to the custom of legation, on the three major church holidays (Christmas, Easter, Pentecost), the Reformed colleges sent their older, preferably theology students to the communities of the diocese or beyond. There, they provided services through delivering sermons, and practiced their future profession at the same time. The monetary donations were collected to cover the costs of their own education. The donations were obtained from the congregation, or from its (more affluent) members. *Supplicatio* or *supplication* also meant fundraising. The *deákok* [deacons] visited each of the parishes after the two major harvests, i.e., the harvesting of grain and the harvesting of grapes. The monetary (in other regions also in-kind) donation was also provided by the church and its members. The donation was then used for the benefit of the school, and especially its *convictorium* (boarding school). As is evident from the account book, in certain cases the supplicant himself received some of the donation. The members of the noble and at the same time religious community of Monoszló always awaited with interest the legates and supplicants, as well as the occasional servant of the latter, the mendicant. All three, and their actions, became part of the holiday.

In the indicated period, legates and supplicants usually came to Monoszló from Pápa, Debrecen, Sárospatak, and Losonc. In other words, with the exception of Pápa, the students had to undertake an arduous and dangerous journey of hundreds of kilometers. The people of Monoszló and the Reformed communities of the Káli Basin had close ties to the Reformed College of Pápa, which is about 70 km away. Several young nobles studied there to become priests, teachers, jurists, including lawyers.

The people of Monoszló gave their monetary donation to a specific person, community, or institution, i.e., the colleges and their students. Some even received the same amount over a longer period. Although formally it was the *curate* or *pastor* who handed over the money, in fact it was done with the agreement of the presbytery and the parish. In fact, it became customary to receive legates, supplicants, and mendicants, provide them with lodging, food and drink, and hand over monetary donations to them. All of this was known to the parishioners and they accepted it, even expressly agreed with it. Therefore, charitable donation was done with the agreement of the community. It could be said that it was an expectation, a rule, a community norm that one should give to the more or less needy, the future priests and teachers of the church (and others), the professors who educate them, the colleges that provide a home and represent a bastion of faith and science. The curate acted in full awareness of this. Of course, we cannot forget about the expectations of the higher ecclesiastical governing bodies either. Under such circumstances, a custom within the framework of the church, since it had a legal content, can be considered a legal custom.

On the other hand, it can also be said that the students encountered several groups of legal norms during legation and supplication. On the one hand, the rules, regulations, customary laws, and legal customs of state and local polities, higher authorities, and boarding schools associated with the college. On the other hand, the customs and legal customs developed,



accepted, and observed among the students, in the community of the college. Thirdly, in relation to the parishes visited, the practices and legal customs there. In Monoszló, legal customs developed around the distribution of the donation, its size, and the reception and care of the legate, suppliant, and mendicant.

Legation and supplication had considerable significance in several respects. It represented the connection between the church and the college (including the students). The legates and supplicants primarily received monetary and in-kind donations, gained experience, observed practices, got to know landscapes, settlements, and people, learned how to establish and build relationships, and observed the speech and behavior of the nobles, pastors, and teachers. They also gave back, of course: they revitalized the church life of Monoszló and other settlements, they delivered sermons whose content differed from the usual, they relayed news, spread the elements of secular and ecclesiastical culture, including student poetry and folklore. For them, legation and supplication were not only a gainful activity but also a challenge, adventure, tribulation, and fun.

## DOWER, MORNING-GIFT (*MÓRING*)

Primary or higher-level schooling was sooner or later followed by marriage. This great turning point in human life was associated with the pledge of dower among the gentry of the Káli Basin in the last third of the 18th century and in the 19th century. In a minority of marriages and where the necessary assets were available. The *móring* [morning-gift] developed from the legal institution of the dower through customary law and legal customs, and is a particular version of it. *Móringolás* was the pledging of a *móring*, an obligation of the person pledging a dower, a legal folk custom. In addition to the gentry, it was also used among peasants and tradesmen, albeit with some delay. In the following, however, I look almost exclusively at dower and morning-gift among the gentry.

According to legal historians, in traditional law, the dower (*dos*) is the lawful wife's claim to her husband's property, established by marriage or contract, in the event of the termination of the marriage. In other words, there was a "legal dower" (*dos legalis*), which the widow was entitled to based on customary law, and later common law, if the marriage was consummated; and there was a "contractual" or "written dower" (*dos contractualis*, *dos scripta*), which could only be enforced on the basis of a written agreement. The legal dower followed from customary law and common law, the written dower contract had to be concluded before the marriage, and its amount could not be less than the legal dower. The dower could be claimed upon the termination of the marriage, most often upon the death of the husband. The legal dower was charged to ancestral property, but it could also be paid out of acquired wealth. The right to dower was forfeited in some cases, for example when the wife committed adultery (BÉLI 1995:53–55).

It is well known that the customary laws collected by István Werbőczy and contained in the *Tripartitum* (1517) served almost as a Bible for the nobility until 1848. Werbőczy described the concept of the legal dower, indicated its amount, and explained the rules for the payment of the dower. Following Werbőczy, the notion that the dower is a reward the wife was entitled to for her marital obligations later became dominant. This in particular meant the loss of virginity, consummation, and conjugal fidelity. There were also additional interpretations. According to these, typically in both the feudal and the bourgeois eras, the contractual dower primarily meant





a loyalty reward from the man to the woman, and occasionally from the woman to the man. *Viszontbér*, or curtesy (*antidos*, *contrados*), was the pledged dower in favor of the husband.

Even after the laws of 1848, certain noble privileges prevailed — i.e., the differences between nobles and non-nobles, such as the ones defined in Statute XXII of 1840. Especially with respect to legal entities and obligations, that is, persons and amounts, as defined in §85 of the law on dowers, i.e., “the *móring*, in colloquial language.” Legislation to eliminate the differences was delayed for a long time (K. NAGY 1891:161–162). The amount of the legal dower was determined by the above-referenced law of 1840. It is worth noting that a woman could demand the legal dower in addition to the contractual dower, or more precisely, if the contractual dower’s amount was lower, the difference up to the amount of the legal dower (FEHÉRVÁRY 1932:148).

According to ethnographer Miklós Szilágyi, the dower or morning-gift agreement is an independent type within marriage contracts. This can be interpreted as an advance will or a lien on the husband’s property. He pointed out that in folk practice there was no general requirement for contracts to be in writing, but this was an exception, in view of possible legal disputes later (SZILÁGYI 2000:725–726, 729–730). For my part, I see the reason in some additional circumstances. Such as, upon the contract’s execution and fulfillment at a later date, the not insignificant property value and the potential heirs’ claim to the property.

The dower contracts I studied bear witness to the practice and legal customs of the nobles in the Káli Basin. Although the morning-gift practice was put into writing, only some of those contracts survived. Others, especially those that had become moot, were not preserved by the families. The earliest “morning-gift letter” dates from 1777, the latest from 1885. The contracts created during a period of more than a hundred years had somewhat different contents. Just as human destinies differed from one another, so did the morning-gift letters contain different things. However, certain general trends and similarities can be observed.

Until the mid-19th century, the term “morning-gift letter” was usually used to identify these documents. After the defeat of the war of independence, they essentially used the term “marriage contract.” However, the inhabitants and nobles of the basin continued to use the term “morning-gift letter” colloquially and preferred *móring* over dower, up until the 20th century. The agreement was almost always made before the marriage, typically during the betrothal. The parties to the contract were the groom and the bride. And though in most cases, according to the documents, the contract was made between lovers, the determining factor was the will of the parents. In some cases, the consent of the closest relatives was also required. This was indicated in the preamble. An indispensable ingredient here was a declaration of love for the future spouse in elevated language, sometimes with reference to divine will and the sanctity of marriage. Some contracts used particularly lofty expressions and long sentences.

The pecuniary pledge of the morning-gift can be found in the substantive section of the contract. In several cases, in addition to conjugal love, with reference to the laws and customs of the country. Most of the documents are about the “morning-gift.” They either use this concept specifically or refer to it through action: “I was doing *móring*” (1777, 1829), “I am doing *móring*” (1854), “I offered a *móring*” (1839). The object of the contract was primarily money, but it could also be immovable or movable property. The former was vineyards in particular, the latter livestock or furniture and textiles. A reference is made to the fact that in all cases, the husband’s death, childless, i.e., without offspring, is a condition for the payment of the dower the wife is entitled to. There are cases where the wife’s moral behavior and the preservation of her widowhood are also included as conditions.



Reciprocity of service applied only in a few dower contracts. In other words, that they agreed on the *counter-móring* (curtesy) or something else, which the woman pledged would be issued from her side. In the spirit of reciprocity, the condition of this was the wife's preceding death and childlessness. In the legal customs of the Káli Basin, the bride's curtesy amount was lower than the groom's, even when it came to money. The curtesy could include furniture and textiles, which largely came from the woman's dowry. Often in the substantive section, the parties to the contract, the future spouses, also made provisions regarding community property, that is, about their joint acquisitions. One of the solutions was to leave their share to the surviving spouse. Another solution was to designate alternate heirs, or in their absence, the community property was left to the relatives of both sides. The closing section of the document contains the signature of several people. It usually shows the signature or X-mark of the bride and groom. However, in some cases the bride's signature is missing. It is not uncommon to find the signature or X-mark of the father or mother from either side. Sometimes there is even the signature of the groom's brother. Often, the best man or master of ceremonies signed as well.

Dower contracts, which are in later terms considered private documents, were probably drawn up by local pastors, rectors/teachers, notaries/clerks, and educated nobles.

I found hardly any data regarding the fulfillment and implementation of the provisions of the dower contract. In connection with the 1777 deed, in 1804, the beneficiary of the morning-gift and the heir reached a settlement before the juror and the clerk: in terms of money and the use of immovable property.

Historical legal precedents, customary and statutory laws, as well as legal customs influenced the dower and morning-gift contracts among the Hungarian nobility. The practice of the upper nobility influenced that of the middling nobility, which in turn served as an example for the peasantry, both in terms of content and form. It must be emphasized, however, that in the Káli Basin, the custom of pledging a dower was primarily prevalent among the nobility. The legal customs that were in use were associated not with the legal dower but with the contractual dower, the morning-gift. The custom of morning-gift on the part of the bride is particularly noteworthy because of its content, amount, and connection with the dowry. From the late 19th century, starting in 1886, with the mandatory recording of marriage contracts by a notary public — at the same time as embourgeoisement — legal customs started to decline.

## LEGAL CUSTOMS OF SUCCESSION

Death is the last major turning point in human life, connected with succession and the legal customs of succession. The essence of succession is that a person's property is transferred to the surviving heir according to a specific order. During feudalism, the succession rights of nobles and serfs were different. Customary and statutory laws primarily applied to members of the nobility and were more detailed. Family property was inherited in the order of descent based on the laws of descent. For donated property, too, but limited to a narrower circle of relatives. The acquired property was inherited according to the acquirer's provisions, or in its absence, on the basis of the law of descent. There was "intestate" and "testate" succession.

In intestate succession, the father's property was inherited by the father's heirs, and the mother's property was inherited by the mother's heirs. First in line were the descendants. From the inheritance of the father, from all his property, the male children born out of a legal wedlock



received equal shares. Except for the family house, which the youngest son was entitled to; and the family documents, which went to the oldest brother. Women born out of a legal wedlock inherited equally with their brothers from property acquired outside of donation, i.e., non-entailed properties; from the donated estate, if the charter extended the inheritance to women; from entailed and acquired maternal property, as well as from movables. In the case of the latter, however, the archives and weapons went to the men. In the absence of descendants, ascendants became the beneficiaries. If there were none, collateral relatives.

Noble persons could make a will about movable assets and property acquired outside of royal donation; about entailed property, only if the testator had no legal heirs. A testament could be drawn up in an official place or before certain officials. In other cases, it was possible to make a will before five, in exceptional cases six, witnesses. A handwritten testament could be made for the purposes of charitable donations, by soldiers in wartime conditions, and by parents exclusively for the benefit of their children. In certain cases, an oral testament before two witnesses was sufficient.

Without going into detail, the special rights of women should be mentioned primarily in relation to intestate succession. This included the following: daughter's quarter, right of an unmarried woman, dowry, bride-price, widow's rights. The latter meant that a widow was entitled to adequate housing and care. This was charged to the husband's real estate assets until the wife died or remarried. In the latter case, she had the right to marry. The noble widow inherited a child's share of her husband's movable property, as well as the husband's robes, wedding ring, and their shared carriage with the horses. Spouses acquired common property together, from which the surviving widow of noble status, in case there were descendants, inherited half. Until the mid-19th century, the nobility of the Káli Basin generally followed the customary laws laid down by Werbőczy.

1848 created an unbridgeable gulf between Hungarian succession laws that came before and ones that emerged afterward (SZLADITS 1939:18). Enormous changes were brought by Statute IX of 1848 with the abolition of fief ownership, and Statute XV with the abolition of entailment. On the basis of the latter, the distinctions between royal donation and non-donation estate, son's and daughter's property, as well as the resulting legal relations, together with the associated daughter's quarter and the right of an unmarried woman, were considered abolished.

Before the equal rights of nobles and non-nobles had been ensured, gender equality was already established in 1840 — at least in terms of succession and before the law. Until 1848, the vast majority of succession laws could be found in the *Tripartitum*. After the failed war of independence, the *Austrian Civil Code* was temporarily introduced, so that the 1861 Conference of Judges Royal could then create the *Provisional Legislative Rules* that became necessary due to all the changes. The latter were not laws in the jurisprudential sense, just like the *Tripartitum*, but served as a guideline until the Civil Code created after the Second World War came into force (MEZEY 2007:188–190). We can also mention two laws of the bourgeois era (Statute XXXV of 1874 and XVI of 1876), which addressed the formalities of wills.

After 1848, essentially the same statutory and customary laws applied to nobles and non-nobles. However, among the nobility, certain earlier legal norms pertaining to them continued to exist as legal customs even after 1848. There were also legal customs that existed in the practice of both nobles and non-nobles. Below, I would like to mention some legal customs and legal institutions that were typical in the researched area.



Distinguishing between male and female heirs continued. Even in the third quarter of the 19th century, male children inherited more than their female siblings. However, equal succession emerged faster in the basin compared to other regions. Regarding the technique of distribution of the inheritance, *minorátus* [ultimogeniture/junior rights], or the prerogative of the youngest son, clearly prevailed in the Káli Basin. Though everyone tried to acquire real estate according to the reasonable perpetuation of their business, their individual interests, and orientation at the estate distribution, oftentimes no agreement was reached. That is why the distribution technique was developed. According to earlier practice, which still prevailed between the two world wars, the youngest brother had first choice from the inheritance shares of equal value. It was common for the eldest son to divide the inheritance, and the youngest to choose first. This method of distribution, considered by many to be fair, was replaced in the 20th century by a new one, in which luck came to play a more prominent role. The heirs cast lots, drew lots, drew tickets. The in-kind division and partitioning of real estate was especially common in the case of house sites, house plots (*sessio*). The structure of the settlements also bore the mark of this. From the 18th–19th centuries, there are data on the division of the paternal plot into several parts, up to five or eight. When dividing the movables, the sibling that stayed longest in the parental home often claimed the right to the furnishings. Equipment for economic activities, such as ones used in viticulture and wine processing, were inherited by the male descendants. Women mostly inherited furniture, textiles, and kitchen goods. Heirs who did not concede to each other, both in immovables and movables, often insisted on an equal share in an unreasonable way.

After the testator's death, the descendants could maintain the shared ownership for a longer or shorter period of time. The postponement of a "class settlement" most often took place when the children were minors or the siblings had not yet married, so there was a commonality of interests. The "class," the community of property, was terminated by contract or lawsuit. Because of the legal customs, the former is germane to us. In the Káli Basin, data indicated that the relatives concerned even changed the existing class settlement after a few years, made a new agreement, for which they utilized the assistance of a county official. This is what happened in 1774 in the case of the Baky family from Kővágóörs. A class settlement was not subject to documentation obligation, but its recording could be of great importance, for it could serve as evidence in later disputes about the origin of the ancestral property and the property of collaterals. Class settlement most often took place after the death of the father, less often both parents.

Property and entitlements that remained in joint ownership must also be discussed separately. According to the rules of efficient management, above all, the forest was left in joint ownership. The small size of an inherited property also spoke against division. It was the same with the house lot. They left it to joint use, i.e., they shared the feudal usufruct rights. The virtues of class contracts included clear structure and concise language. In the preamble, the descendants who made the contract recorded their kinship with the testator, pronounced it, and let everyone know that they were making a contract. In the usually long section of recitals, they listed the assets, indicating right away who gets what. They started with the inside lot, the house sitting on it, continued with the vineyards and fields, and ended with the meadows and forests. At the end of each section relating to a segment of cultivation, they indicated what was left "in the use of the entire kinship," i.e., in joint ownership. The document was endorsed with the date and the signatures of the parties.



In the Káli Basin, a surviving widow could also receive provisions in kind from the heirs. This actually took its form in the early 19th century under the name *intertáció* [alimony/maintenance]. The exact, original designation was *intertentio*, which earlier, in the 18th century, meant land retained by the widow to cover her livelihood. The heyday of intertation was in the 19th century, when it was common primarily among the gentry and the more affluent peasants. It was common for the widowed parent to be taken in by one of the children, while the other siblings committed to providing a specified amount of produce, or possibly money, every year. In this way both the material conditions of livelihood and caregiving were ensured. In exceptional cases, the maintenance of the grandparent was left to the grandchildren, in which case intertation was also used.

Statutory and customary laws and legal folk customs provided guidance to the people of the villages as to how their property was inherited and how they were inheriting. In contrast, a testament was used for purposes that deviated from general practice, for personalization purposes. A detailed examination of wills showed that they reinforced folk legal practices and reaffirmed them, too. At the same time, testaments were not common. One of the reasons for making a will was that they wanted to give more, or perhaps everything, to those who regularly worked on the estate and took care of the parents. In 1827, Gáspár Györffy from Köveskál justified his will by saying that his two younger sons were “Sufferers and Farmers” like him. Another common reason for making a will was that decedents who died without descendants wanted to influence the further fate of their property. In the feudal age, this was meant to thwart *caducitas*. The “seedless” often took in a relative who had been chosen as their successor. As the widow of János Fejes, who made his will in 1844, wrote that Zsófia Csősz, born in Monoszló, had been raised by her for several years. Another reason for making a will was the fact that the testator used this last opportunity to prove that the property was acquired, not entailed. From the late 18th century to the mid-20th century, testators usually asked a notary/clerk to prepare the will. Lawyers were rarely involved. Occasionally, a pastor was requested to perform this task. Certain members of the community’s leadership were often present when the testament was being made. The will called “testament,” sometimes “testamentary letter,” was made with a structure reminiscent of medieval documents. In the introductory section, the testator referenced their personal condition. They declared their capacity to act with a formula. In the next section, they listed assets, claims, and debts, simultaneously making provisions as to their fate. In wills, naming an heir and bequeathment were often fused. For the salvation of their own souls, church members for the most part bequeathed a sum of money, less often real estate, to the local church. The early 19th-century account book of the Reformed Church in Monoszló lists clearly the individual and the amount bequeathed to the church. Several of the people from Köveskál bequeathed the college in Pápa — they even established a foundation. The operative part of the will was followed by an endorsement, verifying the act of the disposition and its authenticity. There were usually several witnesses, but in the feudal age they did not always reach the required number of five or six. Persons holding an office were preferred as witnesses, which rendered the will “official.”

From the mid-19th century, no fundamental differences can be detected in the customs of people from different religions and legal status in the Káli Basin, or in the customs of the individual settlements. The existence of certain legal folk customs, however, was closely related to the financial situation of the families.



## VINEYARDS AND WINE DURING FEUDALISM

The eight communities of the Káli Basin had poor farmlands and fields but were blessed with abundant vineyards. In contrast to the grain crops yield of the settlements' low-quality, meager farmlands, a thriving viticulture has been pivotal here for centuries. When examining legal transactions related to vineyards from the second half of the 18th century to the mid-20th century, the circumstances of feudalism and the bourgeois era must be distinguished. The feudal period, the age of traditional law, is particularly interesting for posterity.

First of all, it is necessary to address legal capacity, i.e., who and to what extent could be the subject of private-law legal relations, the bearer of rights and obligations. In feudal Hungarian law, in general, all people had legal capacity, but the scope of this was limited by several factors. Only noble men had full legal capacity during feudalism. A “semi-noble,” i.e., agile man, was not subject to lordly authority: as a person he was a freeman, but he only had full legal capacity with respect to his property inherited from his mother. A male serf had limited legal capacity, was under private law authority, and owed services to his lord for the land he used (BÉLI 1995:2–7).

The basic unit of a noble property was an enclosed plot that was curial, i.e., owned by a nobleman. Regardless of the size of the residential building on it, it was classified as a *curia/manor* in legal terms, with a *fundus*, i.e., enclosed parcel. Additionally, there were adjoining outlying parcels, originally mostly the size of an entire serf plot. But unlike serfs, they were essentially exempt from taxation and other burdens until 1848. In view of the differences in legal capacity, not everyone could own just any kind of property during feudalism. Thus, a non-noble could not acquire noble property until 1844. On the other hand, one could say almost anyone, regardless of social status — noble, agile, serf, cotter, tradesman — could own a vineyard, without owning the land, just occupying it. The inhabitants of the curial villages of the Káli Basin were mainly the curialists, the one-plot nobles. In addition to their own work, cotters or sharecroppers could also serve them on the noble estate. Petty nobles who did not own land usually entered the service of someone else. They were at the bottom of the noble hierarchy, in local terms, they were *kódís nemesek*, i.e., pauper nobles.

Feudal law did not limit the size of the vineyard that one could acquire. Special rules have been established for vineyards, both in terms of land and vegetation. That is why the ownership of the land and that of the vegetation and the grapevines were very often separate. In the Káli Basin, during feudalism, two main types of vineyard ownership developed. The simplest and purest form was the one in which the owner of the land and of the vegetation planted on it, i.e., the grapevines, were the same person. Naturally, this was very common considering the large number of petty nobles and agile people living in peasant status. They planted and cultivated their vineyards themselves, with their families. The somewhat more affluent gentry hired a wine-grower to tend the vineyard. The other type was the equally common *dézmás* [tithed] or *hegyvámos* [terraced] vineyard. In this case, the feudal ownership of the land did not cease even when someone else planted grapevines on it — it remained the property of the nobleman. Serfs, cotters, and other users were granted greater privileges with regard to vineyards. The vineyard was not part of the fiefdom (lands). At the same time, the occupier or user of the land, i.e., the owner of the vineyard, had to provide the owner of the land with a certain





percentage — ranging from one fifth to one tenth — of the harvest each year, i.e., *dézsma* [tithe], or a specified amount regardless of the annual harvest, i.e., *hegyvám* [terrage/mountain tax]. In the case of a vineyard that was subject to tithe or terrage, ownership of the land and the vineyard were separate. At the same time, the owner of the vineyard not only occupied, used, and reaped the benefits of the vineyard, but could sell, trade, and mortgage them with the landowner's consent. Of course, he retained the obligation to pay the tithe or terrage.

During feudalism, there were basically three ways to acquire vineyard land (ÉGETŐ 1982:87). One, if the land was granted into possession (use) for the purpose of planting vegetation and vines. Two, through a sales purchase; and three, through inheritance.

In the Káli Basin, vineyards owned by the gentry that were subject to terrage were very typical. Among the nobility with estates, it was common to grant land for vineyard cultivation, and legal customs prevailed in this regard. Renting out a vineyard in this way could be done either by a person of noble status or by a non-noble.

When buying and selling a vineyard, one cannot ignore the fact that feudal ownership was more limited than ownership in Roman law or ownership in the bourgeois era. There was no free disposal: it was tied to family and kinfolk, among others. According to the *Tripartitum*, which regulated the rights of the nobility, sons, daughters, and other classes of kinfolk that were considered legatees had to be invited to purchase, i.e., they could use their right of pre-emption, so they were prioritized over others in the purchase. Non-class kinfolk and neighbors had less rights, because the seller was not obliged to offer them the purchase. But if they wanted the property, they still enjoyed priority before strangers. These rules were fundamentally followed in the Káli Basin until 1848, but even after 1848, they lived on as legal customs, albeit to a lesser degree. A petty noble could sell his vineyard — subject to the above restrictions — either by selling both the land and the vegetation, or by selling only the vegetation, the grapevines. In the latter case, he was entitled to a terrage (mountain tax). Sometimes a petty noble or agile may have sold the vegetation of a vineyard established on land (*fundus*) owned by the church. They received a purchase price from the new owner. Of course, the latter retained the obligation to pay the terrage to the church. According to local custom, the terrage had to be provided in suitable wine in a good barrel by St. Simon and Jude's Day (October 28). In some cases, the terrage was paid in wine and money. Sales contracts were usually put into writing under the name *Bévalló Szőlő Levél* [Vine Disclosure Letter].

The third, common legal way of acquiring vineyards was inheritance. The extant documentary material is relatively rich with regard to class settlements and wills related to inheritance. Given that inheritance has already been discussed, I will mention only one peculiarity here. Namely, in view of the fact that among the nobility, due to the large number and extent of vineyards, in inheritance and class settlements, the daughters also usually received their share in kind, i.e., grapevines.

In the frequent legal declarations and legal transactions related to vineyards, the legal provisions and customary laws of the country were observed in the Káli Basin during the feudal era. In addition to these, however, the rules of local customary laws and legal folk customs also prevailed. The good number of extant documents are for the most part in eloquent Hungarian, beautifully and neatly worded. They have a characteristic legal style, rich in legal terms and expressions. This is particularly interesting and valuable because for most of the feudal age, the language of laws, procedures, and legal literature was mainly Latin.



## THE HERDER CHILD

It has been mentioned several times that viticulture played a major role in the Káli Basin for centuries due to its natural geography. In rocky and low-quality fields, grains and root crops could only be produced for self-sufficiency. Animal husbandry was more profitable, but even this was partly subordinated to winegrowing (SELMECZI KOVÁCS 1983:13–15). In view of several circumstances, it was primarily cattle that was raised. When it comes to guarding and grazing, we have to mention three categories. First, when a shepherd guarded the flock for the entire community. Second, when a single, affluent gentry hired an adult person, a shepherd, to guard his own large flock of animals. Third, when the animals were overseen by a “herder child,” as was the case with less affluent persons, from petty nobles to farmers who were serfs or cotters. There were maybe four or five, at most ten, of these in these former petty noble and serf villages. The herder child was typically a phenomenon of the first half of the 20th century.

There were multiple reasons for using herder children. On the one hand, the farmer owned a pasture, separate from the common one, where a smaller herd of animals could be grazed by the herder child. On the other hand, the villages of the Káli Basin and the settlements close to the basin were inhabited by a poorer stratum, usually with many children, who had no choice but to make their children earn a living. The cheapness of child labor was also a strong argument in favor of the use of herder children.

In general, the ten-to fourteen-year-old sons of poor peasants and the indigent, or those who were orphaned, were expected to become herders upon dropping out of or finishing school. The more needy took a job at the age of seven or nine. Girls were only put to work as herders after completing their education. The contract was concluded by the farmer and the child’s father or mother. It was not put in writing. In many cases, a long-term relationship developed between the farmer and the herder child’s family, which also transferred to other economic activities. The family put the child to work preferably within the village. But when the village became overcrowded and there was no vacancy, they went to the neighboring village. Occasionally there were three herder children from a single family at the same time. Children from outside the basin came primarily from Monostorapáti and Kapolcs, while from Mindszentkállya they ventured beyond the borders of the micro-region. Herding often only extended to the summer, during school holidays (in the broad sense). Other times it lasted from spring to autumn, from St. George’s Day (April 24) until St. Michael’s Day (September 29) or Prince Imre’s Day (November 5). In other words, from turnout to corraling. Each child was entrusted with ten animals at most, but generally fewer than that. It was common to guard three cows, two larger calves, and one or two heifers. In this regard, the age of the child and the financial status of the farmer was a significant factor. Herder girls were always entrusted with fewer animals than the boys.

Herder children knew neither holidays nor Sundays — the animals had to be driven out every day. The cattle were able to graze peacefully in the early morning and late afternoon. The child drove the animals home at noon, then drove them out again. Herder children were remunerated in kind, or both in money and in kind. In all cases, their allowance included meals. Remuneration usually meant that the farmer bought the child a change of clothes and a pair of boots, that is, clothes and footwear, at the end of the service. If employed in the village, the children often lived at home, otherwise they stayed at the farmer’s home. The herder child addressed his master as “Sir” and his surname. Those of noble origin demanded to be



addressed as “lord/sir” and “lady.” A more benevolent farmer called the deserving ones “son.” However, most often they were only addressed as: “Hey kid!”

Herder children were servants in the legal sense, but the laws regarding servants did not apply to them. In fact, a practice contrary to the law developed, although alongside it, to a lesser extent, there were also functions that enhanced, supplemented, or substituted the law. All of these in the form of legal customs. A child under the age of twelve was not of legal age, so employing them as a servant was prohibited by law. In other words, a *contra legem* practice has developed in this respect. The contract concluded by the child’s representative was considered null and void in legal terms, but it still existed in practice. Its provisions were usually followed. The farmer did not observe other restrictions on child labor either. Although the relationship between the farmer and the child was characterized by a high degree of subjection, pasturing and working outside the village still allowed the child some freedom. In this way, they could sometimes even have fun together with their peers in a similar situation.

## THE ENDURING PAST

In the Káli Basin, the remains of the estates and the relics of the noble past continued to live on in many areas of life even under capitalist conditions (FÁBIÁN 1970:802, 803), and some of them endured until the regime change around 1990. Several elements and institutions within the tangible and intangible culture ensured or facilitated the endurance of the differences between people from different estates over a longer or shorter period of time. I would like to highlight some of these differences.

Within the framework of civil society, reference to noble origin was acknowledged, accepted, used, and even considered legitimate by private individuals and state bodies in connection with farming, strongly influencing the persistence of awareness regarding origins. Even between the two world wars, the Noble Estate of Monoszló (*Monoszlói Nemesi Közbirtokosság*) and the Noble Estate of Kővágóörs (*Kővágóörsi Nemesi Közbirtokosság*) were listed as such among the forest owners. Just a few years before the great social changes, in the early 1940s, the Noble Forest Estate of Kővágóörs (*Kővágóörsi Nemesi Erdőközbirtokosság*) still held its general assembly under this name, and the Grazing Association of the Noble Estate of Köveskál (*Köveskáli Nemesi Birtokosság Legeltetési Társulata*) also operated under this title. This separation was also reflected in the unchanged geographical names. In Kővágóörs, the names of certain land features included *Nemesföldek* [Noble Lands], and in Salföld, *Nemeslegelő* [Noble Pasture] (JANKÓ 1902:73). To this day, some settlements have preserved the forms, crowding, and lot fragmentation resulting from their noble past (PALÁDI-KOVÁCS 1981:166). Even in the Káli Basin, family members divided the noble homestead among themselves several times and built newer and newer buildings on it. I found quite a bit of information in the family archives about the division of the plots. The division of the plots and the large number of Györfly family members played a significant role in the notion that in Köveskál, the Györflys occupied the center of the village, residing in the large houses. We can also find traces of tribal/clan organization behind that statement. Living side-by-side, within a shared courtyard, could nurture the feeling of belonging and a sense of common origin, but it could also give rise to friction and quarrels. Especially if the new property created by the division was not directly



accessible from the street, only through the neighboring property. The fraught relationship and the sense of complete freedom within the noble *fundus* may have increased the disorganization of the settlement.

The beautiful monuments of folk architecture in the Káli Basin are the stone houses, with stone or brick arches and decorated with plaster, which reflect the influence of the great European style trends and express the sense of stratification among the petty nobility. Most of the houses with arcaded porches bearing traces of Baroque architecture are located in Balatonhenye and Kővágóörs. They were primarily residences of the nobility and *honorácior* (non-noble, intellectual) classes, and were mostly built in the first third of the 19th century. Buildings with projecting porches inspired by classicism can be seen mainly in Köveskál, Kővágóörs, and Szentbékállá. Inside the residences of several noble descendants, pieces of furniture reminiscent of the bourgeois housing culture of the late 19th century, which differed from the peasant style, could be found until the end of the 1980s.

It is well-known that petty noble families kept track of the origin and history of families within the village, especially their own and their kin, far more than peasants (PALÁDI-KOVÁCS 1981:169). In the Káli Basin, even in the 1980s, the older noble descendants could name which families were of noble origin, and listed their own direct ancestors and collateral relatives by name going back several generations.

The consciousness of noble origin was amplified by literacy. The preservation of family documents was also related to the preservation of the memory and history of the ancestors. In a typical fashion, the 96-year-old Kornélia Gyenis from Köveskál, who died in 1973, leafed through her family documents twice a week even in her last days. She enjoyed talking about her ancestors when relatives visited.

In their keepsake boxes, there was a good number of documents related to the family's joint farming and economic activities, which once bolstered a sense of belonging, later increased the consciousness of origin and guided the family through the tangle of kinship relations. Exercising their regalian right, the Györffy family founded and built a family mill near Köveskál in 1760. It united the largest and most prestigious family of the village for 140 years, until 1900. Together, or through the mill steward chosen from among them, they maintained control over it and shared in its income. At a kind of family meeting, known locally as *atyafiságos gyűlések* [gathering of kinfolk], they gave an account of management, expenses, and income. The data was recorded in the book of mill stewards. Pursuant to the charter, no one outside the family could acquire a share in the mill. In the spirit of family togetherness, a jovial mill dinner was held every year on St. George's Day (April 24) with the participation of all of them. From the large bread baked for the occasion, each family member received a slice, called a "Györffy slice," and it was also sent directly to those who were absent. The use of geographical names such as "Györffy garden" behind the "Györffy mill," and "Györffy well," that survived up until the time of the research, can be considered a booster of the noble consciousness. Members of other noble families could also see the names of their ancestors, often with the distinction of nobility (N., Ns.) on documents, on the plaster decoration of the facades of houses, on tombstones, or as property marks on a wide variety of movables. In the second half of the 19th century, the noble insignia of a five-point crown and the owner's monogram were also added to the linen tablecloths woven in the Spiš region. They used noble titles, crests, and nobiliary particles (*predicatum*), but not uniformly. The noble title began to be omitted from the names on documents in the early 1850s. Due to the different nobiliary particles of the two branches of



the family, the Csekő family from Monoszló retained the predicatum perhaps for the longest, until around 1945. The crest was used more by those who attained office, as a seal. In the first half of the 20th century, they held administrative and judicial positions, and the intellectuals began to use their nobiliary particles, displayed their crest on the wall of their room, printed it on their business cards, and many even made a pedigree chart. The legacy of the estates prevailed in human relations in Köveskál almost until the time of the research. Up until the 1950s, in the context of titles of nobility, they expected to be greeted first, and be styled as “Sir,” “Lady,” “Maiden.” Rank, and especially style, was very important to them. Wives especially made sure that their husbands were addressed with the right title. They admonished those who made a mistake. In Kővágóörs, however, titles of distinction were mostly abandoned between the two world wars, while in Monoszló the style of address *nemzetes* [noble/notable] ceased to be used after 1945. In Köveskál, despite the statutory ban, the style *nemzetes* persisted as a legal custom. According to non-noble descendants, such deference was obligatory before 1945, and expected after the Second World War. On the other hand, the descendants of the petty nobility claimed that after the Second World War they did not insist on this. With some pride they claimed that people only stopped using the *nemzetes* title when they were encouraged to abandon it.

In the late 19th century, older noble men and women from the Káli Basin visited their relatives in other regions once a year — especially if their economic situation allowed it — in the spirit of patriarchal relationships. And relatives living in the same village were constantly visiting each other, spending together important holidays, the name day of the farmer and his wife, or the harvest. The more affluent ones tried to help their poorer kinfolk, especially those with children and the elderly. Even at the time of the research, descendants of the petty nobility were informed, open, conscious, and proud of their origin. The people from Köveskál were the most haughty, clinging to their past. Before 1945 it was often said: “Noble, notable people live here.”

The safekeeping and custody of the aggregated documents of a noble family and *clan* was the privilege of the oldest brother only according to traditional law. From the mid-19th century, new regulations abolished this privilege. Nonetheless, some petty noble families still adhered to the earlier legal norm for a while. After that, it was believed that a *male descendant*, especially the *first-born son*, had the right and obligation of document preservation. At the time of the research, however, this principle no longer prevailed. As an example, the documents of the Kenessey family were kept by Kálmánné Györffy Kornélia Kenessey together with her husband, namely in a painted keepsake box. The inscription revealed the name of the creator and the time of creation: *N. SOMOGYI GERGÖL 1797*. Erzsébet Györffy safeguarded the keepsake box of her family with a long lineage. Its caption read: *Property of Köves Káli Ns. Györffy family 1823*. Several noble keepsake boxes from earlier times were also mentioned. In addition to family boxes, we also know of community keepsake boxes. The mayor’s chest, made in 1839, from the noble Monoszló locality, which held documents dating back to the 13th century, is now in the state archives.

Until the mid-20th century, the petty nobles of the Káli Basin married only among themselves whenever possible, or with those from the neighboring noble villages. They kept score of the offices and merits of their predecessors, held onto their place in church that signified their rank, and prevalently used family burial grounds. They bore their classy-sounding, grand names with pride.



## FINAL THOUGHTS

In the period from the 18th century to the mid-20th century, great changes took place in the lives of persons with noble legal status, as well as families, communities, curial settlements, and later villages. At the same time, very diverse living conditions developed between people of different legal status, financial status, and social hierarchy in terms of the management of vineyards, arable lands, forests, pastures, animal husbandry, and other areas. All these made the legal folklore and legal customs of the Káli Basin special, including those of the gentry. In addition to the high number and variety of social relations, it is striking how many legal folk customs and legal institutions existed here in a very concentrated and intensive manner. The legal life of the petty nobility of the Káli Basin was, after all, part of the legal life of the gentry of the Balaton Uplands, yet it was still special. Different eras of legal history and legal folklore were layered here.

Just as the attractive landscape, natural splendor, brilliant works of the built environment, luscious wines, and Mediterranean climate enchant visitors to the basin, so did the legal life of the gentry, the richness of their past legal customs charm and hearten the researcher coming here in the 1980s.

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