

The Register of a Convent Controversy (1517–1518)  
Pope Leo X, Cardinal Bakócz, the Augustinians,  
and the observant Franciscans in contest

A körmendi kolostorper jegyzőkönyve (1517–1518)  
X. Leó pápa, Bakócz bíboros, az ágostonosok  
és az obszerváns ferencesek vitája

HISTÓRIA KÖNYVTÁR

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OKMÁNYTÁRAK 3

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JEGYZŐKÖNYVE  
(1517–1518)

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Közreadja

ERDÉLYI GABRIELLA



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2006

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CONTROVERSY  
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Edited by  
GABRIELLA ERDÉLYI

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*For Katalin Péter*





*First part*

**INTRODUCTION**



I.  
THE SOURCE AND ITS  
CHURCH HISTORICAL CONTEXT

ABOUT THE REGISTER OF THE PROCESS

I carried out research on Hungarian sources in the Vatican Library and Archives in the first months of 1998. During this, as a result of a reference to Thomas Bakócz, archbishop of Esztergom (*Strigonien.*) in a manuscript index volume, I happened to find the register of the apostolic examination conducted in the case of the mendicant convent of Körmend in 1517–1518.<sup>1</sup> The register, bound in a separate volume, is in fact connected with the activities of Cardinal Thomas Bakócz, archbishop of Esztergom and primate of Hungary, who was not only a participator but also an active shaper of this age of manifold changes and was, to this day, the only Hungarian cardinal who had a chance to ascend the papal throne.

In the present case, he appears as the landlord of the market town of Körmend and the patron of the convent in the centre of the town. In 1513, referring to the negligent and scandalous conduct of the Augustinian hermits living here, he asked Pope Leo X (1513–1521) for authorisation to reform convent life by introducing another mendicant order. With the pope's permission, the convent was transferred in 1517: the Augustinians had to leave after an examination including witness interrogations, and their place was taken by observant Franciscans in accordance with the

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<sup>1</sup> Biblioteca Apostolica Vaticana (BAV), Manoscritti, Barb. lat., vol. 2666 (below as *Processus*). – For Körmend and the dioceses of Hungary see map 3 after page 192.

instructions of Bakócz as papal legate. However, the Augustinians appealed to Rome against the archbishop's procedure, as a result of which the Medici pope ordered a local re-examination of the case.

The Vatican collection has preserved for posterity the original register of the 1518 examination conducted upon papal instructions, later sent to Rome. The volume consists of two major parts: the first 60 pages record the different phases of the apostolic process, the advocates' arguments, the charters (the legate's patent expelling the Augustinians, briefs of advocates etc.) which were presented as evidence, and the documents of the process (peremptory writ, instruction to conduct witness interrogation, judge's report etc.). The following *ca* 160 pages contain the testimonies of the 49 witnesses. The extraordinary significance of the source consists in this latter part: at present, no other protocol of witness interrogations is known of a comparable nature and of a similarly detailed manner from contemporary Hungary.

In the following years, I dedicated myself to the study of 15<sup>th</sup>–16<sup>th</sup> century history of church, society, and culture, and wrote the story of the events at Körmend in various studies and a monograph.<sup>2</sup> For the opportunity to publish the register itself, I am indebted to the present series dedicated to the history of relations between Hungary and the Papacy, and especially to the publication of Hungarian sources found in various Vatican collections. I am also indebted to it for absolving me from the obligation to engage in lengthy discussions on the historiography of Hungarian Vatican researches, which date back to the last decades of the 19<sup>th</sup> century, since the latest comprehensive work on the topic has been published in the very initial volume of this series. The past, present and future of the research was, and continues to be, discussed by historians who obtained familiarity with the archives of the Holy See through their own research work.<sup>3</sup> Thus, it will suffice here to discuss

<sup>2</sup> ERDÉLYI GABRIELLA, *Egy kolostorper története. Hatalom, vallás és mindennapok a középkor és az újkor határán* (Társadalom- és Művelődéstörténeti Tanulmányok [TMT] 38), Budapest 2005 [GABRIELLA ERDÉLYI, *The Story of a Convent's Case. Power, Religion, and Everyday Life at the Turn of the Middle Ages and Modern Times*]. See also *Bibliography*.

<sup>3</sup> FRAKNÓI VILMOS, *Monumenta Vaticana Hungariaehistoriam illustrantia. Fraknói Vilmos jelentése*, Magyar Sion [Hungarian Sion] 13 (1882) 441–453 and 509–525 [VILMOS FRAKNÓI,

the question why this source, so unique even among Vatican source materials, has eluded the attention of extended research efforts so far. The seemingly obvious explanation, that mediaevalists have not researched the collection of the 17<sup>th</sup> century papal dynasty of the Barberinis, lacks any ground. In fact, this collection also raised the interests of ANTAL ÁLDÁSY. In his sketchy survey of the collection, however, he did not make any mention of the record of the process of the Körmend convent.<sup>4</sup> The legacies of FERENC GALLA and FLORIO BÁNFI, both oriented towards Early Modern Times, also include extracts from the Barberinis' archives. Nevertheless, there is no sign of the Körmend record in these, either.<sup>5</sup>

It is also not self-evident how and why this late mediaeval protocol ended up in the Barberinis' archive. In this respect, it may be interesting to note that on the back side of the last page of the register, where we find the original address (*Sanctissimo domino nostro Pape*), the following posterior note can be read: *Farfen[sis]. Extractus in causa quadam versa inter fratres et monasterium Farfen[ses] et monasterium ordinis S[anc]ti Augustini*. At the end of the 17<sup>th</sup> century, the Benedictine monastery of Farfa near Rome was governed by the abbot Cardinal Carlo Barberini (1630–1704), who held a synod here in 1685.<sup>6</sup> Thus, it is possible that the

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*Monumenta Vaticana Hungariae historiam illustrantia. The report of Vilmos Fraknói*; TUSOR PÉTER, *Magyar történelmi kutatások a Vatikánban* (Collectanea Vaticana Hungariae I/1 – Excerptum), Budapest–Róma 2004, with a lengthy English summary, ccxv–ccxxix [PÉTER TUSOR, *Hungarian Historical Researches in the Vatican*].

<sup>4</sup> ÁLDÁSY ANTAL, *Olaszországi történelmi kutatások*, Magyar Könyvszemle [Hungarian Book Review] 1 (1892–1893) 240–277, 251–253 [ANTAL ÁLDÁSY, *Historical Researches in Italy*].

<sup>5</sup> Magyar Országos Levéltár – Hungarian National Archives (MOL), Galla Ferenc hagyatéka (P 2088), IIa, 4. tétel (BAV Barb. lat., vol. 1719); IIb, 11. tétel (BAV Barb. Lat., varia). Országos Széchényi Könyvtár, Kézirattár – National Széchényi Library, Manuscript Room, Bánfi Florio hagyatéka (Fond 391), 57–71. The only reference to the source of which I know: MAURIZIO GATTONI, *Leone X e la Geo-Politica dello Stato Pontificio (1513–1521)* (Collectanea Archivi Vaticani 47), Città del Vaticano 2000, 350 (“*carte relative al processo del cardinale strigoniense*”).

<sup>6</sup> *Dizionario Biografico degli Italiani VI*, Roma 1964, 171; *Synodus dioecisana insignium abbatiarum S. Mariae Farfensis et S. Salvatoris Maioris ord. S. Benedicti invicem perpetuo unitarum celebrata per eminentissimum... dominum Carolum Barberinum A.D. 1685*.

register was put in the family archive in the 17<sup>th</sup> century as a result of this misentry and of the floppy manners of contemporary document management. It is not impossible that the expression *Farfensis* is a misreading of the expression *Francisci* mentioned after the Augustinians on the first page. This mistake seems a feasible explanation all the more so because an even later archival note on the yellowish leather cover and the ulteriorly inserted first page also abounds in philological mistakes: “*Vapricensis* [!, i.e. Vesprimiensis]. *Processus instructus coram Episcopo Quinqueecclesiensi in Vngaria inter R<sup>mum</sup> D. Thomam Cardinalem Strigoniensem et Priorem ac Conventum S<sup>ti</sup> Azariae* [!, i.e. Mariae] *de Kermens* [!] *Vapricensis Diocesis tempore felicitatis memoriae Leonis papae X de Anno Domini 1517*”.

As to the formal characteristics of the protocol, its size is 24 x 30 cm; its material is paper inside and parchment outside. Its length is *folio 1r–108r*, followed by an empty sheet, and the sign-manual of the notary public and the colophon on page *110r*; with the aforementioned address and archival entry on the back side. The task of the scribe was performed and the register authenticated by the apostolic and royal notary public, Iohannes Miletinczi, who summarised, as usual, the procedure of preparing the *regestrum* in his colophon. He writes that the transcription of the witness hearings into the volume was on the one hand based on his original, obviously Hungarian, shorthand notes and, on the other hand, on the revised protocol-like form of these (“*ex protbocollis et notis meis... extraxi... transcripsi et exemplavi*”).<sup>7</sup> All the formal features of the volume, its extraordinary systematicity, uniform structure, the steadiness of the lines and letters, and the negligible number of corrections all testify to this multi-stage procedure which of course also included the translation of the witnesses’ evidence made in Hungarian into Latin.

In accord with the statements of the colophon, two different hands are recognizable: the transcript of the first half of the examination conducted in Buda (fol. *2r–17v*) was not prepared by Miletinczi but possibly by one of his disciples. However, the transcript was compared with the original by Miletinczi himself, as he writes, before he authenticated each page with his signature and the whole register with his *signum* and

<sup>7</sup> *Processus*, fol. *110r*.

colophon.<sup>8</sup> Since all this is in accordance with contemporary judicial and notarial practices, the authenticity of the protocol is beyond any doubt.

### THE POPE, THE CARDINAL-PRIMATE AND THE FRIARS

As mentioned above, the apostolic process was an outcome of the activities of Cardinal Thomas Bakócz, patron of the Augustinian convent. Nevertheless, it is no easy task to interpret the events at Körmend in this framework, as there is no modern biography written yet about the most interesting Hungarian character of the early 16<sup>th</sup> century.<sup>9</sup> On the other hand, the Körmend events fit in well with the European phenomenon of the late mediaeval reform movement of monastic life, which had reached Hungary as well. As it is well-known, convent life was often reformed by introducing the representatives of another religious order, a process in which lay society, which by this time reacted very sensitively to ecclesiastical matters, also claimed an active role for itself. As a consequence, the reform of convents (*Klosterreform*) became a multi-player process involving a clash of different interests and arguments. So it seems useful to try to detect the network of intercrossing interests around the Körmend events starting from the colliding argumentation of the opposing parties.

### THE PROCESS

#### *Reform or spoliation?*

During the apostolic examination started upon the Augustinians' appeal, not only the interpretation but also the description of the central

<sup>8</sup> At the bottom of pages: "Notarius in premissis scilicet Iohannes Anthonj Mjlethjnczj de Strigonio". For his *signum* see *facsimile* after page 184.

<sup>9</sup> The first and last monograph: FRAKNÓI VILMOS, *Erdődy Bakócz Tamás élete* (Magyar Történelmi Életrajzok), Budapest 1899 [VILMOS FRAKNÓI, *The life of Thomas Bakócz de Erdőd*].

events differed radically. Some of the complaints of the expelled Augustinian friars are known from the papal breve reacting to them:

“The prior and the friars of the convent of Körmend of the Blessed Virgin presented to us with great lamentation that although they had at all times led an agreeable, tranquil and honourable life and despite the fact that their convent had been beyond memory a possession of the confraternity and friars of St. Augustine, and there is not the slightest legal reason, nor can there be, for which the aforementioned prior and friars should be dispossessed of their ancient home; our beloved son, Thomas, cardinal of the Church of Sanctus Martinus in Montibus of Esztergom, our legate in Hungary with a special commission, for some unknown reason, perhaps inspired by some observant friars of St. Francis, ordered, under the pretext that the aforementioned prior and friars of the Blessed Virgin at Körmend did not observe the canonical hours and did not perform the Divine Office as they were obliged to, that the poor prior and friars of the convent of the Blessed Virgin of the order of St. Augustine, to the extraordinary detriment and disgrace of not only themselves but of the whole order of St. Augustine as we are informed, should be dispossessed of their convent, which should then be placed in the possession of some observant friars of St. Francis.”<sup>10</sup>

The Augustinians contended that Bakócz unduly took the convent from them despite their exemplary life, which he was prompted to do by the observant Franciscans. They considered their expulsion as a violent action of the Franciscans: “They were expelled... by the strength and power of the observants”, as Michael Kolozsvári, the Augustinian prior of Vác performing the role of advocate in Körmend formulated it. Beyond this, they emphasised before the pope as well as during the examination in Hungary that the primate’s procedure against them was unlawful and legally void since their order was exclusively under the jurisdiction of the pope and the general of the order and thus exempt from the authority of the primate of Hungary.<sup>11</sup>

During the interrogation at Körmend, the Franciscans’ representatives presented their claims against the Augustinians in a set of articles (*articulus positionis*) which they had to prove by witnesses. The seventh

<sup>10</sup> The breve of the pope to Georgius Szatmári, bishop of Pécs (*Quinqueecclesien.*), *Processus*, fol. 4<sup>v</sup>–5<sup>v</sup>.

<sup>11</sup> *Processus*, fol. 25<sup>r</sup>.



article closing the list of the Augustinians' transgressions contains the following: "Everything that has been said is true separately as well as a whole, and popular opinion in the area was and still is the same about them."<sup>12</sup> The argumentation rested on the notoriety of the Augustinians' sinful life. Contrary to the so-styled *ordo iudiciarius*, which involved hearing of witnesses of both parties, this procedure is known in canon law as *ordo per notorium*. During this, instead of proving the offences, it was enough to demonstrate that they were publicly known, which in the lack of eye witnesses could be related by any member of the community. The 49 men summoned to the parsonage of Kőrmend from the town and its vicinity were thus expected by the Franciscans to confirm the Augustinians' sins and the notoriety of these offences. Consequently, the presentation of witnesses was the task of the party having the responsibility of proving the claims. The other party, in accordance with the ancient practice and principle prescribing that they too should be heard, had the opportunity to advance their counter-arguments at the beginning of the process, to produce documents to refute the charges against them and to influence the selection of delegated judges and clerks. Furthermore, during the witness interrogation they also had the opportunity to compile an interrogation form (*interrogatoria*) in the light of the articles with the purpose of weakening and staggering the arguments of the other party. As the primary means of this, questions relating to the credibility of the witnesses and of their knowledge were formed, which the judges were just as obliged to put to the witnesses as they were to read out the articles.<sup>13</sup>

According to the points of interrogation, the witnesses had to swear by oath that they were not blackmailed with presents or concussed with force by the Franciscans or the landlord. However, the Augustinians not only called the objectivity of the witnesses into question but also challenged the authenticity of the *notorietas*, on which the whole pro-

<sup>12</sup> The articles written by magister Martinus Újhelyi, the Erdődys' advocate, *Processus*, fol. 17v.

<sup>13</sup> Cf. JAMES A. BRUNDAGE, *Medieval Canon Law*, London–New York 1995, 120–153; G.R. EVANS, *Law and Theology in the Middle Ages*, London–New York 2002, 96–98 and 121–136.

cess was founded. In relation to the seventh article, they voiced their suspicion that the *fama publica* originated from ill-meaning people of low social status and envious of the Augustinians, whose bad reputation was therefore artificially induced to justify the forceful intrusion of the Franciscans. On the whole, they were suggesting that the legal process against them was based not on their own malpractices and the ensuing unprejudiced public opinion but on their enemies' manipulatory activities and on ill-intentioned rumours.

In the formulation of the other party, the aim of Bakócz's action was to "reform" the convent, that is, to restore the integrity of religious and communal life. According to the articles read to the witnesses, the convent, contrary to the will of the founding king, was either abandoned or inhabited by only one or two friars. The Augustinians thus performed the holy services defectively, or not at all. The convent buildings and the church had become ruined as a result of their negligence. The friars visited pubs, where they ate and drank with the peasants and often got into arguments and fights in their drunkenness. Finally, they did not even recoil from associating with suspicious and bad women, whom they took with themselves into the convent as well.<sup>14</sup> In this situation, the argumentation went, Bakócz believed that observant mendicant friars needed to be introduced as a means of reforming the convent. As the apostolic judges confirmed, he accomplished the task that he had taken with the necessary authorisation and within the frames of the appropriate procedure.<sup>15</sup>

To summarise: the Augustinians interpreted the background of their removal as a disadvantageous chapter of the rivalry between the religious orders. They presented the expropriation of their convent as a violent action based on fictitious allegations and carried out in unlawful circumstances. The other party, on the other hand, talked about the lawful reform of the convent for appropriate religious reasons. And they sensed and made a significant distinction not between the Augus-

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<sup>14</sup> The articles of complaint against the Augustinians, *Processus*, fol. 16v–17v.

<sup>15</sup> The final report of bishop Georgius Szatmári to the pope, 18 June 1518. *Processus*, fol. 17v.

tinian and Franciscan orders but between the two great camps of conventional and observant monasticism.

Even if we do not forget that the Augustinians' arguments were determined by their interests and goals at the time, that is, by the wish to regain their convent, their arguments seem plausible in several respects. The doubt concerning the exclusive religious motivation and the lawfulness of the action against them is fostered by Bakócz's very personality and career. The most spectacular ecclesiastical career of the age started in the depth of serfdom. His first steps, his studies in Italy were supported by his brother, who as the provost of Titel obtained nobility for the family. Returning from Ferrara and Padua, Thomas found a place in the entourage of Gabriele Rangoni da Verona, bishop of Transylvania and royal chancellor (1476–1480), the Franciscan who used to preach with Giovanni de Capestrano at Nándorfehérvár (Belgrade), and who now opened the way for the talented and ambitious young man toward the royal court.

Ever since his first benefice, the provostry of Titel that he inherited from his brother (1480), he had a shift and smooth ecclesiastical career through more and more prestigious episcopal posts to the archiepiscopacy of Esztergom (1497). Parallel with this, he became Lord Chancellor, the head of interior affairs from royal secretary. He obtained the red hat in 1500, which was due to, besides the Hungarian monarch's commendation, the support of Venice in return for his diplomatic services. His position thereafter can mainly be compared to the cardinal-chancellors of western monarchies, omnipotent at home and also significant in international affairs. In 1511 the Venetian ambassador briefly remarked: "In his home country, he is pope as well as king; in one word, he is everything he wants to be."<sup>16</sup>

Bakócz himself was fully aware of his extraordinary talents, which is well illustrated by the image and the inscription on his commemorative

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<sup>16</sup> FRANKÓI, *The life of Thomas Bakócz de Erdőd*, 5–86. The relation of the Venetian envoy is quoted by GYÖRGY SZÉKELY, *Reform und Politik im Leben des Kardinals Bakócz*, Reform – Reformation – Revolution (Ausgewählte Beiträge einer wissenschaftlichen Konferenz in Leipzig 1977, hrsg. von Siegfried Hoyer), Leipzig 1980, 81–86, 84.

medal, which was an accepted means of pontifical representation in the age. The back side of Bakócz's portray records the cardinal's entry in Rome (1513): it pictures the goddess of fortune triumphing over the boisterous sea representing the vicissitudes of fate by the help of *virtus*. It is well-known that virtue, that is, personal merit, and *fortuna*, which also means the ability to seize the opportunity, are the attributes of the self-realising Renaissance personality and that, at the same time, the techniques of ruling employed by the unscrupulous sovereign and the modern politician are also represented by the conflict of these two principles, in Machiavelli, for instance. The supplement to the often cited Ciceronian slogan of the age ("If you are guided by virtue, you are escorted by fortune" – "*Virtute duce comite fortuna*") also reflects the papal candidate's self-confidence: "I am a goddess [*i.e. Fortuna*], worthily a companion of virtue" – "*Sum dea virtuti iure locata comes*".<sup>17</sup>

The cardinal deliberately defined his identity along the ideals of Italian humanism and the norms and customs of Renaissance prelaty identifying with them. He employed every possible means of the symbolic representation and construction of his power. The chapel of the Basilica of Esztergom, which he intended to be the great work of his life and his sepulchre, rivals the most wonderful Italian masterpieces of the mature Renaissance.<sup>18</sup> He was celebrated as a generous patron of the young wishing to study and of humanist scholars and artists, at home as well as abroad. His entry in Rome, exhibiting his wealth, implied that although he was not of Italian origin, he was worthy to ascend St. Peter's throne. His boundless nepotism was also conceived along Italian social norms and expectations. Bakócz helped four of his relatives to prelaty and three of these to high state offices. This channel of social mobility was spiritually legitimized by papal nepotism working through the institution of cardinal-neposes. Bakócz was the first among Hungarian

<sup>17</sup> RITOÓKNÉ SZALAY ÁGNES, *Bakócz Tamás Breviáriumának kéziratos versei*, [Id.], „Nyimpha super ripam Danubii”. Tanulmányok a XV–XVI. századi magyarországi művelődés köréből, Budapest 2002, 175–190, 182–183 [ÁGNES RITOÓKNÉ SZALAY, *Manuscript Poems in the Breviary of Thomas Bakócz*].

<sup>18</sup> THOMAS DACOSTA KAUFMANN, *Court, Cloister and City. The Art and Culture of Central Europe 1450–1800*, London 1995, 46.

prelates who did the same: he left his enormous estate, with a royal permission of free testamentary arrangements, to his nephews. When he arrived in Rome in 1511, he quickly acquired the permission of Pope Julius II (1503–1513) for this plan.<sup>19</sup>

All this appears as two opposite extremes of Renaissance personalities in traditional historical discourse. The primate is described by his biographer as a prelate-politician whose activity as statesman was motivated by his personal interests. Moreover, in the interest of obtaining the papal throne and founding a rich dynasty, he was not delicate in selecting his means. This is contrasted with his humanistic erudition, his generous patronage of literature and art, as well as manifestations of his deep religiosity. “Although his soul seemed to be filled with worldly interests, a deep religious sentiment also found a place in it... and Thomas of Erdőd, the rough and ruthless man... exhibited tender feelings and an earnest devotion towards the mother of God”, writes his biographer.<sup>20</sup> His performance as archbishop also reflects his untempered nature: he supported the reform of the Premonstratensian order in Hungary, as some mediaevalists argue, besides religious reasons out of political envy.<sup>21</sup> The complaints of the Augustinians at Körmend seem to fit in with this picture.

In detecting the background of the Körmend events, we have to be cautious not only about Bakócz’s personality, but also take into consideration what we know about the observant movement and its practical aspect, the reform of convents in general. The fault-line between conventual and observant monasticism was formed as a result of the differing stances of the orders’ members with regard to monastic revival, or in contemporary terms, the “reformation” of the orders. The adherents of reform, de-

<sup>19</sup> His testamentary dispositions: KOLLÁNYI FERENCZ, *A magyar katolikus főpapság végrendekezési jogának története*, Budapest 1896, 96–98 [FERENCZ KOLLÁNYI, *The history of the testamentary rights of the Hungarian Catholic Episcopate*]. Nepotism: WOLFGANG REINHARD, *Nepotismus. Der Funktionswandel einer papstgeschichtlichen Konstanten*, *Zeitschrift für Kirchengeschichte* 86 (1975) 145–185.

<sup>20</sup> FRANKÓI, *The life of Thomas Bakócz de Erdőd*, 178.

<sup>21</sup> MÁLYUSZ ELEMÉR, *Egyházi társadalom a középkori Magyarországon*, Budapest 1971, 229 [ELEMÉR MÁLYUSZ, *Ecclesiastical Society in Mediaeval Hungary*].

manding the observance of the original regulations, intended to revive the heart of monasticism: poverty, virginity and obedience. They were confronted by the conventuals, denying the necessity of change, who thought that the customs and privileges that had emerged with time did not prevent them from keeping their monastic vows. The advocates of change believed at the same time that contemporary practice fell far from the original norms and consequently talked about the crisis of the orders. It becomes clear from their demands, including the inhibition of private possessions and the strict observance of enclosure with the exclusion of women from convents, what they regarded as the symptoms of corruption. Also of great importance was the restoration of communal life obligatory with no exception: attendance at masses and evening prayers, common meals, wearing the frock, and a stricter ascetism (observing fasts and silent hours).<sup>22</sup> The articles of the Körmend process are just as congruous with this as the final evaluation: the Augustinians “led a loose life in neglect of monastic discipline, ignoring their superiors”.<sup>23</sup>

The transfer of the cloister of Körmend, as we have seen, was inspired, at the level of words, by observant ideals. According to the Augustinians, however, these only served to legitimise the intervention into the life of their convent, while there were other motives and objectives in the background. This, in fact, seems to be a plausible argument since in as much as the legal-organisational and intellectual-spiritual achievements of the observant movement were performed by the observants themselves, the reform of convents in practice was by far different. The convent-reforms seldom happened without external interference and were more usually performed with the active participa-

<sup>22</sup> For a good summary about the observant movement see KASPAR ELM, *Verfall und Erneuerung des Ordenswesens im Spätmittelalter. Forschungen und Forschungsaufgaben*, Untersuchungen von Kloster und Stift (Veröffentlichungen des Max-Planck Instituts für Geschichte 68. Studien zur Germania Sacra 14), Göttingen 1980, 188–238. See also the studies in *Reformbemühungen und Observanzbestrebungen im spätmittelalterlichen Ordenswesen* (Berliner Historische Studien 14. Ordensstudien 6), hrsg. von KASPAR ELM, Berlin 1989, 3–400.

<sup>23</sup> *Processus*, fol. 17v. For a concrete and analogous example see PAUL L. NYHUS, *The Franciscan Observant Reform in Germany*, *Reformbemühungen und Observanzbestrebungen*, 207–218, 211.

tion of factors outside of the orders: monarchs, municipal magistrates, secular and ecclesiastical landlords, popes and their legates, and bishops.

This is worth keeping in mind because it was the involvement of secular authorities on a scale never seen before what most distinguished the late mediaeval monastic movement from earlier ones in the Middle Ages. These authorities were of course driven by their own objectives, which did not necessarily coincide with the needs of the observants, who considered the freedom from secular impacts the basis of renewal. Nevertheless, the practice of reform had become a process of a reversed direction. Moreover, such “external” reforms of convents, as in Kőrmend, meant in practice that conventual friars adhering to their cloister and their way of life were removed and replaced by observants. This train of events proceeded in a parallel fashion on different levels of secular and ecclesiastical authorities and involved complex conflicts of interests: from the friars’ relatives, friends and foes through the local bishop to the monarch, the various personal and political interests of several participants intermingled in it.<sup>24</sup> It seems fitting to suppose, therefore, that Kőrmend was no exception in this respect.

*The petition of the cardinal and the permission of the pope (1513)*

On 17 September 1513, the pope gave Thomas Bakócz, his legate in Hungary, authorisation to transfer the convent of Kőrmend, by expelling the Augustinians, to the observant representatives of some mendicant order and to restore the ruined buildings. According to the words of Pope Leo X, the archbishop was inspired in applying for the permission by the fact that the convent “is largely ruined, is inhabited by only two or three friars at most, who seem to ignore their superiors and perform the holy services at their own pleasure, which leads not only to the in-

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<sup>24</sup> See the studies under the chapter *Landesherren, städtische Obrigkeit und Ordensreform, Reformbemühungen und Observanzbestrebungen*, 515–570; and moreover MANFRED SCHULZE, *Fürsten und Reformation. Geistliche Reformpolitik weltlicher Fürsten vor der Reformation* (Spätmittelalter und Reformation [n.R.] 2), Tübingen 1991, 80–119 (with further literature, 201–213).

dignation of the neighbourhood but, what is much worse, to a decay of faith and piety".<sup>25</sup>

As it is common knowledge that the archbishop of Esztergom himself was resident in Rome in these days. In the autumn of 1511, when, accepting an invitation, he left for the Lateran Council, he was at the peak of his political power. In 1512, he was mentioned as first among the cardinals. After the death of Pope Julius II (February 1513), he thus had a fair chance of winning the papal throne. However, after the first scrutiny of the conclave, where he received seven votes out of twenty-five, the self-defence reflexes of the College of Cardinals, having an Italian majority, were set in motion and on 11 March, instead of the Hungarian primate, already in his 70s, they gave the tiara to a young cardinal from Florence, Giovanni de' Medici.

The new pope believed that the most important task of the Lateran Council, which had been meeting since May 1512, was to restore peace between Christian sovereigns and to organise a crusade against the Turks. This was among the original objectives of the Council but practical steps were only taken after the ascension of Pope Leo X, and then with an enormous dynamism.<sup>26</sup> This sudden change made some Hungarian historians assume that it served, besides exhibiting the new pope's commitment to defend Christianity, as it is often alluded to in international research, the personal interests of Leo X. The Hungarian cardinal wanted to settle in the Eternal City and had not abandoned his desire to obtain the papal throne. By declaring a crusade, the pope thus found a ready means of getting rid of a dangerous rival.<sup>27</sup> The Medici pope did not wait long to make a decision: on 15 July 1513, he appointed the Hungarian primate his legate *a latere* in Hungary (and other coun-

<sup>25</sup> *Processus*, fol. 117–12v.

<sup>26</sup> EUGEN GUGLIA, *Die Türkenfrage auf dem V. Lateran Council*, Mitteilungen des Instituts für Österreichischen Geschichtsforschung 1900, 679–691; KENNETH M. SETTON, *Pope Leo X. and the Turkish Peril*, Proceedings of the American Philosophical Society 1969, 367–424.

<sup>27</sup> BARTA GÁBOR–FEKETE NAGY ANTAL, *Parasztaború 1514-ben*, Budapest 1973, 11–28 [GÁBOR BARTA–ANTAL FEKETE NAGY, *Peasant war in 1514*].



tries) to preach the crusade.<sup>28</sup> The malice of the deceitful Florentine could not be veiled by his insincere regret over Bakócz's departure. The Hungarian cardinal could not decline the honourable duty of "serving the common good and the interest of the Christian world" as "the angel of peace" with political arguments because he himself posed as a loud advocate of European unity and action against the Turks before the Roman public, as a result of which he received other diplomatic tasks as well that were to foster this unity. In fact, he only made a feeble and unsuccessful effort to reject the unwanted appointment. "We often held council with Cardinal Thomas..., whom we finally, although the task was not in his intention and perhaps because of his advanced years he wanted to decline it... have sent to Your Majesty and your kingdom, Poland, as our legate *a latere*", wrote the pope to the Polish King Sigismund I in October.<sup>29</sup>

But Bakócz did not surrender easily in this political trap. In return for his departure, which he kept deferring, he put forward various requests. First of all, he obtained full authority for his commission to facilitate the success of the enterprise, and in November, he gained permission to return to Rome after the campaign had been launched. But the pope also willingly granted his demands which were independent of his mission: Bakócz asked for, and received, considerable ecclesiastical benefices, important licences of church administration, and permission for indulgences for the chapels that he founded and honoured.<sup>30</sup> This is the line of events of which the request for the reform of the Augustinian convent of Körmend forms a part, which the pope must have fulfilled without hesitation in the given situation.

After all, there was nothing unusual in Bakócz's request. The starting point of his application was that he bought the market town of Körmend, where the convent in question is to be found, "on money which was

<sup>28</sup> AUGUSTINUS THEINER, *Vetera monumenta historica Hungariam sacram illustrantia I-II*, Romae 1859–1860, II, n. 800 and 802.

<sup>29</sup> *Acta Tomicana I–XVI*, Poznaniae–Wratislaviae–Cracoviae 1882–1961, III, 12–13 (*Epistolae et legationes, responsa, actiones, res gestae... Sigismundi I. Regis Poloniae...* ed. STANISLAUS GÓRSKI).

<sup>30</sup> THEINER, *Vetera monumenta*, II, n. 800 and 802 (*plenia potestas*); n 801 (*visitator apostolicus*); n. 803 (extension of his jurisdiction as primate); see also n. 804–805 and 808–809.

raised in the past years as a result of his industry and labours".<sup>31</sup> The archbishop came into possession of the market town and the castle through a contract of inheritance in 1496 with a Transdanubian aristocrat, Iohannes Ellerbach of Monyorókerék, who died without issue. According to the contract, he obtained the Ellerbach estates in the county of Vas in return for his considerable previous loans, but he managed to vindicate his rights to the estates against the Ellerbachs only after several years of litigation.<sup>32</sup> Bakócz thus acted as landlord, which was usual in such matters: during the 15<sup>th</sup> century, several applications arrived in Rome from Hungary motioning the reform of a mendicant convent, where the applicant was landlord as well as patron of the market town lodging the convent.

The examples suitable for comparison are without exception related to Franciscan convents, and the landlords were all influential representatives of the aristocracy (*bárok*).<sup>33</sup> The first such application to survive came from the male members of the Pálóczi family in north-eastern Hungary, who asked permission from the pope's cardinal-legate to give the conventual convent in their market town (Sárospatak) to observants in 1448. Three years later, Nicolaus Újlaki, voivode of Transylvania, asked the permission of Pope Nicholas V (1447–1455) for the observant reform of the Franciscan convent built on the family's ancient estate in Újlak (Ilok, Croatia) in Syrmia. Finally, in 1466, Palatine Michael Gúti Ország, the highest secular dignitary of the country, applied in order to renovate and repopulate the conventual convent of Szécsény, a market town in northern Hungary with observants, ruined and abandoned according to the application.<sup>34</sup> Their intentions were all justified in a man-

<sup>31</sup> *Processus*, fol. 117.

<sup>32</sup> See BÁNDI ZSUZSANNA, *Körmend a középkorban* (Körmendi Füzetek), Körmend 1987, 37–41 [ZSUZSANNA BÁNDI, *Körmend in the Middle Ages*].

<sup>33</sup> I consider only those cases when the apostolic breve, from which the justifications of the supplicant can be deduced, is at hand, and also when the convent was indeed transferred eventually.

<sup>34</sup> Sárospatak: MOL Diplomatikai Fényképtár (DF), 275 504. Szerémújlak: MOL DF 275 506, published in *Bullarium Franciscanum [n.s.] I–III*, ed. FR. ULRICUS HÜNTEMANN–FR. JOSEPH M. POU Y MARTI, Quaracchi 1929–1949 (BF), I, n. 1472. Szécsény: MOL DF 275 516, published in BF II, n. 1397.

ner accordant with that of Bakócz: on the one hand, they referred to the ruined and abandoned state of the convents, which they offered to renew on their own money and, on the other hand, they criticised the friars' immoderate way of life and their neglect of holy services, which aroused the indignation of the flock. And since, as the obtained breves put it, these pious intentions served the salvation of the faithful and the increase of Christian faith, Rome granted permission to transfer these convents to observants in all three cases.

*The exclusion of the Augustinians, their apellation,  
and the papal order (1517)*

For four years after obtaining the papal permission Bakócz had done nothing and he initiated the implementation of the reform of the convent only in 1517. (I will come back to the reasons for this delay.) The details of his action are described in his legate's patent of 28 April ruling the Augustinians' expulsion. As the legal grounding of his intervention, he referred to his authorisation by the pope in 1513 and he cited the statements of the breve condemning the Augustinians for justification. Of course we know, as those involved in the procedure must have also known, that these papal documents contained exactly what Bakócz personally presented in Rome. Subsequently, the archbishop tried to evade the role of initiator, devolving the responsibility upon the pope. He only mentions his personal experience of the critical state of the convent, shifted in time, in justification for the statements of the breve, although even in Körmend everybody knew that the archbishop visited the convent on his way to Rome. Several witnesses, the warden of the convent church, Paulus Nagy, citizen of Körmend among them, remembered this.

“He once heard from the mouth of the Most Reverend Archbishop, addressing the friars, that they were too few and that they neglected the Divine Office, and if they did not grow in numbers and were not willing to improve their lives, and to better take care of the Divine Office, his intention was to remove them, since he could not let the convent fall into such an abandoned state and be so void of holy prayers. As to the question concerning the time and place of his statement,

the witness replied that it happened when the Archbishop of Esztergom was on his way to Rome and that all this happened inside the convent.<sup>35</sup>

Bakócz regarded the sinful life of the Augustinians proven in advance on the basis of certain other, not detailed, documents as well. He merely ordered the witness interrogation, as he put it, “for the sake of greater certainty”. The material of the examination conducted in the spring of 1517 has not survived. We are only informed about the result by Bakócz’s patent delivering the verdict that on the basis of the testimonies the archbishop was convinced of the loose way of life of the Augustinians, whom therefore he called upon to leave their convent and, a month later, on 27 May 1517, he instructed the observant Franciscans to take the convent over.<sup>36</sup>

The Augustinians then turned to the pope for protection. As we have seen, in their appeal they regarded the archbishop’s procedure unlawful for two reasons: on the one hand, they refuted its reasons and, on the other hand, they made a grievance of the way it was implemented. They accused the Franciscans of prompting the archbishop against them, to which we will yet return, and their other argument was that Bakócz’s action violated their canonical status. Although they could not produce a written document to this effect, it is in fact true that mendicant orders and their convents enjoyed exemption from episcopal jurisdiction through their privileges from the papacy and, constituting a separate unit in the territory of national churches, they belonged directly under the jurisdiction of the order’s general residing in Rome and of the pope himself. The reform of convents could thus only happen with the permission of the order’s general or in the case of an exchange between orders, as exemplified by the convent of Kőrmend, with the permission and authority of the pope. Their argumentation in this case was halting nonetheless, since Bakócz was not only head of the Hungarian Church but as legate, he was also a representative of papal authority,<sup>37</sup> which the Augustinians knew just as well as the Curia.

<sup>35</sup> *Processus*, fol. 87r.

<sup>36</sup> *Processus*, fol. 10v–14v.

<sup>37</sup> Cf. RICHARD A. SCHNUTZ, *Medieval Papal Representatives: legates, nuncios, and judges-delegate*, *Studia Gratiana post octava decreti saecularia XV*, Roma 1972, 441–463; *Lexikon*

As a result of the appeal, Pope Leo X delegated Georgius Szatmári, bishop of Pécs (*Quinqueecclesien.*) as judge on 1 September 1517. He instructed the prelate to immediately restore the Augustinians into their unlawfully taken convent and then to examine the case and send the result to Rome, because he himself wished to make the final verdict. Moreover, the pope prohibited the ecclesiastical judges, among them Cardinal-Legate Bakócz by name, from persecuting the Augustinians of Körmend and Hungary “under false pretexts”, “in view of the fact that we do not want the friars of the order of St. Augustine to be submitted in either civil or criminal law cases to anybody else than the Holy See and their prior general”. Finally, he authorised Bishop Szatmári to excommunicate the disobedients and to employ the aid of secular law enforcement, invalidating the authorisation which he, in his words, “perhaps” gave to his cardinal-legate.<sup>38</sup>

Most elements of the papal direction make one think. There is only one exception: we should probably not seek any hidden background intention behind Bishop Szatmári’s selection. In similar cases, prelates had been delegated for such tasks by Rome in the same *ad lib.* manner.<sup>39</sup> This time, he was simply chosen because as head of the Chancellery, he was the most influential prelate of the country. A case, which involved the cardinal-legate asked for a judge of this magnitude. Contrary to this, it is not at all self-evident why the pope designated the return of the convent as the judge’s first task and prescribed the performance of witness interrogations only as a subsequent step. It is true that according to canon law this was justifiable, since Gratians’s decretals in the case of *spolium*, that is, forceful dispossession, prescribed the reinstating of the suffering party as a first step.<sup>40</sup> The words of the Augustinians’ advocate in Körmend properly reflect how consciously they tried to take ad-

*für Theologie und Kirche* [LThK] *IV*, hrsg. von WALTER KASPER, Freiburg–Basel–Rom 1995, 546–547.

<sup>38</sup> The breve of the pope to Georgius Szatmári, bishop of Pécs, *Processus*, fol. 4v–5v.

<sup>39</sup> On the delegation of judges chosen from among local prelates see BRUNDAGE, *Medieval Canon Law*, 127–129.

<sup>40</sup> *Corpus Iuris Canonici I–II*, ed. AEMILIUS FRIEDBERG, Graz 1959, I, Decretum Gratiani, C. III. q. 1. c. I–IV, *Expoliatis vel eiectis omnia sunt redintegrandae*.

vantage of the institution of *spolium*: while the convent had not been returned, they did not consent to interrogating the witnesses, “and this they will veto as long as it is legally possible since according to the apostolic decree, he, who suffers forceful dispossession... shall be first of all reinstated into his possession, and there is nobody who does not know this”.<sup>41</sup>

Despite the explicit legal principle, actual practice was variable of course, but in the majority of cases, at least this is my impression on the basis of conventual Franciscan appeals from all over Europe, the papal order made it dependent upon the result of the examination whether the convent was returned.<sup>42</sup> However, the pope and the Curial offices involved in the decision had the freedom to deliberate not only the order of the examination and of the implementation but also had the liberty to decide who would have the authority to make the final decision. Foreign cases indicate that this right was often referred into the authority of the local commissioner executing the examination. The fact that the Curia preserved this right for itself in Körmend seems to have given reason for grievance on Bishop Szatmári’s part, as evinced by his report attached to the register of the examination. After committing himself to the lawfulness of Bakócz’s procedure, he noted: the protocol “has been sent to Your Holiness without making a decision in the case, as a proof of my loyalty and devotion, as Your Holiness ordered”, which seems to be something more than just a neutral statement.<sup>43</sup>

But why did Rome produce such a controversial and unusual decision in the case of Körmend, clearly in favour of the Augustinians? Considering the factors involved in the stance of the Curia, it is possible that the biased nature of the decision reflects the power relations of the two orders in Rome. In terms of the influence of the orders’ generals seated in Rome, it should be examined who had more credit with the pope: the Venice-born prior general of the Augustinians or Gilbert Nicolai, the first man of the observants, elected upon the victory over

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<sup>41</sup> *Processus*, fol. 24v.

<sup>42</sup> BF III, n. 625 and 1744.

<sup>43</sup> *Processus*, fol. 11v.

the conventuals (May 1517). We should also know how much influence the cardinal-protectors of the orders, Domenico Grimani of the Franciscans and Egidio da Viterbo, former Augustinian general, had and who were the other allies or patrons of, or those indebted to, the two orders.<sup>44</sup> The related sources are silent in this respect. This silence suggests that the case did not reach the highest level of the orders. If nowhere else, there should have been found a related entry at least in the Augustinian general's register volumes, recording with a rigorous systematicity the official activities.<sup>45</sup>

According to all indications, the fate of the remote convent of Körmend was important, not for the orders but primarily for the pope and his entourage. Between 1518–1523 Hungary's cardinal-protector was Giulio de' Medici, who, in theory, could also have played a role in the Roman administration. However, since he was cousin and, from 1523, successor of Leo X, enthroned as Clement VII, he does not need to be taken into account as an independent factor.<sup>46</sup> So it seems very probable that the pope's interest was aroused by the involvement of Bakócz, his former rival. This is also signalled by the self-contradictory nature of the pope's reaction. Leo X, identifying with the Augustinians' standpoint, reasons against his legate representing his own authority in Hun-

<sup>44</sup> On the role of the cardinal protectors of religious orders see KATHERINE WALSH, *Papal Policy and Local Reform II*, *Römische Historische Mitteilungen* 22 (1980) 105–145, 124–125; PHILIPP HOFMEISTER, *Die Kardinalprotektoren der Ordensleute*, *Theologische Quartalschrift* 142 (1962) 425–464. – On Grimani and Da Viterbo see JOHN MOORMAN, *A History of the Franciscan Order from its Origins to the Year 1517*, Oxford 1968, 591; FRANCIS X. MARTIN, *Friar, Reformer and Renaissance Scholar: Life and Work of Giles of Viterbo, 1469–1532* (The Augustinian Series 18), Rome 1992.

<sup>45</sup> *Archivum Generalis Ordinis Eremitarum Sancti Augustini* (AGA), Serie Dd (Registri dei Reverendissimi Patri Generali). The historical institution of the order in Rome publishes the registers in its series of *Fontes Historiae Ordinis Sancti Augustini* [FH O.S.A.]. Series I: *Registra Priorum Generalium*. See below in detail.

<sup>46</sup> On the beginnings of his office in 1518: Archivio Segreto Vaticano (ASV) Archivum Arcis (Arm. I–XVIII), n. 2858. Cf. JOSEPH WODKA, *Zur Geschichte der nationalen Protektorate der Kardinäle an der römischen Kurie* (Publikationen des ehemaligen Österreichischen Historischen Instituts in Rom 4/I), Innsbruck–Leipzig 1938, according to him, Medici became protector in 1519 (62).

gary, using the argument of exclusive papal authority over the order. In a literal interpretation this makes no sense, which the pope must have been aware of himself. But what did those words mean, then? Did he really call into question the lawfulness of Bakócz's procedure or was it simply a badly performed rhetorical reflex?

Let us approach the problem from the question whether the manner of Bakócz's procedure against the Augustinians provided any cause for this. There are some cases known from Hungary when the patron of a convent turned directly to the pope with his application for reform. Of those mentioned above, the cases of Szerémújlak and Szécsény belong here. In both cases the pope commissioned a prelate of the Hungarian clergy to implement the reform, the first step of which was an examination including witness interrogations. In Szerémújlak, Dénes Szécsi, archbishop of Esztergom (1440–1465) was commissioned, who, after his agents had interrogated the witnesses on the scene, summoned the representatives of the conventuals and the observants for delivery of judgement in December 1451. Everything, in fact, happened as in the case of Körmend, except for one obvious difference, which reflects the boldness of the Augustinians: while the Augustinians did not turn up in front of Bakócz in Esztergom but appealed straight to Rome, the superiors of the conventual Franciscans, headed by the energetic Provincial Fabianus Igali, tried to protest against their expulsion before the archbishop, with no success of course.<sup>47</sup>

In the light of this, the legate's procedure seems typical. Besides the similarities, however, there is a significant difference: Bakócz acted not in his capacity of delegated judge and archbishop but as a legate *a latere*, representing the authority of the pope *ex officio*. His procedure must therefore be compared to the activity of legates of Italian origin previously reforming convents in the country. The papal legate sent to organise the war against the Turks, Cardinal Giuliano Cesarini,<sup>48</sup> during 1443–1444, successfully reformed three significant convents of the

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<sup>47</sup> Szécsi's patent including the *processus*, 21 December 1451. MOL DF 275 507.

<sup>48</sup> On his career in brief see JOSEPH WODKA, *Art. Cesarini Giuliano*, LThK I–VI (hrsg. v. Josef Höfer–Karl Rahner), Freiburg 1957–1961<sup>2</sup>, II, 997.



conventual Franciscans in three royal cities, Buda, Pest, and Marosvásárhely in Transylvania, whereas in Szeged the conventuals managed to keep their convent despite the reform initiative. In 1448, Cardinal-Legate Juan de Carvajal<sup>49</sup> ordered the reform of Franciscan convents in several towns of ecclesiastical or secular landlords (Győr, Debrecen, Lippa, Szatmárnémeti) upon the request of Governor Iohannes Hunyadi (1446–1453) and the Hungarian estates. Eventually, the observants succeeded only in the archbishop's see, Esztergom, which supported the reform, while in the other cases the transfer was prevented by the conventuals (as in Szeged) or the landlord (as in Debrecen).<sup>50</sup>

Of all this, it bears primary importance for us that legates proceeded independently, due to their authority as legates, without any prior papal authorisation in the given case, their reform steps being only posteriorly confirmed.<sup>51</sup> One further noteworthy circumstance is that they did not consider it necessary to hear witnesses to support their measures. The expulsion of the conventuals of Sárospatak, repeatedly complained about by the Pálóczi family to Legate Carvajal, also happened through a simple legate's decree. In contrast, Cardinal Bakócz, beyond being a legate, also had a special permission to reform the convent of Körmend and, although it was not prescribed, he even had an examination held on the spot "for the sake of greater certainty" and expelled the Augustinians only after this.

In summary, he proceeded not only without force but with a legal discretion greater than usual. It is exactly his caution that can be regarded exceptional. The cardinal's overcautiousness may have been motivated, on the one hand, by the circumstance that the reform involved two different orders and thus a very intense struggle between

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<sup>49</sup> On his legacy see FRAKNÓI VILMOS, *Carvajal János bíbornok magyarországi követségei (1448–1461)*, Budapest 1889 [VILMOS FRAKNÓI, *The Hungarian legacies of Cardinal Juan de Carvajal*].

<sup>50</sup> KARÁCSONYI JÁNOS, *Szent Ferencz rendjének története Magyarországon 1711-ig I–II*, Budapest 1922–1924, I, 58–59, 331 [JÁNOS KARÁCSONYI, *The History of the Order of St. Francis in Hungary until 1711*].

<sup>51</sup> The papal confirmation of the actions of Cesarini, 29 January 1444. MOL DF 275 632.

them. Bakócz was also in a special situation since he embodied the plaintiff landlord, the papal commissioner delegated to conduct the case in question, and the cardinal-legate in one person. This unification of different roles may also have prompted in him a particular precaution in order to avoid any suspicion. It is also possible, however, that this extreme observance of formal requirements was to conceal a false content. Therefore, I shall later return to this problem after we have discussed a more immediate question, namely the intentions of the pope.

It is obvious now that there was nothing that Rome could have seriously disapproved in the cardinal's procedure. Not even if they knew nothing about the fact that witnesses had also been heard before the convent was transferred, which the Augustinians carefully withheld in their appeal. The pope had no reason to be discontented even if he seriously doubted (as the phrase "perhaps" indicates in his breve) that he had ever given Bakócz permission to reform the convent of Körmend, because as papal legate he could have done this simply *ex officio*. To put it simply: the pope voiced his direct jurisdiction over the Augustinian order or, from a different perspective, their exemption from episcopal and archiepiscopal authority against his own lawfully proceeding cardinal-legate. This only makes sense if Pope Leo X regarded the Hungarian primate not as a representative of his own authority but as an exponent of local interests who, either as landlord or archbishop, had no right to interfere with the life of a mendicant convent without special papal permission.

The peculiar view of Pope Leo X is illuminated by the relationship between the papacy and the observant movements. The behaviour and rhetoric of the Curia in this respect had significantly changed in the second half of the 15<sup>th</sup> century. Rome was originally interested in the reform of the mendicant orders easily put in the service of its goals, which initially spared these movements from the fate of earlier heretic movements and provided them with papal privileges. However, their subsequent expansion has resulted in the formation of congregations independent of the provinces, and the practice of convents' reform was accompanied with an increasing influence of local authorities, secular and ecclesiastical alike, in church affairs. The Holy See, for obvious rea-

sons, did not like this turn. In the interest of protecting the unity and privileges of the orders, from the 1460s it rather tended to prohibit, under threat of excommunication, the occupation of conventual convents by observants supported by local authorities. This was a reasonable reflex of self-defence: the prohibitions were accompanied by a confirmation of the conventuals' privileges and a stressing of direct papal jurisdiction over mendicant orders.<sup>52</sup>

The papal permissions granted for the application of observant reform in Hungary, submitted in the 1440–1450s, reflect the general tendency. But the permission given to Bakócz in 1513 must be regarded as exceptional: the cardinal was able to obtain it only due to his extraordinary influence in Hungary and abroad. By then, Rome had long been trying to manage the reform of convents by supporting the self-reform of conventuals. This was the intention not only of the generals of the orders but of the popes as well, recognising the consequences eroding the authority of the church which followed the legal and physical conflicts that were attendant upon observant reforms. The turning point may have occurred during the pontificate of Paul II (1464–1471),<sup>53</sup> which is well exemplified by the pope's behaviour during the debate over the convent of Szécsény: the Franciscan provincial appealing against the observant reform managed to make the pope accept the restitution of the convent.<sup>54</sup>

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<sup>52</sup> KATHERINE WALSH, *Papsttum und Ordensreform in Spätmittelalter und Renaissance: Zur Wechselwirkung von Zentralgewalt und lokaler Initiative*, Reformbemühungen und Observanzbestrebungen, 411–431; KASPAR ELM, *Die Bedeutung Johannes Kapistrans und der Franziskanerobservanz für die Kirche des 15. Jahrhunderts*, [Ders.], *Vitasfratrum: Beiträge zur Geschichte der Eremiten- und Mendikantenorden des zwölften und dreizehnten Jahrhunderts: Festgabe zum 65. Geburtstag* (Saxonica Franciscana 5, hrsg. von Dieter Berg), Werl 1994, 309–320.

<sup>53</sup> The bull of Paul II was a point of reference for his successors, too. For the bull issued specially for the Augustinians see *Bullarium Ordinis Sancti Augustini Regesta III* (FH O.S.A. III/3), ed. CAROLUS ALONSO O.S.A., Romae 1998, n. 630 (1464). The change that took place in the meantime is well reflected by an earlier bull of Eugen IV ordering the observant reform of a conventual convent in Italy. *Ibid.*, n. 268 (1442).

<sup>54</sup> BF II, n. 1569.

Consequently, the 1517 papal resolution reflects, on the one hand, Bakócz's declining prestige: by then, Pope Leo X did not have to seek by all means the favour of the Hungarian cardinal. And he did not, although he could have recompensed in this small matter the rival whom he had so successfully cleared out of the way. But obviously, he felt no such personal motivation. However, he rightly supposed that Bakócz's will could not be contradicted in Hungary even then. Therefore, when he ordered the immediate restitution of the convent and retained the final decision for himself, he protected the interests of the Augustinians, who commended themselves into the protection of the Holy See against the influence of Cardinal Bakócz as a local potentate.

This assumption is also supported by another reform attempt of the cardinal concerning the Benedictine convent of Somlóvásárhely in Transdanubia. The archbishop had transferred this convent to the Premonstratensians in 1511 with similar arguments, referring to the negligent life of the nuns. The Benedictine leaders, who were at that time labouring on the internal reform of the order, did not seek Rome's protection against Bakócz, presumably because they did not dare to. In this light, the daring of the Augustinians, who turned immediately to Rome, is even more interesting, and I shall shortly try to shed some light on its background. The Benedictine leaders experimented with other methods of resistance instead. This is indicated by the fact that in 1515 Rome had repeatedly instructed the Benedictine nuns to cooperate in implementing the reform.<sup>55</sup> Behind the warning, of course, we may suspect Bakócz' influence, as Phylippus de Senis, a cleric of the Apostolic Chamber, the judge delegated to manage the case and to produce the document cited above, was a confidant of the Hungarian cardinal in Rome.<sup>56</sup>

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<sup>55</sup> *Monumenta Romana Episcopatus Veszprimiensis I–IV*, ed. GUILIELMUS FRAKNÓI–IOSEPHUS LUKCSICS, Budapest 1896–1908 (MREV), I, n. 188, 233–241.

<sup>56</sup> De Senis as absent canon of the chapter of Esztergom in LUKCSICS PÁL, *Az esztergomi főkapitán a mohácsi vész idején, 1500–1527* (A Római Magyar Történelmi Intézet Kiadványai), Esztergom 1927, 25 [PÁL LUKCSICS, *The Chapter of Esztergom at the time of the Battle of Mohács*]. In 1513 the pope donated him the benefice of the chapel of Virgin Mary in Esztergom with the support of Bakócz. KÖRMENDY KINGA, *A jogtudó magyar értelmiség és a Curia Romana a XVI. század elején*, Régi és új peregrináció. Magyarok külföldön, kül-

The official appeal against the archbishop's decision was finally submitted in 1524. The pope in this case left the examination as well as the final decision, unlike in the Körmend case, to the delegated judges. He could do this without risking a disadvantageous outcome for the Benedictines because the Hungarian cardinal had been dead by that time.<sup>57</sup> The circumstances of the 1518 examination in Körmend, as we shall see, did justify the concerns of the Augustinians and the pope about the political dominance of the other party.

*Apostolic tribunal in Buda and witness  
interrogation at Körmend (1518)*

Bakócz's power after 1514, the date of the peasant uprising which developed out of the crusade he preached, was continuously declining. Parallel with this, Georgius Szatmári, bishop of Pécs and royal chancellor was rising ever higher politically and after 1518, by the side of the underage king, royal power doubtless concentrated in his hand. Interestingly, his papal commission in the case of the Augustinians, either according to or against the intentions of Pope Leo X, was in favour of his old rival in the conclave.

Bishop Szatmári was an old *protégé* of Bakócz's, whose relationship with his patron had remained confidential despite the fact that later they often represented differing political lines.<sup>58</sup> During the Diet in November 1514, following the agrarian revolt, anti-Bakócz sentiments had reached their climax: "The only thing that has yet to come is that my life, which is bitter enough anyway, should be taken", the arch-

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földiek Magyarországon (A III. Nemzetközi Hungarológiai Kongresszus előadásai), Budapest–Szeged 1993, I, 171–175 [KINGA KÖRMENDY, *The Hungarian jurist elite and the Curia Romana at the beginning of the 16<sup>th</sup> century*].

<sup>57</sup> MREV IV, n. 231, 294–295.

<sup>58</sup> TÓTH-SZABÓ PÁL, *Szatmári György prímás. 1457–1524* (Magyar Történeti Életrajzok), Budapest 1906, 33 [PÁL TÓTH-SZABÓ, *Primate György Szatmári*]; KUBINYI ANDRÁS, *A belpolitika II. Lajos uralkodása idején*, Engel Pál–Kristó Gyula–Kubinyi András, Magyarország története 1301–1526, Budapest 1998, 342–343 [ANDRÁS KUBINYI, *Internal Politics during the Reign of King Louis II*].

bishop complained, listening to the events from Esztergom. In this perhaps most critical moment of his life, his only ally was the bishop of Pécs, who proved grateful towards his old patron during the conflict with the Augustinians as well: the judge he delegated in place of himself, Michael Vitéz, whom he called a familiar of his, came to his service from Bakócz's entourage. Between 1511–1516 Vitéz served as the Hungarian confessor in the Curia. In 1512 he obtained the provostry of Esztergom from the pope with the archbishop's support and in 1513 he was one of the escorts of the Hungarian cardinal in the conclave, while in December 1514 he acted as one of the archbishop's advocates in a Roman lawsuit. Finally, in 1521 he was again in Bakócz's service as an advocate at the see of Esztergom.<sup>59</sup>

*Litteratus* Martinus Újhelyi was also a procurator of the archiepiscopal see as a secular lawyer, representing Petrus Erdődy during the process in Buda against the Augustinians.<sup>60</sup> One of his advocate colleagues was the nobleman Anthonius Miletinczi, whose son, Iohannes Miletinczi was none other than the notary public compiling and authenticating the register in Körmend, also employed by the see of Esztergom. But in spite of his obvious links with Esztergom, he was also accepted by the Augustinians as notary during the process in Körmend.<sup>61</sup> The close links between the petty noble-intellectual family of Slavonian origin and the Erdődys is also indicated by the following episode in the life of *magister* Nicolaus Miletinczi, curial clerk: on 24 May 1517, in the wake of the Körmend events, he was applied by Petrus Erdődy as his advo-

<sup>59</sup> KÖBLÖS JÓZSEF, *Egyházi közélet Magyarországon Mátyás és a Jagellók korában* (TMT 12), Budapest 1994, 376–377 [JÓZSEF KÖBLÖS, *The Middle Layers of Ecclesiastical Society during the Time of King Matthias Corvinus and the Jagiellos*].

<sup>60</sup> KUBINYI ANDRÁS, *Írástudás és értelmiségi foglalkozásúak a Jagelló-korban*, Magyar Herold [Hungarian Herold] 1 (1984) 186–208, 193 and 204 [ANDRÁS KUBINYI, *Literacy and the Lay Intelligentsia in the Jagiello Era*].

<sup>61</sup> "...dicta et depositiones per providum et scientificum magistrum Iohannem Mylethinczj, notarium publicum ad hoc per partes hinc inde etiam electum et per nos deputatum, fideliter conscribi facere curetis." The letter of commission of Michael Vitézy for Martinus Attádi to conduct the witness interrogation in Körmend. *Processus*, fol. 21v.

cate.<sup>62</sup> The Szatmári–Bakócz alliance, or patron-client relationship is marked finally by Martinus Attádi's career. Obviously, Petrus Erdődy's advocate did not request Attádi by chance to be sent to conduct the witness interrogation. Bishop Attádi, as a suffragan and domestic prelate of the bishop of Pécs since 1517, stayed in the circles of Bakócz in Esztergom in April 1517: he appears as a witness in the legate's patent ordering the expulsion of the Augustinians.<sup>63</sup> On the whole, it occurs that the executors of the Körmend case were all members of Bakócz's entourage.

Exactly because of this, it seems curious at first sight that the Augustinians did not object to the persons of the judges participating in the examination: from Szatmári, delegated by the pope, to Martinus Attádi, conducting the witness interrogations. Even more so, as the principle of judiciary autonomy and impartiality laid down in detail by canonists seems rather to have been hurt. And as we know, the parties involved had the opportunity, surprisingly enough for present-day observers, to influence the selection of judges that they found suitable.<sup>64</sup> I do not think the Augustinians kept silent because they found everything in order. Before the witness interrogations were started in Körmend, Michael Kolozsvári, Augustinian prior of Vác had burst out in bitter words: "Poor Augustinian friars, because of the great reputation and power of the patrons of the observants, did not find in the case of the spoliation a more suitable advocate and notary other than him... , who is merely a simple and ignorant friar of the order, to talk, argue and write in their name, and to represent their cause for however great... remuneration paid in advance."<sup>65</sup> The reason for exasperation was that the judges consistently

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<sup>62</sup> On the Miletinczis see BÓNIS GYÖRGY, *A jogtudó értelmiség a Mobács előtti Magyarországon*, Budapest 1971, 364–365 [GY. BÓNIS, *The Jurist Intelligentsia in Hungary before Mobács*].

<sup>63</sup> The titles and benefices of Martinus Attádi: "*episcopus Augostopolitanensis, commendatarius prepositure de Maroth*" (Marótfalva) "*ac archidiaconatus et canonicatus ecclesie Quinqueecclesiensis*" (*Processus*, fol. 1r, 18r). *Baccalaureus* of the liberal arts: MREV IV, 139. Advocate in Bakócz's patent: *Processus*, fol. 13r.

<sup>64</sup> The appearance of bias in itself was enough ground for the refusal of the judge (*recusatio*). This could simply be achieved by any of the parties alleging that the judge was inimical towards him. EVANS, *Law and Theology*, 108–119.

<sup>65</sup> *Processus*, fol. 25r.

disregarded their objection to both having the examination started and the interference in the process of Petrus Erdődy, while they were demanding the restitution of their convent in vain.

The futility of the objection of the legally versed Augustinian leaders can be explained by the fact that they had no opportunity of any legal step. *De iure*, Cardinal Bakócz had nothing to do with the parties involved in the process. Although in 1513 the archbishop asked for permission to reform the convent as landlord of Körmend, during the examination the parties involved as well as the witnesses regarded the archbishop's nephew, Petrus Erdődy, as their patron. They did this rightly and well, as in the meantime there had in fact been a change. Since it was an old plan of the archbishop's to leave his estates to his family instead of the church, through his influence as prelate-politician Petrus Erdődy took over the management of the estates in the county of Vas already in 1511. The final legalisation of the situation happened in May 1517, when the monarch approved of Bakócz's last will.<sup>66</sup> This is why in the process started on the appeal of the Augustinians in the summer of 1518 the defence of the observant Franciscans was undertaken by the young heir, in accordance with his responsibilities as patron.<sup>67</sup>

On 4 May 1518, in the Church of St. George in Buda, the observant Franciscans and the Augustinians appeared, in compliance with the summons they had received, before the law court of Michael Vitéz, provost of Székesfehérvár, conducting the process in place of Bishop Szatmári who absented himself under the excuse of his occupation at the Diet. The Augustinians and the Franciscans were represented by their provincials, Blasius Pécsi, newly elected by the annual chapter of the order held in Buda, the Franciscan Albertus Dereszlényi, and by one friar from Buda from both orders. When the judge turned to the Franciscans to ask for their comment on the papal breve ordering the

<sup>66</sup> His will: MOL Diplomataikai Levéltár (DL), 89 092; Österreichisches Staatsarchiv (ÖStA), Haus-Hof und Staatsarchiv (HHStA), Familienarchiv Erdődy, Urkunden 10 269 and 10 270.

<sup>67</sup> On the patrons' obligation of defence (*protectio, defensio*) see KOLLÁNYI FERENCZ, *A magánkegyúri jog hazánkban a középkorban*, Budapest 1906, 250–251 [FERENCZ KOLLÁNYI, *The Right of Private Patronage in Mediaeval Hungary*].



restitution of the Augustinians, *magister* Martinus Újhelyi interrupted him. He, as we have seen, was Petrus Erdődy's advocate and objected to the implementation of the breve "as a third person, who... is thoroughly involved in the matter". He pleaded that the pope referred to the restitution of the convent of the diocese of Veszprém (*Vesprimien.*), which he accepted, but the convent of the diocese of Győr (*Iaurien.*) must remain on the hands of the Franciscans because the Augustinians had been expelled from there for their errors in a lawful way. As for the location of the convent, the papal breve was in fact in mistake. Therefore, disregarding this, the Augustinians returned that they did not want to enter into a lawsuit but merely demanded the implementation of the papal breve, that is, the *de facto* restitution of their forcefully taken convent. So when two days later, taking the initiative, Újhelyi demanded a witness interrogation on the basis of the articles that he had compiled, the Augustinians, referring to their papal privileges, called upon him to stop harassing them, in view of the fact that "he and Petrus Erdődy had nothing to do with the convent." The advocate replied to this that they did in fact had much to do with it and, referring back to the papal privileges of the Franciscans, asked the Augustinians to stop troubling them.<sup>68</sup>

As can be seen, the Augustinians denied the legitimacy of Erdődy's interference in the process, challenging his authority as patron of the convent. However, they were left on their own with their opinion. Michael Vitéz, who had a canonical doctorate, formulated the official viewpoint more accurately: "Petrus Erdődy is landlord and patron of Körmend, who has taken upon himself the burden of protecting the observant Franciscan brothers in the convent..."<sup>69</sup> The patron intervened in the apostolic examination as a third person on one of the party's side, an act recognised by Hungarian secular judiciary laws as well. By challenging this right, the Augustinians attempted to represent the events in Körmend, which they called spoliation, as a case concern-

<sup>68</sup> *Processus*, fol. 2v–4r and 15r–16r.

<sup>69</sup> The letter of commission of Michael Vitézy for Martinus Attádi to conduct the witness interrogation in Körmend, Buda, 4 May 1518. *Processus*, fol. 18r–21v.

ing the two orders exclusively. They meant to exclude from the case the landlord and the archbishop, in other words, all the local secular and ecclesiastical allies of the rival order. As we know, the Holy See was also interested in defining convent-reforms as inner ecclesiastical affairs. Yet, the Augustinians' efforts failed: the judges in charge continued to execute the witness interrogation in spite of all their objection, and their convent was not returned despite the papal order.

*The final papal decision and the role of local forces  
in observant convent-reforms*

The register of the process conducted in May 1518 in Buda and Körmend may have been received by the pope from Ladislaus Cserbokor, provost of Csanád (*Chanadien.*), some time in the late summer of 1518.<sup>70</sup> It begins with Georgius Szatmári's report, in which the bishop briefly summarises the events. He explained the fact that the convent was not returned to the Augustinians in spite of the pope's instruction with the following words:

“Therefore, since on the basis of the verdict of the Most Reverend Legate... the auditor [*i.e. Michael Vitéz*] was able to clearly establish that the hermits had been deprived of their house not arbitrarily but in observance of the law and the auditor reported this and the process that he conducted to me reliably and in detail, I came to the conclusion that to return the house would have been unjust and would have aroused the indignation of many.”<sup>71</sup>

Besides protecting the unity of religious orders and its own prestige, papal decision making was at the same time guided by the often opposing goal of avoiding the scandals accompanying reforms and calming the tensions that had already occurred. The need to avoid *scandalum* figured as the main argument legitimating the papal decision in almost every

<sup>70</sup> The provost received the *regestrum* closed by the seal of the bishop of Pécs at the residence of the bishop in Buda on 17 June 1518, after performing a vow on the Gospel. *Processus*, fol. 108r.

<sup>71</sup> *Processus*, fol. 1r.

law case about observant convent-reforms. A pregnant formulation of this was addressed to the archbishop of Mainz, who reformed the Franciscan convents of his province referring to his papal authorisation. The German cardinal-legate, as Szatmári did, reasoned in favour of the archbishop of Mainz with the lawfulness of the transfers, the popularity of the new owners, and the common indignation to be expected if the convents had been reinstated. In 1472 the pope replied in the following way: "Since we, with God, intend to prevent scandals and to foster peace, acknowledging the reform that you have implemented, we encourage you as our brother in God to direct all your efforts and diligence towards settling this case in a manner so that no further complaint should reach us."<sup>72</sup>

It seems that Leo X had listened to the advice of the bishop of Pécs and left the convent of Körmend in the hands of the Franciscans.<sup>73</sup> So eventually, despite all of its peculiarities: its belatedness, Bakócz's special situation and the unusual papal reaction as a result, the Körmend case bears the structural elements typical of convent-reforms executed by external social agents. For instance, the tension between canon law and the practice of reform can be clearly seen. In other words: the outcome of reforms tended to depend on the local agents supporting the observants in spite of direct papal jurisdiction over mendicant convents, Rome being relegated to the role of merely adjusting to this. Technically, the right of decision belonged to the pope, but he only had the chance to enforce his will when it coincided with the interests of the stronger local faction. When Leo X ordered the convent of Körmend to be returned to the Augustinians, this condition was not met and therefore his order was not obeyed. In the interest of emerging from this situation without a great loss of prestige, he could only do as much as to subsequently sanction the actual situation. The papacy's dwindled scope of action is indicated, even more expressively than by the Körmend events, by the reform of the

<sup>72</sup> BF III, n. 307. Another good example comes from Basel, see BERNHARD NEIDIGER, *Stadtregiment und Klosterreform in Basel*, Reformbemühungen und Observanzbestrebungen, 539–569, 550.

<sup>73</sup> So far I looked in vain for the papal bull/decreed in the volumes of *Registri Vaticani* (ASV) beginning from 1518 July.

Franciscan convent of Halle in Saxony. The archbishop of Magdeburg, who was the landlord of the town, transferred the convent to the observants. The conventuals turned to the neighbouring landlord and the local dean for help against his decision. The dean punished the observants with excommunication, upon which they asked for the help of the duke of Saxony. Since the secular prince labouring on the reform of the church of his land took the side of the observants and deprived the conventuals of his protection, the pope, despite his direct jurisdiction over the Franciscan order, could do nothing but to confirm the archbishop of Magdeburg's right of reform.<sup>74</sup> The rhetoric of late mediaeval papacy putting emphasis on the sustentation of peace was in fact meant to camouflage its weakness in relation to local powers. Consequently, the reform of convents as a church political event, just as the canonisation of saints, was a process of negotiation between the centre and its peripheries (*partes*), where the papacy became stronger only later, as a result of the Council of Trent.<sup>75</sup>

#### CARDINAL BAKÓCZ AND THE REFORM OF RELIGIOUS ORDERS

The transfer of the convent of Körmend is a belated example of late mediaeval convent-reforms. In the reform movement of religious orders, Cardinal Bakócz also had a decisive role. Therefore, it will be worth examining more closely how the events around the Augustinian convent fit in with this broader church political context.

##### *Bakócz and the Benedictine and Premonstratensian reform*

At the beginning of the 16<sup>th</sup> century, a dynamic reform process started both in the Benedictine and the Premonstratensian orders. The re-

<sup>74</sup> SCHULZE, *Fürsten und Reformation*, 83.

<sup>75</sup> For this kind of approach to the canonization procedures see PETER BURKE, *How to be a Counter-Reformation Saint*, [Id.], *The Historical Anthropology of Early Modern Italy. Essays on Perception and Communication*, Cambridge 1987, 48–62.

formers tried to create favourable conditions to revive communal religious life through the practice of the canonical election of superiors, through having regular meetings and visitations and organising isolated convents into closer units under one leader. The first significant results in this field appeared in 1510–1512 in both orders.<sup>76</sup>

The reform of the Benedictines was initiated and supported by the monarch, Wladislaus II (1490–1516) himself, and the leading figure of the movement was Matthaëus Tolnai, abbot of Pannonhalma, appointed by the king in 1500. The events are well-known: Bakócz disfavoured the Benedictine's efforts to organise the congregation because they encroached on his authority as primate: the reformed abbies had come under Pannonhalma, they visited the great chapter instead of the synod of Esztergom, and they were visited not by him but by the arch-abbot. The conflict had deepened further after the king's death and the papal confirmation of the congregation (1518): the archbishop embraced the endeavours for independence of the abbots denying the strong power of the arch-abbot and this way impeded the efficient operation of Benedictine reform effectively.

On the other hand, the successful implementation of the reform movement of the Premonstratensians in Hungary, spreading from France, can be attributed to the archbishop with a similar certainty. As a first step, from 1506, the archbishop's protégés became heads of three great provostries with the king's cooperation: Franciscus Fegyverneky, Uriel Majthényi and Andreas Dévai, all three being learned clerics originating from the gentry, who joined the order after their appointment. They became the superiors of the provostries of Ság, Turóc and Bozók, respectively, all under royal patronage, while the fourth house selected for reform in Bény had Bakócz as its patron. In 1510, control passed into their hands almost unperceived, and through them it came under the primate's influence. The order was operated "hand-controlled" by the

<sup>76</sup> For a more detailed study of the reform movements see MÁLYUSZ, *Ecclesiastical Society*, 221–233; OSZVALD ARISZTID, *Fegyverneky Ferenc, sági prépost, rendi visitator 1506–1535*, *Emlékkönyv Szent Norbert halálának 800 éves jubileumára (1134–1934)*, Gödöllő 1934, 51–108 [ARISZTID OSZVALD, *Ferenc Fegyverneky, Provost of Ság, Visitor of the Premonstratensian Order 1506–1535*].

archbishop, as the centralised organisation of the order made it possible for Bakócz to enforce his will, rendering any anti-reform local movement impossible.

The reform of the order, at the same time, had considerable results in restoring monastic life as the archbishop's men were genuine supporters and restless champions of internal revival. Franciscus Fegyvernek, visitor of the order, put his own men in command of the convents but these were simple friars whose assistance he could rely on in implementing the reform; he visited the provostries, maintained contacts with the French centre, and he was a careful administrator and protector of the assets of the order previously abalienated out of negligence. Meanwhile, he considered it important that the canons of the order should compile a book of the order of holy offices in Hungarian (the *Lányi Codex*) for the nuns. Hungarian church historiography, discussing the above-mentioned events more exhaustively, suspects church political as well as personal reasons behind the devout support towards the Premonstratensian reform that was exhibited by Cardinal Bakócz, "an egotistic Renaissance personality": "He did not like Tolnai's reform and he did not support it, even tried to thwart it. As if he had wanted to show, out of obstinacy, what his power was worth, he particularly took under his shelter the endeavours of another order."<sup>77</sup>

There are in fact several factors in favour of the anti-Benedictine background of the Premonstratensians' support by the archbishop. As far as our topic is concerned, the most interesting of these is the case of the nunnery of Somlóvásárhely already mentioned above. This old Benedictine convent was under the protection of the lords of the neighbouring castle, Bakócz and his nephew.<sup>78</sup> At the beginning of the story, Franciscus Fegyvernek, as I have mentioned, did everything in his power to regain his abalienated provostries. These included the two important houses of Zsámbék and Csut, which were on the hands of the Paulines at the time. I think this was the decisive factor in the fact that

<sup>77</sup> MÁLYUSZ, *Ecclesiastical Society*, 229.

<sup>78</sup> Cf. LUKCSICS PÁL, *A vásárbelyi apácák története*, Veszprém 1923, 18–19 [PÁL LUKCSICS, *The History of the Nuns of Vásárbely*].

the powerful cardinal did nothing in Rome in the interest of regaining these. The Paulines were the most popular order besides the Franciscans in these days because of their Hungarian origin and their religious services on offer, requited by the flock with donations. Even Bakócz could not elude their influence, which is demonstrated by the fact that he conferred pious donations on the hermits more than on anybody else, as shown by his account book in Eger. The order also had him to thank for obtaining the abbey of Visegrád at the Danube bend in 1493, which had been neglected by the Benedictines. The prelate also contributed money, if only in small measure, to the restoration of the buildings.<sup>79</sup> The archbishop's sympathies towards Pauline devotion may have been turned into a personal relationship in Rome at the latest, where Gregorius Gyöngyösi, later general (1520–1521) and spiritual reformer of the order, was prior of the Pauline convent from 1512 and had influential connections in the Curia.<sup>80</sup>

The Benedictine convent of Somlóvásárhely, on the other hand, seemed to be in need of reform. The first sign of problems was Wladislaus II's charter of 9 September 1510, in which the king called upon the nuns to stay under the protection of Petrus Erdődy, landlord of the castle of Somlyó, and his castellans. The warning was issued because, as the king had been informed, the nuns tried to evade the authority of the landlord and in the interest of "...living more freely and loosely, they are not willing to accept the control of the superintendent... For this reason they induced the nobility of the county to support them against Petrus Erdődy, although he had done no harm to either their properties

<sup>79</sup> Between 1493–1496 he gave alms to the Paulines thirteen times, to the Franciscans twice and to the Carthusians once. KANDRA KABOS, *Bakocs codex. Bakócs Tamás egri püspök udvartartási számadó-könyve 1493–1496. évekről* (Adatok az egri egyházmegye történelméhez 2), Eger 1888, 360–361. 364–369. 374. 413–436. [KABOS KANDRA, *Bakocs codex. The account book of the court of Tamás Bakócs, bishop of Eger*]. On Visegrád see *A pannonhalmi Szent Benedek-rend története*, szerk. ERDÉLYI LÁSZLÓ, BUDAPEST 1902–1912 (PRT), XII/b, 52–53 [*The History of the Order of St. Benedict of Pannonhalma*, ed. by LÁSZLÓ ERDÉLYI].

<sup>80</sup> MÁLYUSZ ELEMÉR, *A pálosrend a középkor végén*, Egyháztörténet [Church History] 3 (1945) 1–53, 18 [ELEMÉR MÁLYUSZ, *The Pauline Order at the End of the Middle Ages*].

or their serfs but, rather, intended to preserve them in safety". The king was all the more surprised since, as he writes, the nuns had themselves asked him previously to place them under the protection of the castellans of Somlyó.<sup>81</sup>

Before the transfer in June 1511, based on a scenario identical to that of the Kőrmend case, there was an examination with witness interrogation conducted in the case of the nuns of Somló concerning the nuns' demeanour. The record of this process is not known. The events are alluded to in most detail by the archiepiscopal vicar's final decree ordering the nuns' departure, which has survived as a summarised transcript in the palatine's instruction concerning its implementation. In this we read that "the abbess and some nuns, neglecting religious discipline, did not blush to lead a lecherous life, to visit pubs and, submitting to their wanton desires, to organise dances in the convent, to indulge in debauchery and to descend to even worse, and to slope about outside of the convent."<sup>82</sup> Whether the nuns really lived such an exuberant life and how much the exceptional weaknesses which inevitably occur in communities organised along such rigorous values and principles had become general, we do not know. But obviously the objections against the nuns: the transgressions of enclosure, the visits to pubs and their rampant life do coincide with what was cast up by Bakócz's men against the Augustinians of Kőrmend.

At first sight, it seems a possible scenario of the events that the background of the process started against the nuns in March 1511 was in fact provided by the disturbances upsetting the life of the county. In other words, what happened was that when Petrus Erdődy tried to discipline this community of loose morals by appointing a superintendent, they openly revolted. As we have seen, a supervisor called superintendent was also appointed in Kőrmend. Here, the provincial's similar measure was taken upon the complaint of the people of Kőrmend. The Carmelites of Eperjes were supervised in the 15<sup>th</sup> century with the authorisation of the general of the order by the townsmen, with wide-ranging disciplinary

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<sup>81</sup> ÖStA HHStA Arch. Erdődy, Urkunden 10 247.

<sup>82</sup> MOL DL 22 140.



and syndical powers.<sup>83</sup> But because the Benedictine nuns did not accept the authority of the landlord's man or the superior of the order he requested, and because they caused disturbances in the county, Bakócz abandoned his passivity upon his nephew's complaint. If all this happened this way, then we can at the same time explain why Bakócz's choice fell on the nuns of Somlóvásárhely and not on the Benedictine abbeys of Ják or Csátár, of which he was also a patron and where, in the light of the records of contemporary visitations, monastic communal life had long been disintegrated.<sup>84</sup>

Yet, certain signs suggest that we cannot deal with the reform of Vásárhely merely within the frames of convent-reform by the landlord and of the personal and "official" religiosity of the patron.<sup>85</sup> The background of the warning of the nuns of Vásárhely by the monarch clearly elevates the events into the sphere of politics. In September 1510, the monarch and the government conducted negotiations with Bakócz's leadership in Nyitra on matters of foreign affairs. In these days, obviously on the archbishop's initiative, not only the nuns of Vásárhely were given a warning but Bakócz also advanced the resolutions of the 1510 general chapter of the Premonstratensians for confirmation by the monarch. This contained, among other things, that the superiors could send nuns "to such houses as they see appropriate". In view of later developments it follows clearly that Bakócz's confidants, provosts Fegyverneky and Majthényi had left for the chapter in January 1510 with the finished plan of the expulsion of the Benedictine nuns of Somló. This puts the combination of the nuns in a different light: it was aimed

<sup>83</sup> REGÉNYI KUND, *Az eperjesi Szentháromság karmelita konvent története*, Tanulmányok a középkori magyar történelemtől (Az I. Medievisztikai PhD-konferencia előadásai, szerk. Homonnai Sarolta–Piti Ferenc–Tóth Ildikó), Szeged 1999, 103–114, 104–105 [KUND REGÉNYI, *The History of the Carmelite Convent of the Holy Trinity in Eperjes*].

<sup>84</sup> PRT XII/b, 222–223 (Ják), 256–265 (Csátár). Concerning the visitations see ÉRSZEGI GÉZA, *Hétköznapok a középkorvégi magyarországi bencés monostorokban*, Mons Sacer 996–1996. Pannonhalma 1000 éve (szerk. Takács Imre–Szovák Kornél–Monostori Martina), Pannonhalma 1996, I, 561–567 [GÉZA ÉRSZEGI, *Everyday Life in the Benedictine Monasteries of Late Medieval Hungary*].

<sup>85</sup> On the concept see FRANZ MACHILEK, *Privatfrömmigkeit und Staatsfrömmigkeit*, Kaiser Karl IV. Staatsmann und Mäzen (hrsg. von F. Seibt), München 1978, 87–101.

not only at the protection of their possible looseness, but rather of their convent. They sought an ally in the county nobility in order to prevent their expulsion, which had long been planned by the archbishop and was already in progress. The monarch's requisition functioned as the formal prerequisite of reforms, that is, as an official warning, since the reform was carried out in the name of the king. As Pope Julius II believed to be fulfilling the request of the king in his confirmation of 15 May 1512, King Wladislaus also indicated himself as the initiator of the reform, mentioning Cardinal Bakócz only as the executor of the royal will.<sup>86</sup>

It thus seems certain that the rapidity and success of the reform at Vásárhely was due exclusively to the special attention that Bakócz paid to it. And it can be explained primarily by the tense relationship between the arch-abbot Tolnai and the archbishop that the reorganisation of convent life took place not in collaboration with the Benedictines, even though the conditions were ready for this due to the well-known reform achievements within this order.

*The primate and the observant Franciscans*

In light of the above the question arises whether we should also seek the immediate motivation of Bakócz's intervention in Körmend in his relationship with the two orders, the observant Franciscans and the Augustinians. This problem, as we have seen, was also part of the debate between the rival orders. The Augustinians asserted that the archbishop was induced by the observant Franciscans to take their convent. In contrast, the representatives of the Franciscans declared during the interrogation that they went to the convent of Körmend not at their own will, but because Bakócz obliged them to, and therefore, they would willingly renounce it without litigation.<sup>87</sup>

Concrete as well as more general circumstances suggest that the idea of reform did not come from the Franciscans and the preparations were

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<sup>86</sup> MREV IV, n. 177, 211–212.

<sup>87</sup> *Processus*, fol. 11v and 3v–4r.

made without them, and when they received the archbishop's order at the end of May 1517 they were probably not very enthusiastic about moving into the ruined convent. Observant Franciscans, as is well known, enjoyed enormous popularity in late mediaeval Hungary. During the 15<sup>th</sup> century, their supporters built forty-four new convents for them. Among other ones, they had a new convent at Egervár near Körmenđ.<sup>88</sup> So it seems unlikely that they would have set their eyes on the old and ruined cloister of the Augustinians in Körmenđ. The preliminary cooperation of Bakócz and the Franciscans is confuted best perhaps by the failure of the reform and the Franciscans' departure. It is also tempting to draw a parallel with the peasants' revolt of 1514, one of the most important and dramatic social-political events of the age, which developed out of the crusade preached by Bakócz: the failure in both cases may have been the result of Bakócz's one-sided interestedness and the lack of preparations planned jointly with the Franciscans.

Anti-Turk papal actions in Hungary were traditionally executed by the observant Franciscans, the success of whom Bakócz directly experienced in his youth in the entourage of Gabriele da Rangoni, a fellow friar and aide of Giovanni de Capestrano. Yet, the legate only trusted the observant Franciscans to organise the crusade, instead of the reluctant episcopacy and his suite escorting him from Rome, when it seemed that his endeavour had failed.<sup>89</sup> The question is therefore why he did not choose this apparently self-evident solution in the first place. The answer is to be found in the interior and exterior conflicts of the Franciscan order. On the one hand, the chronicle of the order makes short mention of the scandals which reached the order around 1512–1513 in connection with their collection and administration of the jubilee indulgence monies. On the other hand, we know that Hungarian observants

<sup>88</sup> FÜGEDI ERIK, *Koldulórendek és városfejlődés Magyarországon*, [Id.], *Kolduló barátok, polgárok, nemesek. Tanulmányok a magyar középkorról*, Budapest 1981, 57–88, 83–84 [ERIK FÜGEDI, *Mendicant orders and urbanisation in Hungary*]; KARÁCSONYI, *The History of the Order of St. Francis*, 38–39 and 356.

<sup>89</sup> SZÜCS JENŐ, *A ferences obszervancia és az 1514. évi parasztbáború. Egy kódex tanúsága*, *Levéltári Közlemények (LK)* [Archivistical Communications] 43 (1972) 213–263, 235–236 [JENŐ SZÜCS, *Franciscan Observants and the Peasant War of 1514*].

were struggling with serious internal debates at the time. Under the leadership of the Italian commissioner of the order delegated to Buda, a radical group of younger friars, demanding the tightening of the rules of religious life in the name of spiritualism, openly gave voice to their discontent, which led to an open revolt against the conservative superiors.<sup>90</sup> Several small signs indicate that Bakócz was aware of the difficult situation of the superiors of the province. The archbishop was a patron of the Franciscans and it seems that he had a close relationship with Blasius Dézsi, their provincial: the friar had collaborated already in the first preaching of the crusade bull in Buda. There was another observant Franciscan, probably belonging to the immediate entourage of the archbishop, Urbanus Kövesdi, who noted down his own poems in the archbishop's breviary during these years, who could serve as a channel of information about the internal conditions of the order.<sup>91</sup>

The cardinal was aware of the difficult situation of the order as a result of his good relationship with its superiors. But as soon as he got in trouble, he mobilised them, regardless of the Franciscans' own interests or the dangers of their involvement, in the interest of achieving his own personal goals. And the observant leaders, although probably they were not happy with the commission, obeyed the papal legate's order, just as they did the instruction to move into the ruined convent of Körmend. All this indicates, if not a coordinated action, the balanced nature of their relationship (since the Franciscans, like the bishops, could have sabotaged the action), which is also reflected by the fact that it did not become hostile even after the tragic failure of 1514, putting an end to Bakócz's career desires. In the light of his "campaign" against the Benedictine reformer Matthaëus Tolnai, who did much less harm to him, the survival of their good relationship is not at all self-evident. Thus, while he knew that the outbreak of the peasants' war, in terms of both the elaboration of the ideology and the actual command, was largely

<sup>90</sup> SZÜCS JENŐ, *Ferences ellenzéki áramlat a magyar parasztháború és reformáció hátterében*, Irodalomtörténeti Közlemények [Communications of Literary History] 78 (1974) 409–435, 412 és 414–416 [JENŐ SZÜCS, *The Movement of the Franciscan Opposition in the Context of the Hungarian Peasant War and the Reformation*].

<sup>91</sup> RITOÓKNÉ SZALAY, *Manuscript Poems*, 189.

another catastrophic scandal concerning the observant Franciscans, he nevertheless wanted to transfer the convent of Körmend to them, and in 1517 he actually did. Although in 1513 in Rome he only requested that he might take the convent from the Augustinians and give it to the observant friars of another mendicant order, I suppose that the candidates he had in mind were the Franciscans already then.

The manifestations of his private devotion also point towards the Franciscans rather than the Dominicans, who were the other potential candidates for the task. Although he may have started his studies in the school of the Dominicans in Szatmár and he also chose his confessor from among them in the person of the prior of the Dominican convent of Esztergom, this can also be regarded as a sign of the Roman orientation of his religious mentality, since the popes' theologians had also been provided traditionally by this order.<sup>92</sup> Neither it is an obvious symptom of his emotional commitment to the Franciscans that in 1513 he requested from the pope permission for indulgence for those visiting the chapel of the Clarists in Óbuda, as his request was justified by his veneration not for the Franciscans but for Queen Elizabeth, the founder of the cloister who was buried there († 1387, wife of the Anjou King Louis the Great).<sup>93</sup> It is however worth noticing that the altar of the Renaissance chapel which is regarded as the main achievement of his life (1519) was adorned with motifs characteristic of the observant Franciscans.<sup>94</sup> And Bakócz, who normally circumspectly ensured the future of his nieces and nephews, probably also had a role in one of his relatives taking the hood of the Franciscans and living in the convent of Sárospatak, and he even supported the young friar financially.<sup>95</sup>

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<sup>92</sup> Cf. e.g. MAURO DA LEONESSA, *Il Predicatore Apostolico. Note storiche*, Isola del Liri 1929, *passim*.

<sup>93</sup> THEINER, *Vetera monumenta*, II, n. 808.

<sup>94</sup> On the altar-table the *IHS* monogram is to be seen in a round medal, which must have spread in Hungary with the mediation of Giovanni de Capestrano. BALOGH JOLÁN, *Az esztergomi Bakócz kápolna*, Budapest 1955, 35, picture n. 89 [JOLÁN BALOGH, *The Bakócz-chapel in Esztergom*].

<sup>95</sup> KANDRA, *Bakocs codex*, 436. – See also map 3 after page 192.

*The cardinal and the Augustinians*

On 10 April 1520, General Gabriele da Venezia addressed a circular to the Hungarian province, in which he urged the friars to “lead a holy life and especially to pacify the archbishop of Esztergom”.<sup>96</sup> The laconic note in the general’s registers, considering its date, can possibly refer to Bakócz’s anger aroused by the appellation of the Augustinians. We can also read in Hungarian literary history about the view that the archbishop got into conflict earlier, already in 1514, with the Hungarian province. Namely with Agostino da Vicenza, who arrived from Italy to direct (*magister regens*) the central college of the order in Esztergom, and who then – as the argument follows – had to leave the country in 1516 as a result of his clash with Bakócz.<sup>97</sup> The clarification of this problem is central to the understanding of the process of the convent in Körmend.

However, this is not an easy task due to the lack of a modern monograph concerning the mediaeval history of the Augustinian order in Hungary. The theme was last tackled by a brief study in 1943, which suggested the early and stable presence of the observant movement in the Hungarian province and, as a result of this, the flourishing and the strength of the order at the beginning of the 16<sup>th</sup> century.<sup>98</sup> In the light of this, the question arises: why was it then necessary to transfer the Augustinian convent in Körmend to the observant Franciscans, if there was a much easier option available to reform convent life in cooperation with the reformers of the Augustinians? Let us consider the sources and the events.<sup>99</sup>

<sup>96</sup> 10 April 1520. AGA Serie Dd, vol. 13, fol. 132v.

<sup>97</sup> LÁSZLÓ MEZEY, *Maestro Agostino da Vicenza, Agostiniano Platonista nell’Ungheria Cinquentesca*, Rapporti Veneto-Ungheresi all’epoca del rinascimento (Studia Humanitatis 2, a cura di Tibor Klaniczay), Budapest 1975, 325–335, 330.

<sup>98</sup> See MÁLYUSZ ELEMÉR, *Az ágostonrend a középkori Magyarországon*, Egyháztörténet [Church History] 1 (1943) 427–440, especially 432 and 436–37 [ELEMÉR MÁLYUSZ, *The Augustinians in Mediaeval Hungary*].

<sup>99</sup> I clarified some aspects concerning conditions and reform of the Hungarian province in an earlier study, of which the chapter below is a modified excerpt. GABRIELLA

After a two-decade-long crisis of leadership, the order was headed by Egidio da Viterbo, an outstanding humanist scholar, preacher and reformer (1506–1517).<sup>100</sup> The new general had to face two different problems which brought the order to the brink of dissolution. One was the loosening of life and discipline, the other, as mentioned above, was the ever greater independence of observant congregations. The general's reform program therefore attempted to level the differences: to enforce the obedience of observants and, in the spirit of *vita communis*, to generally revive discipline, learning and spirituality.<sup>101</sup>

In the Hungarian province the difficulty lay in planting the spirit of reform and introducing a stricter way of life. Earlier assumptions concerning the reform spirit of the Hungarian leadership were primarily based on a book found in the possessions of the convent of Várad. The book in question was printed in 1508 in Venice and, besides the rule of St. Augustine with Hugo de S. Victore's comments, it includes the constitutions, statutes, ordinal, and papal privileges of the order with the *Bulla Aurea* (1507) and the privileges of the Lombard observant congregation. Historical imagination was captured by the presence of the latter, considered as a sign of longing for these exceptional privileges and, at the same time, as a sign of an emerging relationship with the Lombard congregation. This chain of ideas made it possible then to speak about the existence of Hungarian reform intentions.<sup>102</sup>

However, this booklet containing all that an Augustinian friar needed to know, was there in every convent of the order in the 16<sup>th</sup> century and several copies have survived to this day. The printing and sending of this vademecum to every convent was one of the first steps

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ERDÉLYI, *Crisis or Revival? The Hungarian Province of the Order of Augustinian Friars in the Late Middle Ages*, *Analecta Augustiniana* 67 (2004) 115–140.

<sup>100</sup> *Giles of Viterbo O.S.A. Letters as Augustinian General (Lettere ufficiali, 1506–1517)* (FH O.S.A. Series II), a cura di CLARE O'REILLY, Romae 1992; MARTIN, *Friar, Reformer* (furthermore not cited).

<sup>101</sup> FRANCIS X. MARTIN, *The Augustinian Order on the Eve of the Reformation*, *Miscellanea Historiae Ecclesasticae II* (Bibliothèque de la Revue d'histoire ecclésiastique 44), Louvain 1967, 71–104, 77–81 and 96–103.

<sup>102</sup> MÁLYUSZ, *The Augustinians*, 432 and 436–37.

of the Egidian reform. Its purpose needs no explanation. The Lombard privileges, which seem odd to be included, in the context of the papal privileges granted for the whole order were meant to stress the limitations of the independence of the Lombard congregation, and to temper the similar aspirations of the Saxon congregation by pointing out the exceptional nature of these privileges. The copy of Várad is a reprint of the first edition printed in Rome, made in November the same year in Venice.<sup>103</sup> As it turns out from the general's letters, the idea of the reprint came, perhaps, from provincial Gabriele Veneto, the next general, who dedicated the reprint to Da Viterbo, but the realisation of the idea was again due to Da Viterbo's resolution and peremptory directions.<sup>104</sup>

The general had some even more effective tools to execute the reform program accepted at the general chapter of 1507 in Naples. To ensure a continuous relationship with the Italian and trans-Alpine provinces, including Hungary, he often wrote to the provincials urging them to go on with the reform and expected from them monthly relations of the conditions within their provinces.<sup>105</sup> The extrapolation of the reform was further supported by a new procedure whereby the newly elected provincials and the decisions of provincial chapters were only acknowledged by Rome on condition that they were committed to the cause of reform. In practice, this meant a promise to introduce eight regulations concerning discipline, personal poverty, and a common liturgy. After such antecedents, in 1509 magister Martinus Pécsi ('de Quinque Ecclesiis'), in 1514 Paulus Dombus, and probably in 1518 Blasius

<sup>103</sup> The surviving sample in Eötvös Loránd Tudományegyetem, Egyetemi Könyvtár, Kézirattár – Eötvös Loránd University, University Library, Manuscript Room, Ac 4r, 816 (*Regula Augustini*).

<sup>104</sup> For other surviving copies of it see ANTONIO DO ROSARIO–CARLOS ALONSO, *Actas ineditas de diez capitulos generales 1419–1460*, *Analecta Augustiniana* 72 (1979) 5–133, 8–9; *Regula Beati Augustini una cum expositione Hugonis de Sancto Victore, Venetiis 1508* (Biblioteca Angelica); *Egidio da Viterbo O.S.A. Lettere familiari. II: 1507–1517* (FH O.S.A. Series II), a cura di ANNA MARIA VOCI ROTH, Roma 1990, n. 309. 312. 321. 324 (letters from January–October 1508).

<sup>105</sup> *Aegidii Viterbiensis O.S.A. registrum generalatus. I: 1506–1514. II: 1514–1518* (FH O.S.A. I/17–18), ed. ALBERICUS DE MEIJER, Romae 1984–1988, I, n. 577 (1510) and 614 (1510); II, n. 883 (1517).



Pécsi ('de Quinque Ecclesiis') were confirmed in their positions as provincials.<sup>106</sup> However, the fact that the general's urges to reform did not cease, signals that the promised actions had not been implemented by the Hungarian provincials. The urges not only recurred but, in fact, became harsher and harsher in tone.<sup>107</sup> In November 1509 Martinus Pécsi was threatened to be dismissed if he continued sabotaging the reform.<sup>108</sup> That this was not an empty threat is shown by the fate of a French provincial dismissed for the same reason.

All this shows that the older generation of Hungarian superiors, even if they did not expressly resist, did not perform the reforms initiated by Rome. This, of course, was by no means an exceptional phenomenon in the order. At the same time the democratic organisation of the order limited the general's powers to displace officials, consequently much patience and long-term reform-programs were needed, especially in the trans-Alpine provinces. Da Viterbo's decree, which prescribed that only those can study at the order's colleges who are willing to accept the stricter norms, seemed to ensure that the next generation of superiors would be committed to the reform. The most suitable places for this were the Italian schools, since the general, in spite of his general authorities, could only successfully exert his right to appoint teachers and students in these. Therefore, he intended to strengthen the international nature of these schools in the hope that when the students return home they would foster the spirit of reform in their homelands. It appears that in sending students to Italy, the Hungarian province lived

<sup>106</sup> *Aegidii Viterbiensis O.S.A. registrum*, I, n. 275 (1509) and II, n. 122 (1514). 23 July 1518: "*Acta capituli Vngarie confirmamus omnia preter gradus... Litteras reformationis publicas ad provinciam illam Vngarie scribimus*". AGA Serie Dd, vol. 12, fol. 79v. Although the confirmation of Blasius Pécsi is not mentioned here explicitly, during the process in Körmen, on 4 May 1518 he is already mentioned as *electus provincialis*, and one of his official letters is dated from the provincial capitulum in Buda (*Processus*, fol. 277v) and, therefore, he must have been elected there.

<sup>107</sup> 16 July 1520: "*Frater Blasius de Quinque Ecclesiis factus est provincie rector usque ad capitulum in regni Vngarie cum auctoritate consueta; scribimus autem de reformatione litteras tum longas tum valde rigidas*." See also 24 June 1520, AGA Serie Dd, vol. 13, fol. 135v and 137r.

<sup>108</sup> *Aegidii Viterbiensis O.S.A. registrum*, I, n. 407.

up to the expectations of Rome, and had to be urged only, from time to time, not to forget about their financial support.<sup>109</sup>

The general, however, did not satisfy with this and insisted on introducing his moderate reform program in the remote Hungarian province too. If his written appeals proved in vain, he appointed a local friar as his visitor and commissioned him to execute the reform. Skipping this intermediate stage, to Hungary he sent an Italian in July 1512, which again signals the lack of local supporters for the reform. Agostino da Vicenza, magister of theology, who had been *magister regens* of the order's colleges in Rome and then in Siena, was now appointed to this position in Esztergom. His foremost task was to introduce the new educational system, which was a pivotal point in the reform.<sup>110</sup>

However, the provincials to follow did not acknowledge Agostino da Vicenza's decrees and despite the strict demands of Rome, not ceasing even after the Italian's departure, did not pay for his expenses.<sup>111</sup> On the basis of short summaries of the general's letters, it cannot definitely be resolved if the conflict was only about finances or was a symptom of some principal disagreement (stricter way of life, system, and subject matter of studies). In light of the traditional anti-reform stance of Hungarian leaders, it would seem that the conflict was centred on the question of reform, that is, on the fact that the conservative Hungarian leadership obstructed the activity of the representative of the reform ideas of Rome. On the other hand, later episodes of the Augustine theologian's life, also raising the interest of literary historians, allude to an ill-natured and wayward man with a restless spirit (he was accused of "Lutheran heresy" in 1529).

Concerning the real cause of the conflict in Esztergom, one later Florentine episode is somewhat unsettling. Da Vicenza, as the leading professor of the local school (1518–1523), sided with the prior's opposition in a political debate dividing the convent. His stance seems to have

<sup>109</sup> AGA Serie Dd, vol. 13, fol. 39v (1518).

<sup>110</sup> *Aegidii Viterbiensis O.S.A. registrum*, II, n. 478 and 569.

<sup>111</sup> *Aegidii Viterbiensis O.S.A. registrum*, II, n. 161 (1514). 563 (1516). 881 (1517); AGA Serie Dd, vol. 12, fol. 179. 180 and 186 (1518).

been based on, besides questions of principles, some rather profane interests. He carried on his own personal battle with the prior for the most comfortable cell, which Da Vicenza occupied on his own will. Two incidents suggest, however, that the situation was more complicated in Esztergom. On the one hand, it is an interesting coincidence that right then, in 1512–1513, there was an ideological debate going on between the Italian commissioner sent to the Hungarian Franciscans and the Hungarian leaders. The possible connections of this with the events in Esztergom will need to be examined by research based on new data. A more concrete argument in favour of our hypothesis is provided by the different behaviours of the generals: while in Esztergom both the leaving and the incoming general definitely took the Italian's side and urged the Hungarian provincials to comply with his decrees and refund his expenses, in the case of the Florentine cell-debate General Gabriele da Venezia, despite their personal friendship, turned against Da Vicenza.<sup>112</sup>

Unfortunately there is no direct hint at the nature of the role Bakócz must have played in the conflict taking place at his archiepiscopal see, and we know nothing about his relationship with the Hungarian and Italian Augustinian superiors. It is, however, a solid fact that Da Vicenza was commissioned during Bakócz's stay in Rome, on 12 July 1512. This was the time of the first part of the Lateran Council opened by the speech of Egidio da Viterbo, in which, referring also to the Hungarian cardinal, he urged the joining of forces against the Turks. It can thus hardly be assumed that Bakócz did not know about Da Vicenza's new mission, although we could only make uncertain guesses about the role – initiation or opposition? – he could have played in it. Instead, we had better pay attention to the circumstance that the reform of the convent in Körmend finally took place in the first spring after Da Vicenza had left the country in October 1516.

Although this, in my opinion, does not tell anything about the nature of the relationship of the cardinal and the Augustinian predicator, it might still give a clue to the four-year delay of the convent's reform.

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<sup>112</sup> MEZEY, *Maestro Agostino*, 332–333 (based on HUBERT JEDIN) speaks exclusively about a political conflict in Florence.

In other words, Bakócz did not want to interfere in the affairs of the Augustinians while the attention of the Italian centre of the order was attracted by the harsh conflict of the Hungarian province and the Italian theologian, since his action against the order might well have united the former enemies in order to defend their convent. What is more, Agostino da Vicenza could have been able to organise a coalition against the cardinal in Hungary and in Rome alike. Later events proved that Bakócz employed good tactics: the pope's order was very much biased towards the Augustinians even without the intervention of their Roman headquarters.<sup>113</sup>

In summary, we have to say that the seeds of reform in the order did not fall on fertile ground in the Hungarian province in the 16<sup>th</sup> century, just as the reform endeavours of the 15<sup>th</sup> century had ended in failure. However, we do not know whether the hostile reaction at the beginning of the 16<sup>th</sup> century arose against the very idea of reform or against the interference of Rome. There are several signs suggesting that conditions in Hungary were not as bad as in the first half of the 15<sup>th</sup> century. *Collecta* payment was regular.<sup>114</sup> There was a sufficient number of students studying in the Italian convents and besides the majority of leaders having the title of lector<sup>115</sup> some attained a higher scholarly degree.<sup>116</sup>

<sup>113</sup> My claim concerning the passivity of the Roman headquarters is based on the fact that in the register-books of the general we can find only the regular orders and events, and there is no such trait of the conflict of the cardinal with the order as in 1520.

<sup>114</sup> Between 1506–1519 paid yearly. AGA Serie Ll (Collette del padre Generale), vol. 2 (1441–1519), fol. 75–76.

<sup>115</sup> For the period between 1472–1482 see PETROVICH EDE, *Új magyar egyetemi vonatkozású adatok a XV. századból egy római levéltárban*, Filológiai Közlöny [Philological Journal] 16 (1970) 158–163 [EDE PETROVICH, *New Hungarian data concerning university life in the 15th century from a Roman archive*]. See besides “*Martinus, Bologna 1455*” (AGA Serie Dd, vol. 6, fol. 289); “*Michael de Crigio Ungarus, Siena 1510*” (*Aegidii Viterbiensis O.S.A. registerum*, II, n. 614); “*Franciscus Ungarus, Rome, 1519*” (AGA Serie Dd, vol. 13, fol. 74v).

<sup>116</sup> The lector of the convent in Sárospatak, Iohannes Kisvárdai, 1489–1490, and Thomas Uz, prior of Esztergom, 1508, baccalaurei. MÁLYUSZ, *The Augustinians*, 435; *Xystus Schier: Memoria provinciae Hungaricae Augustiniana antiquae*, ed. MARTINUS ROSNAK, Graecii 1778, 51 and 101.

Nevertheless, the life and work of the friars, frequently failed to satisfy not only the regulations but the expectations of the people as well. However, the complaints of the town community to the leaders of the order were answered for instance, as in Körmend, in Bártfa too, even if the provincials could not achieve lasting improvement by sending a few friars there and reproaching the undisciplined. The visitation of the convents by the provincial was not an exceptional phenomenon either, although this did not necessarily effect a change in the everyday life of friars. As the petty noble Paulus Nagh de Kemesmal, one of the witnesses heard at Körmend said, the “black friars” of Körmend, for example, “revolted against their provincial when he visited them and wanted to correct their excesses and they refused to be purged of their sins”.<sup>117</sup> And even though the convent of Körmend, which was so significant earlier, was in fact lost by the order, they also had new acquisitions. Ercsi, for instance, was attained as the donation of King Matthias Corvinus (1458–1490), Zalalövő and Némethújvár as private foundations. And still in 1521 two further, yet unidentified, houses were attained through the good will of “distinguished gentlemen”.<sup>118</sup>

Although the critical condition of this previously so important convent was not exceptional in the order at the beginning of the 16<sup>th</sup> century, it was not typical either. Moreover, the leaders of the province, even if they were not representatives of the Italy-based observant movement, to all appearances were very qualified and then put emphasis on maintaining the regularity of communal life. Beyond all this, the internal conditions of the order may have been favourably influenced directly by the fact that the order found a qualified and popular leader in the person of Blasius Pécsi. However, the prior general did not approve of this because it contradicted the regulations of the order which prescribed that the position could be held for a maximum of three years. In view of the unanimous election of fr. Blasius, on the other hand, the

<sup>117</sup> *Processus*, fol. 72v. On Bártfa see CAROLUS WAGNER, *Diplomatarium comitatus Saroniensis, Posonii–Cassoviae* 1780, 532. 540. 545.

<sup>118</sup> F. ROMHÁNYI BEATRIX, *Kolostorok és társaskáptalanok a középkori Magyarországon*, Budapest 2000, 23. 41. 47 [BEATRIX F. ROMHÁNYI, *Convents and Collegiate Churches in Mediaeval Hungary*]. On the two unidentified convents see AGA Serie Dd, vol. 14, fol. 20r.

general appointed him as provincial vicar until the capitular election of the following year. Beyond his re-election in 1526 and the popularity he enjoyed with his fellow friars, this grace was primarily the result of the support of the monarch. The provincial enjoyed the special care and patronage of King Louis II (1516–1526), which must have contributed beneficially to the political significance of the order.<sup>119</sup>

It also seems very probable that we should look here for the backgrounds of the Augustinians' temerity in the case of Körmend. The fact that they questioned the righteousness of the cardinal's decision reflects the order's self-confidence even if Bakócz's power was already over its peak. The good relationship between the provincial and the king must have contributed to their bold apellation to Rome, which, as we have seen before, even the leaders of the Benedictine order did not dare to do until the primate's death, notwithstanding their tight cooperation with the royal court. In any case, their hopes seem to have been frustrated, since the ruler was not ready to face a conflict on their behalf with the old and ill, but all the more rigorous cardinal. Bakócz's anger towards the order was soon to be related to the general personally by Blasius Pécsi, during his visit to Rome in the spring of 1520. Da Venezia, in response, sent an ink-bottle as a present to the king and recommended the provincial and his province to the ruler, which was probably meant to ensure the active royal support which they previously missed but which, by taming the aged and ailing cardinal, could still be made up for.<sup>120</sup>

<sup>119</sup> Blasius Pécsi *sacre theologie lector* and *electus provincialis* in May 1518 (*Processus, passim*) and 1522, 1526–1527. FALLENBÜCHL FERENC, *Az ágostonrendiek Magyarországon* (A Szent István Akadémia II. osztályának értekezései III/3), Budapest 1943, 28 [FERENC FALLENBÜCHL, *The Augustinians in Hungary*]. In between he was prior of the convent of Ercsi. *Egyháztörténelmi emlékek a magyarországi hitújítás korából I–II*, kiad. BUNYITAY VINCE *et al.*, Budapest 1902 (ETE), I, n. 95 [*Remnants of Ecclesiastical History from the Age of the Hungarian Protestant Reformation*, ed. by VINCE BUNYITAY *et al.*]. We are informed about his relationship to the king by a letter of the prior general written to *Blasius* on the occasion of his illegal re-election. AGA Serie Dd, vol. 14, fol. 41v–42r (1521). See also the letter of King Louis II to the general. *Ibid.*, vol. 15, fol. 94r (1526).

<sup>120</sup> The answer of King Louis II to Gabriele da Venezia, prior general. AGA Serie Dd, vol. 13, fol. 145v (1520). – See also map 3 after page 192.

## SUMMARY

During the charting of the political and church historical background of the process of the Körmend convent we have carried out a meandering historical investigation. As a result, we have established that Bakócz's political influence played a major role in this case, and neither Pope Leo X nor the apostolic judges conducting the examination were able to emancipate themselves from it. We have also found out that the cardinal's attitude towards the Premonstratensian and Benedictine reforms and, as a part of this, towards the transfer of the Benedictine convent in Somlóvásárhely was motivated by general church political goals and a power contest. In his relationship with the Augustinians there are also some, although rather faint, traces alluding to possible conflicts going beyond the local context behind the events in Körmend. And it is completely obvious that the archbishop had closer personal, political and religious links with the Franciscans.

Nevertheless, I think that before drawing our final conclusions saying the archbishop reformed the convent of Körmend exclusively in his capacity of prelate-politician, as an enemy of the Augustinians or an ally of the observant Franciscans, it would be worth investigating the events at another level for the sake of a deeper understanding. This is all the more urging, as the landlord at the time was not Bakócz, but his young nephew, Petrus Erdődy. Did he play any role in the reform? Is not it possible that he called the attention of the cardinal, who lived far from Körmend, to the bad conditions in the Augustinian convent? In this case, the history of the convent-reform in Körmend, although not without political overtones, would also form a part of the history of late mediaeval convent-reforms by secular landlords.

We do not know much about the personality and religious attitudes of Petrus Erdődy. It is all the more interesting what the witnesses told about his conduct towards the Augustinians: he "many times incited and asked the friars with pious words that they should make their life and morals better and more fruitful, they should not neglect divine services and should give a good example by their way of life and introduce many other Augustinian friars in their convent and live saintly and reli-

giously in accordance with their rule, promising them all support as far as their food and dress is concerned and his willingness to renovate desolate buildings. As a sign of his promise, as the witness himself saw, the said Sir Petrus provided the friars with bread and wine and other things, the witness though did not see that the friars and their life would have changed for the better as a result.<sup>121</sup>

The landlord seems to have been a pious man very much interested in convent life. But how much can we trust the words of a witness, especially a familiar of Petrus Erdődy, who was in close personal dependence from his patron? To put it more generally: how can we evaluate the testimonies of the witnesses? Did they say what they knew, or did they invent stories about the Augustinians in order to favour the powerful Cardinal Bakócz, or on the contrary, did they keep silent about the mischiefs of the friars in which they cooperated?

Back to the landlord, Petrus Erdődy, we also know that he founded a convent for the observant Franciscans in 1531 in one of his estates. In the founding chart he justified this by his long-standing devotion towards the friars of this order.<sup>122</sup> But we must still put the question if it was really a personal motif or only a topos in the narration of such pious acts, just as the apparition during hunting also mentioned in the charter as the direct motivation for the foundation. It was not at all common in 1531, in the first turbulent years of the evangelical movement, to found a monastery for the greatest rivals of the new Lutheran preachers. So we might even conclude that Erdődy might really have been devoted to Franciscan spirituality. But did this play a role in the Körmend events? This late foundation also raises the question why he left the convent in Körmend in a poor condition even after the reform, if he had enough financial resources for a new foundation too. The reform in Körmend was aborted for the simple reason that Erdődy and Bakócz failed to fulfil their promise to renovate the build-

<sup>121</sup> *Processus*, fol. 62r.

<sup>122</sup> ÖStA HHStA, Arch. Erdődy, Urkunden II 211 (Monoszló, 27 November 1531). Even his descendants disposed over the provisions of the friars. *Ibid.*, Kart. 130, n. 15 (*Acta devotionum et piorum institutorum, Elench*).



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ings at their own expenses and to furnish the convent with the necessary facilities. Other private patrons reforming convents under their patronage, the aristocrats mentioned earlier among them, proved to be generous and spent considerable amounts for necessary restorations. In Körmend, however, the Franciscans asked their patrons to renovate their buildings in vain, which had the foreseeable consequence that they deserted the ruined convent in 1524.<sup>123</sup>

How shall we evaluate this outcome? The archbishop's inadvertence may allude to factors in the process of reform which were independent of politics at large: the reform, for the success of which Cardinal Bakócz did everything in his power in other cases, was not a matter of prestige for him in Körmend. But it could still be a symptom of his personal conflict with the Augustinians, which made him take their convent away and then he lost his interest in its future lot.

As we can see, there are many questions left open after our investigation of the political and church historical circumstances of the convent-reform. I must say in advance that we will not be able to answer all of them with absolute certainty. Yet, in order to have a better understanding of what really happened in the market-town of Körmend and in its mendicant convent five hundred years ago, we must closely look at the relationship of the convent, the civic community and the landlord in the years preceeding the process. This investigation will lead us to other kinds of problems inherent in the event of the process, namely, questions of the history of society and culture.

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<sup>123</sup> 11 March 1524, Pope Clement VII authorizes the provincial of the observant Franciscans to leave the convent in Körmend as they requested due to its bad conditions. ETE I, n. 127.

## II. APPROACHES OF SOCIAL AND CULTURAL HISTORY

The meticulously recorded depositions of the witnesses provide for the possibility of a micro-analysis of the events linked to the convent of the Augustinians. Witnesses were questioned about conditions within the convent, the liturgical performance, the drinking and sexual habits of the friars. The most exciting layer of their answers is not the negligences and abuses of the friars, but rather their own opinion about and reaction to all this. Therefore, if we read their depositions carefully, we can learn a lot about, besides the friars, the everyday life and the religious culture of the common man at the beginning of the 16<sup>th</sup> century. The glimpse into the micro-world of lay-ecclesiastical interactions promises to be especially exciting, since this is exactly the period that prepared the climate for radical changes in the relation of the laity and the professional members of the church. Luther was just about to propose the idea of the priesthood of all believers and monasticism was finally abolished in protestant churches.

The narratives of the witnesses suggest that the people were roused at the behaviour of the Augustinians.<sup>124</sup> The events seem to organise

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<sup>124</sup> The expression of the *eccezzionalmente normale* coined by Italian microstoria refers to the inherent nature of exceptional cases to direct our attention to the normal, the regular. Cf. e.g. EDOARDO GRENDI, *Micro-analisi e storia sociale*, Quaderni Storici 35 (1977) 506–520, 512. The central concept of models of culture trying to overcome the dichotomy of practice and structure is conflict. The cultural anthropological theory of BARTH had a great impact on microhistory. P.-A. ROSENTHAL, *Construire l'«macro» per l'«micro»*. *Fredrik Barth et la microstoria*, Jeux d'échelles. La microanalyse à l'expérience (éd. par J. Revel), Paris 1996, 141–159.

themselves into a kind of conflict between the convent and the citizens. Case studies of minutely recorded social conflicts, as convincingly demonstrated by many excellent works, enable us to comprehend the meanings of past social practices and notions different from modern ones.

Through the analysis of the relationship of the town community with the friars, we can also try to answer such general questions of cultural history as what indeed aroused the indignation of the people, in other words, what they expected from priests, what kind of relation they had to the sacred world, and how they strived to make their everyday life more secure. In order to be able to answer such questions, an interdisciplinary approach and the sensitivity of the anthropologist seem most fruitful. Under this, I mean for example a special attention paid to the considerations of historical actors, their symbolic interests, and the way they constructed and tried to maintain their social identities.<sup>125</sup>

This perspective must be complemented by a consciousness of the fact that we have a very complex text on our hands.<sup>126</sup> First of all, we

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<sup>125</sup> On the approach attributing greater freedom and creativity to historical actors see e.g. ROGER CHARTIER, *Popular Appropriations: The Readers and Their Books*, [Id.], *Forms and Meanings. Texts, Performances, and Audiences from Codex to Computer*, Philadelphia 1995, 83–97.

<sup>126</sup> This kind of consciousness has especially developed in the last decade among early modern historians working with the rich material of court protocols, visitation records as a product of the process of social discipline exerted by the new churches and the state over its subjects. Cf. RALF-PETER FUCHS–WIENFRIED SCHULZE (Hrsg.), *Wahrheit, Wissen, Erinnerung. Zeugenverbörsprotokolle als Quellen für soziale Wissensbestände in der Frühen Neuzeit* (Wirklichkeit und Wahrnehmung in der Frühen Neuzeit 1), Münster 2002; WIENFRIED SCHULZE (Hrsg.), *Ego-Dokumente. Annäherung an den Menschen in der Geschichte* (Selbstzeugnisse der Neuzeit 2), Berlin 1996, 275–341; *Verbörsprotokolle als Ego-Dokumente*. For sensitive and illuminating case-studies which approach recorded legal procedures as narratives see for example DAVID WARREN SABEAN, *Peasant Voices and Bureaucratic Texts: Narrative Structure in Early Modern Protocols*, *Little Tools of Knowledge. Historical Essays on Academic and Bureaucratic Practices* (ed. by Peter Becker–William Clark), Ann Arbor (Mich.) 2001, 95–140; MIRI RUBIN, *The Making of the Host Desecration Accusation: Persuasive Narratives, Persistent Doubts*, *Proof and Persuasion. Essays on Authority, Objectivity, and Evidence* (ed. by Suzanne Marchand–Elizabeth Lunbeck), Brepols 1996, 100–123; KARI TELSTE, *A tale of courtship or immorality? Some reflections on court records as narratives*, *Tid ok Tanke 1* (1997) 75–82 (Fact, fiction and forensic evidence, ed. by Solvi Sogner).

have to face the fact that the events of the past are turned into a text in which the performance of the actors are closely interwoven. The witness hearing itself is a special encounter, where the witnesses, while trying to answer the questions put to them, remember, construct stories, and tell them in front of a judge, whom they may fear, and whom they quite possibly want to impress. They surely keep some episodes to themselves, and they make their stories more convincing by adding little details. What is more, this process of remembering and communication was, in our case, extremely unequal.<sup>127</sup> Unequal as far as the knowledge of the participants is concerned, since professional intellectuals, canon law specialists interrogated common people, townsmen from Körmend and petty nobles, serfs, and priests from surrounding villages.

The deconstruction of the text and the reconstruction of the event of the witness hearing, continuing the detective work pursued before in Rome and Esztergom, is at the same time also an investigation of the motivations of the actors involved in the Körmend process. The performance of participants, for instance of how the judge interrogated witnesses and the notary transcribed the answers, can be considered as a representation of their objectivity or partiality to the opposing parties. During the process, the lawyer of the Augustinians openly protested against the overwhelming influence of their adversaries.<sup>128</sup> Therefore, it was obvious also for the witnesses that the power-relations were very unfavourable for the Augustinians. This must have had an influence on

<sup>127</sup> For exciting studies on the circumstances of the interrogation, on courtroom-tactics, the working of memory and communication see THOMAS V. COHEN, *Three Forms of Jeopardy: Honor, Pain and Truth-Telling in a Sixteenth-Century Italian Courtroom*, *Sixteenth Century Journal* 29 (1998) 975–998; DAVID WARREN SABEAN, *Village Court Protocols and Memory*, *Gemeinde, Reformation und Widerstand. Festschrift für Beter Blickle zum 60. Geburtstag* (ed. by Heinrich R. Schmidt–André Holenstein–Andreas Würigler), Tübingen 1998, 3–23; LUDGER HOFFMANN, *Kommunikation vor Gericht*, Tübingen 1983.

<sup>128</sup> “...*prefati pauperes fratres dicti divi Augustini ordinis propter magnam auctoritatem et potentiam in negotio spoliū huiusmodi observantibus fratribus prefatis adversariis faventium non possunt alium procuratorem idoneum preter hunc cedule huiusmodi exhibitorem...*”. *Processus*, fol. 25r.

them, while they testified under oath. Moreover, the representatives of the Augustinians also stated that the witnesses were intimidated by the other party so that they would justify their statements.<sup>129</sup> To check their argumentation, we have to look at the witnesses' tactics and the interpersonal relations in the courtroom: concretely, the relationship of the witnesses to each other, to the judge, and to the friars.

In the following I shall try to sketch, on the one hand, the most important phenomena of the three-day witness interrogation and, on the other hand, the nature of the conflict between the friars and the community in preceding decades. I am, however, well aware of the fact that the possible analytical contexts of the Kőrmend process are more numerous. The date of the events (1517–1518) and the circumstance that Martin Luther was an observant Augustinian friar directs our attention primarily towards the problematics of the evangelical movement. In my opinion, this is more than a superficial coincidence and is therefore worth some serious consideration. On the one hand, in the late Middle Ages, in addition to the secular clergy and the old monastic orders, mendicant orders appeared with a special attention paid to the cure of souls and a new spirituality more easily comprehensible to the common man.<sup>130</sup> On the other hand, at the beginning of the 16<sup>th</sup> century, the offer of options was further enlarged not only by a new reform generation of priests, but by competing theological trends and churches, putting action versus faith in the centre. Lay, individual as well as communal, endeavours to choose one's own priest thus formed a significant part of both late mediaeval convent reforms and early modern conversions, and as such, both can be examined as local events of the process of laicization.<sup>131</sup> By laicization, I mean the *long-duree* process of power shift in the relationship between society and the church in favour of the former. In other words, the social control of the laity over ecclesiastical institutions had

<sup>129</sup> See their *interrogatoria. Processus*, fol. 28r.

<sup>130</sup> ELM, *Verfall und Erneuerung des Ordenswesens*, 188–238.

<sup>131</sup> On the use of the term in this context see NYHUS, *The Franciscan Observant Reform*, 217. On the importance of the choice of priest in the protestant reformation see ROBERT W. SCRIBNER, *Preachers and People in German Towns*, [Id.], *Popular Culture and Popular Movements in Reformation Germany*, London 1987, 123–144, 124.

intensified, their self-consciousness had increased in questions of faith, and church and their options widened. The micro-analysis of the reform of the mendicant convent in West-Hungary thus may also be considered as a less familiar illustration from below of the well-known macro-process of laicization.

### THE WITNESS HEARING

Similarly to other documents from the era, the protocol of the process in Körmend bears the signs of the elite's hand or, rather, notions and power.<sup>132</sup> This reduces the chances for us to become postsequent witnesses of the one-time cultural dialogue. Even so, the witness hearing is best conceived of as something of this nature, the interaction of lower or higher representatives of ecclesiastical and secular powers, the judges and the notary, with the ordinary people. But did the knowledge of the elite and the authority of the powerful ultimately silence the voice of the people?<sup>133</sup>

First, we need to look for the words and knowledge of the ordinary people in the gaps of the performance of lawyers and clerks. The interrogation proceeded according to the general practice: the judge read out to the witness one of the plaintiff's, that is, the Erdődys', articles describing the Augustinians' loose way of living. If the witness confirmed it, the judge went on to ask further questions prescribed by the Augustinians. The reconstruction of the dialogue between the judge and the witness is thus achievable on the basis of the documents forming the starting and end points (the Erdődys' articles, the Augustinians' ques-

<sup>132</sup> An apt phrase to describe this is the "archives of repression". DOMINIQUE JULIA, *La religion – histoire religieuse*, Faire de l'histoire I–III (éd. par Jacques Le Goff–Pierre Nora), Paris 1974, II, 137–167, 147.

<sup>133</sup> Cf. the methods of Ginzburg, who was searching for popular beliefs concerning witches in the registers of the inquisition, trying to detect these behind the stereotypes of the judges and in the gaps left by suggestive questioning and physical force. CARLO GINZBURG, *The Inquisitor as Anthropologist*, [Id.], Clues, Myths and the Historical Method, Baltimore 1989, 156–164.

tionnaire and the record of the testimonies) by meticulously keeping track of the formal features<sup>134</sup> and the logic of the contents.

This way, we find that the judge performed his task, following the articles and the questionnaire, in a standard and at the same time reasonable and effective manner.<sup>135</sup> This is important because his thoroughness and idea of his own role as a judge were the factors which determined what amount of new information was recovered about the witnesses' everyday life, besides the friars' sins enumerated in the articles. The bishop-judge's regular neutrality and the witnesses' freedom of leaving things unsaid or spilling them out in the examination room, as opposed to the resolute investigations of the inquisitors, exemplified by the commonly known figure of Jacques Fournier (Pope Benedict XII, from 1334),<sup>136</sup> is an advantage and a disadvantage at the same time. On the one hand, the relatively liberal atmosphere of the interrogation, as opposed to the tension vibrating in the inquisition chambers, makes the postsequent observer's task easier: intentional distortions rarely occurred in what the witnesses said. On the other hand, the questions and answers which remained unformulated as a result of the lack of personal interest and curiosity on the part of the judge will leave our curiosity about some details unsatisfied. An inquisitor eager to understand the background of the events and the deeds of the witnesses would have

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<sup>134</sup> The judge's question is reflected for example in the text by indirect speech ("*interrogatus testis de nomine... respondit*"). It might also be of help when the witnesses do not know something ("*testis interrogatus respondit se nihil scire*"). When in the articles there is no corresponding part to the point in the witness's testimony, then we can also infer that they answered a question raised by the judge.

<sup>135</sup> This means that he indeed put to the witnesses the questions prescribed, but was not rigid in doing this. For example, he was consistent in asking the time of the narrated events and the actors' name, which is reflected, besides concrete answers, by the frequent "I don't remember" replies of witnesses. Thus, as far as the friars are concerned, the witnesses were able to mention only fourteen Christian names and two last names.

<sup>136</sup> EMMANUEL LE ROY LADURIE, *Montaillou: The promised Land of Error* (trans. by Barbara Bray), New York 1978. For another example of the motivated judge see moreover Jean de Coras. NATALIE ZEMON DAVIS, *The Return of Martin Guerre*, Cambridge (Mass.) 1983. The judge seeing through the strategies of the witnesses is exemplified by MICHAEL WEISSER, *The Peasants of the Montes*, Chicago 1972.

surely asked for example the young nobleman, Benedictus Sibrik why he went to the cloister with his fellow students, when he saw the friars, as Benedictus related, still sleeping at noon, from which he rightly deduced the negligence of the morning services. Moreover, an interested judge would have wanted to know what the subject of the quarrel was, which led to the fight in the tavern retailed by the parish priest of Körmend.<sup>137</sup> This is all the more annoying since the judge, as a result of his priestly profession, exhausted the witnesses with “irrelevant” sacramental nuances from time to time. For example, some of the witnesses complained that during the time when friar Anthonius lived in the cloister alone, the friar listened to their confessions and gave absolutions although he was not yet an ordained priest. The bishop-judge then put an unexpected question to the witnesses: was Anthonius *diaconus* or *subdiaconus* at that time? It is not surprising that the witnesses were unable to answer this question concerning a canonical distinction.<sup>138</sup>

On the other hand, it is definitely an advantage that the notary also performed his duties with regulatory “faithfulness”.<sup>139</sup> Although the usual transformations (from word to letter, from Hungarian to Latin, from dialogue to narration) only seldom give way to the idiom of the mother tongue and the rhythm of oral dialogue (as in the quotations left in the first person singular), more importantly, we find digressing stories, self-repetitions, lapses in a dialogic form, witnesses talking nonsense and answers mixed up. The notary also recorded the uncertainties (*quantum recordari posset*) and inaccuracies (*circa*) of witnesses, as well as their contradictory dating of events (*circa annum tertium* és *circa annum octavum* for the same event). All these are signs that the notary did not censor, correct, edit or substituted anything but merely copied things. Thus, the colloquialisms and the time mea-

<sup>137</sup> *Processus*, fol. 43r–44v and 88v–89r.

<sup>138</sup> *Processus*, fol. 67r: 75v. 87v. 96r. 105r.

<sup>139</sup> The *Decretales* of Pope Gregory IX (1227–1241) contains a canon according to which the task of the notaries functioning as court registrars is to record *fideliter* all the phases of the process. Hungarian vicars usually also instructed the executors of interrogations “to record the words and depositions of witnesses *fideliter*”. E.g. MOL DL 55 798 and 15 483. Cf. *Processus*, fol. 21v.



suring and signalling techniques of the ordinary people and of the elite produce a realistic pattern even after multiple transformations.<sup>140</sup> As a result, the witnesses' knowledge can be identified in the text with an acceptable certainty.

The possibility of a real cultural dialogue was of course limited by, besides the words and thoughts produced under the influence of the prescribed *articuli*, the unequal power positions of the parties involved. It is questionable whether the witnesses were giving an account of their personal experiences and opinions by unanimously confirming the statements of the Erdődys or were simply echoing the standpoint of the stronger party, either intentionally or involuntarily. The circumstances of the hearing (summoning, place, time span, number, order and composition of witnesses, oath taking etc) were in line with the contemporary practice based on common law as well as with practical considerations.<sup>141</sup> The Erdődys' procedure did not exhibit signs of a tendentiousness disadvantageous for the Augustinians or of an intention to influence the witnesses. The recorded personal details of the 49 witnesses and my supplementary research aimed at their identification show that the majority were legally independent from the Erdődys (18 noblemen, 9 townsmen from Körmend, 10 village serfs and 12 priests). The non-noblemen

<sup>140</sup> For example, the witnesses, contrary to the notarial practice of time measuring adjusted to canonical hours, phased their days not according to bell-ringing and canonical hours but their daily work, meals and the movement of the sun. To the question when they saw the Augustinians in the taverns they said: "during day and night", "from morning to sunset", or "before lunch and after vespers". On parallel time measuring techniques of local communities and social layers see JACQUES LE GOFF, *Au Moyen Age, temps de l'Eglise et temps du marchand*, Annales E.S.C. 15 (1960) 417–433. Cf. ARNOLD ESCH, *Ist Oral History im Mittelalter Fassbar? Elemente persönlicher und absoluter Zeitrechnung in Zeugenaussagen*, Vergangenheit in mündlicher Überlieferung (Colloquium Rauricum 1, hrsg. von J. von Ungern-Sternberg–H. Reinau), Stuttgart 1988, 321–424.

<sup>141</sup> The statement is based on legal expectations first codified in the so-called *Tripartitum* (1514) collected by Stephanus Werbőczy, as well as comparisons with other *inquisitiones* carried out in the county at local church or lay courts. For example, in 1562 the collegiate church of Vasvár in a case about a violent act in Körmend (1544) invoked 80 witnesses, out of which 34 came from the same villages as the ones heard about the life of the Augustinians (ÖStA HHStA Arch. Erdődy, Kart. 96, fasc. 8, n. 15).

(among them the lower clergy, who were “experts” of the question), as a guarantee of their trustworthiness, were respected and affluent members of their communities. The majority, who were not from the town, came from the vicinity of Körmend,<sup>142</sup> which was usually regarded as a prerequisite for being well-informed. The only remarkable circumstance is the absence of women, a disadvantage for the outsider wanting to acquire a tinged picture of the events and participants, rather than for the Augustinians.

The thoughts, emotions, and words of the townsmen, villagers, serfs, noblemen, and priests thus gathered may also have been influenced by the situation of the hearing. The witnesses’ situation, eventually, was special inasmuch as they had to talk about themselves in the context of prohibited or generally condemned things. We can infer their behaviour from the opposite direction, taking the text as a starting point. The witnesses’ extra knowledge is manifested most condensely in their stories evoking concrete events concerning the Augustinians. With the help of these, therefore, it is possible to further investigate their testimonial strategies and the extent of outside pressure on them. The *structure* of these *ca* 75 short stories, realistically mirroring the mechanisms of remembering,<sup>143</sup> suggests that the witnesses did not intend to manufacture plausible stories by making up the forgotten details, and thus to convince the judge and the future reader.<sup>144</sup> When the judge inquired about the details (time, place, reason for being present, etc.) of their statements, they very often (35 times) answered simply that “I do not remember”. The story *variants* which keep returning (4 stories told 35 times) also form a plausible pattern: in accordance with the nature of remembering and relating what one heard, the stability of the central plot, the contradictions of other details, and the effects of per-

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<sup>142</sup> See map 2 after page 8.

<sup>143</sup> On the constructivist theory of remembering see FREDERIC C. BARTLETT, *Remembering. A Study in Experimental and Social Psychology*, Cambridge 1995 (first 1932). I used the Hungarian edition (Budapest 1985), 274–309.

<sup>144</sup> On the role of concrete details, “reality effects” in the narrative see ROLAND BARTHES, *The Reality Effect*, *French Literary Theory Today: A Reader* (ed. by Tzvetan Todorov), Cambridge 1982, 11–17.

sonal involvement with the public event can all be observed in them.<sup>145</sup> One of the most popular stories went about the violation of monastic chastity. In the story that re-occured five times, something else was known and important for each witness. Two of them only heard that “the friars made a woman pregnant”. Franciscus Nádasdy mentioned a prior, whose name he did not remember. An elderly citizen of Körmend added to this that the son of the prior “still lives with his mother. The mother does not deny that the prior was the father of her son, which the witness himself heard from the said woman, and this rumour is going around anyway.” Georgius Büki, who as a nobleman lived at that time in Körmend, and his knowledge about the life of the friars surmounted the average due to the connections of his wife, related, moreover, that it was Margareth Ferdenos who gave birth to the son of the prior, and he was the swineherd of the town.<sup>146</sup>

It may seem that everybody said honestly what they knew and thought to the best of their knowledge. However, if we look at the gaps between and within the testimonies (*e.g.* contradictions of facts and opinions, attention diverting anecdotes, denunciations of each other) where a difference between the narration and reality can be suspected,<sup>147</sup> it turns out that this was not the case. Several of them used many different tactics: while there were of course people who talked truthfully, some, and especially those who used to be friends of the friars, talked much, drew the line between the friars and themselves and yet gave away few facts; others knew much but assumed the disguise of complete ignorance. Blasius Gyarmati, the parish priest of Szentkirály for exam-

<sup>145</sup> Story 1: The castellan found friar Michael with his lover in flagranti in his cell, for which he was punished publicly (repeated 17 times in the 6<sup>th</sup> article). Story 2: Instead of the negligent friars, the ruinous convent buildings were renovated by the townsmen (repeated 8 times in the 4<sup>th</sup> article). Story 3: One of the friars made a woman pregnant (repeated 5 times in the 6<sup>th</sup> article). Story 4: One of the friars used to visit suspicious places in the night, for which abuse a citizen attacked him (repeated 5 times in the 6<sup>th</sup> article).

<sup>146</sup> *Processus*, fol. 45r, 88v, 70v–71r, 91r, 105r.

<sup>147</sup> NATALIE ZEMON DAVIS used the expression ‘wound’ to describe the same phenomenon when she analysed the argumentation of petitions of pardon presented to the French monarch. NATALIE ZEMON DAVIS, *Fiction in the Archives. Pardon Tales and their Tellers in sixteenth-century France*, Stanford (Calif.) 1987, 47–48.

ple, who used to be student and then schoolmaster in Kőrmend, gave a detailed picture of the debauchery of the friars: he was familiar with the conditions in the cloister, the names of friars and the number of the religious community, which, as he said, he visited “once for spiritual comfort, once for eating and drinking”, and he recalled many concrete events too. It is interesting, though, that he always appears in these stories in very positive roles: he rescues one of the friars lying drunk in the streets of a neighbouring village from the anger of the people; he saves friar Ambrosius, once a guest in his house, from a mortal sin, when he did not let the friar say mass after he had neglected to say the canonical hours for days – all of which he related as an answer to the question concerning the tavern-going of the friars. It is also surprising that although he often visited the convent, he knew it only from hearsay that the convent often had female guests, and he could not even say if they were of bad reputation or not. It seems therefore that he chose loquacity to conceal his own adventures with the friars, giving not only the friars away in his endeavours to save his own reputation, but his other fellow priests as well. For example Georgius, parish priest of Marác, a witness interrogated before him, could thank Blasius that his tavern-gambling with the friars came to light, about which he kept quiet.<sup>148</sup> The priest of the village Marác obviously chose a different strategy at his hearing: he decided to keep total silence. He pretended an indifferent attitude towards the friars and total ignorance about their life, saying that “he lived far away and he cared nothing or little about these things”.<sup>149</sup> We can thus be grateful to Blasius (to whom Georgius once probably boasted of his winnings at the card-table) to be able to identify him among the fellows of the friars.

<sup>148</sup> “*Dicit etiam testis se scire, quod dicti fratres Augustinenses tam in oppido Kermend, quam extra in villis ad visum suum lusissent cartas, et audivit etiam testis a sociis lusorum, quod quidam frater Ambrosius ordinis Sancti Augustini perdidisset, et ipsi lusores lucrati fuissent ab eodem Ambrosio fratre centum denarios Hungaricales, fuissentque duo presbyteri collusores dicti fratris Ambrosij, alter Paulus presbyter, condamnatus rector altaris de Gjärmath, alter vero Georgius presbyter, plebanus de Maracz*”. *Processus*, fol. 76v.

<sup>149</sup> *Processus*, 46v–47r.

One factor in the choice of a strategy was the nature of the witnesses' earlier relationship with the friars, ranging from rejection to friendship. Their attitude towards the Augustinians, who had been expelled in the meantime, had also changed with time passing in various ways. There were some who felt sorry for them, others who had earlier been friends with them (identified mainly as the parish priests of the surrounding area), adapting to the new conditions, were truly happy about their leaving.<sup>150</sup> Their case can probably be characterized by the help of the modern concept of the reorganization of identity.<sup>151</sup> On the other hand, they perceived and interpreted the situation in which they had to talk in many different ways. Some conformed to the expectations of the stronger party, that is, the Erdődys, while others admitted openly to their opposite attractions. It is worth noting in this respect the words of Blasius, parish priest of Halastó: "he likes the Augustinians..., but neither his body nor his soul wishes for the observant Franciscans, and he would prefer the Augustinians to stay in their convent... in Körmend".<sup>152</sup>

Apparently, not everybody was effected therefore by power-relations. I suppose, though, that father Blasius must be considered as an exception strenghtening the rule: there must have been others among the witnesses, who felt the same way as he did (that is their sentiments did not change in time), and they still said to have preferred the Franciscans in their depositions. Finally, their words were influenced, more evidently than by power relations, by the microcosm of the interrogation. While the secular witnesses talked more freely,<sup>153</sup> the lower clergy, as the above mentioned Georgius and Blasius, remained silent in front of the bishop-judge

<sup>150</sup> E.g. see the case of Elias of Marác, parish priest of Csákány (27<sup>th</sup> witness); Benedictus of Halastó, parish priest of Hollós (33<sup>rd</sup> witness).

<sup>151</sup> PETER L. BERGER-THOMAS LUCKMANN, *Die gesellschaftliche Konstruktion der Wirklichkeit. Eine Theorie der Wissenssoziologie*, Frankfurt a. M. 2003 (first 1966). I used the Hungarian edition (Budapest 1998), 224.

<sup>152</sup> *Processus*, fol. 47r.

<sup>153</sup> See for example the case of Stephanus Tóth of Bába, citizen of Körmend, who used to associate regularly with the friars, and told the greatest number (9) of stories about their common past.

primarily not out of solidarity towards the friars but because they were ashamed to confess their everyday mistakes in front of a fellow priest and superior.

Finally, the *network* of the stories, considered as the representation of common talk about the Augustinians, precisely mapped down social relations, staking out the boundary between the community and the outsiders. There were altogether thirteen inhabitants of Körmend, while other witnesses arrived from surrounding villages, thirty-six people from eighteen places. The geographical and social scattering of witnesses is reflected in their knowledge: their stories touch upon many and manifold events, the number of recurring stories is very low. This means that only a tiny part of all the events and stories became common knowledge through the conversation of the people in and around the town. The fourteen persons, who did not add any new information about the life of the friars, all came from the neighbouring villages, while the seventeen-person group of witnesses who said the most anecdotes corresponds with the earlier (castellans, students, schoolmasters) or present inhabitants of Körmend. As far as the structure of the rumours within the town community is concerned, everyday communication seems to have focused primarily on the friars' sexual misbehaviour.<sup>154</sup> It is not surprising that the tavern episodes were not held to be as interesting, important or amusing to tell or to listen to: we face here a popular opinion of men, who all knew these everyday tavern scenes from personal experience.

### CRISIS AND REFORM OF CONVENT LIFE

As the witnesses unanimously confirmed, the friars' negligent and loose way of life revolted the people. Their anger and contempt found expression in their actions as well. The community apparently tried everything to reform the Augustinians: scolded them, argued with

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<sup>154</sup> Stories about friars and their lovers amount to 45, tavern episodes are repeated only 25 times.

them, laughed at them, threatened them in word and in action, while at other times they rather chose to be tolerant and helped the friars in fulfilling their liturgical services and showed a good example for them, or sometimes simply kept away from the drunken friars. In all of this, the climax of the crisis was signalled by the friars' open disrespectful behaviour and, on the other hand, the community's plan to drive them away.

It should not be forgotten, however, that whatever was said during the interrogations belonged not to the normal but to the extraordinary way of things. The other, often peaceful and at times definitely cheerful side of their everyday life also faintly occurs behind the witnesses' chance remarks. People had rather varied relationships with the friars, extending from the indifference characteristic of those from outside of Kőrmend and the conscious detachment of some through occasional conversations in the taverns to drinking together in the convent, characteristic of the priests from the neighbouring villages. But first of all, the people of Kőrmend had a rather ambivalent relationship with them: although the friars' sins revolted them, they still made use of their remaining liturgic services and their company. The crisis of the convent therefore should be seen as an unsteady process. The sometimes moderate, at other times radical definition of the goals of the community, the movement of public mood from despair to resoluteness and back, was formed in the everyday conversations which centred around success stories. It can also be seen that private and group beliefs became the official opinion of the community through the self-positioning of local leaders, that is, the parish priests and castellans.

The question arises why the long-planned "revolt" was put off then for decades, leaving an ambivalence based on the dialectics of conflict and solidarity the determining aspect of the relationship of the community with the friars. It seems that this can be explained by the immense need of laymen for priests and rituals. The people of Kőrmend did not easily give up on the potential liturgic services of the convent, which were quantitatively as well as qualitatively above what the secular clergy could offer. Their behaviour becomes more understandable in the light of contemporary religious mentality and everyday needs.

Contemporary conceptions were based on the intertwining of the spiritual and the physical and on the ordering principle of the sacred. A key instrument in the regulation of this order was Christian dogma and liturgy.<sup>155</sup> Both were formed by the church's mediation in salvation through the exclusive ecclesiastical administration of the sacraments and the ever growing activity of the laity in ensuring both their afterlife and prosperity in this world.<sup>156</sup> In my view, the interaction of lay interpretations with the teachings of the church was an important factor in the formation of the eucharistic worship and confessional practice, the notions of sufferings in the Purgatory,<sup>157</sup> gaining of merits and good works, being the focal points of contemporary religion. In connection with these, the church emphasized the efficiency of personal conduct, good works, and repentance in reaching salvation.<sup>158</sup> In practice, how-

<sup>155</sup> See in detail ROBERT W. SCRIBNER, *Cosmic Order and Daily Life: Sacred and Secular in Pre-industrial German Society*, and *Ritual and Popular Religion in Catholic Germany at the Time of the Reformation*, [Id.], *Popular Culture*, 2–16 and 32–41.

<sup>156</sup> The activity of the laity in Hungary is amply illustrated by LAJOS PÁSZTOR, *A magyarság vallásos élete a Jagelló-korban*, Budapest 1940 [*The religious life of Hungarians in the Jagiello-era*]. See besides recent works on the different areas of lay religious activity: CSUKOVITS ENIKŐ, *Középkori magyar zarándokok* (História Könyvtár. Monográfiák 20), Budapest 2003 [ENIKŐ CSUKOVITS, *Medieval Hungarian Pilgrims*]. About confraternities see M.M. DE CEVINS, *Les confréries en Hongrie à la fin du Moyen Âge: l'exemple de la confrérie »Mère de Miséricorde« de Bardejov (1449–1525)*, *Le Moyen Âge* 106 (2000) 347–368.

<sup>157</sup> There are separate monographs on these central areas of the contemporary religious system. RUBIN MIRI, *Corpus Christi. The Eucharist in Late Medieval Culture*, Cambridge 1991. From the abundant literature on auricular confession see e.g. MARTIN OHST, *Pflichtbeichte: Untersuchungen zum Busswesen in Hoben und Späten Mittelalter* (Beiträge zur Historischen Theologie 89), Tübingen 1996. About notions connected to the Purgatory see JACQUES LE GOFF, *The Birth of Purgatory*, Aldershot 1984; EAMON DUFFY, *The Stripping of the Altars: Traditional Religion in England 1400–1580*, New Haven 1992, 338–354.

<sup>158</sup> See the most popular sermon-collection of the Franciscan preacher Pelbartus Temesvári: *Sermones Pomerii. Pomerium de Sanctis, Pars Hyemalis*, 3, L.: “*omnis Christianus in extremo iudicio iudicabitur de operibus misericordie*”. *Pomerium Quadragesimalium*, I, 5, U.: “*plus facit misericordiam deus ad unicam veram penitentiam quam faceret ad intercessionem omnium sanctorum. Nam si unus homo in pecto mortali existens nollet penitere, tali deus peccata non dimitteret etiam si omnes sancti et Beata virgo pro illo intercederent.*” Cf. *Régi Magyar Könyvtár I–III*, szerk. SZABÓ KÁROLY, Budapest 1879–1896, III, *passim*, 1486–1521 [*Old Hungarian Library I–III*, ed. by KÁROLY SZABÓ].



ever, these notions fostered the institution and system of intercession based on the principle of reciprocity and mediation.<sup>159</sup> Mediators with the sacred sphere were also connected with the laity through mutual obligations, and if they offended against their duties, they could become the objects of ridicule and anger, be it God himself, the saints or ordained clergy. The anger against the Augustinians in Kőrmend was thus primarily aimed at the mediators who neglected their duties, because this way the friars disturbed the economy of the sacred, thus jeopardizing the spiritual and physical well-being of the community. What is more, they did this at a time when parishioners wanted to take part in the duties of ordained priesthood in ever more varied forms (masses, canonical hours, confraternities) in order to receive a share of their merits.

Of course, people's concern over their spiritual salvation cannot be separated from their anger and contempt for the Augustinians failing to observe the norms of morality and behaviour obligatory for everyone. I think it is the lack of the instruments of social control which contributed to the friars' loose way of living. The lower secular clergy was more deeply embedded in the communities through relatives and was under the power of the patron and controlled by the parish. The general practice of concubinage among parish priests, which was against official church norms but which was more similar to the ordinary Christians' way of life at the same time, was tolerated, or rather, was held to be natural by the laity.<sup>160</sup> Mendicant friars,<sup>161</sup> however, could not create and maintain such a family-like way of living as a result of their communal way of life and poverty. Consequently, the friars became in-

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<sup>159</sup> Cf. BURGESS CLIVE, *The Parish, Church and the Laity in Late Medieval Bristol* (The Bristol Branch of the Historical Association. Local History Pamphlets 80), Bristol 1992, 4–6.

<sup>160</sup> This is well documented by the registers of the church visitations of the archdiocese of Esztergom (1559–1562). *Reformatio in archidioecesi Strigoniensi ad a. 1564*, ed. VOJTECH BUCKO, Pozsony [Bratislava] 1939, 121–284.

<sup>161</sup> It is important to handle separately in this respect mendicant friars and the monastic orders with considerable properties. The visitations of the Benedictine monasteries in 1508 show that monks living “honestly” with their lovers and building houses for their families were generally accepted. PRT III, 617–624.

volved in such sexual and other occasional misbehaviours that threatened the peace and the social institutions of town life and could not therefore be tolerated by the community. The townsmen for example were not shocked when the friars, as everybody else, visited the taverns, although ecclesiastical regulations strictly inhibited this even for the secular clergy. But they frowned at the friars' sitting from morning till sunset in the taverns. As they said ironically: the friars celebrated the morning mass in the tavern.<sup>162</sup> As they expected not only the friars, but all the members of the community to complete their duties, drunkard and negligent friars were generally disdained.

However, the scandalous conduct of the conventual friars of Körmend was not merely a question of morals. For the people, celebrating mass irregularly, in a state of hang-over for instance, which the witnesses brought up before the judge, meant immediate spiritual and physical danger (illness or death).<sup>163</sup> In order to understand their attitude and way of thinking, we must consider that liturgy was a determining experience for the laity and they therefore expected their priests to mediate efficiently between the heavenly and earthly spheres, the preconditions of which included the observance of moral norms as well. If the priests did not satisfy this requirement then, instead of the help expected in those very concrete needs and questions, especially in the sacraments, they brought immediate danger. Their relationship with the sacred and its anointed mediators thus seems to have been characterized by a particular ambivalence between need and fear, help and harm.<sup>164</sup>

Returning to the events in Körmend: despite the fact that the Augustinians were more and more seriously endangering the townsmen's

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<sup>162</sup> *Processus*, fol. 67v and 57r.

<sup>163</sup> For the notions connected to holy communion, considered harmful if not taken in a proper condition, see the study of DAVID WARREN SABEAN, *Communion and Community. The Refusal to Attend the Lord's Supper in the Sixteenth Century*, [Id.], *Power in the Blood. Popular Culture and Village Discourse in Early Modern Germany*, Cambridge 1987, 37–60. Some of the witnesses heard in Körmend also mentioned that they did not take the Eucharist at Easter because they had enemies. *Processus*, fol. 59v and 93r.

<sup>164</sup> This kind of perception is also reflected by the ideas connected to harmful saints. Mentioned by SCRIBNER, *Cosmic Order and Daily Life*, 14.

spiritual and physical well-being, their negotiation reached a deadlock. The community was unable to achieve permanent improvement in the conditions of convent life, although they tried everything, even against the official norms. With one exception: although the idea of driving away the Augustinians was raised at times, and perhaps they themselves singled out the observant Franciscans as their new pastors, they finally recoiled from this “revolt”. To all appearances, the community did not take over the obligations of the authority because subsequent landlords all endeavoured to reform the friars’ life with a gentleness or force dictated by their disposition.<sup>165</sup> And they did so, it seems, not because the people asked them to, but on their own initiative. Similarly to monarchs reforming convents,<sup>166</sup> their actions can be interpreted not only as a practice of private devotion, but also as a manifestation of the authority’s responsibility towards the sacred and worldly needs of those dependent on them. As it was formulated by the representatives of power during the process in Körmend: the landlord reformed the convent “for the sake of religion and the salvation of Christians”. The words of the parish priest of Hollós express the same thing: “so that the devotion of the people towards God should be greater”.<sup>167</sup>

The financially demanding reform of convents restored public peace and consequently public welfare, broken by the violent conflicts between the friars and the people. The authority’s action was at the same time an efficient symbolic instrument of legitimizing the superiority of both the church and of the landlord, which had been called into question by the friars’ conduct. As the witnesses unanimously

<sup>165</sup> Witnesses mention the different attitudes of the subsequent landlords towards the friars. On the one hand, Iohannes Ellerbach used to threaten them with expulsion unless they changed their life. On the other hand, Petrus Erdődy tried to change their life for the better by offering his pious help to sustain themselves. *Processus*, fol. 60v. 62r. 70r.

<sup>166</sup> For German examples see SCHULZE, *Fürsten und Reformation*, 80–119. In Hungary, similar steps were primarily taken by King Matthias Corvinus and King Wladislaus II. KUBINYI ANDRÁS, *Mátyás király és a monasztikus rendek*, [Id.], Főpapok, egyházi intézmények és vallásosság a középkori Magyarországon (METEM Könyvek 22), Budapest 1999, 239–248 [ANDRÁS KUBINYI, *King Matthias and the Monastic Orders*].

<sup>167</sup> *Processus*, fol. 79r.

confirmed, the people did not only condemn the friars themselves due to the abuses of the Augustinians, but the entire order and even the whole clergy.<sup>168</sup>

The fact that the landlord's action at Körmend was really induced by the indignation of the people seems to be paradoxically confirmed by an unexpected development, namely that the reform was eventually stranded and the Franciscans left the ruined convent in 1524. This suggests that the joint interest and cooperation of the community with the secular authority had ceased to work. On the one hand, for the townsmen the convent in the centre of the town was an important object of their self-fashioning. Therefore, they tried to restore the ruinous buildings, the restorations being organized by their confraternity, as some of the witnesses related, but their financial possibilities were enough only for partial improvements. On the other hand, the landlord was not interested in the convent-buildings as an instrument of representation, as Petrus Erdődy had his permanent residence in the county elsewhere (in Monyorókerék), and the churches of Körmend did not function as funeral places for his family either. Thus, it seems that in the lack of the motifs of aristocratic political and sacred representation,<sup>169</sup> the patron was not interested any more in the condition of the convent after the scandals in the town had come to an end.

## FINAL REMARKS

In order to make a balanced conclusion, we must take into consideration many factors. As we first saw, the ecclesio-political circumstances showed into the direction of the cardinal being biased towards the Franciscans in general and although it cannot be proved, it cannot either be totally excluded on the basis of available data that there was some kind

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<sup>168</sup> E.g. *Processus*, fol. 71r and 74r.

<sup>169</sup> Contrary to the case of Körmend, the cases of successful convent-reforms (see above Szécsény, Sárospatak and Újlak) formed part of the landlords' endeavours to build out or improve their residences as well as to establish a burial place for their families. For Újlak see STANKO ANDRIĆ, *The Miracles of St. John of Capistran*, Budapest 2000, 42–43.

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of conflict prior to his interference into convent life in Körmend between him and the Augustinian province (mentioned in Rome in 1520). Then we managed to clearly ascertain that everybody involved in the process, from the judges in Buda and Körmend down to the notary, belonged to the clientele of the archbishop and his see in Esztergom. It obviously did not happen by chance, just as it was not accidental that the resolution of the judges to ignore the Augustinians' objections did not waver. The bias of the judges towards the party representing power does not necessarily mean that the whole process was forged. It could have been (and often is today) a "natural" part of similar legal occasions. And we must not forget that the other circumstances of the witness interrogation did not reflect any tendentiousness. During the interrogation the witnesses recalled many interesting stories about the friars, with whom they shared tense and happy moments alike. Their relationship can be called ambivalent rather than hostile. It is true that the townsmen were sometimes outraged, but still lived together with the negligent friars for decades.

On the basis of our general, even if fragmentary, impression in relation to religious life in late mediaeval convents and monasteries, I would suppose that the life of the Augustinians was not much worse here than elsewhere. Of course, there were complaints concerning their lives, and we should not doubt that subsequent landlords indeed tried to improve the situation in the convent and thus in the town. Therefore, we will perhaps never know for certain why Cardinal Bakócz decided to interfere in the life of this convent and not elsewhere. Although the surviving register of the Körmend case is unique, the process itself must surely have had its parallels even if similar registers have been lost in the meantime, and the everyday life and religious culture of this late mediaeval convent and community, into which we had the opportunity to glimpse, was most probably typical rather than exceptional.

### III. THE METHODS OF PUBLICATION

In the transcription of the text I preserved only a few general mediaeval characteristics (not using ‘*ae*’ and ‘*oe*’ diphthongs, use of ‘*mpn*’ instead of ‘*mn*’ etc. ) or some special spellings in the root of the words (e.g. ‘*coca*’, ‘*ortu*’, ‘*habundans*’). The original orthography is neared to classical Latin spelling, and the inconsequent punctuation is corrected where possible.

The most important types of correction are illustrated below:

– ‘*i*’~‘*y*’ (e.g. *martir*~*martyr*, *presbiter*~*presbyter*); ‘*y*’=‘*i*’, ‘*ii*’ (*hijeme*~*hieme*, *ydem*~*idem* – except in proper names); ‘*j*’~‘*i*’ (*adjungens*~*adiungens*, *iobagio*~*iobagio*)

– ‘*cc*’~‘*c*’ (*nuncio*~*nuncio*, *renuncciatio*~*renunciatio*); ‘*tt*’~‘*t*’ (*quottidie*~*quotidie*, *quintto*~*quinto*, *audivitt*~*audivit*, *consummunt*~*consumo*); ‘*ff*’~‘*f*’ (*aufugisset*~*aufugisset*); ‘*nn*’~‘*n*’ (*cachinamtes*~*cachinantes*)

– ‘*p*’~‘*pp*’ (*opido*~*oppido*, *apareret*~*appareret*, *ciponem*~*cipponem*); ‘*i*’~‘*ii*’ (*idem*~*iidem*)

– ‘*pb*’~‘*f*’ (*nefando*); ‘*tb*’~‘*t*’ (*ipsemeth*~*ipsemet*, *chathenis*~*catenis*); ‘*c*’~‘*cb*’ (*monacis*~*monachis*)<sup>170</sup>

– ‘*w*’~‘*v*’ (*Eucaristia*~*Eucaristia*, *wesperas*~*vesperas*); ‘*cz*’~‘*c*’ (*sciliczet*~*scilicet*, *videliczet*~*videlicet*); ‘*t*’~‘*ct*’ (*indicio*~*indictio*, *accintus*~*accinctus*)

– ‘*m*’~‘*n*’ (*imposterum*~*in posterum*); *quarumquidem*~*quarum quidem*

Concrete philological problems are tackled in philological notes marked by letters, which can be read following the source. Generally, the note refers to the place following the word to the end of which the

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<sup>170</sup> The mixed usage of ‘*cb*’~‘*c*’ and ‘*tb*’~‘*t*’, when both forms are correct, is adjusted to the one more frequently present in the text (*cartha*~*carta*, *schola*~*scola*).

note is added. Attention is called to obvious mistakes of the notary and grammatical errors due to the multi-phase recording by ‘[!]; uncertain reading by ‘[?]’; and dubious explanations of abbreviations by ‘[ ]’.

Furthermore, it is useful to mention here rather than in the philological notes some linguistic characteristics, occurring once or several times. An example to this is the regular deponent usage of the verbs ‘*scandalizare*’ and ‘*celebrare*’ (once ‘*credere*’). Hungaricisms, in other words Latin metaphrases of Hungarian colloquial expressions are also very often in the text (e.g. “*quod vix interdum quod non venissent ad arma*”). Finally, the use of the *infinitivus historicus*, as I suppose (‘*refrigescere*’), ‘*eo nomine*’ (scl. ‘*nomine procuratorio*’) almost used as a subject next to procurator, and the rare masculine declination of ‘*vulgus*’ (‘*vulgum ignobilem*’) all seem to me very special and worth mentioning here.

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I owe special thanks to KORNÉL SZOVÁK and JÓZSEF TÖRÖK for their expertise they shared with me when reading my work immediately before printing.<sup>171</sup>

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<sup>171</sup> I would like to express my gratitude to the students of the Péter Pázmány Catholic University who finally read through the text eliminating some misprints. They are as follows: KLÁRA HEGEDŰS, BARNABÁS NAGY, PÉTER UHEL, and BOTOND SMARAGLAY (English); GÁBOR NEMES, BALÁZS VAJNER, ÁDÁM BUJDOSÓ, NOÉMI KALOTAI (Latin), and TAMÁS GRÜLL (*Bibliography*).





*Second part*

**THE REGISTER OF THE PROCESS**



Beatissime pater et domine clementissime<sup>1</sup>

Post oscula pedum sanctitatis vestre beatorum. Litteras sanctitatis vestre sub sigillo piscatoris in forma brevis emanatas per religiosos fratres ordinis heremitarum Divi Augustini regni Hungarie, pretextu domus ipsorum de Kermend<sup>2</sup> per devotam eiusdem sanctitatis vestre creaturam reverendissimum dominum Thomam cardinalem Strigoniensem a latere eiusdem et sancte sedis apostolice legatum<sup>3</sup> ablate ac fratribus observantinis Beati Francisci collate, redditas, ea, qua decuit, humilitate et reverentia accepi, ad quarum debitam volens procedere executionem superioribus fratribus dictorum ordinum terminum, in quo coram me comparere deberent, prefixi. Quo adveniente, cum per me ipsum discussioni cause propter varias urgentissimasque reipublice occupationes et presertim ob pericula, quibus regnum hoc circumventum est, evitanda, interesse nequirem, venerabilem Michaellem Vithezium prepositum Sancti Nicolai confessoris de Alba Regia, familiarem meum<sup>4</sup> ipsis fratribus auditorem constitui, coram quo statuto die iidem comparuere, et declarato illis brevi sanctitatis vestre minister ordinis Divi Francisci nomine fratrum observantinorum sollempne premissa protestatione respondit se occasione domus prefate litium amfractus minime subiturum, verum mandato, ut par est, beatitudinis vestre in omnibus pariturum, que si iusserit eos domo prefata egredi perlibenter obsecuturos, tametsi non vi et de facto, quemadmodum sanctitati vestre narratum extiterat, sed de mandato prefati reverendissimi domini Thome cardinalis Strigoniensis legati apostolici eam incolendam suscepissent. In cuius dicti testimonium binas eiusdem reverendissimi legati ibidem obtulerunt litteras: unas, sententiam,

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<sup>1</sup> The addressee is the Medici pope, Leo X (1513–1521).

<sup>2</sup> Körmend, market-town in West-Hungary, Transdanubia (County Vas).

<sup>3</sup> Thomas Bakócz, archbishop of Esztergom, primate of Hungary (1497–1521), cardinal. In 1513 candidate to the papal throne. Below often simply as '*cardinalis Strigoniensis*' in ms, which I leave without footnoting.

<sup>4</sup> Michael Vitéz comes from the Slavonian nobility, studied in Padova (*'decretorum doctor'*), between 1511–1516 *poenitentiarius minor* in Rome, where he entered into close relationship with archbishop Bakócz. In 1521 procurator of the archdiocesan court of Esztergom. Below often mentioned simply as '*dominus Michael*' in ms, which I leave without footnoting.

qua iuridice non de facto ex ipsa domo fratres heremiti amoti videbantur; alteras, mandatum de domo suscipienda fratribus observantinis sub censuris factum continentes. Quibus intellectis provincialis heremitarum ordinis Sancti Augustini simili etiam premissa protestatione dixit nolle cum prefatis fratribus observantinis vel quopiam altero occasione domus prefate litem ullam agitare, sed cupere, ut ad executionem brevis simpliciter procederetur. Cum igitur clare ex sententia reverendissimi domini legati, contra quam nihil obiciebatur, idem auditor cognovisset dictos fratres heremitas non de facto, sed iuris ordine servato domo ipsa privatos, mihi que de hoc et aliis coram eo gestis fidelem integramque fecisset relationem, restitutionem domus eiusdem sine iniuria et scandalo multorum fieri posse mihi visum non fuit. Eam ob rem pro uberiori veritatis certitudine et animi sanctitatis vestrae informatione ad cognoscendum de causis privationis, ut per breve eiusdem mihi committebatur, me converti, reverendumque patrem dominum Martinum episcopum Augustopolitanum suffraganeum ecclesie mee<sup>5</sup> ad oppidum Kermend de partium consensu pro inquisitione et experimento causarum huiusmodi faciendis destinavi, qui ad locum prescriptum veniens presente parte heremitarum inquisivit, et omnem veritatem remotionis ipsorum in scriptis redegit, attestationesque super his canonice receptas neutri partium relevando mihi fideliter presentavit, quas sub sigillo meo cum presentibus citra decisionem cause, ut sanctitas vestra iusserat, pro mea in eandem obedientia et devotione clausas beatitudini vestre presentium portitorem fidelem et iuratum transmisi. Dominus Deus beatitudini vestre vitam diuturnam et tranquillam concedat, in cuius me gratiam et pedum oscula humilime commendo. Datum Bude, die decimo octavo mensis Iunii, anno Domini millesimo quingentesimo decimo octavo.

Eiusdem sanctitatis vestre  
humilis servitor et capellanus

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<sup>5</sup> Martinus Attádi, *baccalauerus artium*, below mentioned also as '*prepositus commendatarius*' of the collegiate church of Marót dedicated to the Virgin Mary (County Valkó; Morović, Croatia) and of an archdeaconry and canonry in the cathedral chapter of Pécs (County Baranya). Below also as '*Martinus episcopus*', which I leave without footnoting.

G[eorgius] episcopus Q[uiqueecclesiensis]<sup>6</sup>  
 manu propria

[fol. 2r]<sup>a</sup> IN NOMINE DOMINI AMEN. ANNO NATIVITATIS eiusdem Domini millesimo quingentesimo decimo octavo, indictione sexta, die vero Martis quarta mensis Maii, hora tertiarum vel quasi, Bude Wesprimiensis diocesis, iurisdictionis spiritualis Strigoniensis, pontificatus sanctissimi in Christo patris et domini nostri, domini Leonis divina providentia pape decimi anno sexto, in hospicio scilicet solite residentie reverendi patris, domini Michaelis Vitezÿ prepositi ecclesie collegiate Sancti Nicolai confessoris de Alba Regali dicte Wesprimiensis diocesis. Idem reverendus dominus Michael prepositus per reverendissimum dominum Georgium modernum episcopum Quinqueecclesiensem, iudicem inter partes infrascriptas a sede apostolica deputatum iudex subdelegatus, mihi notario publico infrascripto vigore litterarum subdelegatarum sub sigillo prefati reverendissimi domini episcopi Quinqueecclesiensis patenter confectarum, quas mihi notario publico infrascripto ibidem exhibuit et presentavit, quarum tenor inferius describetur, commisit et mandavit, ut venerabili et religioso patri, fratri Alberto de Dereslyen ministro fratrum ordinis Sancti Francisci de regulari observantia in provincia Hungarie hic Bude pro nunc existenti, ad instantiam et requisitionem, ut dixit, similiter venerabilis et religiosi fratris Blasÿ de Quinqueecclesiis, prioris provincialis provincie Hungarie ordinis fratrum heremitarum Sancti Augustini similiter hic Bude pro nunc existents, intimare et insinuari [!] deberem, ut ipsi eodem die, hora vesperorum hic Bude in ecclesia Sancti Georgii martyris<sup>7</sup> cum universis iuribus causam infrascriptam concernentibus comparere coram eodem domino Michaele Vitezio deberet ad audiendam mentem et voluntatem suam seu prefati reverendissimi domini Georgy episcopi.

<sup>6</sup> Georgius Szatmári (1457–1524), entered into royal service under the patronage of the Thurzó family and Thomas Bakócz in 1494 working as royal secretary. Royal Chancellor from 1499, bishop of Várad from 1501 still as a layman, ordained only after his translation to the bishopric of Pécs (1505–1521). After the death of Bakócz archbishop of Esztergom and Lord High Chancellor (1521–1524).

<sup>7</sup> The church or chapel of St. George martyr stood in St. George square, which is adjacent to the royal palace.

Ego itaque notarius infrascriptus tanquam obedientie filius ad prefatum fratrem Albertum ministrum fratrum ordinis Sancti Francisci de regulari observantia mox et incontinenti accessi, eique predictum mandatum reverendi domini Michaelis Vitezÿ [fol. 2v] intimavi et insinuavi, et eundem monui et requisivi auctoritate domini Michaelis Vitezÿ, ut eodem die et hora predicta ac in loco supradicto cum omnibus et singulis suis iuribus et munimentis causam infrascriptam concernentibus comparere deberet, auditorurus voluntatem eiusdem domini Michaelis et ipsius reverendissimi domini Georgy episcopi Quinqueecclesiensis delegati iudicis apostolici. Acta fuerunt hec anno, indictione, die, mense, hora, loco et pontificatu, quibus supra.

Tandem eodem anno, indictione, die, mense et pontificatu, quibus supra, in predicta civitate Budensi in dicta ecclesia Sancti Georgy martyr hora vesperorum, vel quasi, prelibatus reverendus pater dominus Michael Vitezius sedit pro tribunali, coram quo venerabiles et religiosi fratres, Blasius de Quinqueecclesiis prior provincialis provincie Hungarie ordinis fratrum heremitarum Sancti Augustini ac Philippus de Erchÿ eiusdem ordinis hic Bude in monasterio eorum Sancti Stephani residentes ex una, necnon Albertus de Dereslÿen minister fratrum ordinis Sancti Francisci de regulari observantia in provincia Hungarie et frater Blasius eiusdem ordinis similiter hic Bude in monasterio eorum Sancti Iohannis degentes partibus ex altera comparuerunt, coram quibus et me notario ac testibus infrascriptis prelibatus dominus Michael Vitezius prescriptas litteras subdelegatorias unacum originalibus litterarum sanctissimi domini nostri in forma brevis emanatarum mihi eidem notario presentavit et exhibuit, quas quidem litteras sanctissimi domini nostri ibidem per me notarium partibus presentibus et audientibus de verbo ad verbum alta et intelligibili voce legi et interpretari fecit, quarum tenores statim inferius describentur; retulitque idem dominus Michael, quomodo prefatus reverendissimus dominus Georgius episcopus Quinqueecclesiensis, iudex delegatus [fol. 3r] commisisset eidem, ut quicquid hincinde vellent dicere iidem fratres, deberet audire et ei per ordinem referre; predictosque fratres minores Sancti Francisci de observantia ad instantiam dictorum fratrum Sancti Augustini, si et quatenus non essent citati ad infrascriptum

actum et totam causam, ibidem citavit et pro citatis habuit; interrogavitque eosdem fratres ordinis Sancti Augustini, si ipsi conquesti fuissent sanctissimo domino nostro eo modo, prout contineretur in ipso brevi apostolico, qui quidem fratres predicti ordinis Sancti Augustini reproducendo primum litteras citatorias quasdam reverendissimi domini episcopi Quinqueecclesiensis contra fratres observantinos in causa presenti emanatas, quarum similiter tenor statim inferius describetur, responderunt ita se esse conquestos moderno summo pontifici, ut continetur in dicto brevi apostolico; quo audito idem dominus Michael Vitezius interrogavit predictos fratres ordinis Sancti Francisci de observantia, si aliquid vellent excipere vel dicere contra huiusmodi breve apostolicum, ubi incontinenti egregius vir magister Martinus de Wyhel, procurator<sup>8</sup> et nomine procuratorio egregii viri domini Petri Erdewdy, domini temporalis loci de Kermend<sup>9</sup> cum procuratoriis litteris eiusdem, cuius tenor statim inferius describetur, tanquam pro tertia persona, cuius maxime, ut dicebat, interesset de huiusmodi causa, comparuit et dixit, quod ipse exnunc monasterio de Kermend, quod esset in diocesi Wesprimiensi, uti continetur in brevi apostolico, sederet et permetteret, ut ipsi fratres Sancti Augustini reponerentur ad illud, de monasterio tamen oppidi Kermend, quod esset in diocesi Iauriensi, inhibuit, ne se ingere-ret, nec ad illud reponeret dictos fratres Sancti Augustini, cum breve apostolicum ad monasterium oppidi Kermend diocesis Iauriensis nullatenus se extenderet, sed ad aliud in diocesi Wesprimiensi existenti, nec ulla iurisdictio eidem [fol. 3v] per breve huiusmodi in diocesi Iauriensi delegaretur, quod si breve ipsam expressa etiam diocesi Iauriensi obtentum esset. Nihilominus tamen tacita veritate et expressa falsitate impetratum sit, nam non de facto, uti fratres ipsi Sancti Augustini supplicaverunt prefato sanctissimo domino nostro, sed via et ordine iuris servato iidem fratres Augustinenses essent de dicto monasterio oppidi Ker-

<sup>8</sup> Martinus Újhelyi, lay jurist in the service of the archdiocesan court of Esztergom. Below sometimes mentioned as '*magister Martinus*' in ms, which I leave without footnoting.

<sup>9</sup> Petrus Erdődy, († ca 1546), nephew of Thomas Bakócz and the major heir of his properties in the counties of Vas, Kőrös, Varasd, Veszprém, Lord Lieutenant of County Vas (*comes comitatus Castriferrei*), Lord Chamberlain and Master of the Horse in the court of King Ferdinand I (1526–1564).

mend diocesis Iauriensis exigente eorum culpa et demeritis amoti, et propterea nullomodo restituendi, imo reiciendi. Unde idem magister Martinus de Wyhel dominum Michaellem Vitezium et omnes alios, quibus forsitan interest, inhibuit, ne eosdem fratres ordinis Sancti Augustini in dictum monasterium reponeret propter predicta, alias protestatus est de gravamine et appellando, et appellavit ibidem verbo, et dixit per totum illum diem dare in scriptis appellationem suam mihi notario publico; quo audito prefati fratres, Blasius de Quinqueecclesiis prior provincialis et Philippus de Erchÿ<sup>10</sup> ordinis Sancti Augustini ibidem responderunt solemniter protestatione premissa, quod ipsi occasione domus predictae de Kermend nullo modo lites ingredi, et eas intentare vel promovere vellent seu intenderent, sed rogabant prefatum dominum Michaellem Vitezium et per eum reverendissimum dominum Georgium episcopum Quinqueecclesiensem, ut nullo iuris ordine servato faceret ex officio id, quod sanctissimus dominus per litteras suas in litteris subdelegatoriis expressas fieri mandabat. Prefati vero fratres ordinis Sancti Francisci de observantia similiter responderunt, quod pro dicta domo seu monasterio de Kermend nullo modo litigare velle, vel lites aliquas propterea agitare, subiungentes, quod ipsi fratres ordinis Sancti Francisci de observantia non sponte, sed coacte intrassent monasterium oppidi Kermend diocesis Iauriensis, compulsi vigore certarum [fol. 4r] litterarum dicti reverendissimi domini Thome cardinalis Strigoniensis et de latere legati sub penis et censuris ecclesiasticis emanatarum, in cuius rei fidem quasdam binas litteras, unas patentes in pergamento sub sigillo eiusdem reverendissimi domini Thome cardinalis Strigoniensis, et alias in simplici papiro, copiam quarundam litterarum continentes produxerunt, quarum tenores statim inferius describentur, allegantes et dicentes iidem fratres observantini, quod quicquid eis reverendissimus dominus Georgius episcopus Quinqueecclesiensis, iudex in hac causa mandaverit, ipsi parati essent ea facere et in omnibus sibi obedire; quo audito prefatus reverendus dominus Michael Vitezius retulit partibus premissa omnia et singula, prout hincinde gesta et allegata coram eo fuerant, suo modo prefato reverendissimo domino episcopo Quinqueecclesiensi exprimere

<sup>10</sup> Eresi, village in County Fejér. For the counties of Hungary see map 4 after page 192.



et enucleare velle, deliberationemque et voluntatem eiusdem reverendissimi domini episcopi Quinqueecclesiensis superinde fienda eisdem relaturum. Acta sunt hec et facta anno, indictione, die, mense, hora, loco et pontificatu, quibus supra, presentibus ibidem honorabilibus viris dominis, Nicolao plebano de Marchelhaza<sup>11</sup> diocesis Waradiensis, Ladislao de Ketthasa<sup>12</sup> capellano dicte<sup>b</sup> ecclesie Sancti Georgy martyris de Buda Wesprimiensis diocesis presbyteris, et Martino de Chasma<sup>13</sup> custode in ecclesia eiusdem loci Zagradiensis diocesis, testibus fidedignis ad premissa vocatis et rogatis.

TENOR ITAQUE LITTERARUM SUBDELEGATORIARUM et brevis apostolici in eisdem descripti, de quibus immediate supra fit mentio, sequitur et est talis [*fol. 4v*]

Georgius Dei et apostolice sedis gratia episcopus Quinqueecclesiensis, iudex et commissarius ad infrascripta a sanctissimo Christo patre et domino nostro, domino Leone divina providentia papa decimo specialiter deputatus, venerabili et egregio domino Michaeli Vitezio decretorum doctori, preposito ecclesie collegiate Sancti Nicolai confessoris de Alba Regali Wesprimiensis diocesis. Salutem in Domino. Et presentibus fidem indubiam adhibere. Litteras prefati sanctissimi domini nostri pape in forma brevis sub anulo piscatoris ad instantiam religiosorum olim prioris fratrum et conventus monasterii Sancte Marie de Kermend, ordinis heremitarum Sancti Augustini impetratas et emanatas ac nobis presentatas, cum illis, quibus decuit, honore et reverentia, sanas etiam et integras, non vitiatas neque cancellatas aut in aliqua sui parte suspectas, sed omni prorsus vitio carentes noveritis nos recepisse, huiusmodi sub tenore.

LEO PAPA decimus venerabili fratri episcopo Quinqueecclesiensi. Venerabilis frater, salutem et apostolicam benedictionem. Fuit nobis cum maxima querela pro parte prioris, fratrum et conventus Sancte

<sup>11</sup> Marcelháza, village in County Bihar.

<sup>12</sup> Kétház, village in County Bodrog.

<sup>13</sup> Martinus Csázmai, canon at the collegiate church of Csázma (Čazma, Croatia), which was a market town of the bishop of Záhgráb (Zagreb, Croatia) in County Kőrös.

Marie de Kermend Wesprimiensis diocesis expositum, quod licet bene, quiete ac honeste semper vixerint, et monasterium prefatum ab immemorabili tempore citra fuerit religionis et fratrum Sancti Augustini, nullaque subest neque subsit causa saltem legitima, ob quam dicti prior et fratres suo antiquo monasterio spoliari deberent, nihilominus dilectus filius noster, Thomas tituli Sancti Martini in Montibus presbyter cardinalis Strigoniensis, legatus a nobis in provincia Hungarie specialiter deputatus, nescitur [fol. 5r] ex qua causa, nisi forsitan instigatus a quibusdam fratribus observantinis Sancti Francisci sub pretextu, quod dicti prior et fratres Sancte Marie de Kermend horas canonicas et divina officia, prout tenebantur, non dicebant et celebrabant in eorum monasterio, eosdem pauperes priorem et fratres Sancte Marie ordinis Sancti Augustini, ut prefertur, de facto in maximum detrimentum et vilipendium non solum dictorum prioris et fratrum, sed totius religionis Sancti Augustini prefato monasterio Sancte Marie de Kermend spoliant, et quosdam fratres observantinos ordinis Sancti Francisci in possessionem Sancte Marie immitti et imponi mandavit, prout forsitan immisit<sup>e</sup> et imposuit. Nos vero premissis providere volentes, ut omnes equa lance pensentur, committimus et mandamus fraternitati tue, quatenus imprimis et ante omnia, si tibi videbitur, super quo tuam conscientiam oneramus, dictos priorem et fratres Sancte Marie de Kermend ordinis Sancti Augustini ita de facto spoliatos de facto in possessionem dicti monasterii Sancte Marie de Kermend in statu et terminis, in quibus ante spolium predictum dicti prior et fratres reperiebantur, restituas, immittas et imponas. Et deinde causam, qua prior et fratres Sancti Augustini eorum monasterio ita de facto spoliati fuerunt, cognoscas et diligenter examines, processumque desuper factum ad nos sedemque apostolicam ad causam huiusmodi terminandam remittas. Mandantes et inhibentes omnibus et singulis episcopis, archiepiscopis aliisque iudicibus quacunque auctoritate fungentibus, et specialiter [fol. 5v] prefato Thome cardinali et legato nostro in provincia Hungarie, ut prefertur, deputato, ne quoquomodo aut quovis quesito colore molestent, aut quavis causa tam dictos priorem et fratres Beate Marie de Kermend, quam omnes alios fratres dicti ordinis Sancti Augustini in provincia Hungarie existentes perturbent, attento, quod dictos fratres religionis Sancti Augustini

nolumus, nisi sedi apostolice et eorum priori generali in omnibus et singulis eorum causis, tam civilibus, quam criminalibus, cuiuscunque importantie et qualitatibus sint, subiacere, prout auctoritate nostra sub excommunicationis et aliis tuo arbitrio imponendis penis inhi-beas et inhi-bere cures, et in eventum non paritionis inobedientes et rebelles in penas et censuras predictas incidisse declares, aggraves, reaggraves, interdicas, auxiliumque brachii secularis, si opus fuerit, invoces, et cetera facies [!], que in premissis et circa ea fuerint necessaria et opportuna, aliis clausulis opportunis, constitutionibus et ordinationibus apostolicis indultis, forsan dicto domino Thome cardinali concessis, iurisdictionem super dictis fratribus habentibus, ceterisque in contrarium facientibus non obstantibus quibuscunque. Datum Rome apud Sanctum Petrum, sub anulo piscatoris, die prima Septembris, millesimo quingentesimo decimo septimo, pontificatus nostri anno quinto. Bembus.<sup>14</sup>

Quarum quidem litterarum vigore, licet nos tanquam filius obedientie volentes mandatum apostolicum nobis in hac parte directum reverenter exequi, ut tenebamur, citationem legitimam<sup>d</sup> unacum inhibitione inserta ad instantiam dictorum religiosorum olim prioris, fratrum et conventus ordinis Sancti Augustini de Kermend contra quosdam etiam fratres [fol. 6r] ordinis minorum Sancti Francisci de observantia assertos, intrusos in dicto monasterio de Kermend in forma solita et consueta decreverimus et concesserimus, ac ad ulteriora videlicet realem et effectua-lem executionem preinsertarum litterarum apostolicarum et contentorum in eisdem procedere voluerimus. Tamen quia nos pro nunc in generali ista congregatione et dieta dominorum, prelatorum et baronum universitatibusque procerum et nobilitatis huius regni Hungarie Bude habitas<sup>15</sup> pro arduis eiusdem regni negotiis tractandis necessario occupamur, aliisque multiplicibus indies occurrentibus sollicitudinibus et curis detrahimur ita, quod cause huiusmodi invigilare et intendere nequeamus. Ideo vobis

<sup>14</sup> Pietro Bembo, the secretary of Pope Leo X issuing the breve of public and political nature of the pope at the *Segretaria Apostolica*. The breve of pope Leo X is transcribed below twice: first in the summons written by bishop Szatmári (fol. 7r–8r), second in his subdelegating letter (fol. 18v–19v).

<sup>15</sup> The diet in fact dissolved on 24 April 1518 without passing a resolution, but the royal council continued to work in Buda and accepted a decree reinforcing their own rights.

domino Michaeli preposito prefato, in cuius sufficientia, integritate et doctrina satis confidentes vices nostras in hac parte duximus committendas, et committimus pleno cum effectu, ipsamque causam omnibus melioribus modo, via, iure et forma, quibus possumus et debemus, vobis subdelegamus ad audiendum, cognoscendum, exercendum et decernendum omnia et singula, que circa cognitionem eiusdem cause necessaria fuerint quomodolibet vel opportuna, et que nos ipsi facere, exercere et decernere possemus, si his omnibus personaliter interessemus; donec et quousque nos ex urgentibus curis, que nos in presentiarum, ut premititur, detinent occupatos, latius absoluti cause huiusmodi personaliter intendere possimus, eamque ad nos duxerimus reassumendam. In cuius sic facte subdelegationis nostre fidem et testimonium presentes litteras fieri, et per notarium infrascriptum subscribi sigillique nostri anularis iussimus, et fecimus sub impressione communiri. Datum Bude Wespriemiensis diocesis, die Martis quarta mensis Maii, [fol. 6v] sub anno Domini millesimo quingentesimo decimo octavo.<sup>16</sup>

Iohannes Anthony Myletynczy de Strigonio<sup>17</sup>  
notarius in premissis de mandato manu propria

CONTINENTIA AUTEM LITTERARUM CITATORIARUM ALIAS ad instantiam fratrum Sancti Augustini emanatarum et per eosdem contra fratres observantinos productarum, de quibus immediate supra fit mentio, est talis

Georgius Dei et apostolice sedis gratia episcopus Quinqueecclesiensis causeque et partibus infrascriptis a sanctissimo in Christo patre et domino nostro, domino Leone divina providentia papa decimo iudex et commissarius specialiter deputatus, universis et singulis dominis, abbatibus, prioribus, prepositis, decanis, archidiaconis, scolasticis, cantoribus, custodibus, thesaurariis, sacristis, succentoribus, tam cathedralium, quam collegiatarum, etiam metropolitanarum, canonicis parochia-

<sup>16</sup> This subdelegating letter is transcribed again below (fol. 18r–20r) inserted in the letter of Michael Vitéz to Martinus Attádi.

<sup>17</sup> Iohannes Miletinczi, comes from a Slavonian petty noble-jurist family, apostolic and royal public notary, employed by the ecclesiastical court of Esztergom.

liumque ecclesiarum rectoribus seu locatenentibus eorundem plebanis, viceplebanis, capellanis curatis et non curatis, vicariis, perpetuis altaristis ceterisque presbyteris, clericis, notariis et tabellionibus publicis, quibuscunque per Strigoniensem, Agriensem, Quinqueecclesiensem, Wesprimiensem et Iauriensem civitates et dioceses ac alias ubilibet constitutis et eorum cuilibet insoluto, necnon illi vel illis, ad quem vel ad quos presentes mee littere pervenerint, et qui cum eisdem fueritis requisiti seu alter vestrum fuerit requisitus. Salutem in Domino. Et nostris huiusmodi, imo verius apostolicis firmiter obedire [fol. 7r] mandatis. Litteras sanctissimi domini nostri Leonis pape prefati in forma brevis emanatas, clausas et sub anulo piscatoris sigillatas, nobis sonantes et pro parte religiosorum virorum prioris, fratrum et conventus monasterii Beate Marie Virginis de Kermend Wesprimiensis diocesis ordinis heremitarum Sancti Augustini principalium in eisdem litteris apostolicis principaliter descriptorum nobis exhibitas atque presentatas nos, quibus decuit honore et reverentia, noveritis recepisse huiusmodi sub tenore.

LEO PAPA decimus. Venerabilis frater, salutem et apostolicam benedictionem. Fuit nobis cum maxima querela pro parte prioris, fratrum et conventus Sancte Marie de Kermend Wesprimiensis diocesis expositum, quod licet bene, quiete ac honeste semper vixerint, et monasterium prefatum ab immemorabili tempore citra fuerit religionis et fratrum Sancti Augustini, nullaque subest neque suberit causa saltem legitima, ob quam dicti prior et fratres suo antiquo monasterio spoliati deberent, nihilominus dilectus filius noster, Thomas tituli Sancti Martini in Montibus presbyter cardinalis Strigoniensis, legatus a nobis in provincia Hungarie specialiter deputatus, nescitur ex qua causa, nisi forsan instigatus a quibusdam fratribus observantinis Sancti Francisci sub pretextu, quod dicti prior et fratres Sancte Marie de Kermend horas canonicas et divina officia, prout tenebantur, non dicebant et celebrabant in eorum monasterio, eosdem pauperes priorem et fratres Sancte Marie ordinis Sancti Augustini, ut prefertur, de facto in maximum detrimentum et vilipendium non solum dictorum prioris et fratrum, [fol. 7v] sed totius religionis Sancti Augustini predicto monasterio Sancte Marie de Kermend spoliant et quosdam fratres observantinos ordinis Sancti Francisci in possessionem dicti monasterii Sancte Marie immitti et imponi man-

davit, prout forsan immisit et imposuit. Nos vero premissis providere volentes, ut omnes equa lance pensentur, committimus et mandamus fraternitati tue, quatenus imprimis et ante omnia, si tibi videbitur, super quo tuam conscientiam oneramus, dictos priorem et fratres Sancte Marie de Kermend ordinis Sancti Augustini ita de facto spoliatos de facto in possessionem dicti monasterii Sancte Marie de Kermend in statu et terminis,<sup>f</sup> in quibus ante spolium predictum dicti prior et fratres reperiebantur, restituas, immittas et imponas. Et deinde causam, qua prior et fratres Sancti Augustini ita de facto spoliati fuerunt, cognoscas et diligenter examines, processumque desuper factum ad nos sedemque apostolicam ad causam huiusmodi terminandam remittas, mandantes et inhibentes omnibus et singulis episcopis, archiepiscopis aliisque iudicibus quacumque auctoritate fungentibus, et specialiter prefato Thome cardinali et legato nostro in provincia Hungarie, ut prefertur, deputato, ne quoquomodo<sup>g</sup> aut quovis quesito colore molestant, aut quavis causa tam dictos priorem et fratres Beate Marie de Kermend, quam omnes alios fratres dicti ordinis Sancti Augustini in provincia Hungarie existentes perturbent, attento, quod dictos fratres religionis Sancti Augustini nolumus, nisi sedi apostolice et eorum priori generali in omnibus et singulis eorum causis tam civilibus, [*fol. 8r*] quam criminalibus, cuiuscunque importantie et qualitates sint, subiacere, prout auctoritate nostra sub excommunicationis et aliis tuo arbitrio imponendis penis inhibeas et inhiberi cures, et in eventum non paritionis inobedientes et rebelles in penas et censuras predictas incidisse declares, aggravas, reaggraves, interdicas, auxilium quoque brachii secularis, si opus fuerit, invoces et cetera facias, que in premissis et circa ea necessaria fuerint et opportuna, aliis clausulis opportunis, constitutionibus et ordinationibus apostolicis indultis, forsan dicto domino Thome cardinali concessis, iurisdictionem super dictis fratribus habentibus ceterisque in contrarium facientibus non obstantibus quibuscunque. Datum Rome apud Sanctum Petrum, sub anulo piscatoris, die prima Septembris, millesimo quingentesimo decimo septimo, pontificatus nostri anno quinto. Bembo.<sup>18</sup> A tergo vero litterarum earundem talis apposita fuit superscriptio: venerabili fratri episcopo Quinqueecclesiensi.

<sup>18</sup> Pietro Bembo. See above note 14.

Post quarum quidem litterarum apostolicarum presentationem et receptionem nobis et per nos, ut premittitur, factas fuimus pro parte dictorum religiosorum virorum prioris, fratrum et conventus monasterii Beate Marie Virginis de Kermend, ordinis Sancti Augustini principalium debita cum instantia requisiti, quatenus ad executionem earundem litterarum apostolicarum et contentorum in eisdem procedere, et citationem legitimam unacum inhibitione inserta contra et adversus similiter religiosos viros, vicarium generalem necnon<sup>h</sup> ministrum, guardianos, custodes et universos fratres ordinis minorum Sancti Francisci de observantia ubilibet per et infra ambitum regni Hungarie constitutos, et signanter contra assertum guardianum et fratres eiusdem [fol. 8v] ordinis minorum Sancti Francisci in dicto monasterio Beate Marie Virginis de Kermend intrusos, ex adverso principales aliosque intrusos et intrudendos ac sua communiter vel divisim interesse putantes in forma solita et consueta decernere et concedere dignaremur.

Nos itaque Georgius episcopus, iudex et commissarius prefatus volentes mandatum apostolicum nobis in hac parte directum reverenter exequi, ut tenemur, idcirco discretioni vestre et cuiuslibet vestri insoluto in virtute sancte obedientie et sub excommunicationis pena, quam in vos et vestrum quemlibet ferimus in his scriptis, nisi feceritis, que vobis in hac parte committimus et mandamus districte precipientes, mandantes, quatenus statim receptis presentibus ac dum et quando pro parte dictorum prioris, fratrum et conventus monasterii Beate Marie Virginis de Kermend, ordinis Sancti Augustini principalium desuper fueritis requisiti seu alter vestrum fuerit requisitus, ad prenomatos vicarium generalem necnon ministrum, guardianos, custodes et fratres ordinis Sancti Francisci, et signanter intrusos et intrudendos in dicto monasterio de Kermend, ex adverso principales ac sua communiter vel divisim interesse putantes et in executione presentium nominandos, si ipsorum presentias commode habere poteritis, personaliter accedatis, ipsosque et quemlibet ipsorum ad sonum campane in loco conventuali vel alias legitime congregatos in propriis eorundem personis, si ad eos vobis tutius pateat accessus, sin autem per affixionem presentium nostrarum litterarum citatoriarum ad valvas monasteriorum et ecclesiarum ac in aliis locis publicis, in et sub quibus iidem citandi degere et commorari

creduntur, aliasque sic et taliter [fol. 9r], quod verisimile sit huiusmodi citationem vestram ad ipsorum citandorum notitiam indubitatum devenire, ex parte nostra et apostolica auctoritate peremptorie citare curetis, quos et eorum quemlibet nos etiam tenore presentium sic citamus, quatenus sexta die post diem executionis citationis huiusmodi eis vel eorum alteri facte immediate sequenti, si dies ipsa sexta iuridica fuerit, et nos ad iura reddenda<sup>i</sup> et causam huiusmodi audiendam<sup>j</sup> pro tribunali sederimus, alioquin prima die iuridica extunc immediate sequenti, qua nos<sup>k</sup> Bude vel alibi, ubi tunc Deo duce constituemur, pro tribunali sedere contigerit, compareant in iudicio legitime coram nobis per se vel procuratores suos idoneos cum omnibus et singulis iuribus et munimentis suis causam et causas huiusmodi quomodolibet tangentibus ad dicendum et excipiendum quicquid verbo vel in scriptis contra et adversus preinsertas nobis presentatas et exhibitas litteras apostolicas dicere sive excipere voluerint; alioquin ad videndum et audiendum monasterium Beate Marie Virginis in Kermend, quo ipsi prior et fratres ordinis Sancti Augustini, ut pretenditur, de facto spoliati existunt, eisdem primum et ante omnia cum universis et singulis suis pertinentiis per nos restitui, aliaque fieri et exequi cum effectu, que in preinsertis litteris apostolicis latius nobis a prefato sanctissimo domino nostro papa data sunt in mandatis. Certificantes nihilominus eosdem sic citatos, quod sive ipsi in dicto [fol. 9v] citationis termino comparere curaverint, sive non, nos nihilominus ad premissa omnia et singula et alias prout iustum fuerit contra ipsos procedemus ipsorum absentia sive contumacia in aliquo obstante inhibentes. Preterea modo et forma premissis in virtute sancte obedientie et sub excommunicationis pena dictis vicario generali necnon ministro, guardianis, custodibus et ceteris fratribus ordinis Sancti Francisci ex adverso principalibus ac aliis quibuscunque personis quacunque auctoritate fungentibus, ne ipse in preiudicium inhibitionis nostre huiusmodi, imo verius sanctissimi domini nostri pape contemptum prefati dictos priorem et fratres ordinis Sancti Augustini in aliquo impediatur vel molestentur, vel eorum alter impediatur seu molestetur, aut impedire vel molestare faciat, quoniam omnia et singula in preinsertis litteris apostolicis contenta et nobis commissa legitime exequantur, ac suum debitum sortiantur effectum. Qui secus rebelliter attemptare presumpserint,



extunc ad dicte excommunicationis sententie declarationem et alias ad graviora contra ipsos et rebelles quoscunque procedere curabimus, prout et quemadmodum a prefato sanctissimo domino nostro papa per preinsertas litteras specialiter habemus in mandatis. Diem vero sive dies citationis et inhibitionis vestrarum huiusmodi atque formam, et quicquid in premissis feceritis, nobis hincinde rescribatis, absolutionem vero omnium et singulorum, qui prefatam nostram excommunicationis sententiam incurrerint sive incurrerit, quoquomodo nobis vel superiori nostro tantummodo reservamus. In quorum omnium et singulorum [fol. 10r] fidem et testimonium premissorum presentes litteras fieri et per notarium publicum infrascriptum subscribi sigillique nostri anularis iussimus, et fecimus sub impressione communiri. Datum Bude Wesprimiensis diocesis in domo nostre solite residentie, die Mercurii vigesima octava mensis Aprilis, sub anno Domini millesimo quingentesimo decimo octavo.

Ladislaus de Radymno Premisliensis  
diocesis<sup>19</sup> notarius manu propria

SERIES autem litterarum procuratoriarum magistri Martini de Wyhel et per eundem productarum, de quibus etiam supra fit mentio, sequitur in hec verba

Nos Ludouicus Dei gratia rex Hungarie et Bohemie etc. Memorie commendamus, quod egregius Petrus Erdewdy de Monjorokerek<sup>20</sup> coram nostra personali presentia personaliter constitutus, in omnibus causis suis et earum articulis tam per ipsum contra alios, quam per alios quospiam contra ipsum in quibuslibet terminis coram quovis iudice et iustitiario regni ecclesiastico, videlicet et seculari a data presentium per anni circulum motis vel movendis Franciscum de Veteri Buda, Martinum de Wyhel litteratos, Philippum de Florencia, Emericum de Saros, Franciscum de Waya, Gregorium litteratum de Mykola, Laurentium Sarkan de Akoshaza, alterum Laurentium de Potthyond, Nicolaum de Wezelye, Detricum de Rayk, Andream de Palasti, Nicolaum de [fol. 10v] Bod, alte-

<sup>19</sup> Przemysl, Poland.

<sup>20</sup> Monyorókerék, market town with castle, residence of Petrus Erdődy in County Vas (Eberau, Austria). See on map 2 after page 8.

rum Nicolaum litteratum de Myletyncz, Stephanum de Orozy, Paulum Zoldos de Rwnya, Iohannem litteratum de Mýskolcz, Franciscum de Fanchyka et alterum Franciscum de Chehy fecit, constituit et ordinavit suos viros et legitimos procuratores,<sup>21</sup> ratum atque firmum se promittens habiturum quicquid per dictos suos procuratores simul vel divisim exhibitores, videlicet seu exhibitores presentium actum, factum et procuratum fuerit in causis suis prenotatis. Datum Bude, in crastino festi Beati Vrbani pape, anno Domini millesimo quingentesimo decimo septimo.<sup>22</sup> Lecta

TENORES vero litterarum reverendissimi domini Thome cardinalis Strigoniensis legati de latere et copie per ipsos fratres observantinos productarum, de quibus immediate supra fit mentio, sequitur [!] in hec [!] forma verborum

Thomas miseratione divina tituli Sancti Martini in Montibus sacrosancte Romane ecclesie presbyter cardinalis Strigoniensis, patriarcha Constantinopolitanus, ad Hungarie, Bohemie, Polonie, Dacie, Noruegie et Swevie regna, necnon Prussiam, Russiam, Liunioniam, Lithvaniam, Valachiam, Slesiam, Lusarcam, Moraviam, Transylvaniam, Sclauoniam, Dalmaciam, Croaciam et Moskoviam omnesque et singulos regnorum et provinciarum predictorum civitates, insulas, terras atque loca illis subiecta et alia eis adiacentia apostolice sedis de latere legatus.<sup>23</sup> Memorie commendamus tenore presentium significantes, quibus expedit universis, quod nos litteras sanctissimi in Christo patris [fol. 11r] et domini nostri,

<sup>21</sup> The proctors represent the group of professional lay jurists employed in a growing number in the offices of the royal curia (e.g. chancery) and of great dignitaries (e.g. palatine) as notaries or protonotaries. Typically they come from the petty or middle nobility with the only exception of Laurentius from the Ákosházi Sárkány magnate family. In some cases their close connection to Thomas Bakócz is obvious besides Martinus Újhelyi and Martinus Miletinzi, who was a relative of Iohannes, the notary at the present process in Körmend. For example, Franciscus Vajai (de Waya) (Ibrányi) was secretary of the niece of the primate, Iohannes Erdódy, Chief Justice in the personal royal presence (between 1511–1514), while Philippus de Florencia was member of the entourage of the legate Bakócz and worked as a procurator in Esztergom.

<sup>22</sup> 24 May 1517.

<sup>23</sup> The cardinal was appointed legate *a latere* by Pope Leo X on 15 July 1513 in order to organize a crusade against the Turks in Hungary, Poland, Bohemia etc.

domini Leonis divina providentia pape decimi clausas in forma brevis sub anulo piscatoris sanctitatis sue emanatas, sanas, si quidem et integras, non vitiatas, non cancellatas, neque in aliqua sui parte suspectas, sed omni prorsus vitio et suspicionis nota carentes, ut in eis prima facie apparebat, cum ea, qua decuit, reverentia recepimus in hec verba.

LEO PAPA decimus dilecto filio nostro Thome tituli Sancti Martini in Montibus presbytero cardinali, ad Hungarie, Polonie, Bohemie ac Swecie regna nostro et apostolice sedis legato etc. Dilecte fili noster, salutem et apostolicam benedictionem. Dudum circumspectio tua nobis exposuit, quod cum superioribus annis ex pecuniis sua industria et labore partis emerit oppidum Kermend in regno Hungarie situm Iauriensis et alterius diocesis, in quo una tantum domus fratrum heremitarum ordinis Sancti Augustini magna ex parte diruta existit, ubi duo interdum eiusdem ordinis fratres, aut ad summum tres et non ultra immorantur, qui veluti soluti ac censure alicuius minime subiacentes pro libito divina officia celebrant, ex quo non tam scandalum fidelibus in dicto oppido et locis circumvicinis generatur, quam, quod est longe deterius, fidei zelus et devotio minuuntur; et propterea te domum ipsam, modo in totum aliis cuiusvis alterius ordinis fratribus mendicantibus ac sub regulari observantia viventibus per te [fol. *lrv*] inibi introducendis reformetur, cupere tuis sumptibus ac in ea notabili exposita pecunia instaurare. Nos huic tuo et sancto operi ac pro desiderio favorabiliter annuentes, ut divinus cultus augeatur, tibi, quem superioribus mensibus ad Hungarie, Polonie et Bohemie regna, ut ipsorum regnorum periculis pro Christiane fidei defensione occurratur, nostrum et apostolice sedis legatum deputavimus, ut si tibi et quatenus videbitur, cuius super iis conscientiam oneramus, fratribus ad presens ibidem existentibus inde submotis alios cuiuscunque ordinis etiam mendicantium regularis observantie fratres in exemplum ac frugem incolarum Christianeque fidei augmentum, nulla super premissis superiorum licentia requisita, inducendi, eisque dictam domum pro eorum perpetuis usus et habitatione concedendi tenore presentium licentiam et facultatem concedimus, pariter et indulgemus non obstante felicitis recordationis Bonifacy pape octavi,<sup>24</sup> predecessoris nostri, qua cavetur, ne fratres men-

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<sup>24</sup> Pope Boniface VIII (1294–1303).

dicantes recipiant nova loca ad inhabitandum sine sedis apostolice licentia speciali ac aliis ordinationibus apostolicis, statutis quoque et consuetudinibus dictionum ordinum, iuramento, confirmatione apostolica vel quavis firmitate alia roboratis, ac privilegiis apostolicis dictis ordinibus,<sup>1</sup> forsitan sub quibusvis tenore et forma etiam iis se derogari quoquomodo oppor-teret, concessis, ac aliis in contrarium facientibus non obstantibus quibuscunque. Datum Rome apud Sanctum Petrum, sub anulo [*fol. 12r*] piscatoris, die decima septima Septembris, millesimo quingentesimo decimo tertio, pontificatus nostri anno primo. P. Bembo.<sup>25</sup>

Quibus quidem litteris apostolicis sic, ut prefertur, per nos reverenter, ut decuit, receptis, nos ex facultate et auctoritate nobis in eisdem concessis, iuxta vim, formam, seriem<sup>m</sup> et tenorem earundem litterarum ad executionem debitam ipsarum procedere volentes, quamvis evidentissimis documentis de assertis et narratis in eisdem litteris apostolicis nobis constiterit, et nostra etiam propria experientia edocti de omnibus sufficienter fuerimus, nihilominus ad maiorem veritatis certitudinem commiseramus ex superhabundanti certis nostris in hac parte executoribus, ut ipsi accedentes ad dictam domum sive claustrum ipsorum fratrum dicti oppidi Kermend evocarent coram se fratres ipsos, si qui ibidem essent, et alios sua communiter vel divisim interesse putantes; ad videndum et audiendum super excessibus, scandalis ac vite ipsorum dissolutione et neglecta religione aliisque inconvenientiis contra ipsos inquiri, testesque producendos ad hoc admitti, recipi et iurare, ac eorum dicta et attestations in scriptis per eosdem redigi, et nobis conscientiose remitti, citarique eosdem fratres in nostri<sup>n</sup> presentiam ad videndum et audiendum dicta, et attestations testium huiusmodi per nos publicari, ad executionemque effectivalem dictarum litterarum apostolicarum procedi ad certum terminum eis prefigendum, vel dicendam et allegandam causam, si quam habent, legitimam, quare predictas litteras apostolicas exequi non deberemus. Tandem prefati nostri executores litteris et processibus nostris [*fol. 12v*] imo verius apostolicis cum diligentia obedire volentes ad executionemque premissorum procedentes testes quamplurimos fidedignos super premissis nominatos et productos in oppido

<sup>25</sup> Pietro Bembo. See above note 14.

Kermend predicto, premissa citatione legitima, contra ipsos fratres ad videndum et audiendum testes ipsos produci, admitti et iurare, receptoque prius ab eisdem testibus de dicenda veritate tactis sacrosanctis Ewangelys iuramento,<sup>o</sup> corporali seorsum et singulatim examinarunt, nobisque eorum dicta et attestaciones suis sub sigillis clausas et sigillatas in scriptis redactas, prefixo predictis fratribus coram nobis ad comparandum certo termino, fideliter transmiserunt. Demum adveniente termino huiusmodi, die videlicet infrascripta, prefatis fratribus contumaciter se absentantibus nos unacum certis nostris assessoribus et iurisperitis pro tribunali sedentes dicta et attestaciones testium prefatorum publicavimus, et publice legi fecimus, ac pro publicatis haberi voluimus. Et quoniam non solum ex attestacionibus huiusmodi, verum etiam ex facti notorietate omnia et singula in dictis litteris apostolicis contenta vera et probata esse sufficienter reperimus. Ideo nos auctoritate apostolica nobis, ut prefertur, in hac parte concessa, prehabita prius superinde cum predictis nostris assessoribus matura et diligenti deliberatione fratres predictos ordinis heremitarum Sancti Augustini a dicta domo sive claustro in iamdicto oppido Kermend fundato et existenti amovendos, transferendos et excludendos fore declaravimus, imo removemus, transferimus et excludimus per presentes, domumque eandem cum [fol. 13r] omnibus libris, calicibus, ornamentis, paramentis, reliquiis et aliis ad cultum divinum peragendum ibidem deputatis et existentibus rebus guardiano et fratribus ordinis minorum Sancti Francisci sub observantia regulari viventibus per eorundem superiorem ad hoc pro tempore deputandis pro eorum usu et habitatione perpetuo auctoritate apostolica prefata donavimus, concessimus et assignavimus, ac donamus, concedimus et assignamus presentium per vigorem ita, quod liceat guardiano et fratribus predictis regularis observantie per se vel alium seu alios domum predictam auctoritate propria libere apprehendere, ac pro eorundem usu et habitatione perpetuo retinere diocesani et cuiusvis alterius super hoc licentia minime requisita. In quorum omnium et singulorum fidem et testimonium premissorum presentes litteras nostras patentes processus huiusmodi in se continentes exinde fieri sigillique nostri maioris, quo in legatione nostra utimur, iussimus appensione communiri, et per discretum magistrum Olaum Bangh de Medelfardia clericum Otto-

niensis diocesis,<sup>26</sup> curie legationis nostre scribam ac auctoritate apostolica prefata notarium publicum subscribi, signoque sui notariatus solito consignari fecimus, quas prefatis guardiano et fratribus desuper duximus concedendas. Datum et actum in palatio maiori arcis nostre Strigoniensis, sub anno Domini millesimo quingentesimo decimo septimo, indictione quinta, die vero Martis vigesima octava mensis Aprilis, pontificatus prefati sanctissimi in Christo patris et domini nostri, domini Leonis [fol. 13v] divina providentia pape decimi anno quinto. Presentibus ibidem reverendis patribus, dominis Martino de Atthad episcopo Augustopolensi, Andrea Chesio decretorum doctore, comite et prothonotario apostolico, preposito Chasmensi,<sup>27</sup> Stephano Ibranÿ custode et canonico Strigoniensi<sup>28</sup> ac Anthonio Cheregonio de Montefloro iuris utriusque doctore etiam canonico Zagrabiensi<sup>29</sup> aliisque quamplurimis testibus fidedignis ad premissa vocatis specialiter atque rogatis.

Et ego Olaus Iohannis Bangh de Medelfardia clericus Ottoniensis diocesis, publicus sacra apostolica auctoritate notarius et causarum legationis prefati reverendissimi domini, domini Thome cardinalis et legati scriba iuratus, quia supramemoratarum fassionum testium productorum publicationi et discussioni, necnon sententie, amotionis, translationis et exclusionis prolationi et pronunciationi exindeque factis donationi, concessioni et assignationi omnibusque aliis et singulis premissis, dum sic, ut premititur, die et loco suprascriptis fierent et agerentur, unacum prenomatis testibus presens interfui, eaque sic omnia fieri vidi et audivi, ideo presentes litteras exinde confectas et sigillo proprio prefati reverendissimi domini cardinalis et legati sigillatas subscripsi et publicavi, signo-

<sup>26</sup> Othoniensis, Odense in Denmark. Cf. the letter issued by him as notary in 1519 (MOL DF 237 714).

<sup>27</sup> The Italian doctor of canon law was also a theologian, canon in Záhgráb (Zagreb, Croatia) and vicar of Esztergom (1516).

<sup>28</sup> Stephanus (Vajai) Ibrányi, brother of Franciscus Vajai Ibrányi (see note 21) was also a professional jurist (conservator at the royal chancery) receiving the ecclesiastical benefice in return for his services.

<sup>29</sup> He was also canon of the St. Thomas (after Thomas Becket) collegiate church in Esztergom (1511) and *vicarius* and *auditor generalis* of Cardinal Bakócz in Esztergom between 1511–1513.

que nomine et cognomine meis solitis et consuetis consignavi in fidem omnium et singulorum premissorum rogatus et requisitus.

Thomas miseratione divina tituli Sancti Martini in Montibus sacrosancte Romane ecclesie presbyter cardinalis Strigoniensis, patriarcha Constantinopolitanus [fol. 14r] necnon ad Hungarie, Bohemie, Polonie, Dacie, Noruegie et Swecie etc. regna apostolice sedis de latere legatus, universis et singulis religiosis patribus, vicariis, commissariis, custodibus, predicatoribus et guardianis aliisque superioribus, prelati et fratribus ordinis minorum Sancti Augustini<sup>p</sup> de observantia infra ambitum regni Hungarie ubivis constitutis, salutem in Domino sempiternam. Noveritis, quod superioribus diebus vigore cuiusdam mandati nobis per sanctissimum dominum nostrum, dominum Leonem papam decimum facti contra quosdam assertos priorem et fratres Sancti Augustini heremitarum in domo seu monasterio ecclesie Beate Virginis in oppido Kermend vocato (ut dicebatur) commorantes per viam inquisitionis super quibusdam articulis in eodem mandato sanctissimi domini nostri pape expressis rite et legitime procedentes servatisque de iure servandis dictos fratres eorum demeritis et excessibus sic exigentibus a prefato monasterio sive domo huiusmodi ammovendos et excludendos fore duximus et decrevimus, imo quantum in nobis fuit, per sententiam nostram diffinitivam ex iure fundatam actu amovimus et excludimus, domumque prefatam seu monasterium huiusmodi vobis religiosis patribus, vicariis, commissariis, custodibus, predicatoribus ac guardianis et aliis fratribus vestris ordinis Sancti Francisci de observantia prefatis ex simili mandato et auctoritate sanctissimi domini nostri pape dedimus, donavimus et contulimus, prout hec et alia in nostris superinde confectis litteris et vobis transmissis plenius continentur.

Committimus igitur [fol. 14v] vobis in virtute sancte obedientie salutaris et sub excommunicationis pena, quam in vos et vestrum quemlibet, nisi feceritis, que vobis in hac parte committimus et mandamus districte precipientes, mandantes ferimus in his scriptis, quatenus infra quindecim dierum spatium, diem presentationis et receptionis presentium litterarum nostrarum vobis et per vos factis immediate sequentium, quorum quindecim dierum quinque pro primo et quinque pro secundo et reliquos quinque dies vobis universis et singulis supradictis pro tertio et preemptorio termino et

monitione canonica assignamus, prefatam domum seu monasterium huiusmodi in dicto oppido Kermend habitum, que seu quod divinis officiis et cultu divino fere totaliter (ut clare edocti fuimus) per prefatos assertos fratres Sancti Augustini destituta et destitutum fuerat, ingredi, illiusque actualement et realem possessionem iuxta sanctissimi domini nostri pape voluntatem et mandatum nobis factum apprehendere, fratres ordinis vestri, qui Deo omnipotenti in horis diurnis et nocturnis aliisque divinis officiis iugiter famulari possint, ibidem in numero competenti inibi instituendo et relinquendo debeatis et teneamini, quod si facere, quod non credimus, recusaveritis, vel mandatis nostris huiusmodi, imo verius apostolicis parere, aut ea contumaciter adimplere neglexeritis seu distuleritis, mox ad dicte excommunicationis sententie declarationem et alias contra vos, prout iustum fuerit, procedemus. In quorum omnium et singulorum fidem et testimonium premissorum presentes litteras fieri [fol. 15r] et per notarium infrascriptum subscribi sigillique nostri iussimus et fecimus sub impressione communiri. Datum Bude diocesis Wesprimiensis, die Mercurii vigesima septima mensis Maii, sub anno Domini millesimo quingentesimo decimo septimo.

Olaus Iohannis Bang manu propria,  
notarius de mandato manu propria

Subsequenter vero anno, indictione et pontificatu, quibus supra, die vero Iouis sexta mensis Maii, hora nonarum vel quasi de mandato prefati domini Michaelis Vitezÿ ego infrascriptus notarius publicus dictos fratres, priorem provincialem et ministrum ordinis scilicet Sancti Augustini et ordinis minorum Sancti Francisci de observantia personaliter hic Bude in eorum monasteriis repertos monui et requisivi nomine domini Michaelis Vitezÿ, prefati reverendissimi domini episcopi Quinqueecclesiensis subdelegati, ut hora vesperarum hic Bude in ecclesia Sancti Georgy martyris predicta comparere, ac mentem et voluntatem suam et dicti reverendissimi domini episcopi Quinqueecclesiensis audire deberent, qua quidem hora adveniente dictus dominus Michael iudex subdelegatus in dicta ecclesia Sancti Georgy martyris sedit pro tribunali, coram quo iudice subdelegato frater Emericus de Bajóth<sup>30</sup> et Michael

<sup>30</sup> Bajót, village in County Esztergom in the possession of the archdiocese.



de Koloswar<sup>31</sup> ordinis Sancti Augustini pro conventu et ordine eorum ex una, et fratres Albertus de Dereslyen minister et frater Blasius ordinis Sancti Francisci de observantia parte ab altera comparuerunt, et prelibatus magister [fol. 15v] Martinus de Wÿhel pro egregio domino Petro de Erdewd similiter comparuit, et certos articulos causam et causas amotionis dictorum fratrum Sancti Augustini de monasterio oppidi Kermend continentes ibidem facto et in scriptis produxit, quorum tenores statim inferius describentur, petiitque monere partem adversam ad danda interrogatoria, si que dare vellent, per totum illum et sequentem diem decerni remissoriam, deputari iudicem reverendum dominum Martinum Atthady episcopum Augustopolensem, me notarium infrascriptum ad conscribendum depositiones testium et prefigi terminum spatium sex dierum ad inquirendum super eisdem articulis in Kermend.

Predicti vero fratres Emericus de Baÿoth et Michael de Koloswar ordinis Sancti Augustini pro conventu et eorum ordine ibidem monuerunt et requisiverunt eundem magistrum Martinum primo, secundo, tertio et peremptorie ac sub excommunicationis late sententie pena, vigore certorum privilegiorum suorum alias ordini ipsorum a sede apostolica concessorum, ibidem tamen non exhibitorum, ut desisteret ab huiusmodi turbationibus et inquietationibus ipsorum, cum nihil ipse et dominus Petrus Erdewdy interesse haberent de dicto monasterio. Magister vero Martinus dixit multum interesse habere, et propterea ipse quoque vigore privilegiorum fratrum ordinis Sancti Francisci de observantia monuit, quantum potuit, ipsos fratres Augustinenses, ut ab huiusmodi inquietationibus observantinorum desisterent, et petiit, ut supra. Et tandem tam iidem prefati fratres Augustinenses, quam fratres [fol. 16r] Sancti Francisci de observantia, et magister Martinus de Wyhel repetierunt et pro repetitis habuerunt, et ratificaverunt omnia per eosdem hincinde hactenus quomodolibet in causa presenti gesta et facta, in iudicemque remissoriae in dominum Martinum Atthady, ut inquisitorem, et in me notarium publicum infrascriptum ad conscribendum depositiones testium

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<sup>31</sup> Friar Michael Kolozsvári (Kolozsvár, County Kolozs; Cluj-Napoca, Romania) mentions below that he was earlier prior of the St. James convent at Vác (County Nógrád). Below simply mentioned as *frater Michael* (fol. 27r).

consenserunt, petieruntque dicti fratres Augustinenses copiam dictorum articulorum.

Dominus vero Michael Vitezius iudex subdelegatus dictos articulos salvis impertinentibus admisit, reverendumque dominum Martinum Atthady pro iudice remissorie et pro conscribendis attestationibus me infrascriptum notarium publicum, de consensu partium et etiam prefati reverendissimi domini Georgy episcopi Quinqueecclesiensis coram me notario et testibus infrascriptis specialiter hic Bude in domo sue solite residentie adhibito, elegit et deputavit, litteras remissoriales decrevit, et locum pro examinandis testibus oppidum Kermend elegit, et terminum examinandi testes novem diem ad petitionem et requisitionem dictorum fratrum ordinis Sancti Augustini heremitarum a presenti die computando prefixit, decrevitque dandum copiam articulorum ipsis fratribus Augustinensibus id petentibus, admonendo eosdem, ut interrogatoria, si que dare vellent, infra spatium novem dierum domino Martino Atthady episcopo, aut mihi notario publico infrascripto dare et consignare deberent. Acta sunt hec et facta anno, indictione, die, mense, hora, loco et pontificatu, quibus supra, presentibus ibidem honorabilibus dominis, Ladislao de Kethasa presbytero, capellano dicte<sup>q</sup> ecclesie Beati Georgy martyris de Buda et Martino de Chasma custode eiusdem loci Wespriemiensis et Zagrabiensis diocesis aliisque testibus fidedignis ad premissa vocatis atque rogatis. [*fol. 16v*]

SERIES articulorum per magistrum Martinum de Wyhel productorum, de quibus immediate fit mentio, est talis<sup>32</sup>  
 Procurator egregii domini Petri Erdewdy, domini temporalis de Monyokerek et eo nomine dat, offert et producit infrascriptos positiones et articulos contra et adversus alias priorem, fratres et conventum, si qui sunt ecclesie Beate Marie Virginis ordinis heremitarum Sancti Augustini oppidi Kermend dicte Iauriensis diocesis causas idoneas, legales et sufficientes ademptionis ecclesie eiusdem ab eisdem fratribus continentes et declarantes, super quibus petit idem procurator auctoritate apostolica per reverendissimum in Christo patrem et dominum, dominum

<sup>32</sup> The articles are also transcribed on fol. 21v–22v.

Georgium episcopum Quinqueecclesiensem, summum et secretarium regie maiestatis Hungarie cancellarium, aut ipsius in hac parte commissarios inquisitionem opportunam et sufficientem in partibus fieri.

Imprimis itaque ponit, quod olim felicitis memorie divi reges Hungarie seu alii Christifideles Deo devoti in honorem Beatissime Virginis Marie, sub cuius patrocinio et tutela refoveri sperabant, ecclesiam sive monasterium quoddam unacum domibus et cellis vite monastice necessariis necnon hortis, hortaliis, curia, dote, inambulatoriis, vestibulis et porticibus aliisque opportunitatibus in oppido Kermend predicto pro cultu divino iugiter ibidem die noctuque per fratres religiosos instituendos, tam in cantu, quam etiam alias exercendo, opere regio et sumptuoso a fundamentis erigi, extrui et fabrefieri fecerant, et sic fuit et est verum. [fol. 17r]

Secundo ponit, quod iidem pii et Deo devoti reges ac Christifideles in ecclesia et monasterio predictis, ut perpetuis futuris temporibus singulis noctibus matutine, interdiu autem hore canonice et misse ordinarie cum cantu, alie vero legendo peragerentur, fratres ordinis Sancti Augustini heremitarum in eandem ecclesiam et monasterium in pleno numero et ad cultum divinum huiusmodi peragendum sufficienti induxerant, domum ipsam sive monasterium eisdem possidendam relinquendo, et sic fuit et est verum.

Tertio ponit, quod dicti fratres postquam ecclesiam et domum predictas assecuti fuerant, paulatim disciplina regulari refrigescere, et moribus in deteriora relapsis pie fundatoris intentioni contravenientes eandem ecclesiam seu monasterium adeo, tam in cultu divino, quam numero fratrum diminuerant et desertarant [!], ut vix tres vel duo aut solum unus, interdum etiam nullus ibidem repertus fuerit, in eaque non solum matutine aut hore canonice, verum misse etiam tam legendo, quam cantando<sup>r</sup> in tantum defecerant, ut plerumque nec unica quidem missa ibidem celebraretur in<sup>s</sup> maximum Christifidelium in oppido predicto et partibus circumvicinis residentium dampnum et scandalum fundatorisque eiusdem ecclesie iniuriam manifestam, quod sic fuit et est verum.

Quarto ponit, quod dicta ecclesia sive monasterium per incuriam et negligentiam eorundem fratrum non solum in cultu divino, ut premissum est, verum etiam in edificiis gravem et intolerabilem iacturam dampnumque et ruinam accepit adeo, ut domus ipsa sive monasterium

propediem, nisi aliter illi de aliis vite melioris religiosi ibidem auctoritate apostolica [fol. 17v] provisum extitisset, in summam et extremam vastitatem redactum fuisset, quod sic fuit et est verum.

Quinto ponit, quod fratres illi, qui interdum tres vel duo aut unus solus in domo ipsa seu monasterio inveniebantur, tam dissolute et preter normam discipline regularis tanquam acephali vivebant, ut plerumque in dicto oppido et villis cum rusticis in tabernis symposia et ebrietates necnon rixas, iurgia et contentiones usque ad verbera et sanguinis effusionem aliaque malorum genera cum maximo, non solum religiosorum, verum etiam totius cleri et multorum Christifidelium scandalo exercebant, officia divina in ecclesia predicta seu monasterio penitus negligendo, quod sic fuit et est verum.

Item ponit, quod iidem fratres inter alias multiplices et varias ineptias, quas exercebant, a mulierculis quoque suspectis non temperabant, sed mulierculas huiusmodi suspectas ad monasterium ipsum et ad refectorium contra normam discipline monastice introducebant, et cum illis conversabantur, propter quod Christifideles vehementer scandalizabantur, et devotio eorum erga prefatam ecclesiam Beate Virginis diminuebatur, et contemptus vilipendiumque erga ordinem sacerdotalem et universum clerum manifeste generabatur, quibus ex causis reverendissimus dominus Thomas cardinalis et legatus zelo fidei et religionis salutisque Christifidelium motus dictam domum fratribus Divi Francisci de observantia, exclusis inutilibus, tanquam vite et conversationis meliores apostolica auctoritate locavit, quod sic fuit et est verum.

Item ponit et dicit, quod premissa omnia et singula fuerunt et sunt vera, de ipsisque in partibus illis fuit et est publica vox et fama, et sic fuit et est verum.

Salvo iuramento etc.

Et protestatur etc. [fol. 18r]

IN NOMINE DOMINI AMEN. ANNO NATIVITATIS EIUSDEM, millesimo quingentesimo decimo octavo, indictione sexta, die vero Iouis sexta mensis Maii, hora vesperarum vel quasi reverendo in Christo patri, domino Martino de Atthad episcopo Augustopolitanensi, commendatario prepositure de Maroth ac archidiaconatus et canonicatus ecclesie

Quinqueecclesiensis, Bude Wesprimiensis diocesis in domo circumspecti viri Iohannis Sartoris<sup>33</sup> personaliter constituto presentate fuerunt eidem in mei notarii publici et testium infrascriptorum presentia quedam littere reverendi patris domini Michaelis Wÿthesÿ, decretorum doctoris, prepositi ecclesie collegiate Sancti Nicolai confessoris de Alba Regali, in causa et partibus infrascriptis iudicis subdelegati patentes sigilloque suo impresse communitate simulcum certis articulis huiusmodi sub tenore.

REVERENDO in Christo patri et domino, domino Martino de Atthad, Dei et apostolice sedis gratia episcopo Augustopolitanensi Michael Withecius decretorum doctor, prepositus ecclesie collegiate Sancti Nicolai confessoris de Alba Regali causeque et causis ac partibus infrascriptis a reverendissimo in Christo patre et domino, domino Georgio, Dei et apostolice sedis gratia episcopo Quinqueecclesiensi, iudice et executore a sanctissimo in Christo patre et domino nostro, domino Leone divina providentia papa decimo specialiter deputato. Salutem in Domino. Cum diligentia infrascriptorum nostrisque huiusmodi, imo verius apostolicis firmiter obedire mandatis. Noveritis, quod reverendissimus in Christo pater et dominus, dominus Georgius episcopus et commissarius apostolicus prefatus quasdam suas subdelegatorias litteras<sup>t</sup> suo vero sigillo anulari sigillatas nobis nuper direxit et presentari fecit, quas nos cum illis, quibus decuit, honore et reverentia sanas etiam et integras, non vitiatas neque cancellatas aut in aliqua parte suspectas, sed omni prorsus vitio, ut apparuit, carentes recepimus husiusmodi sub tenore.

GEORGIUS Dei et apostolice sedis gratia episcopus Quinqueecclesiensis, iudex et commissarius [fol. 18v] ad infrascripta a sanctissimo in Christo patre et domino nostro, domino Leone divina providentia papa decimo specialiter deputatus venerabili et egregio domino Michaeli Withesio decretorum doctori, preposito ecclesie collegiate Sancti Nicolai confessoris de Alba Regali Wesprimiensis diocesis. Salutem in Domino. Et pre-

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<sup>33</sup> Probably the same person with Iohannes Szabó (Sartor), mentioned in 1527 as judge of Buda. KUBINYI ANDRÁS, *Budai és pesti polgárok családi összeköttetései a Jagelló-korban*, LK 37 (1967) 228–291, 286 [ANDRÁS KUBINYI, *The Familiar Ties of the Burgbers of Buda and Pest in the Jagiellonian Era*].

sentibus fidem indubiam adhibere. Litteras prefati sanctissimi domini nostri pape in forma brevis sub anulo piscatoris ad instantiam religiosorum olim prioris, fratrum et conventus monasterii Sancte Marie de Kermend, ordinis heremitarum Sancti Augustini impetratas et emanatas ac nobis presentatas, cum illis, quibus decuit, honore et reverentia sanas etiam et integras, non vitiatas neque cancellatas aut in aliqua sui parte suspectas, sed omni prorsus vitio carentes noveritis nos recepisse huiusmodi sub tenore.

LEO PAPA decimus venerabili fratri episcopo Quinqueecclesiensi. Venerabilis frater, salutem et apostolicam benedictionem. Fuit nobis cum maxima querela pro parte prioris, fratrum et conventus Sancte Marie de Kermend Wesprimiensis diocesis expositum, quod licet bene, quiete ac honeste semper vixerint, et monasterium prefatum ab immemorabili tempore citra fuerit religionis et fratrum Sancti Augustini, nullaque subest neque subsit causa saltim legitima, ob quam dicti prior et fratres suo antiquo monasterio spoliati deberent, nihilominus dilectus filius noster, Thomas tituli Sancti Martini in Montibus presbyter cardinalis Strigoniensis, legatus a nobis in provincia Hungarie specialiter deputatus, nescitur ex qua causa, nisi fors an instigatus a quibusdam fratribus observantinis Sancti Francisci sub pretextu, quod dicti prior et fratres Sancte Marie de Kermend horas canonicas et divina officia, prout tenebantur, non dicebant et celebrabant in eorum [*fol. 19r*] monasterio, eosdem pauperes priorem et fratres Sancte Marie ordinis Sancti Augustini, ut prefertur, de facto in maximum detrimentum et vilipendium non solum dictorum prioris et fratrum, sed totius religionis Sancti Augustini prefato monasterio Sancte Marie de Kermend spoliavit, et quosdam fratres observantinos ordinis Sancti Francisci in possessionem Sancte Marie immitti et imponi mandavit, prout fors an immisit et imposuit. Nos vero premissis providere volentes, ut omnes equa lance pensentur, committimus et mandamus fraternitati tue, quatenus imprimis et ante omnia, si tibi videbitur, super quo tuam conscientiam oneramus, dictos priorem et fratres Sancte Marie de Kermend ordinis Sancti Augustini, ita de facto spoliatos de facto in possessionem dicti monasterii Sancte Marie de Kermend in statu et terminis, in quibus ante spoliolum predictum dicti prior et fratres reperiebantur, restituas, immittas et

imponas. Et deinde causam, qua prior et fratres Sancti Augustini eorum monasterio ita de facto spoliati fuerunt, cognoscas et diligenter examines, processumque desuper factum ad nos sedemque apostolicam ad causam huiusmodi terminandam remittas. Mandantes et inhibentes omnibus et singulis episcopis, archiepiscopis aliisque iudicibus quacumque auctoritate fungentibus, et specialiter prefato Thome cardinali et legato nostro in provincia Hungarie, ut prefetur, deputato, ne quoquomodo aut quovis quesito colore molestant, aut quavis causa tam dictos priorem et fratres Beate Marie de Kermend, quam omnes alios fratres dicti ordinis Sancti Augustini in provincia Hungarie existentes perturbent, attento, quod dictos fratres religionis Sancti Augustini nolumus, nisi sedi apostolice et eorum priori generali in omnibus et singulis eorum causis tam civilibus, quam criminalibus, cuiuscunque importantie et qualitates sint, subiacere, prout [*fol. 19v*] auctoritate nostra sub excommunicationis et aliis tuo arbitrio imponendis penis inhi-beas et inhi-bere cures, et in eventum non paritionis inobedientes et rebelles in penas et censuras predictas incidisse declares, aggravas, reaggravas, interdicas, auxiliumque brachii secularis, si opus fuerit, invocas et cetera facias, que in premissis et circa ea fuerint necessaria et opportuna, aliis clausulis opportunis, constitutionibus et ordinationibus apostolicis indultis, forsan dicto domino Thome cardinali concessis, iurisdictionem super dictis fratribus habentibus ceterisque in contrarium facientibus non obstantibus quibuscunque. Datum Rome apud Sanctum Petrum, sub anulo piscatoris, die prima Septembris, millesimo quingentesimo decimo septimo, pontificatus nostri anno quinto. Bembus.<sup>34</sup>

QUARUM QUIDEM litterarum vigore, licet nos tanquam filius obedientie volentes mandatum apostolicum nobis in hac parte directum reverenter exequi, ut tenebamur, citationem legitimam unacum inhibitione inserta ad instantiam dictorum religiosorum olim prioris, fratrum et conventus ordinis Sancti Augustini de Kermend contra quosdam etiam fratres ordinis minorum Sancti Francisci de observantia assertos, intrusos in dicto monasterio de Kermend in forma solita et consueta decreverimus et concesserimus, ac ad ulteriora videlicet realem et effectua-

<sup>34</sup> Pietro Bembo. See above note 14.

lem executionem preinsertarum litterarum apostolicarum et contentorum in eisdem procedere voluerimus, tamen quia nos pro nunc in generali ista congregatione et dieta dominorum, prelatorum et baronum universitatisque procerum et nobilium huius regni Hungarie Bude habita pro arduis eiusdem regni negotiis tractandis necessario occupamur, aliisque multiplicibus indies occurrentibus sollicitudinibus et curis detrahimur ita, quod cause huiusmodi invigilare et intendere nequeamus. Ideo [fol. 20r] vobis domino Michaeli preposito prefato, in cuius sufficientia, integritate et doctrina satis confidentes vices nostras in hac parte duximus committendum, et committimus pleno cum effectu, ipsamque causam omnibus melioribus modo, via, iure et forma, quibus possumus et debemus, vobis subdelegamus ad audiendum, cognoscendum, exercendum et decernendum omnia et singula, que circa cognitionem eiusdem cause necessaria fuerint quomodolibet vel opportuna, et que nos ipsi facere, exercere et decernere possemus, si his omnibus personaliter interessemus; donec et quousque nos ex urgentibus curis, que nos in presentiarum, ut premittitur, detinent occupatos, latius absoluti cause huiusmodi personaliter intendere possimus, eamque ad nos duxerimus reassumendam. In cuius sic facte subdelegationis nostre fidem et testimonium presentes litteras fieri, et per notarium infrascriptum subscribi sigillique nostri anularis iussimus, et fecimus sub impressione communiri. Datum Bude Wesprimiensis diocesis, die Martis quarta mensis Maii, sub anno Domini millesimo quingentesimo decimo octavo.<sup>35</sup>

QUARUM QUIDEM litterarum tenore nos tanquam filius obedientie volentes mandatum apostolicum nobis in hac parte directum et subdelegatum exequi, uti tenebamur, premissa citatione legitima per prefatum reverendissimum dominum Georgium episcopum et commissarium ante hanc nobis factam subdelegationem in forma solita et consueta decreta atque concessa dictos fratres tam ordinis Sancti Augustini ex una, quam etiam ordinis minorum de observantia partibus ex altera, ut ad effectualem et realem executionem preinsertarum litterarum apostolicarum et contentorum in eisdem iuxta nobis traditam vigore earundem litterarum auctoritatem procedere potuissemus, coram nobis infra cer-

<sup>35</sup> The subdelegating letter is also transcribed on fol. 4v-7r.



tum terminum cum iuribus et munimentis suis ad [fol. 20v] comparendum ac super narratis, deductis et expositis in preinsertis litteris apostolicis animum nostrum informandum vocari fecimus. Et quamvis ex eis, que coram nobis per ipsos fratres ordinis minorum de observantia producta, allegata et deducta fuerunt, nobis et ex fidei nostra relatione eidem prefato reverendissimo domino Georgio episcopo sufficienter apparuit dictos fratres ordinis Sancti Augustini a prefato loco seu monasterio de Kermend minime de facto, sed processu iuridico prehabito sententialiter eiectos et exclusos, ac dicto eorum monasterio privatos fuisse. Nihilominus tamen pro maiori veritatis certitudine elicienda iuxta continentias litterarum apostolicarum preinsertarum causam, quare iidem fratres ordinis Sancti Augustini dicto monasterio de Kermend fuerunt et sunt privati, plenius adhuc cognoscere et examinare decrevimus. Ideoque productis et exhibitis coram nobis pro parte nobilis et egregii domini Petri de Ewrdewd, domini videlicet temporalis et patroni dicti loci de Kermend, qui onus tuendi et defendendi prefatos fratres Sancti Francisci de observantia in dicto monasterio in seipsum penitus et omnino sub certis pactis et obligaminibus recepit, nonnullis positionibus et articulis presentibus transmissis et per nos salvo iure impertinenti de partium consensu ad probandum admisimus. Quia testes super eisdem articulis producendi et examinandi commode ad civitatem Budensem, ubi pro nunc in generali congregatione et dieta dominorum, prelatorum et baronum huius regni Hungarie commoramur, adduci non possent, fuimus pro parte supradicti domini Petri Erdewdÿ debita cum instantia requisiti, ut eosdem articulos extra civitatem Budensem et in dicto loco de Kermend ad probandum admittere, remissoriamque desuper decernere, et aliquem virum idoneum et sufficientem pro iudice et executore remissorie huiusmodi deputare, litterasque desuper necessarias et opportunas concedere [fol. 21r] dignaremur.

Nos igitur Michael Withesius iudex et commissarius surrogatus prefatus attendens requisitionem huiusmodi fore iustam et rationi consonam, quodque iusta petenti non est denegandus assensus, idcirco dictos coram nobis, ut premittitur, exhibitos et productos articulos extra civitatem Budensem et in loco de Kermend partibus etiam hincinde consentientibus ad probandum admisimus, ac remissoriam in forma solita et consueta

desuper decrevimus; vosque reverendum dominum Martinum episcopum, prefatum domesticum prelatum prefati reverendissimi domini episcopi Quinqueecclesiensis pro iudice et executore remissorie huiusmodi de voluntate et expresso mandato eiusdem reverendissimi domini Georgy episcopi et commissarii ac pari voto et unanimi consensu partium hinc inde nominatum et ad hoc electum deputandum duximus et deputavimus, prout admittimus, decernimus et deputamus per presentes litteras nostras desuper concedendas. Vobis nihilominus, reverende domine episcope, prefate in virtute sancte obedientie et sub suspensionis a divinis et excommunicationis penis, quas nisi ea, que vobis in hac parte committimus et mandamus, feceritis, in vos ferimus, in his scriptis districte precipientes, mandantes, quatenus statim receptis presentibus ad locum prefatum de Kermend vos conferatis, ibidemque infra novem dierum spatium diem exhibitionis presentium nostrarum litterarum nobis facte immediate sequentium, quos novem dies vobis pro termino peremptorio ac monitione canonica assignamus, omnes et singulos testes vobis pro parte supradicti domini Petri Erdewdy nominandos et producendos in forma iuris recipiatis, et iurare faciatis, iuratosque iuxta formam et continentiam articulorum presentibus transmissorum ac interrogatoriorum, si qua pro parte adversa data fuerint, diligenter examinari, eorundemque testium [fol. 2rv] dicta et depositiones per providum et scientificum magistrum Iohannem Mylethynczy, notarium publicum ad hoc per partes hinc inde etiam electum et per nos deputatum, fideliter conscribi facere curetis. Testes autem, qui vocati fuerint, si se odio, gratia, favore vel aliqua alia quavis pravitate subtraxerint ad perhibendum in causa huiusmodi testimonium veritati, appellatione remota per censuram ecclesiasticam compellatis, et tandem dicta et attestaciones eorundem testium vestro sub sigillo simulcum serie executionis vestre nobis fideliter transmittatis, significando nobis qualis et quanta fides ipsis testibus merito sit adhibenda, in quorum omnium et singulorum fidem et testimonium premissorum presentes litteras fieri, et per notarium publicum infrascriptum subscribi sigillique nostri iussimus et fecimus sub impressione communiri. Datum et actum Bude Wesprimiensis diocesis, die<sup>u</sup> Iouis sexta mensis Maii, sub anno Domini millesimo quingentesimo decimo octavo.

## TENOR ETIAM ARTICULORUM IS ERAT

Procurator egregii domini Petri Erdewdÿ, domini temporalis de Monÿorokerek et eo nomine dat, offert et producit infrascriptos positiones et articulos contra et adversus alias priorem, fratres et conventum, si qui sunt ecclesie Beate Marie Virginis ordinis heremitarum Sancti Augustini oppidi Kermend dicti Iauriensis diocesis, causas idoneas, legales et sufficientes ademptionis ecclesie eiusdem ab eisdem fratribus continentes et declarantes, super quibus petit idem procurator auctoritate apostolica per reverendissimum in Christo patrem et dominum, dominum Georgium episcopum Quinqueecclesiensem, summum et secretarium regie maiestatis Hungarie cancellarium, aut ipsius in hac parte commissarios inquisitionem opportunam et sufficientem in partibus fieri.

Imprimis itaque ponit, quod olim felicitis memorie divi reges Hungarie [fol. 22r] seu alii Christifideles Deo devoti in honorem Beatissime Virginis Marie, sub cuius patrocinio et tutela refoveri sperabant, ecclesiam sive monasterium quoddam unacum domibus et cellis vite monastice necessariis necnon hortis, hortalicis, curia, dote, inambulatoriis, vestibulis et porticibus aliisque opportunitatibus in oppido Kermend predicto pro cultu divino iugiter ibidem die noctuque per fratres religiosos instituendos, tam in cantu, quam etiam alias exercendo, opere regio et sumptuoso a fundamentis erigi, extrui et fabrefieri fecerant, et sic fuit et est verum.

Secundo ponit, quod iidem pii et Deo devoti reges ac Christifideles in ecclesia et monasterio predictis, ut perpetuis futuris temporibus singulis noctibus matutine, interdiu autem hore canonice et misse ordinarie cum cantu, alie vero legendo peragerentur, fratres ordinis Sancti Augustini heremitarum in eandem ecclesiam et monasterium in pleno numero et ad cultum divinum huiusmodi peragendum sufficienti induxerant, domum ipsam sive monasterium eisdem possidendam relinquendo, et sic fuit et est verum.

Tertio ponit, quod dicti fratres postquam ecclesiam et domum predictas assecuti fuerant, paulatim disciplina regulari refrigescere, et moribus in deteriora relapsis, pie fundatoris intentioni contravenientes eandem ecclesiam seu monasterium adeo, tam in cultu divino, quam numero fratrum diminuerant et desertarant, ut vix tres vel duo aut solum unus,

interdum etiam nullus ibidem repertus fuerit, in eaque non solum matutine aut hore canonice, verum etiam misse tam legendo, quam cantando intantum defecerant, ut plerumque nec unica quidem missa ibidem celebraretur in maximum Christifidelium in oppido predicto et partibus circumvicinis residentium dampnum et scandalum fundatorisque eiusdem ecclesie iniuriam manifestam, quod sic fuit et est verum. [fol. 22v]

Quarto ponit, quod dicta ecclesia sive monasterium per incuriam et negligentiam eorundem fratrum non solum in cultu divino, ut premisum est, verum etiam in edificiis gravem et intolerabilem iacturam dampnumque et ruinam accepit adeo, ut domus ipsa sive monasterium propediem, nisi aliter illi de aliis vite melioris religiosi ibidem auctoritate apostolica provisum extitisset, in summam et extremam vastitatem redactum fuisset, quod sic fuit et est verum.

Quinto ponit, quod fratres illi, qui interdum tres vel duo aut unus solus in domo ipsa seu monasterio inveniebantur, tam dissolute et preter normam discipline regularis tanquam acephali vivebant, ut plerumque in dicto oppido et villis cum rusticis in tabernis symposia [!] et ebrietates necnon rixas, iurgia et contentiones usque ad verbera et sanguinis effusionem, aliaque malorum genera cum maximo, non solum religiosorum, verum etiam totius cleri et multorum Christifidelium scandalo exercerent, officia divina in ecclesia predicta seu monasterio penitus negligendo, quod sic fuit et est verum.

Item ponit, quod iidem fratres inter alias multiplices et varias ineptias, quas exercebant, a mulierculis quoque suspectis non temperabant, sed mulierculas huiusmodi suspectas ad monasterium ipsum et ad refectorium contra normam discipline monastice introducebant, et cum illis conversabantur, propter quod Christifideles vehementer scandalizabantur, et devotio eorum erga prefatam ecclesiam Beate Virginis diminuebatur et contemptus vilipendiumque erga ordinem sacerdotalem et universum clerum manifeste generabatur, quibus ex causis reverendissimus dominus Thomas cardinalis et legatus zelo fidei et religionis salutisque Christifidelium motus dictum domum fratribus Divi Francisci de observantia, [fol. 23r] exclusis inutilibus, tanquam vite et conversationis meliores auctoritate apostolica locavit, quod sic fuit et est verum.

Item ponit et dicit, quod premissa omnia et singula fuerunt et sunt vera, de ipsisque in partibus illis fuit et est publica vox et fama, et sic fuit et est verum.

Post quarum quidem litterarum remissoriarum et etiam articulorum presentationem ipso domino episcopo factam fuit idem pro parte prefati domini Petri Ewrdewdÿ principalis in preinsertis litteris principaliter nominati sub penis et censuris in eisdem litteris remissoriis contentis requisitus, ut ipse die deputata ad exequendam dictam remissoriam in dictum oppidum Kermend unamecum notario et scriba prefato ac eidem per partes antedictas in illius executione adiuncto ire, ac illic ad illius executionem procedere deberet. Qui receptis eisdem litteris reverenter paruit, et decrevit procedi in huiusmodi causa remissoria secundum vim, formam et tenorem litterarum ipsius domini Michaelis preinsertarum, presentibus ibidem discreto viro Andrea de Atad et Matheo Coco de Quinqueecclesiis,<sup>36</sup> testibus fidedignis ad premissaque vocatis et rogatis.

Et deinde<sup>v</sup> predicto anno, indictione et pontificatu et die Veneris decimaquinta dicti mensis Maii, die scilicet seu termino executionis remissorie et inquisitionis faciende deputato ipso domino Martino episcopo, iudice et executore prefato in dicto oppido Kermend, loco scilicet ad exequendam remissoriam et inquisitionem faciendam modo premissis deputato, in domo parochialis ecclesie Sancte Elizabeth vidue<sup>37</sup> ad hoc magis apta et convenienti, hora tertiarum vel quasi in mei notarii prefati et testium immediate infrascriptorum presentia pro tribunali sedendo comparuerunt coram eodem providus vir magister Martinus de Wÿhel pro prefato egregio domino Petro Erdedÿ cum mandato procurationis eiusdem, ut ex instrumento infrascripto constat, ex una, et frater Michael

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<sup>36</sup> The witnesses probably belonged to the entourage of bishop Szatmári. Andreas Atádi may have come from the same village in County Somogy (Atád) as Martinus Attádi, the suffragan of the bishop who interrogated the witnesses in Körmend.

<sup>37</sup> The town had two parish churches since it originally consisted of two settlements. This one devoted to St. Elisabeth (sister of King Béla IV [see below in note 50], canonized in 1235) stood between the main square and the river Rába. See map 2 after page 8. Its late gothic apsis is visible even today.

de Koloswar, prior de Wacia pro dictis fratribus cum certis litteris prioris provincialis ordinis eiusdem<sup>w</sup> sigillo eiusdem, ut apparuit, consignatis, astantibus eidem [fol. 23v] fratribus Sigismundo de Wacia olim, ut dixit, priore monasterii de Kermend et Anthonio de Buda eiusdem ordinis partibus ex altera. Idem magister Martinus produxit ibidem in testes honorabiles, egregios, nobiles, providos et circumspectos viros, dominos Albertum presbyterum de Naghliska<sup>38</sup> rectorem altaris Sancte Katherine virginis in ecclesia parochiali ecclesie Sancte Elizabeth vidue de Kermend, Oswaldum Poliani de Hÿdwegh, Stephanum plebanum de eadem Hÿdwegh, Andream Farkas de Chakan, Petrum Parthol de Zenthmihal, Paulum Espan de Zenthmihal prefata, Laurentium Warga de Gozthon, Petrum Kowacz de Rathold, Iohannem Was de dicta Zenthmihal, Ladislaum Bochor de dicta Gozthon, Andream Zalÿ de eadem Sal, Benedictum Zÿbrÿk de Sarwaskendÿ, Thomam Zÿbrÿk de eadem Sarwaskendÿ, Georgium plebanum de Maracz, Blasium presbyterum plebanum de Halasta, Gregorium Marthon de Sarwaskendi, Nicolaum Philep de Radocz, Blasium Iwanczÿ de eadem Iwancz, Thomam presbyterum plebanum de Radocz, Leonardum Baso de eadem Radocz, Georgium Baso de eadem Radocz, Albertum Zabo alias Radoczÿ dictum de dicta Radocz, Michaelem Dese similiter de eadem Baso [!], Benedictum Benke de Nadalÿ, Lucam Mÿnthzenthÿ de Hallos, Nicolaum Pondor de Nadallÿa, Eliam presbyterum de Maracz plebanum de Chakan, Stephanum Thoth de Batha nunc in Kermend residens, Franciscum Nadasdÿ de eadem Nadasd, Paulum Nagh de Kemesmal, Petrum presbyterum de Tholna plebanum de Kelked, Blasium pesbyterum de Gÿarmath plebanum de Zenthkÿral, Benedictum de Halastho plebanum de Hallos, Nicolaum presbyterum de Zewched plebanum de eadem Zewched, Valentinum Kemesmalÿ de eadem Kemesmal, Nicolaum Borsos de Salÿ, Simonem Rosos de Kermend, Paulum Nagh de eadem Kermend, Stephanum plebanum de Kermend, Gregorium Polgar de dicta Kermend, Andream Chwthy similiter de eadem Kermend, Andream Bÿro de Nadasd, Laurentium presbyterum de Kermend rectorem altaris defunctorum in ecclesia Sancti Martini alias parochiali

<sup>38</sup> See further details on witnesses at their depositions.

extra muros oppidi Kermend, Gregorium Karolj de eadem [fol. 24r] Kermend, Georgium Kÿral civem dicti oppidi Kermend, Mathiam Thapasto similiter civem de dicta Kermend, Andream Pap iudicem et incolam oppidi Kermend, Georgium Bÿkÿ inhabitatorem eiusdem oppidi Kermend, Michaelem Radoczÿ de eadem iudicem nobilium comitatus Castriferrei, eosdemque ad iurandum de dicenda veritate admitti, et tandem de et super dictis articulis alias, ut prefertur, coram eodem domino iudice productis recipi et examinari, dictaque et depositiones eorundem conscribi et conscripta clause ipsi domino Michaeli Wÿthesio sive reverendissimo domino Georgio episcopo Quinqueecclesiensi transmitti debita cum instantia postulavit. Ex adverso autem dictus frater Michael imprimis quasdam materias in scriptis obtulit huiusmodi sub tenore.

CORAM DOMINIS COMISSARIIS SEU COMMISSARIO REVERENDISSIMI DOMINI,  
domini Georgÿ episcopi Quinqueecclesiensis in facto spoliï ecclesie  
et conventus sive monasterii Beate Marie Virginis de Kermend  
apostolici commissarii etc.

Procurator et eo nomine prioris sive vicarii et fratrum ordinis heremitarum Sancti Augustini conventus sive monasterii Beate Marie Virginis de Kermend Iauriensis diocesis ac vicarii provincialis provincie Hungarie ordinis eiusdem dicto conventu et ecclesia per fratres Sancti Francisci de observantia sive ministrum provincialem provincie Hungarie spoliatos et vi expulsos ac eiectos [!] protestatur se super facto spoliï dicti conventus Beate Marie Virginis de Kermend nihil actionis seu controversie habere cum egregio domino Petro Erdewdÿ, asserto domino temporali de Monÿorokerek sive oppidi Kermend prefato, sed cum ipsis dumtaxat Sancti Francisci de observantia fratribus ac ministro provinciali prefatis in dicta ecclesia ac monasterio sive conventu Beate Marie Virginis de Kermend intrusis et intrudendis.

Et insuper dicit et protestatur procurator prefatus et eo nomine, quod non intendit consentire in aliquam inquisitionem super statu dicti monasterii de Kermend neque super vita [fol. 24v] et moribus seu conversatione fratrum prefatorum ac vicarii seu prioris ordinis Divi Augustini dicto conventu beate Marie Virginis, ut prefertur, per fratres observantie ordinis Sancti Francisci spoliatos [!], nisi prius spoliium predictum

per ipsos observantes purgatum fuerit, ac ipsi observantini fratres ecclesie et monasterio prefatis et omnibus illorum pertinentiis cedant, sive inde facto et realiter imprimis deiciantur, ac ipsi Augustinenses fratres suam recuperaverint possessionem, ac in ea repositi et reintegrati fuerint; precipue cum spoliū prefatum notum sit omnibus, neque possit aliqua prefatorum fratrum ordinis Sancti Augustini in dicta Kermend Deo famulantium vita et moribus sive conversatione, observantini fratres fecerint seu fieri procuraverint et sollicitaverint, cum in ea minus legitime processerint, fueritque ab ea legitime pro parte ipsorum Augustinensium fratrum, quamprimum ad eorum devenerat notitiam, legitime appellatum, neque unquam possessioni ipsius ecclesie et monasterii de dicta Kermend cesserint, licet inde vi et potentia ipsorum observantium, ut prefertur, eiecti fuerint.

Et ita iterum et iterum protestatur prefatus procurator et eo nomine, quod videlicet nisi premissis adimpletis et effectualiter secutis non attendit in aliquam inquisitionem, neque testium aliquorum receptionem consentire, imo penitus et omnino illi, quantum de iure potest, se opponit et illam fieri vetat, nec immerito neque preter iuris rationem, cum ex apostolico decreto spoliatus, etiam si predo fuerit, sit ante omnia restituendus, nemo est, qui nesciat etc. Alias protestatur de gravamine et appellando etc. Et nunc pro tunc et tunc pro nunc ad sanctissimum dominum nostrum Leonem decimum sanctamque apostolicam sedem in his scriptis provocat et appellat, apostolos [!] petit primo, secundo et tertio instantanter, instantius et instantissime atque unico verborum contextu et a te notario litteras superinde testimoniales, subiciens se et sua ac principalium [fol. 25r] suorum ipsamque ecclesiam et conventum sive monasterium Beate Marie Virginis de Kermend ordinis heremitarum Sancti Augustini ipsumque ordinem totum tuitioni et protectioni ac manutioni sanctissimi domini nostri et sancte apostolice sedis prefatorum, et protestatur de nullitate et nullitatibus et aliis omnibus et singulis in similibus solitis et consuetis etc. Et quod prefati pauperes fratres dicti Divi Augustini ordinis propter magnam auctoritatem et potentiam in negotio spoliū huiusmodi observantinis fratribus prefatis adversariis faventium non possunt alium procuratorem idoneum preter hunc cedule huiusmodi exhibitorum, me videlicet eiusdem ordinis Sancti Augustini



fratrem similem omnino expertem et penitus ignarum, neque advocatum, neque sollicitatorem, neque notarium, qui pro eis aliquid loqui, allegare sive scribere, aut eorum causam agere velit, reperire etiam magna et plusquam idonea mercede et solutione promissa et effectualiter, etiam antequam aliquid laboraverint sive scripserint, ostensa ac eisdem realiter et cum effectu numerata etc.

Et ideo petit, ut supra, minime videlicet ad inquisitionem aliquam sive testium receptionem procedi, nisi fratribus ipsis dicti ordinis Sancti Augustini prius in possessione ecclesie et conventus prefatorum Beate Marie Virginis de Kermend cum omnibus illorum pertinentiis restituti, repositis sive reintegratis, alias appellat et apostolos petit eo modo et forma, quibus supra, et iterum et iterum ac tertio se ipsos ac ecclesiam et conventum sive monasterium Beate Marie Virginis de Kermend prefatum tuitioni, manutentioni, protectioni sanctissimi domini nostri ac apostolici sedis prefatorum, apud quos nulla personarum acceptio sive favor, nisi iustus et pius reperitur, se submitunt et commendant humillime etc.

Carta protestationis et apellationis etc. [*fol. 25v*] dicens, allegans, protestans et appellans ac reiterans easdem ac omnia illarum contenta etiam verbo, prout in eisdem continebantur; ex adverso magister Martinus ibidem verbo deduxit, quod super pretenso spolio alias abunde tractatum et allegatum Bude coram domino Michaeli Wÿthesio esset, et cognitio eiusdem non spectet ad ipsum dominum Martinum episcopum, cum ipse solum sit datus et deputatus ad exequendam prefatam remissoriam.

TENOR VERO MANDATI PROCURATIONIS ipsius magistri Martini,  
de quo supra facta fuit mentio, sequitur et est talis  
In nomine Domini amen. Anno Nativitatis eiusdem millesimo quingentesimo decimo octavo, indictione sexta, die vero Iouis decima tertia mensis Maii, hora vesperorum vel quasi in castro oppidi Kermend Iauriensis diocesis, pontificatus sanctissimi in Christo patris et domini nostri, domini Leonis divina providentia pape decimi anno sexto in mei notarii publici testiumque infrascriptorum ad hoc vocatorum et rogatorum presentia personaliter constitutus egregius et nobilis vir, dominus Petrus de Erdewd, ut dixit, dominus temporalis loci Kermend, ratificando et approbando omnia et singula acta, dicta, gesta et procurata in

causa et causis, que vertitur, vertuntur seu verti et esse sperantur inter dominum constituentem ex una, et quosdam fratres ordinis Sancti Augustini in huiusmodi causa adversarios, de et super quodam monasterio Beate Marie Virginis de Kermend et amotione eorundem fratrum de ipso monasterio et eius occasione, partibus ex altera, per egregium virum Martinum de Wÿhel procuratorem facta et procurata. Quare omnibus melioribus modo, via, iure, forma et causa, quibus melius et efficacius potuit et debuit, fecit, constituit, nominavit, creavit et ordinavit eundem magistrum Martinum de Wÿhel et Melchiorem de Chwth nunc in Romana curia residentem<sup>39</sup> suos veros, legitimos et indubitatos procuratores, actores, factores ac nuncios speciales et generales ita, quod [fol. 26r] specialitas generalitati non deroget, nec econtra ad prosequendum et pertractandum causam predictam ac agendum et defendendum dictum dominum constituentem, libellum seu libellos et quascunque alias petitiones verbo vel in scriptis dandum et offerendum et recipiendum, exceptiones proponendum, replicandum, dupplicandum, triplicandum, et si opus fuerit, quadruplicandum, litem seu lites contestandum et contestari videndum, de calumpnia vitanda et veritate dicenda et cuiuslibet alterius generis licitum iuramentum in omnia ipsius domini constituentis prestandum, ponendum et articulandum, positionibus et articulis partis adverse respondendum, suisque responderi petendum, testes, acta, litteras, instrumenta et alia munimenta contra ipsum dominum constituentem producta et producenda dicendum et excipiendum, crimina et defectus opponendum et probandum, protestandum, dicendum, allegandum, beneficium absolutionis simpliciter vel ad cautelam ac restitutionis in integrum et quecumque iuris remedia ac quascunque litteras gratiam seu iustitiam in se continentem petendum, obtinendum et impetrandum, et ex adverso impetratis et obtentis contradicendum et impugnandum, iudicis officium humiliter implorandum, expensas, dampna et interesse petendum et taxari faciendum et super ipsis, si necesse fuerit, iurandum, in causa et causis concludendum et concludi videndum et petendum ius, interlocu-

<sup>39</sup> Melchior Csuti (Csut, village in County Fejér), in the entourage of Bakócz, since in 1505 mentioned as notary of the court of the vicar of Esztergom and in 1514 procurator of Bakócz in a Roman trial. At this time canon in Székesfehérvár (County Fejér).

torias et diffinitivas sententias audiendum et ferri videndum et petendum ab eis et earum qualibet seu quolibet alio gravamine illato vel inferendo provocandum et appellandum, provocationes et appellationes suas proseguendum, publicandum, intimandum et notificandum, apostolos semel et pluries ac instanter, instantius et instantissime petendum et obtinendum, necnon intimandum quascunque appellationes, tam iudicales, quam extraiudicales super predicta et [fol. 26v] alia quacunque causa et quocunque actus circa id necessarios exercendum et faciendum, unum quoque vel plures procuratorem seu procuratores loco sui cum simili et limitata potestate substituendum, et eum vel eos revocandum totiens, quotiens fuerit opus et sibi videbitur expedire presenti procuratorio, nihilominus in suo robore duraturo et generaliter omnia alia et singula faciendum, dicendum, gerendum, exercendum, que in premissis et circa ea necessaria fuerint, seu quomodolibet opportuna et que ipsemet dominus constituens faceret et facere posset, si premissis omnibus et singulis personaliter interesset, etiam si talia forent, que mandatum exigent magis specialem, quam presentibus est expressum, promittens idem dominus constituens mihi notario publico, tanquam publice et autentice persone sollempniter stipulanti et recipienti vice<sup>x</sup> ac nomine omnium et singulorum, quorum interest vel intererit seu interesse poterit, quomodolibet in futurum seratum, gratum atque firmum perpetuo habiturum totum id et quitquid per dictos procuratores constitutos ac substitutos vel substituendos actum, dictum, gestum, factum vel procuratum fuerit, in premissis seu quolibet premissorum relevans, nihilominus procuratores huiusmodi ab omni onere satisfaciendi ac iudicio sisti et iudicatum solvi cum omnibus et singulis clausulis necessariis et opportunis sub ipoteca et obligatione omnium bonorum suorum mobilium et immobilium presentium et futurorum ac sub omni iuris et facti renunciacione ad hec necessaria pariter et cautela, super quibus omnibus et singulis supradictus dominus constituens petiit et requisivit per me infrascriptum notarium sibi fieri et tradi unum, duo aut plura publicum seu publica instrumentum seu instrumenta. Acta fuerunt hec et facta anno, indictione, die, mense et pontificatu, quibus supra,<sup>40</sup> [fol. 27r] presentibus ibidem honorabili domino Alberto presbytero de

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<sup>40</sup> 13 May 1518.

Naghlika<sup>41</sup> rectore altaris Sancte Catherine virginis in parochiali ecclesia Sancte Elizabeth vidue de Kermend fundati et egregio domino Stephano castellano castris Monyorokerek<sup>42</sup> Iauriensis diocesis, testibus fidedignis ad premissa vocatis specialiter et rogatis.

Et ego Iohannes natus nobilis condam Anthonÿ Milethÿnczÿ de Strigonio publicus sacra apostolica regialique in hoc regno Hungarie etc. auctoritatibus notarius, qui premissis procuratoris constitutioni, creationi, ordinationi et ratihabitioni aliisque omnibus et singulis dum, sicut premittitur, fierent et agerentur, unacum prenominationis testibus presens interfui eaque omnia et singula sic fieri vidi et audivi. Ideo hoc presens publicum instrumentum manu propria scriptum exinde confeci, subscripsi, publicavi et in hanc publicam formam redegi signoque et nomine meis solitis et consuetis signavi in fidem robur et testimonium omnium et singulorum premissorum rogatus et requisitus.

TENOR AUTEM LITTERARUM DICTI PRIORIS provincialis similiter sequitur in hec forma verborum

Frater Blasius de Quinqueecclesÿs, electus prior<sup>v</sup> provincialis provincie Hungarie ordinis fratrum heremitarum Sancti Augustini, licet immeritus, diffinitoresque capituli Bude celebrati notificamus per presentes litteras universis et singulis eas inspecturis, quod hunc latorem presentium venerabilem patrem, fratrem Michaellem de Koloswar priorem de Wacia mittimus in persona nostra et totius provincie pro expediendis nostris causis et negotiis in Kermend coram iudice reverendissimo domino episcopo Quinqueecclesiensi, in cuius rei testimonium et fidem [*fol. 27v*] sigillum nostri provincialatus officii presentibus est impressum. Datum Bude apud Sanctum Stephanum, ex capitulo nostro<sup>43</sup> ibidem celebrato

<sup>41</sup> He is also the first witness interrogated during the process. See below fol. 30r. His presence here reflects his close relationship to Petrus Erdódy, his patron.

<sup>42</sup> Monyorókerék, the property and residence of Petrus Erdódy in County Vas (see note 20 above), Stephanus being his familiar.

<sup>43</sup> The Augustinian convent dedicated to St. Stephen protomartyr stood in the northern outskirts of Buda called Felhévíz along the Danube. The chapter (annual meeting) of the order was celebrated here.

in dominica Cantate anno Domini millesimo quingentesimo decimo octavo.<sup>44</sup>

Frater Blasius<sup>45</sup> electus prior provincialis provincie Hungarie ordinis fratrum heremitarum Sancti Augustini manu propria

Tandem habitis premissis predictus dominus iudex non obstantibus allegationibus ipsius fratris Michaelis decrevit procedendum ad testium receptionem, admisitque testes prefatos ad iurandum, et detulit illis iuramentum de dicenda veritate, qui omnes ibidem die prefata et presente ipso fratre Michaeli, astantibus etiam dictis confratribus suis videntibus, audientibus et intelligentibus tactis Scripturis Sacrosanctis corporaliter successive iurarunt, et deinde post iuramentum testium prefatorum dictus frater Michael dedit interrogatoria in scriptis, petens testes prefatos secundum ea interrogare, alioquin protestatus fuit de nullitate receptionis eorundem, quorum quidem interrogatoriorum tenor statim inferius describetur. Ex adverso prefatus magister Martinus petiit superflua interrogatoria, si que essent, resecari. Acta sunt hec et facta anno, indictione, die, mense, hora, loco et pontificatu, quibus supra, presentibus ibidem honorabili domino Martino rectore altaris Sancti Nicolai in ecclesia parochiali Sancte Elizabeth de Kermend<sup>46</sup> fundati et nobili Benedicto Swlyok de Berfalwa<sup>47</sup> diocesis Albensis Transsilvaniensis testibus fidedignis ad premissa vocatis et rogatis.

TENOR ITAQUE INTERROGATORIORUM PER FRATREM Michaellem productorum, de quibus immediate supra fit mentio, sequitur in hec forma verborum

Interrogatoria data pro parte venerabilium religiosorum prioris [*fol. 28r*] sive vicarii et fratrum domus sive conventus Beate Marie Virginis de Kermend ordinis Sancti Augustini a dicto conventu et eius pertinentiis per fratres ordinis Sancti Francisci de observantia sive ministrum pro-

<sup>44</sup> 2 May 1518.

<sup>45</sup> Blasius Pécsi (de Quinqueecclesiis) *sacrae theologie lector*; prior provincial 1518–1523, and again from 1526. In 1523 prior of the convent in Ercsi (County Fejér, south to Buda).

<sup>46</sup> About the parish church see note 37. The St. Nicholas altar is mentioned only here.

<sup>47</sup> Berkfalva (?), village in County Temes (Moşnița Veche, Romania).

vincialem provincie Hungarie ordinis dicti Sancti Francisci ac custodem seu custodes ordinis eiusdem sive alios fratres dicti Sancti Francisci ordinis de observantia in dicto conventu Beate Marie Virginis de Kermend ordinis predicti Divi Augustini intrusos spoliatos [!], ac potentialiter eiectos [!], iuxta quorum ordinem et formam articuli sive materie factum spoliis huiusmodi concernentes examinari et recipi debent, protestatione premissa, quod non alias aliter nec alio modo in testium huiusmodi pretensa receptione procedatur, quam in huiusmodi interrogatoriorum cedula est deductum, alias procurator et eo nomine prefatorum prioris vel vicarii et fratrum dicti conventus Beate Marie Virginis de Kermend ordinis Sancti Augustini ac vicarii provincialis provincie Hungarie et pro eorum parte protestatur de nullitate examinis et receptionis testium etc.

Et redacto imprimis cuilibet testi ad memoriam iuramentum per eum prestitum et pravitate et nefando periurii crimine et aliis, que de more sunt in similibus, queratur et quolibet teste quandiu est, quod non fuerit confessus et penes quem, et si Eucharistie sacramentum saltem in Paschate proxime preterito acceperit; et cuius condicionis et artis sit, et si fratres ordinis Sancti Augustini odio aliquali prosequitur, vel si fratribus ordinis Sancti Francisci de observantia maiore devotione afficitur, seu illos potius, quam fratres dicti ordinis Sancti Augustini in prefatu conventu seu monasterio Beate Marie Virginis de Kermend permanere optaret; et si est instructus, inductus, sollicitatus seu avisatus vel informatus per dictos fratres ordinis Sancti Francisci aut egregium dominum Petrum de Erdewd, assertum dominum temporalem de Monjorokerek, patronum loci de dicta Kermend aut alicuius eorum nomine seu pro parte, aut quempiam alium, quid aut quomodo in negotio huiusmodi [fol. 28v] deponere debuerit, aut si fuit aliquid sibi datum aut promissum, vel sperat habere aliquid utilitatis seu commodi vel maioris amicitie, benevolentie vel favoris saltem a dictis Sancti Francisci fratribus vel dicto patrono loci de dicta Kermend, aut quovis alio pro eo, quod in hoc negotio deponat; et si est colonus, iobagio seu vasallus dicti domini Petri patroni, aut illum sub magna reverentia et timore observet, et reliqua, que boni et periti iudicis et executoris [!] solent in similibus observari.

## AD SPECIALIA DESCENDENDO

Super primo articulo positionum sive articulorum per adversam partem, ut dicitur, datarum, qui incipit: Imprimis itaque ponit, quod olim felicis memorie etc. Queratur a teste, si scit omnia ita esse, prout in articulo continetur, et si dixerit se nescire, non interrogetur ulterius super eo, si vero dixerit se scire, interrogetur super causa scientie etc.

Super secundo articulo, qui incipit: Secundo ponit, quod iidem pii et Deo devoti reges etc. Si dixerit scire contenta in articulo ita esse, prout in eo continetur, interrogetur quid sit illud dicere, quod in articulo continetur, videlicet in pleno numero etc., et quid per illa verba in pleno numero intelligat, et reddat precipue quoad id causam scientie dicti sui etc.

Quoad tertium articulum, qui incipit: Tertio ponit, quod idem fratres etc. Si lecto coram teste articulo et declarato dixerit se nescire in articulo contenta, non est ulterius super eo interrogandus. Si vero dixerit se scire, interrogetur, si habuit aliquam cum dictis fratribus Sancti Augustini in dicto monasterio degentibus conversationem seu familiaritatem, et quam ob causam et quo tempore, et si diu duraverit, et si frequenter ipsum monasterium et ecclesiam visitaverit, et si matutinis et aliis horis canonicis sepe interesse consueverit, et ad missam ibi audiendam intrare solitus fuerit; et quomodo sibi constet de scandalo, de quo in articulo fit mentio, et de omnibus reddat rationem dicti sui et causam scientie, designando tempus et *[fol. 29r]* tempora materie convenientia etc.

In quantum attinet ad quartum articulum, qui incipit: Quarto ponit, quod dicta ecclesia sive monasterium per incuriam etc. Si testis lecto et declarato sibi articulo se ignorare contenta in illo, non est opus ulterius quoad hunc articulum ipsum testem interrogare. Si vero dicat se scire, interrogetur si testis viderit ecclesiam et monasterium prefatum in meliori statu, tam quoad edificia, quam alia in articulo contenta, et si diu ante fuit vel proximis diebus seu annis, et quomodo sibi constet, quod per incuriam et negligentiam fratrum Sancti Augustini ad peiorem statum seu ruinam devenerit, et si potius illud fuerit secundum nature legem et vim, que est, ut antiqua omnia decrescant et minuantur; et quomodo constet testi, quod per huiusmodi spolium et intrusionem in dicto monasterio fratrum Sancti Francisci de observantia provisum extitit sive consultum, ne in ruinam et vastitatem extremam dictum

monasterium deveniat, et quo prophetico spiritu hoc sciat. Et de aliis omnibus, que dixerit testis circa contenta articuli, reddat rationem et causam dicti sui etc.

Super quinto articulo incipiendo: Quinto ponit, quod fratres illi, qui interdum etc. Si testis interrogatus dicat sibi nihil constare de contentis in illo, non est opus testem aliter interrogare, sed poterit ultra procedi. Si vero dicat se scire contenta in dicto articulo vera esse, dicat quo tempore fratres exercuerunt ea, de quibus in articulo, et quibus presentibus, et quo in loco, et quid tunc temporis testis ibi faciebat cum dictis fratribus, vel fuerit occasio, sive materia prebuerit iurgium, rixantium et contentionum ac effusionis sanguinis, de quibus in articulo; et quomodo sibi de scandalo et negligentia divinatorum officiorum, de quibus in articulo constet. Et de omnibus reddat rationem dicti sui et causam scientie sufficientem dicat. [*fol. 29v*]

Ad sextum sive penultimum articulum, qui incipit: Item ponit, quid idem fratres inter alias etc. Si interrogatus testis dixerit se ignorare contenta in articulo, non interrogetur, neque queratur aliud ab ipso teste super hoc articulo etc. Si vero dixerit se scire contenta in articulo vera fore, interrogetur cuius condicionis fuerunt mulieres ille, de quibus in articulo, et de earum omnibus, et de tempore, anno et mense, quibus illa fiebant, que in articulo narrantur; et si fuit presens testis, quando prefate mulieres cum fratribus conversabantur, et quid ibi testis querebat, seu quam ob causam ibi intraverat; et unde constet testi, quod exinde Christifideles scandalizati et devotio eorum ad dictam ecclesiam Beate Marie Virginis de Kermend diminuta fuisset, et de contemptu ordinis sacerdotalis et cleri, et quomodo suo spiritu sciat reverendissimum dominum cardinalem Strigoniensem zelo fidei et Christiane religionis ac salute Christifidelium motus [!] fratres Divi Augustini de dicto monasterio expulerit [!] et alios ordinis Sancti Francisci induxerit [!] etc. Et de omnibus reddat dicti sui rationem et causam scientie sufficientem, ut materia, de qua agitur, requirit.

Super ultimo articulo, qui incipit: Item ponit et dicit, quod premissa etc. Cum ad premissa se referat, si testis dicat aliquid aliud, quam prius dixerit, seu quod contentis in prefatis articulis sit fama et publica vox in partibus illis, interrogetur unde novit et a quibus illa fama et vox ortum



habuerit, si a malivolis et vilis condicionis hominibus seu emulis et invidentibus fratribus eisdem ordinis Sancti Augustini ecclesia et monasterio prefatis Sancte Marie de Kermend spoliatis etc. Et si dicta fama et vox fuerit ex arte inducta et sollicitata ad finem prefatum, ut spolio predicto [fol. 30r] color aliquis daretur, et ipsi ordinis Sancti Francisci observantini fratres cum aliqua occasione fratres dicti ordinis Sancti Augustini simplices et ab omni ipocrisi alienos spoliare facilius et coloratius possent etc.

Reliqua suppleat dominorum iudicum peritia et industria ac rerum experientia singularis, de quorum pura conscientia nemo dubitare potest etc.

Et tandem se motis ambobus procuratoribus partium dictus dominus Martinus episcopus, iudex remissorie examinavit prescriptos testes ordine, qui sequitur.

PRIMUS testis honorabilis vir, dominus Albertus presbyter de Naghlyska<sup>48</sup> rector altaris Sancte Katherine virginis in ecclesia Sancte Elizabeth vidue in Kermend<sup>49</sup> diocesis Iauriensis fundati, citatus, iuratus et examinatus, et primo reducto prius sibi in memoriam iuramento prius per eum prestito ac pravitate et nefando crimine periurii, respondit interrogatus se in etate habere quinquaginta annos vel circa, esseque se hoc anno et alias sepius confessum, et hodie quoque fuisse confessum et missam celebrasse, esseque se presbyterum et rectorem predicti altaris Sancte Katherine virginis, equaliterque fratres utrorumque ordinum, tam Sancti Francisci, quam Sancti Augustini diligere, illosque fratres cuperet permanere in dicto monasterio Sancte Marie Virginis de Kermend, qui melius ius ad illud haberent, essetque ipse testis confrater fratrum ordinis Sancti Augustini. Et dixit testis interrogatus se non esse instructum nec avisatum preter hoc, quod in presenti causa fuit citatus ad testificandum. Dicit preterea testis se non esse informatum per quempiam, quo-

<sup>48</sup> Probably Nagylickó, village in County Zala.

<sup>49</sup> For the parish church see above note 37. The altar of St. Catherine (of Alexandria) was not known before contrary to the altar of the Virgin Mary mentioned first in 1434.

modo in causa et negotio huiusmodi deponere deberet, et quod nihil esset sibi datum neque promissum, nec speraret habere aliquod commodum seu utilitatem in futurum pro eo, quod deponeret in presenti causa, nec esset iobagio domini Petri Erdewdy, nec observaret eum in magno timore, [fol. 30v] nisi ut deceret talem patronum.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis, qui sic incipit: Imprimis itaque ponit, quod olim felicis memorie divi reges Hungarie etc. Testis interrogatus respondit se audivisse communi fama, ut condam serenissimus rex Hungarie Bela dictus<sup>50</sup> monasterium articulatum unacum domibus et cellis et aliis vite monastice necessariis in oppido eorum Kermend, ubi testis nunc resideret, pro divino cultu per religiosos fratres ibi institutos peragendo<sup>a</sup> extrui et fabrefieri fecisset. In causa scientie dicit testis, quatenus id esset vera assertio Christifidelium et fama, et ita monasterium appareret, ut pro monachis et cultu divino fuisset factum.

Ad secundum articulum positionis hoc modo incipientem: Secundo ponit, quod iidem pii et Deo devoti reges etc. Testis interrogatus respondit se scire dictos fratres ordinis Sancti Augustini a quadraginta annis, ut recordari posset, fuisse in dicto monasterio Beate Marie Virginis de Kermend, tamen quis eos illuc induxerit, nescit, credit tamen quod ad eum finem fuerint inducti, ut pleno numero servitia divina die noctuque peragerent, plenum autem numerum dicit testis intelligere eum, qui possent peragere divina, matutinas scilicet cantando, primam, tertiam et alias horas canonicas.

Ad tertium articulum positionis sic incipientem: Tertio ponit, quod dicti fratres postquam ecclesiam et domum predictas etc. Testis interrogatus respondit hoc modo, quod cum quidam frater Stephanus, prior tunc provincialis dicti ordinis Sancti Augustini provincie istius regni

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<sup>50</sup> Béla IV King of Hungary (1235–1270). The convent in Körmend was one of the first houses of the Augustinians in Hungary, most probably founded by King Béla indeed. For its location see map 1 after page 8. King Béla was in fact the founder of the city by settling royal *hospes* (German merchants and artisans) and granting them important privileges (choice of own judge, free trade in Vas and Zala counties, etc.) in 1244. The town lay at a crossing of the river Rába and at the juncture of important roads.

Hungarie semel rogasset et petiisset testem, ut ad fratres et monasterium ipsorum de Kermend providere vellet, eo tempore dicit testis se scire, ut fratres non plures, nisi tres in dicto monasterio eorum de Kermend fuissent, qui quidem tres fratres tandem discordantes et rixantes ac contententes, inter se unus ex eis discessisset, et duo tantum ex ipsis in illo monasterio remansissent, qui etiam duo fratres tandem [fol. 3rr] dissidentes inter se fuit alter eorum captus et detentus in quodam cellario per alium fratrem eiusdem ordinis et monasterii teste consulente ex eo, quia ille frater ordinis Sancti Augustini male et ebriose vivebat. Et postea ille idem frater ordinis Sancti Augustini sic detentus tandem liberatus celebrata per eundem missa exivisset de claustro, et amplius non rediisset, et ita ibi in dicto monasterio oppidi Kermend unus tantum frater remansisset. Nescit preterea testis, si quotidie tandem ille frater celebrasset missam necne, scit tamen istud certitudinaliter testis, quod iidem fratres Sancti Augustini in dicto monasterio<sup>b</sup> eorum de Kermend neque horas canonicas, neque vespas cantassent. Et ista ex eo dicit testis se scire, quia sepius visitasset monasterium predictum de Kermend, tum ut audiret divina, tum quia rogatus fuerat, ut provideret ad illud monasterium et fratres eiusdem monasterii. Dicit preterea testis se nescire, quod nullus frater fuisset in dicto monasterio de Kermend, sed semper ad minus unus frater ibi fuisset.

Ad quartum articulum positionis hoc modo incipientem: Quarto ponit, quod dicta ecclesia sive monasterium etc. Testis interrogatus respondit se vidisse monasterium articulatam semper in huiusmodi desolatione fuisse, sicuti tunc erat, quando amoti fuerunt dicti fratres ordinis Sancti Augustini de dicto monasterio. Dicit etiam testis se nescire, quod unquam dicti fratres ordinis Sancti Augustini in aliquo reparassent dictum monasterium Beate Marie Virginis de Kermend, quoniam si in aliquo reparassent, bene de hoc recordaretur.

Ad quintum articulum positionis, qui incipit: Quinto ponit, quod fratres illi, qui interdum tres etc. Testis interrogatus respondit se audivisse ex fama communi, quod aliquando dicti fratres Sancti Augustini monasterii oppidi Kermend ivissent ad tabernas, et ibi cum laicis inebriati fuissent. Dicit preterea testis se vidisse eosdem fratres Sancti Augustini in monasterio eorum de Kermend fuisse inebriatos, et audivisse auribus

propriis bis eosdem fratres [fol. 3rv] Sancti Augustini vituperantes se invicem, propter que predicta scit ipsos fratres apud populum non parum fuisse scandalizatos. In causa scientie dicit testis, quatenus audivisset et etiam sic, ut deposuit, fieri vidisset.

Ad sextum articulum positionis sic incipientem: Item ponit, quod iidem fratres inter alias multiplices etc. Testis interrogatus respondit ad continentiam istius articuli se scire, quod tempore castellanatus cuiusdam Benedicti Ferde circa annum tertium, ut recordari posset, cum dictus castellanus intellexisset dictos fratres Augustinenses prefati monasterii oppidi Kermend suspectas mulieres importare ad monasterium et cellas eorum, semel unum ex monachis cum quadam suspecta muliere de Kecsked,<sup>51</sup> nomen cuius ignoraret, in cella sua in estate reperisset, et statim captivare et ad arcem de Kermend<sup>52</sup> ducere idem castellanus fecisset tam fratrem, quam ipsam mulierem suspectam. Quam quidem mulierem suspectam sic, ut premititur, ad arcem ductam tandem castellanus prefatus propter huiusmodi delictum suum in mediastro dicte civitatis ligare, et tandem expelli de oppido Kermend fecisset. Fratrem vero Augustinensem similiter sic, ut premititur, captum et detentum per castellanum prefatum ipse testis, ex quo per provincialem Augustinensem superintendens fuerat, de manibus dicti castellani recepit, et per alios fratres eiusdem ordinis tunc ibi existentes captivare, et in cellario appositis catenis ad collum et pedes ad cipponem detinere fecisset predictis suis demeritis exigentibus, et postea nescit testis, quo pacto idem frater eliberatus aufugisset. Quem quidem fratrem dicit testis se scire, ut postea apud<sup>c</sup> quendam nobilem Oswaldum Bÿkÿ<sup>53</sup> cum eadem muliere suspecta aliquandiu latitasset. In causa scientie dicit testis, quia predicta sic fieri vidisset et aliqua audivisset, prout et quemadmodum superius deposuit. Et credit propter predicta reverendissimum dominum cardi-

<sup>51</sup> Kecskéd (Rábakecskéd), village in County Vas.

<sup>52</sup> The castle in the north-east corner of the town (see map 1 after page 8) was probably built in the first half of the 15<sup>th</sup> century, and then transformed into a four-edged renaissance *castellum* by the landlord Iohannes Ellerbach in the 1490s.

<sup>53</sup> There are half a dozen villages called Bük or Bükalja in County Zala and Vas and many petty nobles with the name Bükü. Oswaldus here is probably related to Georgius Byky, the 48<sup>th</sup> witness below.

nalem Strigoniensem auctoritate apostolica amovisse dictos fratres Augustinenses, et induxisse ad dictum monasterium oppidi Kermend modernos fratres observantinos propter meliorem eorum vitam et propter augmentum cultus divini. Addit etiam testis hesterno [fol. 32r] die dixisse ipsis fratribus ordinis Sancti Augustini, qui tunc erant in oppido Kermend, ut solummodo hortus dicti monasterii oppidi Kermend in summa florenorum decem plus modo valeret, quam tempore eorundem fratrum Augustinensium, quando in illo manebant, adeo nunc in structuris et edificiis tempore scilicet observantinorum esset reparatum monasterium, prout id appareret ad visum multorum. Et dicit testis se scire dictos fratres Augustinenses propter predicta scandalizatos fuisse apud populum, et ipsum populum non habuisse devotionem aliquam erga fratres ordinis Sancti Augustini. In causa scientie dicit, quatenus vidisset et audivisset, prout et secundum quod deposuit.

Ad ultimum articulum positionis, qui incipit: Item ponit et dicit, quod premissa omnia et singula etc. Testis interrogatus respondit se scire esse publicam et veram famam de predictis, secundum quod ipse deposuit, hic in oppido Kermend et in vicinatatibus eiusdem oppidi apud bonos et honestos viros. Si tamen illi,<sup>d</sup> apud quos est talis fama, sint invidi erga fratres ordinis Sancti Augustini necne, dicit testis se nescire.

Cui testi sic examinato  
tandem iniunctum est silentium etc.

SECUNDUS testis egregius et nobilis vir, dominus Oswaldus Polianÿ de Hÿdwegh<sup>54</sup> Iauriensis diocesis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito ad generalia interrogatoriorum testis interrogatus respondit primo se habere sexaginta annos vel circa, et fuisse confessum anno presenti, et accepisse Euchari-stie sacramentum, et esset nobilis et satis habundans in rebus temporalibus, et habere etiam castellum et iobagiones, et non prosequeretur odio

<sup>54</sup> Polányi is an old noble family of County Vas. Rábahídvég (west to Körmend along the road going to Vasvár, see map 2 after page 8) was in the possession of the family from the second half of the 15<sup>th</sup> century. The father of Oswaldus, Thomas was castellan of Némétújvár (County Vas; Güssing, Austria), familiar of the Újlakis. Oswaldus *iudex nobilium* and *vicecomes* of County Vas (1501).

fratres ordinis Sancti Augustini, magis tamen diligeret fratres ordinis Sancti Francisci de observantia propter bonam et laudabilem vitam eorum, quam fratres Sancti Augustini, et eosdem fratres ordinis Sancti Francisci magis diligeret, ut permanerent in dicto monasterio Beate Marie Virginis propter religiosam vitam eorum, quam fratres ordinis Sancti Augustini, non essetque instructus per aliquem, neque alias inductus, nisi quod esset citatus ad testificandum in causa presenti, [fol. 32v] nihil denique esset sibi datum neque promissum, neque quitquam speraret habere in posterum pro eo, quod testificaretur in causa presenti, nec esset colonus nec iobagio domini Petri, sed esset dominus sui iuris, nec teneret aliter ipsum dominum Petrum in honore, nisi sicuti deceret talem suum vicinum, nec eum formidaret in aliquo.

#### AD SPECIALIA DESCENDENDO

Ad primum articulum positionis hoc modo incipientem: Imprimis itaque ponit, quod olim felicitis memorie etc. Testis interrogatus respondit se scire, quod fundatum fuisset monasterium de Kermend pro cultu divino per fratres religiosos ibi exercendo, et id testis ex eo dicit scire, quia videret dictum monasterium articulatum esse fundatum, per quos tamen reges et quo tempore et quibus fuisset fundatum fratribus, an scilicet Augustinensibus vel observantinis, dicit testis se nescire. Scit tamen testis, quod ab eo tempore, quo ipse novisset dictum monasterium, semper fratres Sancti Augustini in illo fuissent monasterio scilicet Beate Marie Virginis de Kermend.

Ad secundum articulum positionis, qui incipit: Secundo ponit, quod iidem pii et Deo devoti reges etc. Testis interrogatus respondit se scire, quod ad eum finem fuisset factum monasterium, ut hore canonice in illo monasterio articulato peragerentur, et credit ad eum finem fuisse inductos ad illud monasterium fratres ordinis Sancti Augustini, ut ibidem cantarent divina officia et canonicas horas. Nescit tamen testis, quo tempore fuissent idem fratres ordinis Sancti Augustini inducti ad monasterium Beate Marie Virginis de Kermend, audivisset etiam certitudinaliter fuisse eosdem pie monitos per reverendissimum dominum Thomam cardinalem Strigoniensem, ut iidem fratres Augustinenses, ut deceret, peragerent divina officia. In causa scientie, quatenus audivit testis prout et secundum quod deposuit.

Ad tertium articulum positionis sic incipientem: Tertio ponit, quod dicti fratres postquam ecclesiam et domum etc. Testis interrogatus respondit se audivisse a bonis civibus istius oppidi Kermend, [fol. 33<sup>r</sup>] quod fratres ordinis Sancti Augustini paucissimi admodum mansissent in dicto eorum monasterio de Kermend ita, quod aliquando nullus frater ex ipsis in ipso monasterio fuisset, et ob hanc causam audivisset et sciret etiam testis valde fuisse diminuta servitia divina et monasterium desolatum, et tam matutinas, quam alias horas canonicas penitus in dicto monasterio oppidi Kermend fuisse neglectas in maximum scandalum eorundem fratrum Augustinensium et dampnum circumvicinorum. In causa scientie dicit testis, quia audivisset et sciret, prout deposuisset et testificatus fuisset superius. Adiungens testis se credere, quod aliquando tempore fratrum Augustinensium in dicto monasterio eorum de Kermend nulla fuisset missa celebrata. Scit etiam testis modernum reverendissimum dominum Thomam cardinalem Strigoniensem conquerentem, quod pauci admodum monachi, fratres scilicet ordinis Sancti Augustini monasterium prefatum de Kermend inhabitarent, et monasterium iamdictum, tam in edificiis, quam in divinis negligeretur per fratres Augustinenses. Addit etiam testis se audivisse a bonis civibus dicti oppidi Kermend et aliis circumvicinis eiusdem oppidi conqueri et lamentari, quod tam sumptuosum edificium ipsius Beate Marie Virginis de Kermend sic per fratres ordinis Sancti Augustini negligeretur, desolaretur et desereretur, tam in divinis, quam in structuris eiusdem. Et dicit testis ista per eum predicta sepius et diu intellexisse, tam in prefato oppido Kermend, quam extra civitatem in vicinitatibus ita, ut deposuit, vera esse. Adiungens idem testis nunquam se scire, quod in dicto monasterio decem monachi de ordine Sancti Augustini fuissent, sed semper minus scit fuisse. De causa scientie dicit testis, quatenus et ipse aliquando intrasset monasterium causa audiendi missam.

Ad quartum articulum positionis hoc modo incipientem: Quarto ponit, quod dicta ecclesia sive monasterium etc. Testis interrogatus respondit se vidisse oculis propriis tantam desolationem in dicto monasterio Beate Marie Virginis oppidi Kermend fuisse factam tempore fratrum ordinis Sancti Augustini per incuriam et negligentiam eorundem fratrum Augustinensium, ut [fol. 33<sup>v</sup>] maior unquam fieri non potuisset.

set, nisi si totaliter monasterium ipsum corruiisset. Et credit testis, quod nisi illi fratres ordinis Sancti Augustini amoti fuissent de dicto monasterio Beate Marie Virginis oppidi Kermend, et isti observantini fratres Sancti Francisci ad illud monasterium inducti fuissent, in ultimam ruinam et desolationem monasterium predictum devenisset. Addidit etiam testis tantam fuisse desolationem in dicto monasterio Beate Marie Virginis de Kermend ac in cellis, cameris et aliis domibus ac horto ipsius monasterii de Kermend tempore fratrum Augustinensium, ut testis ipse fuisset sepius unacum aliis nobilibus miratus, quomodo in tam deserto monasterio habitare potuissent ipsi fratres Augustinenses. Causam sue scientie dicit, quatenus vidit per incuriam dictorum fratrum Augustinensium et non secundum legem nature sive vetustatem fuisse desolatum monasterium iamfatum. Et hec predicta per eum deposita dicit testis vidisse, quatenus aliquando dictum monasterium pro audienda missa visitasset, quando ad oppidum Kermend intrasset, quoniam testis in Hÿdwegh et non in dicto Kermend resedisset, tamen interdum et sepius intrasset dictum oppidum Kermend.

Ad quintum articulum positionis, qui incipit: Quinto ponit, quod fratres illi etc. Testis interrogatus respondit se audivisse a pluribus probis et honestis personis oppidi Kermend et circumvicinis eiusdem oppidi, quod fratres ipsos ordinis Sancti Augustini monasterii prefati oppidi Kermend sepius, tam in civitate oppidi Kermend, quam extra in tabernis conversatos fuisse cum<sup>e</sup> laicis contra regulam eorum, et se vino ingurgitasse et inebriasse, unde etiam ex huiusmodi mala conversatione dictorum fratrum ordinis Sancti Augustini multi Christifideles scandalizati fuerunt. De causa scientie dicit testis, quatenus audivisset predicta contenta in presenti depositione a fidedignis hominibus ita esse, ut deposuisset.

Ad sextum positionis articulum, qui incipit: Item ponit, quod iidem fratres [*fol. 34r*] inter alias multiplices et varias etc. Testis interrogatus respondit se de contentis istius articuli nihil aliud scire, nisi, quod hodie intellexisset, ut semel cuidam castellano de Kermend dixissent, quod unus frater Augustinensis quandam suspectam mulierem duxisset ad campanile monasterii de Kermend predicta.

Ad ultimum positionis articulum, qui incipit: Item ponit et dicit, quod premissa etc. Testis interrogatus dixit se scire de predictis, prout et



secundum quod deposuit, in dicto oppido Kermend et locis circumvicinis apud bonos et probos ac honestos et circumspectos viros esse publicam famam et veram de premissis, prout deposuit.

Cui testi sic examinato  
tandem iniunctum est silentium etc.

TERTIUS testis honorabilis vir, dominus Stephanus presbyter plebanus de Hydwegh diocesis lauriensis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito ac pravitate et nefando crimine periurii, dixit interrogatus se esse annorum triginta novem, et esse sepius hoc anno confessum, et sacrificatum seu dictam missam per eum, et esse se presbyterum et plebanum predictae possessionis, et neutros fratres, neque ordinis Sancti Augustini, neque Sancti Francisci habere odio, sed eos communiter diligere, nec curaret, qui fratres de istis predictis ordinibus permanerent in dicto monasterio Beate Marie Virginis de Kermend, non esseque se instructum neque informatum per aliquem nec inductum, nec sollicitatum preter hoc, quod fuit citatus ad testificandum, neque esset sibi quitquam datum, promissum nec oblatum, nec speraret habere in posterum pro eo, quod deponeret in presenti causa, non essetque iobagio neque vasallus domini Petri Erdedi, neque eum formidaret, nec haberet eum in timore, cum nihil sit ei obligatus.

DESCENDENDO AD SPECIALIA [fol. 34v]

Ad primum articulum positionis sic incipientem: Imprimis itaque ponit, quod olim felicitis memorie etc. Testis interrogatus respondit se credere, quod divi reges et alii Christifideles pro cultu divino per fratres religiosos ibi instituendos monasterium articulatum fabrefieri et extrui fecissent, quoniam videret huiusmodi monasterium fundatum et extractum, qui tamen fecerint edificari, et quo tempore, testis dicit se nescire.

Ad secundum articulum, qui incipit: Secundo ponit, quod iidem pii et Deo devoti etc. Testis interrogatus respondit se credere, quod propterea reges et alii Christifideles dictum monasterium fecissent erigi, et ad eum finem fratres Augustinenses induxissent et reliquissent in dicto monasterio, ut matutinas et alias horas canonicas diurnas peragerent et dicerent ac cantarent in pleno numero, quem numerum testis intel-

ligit illum, qui huiusmodi horas canonicas cantando possent peragere et dicere.

Ad tertium articulum positionis, qui incipit: Tertio ponit, quod dicti fratres postquam ecclesiam etc. Testis interrogatus respondit se scire, quod adeo dicti fratres ordinis Sancti Augustini frigidi fuissent in peragendo divina officia, ut aliquando duo et aliquando tres fratres tantummodo fuissent in dicto monasterio de Kermend, et sciret testis valde raro per eos fuisse decantatas matutinas et alias horas canonicas diurnas scilicet. In causa scientie dicit testis, quatenus ipse sepe vidisset dicta officia divina fuisse neglecta per ipsos fratres Augustinenses in dicto monasterio propterea, quod testis solebat aliquando, ut audiret divina, visitare ecclesiam et monasterium predictum, sed interdum non poterat audire, cum non dicebantur. Scit etiam testis aliquando nullam fuisse celebratam missam in dicto monasterio de Kermend, propter que predicta fratres ordinis Sancti Augustini in dicto monasterio de Kermend existentes plurimum scandalizabantur.

Ad quartum positionis articulum sic incipientem: Quarto ponit, quod dicta ecclesia etc. Testis interrogatus respondit [fol. 35r] se nescire de futuris ad quam vastitatem et desolationem dictum monasterium de Kermend devenire potuisset, scit tamen bene testis tempore suo semper ipsum monasterium per fratres ordinis Sancti Augustini fuisse neglectum et desolatum usque ad tempus eiectionis eorundem fratrum ordinis Sancti Augustini, quoniam huiusmodi desolatio monasterii multis manifeste apparuit.

Ad quintum articulum positionis, qui incipit: Quinto ponit, quod fratres illi, qui interdum tres etc. Testis interrogatus respondit se vidisse, ut fratres ordinis Sancti Augustini pro tempore in predicto monasterio constituti frequentassent tabernas, et sepius inebriati fuissent in tabernis cum rusticis. Dicit etiam testis se audivisse communi fama aliquam differentiam fuisse inter eosdem fratres Augustinenses, et eosdem devenisse ad rixas et contentiones. In causa scientie dicit testis, quatenus vidisset et audivisset, prout deposuit. Nescit tamen neque audivit, quod dicti fratres Augustinenses in dicto monasterio constituti se vicissim verberassent, neque etiam, quod unus alteri effundisset [!] sanguinem.

Ad sextum articulum positionis hoc modo incipientem: Item ponit, quod iidem fratres etc. Testis interrogatus respondit se audivisse fama

communi, quod aliquando fratres Augustinenses ad predictum monasterium eorum de Kermend mulieres et personas suspectas introduxissent, et dicit testis se aliquando vidisse mulieres apud illos fratres in refectorio, coquina et horto ipsorum fratrum, dicitque testis se audivisse, quod communis populus conquerebatur<sup>f</sup> contra dictos fratres propter dictas mulieres, que ibant ad ipsos fratres Augustinenses de Kermend, ob quam causam plurimum ipsi fratres scandalizabantur. In causa scientie dicit testis, quatenus ista audivisset et vidisset, prout et secundum quod deposuit, creditque testis, quod reverendissimus dominus Thomas cardinalis Strigoniensis auctoritate apostolica predictis auditis fratres Augustinenses de dicto monasterio amovisset, et observantinos induxisset.

Ad ultimum positionis articulum, qui incipit: Item ponit et dicit, quod premissa [fol. 35v] omnia et singula etc. Testis interrogatus respondit se scire de predictis esse veram et publicam famam in Kermend et in locis illi circumvicinis, prout superius testis deposuit, apud bonos et honestos viros et non invidos ipsis fratribus Sancti Augustini.

Cui testi sic examinato  
iniunctum est silentium etc.

QUARTUS testis nobilis Andreas Farkas de Chakan<sup>55</sup> Iauriensis diocesis, citatus, iuatus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito, ad generalia interrogatus respondit se habere in etate triginta duos annos, et habere bona in valore ultra quinquaginta florenorum, et esse confessum anno presenti, et accepisse Eucharistie

<sup>55</sup> Csákány (today part of Csákánydoroszló), village next to Körmenđ on the road going to Szentgotthárd and Carniola (see map 2 after page 8). Andreas is mentioned as a witness in 1499 in a trial for the possession of Kölked (MOL DL 58 214). In 1511 he had a noble ground-plot (*sessio*) together with his two brothers with a *curia* in Csákány with 15 acres of plough-land, 2 peasant ground-plots with 5 acres of plough-land each, the value of which amounted to 700 *florenos*. Half of the possessions remained in the hands of his son and wife, while the other half was sequestered due to the infidelity of his brother Paulus, *factor et officialis* of the Henczelffys, whom he spoliated (MOL DL 58 251). His other brother, Elias was castellan in Körmenđ (1521–1523), familiar of Petrus Erdődy (MOL DL 101 827; BÁNDI, *Körmenđ in the Middle Ages*, 42–43).

sacramentum circa Pascha, et se esse nobilem, et non habere odio fratres ordinis Sancti Augustini, nec magno amore fratres Sancti Francisci de observantia, sed equaliter eos diligere, nec curaret, quis ex dictis ordinibus permaneret in dicto monasterio Sancte Marie Virginis de Kermend, non instructus, nec inductus, nec sollicitatus preter hoc, quod fuisset citatus ad deponendum testimonium veritati, non essetque informatus per aliquem, quomodo in causa presenti deponere deberet, nec esset sibi quitquam datum nec promissum, nec speraret habere in posterum pro eo, quod deponeret in hac causa, nec esset testis iobagio domini Petri<sup>g</sup> Ewrdedi, nec haberet eum timore, cum non esset sibi subditus.

#### AD SPECIALIA DESCENDENDO

Ad primum articulum positionis, qui incipit: Imprimis itaque ponit, quod olim felicitis memorie etc. Testis interrogatus respondit se nescire, quis monasterium predictum fundaverit, scit tamen, quod esset fundatum pro religiosis pro cultu divino, quia videret ita et sciret, ubi esset fundatum monasterium.

Ad secundum articulum positionis sic incipientem: Secundo ponit, quod iidem pii et Deo devoti reges etc. Testis interrogatus respondit se nihil scire de contentis istius articuli, crederet tamen testis, quod ob eam causam fundatum fuisset dictum monasterium, et ad illud inducti Augustinenses fratres, ut pleno numero divina inibi peragerent, quem plenum numerum intelligit testis eum, qui officia divina cantando peragere possent.

Ad tertium articulum positionis hoc modo incipientem: Tertio ponit, quod dicti [*fol. 36r*] fratres postquam ecclesiam et domum etc. Testis interrogatus respondit se nescire, quot monachi habitassent in dicto monasterio, neque quomodo celebrassent divina, neque etiam si unquam celebrassent ibi dicti fratres missam necne, quoniam ipse testis raro visitasset<sup>h</sup> oppidum Kermend, longeque maneret a dicto oppido.

Ad quartum articulum positionis, qui incipit: Quarto ponit, quod dicta ecclesia sive monasterium etc. Testis interrogatus respondit se vidisse aliquando desolationem in ipso monasterio Beate Marie Virginis de Kermend, sed per quem fuerit facta huiusmodi desolatio, et quid in futuris contingere potuisset, dicit testis se nescire.

Ad quintum, sextum et septimum ac ultimum positionis articulos testis interrogatus respondit se de contentis istorum articulorum nihil scire, quatenus ad ista ipse testis nihil curasset.

Cui testi sic examinato  
tandem iniunctum est silentium etc.

QUINTUS testis nobilis Petrus Parthol de Zenthmýhal<sup>56</sup> diocesis Iauri-  
rensis, citatus, iuratus et examinatus, reducto prius sibi in memoriam  
iuramento per eum prestito, ad generalia interrogatus respondit se habere  
in etate quinquaginta annos vel circa, et habere in bonis ad valorem cen-  
tum florenorum, esse se confessum, et hoc anno presenti circa festum  
Pasche accepisse ad se Eucharistie sacramentum, essetque nobilis, et non  
habere [odio] fratres ordinis Sancti Augustini, sed communiter tam eos-  
dem, quam fratres Sancti Francisci diligere, nec curaret, quis ex fratribus  
dictorum ordinum permaneret in dicto monasterio oppidi Kermend, non  
esset instructus, neque informatus, quomodo in presenti causa deponere  
deberet, neque etiam sollicitatus neque aliter inductus, nisi quod esset ci-  
tatus in causa presenti ad testificandum, non essetque subditus domini  
Petri Erdewdý, propterea minime formidaret eum nec timeret.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis sic incipientem: Imprimis itaque ponit,  
quod olim felicitis memorie etc. Testis interrogatus respondit se scire in  
oppido Kermend predicto esse unum monasterium fundatum sub nomine  
Dive Marie Virginis pro monachis et cultu divino, quis tamen fundaverit  
et quo tempore fuerit fundatum, dicit se nescire.

Ad secundum articulum, qui incipit: Secundo ponit, quod iidem pii  
etc. Testis [fol. 36v] interrogatus respondit se credere in dicto oppido  
Kermend pios reges et Christifideles propterea dictum monasterium  
fundasse, ut fratres Sancti Augustini in pleno numero ibi existentes ma-

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<sup>56</sup> In 1517, a certain *providus Petrus dictus Parthol* judge of Szentmihály (see next note), serf of Georgius Hosszútóthy is mentioned (MOL DL 22 851). If it is the same person, and since he called himself a nobleman in Kőrmend, he might have been a *libertinus* exempt from seigniorial taxes (cf. Andreas Csuti, witness 41<sup>st</sup>).

tutinas et alias horas canonicas decantarent, et non ob aliam causam eosdem ad illud induxisse et ibi reliquisse.

Ad tertium articulum positionis sic incipientem: Tertio ponit, quod dicti fratres postquam ecclesiam etc. Testis interrogatus respondit se audivisse vera et certa fama ab incolis oppidi Kermend, ut intantum fratres Augustinenses defecissent in dicto monasterio eorum de Kermend, ut aliquando duo et aliquando tres fuissent fratres in dicto monasterio de Kermend, tamen an horas canonicas iidem ibidem debito modo peregissent necne, dicit testis se non audivisse, quoniam remote ab oppido Kermend testis mansisset, et raro in ipso oppido Kermend conversatus fuisset.

Ad quartum articulum positionis, qui incipit: Quarto ponit, quod dicta ecclesia sive monasterium etc. Testis interrogatus respondit se audivisse communi fama, ut dictum monasterium oppidi Kermend tempore fratrum Augustinensium desolatum fuisset, et quod nisi reverendissimus dominus Thomas cardinalis Strigoniensis providisset de illo monasterio, in summam vastitatem et ruinam iam devenisset, et id sciret, quatenus audivisset.

Ad quintum articulum positionis hoc modo incipientem: Quinto ponit, quod fratres illi etc. Testis interrogatus respondit se audivisse fama communi, quod illi fratres Augustinenses, qui pro tempore erant in dicto monasterio de Kermend, in eodem oppido Kermend et extra illud in villis circumvicinis frequentabant tabernas, et ibi cum rusticis symposias et ebrietates exercebant, rixas tamen et contentiones usque ad sanguinis effusionem exercuisse ipsos fratres Augustinenses non intellexit neque audivit.

Ad sextum articulum positionis, qui incipit: Item ponit, quod iidem fratres inter alias etc. Testis interrogatus respondit se audivisse, ut fratres ordinis Sancti Augustini de Kermend duxissent suspectas feminas ad monasterium eorum de Kermend, et ob id etiam fuisse scandalizatos ipsos fratres, quibus predictis auditis reverendissimus dominus Thomas cardinalis Strigoniensis ipsos de monasterio eorum auctoritate apostolica amovisset, et fratres observantinos Sancti Francisci induxisset. [*fol. 37r*] In causa scientie dicit testis, quia audivisset a quibusdam civibus de Kermend, cum quibus iidem fratres Augustinenses conversati fuissent.

Ad ultimum positionis articulum de fama publica testis interrogatus respondit se audivisse publicam famam de premissis, prout et secun-

dum quod deposuit, a bonis et probis viris et non ipsis fratribus Sancti Augustini invidis.

Cui testi sic examinato  
iniunctum est silentium etc.

SEXTUS testis providus Paulus Espan de dicta Zenthmihal<sup>57</sup> diocesis Iauriensis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito et pravitate et nefando crimine periurii, ad generalia interrogatus respondit se esse quadraginta annorum et habere competenter de rebus temporalibus iuxta condicionem suam, et esse confessum presenti anno, et accepisse sacramentum Eucharistie, et equaliter diligeret testis tam fratres ordinis Sancti Augustini, quam fratres ordinis Sancti Francisci de observantia, non curaretque qui ordo permaneret in monasterio Beate Marie Virginis de Kermend, non esset instructus nec informatus nec<sup>k</sup> sollicitatus nec avisatus nec inductus aliter, nisi quod fuisset citatus in presenti causa ad testificandum, nihil datum esse sibi, neque speraret quitquam in futurum, in nulloque timeret dominum Petrum Erdedi, quatenus non esset sibi subiectus.

#### AD SPECIALIA DESCENDENDO

Ad primum articulum positionis, qui incipit: Imprimis itaque ponit,<sup>1</sup> quod olim felicis etc. Testis interrogatus respondit se scire esse in oppido Kermend fundatum monasterium articulatum, quis tamen illud et quando fundaverit, dicit testis se nescire.

Ad secundum articulum positionis hoc modo incipientem: Secundo ponit, quod iidem pii etc. Testis interrogatus respondit se credere, quod ille, qui fundaverat monasterium articulatum, in pleno numero fratres ordinis Sancti Augustini induxerat ad illud, ut futuris temporibus nocte matutinas et interdiu alias horas canonicas peragerent et cantarent debito modo, tamen ipse id nesciret, nisi crederet predicto modo facta fuisse et ita debere esse.

[fol. 37v] Ad tertium positionis articulum, qui incipit: Tertio ponit, quod dicti fratres postquam ecclesiam etc. Testis interrogatus respondit

<sup>57</sup> Szentmihály (today Vasszentmihály), a village west to Körmend on the road going to Szentgotthárd and Carniola. See map 2 after page 8.

se audivisse ex fama communi et assertione multorum, ut dicti fratres Sancti Augustini tam in cultu divino, quam in numero fratrum adeo permiserant desertari monasterium, ut vix tres aut duo, vel solum aliquando unus, interdum vero nullus ibidem repertus fuerit frater ordinis Sancti Augustini intantum, quod aliquando in dicta ecclesia et monasterio de Kermend nulla missa celebrata fuisset in maximum inibi residentium scandalum. De causa scientie testis interrogatus respondit, quatenus audivisset prout et secundum quod deposuisset.

Ad quartum articulum positionis hoc modo incipientem: Quarto ponit, quod dicta ecclesia sive monasterium etc. Testis interrogatus respondit se audivisse similiter fama communi, ut illa desolatio dicti monasterii fratrum Augustinensium oppidi Kermend, que appareret omnibus illam intuentibus, fuisset facta per ipsos fratres Augustinenses alias in dicto monasterio oppidi Kermend pro tempore residentes. Et dicit etiam testis audivisse ex simili fama communi, quod si moderni fratres ordinis Sancti Francisci non fuissent inducti in dictum monasterium oppidi Kermend, et fratres alii ordinis Sancti Augustini non fuissent ex illo amoti, longe magis iam fuisset desolatum monasterium. In causa scientie dicit testis, quatenus audivisset et esset etiam ad visum multorum.

Ad quintum articulum positionis sic incipientem: Quinto ponit, quod fratres illi, qui interdum tres vel duo etc. Testis interrogatus respondit se similiter audivisse fama communi, quod iidem fratres ordinis Sancti Augustini in monasterio predicto pro tempore degentes in dicto oppido Kermend et villis illi circumiacentibus frequentassent tabernas, et ibi cum rusticis symposias et ebrietates fecissent, ipse tamen testis non vidisset nec audivisset, ut iidem usque ad sanguinis effusionem contendissent aut rixati fuissent fratres Sancti Augustini.

Ad sextum articulum positionis, qui incipit: item ponit, quod iidem fratres inter alias multiplices etc. Testis interrogatus respondit se nihil scire.

Ad ultimum articulum positionis de fama publica testis interrogatus respondit se scire esse famam publicam apud bonos et probos viros, prout et secundum superius deposuit et testificatus, [*fol. 38r*] an tamen illi sint invidi fratribus Sancti Augustini, dicit testis se nescire.

Cui testi sic examinato  
tandem iniunctum est silentium etc.



SEPTIMUS testis providus Laurentius Warga de Gozthon<sup>58</sup> diocesis Iau-riensis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito et de pravitate, nefando crimine periurii, ad generalia interrogatus respondit se esse quadraginta annorum, et competentem habere in bonis temporalibus iuxta suam condicionem, et esse confessum suo plebano hoc anno presenti et accepisse sacramentum Eucharistie, et esse laicum, et utrosque fratres, tam Sancti Augustini, quam Sancti Francisci ordinis prosequi equali favore et amore, et non curaret, qui fratres ex eisdem ordinibus permanerent in dicto monasterio de Kermend, non esseque instructum, informatum vel avisatum, quomodo in causa presenti testificari deberet, neque esset inductum preterquam, quod esset citatus in causa presenti ad testificandum, non esseque sibi quitquam datum aut promissum, nec speraret habere pro eo, quod deponeret in causa hac, nec timeret dominum Petrum Erdedi, cum minime est ei subditus.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis, qui incipit: Imprimis itaque ponit, quod olim felicitis memorie etc. Testis interrogatus respondit se aliud nescire de hoc articulo presenti, nisi quod videret in dicto oppido Kermend monasterium articulatum fundatum esse pro monachis et fratribus religiosis, quo tamen tempore fuerit fundatum, et quis illud fundaverit, penitus testis dicit se ignorare.

Ad secundum articulum positionis sic incipientem: Secundo ponit, quod iidem pii et Deo devoti reges etc. Testis interrogatus respondit se credere, quod fundator dicti monasterii in pleno et sufficienti numero induxisset fratres Augustinenses ad dictum monasterium, ut matutinas nocturnis temporibus, interdium autem horas alias canonicas decenter decantarent, quoniam ob aliam causam non est credendum, ut tam sumptuosum edificium dicti monasterii fuisset factum.

Ad tertium articulum positionis hoc modo incipientem: Tertio ponit etc. Testis [fol. 38v] interrogatus respondit se audivisse a civibus et aliis

<sup>58</sup> Gosztony or Gasztony, a village west to Körmend on the road going to Szentgottárd and Carniola. See map 2 after page 8.

incolis dicti oppidi Kermend [quod] fratres Augustinenses secundum quod debuissent, non tenuissent tot fratres in dicto monasterio de Kermend, quoniam ut plurimum tres aut duo monachi fuissent in dicto monasterio, et ob hoc magna negligentia fuisset facta in dicto monasterio de Kermend in divinis, et propterea fuisse etiam inibi residentes scandalizatos ratione premissorum. In causa scientie dicit testis, quatenus audivit, ut deposuit.

Ad quartum positionis articulum sic incipientem: Quarto ponit, quod fratres illi, qui interdum tres vel duo etc. Testis interrogatus dixit se nescire factam aliquam desolationem in monasterio articulado, quatenus ad hoc ipse non considerasset. Credit tamen testis, quod si aliter non fuisset provisum per reverendissimum dominum Thomam cardinalem Strigoniensem, magis ipsum monasterium fuisset desolatum, quoniam videret testis, ut iam moderni fratres ordinis Sancti Francisci de observantia iam repararent monasterium ipsum.

Ad quintum articulum positionis, qui incipit: Quinto ponit, quod fratres illi etc. Testis interrogatus respondit se audivisse fama communi, quod dicti fratres ordinis Sancti Augustini in dicto monasterio degentes pro tempore ad tabernas in dicto oppido Kermend et circumvicinis villis ivissent, et ibi inebriati fuissent, et male vixissent. In causa scientie dicit testis, quatenus<sup>m</sup> audivisset, prout et secundum quod deposuit.

Ad sextum et penultimum articulum positionis hoc modo incipientem: Item ponit, quod iidem fratres inter alias etc. Testis interrogatus respondit se audivisse a quodam Gregorio Dombo de Chakan,<sup>59</sup> quod predicti fratres Sancti Augustini de oppido Kermend, dum istic in monasterio eorum residebant, mulieres suspectas ad monasterium et refectorium ipsorum introducebant sepius, et cum illis conversati fuissent, ob quam causam Christifideles scandalizabantur, et devotio eorum erga sepefatum monasterium diminuta fuisset, propterque predicta reverendissimus dominus Thomas cardinalis Strigoniensis amotis ex illo monasterio fratribus ordinis Sancti Augustini fratres ordinis Sancti Francisci de observantia auctoritate apostolica induxisset et locasset. [*fol. 39r*] In causa scientie dicit testis, quatenus audivisset a dicto Gregorio Dombo, prout et secundum quod deposuit.

<sup>59</sup> Csákány, see above note 55.

Ad ultimum articulum positionis de fama scilicet publica testis interrogatus respondit se scire de premissis publicam esse famam apud probos et bonos viros, prout et secundum quod deposuit.

Testique prefato sic examinato  
tandem iniunctum est silentium etc.

OCTAVUS testis providus Petrus Kowacz de Rathold<sup>60</sup> diocesis Iauriensis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito et de nefando et pravitate periurii crimine, ad generalia interrogatus respondit se esse annorum quinquaginta vel circa, et habere competenter de bonis temporalibus iuxta suam condicionem, et esse confessum, et anno presenti recepisse Eucharistie sacramentum, et tam fratres ordinis Divi Augustini, quam Sancti Francisci de observantia equali amore prosequi, nec curaret, qui fratres ex dictis ordinibus permanerent in monasterio Beate Marie Virginis de Kermend, dicitque testis se non esse instructum, nec sollicitatum, nec informatum per aliquem, quomodo in causa presenti testificari deberet, nec dicit sibi quitquam datum nec promissum, nec speraret habere in posterum pro eo, quod deponeret in hac causa, non essetque iobagio ipsius domini Petri, propter [!] non timeret eum.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis, qui incipit: Imprimis itaque ponit, quod olim felicitis memorie etc. Testis interrogatus respondit se scire in oppido Kermend fundatum esse monasterium articulatam, quis tamen fundaverit et quando fuerit fundatum, dicit testis se nescire. Credit tamen pro divino cultu per fratres ibi instituendos exercendo fuerit fabricatum, tamen ipse testis nesciret pro certo.

Ad secundum positionis articulum sic incipientem: Secundo ponit, quod iidem pii etc. Testis interrogatus respondit se credere, ut fundatores dicti monasterii fratres ipsos ordinis Sancti Augustini ob eam causam in pleno numero ad illud induxerant, et eos reliquerant, ut semper futuris

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<sup>60</sup> Rátold (Rátót), a village west to Körmend on the road going to Szentgotthárd and Carniola (see map 2 after page 8), owned primarily by the Gosztonyi and Hassághy family.

temporibus in nocte matutinas, interdiu [*fol. 39v*] alias horas canonicas pro refrigerio anime fundatoris decantarent, et credit testis non ob aliam causam grande edificium fundasse.

Ad tertium articulum positionis, qui incipit: Tertio ponit, quod dicti fratres postquam ecclesiam etc. Testis interrogatus respondit se audivisse communi fama, ut tempore, quo fratres ordinis Sancti Augustini habitassent in monasterio predicti oppidi Kermend, fuissent interdum duo fratres, interdum vero tantummodo unus monachus adeo, quod cum<sup>n</sup> ille unus frater voluisset celebrari missam, aliquis rusticus debuisset servire et ministrare cum illo fratre, intantum deficiebant ibi fratres, ob quem defectum fratrum preter missam unam omnia servitia divina et hore canonice penitus negligebantur in grave scandalum ibi residentium. In causa scientie testis dicit, quatenus ita audivisset communi et vera etiam fama.

Ad quartum articulum positionis sic incipientem: Quarto ponit, quod dicta ecclesia etc. Testis interrogatus respondit se credere, quod propter negligentiam fratrum Sancti Augustini dictum monasterium gravem iacturam et ruinam passus est, et nisi reverendissimus dominus cardinalis Strigoniensis auctoritate apostolica providisset aliter, magis fuisset desolatum monasterium, et id licet nesciat testis, tamen credit.

Ad quintum articulum, qui incipit: Quinto ponit, quod fratres illi, qui etc. Testis interrogatus respondit se nescire aliud de contentis huius articuli, nisi prout superius iam deposuit.

Ad sextum articulum positionis, qui incipit: Item ponit, quod iidem fratres inter alias etc. Testis interrogatus respondit se audivisse communi fama, ut fratres ordinis Sancti Augustini alias in dicto monasterio oppidi Kermend degentes interdum tres et aliquando etiam quatuor feminas suspectas introduxissent ad monasterium eorum de Kermend, et cum eis convivati fuissent in grave scandalum totius clericalis ordinis, quibus quidem auditis reverendissimum dominum Thomam cardinalem Strigoniensem audivisset auctoritate apostolica amovisse Augustinenses fratres de illo monasterio, et induxisse fratres ordinis Sancti<sup>o</sup> Francisci de observantia. In causa scientie dicit testis, quatenus audivisset, prout et secundum quod iam superius deposuisset.

Ad ultimum articulum positionis de fama scilicet publica testis interrogatus [fol. 40r] respondit se scire publicam famam de premissis apud bonos et probos viros, prout et secundum quod ipse deposuit, utrum autem illi sint invidi fratribus ordinis Sancti Augustini necne, dicit testis se nescire.

Cui testi sic examinato  
tandem iniunctum est silentium etc.

NONUS testis providus Iohannes Was de dicta Zenthmihal<sup>61</sup> dicti diocesis Iaurÿensis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito et de detestabili crimine periurii, ad generalia interrogatus respondit se in etate habere circa quinquaginta annos, et habere competenter de temporalibus rebus iuxta suam conditionem, confessum se esse dicit anno presenti, et Eucharistie sacramentum recepisse, ignobilis, et fratres utriusque ordinis, tam Sancti Augustini, quam Divi Francisci de observantia equali prosequeretur amore, nec curaret, qui fratres ex dictis ordinibus permanerent in monasterio Beate Marie Virginis de Kermend, nec esset instructus nec inductus aliter, nisi quod esset citatus ad deponendum testimonium veritati in causa presenti, non sollicitatus, nec dicit se esse avisatum nec informatum per quemquam, quomodo scilicet in presenti causa deponere deberet, dicit preterea nihil sibi esse datum neque promissum, neque speraret habere in futurum pro eo, quod deponeret in hac causa, non essetque iobagio domini Petri Erdedÿ, et propterea non timeret eum.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis, qui incipit: Imprimis itaque ponit, quod olim felicitis memorie etc. Testis interrogatus respondit se scire monasterium articulatum fundatum esse in Kermend, per quem et quando, nescit preter hoc, quod credit fundatum esse monachis et pro cultu divino.

Ad secundum positionis articulum testis interrogatus respondit se credere, et etiam communi fama audivisse, quod fundatores dicti mona-

<sup>61</sup> Szentmihály, see above note 57.

sterii de Kermend ob eam causam fratres ordinis Sancti Augustini ad dictum monasterium in pleno numero induxissent et reliquissent, ut futuris temporibus nocte matutine, interdiu autem alie hore canonicè per ipsos fratres Augustinenses peragerentur et [fol. 40v] decantarentur. In causa scientie dicit testis, quatenus ita etiam fama communi audivisset, et non credit ob aliam causam ipsos fratres Augustinenses ibi relictos fuisse, et eis dictum monasterium reliquisse.

Ad tertium positionis articulum hoc modo incipientem: Tertio ponit, quod dicti fratres postquam etc. Testis interrogatus respondit se audivisse communi fama et etiam ab incolis oppidi Kermend, quod dicti fratres ordinis Sancti Augustini pauci admodum in dicto monasterio oppidi Kermend mansissent<sup>p</sup> et habitassent adeo, quod interdum duo fratres,<sup>q</sup> et ad summum interdum tres in ipso monasterio mansissent. Et dicit testis se audivisse, quod aliquando fratres tantum de sero inebriati fuissent, ut de mane missam celebrare non potuissent, et sic aliquando audivisset, quod nulla ibidem missa celebrata fuisset, propter que populus ibi existens scandalizatus fuisset.<sup>r</sup> In causa scientie dicit testis, quatenus audivisset, prout deposuit.

Ad quartum articulum, qui incipit: Quarto ponit, quod dicta ecclesia sive monasterium etc. Testis interrogatus respondit se scire, quod oppidani de Kermend sepius coram teste conquesti et lamentati fuissent, quod fratres ordinis Sancti Augustini ibidem in monasterio eorum degentes desolassent monasterium articulatam, et nescirent,<sup>s</sup> quid iidem fratres Augustinenses facerent, creditque testis, quod nisi aliter provisum extitisset, magis fuisset desolata. In causa scientie testis interrogatus respondit, quoniam audivisset, prout deposuit.

Ad quintum positionis articulum sic incipientem: Quinto ponit etc. Testis interrogatus respondit se nihil scire aliud de contentis istius articuli, nisi prout deposuit et testificatus est superius.

Ad sextum articulum positionis hoc modo incipientem: Item ponit, quod iidem fratres inter alias etc. Testis interrogatus respondit se audivisse fama communi, quod predicti fratres ordinis Sancti Augustini in monasterio de Kermend existentes sepius conversati fuissent cum suspectis mulieribus, et audivit testis, quod reverendissimus dominus cardinalis Strigoniensis propter predictos eorum excessus [fol. 41r] amovisset de

dicto monasterio oppidi Kermend fratres Augustinenses, et auctoritate apostolica locasset fratres ordinis Sancti Francisci de observantia. In causa scientie dicit testis, quatenus audivisset, ut deposuisset.

Ad ultimum articulum positionis de fama videlicet communi testis interrogatus respondit se scire esse publicam famam de premissis apud bonos et probos viros, prout et quemadmodum deposuit, an tamen sint invidi fratribus Augustinensibus, ignorat.

Cui testi sic examinato  
tandem iniunctum est ei silentium etc.

DECIMUS TESTIS providus Ladislaus Bochar de Gozthon<sup>62</sup> dicte Iauriensis diocesis citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito et detestabili crimine periurii, ad generalia interrogatus respondit se habere quinquaginta annos vel ultra, et habere in valore sedecim florenorum, esseque confessum anno<sup>t</sup> presenti, et accepisse ad se Eucharistie sacramentum, et esse se ignobilem, quotidianis laboribus victum suum converrere, et neutros fratres neque ordinis Sancti Augustini, neque Sancti Francisci habere odio, sed equaliter diligere, et non curaret, qui fratres ex dictis fratribus deberent manere in dicto monasterio Beate Marie Virginis de Kermend, non esset denique instructus neque informatus neque inductus neque sollicitatus, quomodo in causa presenti debeat testificari. Dicit preterea testis nihil sibi esse datum neque promissum, neque quitquam speraret habere in posterum pro eo, quod deponeret in hac causa, non esseque subditum domini Petri Ewrededÿ, et propterea non timere eum.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis sic incipientem: Imprimis itaque ponit, quod olim felicitis memorie etc. Testis interrogatus respondit se scire, quod monasterium articulatum esset fundatum in oppido Kermend, et credit, quod antiqui reges Hungarie vel alii Christifideles illud pro cultu divino exercendo per fratres religiosos extrui fecissent, tamen pro certo id ipse nesciret. [*fol. 41v*]

<sup>62</sup> Gosztony, see above note 58.

Ad secundum positionis articulum, qui incipit: Secundo ponit, quod iidem pii et Deo devoti reges etc. Testis interrogatus respondit se<sup>u</sup> licet nescire, tamen credere, quod fundatores dicti monasterii fratres ordinis Sancti Augustini in pleno numero ad dictum monasterium de Kermend induxissent, et ibi reliquissent, ut successu temporum matutinas in nocte et in die alias horas canonicas, vesperas, missas, completoria et alias horas debito modo decantarent, quem quidem plenum numerum dicit testis intelligere se illum, qui predictas horas perfecte decantare possent.

Ad tertium articulum positionis hoc modo incipientem: Tertio ponit, quod dicti fratres etc. Testis interrogatus respondit se audivisse ex communi fama, quod pauci admodum fratres fuissent in dicto monasterio oppidi Kermend eo tempore, quo Augustinenses in illo degebant adeo, quod aliquando duo et interdum ad summum tres erant monachi in dicto monasterio, qui quomodo peregerint divina, an scilicet aliquando nulla inibi dicta fuerit missa necne, dicit testis se nescire neque id audivisse, quoniam ad hec non curasset, cum raro oppidum Kermend visitasset.

Ad quartum articulum positionis sic incipientem: Quinto ponit, quod dicta ecclesia sive monasterium etc. Testis interrogatus respondit se scire, quod prefati fratres ordinis Sancti Augustini adeo fuerunt negligentes, ut tempore ipsorum valde dictum monasterium fuisset desolatum, id quod esset ad visum multorum. Et credit testis, quod si reverendissimus dominus Thomas cardinalis Strigoniensis auctoritate apostolica aliter non providisset de dicto monasterio et de aliis fratribus, magis indies desolatum fuisset monasterium.

Ad quintum positionis articulum, qui incipit: Quinto ponit, quod fratres illi, qui interdum tres etc. Testis interrogatus respondit se audivisse fama communi, quod fratres illi Augustinenses, qui pro tempore residebant in monasterio de Kermend vixissent uti sine capite et sine priore, et frequentassent tabernas tam in oppido Kermend, quam extra in villis, et ibi ebrietates cum rusticis exercuissent. An tamen venissent ad verbera usque ad sanguinis effusionem, dicit se testis nescire. [*fol. 42r*]

Ad sextum positionis articulum hoc modo incipientem: Item ponit, quod illi fratres etc. Testis interrogatus respondit se audivisse a quodam conteste suo, de nomine cuius recordari non posset, quod dixisset, ut fratres ipsi Augustinenses alias de monasterio oppidi Kermend usi et



conversati fuissent cum suspectis mulieribus. Audivisse etiam dicit testis, quod auditis premissis excessibus fratrum Augustinensium monasterii de Kermend reverendissimus dominus cardinalis Strigoniensis auctoritate apostolica eosdem amovisset, et certos fratres observantinos Sancti Francisci loco ipsorum collocasset.

Ad ultimum positionis articulum videlicet de fama publica testis interrogatus respondit se scire esse famam publicam de premissis, prout et secundum quod deposuit, apud probos, bonos et honestos viros.

Cui quidem testi sic examinato tandem  
iniunctum est silentium etc.

UNDECIMUS testis nobilis vir Andreas Salÿ de eadem Saal<sup>63</sup> dicte diocesis Iauriensis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prebito et de nefando et gravitate criminis periurii, ad generalia interrogatus respondit se in etate habere viginti duos annos vel parum ultra, et habere competenter in bonis temporalibus iuxta suam condicionem, et esse confessum anno presenti, et accepisse sacramentum Eucharistie, et esse se nobilem, fratresque utriusque ordinis, tam Divi Augustini, quam Sancti Francisci equali prosequi amore, et non curare se, qui fratres ex dictis ordinibus permanerent in monasterio Beate Marie Virginis de Kermend, dicit etiam testis se non esse instructum neque inductum preterquam, quod esset citatus in presenti causa ad testificandum, nec etiam dicit se esse sollicitatum nec avisatum nec informatum per aliquem quomodo scilicet in causa presenti deponere et testificari deberet, nec esset quitquam sibi datum [fol. 42v] nec promissum, nec speraret habere in posterum pro eo, quod deponeret in hac causa, nec esset iobagio nec subditus prefati domini Petri Erdewdÿ,<sup>v</sup> et ideo non timeret eum.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis, qui sic incipit: Imprimis itaque ponit, quod olim felicitis memorie etc. Testis interrogatus respondit se nescire,

<sup>63</sup> Sál, a village south to Kőrmend along the road going to Egerszeg. See map 2 after page 8.

quo tempore fundatum esset monasterium articulatam, nec etiam quis illud fundaverit, scit tamen, quod est fundatum predictum monasterium in oppido Kermend et pro cultu divino.

Ad secundum positionis articulum sic incipientem: Secundo ponit, quod iidem pii etc. Testis interrogatus respondit se nescire quitquam de presenti articulo, crederet tamen, quod fundatores dicti monasterii in pleno numero fratres Augustinenses ad dictum induxissent monasterium de Kermend, ut iugiter nocte matutinas, in die horas canonicas et missas pro refrigerio anime fundatoris decantare deberent, quem numerum plenum dicit testis illum intelligere, qui dicta officia divina debito modo peragere potuissent.

Ad tertium articulum positionis hoc modo incipientem: Tertio ponit, quod dicti fratres postquam etc. Testis interrogatus respondit se audivisse tam ab incolis oppidi Kermend, quam extraneis eiusdem oppidi, quod cum aliquando de mane venissent ad dictum monasterium de Kermend tempore fratrum Augustinensium<sup>w</sup> ad audiendam missam, ibidem audire non potuissent, licet satis superque ibi expectassent, quoniam nulla ibi missa celebrata fuisset. Dicit etiam testis se audivisse, quod pauci admodum fratres illud monasterium de Kermend inhabitassent, et vidisset etiam solus testis, ut aliquando tres et aliquando duo tantummodo fratres Augustinenses fuissent in monasterio Beate Marie Virginis de Kermend. In causa scientie dicit testis, quia vidisset et audivisset, prout iam deposuit. [*fol. 43r*]

Ad quartum positionis articulum, qui incipit: Quarto ponit, quod dicta ecclesia etc. Testis interrogatus respondit se scire et vidisse, quod tempore fratrum ordinis Sancti Augustini de Kermend fuisset magna desolatio in monasterio predicto Beate Marie Virginis. Quis tamen fecerit tantam desolationem, dicit testis se nescire, neque etiam si magis fuisset desolatum post amotionem eorum, vel non.

Ad quintum articulum positionis sic incipientem: Quinto ponit, quod fratres illi etc. Testis interrogatus respondit se de contentis istius articuli nihil scire aliud, nisi prout superius deposuit.

Ad sextum articulum positionis, qui sic incipit: Item ponit, quod iidem fratres inter alias etc. Testis interrogatus respondit se vidisse quandam feminam suspectam nomine Margaretam Prodon ibi in Ker-

mend in hortu ipsorum fratrum Augustinensium cum priore, eundem priorem ipsam feminam mamillantem et amplexantem et alia preludea venerea facientem. Et cum testis complices et suos vocasset socios volens dictum fratrem et ipsam feminam propter talia facta eorum captivare, iidem dicti prior et femina ipsa videntes testem cum suis complicibus terri cucurrerunt ambo, femina ipsa aufugisset, et frater prior remansisset in monasterio. In causa scientie dicit testis, quatenus<sup>x</sup> hec fieri vidisset predicto modo. Audivisset etiam testis, quod predictis auditis reverendissimus dominus Thomas cardinalis Strigoniensis auctoritate apostolica a predicto monasterio amovisset Augustinenses, et locasset observantinos. Aliud dicit testis se nescire.

Ad ultimum articulum positionis de fama scilicet publica testis interrogatus respondit se scire de predictis esse publicam famam apud bonos et notabiles viros, prout et secundum quod deposuit.

Cui testi sic examinato tandem  
iniunctum est silentium etc.

DUODECIMUS TESTIS nobilis vir Benedictus Zÿbrÿk<sup>y</sup> [fol. 43v] filius nobilis Marcÿ litterati de Sarwaskendi<sup>64</sup> diocesis Iauriensis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito, ad generalia interrogatus respondit se in etate habere viginti annos, et habere competenter de bonis temporalibus iuxta suam condicionem, esseque confessum se anno presenti, et accepisse sacramentum Eucharistie, et non habere odio fratres neutri ordinis, sed eos equaliter diligere, et non curaret, qui fratres ex dictis ordinibus permanent in dicto monasterio Beate Marie Virginis de Kermend, dicit

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<sup>64</sup> Litteratus Marcus Szarwaskendi (elsewhere mentioned as *egregius Marcus litteratus de Pesth*, MOL DL 70 079) married Martha Sibrik, the landlord of the village Szarwaskend (adjacent to Körmend to the south, see map 2 after page 8). Their son, Benedictus here names himself after the more distinguished maternal family (see more about them in next note). Martha inherited 5 and a half peasant ground-plots in Egyházaspakod and bought from his heirless brother, Sigismundus, a noble *curia* in Szarwaskend with plough-land. Benedictus had three brothers, Emericus, Paulus and Thobias. The father, Marcus was castellan of the Cistercian abbacy of Szentgotthárd (see on map 2 after page 8) as familiar of the magnate Iacobus Székely. Died before 1520.

denique testis se non esse instructum nec inductum nec sollicitatum nec avisatum nec informatum per aliquem, quomodo in presenti causa deponere deberet, nec esset sibi quitquam datum aut promissum quomodo in causa presenti deponere deberet, non esset preterea iobagio nec subditus domini Petri Erdewdÿ, et propterea minime eum timeret.

AD SPECIALIA DESCENDENDO

Ad primum articulum positionis sic incipientem: Imprimis itaque ponit, quod olim felicitis memorie etc. Testis interrogatus respondit se scire, quod per aliquos Christifideles monasterium articulatum pro cultu divino fuisset fundatum in oppido Kermend, per quos tamen et quo tempore fuerit fundatum, dicit testis se nescire.

Ad secundum articulum positionis, qui incipit: Secundo ponit, quod iidem pii etc. Testis interrogatus respondit se credere, quod fundatores eiusdem monasterii fratres Augustinenses induxissent et reliquissent in dicto monasterio de Kermend in pleno numero, ut divina per eosdem ibidem, ut decerent, peragerentur, ipse tamen pro certo nesciret, cum non esset homo illius etatis, quando monasterium esset fundatum.

Ad tertium articulum positionis hoc modo incipientem: Tertio ponit, quod dicti fratres etc. Testis interrogatus respondit se scire, quod tantummodo unicus frater seu monachus tempore Augustinensium fuisset in dicto monasterio articulado, et ille quoque fuisset claudus, intantum scit testis defecisse monachos in dicto monasterio. Et scit etiam testis, quod dum aliquando ipse cum quibusdam Stephano, Nicolao et Iohanne scolaribus tunc dicti [*fol. 44r*] loci Kermend ivisset ad prefatum monasterium de Kermend, monachi seu fratres Sancti Augustini tunc ibi residentes hora quasi duodecima diei surrexissent, et tunc dicit testis se scire, quod nulla missa tunc fuisset ibi celebrata in dicto monasterio. Id, quod fuisset in scandalum incolarum inibi residentium. De causa scientie testis interrogatus respondit, quatenus hec predicta vidisset et audivisset, uti deposuisset superius.

Ad quartum articulum positionis, qui incipit: Quarto ponit, quod dicta ecclesia etc. Testis interrogatus respondit se scire, quod dicti fratres ordinis Sancti Augustini tunc in dicto Kermend residentes nihil reparassent in dicto monasterio articulado, sed penitus desolari permisissent.

Et scit testis, quod potius ex negligentia fratrum fuisset desolatum monasterium, quam propter vetustatem, quia si providissent ipsi fratres ad aliquantulam reparationem monasterii, non tantum illud desolatum fuisset. Et credit testis, et scit etiam, quod si aliter non fuisset provisum de illo monasterio de aliis viris religiosis, magis indies desolatum fuisset monasterium.

Ad quintum articulum positionis sic incipientem: Quinto ponit, quod fratres illi etc. Testis interrogatus respondit se vidisse quendam fratrem Anthonium ordinis Sancti Augustini in anno, cuius tertia vel circa vertitur revolutio, fuisse in taberna, et cum idem frater de loco illo vellet ire ad prata, quidam rusticus interrogasset, quare idem frater securim deferret. Qui quidem frater respondisset, quod si idem rusticus vellet causam scire deferendi securim, dummodo iret cum eo ad prata, statim sibi ostenderet. Que quidem predicta contenta in hoc articulo dicit testis facta fuisse in predicto anno in Kermend in domo Gregorÿ Sos, ubi tunc vinum videbatur. Alia contenta istius articuli dicit testis se nescire.

Ad sextum articulum positionis, qui incipit: Item ponit, quod iidem fratres inter alias etc. Testis interrogatus respondit se nihil aliud scire de contentis istius articuli, nisi ea, que superius in aliis articulis deposuit. [fol. 44v]

Ad ultimum positionis articulum de fama publica testis interrogatus respondit se scire de premissis esse publicam famam, prout et secundum quod deposuit, apud probos et honestos viros.

Cui testi sic examinato tandem  
iniunctum est silentium etc.

TREDECIMUS TESTIS nobilis vir Thomas Sÿbrÿk de dicta Sarwaskendi<sup>65</sup> dicte diocesis Iauriensis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito, ad generalia respondit interrogatus se in etate habere triginta duos annos vel circa, et habere de bonis temporalibus satis iuxta condicionem suam, esseque se confessum anno

<sup>65</sup> Thomas was son of Ladislaus Sibrik and Margherita Borhidai Ebres (related to the Nádasdys, see witness 29<sup>th</sup> below). Ladislaus was familiar of Iohannes Ellerbach, the earlier landlord of Kõrmend and was more times *vicecomes* of County Vas and *iudex nobilitum*. Thomas also married a Nádasdy girl, they had a son, Mathaeus, but Thomas died young (before 1527).

presenti, et accepisse Eucharistie sacramentum, et non habere odio aliquos fratres ordinum Divi Augustini et Sancti Francisci, sed eos equaliter diligere, nec curaret, qui ex illis ordinibus permaneret in monasterio Beate Marie Virginis de Kermend, non esset instructus nec inductus, nec sollicitatus, nec avisatus, nec informatus per aliquos, quomodo in causa presenti deponere deberet, nec esset quitquam sibi datum nec promissum, nec speraret aliquid habere in futurum pro eo, quod deponeret in hac causa, non essetque iobagio nec subditus domini Petri Erdedi, nec eum timeret, quatenus nulla subesset causa, quare timeret.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis, qui incipit: Imprimis itaque ponit, quod olim etc. Testis interrogatus respondit, quod licet nesciret contenta istius articuli, tamen crederet, quod aliqui divi reges Hungarie seu Christifideles pro cultu divino exercendo<sup>r</sup> per fratres religiosos ibidem instituendos dictum monasterium Beate Marie Virginis de Kermend extrui fecissent.

Ad secundum articulum positionis, qui incipit: Secundo ponit, quod iidem pii etc. Testis interrogatus respondit se nescire [*fol. 45r*] contenta huius articuli, tamen crederet testis iidem Christifideles ad eum finem fundasse dictum monasterium, et fratres ordinis Sancti Augustini in pleno numero induxissent ad illud et ibi reliquissent, ut postea successu temporum singulis noctibus matutinas et in die horas canonicas diurnas debito modo ibi peragere deberent. Et dicit testis, quod non esset possibile, quod tam egregium monasterium pro alia re extrui fecissent.

Ad tertium articulum positionis, qui incipit: Tertio ponit, quod dicti fratres etc. Testis interrogatus respondit se scire, quod dictum monasterium Beate Marie Virginis, tam in cultu divino, quam numero fratrum tempore Augustinensium multum fuerat<sup>a</sup> diminutum, quoniam sciret, quod ad summum tres monachi aliquando in ipso monasterio fuissent, et aliquando unus tantum in dicto monasterio de Kermend fuisset monachus. Sciret etiam testis, quod interdum nulla missa fuisset dicta in prefato monasterio in grave scandalum inibi existentium. Et id testis dicit ex eo scire, quatenus cum semel ad ipsum oppidum Kermend venisset testis, et voluisset ire ad dictum monasterium ad audiendam

missam, oppidani illius loci dixissent ad testem, ut non deberet ire, quatenus non posset audire missam, cum nullus preter unum fratrem esset in dicto monasterio, qui pauper non posset dicere missam, quoniam esset debilis et valde infirmus adeo, quod non posset celebrari missam, quoniam iaceret paraliticus, et haberet morbum Gallicum. In causa scientie dicit testis, quatenus predicta vidisset et audivisset, prout deposuit superius.

Ad quartum articulum positionis sic incipientem: Quarto ponit, quod dicta ecclesia etc. Testis interrogatus respondit se scire et vidisse tantam desolationem in dicto monasterio Beate Marie Virginis de Kermend tempore fratrum Augustinensium factam, ut nisi provisum extitisset de aliis vite melioris religionis, [fol. 45v] hactenus forte etiam edificia et presertim ambitus sponte corruissent. De causa scientie dicit testis, quatenus vidisset, quoniam pro audienda missa et etiam causa solatii solebat aliquando visitare monasterium, et dicit testis magis desolatum fuisse monasterium ex incuria fratrum Augustinensium, quam ex vetustate. Addit etiam testis, quod tempore, quo dicti fratres ordinis Sancti Augustini debebant in dicto monasterio oppidi Kermend, terra ecclesie eiusdem monasterii adeo erat indisposita, ut videretur, quod porci illam rostris evertissent, adeo fuissent negligentes dicti fratres ad dispositionem necessitatis ecclesie. In causa scientie dicit testis, quatenus hec predicta vidisset eo anno, quo monachi exierant de dicto monasterio de Kermend ordinis scilicet Sancti Augustini, et aliis precedentibus annis, dum illuc ad divina audienda testis ivisset.

Ad quintum articulum positionis, qui incipit: Quinto ponit, quod fratres illi etc. Testis interrogatus respondit se sepius vidisse prefatos fratres ordinis Sancti Augustini de Kermend in tabernis conversari, inebriari et vituperari se invicem, et contendere sepe verbis cum laicis adeo, quod vix interdum quod non venissent ad arma. In causa scientie dicit testis hec vidisse tunc, cum fuisset in oppido Kermend. Dicit tamen testis, quod non vidisset, quod aliquem ex eis verberassent, vel sanguinem effudissent.

Ad sextum articulum positionis hoc modo incipientem: Item ponit, quod iidem fratres etc. Testis interrogatus respondit se audivisse a quodam nobili Benedicto, filio nobilis Martini litterati de Sarwaskendi,<sup>66</sup> ut

<sup>66</sup> See witness 12<sup>th</sup> above.

vidisset ipsos fratres ordinis Sancti Augustini quandam feminam suspectam de sero induxisse ad monasterium eorum de Kermend. Dicit etiam testis audivisse ex fama communi, ut ipsi fratres ordinis Sancti Augustini de Kermend impregnassent unam feminam. Addit etiam testis audivisse a quodam predicto Benedicto de Sarwaskendi, ut fratres Sancti Augustini de Kermend eotunc, cum ivissent ad mendicandum, unum pauperem hominem spoliassent, [fol. 46r] et ab eo unum equum cum sella accepissent, et tandem in dicto oppido Kermend cum magnis<sup>b</sup> precibus illa obtinisset. Et ista predicta dicit testis ex eo se scire, quia audivisset, prout et secundum quod deposuit. Dicit preterea testis audivisse communi fama, quod reverendissimus dominus cardinalis Strigoniensis auditis predictis excessibus dictorum fratrum Augustinensium auctoritate apostolica eosdem de dicto monasterio exclusit, et observantinos fratres loco ipsorum tamquam fratres melioris vite locasset.

Ad ultimum positionis articulum de fama publica testis interrogatus respondit se de predicto scire esse publicam famam apud bonos et probos viros, prout et secundum quod testis deposuisset.

Cui testi sic examinato  
tandem iniunctum est silentium etc.

QUARTUS DECIMUS testis honorabilis vir, dominus Georgius presbyter plebanus de Maracz<sup>67</sup> diocesis Iauriensis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito, ad generalia interrogatus respondit se habere triginta duos annos et ultra, et habere bona competenter iuxta condicionem suam, esse sepius confessum anno presenti, et sepius dixisse missam, et ad utrosque fratres, tam ordinis Sancti Augustini, quam Sancti Francisci equalem devotionem habere, et nemini esse odio, nec curaret, quis eorum permaneret in dicto monasterio Beate Marie Virginis de Kermend, non essetque instructus, informatus nec inductus, nec sollicitatus per aliquem in causa presenti,<sup>c</sup> [quomodo]<sup>d</sup> testificari deberet, nihilque esse sibi datum neque promissum, neque speraret in posterum quitquam habere pro eo, quod deponeret in pre-

<sup>67</sup> Marác, neighbouring village to the south-west of Kőrmend. See also map 2 after page 8.



senti causa, non esset subditus neque iobagio domini Petri Ewrdewdi, et propterea minime timeret eum, nisi in licitis et honestis.

DESCENDENDO AD SPECIALIA

Ad primum articulum positionis, qui sic incipit: Imprimis itaque ponit, quod olim felicitis etc. Testis interrogatus respondit se scire monasterium Beate Marie Virginis in dicto oppido Kermend esse fundatum, quando tamen fuerit fundatum, nescit testis, [fol. 46v] credit tamen, quod per divos reges et ceteros Christifideles dictum monasterium ac pro viris religiosiis et cultu divino fuisset fundatum.

Ad secundum positionis articulum, qui incipit: Secundo ponit, quod iidem pii etc. Testis interrogatus respondit se audivisse ex fama communi, et etiam credere, quod fundatores dicti monasterii induxissent fratres ordinis Sancti Augustini in pleno numero ad dictum monasterium, ut perpetuis futuris temporibus nocte matutinas et in die horas canonicas et missas cantando et legendo peragerent. In causa scientie dicit testis, quatenus ita communiter audivisset, et ita ipse quoque crederet, plenumque numerum dicit testis intelligere illum, qui debito modo huiusmodi horas peragere potuissent.

Ad tertium articulum positionis hoc modo incipientem: Tertio ponit, quod dicti fratres etc. Testis interrogatus respondit se scire, quod pauci admodum fratres ordinis Sancti Augustini fuissent in monasterio articulado tempore testis adeo, quod scit, quod aliquando tres, aliquando quatuor et aliquando quinque fratres ad summum fuissent in dicto monasterio, propter quem defectum fratrum negligebantur divina preter missam, uti dicitur, quoniam dicit testis scire, quod, quando ipse ivisset ad dictum monasterium, semper fuisset tunc missa in ipso monasterio, raro tamen, dicit testis, ut venisset ad dictum monasterium, quoniam ipse testis extra Kermend mansisset, et raro oppidum visitasset.

Ad quartum articulum positionis sic incipientem: Quarto ponit, quod dicta ecclesia etc. Testis interrogatus respondit se nescire, si fratres Divi Augustini reparassent in aliquo monasterium necne. Nec sciret etiam, quod quitquam desertassent in divinis, nisi sicuti superius deposuit, nec etiam sciret, si magis fuisset desolatum monasterium, si de aliis

et aliter non fuisset provisum, quoniam testis in longinquis mansisset et ad ista predicta parvam vel nullam gessisset curam.

Ad quintum articulum positionis, qui incipit: Quinto ponit, quod fratres [fol. 47r] illi, qui interdum etc. Testis interrogatus respondit se vidisse fratres Augustinenses monasterii de Kermend sepius fuisse in tabernis, aliquando in oppido et aliquando in villis extra oppidum, et ibi eos bibisse et inebriatos fuisse cum laicis annis proximis preteritis. Nescit tamen, si venissent ad contentiones et verberationes. In causa scientie dicit testis, quatenus predicta vidisset, uti deposuit.

Ad sextum articulum positionis, qui incipit: Item ponit, quod iidem fratres inter alias etc. Testis interrogatus respondit se de contentis huius articuli nihil scire.

Ad ultimum positionis articulum, de fama scilicet publica testis interrogatus respondit se sicre publicam famam de premissis, uti deposuit, apud probos et honestos viros, utrum sint invidi Augustinensibus necne, testis nescit.

Tandem testi sic examinato  
iniunctum est silentium etc.

DECIMUS QUINTUS testis honorabilis vir, dominus Blasius presbyter, plebanus de Halasta<sup>68</sup> diocesis Iauriensis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prius prestituto, ad generalia interrogatus respondit se credere, ut haberet in etate triginta octo annos, et habere competenter in bonis temporalibus, et sepius hoc anno fuisse confessum, et dixisse missam, et diligere fratres Augustinenses. Sed dicit testis, quod fratres ordinis Sancti Francisci de observantia neque corpus suum neque anima sua diligeret, et cuperet fratres Augustinenses, ut manerent in dicto monasterio Beate Marie Virginis de Kermend. Dicit etiam testis se non esse inductum, sollicitatum nec instructum neque informatum esse per aliquem, quomodo in presenti causa testificari deberet, nihil denique esse sibi datum neque promissum, neque quitquam speraret habere pro eo, quod deponeret in hac

<sup>68</sup> Halastó, village south to Kőrmend along the road going to Zalaegerszeg. See map 2 after page 8.

causa, non esseque subditum domini Petri Erdedi, et ideo non multum timeret eum.

DESCENDENDO AD SPECIALIA

[*fol. 47v*] Ad primum articulum positionis sic incipientem: Imprimis itaque ponit, quod olim felicitis memorie etc. Testis interrogatus respondit se credi, quod divi reges aut aliqui Christifideles monasterium articulatam cum domibus, cellis, hortis et aliis pro cultu divino per fratres ibi instituendos exercendo construi et edificari fecissent, pro certo tamen ipse testis nesciret, quis fundaverit et quo tempore fundatum fuisset monasterium articulatam, quatenus ad hoc testis non cogitasset, sciret tamen modo quoque, ubi esset predictum monasterium.

Ad secundum articulum positionis, qui incipit: Secundo ponit, quod iidem pii etc. Testis interrogatus respondit se similiter credere, quod fundatores in pleno numero Augustinenses induxerant, et reliquerant in dicto monasterio oppidi Kermend, ut futuris temporibus pro refrigerio animi eorum nocte matutinas, die horas alias canonicas cantando peragerent, pro certo tamen testis id nesciret, nisi crederet.

Ad tertium articulum positionis hoc modo incipientem: Tertio ponit, quod dicti fratres postquam etc. Testis interrogatus respondit se scire, quod dictum monasterium Beate Marie Virginis de Kermend tempore fratrum Augustinensium adeo erat tam in cultu divino diminutum,<sup>e</sup> quam in numero fratrum, ut aliquando tres ad summum, aliquando duo fratres et aliquando tantummodo unicus frater fuisset in dicto monasterio oppidi Kermend. Quos quidem fratres dicit testis se scire, quod cantando non dixissent horas canonicas neque nocturnas neque diurnas. Et licet testis non vidisset, tamen dicit se audivisse, quod interdum in dicto monasterio oppidi Kermend non modo cantando, sed ne quidem legendo aliqua missa dicta fuisset in grave scandalum Christifidelium inibi existentium. Et hec predicta dicit testis se scire, quatenus vidisset et etiam audivisset, quoniam ipse testis tum pro sua confessione facienda, tum etiam pro aliis rebus suis solitus fuerat aliquando visitare ecclesiam Beate Marie Virginis monasterii oppidi Kermend.

Ad quartum articulum positionis sic incipientem: Quarto [*fol. 48r*] ponit, quod dicta ecclesia sive monasterium etc. Testis interrogatus

respondit se scire dictum monasterium Beate Marie Virginis de Kermend usque ad tempus amotionis ipsorum fratrum Divi Augustini de illo semper ita fuisse desolatum, et in illa fuisse desolationem semper, sicuti eo tempore, quando amoti fuerunt. Non vidisset tamen testis, quod iidem fratres dictum monasterium in aliquo reparassent.

Ad quintum articulum positionis, qui incipit: Quinto ponit, quod fratres illi, qui interdum tres etc. Testis interrogatus respondit se scire et vidisse, quod annis proximis preteritis dicti fratres ordinis Sancti Augustini de monasterio oppidi Kermend tam in ipso oppido, quam in villis extra illud oppidum sepius tabernas frequentassent, et ibi cum laicis et rusticis symposias et ebrietates exercuissent. In causa scientie dicit testis, quatenus fuisset etiam ipse testis compotator dictorum fratrum Augustinensium in tabernis, an tamen iidem fratres contendissent cum aliquo, et verberassent se mutuo usque ad effusionem sanguinis, dicit testis se nescire.

Ad sextum positionis articulum qui incipit: Item ponit, quod iidem fratres etc. Testis interrogatus respondit se audivisse fama communi, ut dicti fratres Sancti Augustini suspectas mulieres habuissent in monasterio eorum, et cum illis fuissent conversati. In causa scientiae dicit testis quatenus audivit, prout deposuit, et credit testis, quod propter premissa auctoritate apostolica reverendissimus dominus cardinalis Strigoniensis Augustinenses amovisset de dicto monasterio, et observantinos fratres ordinis Sancti Francisci loco eorum locasset.

Ad ultimum articulum positionis, de fama scilicet publica testis interrogatus respondit se scire de premissis, prout deposuit, esse publicam famam apud bonos, probos et honestos viros, si tamen illi sint invidi fratribus ordinis Sancti Augustini, testis se nescire dicit.

Cui testi sic examinato  
iniunctum est silentium

[fol. 48v]

DECIMUS SEXTUS testis providus vir, Gregorius Marthon de dicta Sarwaskend<sup>69</sup> diocesis Iauriensis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito et de gravitate et nefando crimine periurii, ad generalia interrogatus respondit se habere triginta

<sup>69</sup> For Szarvaskend see note 64.

annos vel ultra, et habere bona ad valorem decem florenorum, et esse anno presenti confessum, et sacramentum Eucharistie ad se accepisse, et non habere odio fratres Augustinenses, neque valde magnam devotionem habere erga<sup>f</sup> fratres ordinis Sancti Francisci de observantia, nec curaret testis, qui ordo permaneret in monasterio Dive Marie de Kermend, dicit preterea testis se non esse instructum neque informatum, quomodo in causa presenti testificari deberet, neque esset aliter inductus, nisi quod esset citatus ad testificandum in presenti causa, neque sollicitatus, neque etiam esset quitquam sibi datum vel promissum, neque etiam speraret quitquam habere in posterum pro [eo],<sup>g</sup> quod deponeret in hac causa, non esset iobagio domini Petri Ewrddedÿ, neque eum aliter timeret, nisi uti dominum talem deceret.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis, qui incipit: Imprimis itaque ponit, quod olim etc. Testis interrogatus respondit se nescire quitquam de hoc articulo, tamen crederet, quod dictum monasterium Beate Marie Virginis de Kermend divi reges Hungarie et alii Christifideles pro cultu divino per fratres ibi instituendos exercendo erigi et extrui cum domibus, hortis et cellis fecissent, sciretque testis, ubi esset dictum monasterium fundatum, tamen per quos reges et Christifideles fuerit fundatum, nescit.

Ad secundum positionis articulum sic incipientem: Secundo ponit, quod iidem pii etc. Testis interrogatus similiter respondit se nescire, crederet tamen, quod fundatores monasterii predicti fratres Augustinenses induxissent ad dictum monasterium in pleno numero, et ibi reliquissent, ut nocte matutinas et in die alias horas canonicas pro refrigerio anime eorum cantando [*fol. 49r*] peragerent, plenumque numerum dicit testis esse illum, qui cantando tot divina officia peragere possent.

Ad tertium articulum positionis sic incipientem: Tertio ponit, quod dicti fratres postquam etc. Testis interrogatus respondit se audivisse fama communi, quod in dicto monasterio de Kermend non plures, nisi tres interdum fratres Augustinenses mansissent, an vero illi quotidie dixerint missas et alia officia divina, testis dicit se nescire, quatenus ipse longe ab oppido predicto maneret, et ad ista non cogitasset.

Ad quartum articulum positionis hoc modo incipientem: Quarto ponit, quod dicta ecclesia etc. Testis interrogatus respondit se vidisse magnam desolationem in dicto monasterio oppidi Kermend tempore fratrum Augustinensium, per quos tamen fuerit facta huiusmodi, testis dicit se nescire.

Ad quintum articulum positionis, qui incipit: Quinto ponit, quod fratres illi etc. Testis interrogatus respondit se audivisse fama communi, quod fratres ordinis Sancti Augustini frequenter bibissent in tabernis, et ibi symposias et ebrietates cum rusticis exercuissent, an tamen ibi vel in aliis locis contendissent, et verberassent se ad sanguinis effusionem, dicit testis se nescire.

Ad sextum articulum positionis testis interrogatus respondit se audivisse similiter ex fama communi in oppido Kermend, ut fratres ordinis Sancti Augustini suspectas feminas pluries ad monasterium ac refectarium et cellas eorum duxissent, et ibi cum illis conversati fuissent. Dicit etiam audivisse ex simili fama communi, quod reverendissimus dominus cardinalis Strigoniensis auditis premissis excessibus fratrum Augustinensium auctoritate apostolica de dicto monasterio eos amovisset, et fratres ordinis Sancti Francisci de observantia locasset ibidem, viros bone et sancte vite.

Ad ultimum articulum positionis de fama scilicet publica testis interrogatus respondit se scire in Kermend et in aliis circumvicinis locis apud bonos et probos viros [*fol. 49v*] de predictis, secundum quod ipse deposuit, esse publicam famam.

Cui testi sic examinato  
tandem iniunctum est silentium etc.

DECIMUS SEPTIMUS testis nobilis vir, Nicolaus Philep de Radocz<sup>70</sup> diocesis Iauriensis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito et de pravitate et nefando crimine periurii, ad generalia testis interrogatus respondit se in etate habere quadraginta

<sup>70</sup> Rádóc (Pusztarádóc, part of Rádóckölked) neighbouring village of Kőrmend to the north along the road to Szombathely (Savaria, County Vas), inhabited by peasant-nobles (having one ground-plot only, practically living as peasants). Nicolaus Philep is also mentioned when interrogated in 1499 as a neighbour in a trial for the possession of Kölked (see below note 94) between the Henczelffy and the Jobbágyi Beze family (MOL DL 58 214).

annos, et habere bona temporalia in copia iuxta condicionem suam, esseque se confessum anno presenti, et accepisse sacramentum Eucharistie, equalique amore fratres utriusque ordinis prosequeretur, nec curaret, qui ex dictis ordinibus permanerent in dicto monasterio Beate Marie Virginis de Kermend, non esseque inductum neque sollicitatum neque informatum neque instructum, quomodo in presenti causa deponere deberet, nihilque esset sibi datum nec promissum, nec quitquam speraret habere in posterum pro eo, quod deponeret in hac causa, non essetque iobagio neque vasallus domini Petri Erdedÿ, quem minime timeret.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis, qui incipit: Imprimis itaque ponit, quod olim felicitis memorie etc. Testis interrogatus respondit se scire unum monasterium esse fundatum in oppido Kermend in honorem Dive Virginis Marie cum hortis, cellis, domibus et aliis vite monastice necessariis pro divino cultu, per quos tamen fuerit fundatum et a quibus Christifidelibus et quo tempore, testis dicit se nescire.

Ad secundum positionis articulum hoc modo incipientem: Secundo ponit, quod iidem pii etc. Testis interrogatus respondit se scire et ita credere, quod fundatores dicti monasterii, ut futuris temporibus in ipsa ecclesia predicti monasterii singulis noctibus matutine, in die autem hore canonice et misse peragerentur cantando et legendo etiam, induxissent in sufficienti numero fratres ordinis Sancti Augustini heremitarum [fol. 50r] in monasterium prefatum, et pro cultu divino eis<sup>b</sup> possidendum reliquissent. In causa scientie dicit testis, quatenus non esset possibile, quod tantum opus in vanum fecissent, pro quot tamen fratribus dictum monasterium fecissent, dicit testis se non posse de hoc divinare. Plenum numerum dicit testis illum, qui tot officia peragere potuissent.

Ad tertium articulum positionis, qui incipit: Tertio ponit, quod dicti fratres etc. Testis interrogatus respondit se audivisse a probis, honestis et fidedignis hominibus, quod tempore fratrum Augustinensium in dicto monasterio oppidi Kermend aliquando tres et interdum duo tantum fratres Augustinenses fuissent, qui si divina peregerint debito modo necne, dicit testis se nescire, etiam si aliquando non fuerit dicta aliqua missa in dicta ecclesia et monasterio.

Ad quartum articulum positionis, qui sic incipit: Quarto ponit, quod dicta ecclesia sive monasterium etc. Testis interrogatus respondit se scire, quod eo tempore, quando fratres ordinis Sancti Augustini in dicto monasterio Beate Marie Virginis degebant, illud monasterium fuit valde tunc desolatum, unde tamen fuerit desolatum, dicit testis se nescire. Nesciret etiam testis, si hucusque fuisset magis desolatum monasterium, si fratres Augustinenses in eo perseverassent necne.

Ad quintum articulum positionis hoc modo incipientem: Quinto ponit, quod fratres illi etc. Testis interrogatus respondit se audivisse ex communi fama, quod fratres Augustinenses sepius tam in dicto oppido Kermend, quam extra in villis bibissent, symposias in tabernis cum rusticis et ebrietates exercuissent, ac ludos tabernicales exercuissent. An tamen ibi contendissent et verberassent se ad sanguinis effusionem, dicit se non audivisse.

Ad sextum articulum positionis, qui incipit: Item ponit, quod iidem fratres inter alias etc. Testis interrogatus respondit se nihil scire preter hoc, quod reverendissimus dominus Thomas cardinalis Strigoniensis auctoritate apostolica amovisset Augustinenses de dicto monasterio, et locasset fratres ordinis Sancti Francisci de observantia ad illud. [*fol. 50v*]

Ad ultimum articulum positionis de fama videlicet publica testis interrogatus respondit se de predictis, prout et secundum quod deposuit, scire esse publicam famam in oppido Kermend et in aliis locis ibi circumvicinis apud bonos, probos et honestos viros.

Cui testi sic examinato  
iniunctum est silentium etc.

DECIMUS OCTAVUS testis nobilis et egregius vir, Blasius Iwanczÿ de eadem Iwancz<sup>71</sup> diocesis Iauriensis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito, ad generalia interrogatus

<sup>71</sup> The Ivánzi family belonged to the middle layers of the landed nobility in the county, possessing pieces of land in 9-10 villages surrounding Csákány (e.g. Ivánc, Viszák, Lugas, Miskefalva etc.). In 1543 Blasius's widow, Martha and his son, Melchior is mentioned when Martha was fighting at court for the possessions of his late husband with his family (MOL Mikrofilmár, Vasvári-szombathelyi káptalan protokolluma (U 917), n. 18 524, pars. 2, n. 84. 242. 254).



testis respondit in etate se habere triginta duos annos vel ultra, et habere satis de bonis temporalibus iuxta condicionem suam, et esse se confes-  
sum anno presenti, et accepisse sacramentum Eucharistie, et non habere odio aliquo fratres ordinis Sancti Augustini, maiorem tamen devotio-  
nem haberet erga fratres ordinis Sancti Francisci de observantia propter  
bonitatem et probitatem vite eorum, quam erga fratres Sancti Augu-  
stini. Dicit preterea testis se non esse inductum preterquam, quod esset  
citatus ad deponendum testimonium veritati in hac causa, neque esset  
sollicitatum neque informatum neque etiam instructum, quid aut quo-  
modo in presenti causa testificari deberet, nihilque esset sibi datum ne-  
que promissum, neque speraret etiam imposterum quitquam habere,  
non essetque iobagio domini Petri, sed esset nobilis sui iuris, et ideo non  
timeret in aliquo dominum Petrum.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis, qui incipit: Imprimis itaque ponit,  
quod olim felicitis memorie etc. Testis interrogatus respondit se credere,  
quod monasterium articulatam antiqui reges et alii Christifideles cum  
domibus, horto et cellis pro cultu divino per viros religiosos exercendo  
extrui fecissent, quoniam ipse quoque testis sciret, ubi monasterium  
ipsum esset fundatum, per quos tamen et quo tempore fuerit fundatum,  
dicit se ignorare.

Ad secundum articulum positionis hoc modo incipientem: Secundo  
ponit, quod iidem pii et Deo etc. Testis interrogatus respondit se nescire  
contenta articuli, tamen crederet, quod fundatores dicti [fol. 51r] mona-  
sterii induxissent fratres ordinis Sancti Augustini in pleno numero ad  
dictum monasterium, ut futuris temporibus singulis noctibus matutinas,  
in die autem horas canonicas et missas cantando peragerent, et ita eis pos-  
sidendam<sup>i</sup> reliquissent, nam pro alia re non esset possibile, ut tam egre-  
gium fecissent opus, plenumque numerum testis dicit intelligere illum,  
qui huiusmodi predicta divina officia peragere possent.

Ad tertium articulum positionis, qui incipit: Tertio ponit, quod dicti  
fratres postquam etc. Testis interrogatus respondit se audivisse com-  
muni fama, quod tempore fratrum Augustinensium dictum monaste-  
rium tam in cultu divino, quam in numero fratrum plurimum fuisset

diminutum intantum, quod duo aliquando et unus aliquando et aliquando nullus frater fuisset in ipso monasterio de Kermend, et aliquando nulla missa fuisset ibidem dicta neque alique alie hore canonice in maximum dampnum et scandalum Christifidelium ibi residentium in Kermend et in locis circumvicinis. In causa scientie, quatenus audivit testis fama communi, ut deposuit.

Ad quartum articulum positionis sic incipientem: Quarto ponit, quod dicta ecclesia etc. Testis interrogatus respondit se scire et vidisse, quod tempore quando fratres in dicto monasterio oppidi Kermend fuissent in eodem monasterio, facta fuisset non parva desolatio ex negligentia potius eorundem fratrum, quam vetustate edificiorum, et sciret testis, quod si iidem fratres permansissent in dicto monasterio de Kermend, magis indes desolatum fuisset monasterium ipsum, et id testis ex eo dicit scire, quatenus vidisset ipsos fratres negligentes et male vivere.

Ad quintum positionis articulum sic incipientem: Quinto ponit, quod fratres illi etc. Testis interrogatus respondit se audivisse fama communi, quod ipsi fratres ordinis Sancti Augustini libenter visitassent tabernas, et ibi inebriati fuissent, tamen si ibi cum aliquo contendissent vel verberassent se ad effusionem sanguinis, dicit se testis non audivisse.

Ad sextum positionis articulum testis interrogatus respondit se [fol. 5rv] de contentis istius articuli nescire aliud preter hoc, quod audivisset, ut reverendissimus dominus cardinalis Strigoniensis exclusis fratribus Augustinensibus auctoritate apostolica propter predicta induxisset fratres Sancti Francisci de observantia, tanquam fratres melioris vite et religionis.

Ad septimum et ultimum articulum positionis de fama scilicet publica testis interrogatus respondit se scire de predictis esse publicam famam in oppido Kermend et ei circumvicinis locis apud bonos, probos et honestos viros, prout et secundum quod ipse testis deposuit.

Cui testi sic examinato  
tandem iniunctum est silentium etc.

DECIMUS NONUS testis honorabilis vir, dominus Thomas presbyter de Radocz<sup>72</sup> diocesis Iauriensis, citatus, iuratus et examinatus, reducto

<sup>72</sup> For Rádóc see note 70.

prius sibi in memoriam iuramento per eum prestito, ad generalia interrogatus testis respondit se esse in etate viginti septem annorum vel circa, et habere de bonis temporalibus mediocriter iuxta suam conditionem, et esset confessus sepius anno presenti, et celebrasse missam, et propter probitatem et bonam vitam eorum magis testis dicit se esse affectionatum ad fratres ordinis Sancti Francisci de observantia, quam ad fratres ordinis Sancti Augustini, nec curaret, qui fratres ex dictis ordinibus permanerent in dicto monasterio Beate Marie Virginis de Kermend, non essetque aliter inductus, nisi quod esset citatus in hac causa ad deponendum testimonium veritati, nec esset sollicitatus nec instructus nec informatus, quomodo in presenti causa deponere et testificari deberet, nihilque esset sibi datum neque promissum, neque etiam speraret habere in posterum pro eo, quod deponeret in hac causa, non esset iobagio neque vasallus domini Petri Erdewdy, propterea non timeret eum.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis, qui sic incipit: Imprimis itaque ponit, quod olim etc. Testis interrogatus respondit se contenta articuli nescire, crederet tamen, quod antiqui divi reges Hungarie et alii Christifideles monasterium sub nomine Beate Marie Virginis [fol. 52r] cum domibus, cellis, hortis, curia et aliis vite monastice necessariis pro cultu divino iugiter ibidem per fratres religiosos exercendo in Kermend extrui et erigi fecissent, et testis dicit se ad hoc induci hanc esse causam, quatenus hoc modo predicto dicit in Kermend fundatum dictum monasterium, et illud sepius vidisse.

Ad secundum articulum positionis hoc modo incipientem: Secundo ponit, quod iidem pii et Deo devoti etc. Testis interrogatus respondit similiter se nescire contenta istius articuli, tamen credere, quod fundatores pretacti monasterii de Kermend ad eum finem induxissent fratres Augustinenses in pleno numero ad ipsum monasterium, ut diu noctuque divina ibidem peragerent dicto modo cantando et legendo missas et alias horas canonicas diurnas, plenumque numerum eum intelligit esse, qui perficere dicta divina officia potuissent cantando, et propterea eisdem reliquissent monasterium pretactum possidendum unacum pertinentiis eiusdem.

Ad tertium articulum positionis, qui incipit sic: Tertio ponit, quod dicti fratres etc. Testis interrogatus respondit se scire, quod adeo tam in cultu divino, quam numero fratrum diminutum fuisset tempore Augustinensium monasterium Beate Marie Virginis de Kermend, ut aliquando ad summum tres monachi, aliquando<sup>t</sup> duo et aliquando unus tantum monachus et frater ordinis Sancti Augustini fuisset in dicto monasterio oppidi Kermend. In causa scientie dicit testis, quatenus vidisset, et sciret pro certo ita fuisse, ut deposuit, quoniam aliquando intrasset dictum monasterium testis, et ita vidisset. Audivisset etiam testis, quod aliquando nullus monachus ibidem fuisset in dicto monasterio oppidi Kermend, et per consequens dicit testis audivisse, quod aliquando nulla missa, nulle hore canonice in ipso monasterio dicte fuissent, et id dicit testis fuisse factum in ista preterita pestilentia. In causa scientie dicit testis, quatenus vidisset hec et audivisset, prout deposuit superius.

Ad quartum articulum positionis sic incipientem: Quarto ponit, quod dicta ecclesia etc. Testis interrogatus respondit se scire [*fol. 52v*] quod tempore quo fratres ordinis Sancti Augustini possidebant dictum monasterium oppidi Kermend, fuisset illud desolatum potius propter negligentiam eorum, quam vetustatem. Nesciret tamen, quod si non fuisset provisum de aliis vite melioris religionis, hactenus magis fuisset desolatum necne dictum monasterium.

Ad quintum positionis articulum, qui incipit: Quinto ponit, quod fratres etc. Testis interrogatus respondit se scire, quod fratres ordinis Sancti Augustini sepius bibissent in tabernis et cum rusticis symposias et ebrietates exercuissent, et id testis ex eo dicit scire, quoniam et ipse quoque testis bibisset cum dictis fratribus in tabernis, nesciret tamen, quod ibi contendissent, et se dicti fratres verberassent usque ad sanguinis effusionem.

Ad sextum positionis articulum, qui incipit: Item ponit, quod iidem fratres inter alias multiplices etc. Testis interrogatus respondit se audivisse, quod quidam Benedictus Ferde castellanus tunc castri Kermend propter quedam mala verba per quendam fratrem Augustinensem facta et dicta captivare fecisset. Et dicit testis se scire, quod iidem fratres ordinis Sancti Augustini aliquando tres et aliquando quatuor mulieres suspectas ad monasterium eorum de Kermend introduxissent, et ibi cum eisdem, uti eis placuisset, conversati fuissent, et de sero tamen bene vinolenti

patrem omnipotentem<sup>73</sup> cantassent et clamitassent in grave scandalum Christifidelium ibi residentium. In causa scientie dicit testis, quatenus ipse testis id cum eisdem fratribus ordinis Sancti Augustini egisset et fecisset. Audivit etiam testis, quod reverendissimus dominus Thomas cardinalis Strigoniensis predictis excessibus auditis dictos fratres Augustinenses de dicto monasterio amovisset, et fratres ordinis Sancti Francisci de observantia locasset auctoritate apostolica.

Ad ultimum positionis articulum de fama communi testis interrogatus respondit se de predictis, prout deposuit, scire esse famam publicam in oppido Kermend et circumvicinis locis apud bonos et honestos viros, an tamen<sup>1</sup> huiusmodi probi homines [*fol. 53r*] sint invidi contra fratres Augustinenses, dicit testis se nescire de hoc divinare.

Cui testi sic examinato tandem iniunctum est silentium etc.

VIGESIMUS testis nobilis Leonardus Baso de dicta Radocz<sup>74</sup> diocesis Iauriensi, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestitito, ad generalia respondit interrogatus testis se esse quadraginta annorum et habere competenter de rebus temporalibus iuxta suam condicionem, esset confessus anno presenti, et accepisse sacramentum Eucharistie, non habereque odio fratres Augustinenses, et fratres ordinis Sancti Francisci de observantia propter bonam vitam eorum magis cuperet, ut permanerent in monasterio Dive Marie Virginis de Kermend, quam fratres Sancti Augustini ordinis. Dicit preterea testis se non esse aliter inductum, nisi quod esset citatus ad presentem causam ad testificandum, non esset etiam sollicitatus nec avisatus nec informatus nec instructus per aliquem, quomodo in hac causa deponere deberet, nihilque esset sibi datum nec oblatum, nec speraret quitquam habere imposterum pro eo, quod deponeret in hac causa, nec esset iobagio nec vasallus domini Petri, sed esset nobilis sui iuris, et non timeret eum, nec teneret in honore, nisi decet talem dominum et virum.

<sup>73</sup> Maybe this is the *Doxologia* sung at holy mass, while holding up the chalice and the *patbena*.

<sup>74</sup> The Basós of Rádóc are peasant-nobles. Leonardus is mentioned in 1525 as a neighbour designated to witness at the introduction of Petrus Erdódy to his possessions in Molnaszecsőd (ÖStA HHStA Arch. Erdódy, Kart. 95, fasc. 5, n. 1).

## DESCENDENDO AD SPECIALIA

Ad primum articulum positionis, qui incipit: Imprimis itaque ponit, quod olim felicitis memorie etc. Testis interrogatus respondit contenta articuli istius se nescire, crederet tamen, quod divi reges Hungarie et alii Christifideles monasterium articulatum unacum domibus et cellis et aliis vite monastice necessariis in oppido Kermend pro divino cultu per fratres religiosos ibi instituendos iugiter exercendo extrui fecissent, sciretque ubi monasterium esset fundatum, quoniam in illo aliquotiens fuisset, et non crederet, quod pro alia re dictum monasterium fuisset factum, nisi pro predicto divino cultu per fratres fiendo. [*fol. 53v*]

Ad secundum positionis articulum, qui incipit: Secundo ponit, quod iidem pii et Deo devoti etc. Testis interrogatus respondit similiter se nescire contenta etiam istius articuli, tamen crederet, quod fundatores dicti monasterii oppidi Kermend ob eam causam fratres ipsos in pleno numero induxissent ad dictum monasterium articulatum et ibi reliquissent, ut perpetuis futuris temporibus nocte matutinas, die autem horas canonicas cantando et missas cantando et legendo peragerent, plenumque numerum dicit testis se intelligere eum, qui dicta officia divina debito modo peragere potuissent.

Ad tertium articulum positionis sic incipientem: Tertio ponit, quod dicti fratres postquam ecclesiam etc. Testis interrogatus respondit se audivisse monasterium predictum sive ecclesiam adeo tam in cultu divino, quam numero fratrum fuisse diminutum, ut aliquando tres fratres ordinis Sancti Augustini, aliquando vero pauciores fuissent in dicto monasterio oppidi Kermend. In causa scientie dicit testis, quia audivit communi fama etiam, quod divina officia in illo fuissent neglecta pretermissam, quam non intellexerit, an fuerit intantum neglecta, ut nulla ibi dicta fuisset missa.

Ad quartum articulum positionis hoc modo incipientem: Quarto ponit, quod dicta ecclesia etc. Testis interrogatus respondit se scire, quod tempore fratrum Augustinensium, quando scilicet illi possidebant dictum monasterium, fuisset illud desolatum magis propter negligentiam fratrum, quam propter vetustatem, et credit testis, quod si iidem fratres Augustinenses in eodem perseverassent monasterio, magis indies desolatum fuisset monasterium, et ad hoc testis inde inducitur, quia in illo

monasterio ipsi fratres ordinis Sancti Augustini non mansissent, neque tenuissent tot fratres, quod debebant in illo esse, et illi quoque, qui pauci fratres in illo erant, non vivebant regulariter, uti decebat religiosos, propter que non elargiebatur eis tanta elemosinarum copia, ut a desolatione cum illis elemosinis custodire potuissent. In causa scientie dicit testis, [fol. 54r] quia predicta vidisset et audivisset, prout et secundum quod deposuit.

Ad quintum articulum positionis sic incipientem: Quinto ponit, quod fratres illi etc. Testis interrogatus respondit se vidisse et scire certitudinaliter, quod fratres Sancti Augustini alias in monasterio oppidi Kermend degentes frequenter bibissent in tabernis unacum aliis potatoribus tam in oppido Kermend, quam extra illud oppidum in villis. Et id dicit testis ex eo scire, quoniam aliquando testis interfuisset in tabernis cum dictis monachis et fratribus ordinis Sancti Augustini, et predicta vidisset. Dicit etiam testis se scire, quod cum semel fratres illi ordinis Sancti Augustini in quodam profesto Epiphaniarum Domini, ut moris est, cum processione ivissent, iidem fratres vinum piperatum infundebant et ponebant ad urnam, ubi debebat esse aqua benedicta, et ita dicti fratres quando volebant, bibebant de dicto vino piperato unacum laicis, et ista scit testis fuisse tempore fratris Mathei Thoth prioris eiusdem ordinis Sancti Augustini dicti monasterii, et testis quoque bibisset cum eisdem fratribus. Addit etiam testis se audivisse a quodam Anthonio Baramo de Gyák,<sup>75</sup> quod quidam frater Blasius eiusdem ordinis alias in Kermend degens, ad visum et scitum Anthonij Baramo prius bene bibisset vinum, et ita tandem missam celebrasset, et hoc dicebat dictus Anthonius testi se scire propterea, quatenus idem Anthonius fuisset alias hospes dicti fratris Blasij, propterque predicta Christifideles inibi residentes multum scandalizabantur.

Ad sextum positionis articulum, qui incipit: Item ponit, quod iidem fratres inter alia etc. Testis interrogatus respondit se audivisse ab hospita sua, ut quidam cum uno fratre ordinis Sancti Augustini in monasterio oppidi Kermend in cella eiusdem fratris quandam feminam, fictam sororem spiritualem illius fratris reperisset in lecto cum fratre, et propterea

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<sup>75</sup> Ják, village circa halfway between Körmend and Szombathely, part of the Monyorókerék estate.

castellanus tunc castrum Kermend eundem fratrem simulcum [fol. 54v] dicta femina captivasset, et tandem eandem ad mediastrum dicti oppidi ligari, et expelli de oppido illo postea fecisset, frater autem ille casu eliberatus clanculum postea aufugisset. Addit etiam testis se scire, quod quidam frater Blasius dicti ordinis Sancti Augustini de dicto monasterio de Kermend in quadam taberna de Gyák breviarium suum perbibisset, et tandem prior eiusdem fratris eundem breviarium a tabernario redemisset. In causa scientie dicit testis, quatenus hec predicta ita fieri vidisset et audivisset, prout et secundum quod deposuit superius.

Ad ultimum positionis articulum de fama publica testis interrogatus respondit se de predictis scire publicam famam esse in oppido Kermend et aliis circumvicinis locis apud bonos et honestos viros, prout et secundum quod deposuit.

Cui testi post huiusmodi examen  
iniunctum est silentium etc.

VIGESIMUS PRIMUS testis nobilis vir Georgius Baso de dicta Radocz<sup>76</sup> dicte diocesis Lauriensis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito, ad generalia testis interrogatus respondit se habere in etate quinquaginta annos vel ultra, et habere satis in bonis iuxta condicionem suam, et esse confessum anno presenti, et accepisse sacramentum Eucharistie, et non habere odio fratres ordinis Sancti Augustini, cuperet tamen testis fratres ordinis Sancti Francisci de observantia permanere in monasterio Beate Marie Virginis de Kermend, secundum quod audiret, ut facerent servitia divina, non esseque se inductum aliter, nisi quod esset citatus ad testificandum in presenti causa, nec etiam se esse avisatum nec instructum nec informatum, quomodo in causa presenti testificari deberet, nec esset quitquam sibi datum aut promissum, neque etiam habere [fol. 55r] speraret in futurum pro eo, quod deponeret in causa presenti, non esset iobagio domini Petri Erdedi, et ideo non formidaret eum.

<sup>76</sup> He is mentioned in 1502 as a neighbour designated to witness at the introduction of Thomas Bakócz in his possessions in Nagycsém (Schandorf, Austria) (ÖStA HHStA Arch. Erdődy, Kart. 95, fasc 2, n. 2 = Urkunden 10 210).



## AD SPECIALIA DESCENDENDO

Ad primum articulum positionis, qui incipit: Imprimis itaque ponit, quod olim felicitis memorie etc. Testis interrogatus respondit se audivisse fama communi, quod divi reges Hungarie et alii Christifideles in honorem Beate Marie Virginis quoddam monasterium unacum domibus et cellis et aliis vite monastice necessariis unacum horto et curia pro cultu divino ibidem die et nocte per fratres religiosos instituendos exercendo extrui et erigi fecissent in oppido Kermend. In causa scientie dicit testis, quatenus audivisset, prout et secundum quod deposuit, aliasque ipse testis vidisset et sciret, in quo loco esset fundatum.

Ad secundum articulum positionis hoc modo incipientem: Secundo ponit, quod iidem pii et Deo devoti etc. Testis interrogatus respondit se similiter audivisse, quod iidem fundatores dicti monasterii ad eundem monasterium in pleno numero induxissent fratres ordinis Sancti Augustini heremitarum, ut iugiter futuris temporibus singulis noctibus matutinas, in die autem horas canonicas et missas cantando et legendo peragerent, et ita eis dictum monasterium possidendum reliquissent, plenumque numerum testis dicit intelligere se illum, qui huiusmodi possent peragere divina officia, videlicet xvi vel ad minus duodecim fratres.

Ad tertium articulum positionis sic incipientem: Tertio ponit, quod dicti fratres postquam ecclesiam etc. Testis interrogatus respondit se audivisse ex fama communi, quod multum monasterium predictum tam in cultu divino, quam in numero fratrum diminutum fuisset tempore fratrum Augustinensium ita, quod aliquando duo et aliquando ad summum tres fratres fuissent in dicto monasterio oppidi Kermend, et servitia divina non fuissent tot, quot et quanta in tam egregio monasterio fieri debuissent, propter que etiam Christifideles ibi residentes scandalizabantur intantum, quod multi conquesti fuissent, quod ita [fol. 55v] reliquissent tam regium edificium sine fratribus et servitio divino. In causa scientie dicit testis, quatenus audivisset, ut deposuisset superius.

Ad quartum articulum positionis hoc modo incipientem: Quarto ponit, quod dicta ecclesia sive monasterium etc. Testis interrogatus respondit se similiter audivisse ex fama communi ab incolis oppidi Kermend, ut dicti fratres Sancti Augustini intantum tempore eorum desolassent monasterium, ut si hactenus iidem illud inhabitassent, tota esset desolata

ecclesia et monasterium. In causa scientie dicit testis, quatenus audivisset secundum quod deposuit.

Ad quintum articulum positionis sic incipientem: Quinto ponit, quod fratres illi etc. Testis interrogatus respondit se vidisse et etiam audivisse ipsos fratres ordinis Sancti Augustini sepius conversatos fuisse in tabernis et [cum]<sup>n</sup> rusticis ibi ebrietates<sup>o</sup> exercuisse. In causa scientie dicit testis, quatenus vidisset et audivisset prout deposuit. Rixas et contentiones et verbera usque ad sanguinis effusionem exercuisse non audivit.

Ad sextum positionis articulum, qui incipit: Item ponit, quod iidem fratres inter alias multiples etc. Testis interrogatus respondit se audivisse fama communi, ut prefati fratres ordinis Sancti Augustini monasterii oppidi Kermend cum diversis mulieribus suspectis conversati fuissent, easque ad prefatum monasterium eorum introduxissent, ex quibus mulieribus unam quidam castellanus castri Kermend captivare fecisset, et tandem pactatam dimisisset, propter que Christifideles scandalizati fuissent, et eorum devotio erga illam ecclesiam Beate Marie Virginis diminuta fuisset. Et dicit testis audivisse, ut his auditis reverendissimus dominus Thomas cardinalis Strigoniensis auctoritate apostolica amovisset fratres ordinis Sancti Augustini de dicto monasterio, et fratres ordinis Sancti Francisci de observantia ad illud locasset. In causa scientie testis interrogatus respondit, quatenus audivisset, prout deposuit.

Ad ultimum positionis articulum hoc modo incipientem: Item ponit et dicit, quod premissa omnia et singula etc. Testis interrogatus [fol. 56r] respondit se scire de predictis esse publicam famam in oppido Kermend et circumvicinis locis eiusdem oppidi apud bonos, probos et honestos viros, prout et secundum quod ipse deposuit, an illi sint invidi fratribus ordinis Sancti Augustini necne, testis dicit se nescire.

Cui testi modo predicto examinato tandem iniunctum est silentium etc.

VIGESIMUS SECUNDUS testis nobilis Albertus Zabo alias Radoczÿ dictus de eadem Radocz<sup>77</sup> diocesis Iauriensis, citatus, iuratus et examinatus,

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<sup>77</sup> He might be the same person with *litteratus* Albertus Rádóci, mentioned in 1526 as making a vow with other noblemen supporting the Henczellffys against Thomas Szécsi, who committed violence against their properties (MOL DL 58 359).

reducto prius sibi in memoriam iuramento per eum prestito et de pravitate et nefando crimine periurii, ad generalia testis interrogatus respondit se in etate habere triginta duos annos vel ultra, habereque bona nobilitaria satis in bonis temporalibus iuxta suam condicionem, et esse confessum, et accepisse sacramentum Eucharistie hoc presenti anno circa festum Pasche, non haberetque odio fratres ordinis Sancti Augustini, cuperet tamen fratres ordinis Sancti Francisci de observantia, ut permanerent in monasterio Beate Marie Virginis de Kermend, non esset inductus aliter, quam quod esset citatus in causa presenti ad testificandum. Preterea dicit testis se non esse sollicitatum nec avisatum nec instructum nec informatum per quempiam quomodo, in causa presenti deberet deponere, neque quitquam sibi esset datum, neque speraret habere in posterum pro eo, quod deponeret in hac causa, non esset denique iobagio domini Petri nec subditus, ideo non timere eum.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis, qui incipit: Imprimis itaque ponit, quod olim felicitis memorie etc. Testis interrogatus respondit se nescire contenta istius articuli, tamen crederet, quod divi reges et alii Christifideles dictum monasterium Beate Marie Virginis oppidi Kermend pro cultu divino ibidem per fratres exercendo erigi et construi fecissent pro refrigerio anime eorum, et dicit [*fol. 56v*] testis scire locum, ubi fuit fundamentum monasterium, quoniam sepius etiam monasterium vidisset. Tempus foundationis et personam fundatoris nescit testis.

Ad secundum articulum positionis hoc modo incipientem: Secundo ponit, quod iidem pii et Deo devoti etc. Testis interrogatus respondit se similiter nescire contenta istius articuli, tamen crederet, ut fundatores tanti monasterii in pleno numero induxissent fratres Augustinenses, ut ipsi futuris temporibus nocte matutinas, in die autem alias horas canonicas et missam peragerent cantando. Et ad hoc testis inducitur, quatenus tantum opus in vanum non fecissent fabricari, plenumque numerum dicit testis esse ad minus tanta servitia decem fratres debuisse esse, sed ad scitum suum dicit testis, quod nunquam tot fuissent fratres.

Ad tertium articulum positionis, qui incipit: Tertio ponit, quod dicti fratres postquam ecclesiam etc. Testis interrogatus respondit se scire et

vidisse monasterium predictum tempore fratrum Augustinensium tam in cultu divino, quam in numero fratrum multum fuisse diminutum, quoniam pro certo sciret et vidisset, quod interdum ad summum tres fratres, interdum vero pauciores fuissent fratres Augustinenses in dicto monasterio. Et dicit testis audivisse, quod vesperas sepius neglexissent, que quidem predicta fuit [!], ut dicit testis, in scandalum Christifidelium inibi residentium. In causa scientie dicit testis, quatenus predicta vidisset et audivisset, prout et secundum quod deposuit superius.

Ad quartum articulum positionis, qui hoc modo incipit: Quarto ponit, quod dicta ecclesia sive monasterium etc. Testis interrogatus respondit se scire et vidisse, quod dicti fratres ordinis Sancti Augustini in monasterio dicti oppidi Kermend pro tempore degentes desolassent monasterium predictum et magis per incuriam et negligentiam ipsorum fratrum Augustinensium desolatum fuisset, quam per vetustatem. In causa scientie dicit testis, quatenus<sup>p</sup> audivit,<sup>q</sup> prout deposuit, creditque testis, quod indies iidem fratres Sancti Augustini ordinis desolassent, si ipsi diutius ibidem perseverassent in dicto monasterio. In causa scientie dicit, quatenus vidisset negligentiam fratrum predictorum in reparando dictum monasterium et desolationem eiusdem monasterii. [*fol. 57r.*]

Ad quintum articulum positionis sic incipientem: Quinto ponit, quod fratres illi, qui interdum tres etc. Testis interrogatus respondit se scire, quod illi fratres ordinis Sancti Augustini, qui manebant in dicto monasterio de Kermend, sepius ibant ad tabernas tam in ipso oppido Kermend, quam extra oppidum in villis, et ibi cum rusticis symposias et ebrietates exercebant in scandalum clericalis ordinis. In causa scientie dicit testis, quatenus ipse interdum bibisset cum dictis fratribus in huiusmodi tabernis unacum certis rusticis, audivissetque testis, quod dixissent rustici quodammodo deridendo prefatos fratres, quod iidem fratres ordinis Sancti Augustini de Kermend adeo mane irent ad tabernas, ut non in monasterio eorum dicerent missam, sed in taberna, et id ex eo dicit scire, quatenus audivisset a pluribus ista dicentibus. An tamen dicti fratres contendissent cum aliquo, et verbassent aliquem vel ipsos verberassent usque ad effusionem sanguinis, dicit testis se nescire neque etiam audivisse.

Ad sextum articulum positionis, qui sic incipit: Item ponit, quod iidem fratres inter alias etc. Testis interrogatus respondit se audivisse

fama communi, quod predicti fratres Sancti Augustini suspectas feminas ad monasterium eorum de Kermend introduxissent, et cum illis conversati fuissent. Audivit etiam testis, quod reverendissimus dominus cardinalis Strigoniensis auditis predictis excessibus fratrum Augustinensium auctoritate apostolica eosdem amovisset de dicto monasterio, et alios fratres ordinis Sancti Francisci ad eundem monasterium locasset. In scientie causa dicit testis, quatenus predicta audivisset prout deposuit.

Ad ultimum positionis articulum, de communi videlicet fama testis interrogatus respondit se de predictis, prout deposuit, scire esse publicam famam in oppido Kermend et aliis circumvicinis locis apud probos et honestos viros, an tamen illi sint invidi fratribus Augustinensibus necne, testis dicit se de hoc nescire iudicare. [*fol. 57v*]

Cui quidem testi predicto sic  
examinato iniunctum est silentium etc.

VIGESIMUS TERTIUS testis nobilis vir Michael Dese de dicta Radocz<sup>78</sup> dicte diocesis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito et de pravitate et nefando crimine periurii, ad generalia testis interrogatus respondit se in etate habere viginti annos vel ultra, et ultra bona nobilitaria habere competenter de rebus temporalibus iuxta suam condicionem, essetque confessus, et sacramentum Eucharistie accepisse etiam anno presenti, et non haberet odio fratres ordinis Sancti Augustini, cuperet tamen, ut fratres ordinis Sancti Francisci de observantia permanerent potius in monasterio Beate Marie Virginis de Kermend, quam fratres ordinis Sancti Augustini propterea, quod observantini melius et perfectius peragerent divina officia, quam fratres ordinis Sancti Augustini, dicit preterea idem testis se non esse inductum preterquam, quod esset citatus ad testificandum ad presentem causam, dicit etiam se non esse sollicitatum neque instructum

<sup>78</sup> Another peasant-noble family of Rádóc. As neighbour, Michael is present at the second introduction of Petrus Erdódy to his possessions in Molnászecsőd in 1525 (ÖStA HHStA Arch. Erdódy, Kart. 95, fasc. 5, n. 1). In 1526 he is mentioned again as designated royal representative to another introduction into possessions in Rádóc, Sároslak, etc. (MOL DL 58 358).

neque avisatum neque informatum, quomodo in causa presenti testificare et deponere deberet, nihilque esset sibi datum neque promissum, neque etiam quitquam speraret habere in posterum pro eo, quod deponeret in hac causa, non esset subditus domini Petri, et ideo non timeret in aliquo eum, quatenus nihil expectaret ab eo.

AD SPECIALIA DESCENDENDO

Ad primum articulum positionis hoc modo incipientem: Imprimis itaque ponit, quod olim felicitis memorie etc. Testis interrogatus respondit se audivisse fama communi, quod divi reges Hungarie monasterium articulatam in oppido Kermend pro cultu divino per fratres ibi instituendos exercendo cum domibus, cellis, horto, curia et aliis vite monastice necessariis extrui et erigi fecissent. In causa scientie dicit testis, quatenus id ita, ut deposuisset, audivisset, essetque notorium multis, et ipse quoque monasterium huiusmodi vidisset.

Ad secundum positionis articulum, qui sic incipit: Secundo ponit, [fol. 58r] quod iidem pii et Deo devoti reges etc. Testis interrogatus respondit se similiter ex predicta fama communi audivisse, quod fundatores prefati monasterii in pleno numero fratres Augustinenses ad dictum monasterium de Kermend induxissent, et eis possidendum reliquissent propterea, ut futuris successivis temporibus nocte matutinas, in die vero horas canonicas et missam cantando et legendo peragerent. In causa scientie dicit testis, quatenus audivisset fama communi, prout deposuit, possibileque et verisimile id esse posset, quoniam non esset aliud credendum, nisi ut tam grande edificium pro cultu divino extrui fecissent, plenumque numerum fratrum dicit testis, secundum quod ei videretur ad tanta edificia huiusmodi ecclesie esse sexdecim fratres.

Ad tertium articulum positionis, qui incipit: Tertio ponit, quod dicti fratres etc. Testis interrogatus respondit se nescire de numero fratrum, quot in dicto monasterio oppidi Kermend fuissent, neque etiam si fuerunt neglecta divina officia, quoniam raro venisset ad dictum oppidum Kermend, et ideo nesciret quitquam de hoc dicere.

Ad quartum articulum positionis hoc modo incipientem: Quarto ponit, quod dicta ecclesia etc. Testis interrogatus respondit se audivisse fama communi, quod fratres ordinis Sancti Augustini desolassent dictum

monasterium, et si hactenus mansissent iidem fratres in dicto monasterio, magis desolassent ex eo, quod non vixissent religiose, nec quitquam edificassent in illo monasterio.

Ad quintum articulum positionis sic incipientem: Quinto ponit, quod fratres illi etc. Testis interrogatus respondit se audivisse fama communi, quod predicti fratres ordinis Sancti Augustini frequentassent tabernas, et ibi sepius unacum rusticis symposias et ebrietates exercuissent. In causa scientie dicit testis, quatenus hec ita audivit communi fama.

Ad sextum articulum positionis, qui incipit: Item ponit, quod iidem fratres inter alias multiplices et varias etc. Testis interrogatus respondit se aliud nescire de contentis istius articuli, nisi quod audivisset fama communi, ut reverendissimus dominus cardinalis Strigoniensis propter malam et inordinatam vitam dictorum fratrum Augustinensium auctoritate apostolica eos exclusisset et amovisset de dicto monasterio oppidi Kermend, et fratres ordinis [fol. 58v] Sancti Francisci, tamquam melioris vite fratres locasset. In causa scientie dicit testis, quatenus hec ita audivisset, uti deposuit.

Ad ultimum positionis articulum, qui incipit: Item ponit et dicit, quod premissa omnia et singula etc. Testis interrogatus respondit se de predictis scire publicam famam esse, prout et quemadmodum deposuisset, in oppido Kermend et illi circumvicinis locis apud bonos et honestos viros, an tamen sint invidi fratribus ordinis Sancti Augustini, dicit testis se nescire.

Cui testi sic examinato  
iniunctum est silentium etc.

VIGESIMUS QUARTUS testis providus et circumspectus vir, Benedictus Benke de Nadalj<sup>79</sup> diocesis Iauriensis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito et de pravi-

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<sup>79</sup> Nadalja, a village adjacent to Körmend from the west (see map 2 after page 8) in the possession of the Erdődys, Gersei Petős and the gradually impoverished Bükési (or Nadaljai) family. A member of the Benke family (a certain Martinus) is known to have exported pigs to Styria (1533).

tate et nefando crimine periurii, ad generalia interrogatus testis respondit se esse triginta trium annorum vel ultra, et iuxta suam condicionem habere competenter de bonis temporalibus, et diligere fratres, tam ordinis Sancti Augustini, quam Sancti Francisci de observantia, nec curaret, qui ex dictis ordinibus deberent permanere in dicto monasterio oppidi Kermend, non esset inductus preterquam, quod esset in causa presenti citatus ad testificandum, neque dicit se esse sollicitatum neque instructum neque informatum per aliquem, quomodo in hac causa deponere et testificare<sup>s</sup> deberet, nihilque esset sibi datum neque promissum, neque etiam quitquam speraret habere in posterum pro eo, quod deponeret in hac causa, non essetque iobagio domini Petri Erdedi, quem in nullo timeret, cum haberet sibi mandar[e].

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis, qui incipit: Imprimis itaque ponit, quod olim felicitis memorie etc. Testis interrogatus respondit se audivisse communi fama, quod divi reges Hungarie et alii Christifideles monasterium Beate Marie Virginis in oppido Kermend cum domibus, cellis, hortis et curia et aliis vite monastice necessariis pro divino cultu per fratres ibidem instituendos exercendo construi et edificari fecissent. Et id dicit esse testis ad [fol. 59r] visum multorum, et ipse quoque vidisset sepius dictum monasterium.

Ad secundum positionis articulum, qui sic incipit: Secundo ponit, quod iidem pii etc. Testis interrogatus respondit se similiter ex huiusmodi fama communi audivisse, quod iidem divi reges et alii Christifideles, qui dictum fundassent monasterium, ut pleno numero fratres Augustinenses ad dictum monasterium induxissent, et eis perpetuo possidendum reliquissent, ut futuris temporibus semper matutinas in nocte, in die autem alias horas canonicas et missam cantando et legendo peragerent, plenum autem numerum testis dicit se nescire aliter iudicare et estimare, nisi quod essent tot, quod sufficerent ad tanta servitia peragenda. In causa scientie dicit testis, quatenus ita audivit.

Ad tertium articulum positionis, qui incipit: Tertio ponit, quod dicti fratres postquam ecclesiam etc. Testis interrogatus respondit se scire, quod dictum monasterium satis fuisset diminutum in numero fratrum,



quoniam vidisset, quod aliquando solummodo tres, interdum vero duo fuissent in dicto monasterio fratres ordinis Sancti Augustini. Et dicit testis id ex eo scire, quatenus vidisset, quoniam aliquando cum veniebat ad oppidum Kermend, visitabat ecclesiam sive predictum monasterium et fratres tot videbat, sicuti superius deposuit, et non plures. Quomodo tamen iidem fratres Augustinenses divina<sup>a</sup> in ipso peregerint monasterio, dicit testis se nescire, an scilicet aliquando divina neglexerint officia necne, quia non multum frequentasset dictum oppidum Kermend, et ideo illa videre non potuisset, quoniam ad ea ipse parvam curam gessisset.

Ad quartum, quintum et sextum positionis articulos testis respondit se nihil de illis scire, quoniam dicit se non frequentasse dictum oppidum Kermend propter inimicitias inter quendam castellanum dicti castri Kermend et quendam fratrem suum Iohannem nomine.

Ad ultimum positionis articulum de publica fama testis interrogatus dicit de predictis esse publicam famam, prout et secundum quod ipse deposuit, in oppido Kermend et extra illud in locis circumvicinis apud bonos, probos et honestos viros, [fol. 59v] an tamen sint invidi fratribus ordinis Sancti Augustini, nescit.

Cui testi sic examinato tandem  
iniunctum est silentium etc.

VIGESIMUS QUINTUS testis nobilis vir Lucas Mýnthzenthÿ de Hallos<sup>80</sup> diocesis Iauriensis, citatus, iuratus et examinatus, reducto prius sibi in memoriam [iuramento]<sup>u</sup> per eum prestito et de nefando crimine periurii et gravitate illius, ad generalia testis interrogatus respondit se esse annorum quinquaginta vel ultra, et ultra bona nobilitaria habere in copia de

<sup>80</sup> Lucas was probably born into a peasant-noble family in Pinkaminszent (a village in the neighbourhood along the river Pinka), and according to the donation letter of Iohannes Ellerbach (see note 82 below) from 1487 Lucas served him from his childhood. In the donation the patron landlord exempted the lands of his old familiar from seigniorial taxes in Hidashollós (on the road to Sárvár, see map 2 after page 8), where he had three united serf ground-plots and a house where he lived. Moreover, he had a deserted *sessio* in the same village and a grape-yard in Tótfalu. All this seems to have been the inheritance of his wife, Ursula, daughter of the late *negotiator* of Ellerbach, Petrus Balog, who was also the grantee of the favour (ÖStA HHStA Arch. Erdödy, Urkunden 10 156).

bonis temporalibus iuxta<sup>v</sup> condicionem suam, et esse se confessum anno presenti, tamen non accepisse sacramentum Eucharistie propter certos suos<sup>w</sup> inimicos, quos haberet. Non enim visum fuisset consciencie sue, ut interim deberet accipere sacramentum Eucharistie, quousque concordaret cum ipsis inimicis suis. Tamen quamprimum cum eisdem concordare posset, statim vellet accipere sacramentum Eucharistie. Preterea dicit testis interrogatus, quod fratres utriusque ordinis diligeret, tamen cuperet magis, ut fratres Sancti Francisci permanerent in dicto monasterio Beate Marie Virginis de Kermend, nam priores etiam domini temporales loci Kermend dictos fratres ordinis Sancti Francisci de observantia volebant inducere ad dictum monasterium oppidi Kermend tunc, cum adhuc vivebant et possidebant oppidum Kermend. Dicit preterea testis, quod aliter non esset inductus preterquam, quod esset citatus in causa presenti ad testificandum, non esset denique avisatus nec instructus, nec informatus pro eo, quod deponeret in hac causa, seu quomodo in causa huiusmodi deponere deberet, nihilque esset sibi datum nec promissum, nec speraret quitquam habere in posterum pro eo, quod deponeret in hac causa, non essetque iobagio ipsius domini Petri Erdedi, et ideo non timeret eum.

#### AD SPECIALIA DESCENDENDO

Ad primum articulum positionis sic incipientem: Imprimis itaque ponit, quod olim etc. Testis interrogatus respondit se audivisse communi fama et etiam credere se ipsum, quod monasterium Beate Marie [*fol. 6or*] Virginis de Kermend divi reges Hungarie et alii Christifideles unacum domibus, cellis, horto et curia ac aliis vite monastice necessariis pro cultu divino per fratres ibi instituendos exercendo preparari fecissent, quoniam ipse quoque testis monasterium vidisset, et in eo frequenter fuisset, essetque notorium istud.

Ad secundum articulum positionis, qui incipit: Secundo ponit, quod iidem pii etc. Testis interrogatus respondit similiter audivisse fama communi, et se quoque credere, quod fratres ordinis Sancti Augustini ad dictum monasterium Beate Marie Virginis ad eum finem fuissent inducti et ibi relictis ad possidendum dictum monasterium, ut singulis futuris temporibus nocte matutinas, in die autem alias horas canonicas et missam can-

tando et legendo peragerent. In causa scientie dicit testis, quatenus audivisset fama communi, et ipse quoque ita crederet. Super pleno autem numero dicit testis intelligere sexdecim aut decem monachos, qui dicta servitia divina peragere possent, et addit testis se scire, quod multi con-questi fuissent, quod dicti fratres ordinis Sancti Augustini pro tempore in dicto monasterio oppidi Kermend constituti non bene facerent servitia divina.

Ad tertium articulum positionis hoc modo incipientem: Tertio ponit, quod dicti fratres etc. Testis interrogatus respondit se scire, quod dictum monasterium Beate Marie Virginis de Kermend tam in cultu divino, quam in numero fratrum multum fuisset diminutum, quoniam sciret testis, quod interdum tantummodo quatuor, aliquando tres et interdum duo tantummodo fratres ordinis Sancti Augustini tempore eorundem fuerunt in dicto monasterio Beate Marie Virginis de Kermend, qui satis male in dicto monasterio et ecclesia servivissent. Adeo, quod non recordatur testis, quod tempore sui castellanatus matutine ibidem in dicta ecclesia Beate Marie Virginis de Kermend fuissent dicte. Dicit etiam testis se scire, quod misse similiter aliquando in eadem ecclesia non fuissent alique dicte. Causam sue scientie dicit testis, quia post obitum condam regis Mathie<sup>81</sup> fuisset testis castellanus dicti castri Kermend, et dicit testis etiam scire de scandalo populi, quia testis frequenter audivisset, quod [*fol. 60v*] populus lamentabatur et conquerebatur de fratribus predictis ordinis Sancti Augustini propter negligentiam eorum in divinis.

Addit etiam testis se scire, quod condam magnificus dominus Iohannes Elberbok,<sup>82</sup> dominus terrestris loci eiusdem Kermend ad auditum eiusdem testis sepe redarguisset ipsos fratres ordinis Sancti Augustini de Kermend de eorum tanta negligentia in divinis, comminando eisdem aliquando, quod eos propter talem et tantam negligentiam eorum vellet de monasterio eorum eicere, et alios inducere. Addit etiam testis se audivisse a bonis civibus dicti oppidi Kermend, quod quidam

<sup>81</sup> King Matthias Corvinus (1458–1490).

<sup>82</sup> Iohannes Ellerbach († 1499), the previous landlord of Körmend. Bakócz inherited his vast properties in County Vas (the estates of Monyorókerék and Veresvár) in return for the 40 000 *florenis* credits he granted to Ellerbach earlier, the conditions of which were laid down in a contract of inheritance in 1496.

ex fratribus ordinis Sancti Augustini monasterii dicti oppidi Kermend in habitu seculari tempore carnis privii deferri solitis in tabernis et in aliis locis suspectis scandalose discurrens fuisset detentus, et in facie vulneratus, ac vestibus spoliatus, in cippumque tandem positus, et dicit testis se tunc fuisse in dicto oppido Kermend, de anno tamen, quo ista fuerint facta, testis dicit se non recordari, bene tamen recordaretur, quod hec predicta fuissent acta post mortem regis Mathie. Dicit etiam testis se sepius intellexisse, quod incole oppidi Kermend prefati propter malam, inordinatam et scandalosam vitam ipsorum fratrum ordinis Sancti Augustini ibidem in Kermend degentium voluissent eosdem eicere, et alios fratres melioris vite inducere. Insuper dicit testis, quod ipse aliquando habuisset conversationem cum ipsis fratribus ordinis Sancti Augustini de Kermend interdum causa solatii, et aliquando rogando ab eis confessorem, frequenter tamen testis illuc ad monasterium Beate Marie Virginis de Kermend ivisset ad audiendam missam, tamen dicit testis, quod nunquam fuisset ipse in matutinis dictorum fratrum Augustinensium. Aliquando tamen dicit testis fuisse se in vespere eorundem fratrum, an tamen in dicto monasterio per dictos fratres fuerint cantate alie hore canonicæ necne, dicit testis se nescire, quoniam cum esset laicus, nesciret quid esset prima, tertia, sexta et nona. Et hec predicta dicit scire, quatenus vidisset, audivisset et intellexisset, prout superius deposuit.<sup>x</sup> [fol. 61r]

Ad quartum articulum positionis, qui sic incipit: Quarto ponit quod dicta ecclesia etc. Testis interrogatus respondit se scire tempore fratrum Augustinensium fuisse factam desolationem in monasterio eorum oppidi Kermend. Et testis dicit se non recordari, quod iidem fratres ordinis Sancti Augustini quousque perseverassent in dicto monasterio eorum de Kermend, fecissent ibi aliquod edificium, creditque testis, quod si iidem fratres in eodem diutius mansissent monasterio, plus fuisset monasterium prefatum desolatum propterea, quod nihil iidem fratres in illo edificassent, imo quod peius erat, permittebant omnia rui. Causam credulitatis sue dicit testis, quatenus posteaquam a tanto tempore, quo dicti fratres inhabitassent ipsum monasterium prefatum, fuissent negligentes in reparando illud, potuissent etiam postea ita fieri negligentes. Dicit etiam testis se vidisse predictum monasterium in meliori statu aliquan-

tulum a tempore regis Mathie, tamen postea cepisset<sup>v</sup> paulatim plus desolari, quam prius erat desolata. Credit insuper testis, quod nisi cives dicti oppidi Kermend de eorum elemosina tecturam ipsius predicti monasterii refecissent vel reparassent, murus eiusdem ecclesie pro aliqua parte in hunc diem forte corruiisset, quoniam ipsi fratres Augustinenses sicuti antea, ita et postea vix tecturam dicte ecclesie reparassent. Et dicit testis se id ex hoc scire, quod tempore fratrum Augustinensium antefatum monasterium devenisset in peiorem statum, quatenus vidit prius neque tecturam, neque aliam conservationem eos curavisse, sciretque testis, quod desolatio dicti monasterii potius ex incuria fratrum Augustinensium, quam ex vetustate temporis fuisset facta, quoniam vidisset, uti iam deposuit.

Ad quintum articulum positionis hoc modo incipientem: Quinto ponit, quod fratres illi etc. Testis interrogatus respondit se scire, quod illi fratres, qui in dicto inveniebantur monasterio, satis dissolute et preter normam regularis discipline vixissent, quoniam [fol. 6rv] dicit testis se vidisse, et etiam a pluribus fidedignis hominibus audivisse, quod dicti fratres ordinis Sancti Augustini, qui in dicto monasterio Beate Marie de Kermend erant et reperiebantur, unacum rusticis et laicis in tabernis in dicto oppido Kermend et extra in villis symposias et ebrietates exercuissent, et sepius ludos tabernicales ibidem in tabernis indifferenter cum laicis et presbyteris exercuissent, viditque et etiam audivit testis, ut predicta diversis annis et diversis temporibus egissent, et tunc interdum dicit testis se vidisse, quando ipse veniebat ad dictum oppidum Kermend pro negotiis domini sui vel sui ipsius. Addit etiam testis se audivisse a civibus dicti oppidi Kermend talia verba frequenter dicere de dictis fratribus Augustinensibus in Kermend residentibus: isti sunt boni fratres, quoniam quitquid habent et undecumque aliquid inveniunt, id totum nobiscum consumunt. Sciretque testis, quod propter predicta Christifideles illius loci plurimum scandalizabantur, et divina negligebantur officia, quoniam ista predicta testis sic fieri vidisset et audivisset.

Addit etiam testis se scire, quod cum anno proxime preterito ante eiectionem, cum quidam fideiussores quendam Stephanum Sakal in ortu fratrum capere voluissent, fratres eundem Stephanum defendere volentes quendam ex fideiussoribus Oswaldum Pal nomine de Hallos ad

caput ad habundantem sanguinis effusionem cum uno fuste vulnerassent in ambitu dicti monasterii.

Ad sextum positionis articulum, qui incipit: Item ponit, quod iidem fratres inter alias etc. Testis interrogatus respondit se audivisse, quod fratres Augustinenses predicti monasterii frequenter suspectas mulieres ad monasterium, cellas et domos eorum introduxissent, et male cum eis conversati fuissent. Scit etiam testis, quod unum fratrem Augustinensem predicti monasterii detentum cum quadam muliere usque ad nuditatem portassent ad castrum oppidi Kermend. Dicit etiam testis audivisse, et signanter a quodam Blasio Iwanchÿ,<sup>83</sup> quod cum quidam [fol. 62r] frater Augustinensis predicti monasterii oppidi Kermend sermonem ad populum faceret, interea quidam Gregorius Pocha cum suis aliis complicibus cellam illius fratris invadens unam mulierem ibidem clausam inde extraxisset in scandalum eiusdem fratris et aliorum. Quam quidem rem dicit testis fuisse factam tempore Mathie regis Hungarie, et licet plura de his similibus testis audivisset, tamen de eis non bene posset recordari, propterque predicta dicit testis se scire, quod Christifideles ibi existentes plurimum scandalizabantur, et devotio eorum erga dictam ecclesiam Beate Marie Virginis diminuebatur. Quibus quidem causis predictis reverendissimus dominus Thomas cardinalis Strigoniensis motus auctoritate apostolica eosdem fratres ordinis Sancti Augustini propter predictos excessus eorundem dicit testis, quod eiecisset et amovisset tanquam inutiles, et alios fratres ordinis Sancti Francisci de observantia tanquam fratres vite meliores [!] locasset.

Addit etiam testis se scire, quod egregius dominus Petrus Erdewÿ temporalis dominus oppidi Kermend sepius exortatus fuisset et requisivisset dictos fratres verbis piis, ut vitam, mores et conversationem eorum emendarent et in meliorem frugem reducerent, et servitia divina non negligenter, bonum exemplum vite sue darent, bonos plures fratres de eorum ordine Sancti Augustini inducerent, et secundum regulam eorum viverent sancte et religiose, pollicens eis omni subsidio ad victum et vestitum eorum et ad refectionem desolatorum se paratum libenter esse, in signumque huiusmodi promissionis ipsius domini Petri vidisset

<sup>83</sup> For Ivánc see note 71 above.

idem testis, quod dictus dominus Petrus eisdem fratribus de pane et vino et de aliis provisionem fieri fecisset, non tamen dicit testis vidisse, quod dicti fratres propterea se et vitam eorum meliorassent, et divina officia melius persolvissent. In causa scientie dicit testis, quatenus ipse id ita fieri vidisset et audivisset.

Ad ultimum positionis articulum de fama publica testis interrogatus respondit se de predictis scire publicam famam esse, prout et secundum quod deposuit, in dicto oppido Kermend et locis ei circumvicinis apud probos et honestos viros [fol. 62v], an tamen illi sint invidi fratribus dicti ordinis Sancti Augustini, dicit testis se nescire.

Cui testi sic examinato tandem  
iniunctum est silentium etc.

VIGESIMUS SEXTUS testis providus vir Nicolaus Pondor de Nadallÿa<sup>84</sup> diocesis Iauriensis, etatis sexaginta annorum, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito, ad generalia interrogatus respondit in bonis temporalibus se habere ad valorem quadraginta florenorum et ultra secundum estimationem suam, et esse se confessum anno presenti, et accepisse sacramentum Eucharistie, et non habere odio nec fratres ordinis Sancti Augustini neque etiam fratres ordinis Sancti Francisci, sed eos equaliter diligere, et non curare, qui fratres ex dictis ordinibus deberent in dicto monasterio permanere, non essetque aliter inductus, nisi quod esset citatus ad testificandum in presenti causa, non esse denique eum sollicitatum nec instructum nec informatum quomodo in hac causa deponere deberet, nec esset quitquam sibi datum neque promissum, neque etiam quitquam speraret habere in posterum pro eo, quod deponeret in hac causa, non esset etiam iobagio domini Petri Erdedÿ, et ideo non timeret eum.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis, qui sic incipit: Imprimis itaque ponit, quod olim etc. Testis interrogatus respondit se audivisse communi fama et etiam ita credere, quod antiqui reges Hungarie et alii quoque Christi-

<sup>84</sup> For Nádallÿa see note 79 above.

fideles monasterium Beate Marie Virginis in oppido Kermend cum domibus, cellis, horto, curia et aliis monastice vite necessariis edificari fecissent pro cultu divino per fratres ibidem instituendos exercendo. In causa scientie dicit testis, quatenus ipse quoque vidisset huiusmodi monasterium, essetque ad visum multorum.

Ad secundum articulum positionis hoc modo incipientem: Secundo ponit, quod iidem pii etc. Testis interrogatus respondit se credere, quod ob eam causam in pleno numero fratres ordinis Sancti Augustini introducti fuissent ad dictum monasterium et eis relictum<sup>z</sup> ad possidendum, quod futuris temporibus nocte matutinas et in die horas canonicas ibidem peragerent semper, plenumque numerum testis dicit se intelligere duodecim vel ad minus decem fratres, qui huiusmodi divina officia peragere possent. [*fol. 63r*]

Ad tertium articulum positionis sic incipientem: Tertio ponit, quod dicti fratres etc. Testis interrogatus respondit se scire, quod multum fuisset dictum monasterium Beate Marie Virginis de Kermend tempore fratrum Augustinensium tam in cultu divino, quam in numero fratrum diminutum, quoniam sciret testis, quod in eodem monasterio aliquando quinque, aliquando quatuor et aliquando duo tantum fratres fuissent, et illi quoque non debito modo celebrassent divina. Nam dicit testis se scire, quod sepius matutine et hore canonicæ tempore fratrum Augustinensium fuissent neglecte, et missasque sciret aliquibus diebus in dicto monasterio nullas fuisse dictas, propterque predicta sciret testis scandalum Christifidelibus ortum fuisse, quatenus rumores et clamores querulosi sepius exorti fuissent in populo contra predictos fratres pro eorum tali negligentia. Causam sue scientie dicit testis de neglectis et omissis matutinis ac missis et aliis horis canonicis, quia testis ipse prope in vicinia ipsius predicti claustris alias quatuor annis mansisset et habitasset, et hec predicta ita fieri vidisset circa annos, quibus dominus Petrus Erdewdÿ primum incepit fieri dominus terrestris loci Kermend, et signanter circa annum, quo idem dominus Petrus Erdedi uxorem<sup>85</sup> duxisset. Dicit etiam testis se habuisse conversationem cum fratribus predictis, quia cum testis aliquando ibidem in Kermend vendidisset vinum ad signum

<sup>85</sup> His first wife was Sara Bánffy, the date of their wedding is unknown.



in domo sua, iidem fratres Augustinenses suam visitassent tabernam, ac cum teste et cum aliis laicis iidem fratres aliquoties in bibendo et edendo conversati fuissent. Et aliquando testis etiam audivisset missam in dicto monasterio ipsorum fratrum, quando scilicet celebrabatur aliqua missa, et fecisse etiam aliquando ibidem apud eosdem fratres confessionem.

Ad quartum articulum positionis, qui sic incipit: Quarto ponit, quod dicta ecclesia etc. Testis interrogatus respondit se scire, quod predictum monasterium oppidi Kermend tempore fratrum Augustinensium satis dampnum et ruinam passus fuisset, quoniam sciret testis, quod tempore, quo mansisset ipse<sup>a</sup> in oppido Kermend, dictum monasterium Beate Marie Virginis adeo desolabatur, quod necesse fuisset, si iidem fratres in illo perseverassent, de die in diem devenire ad maiorem desolationem iudicio suo. Causam sue scientie dicit testis, quia vidisset eosdem fratres monasterii de Kermend nullam penitus de faciendis edificiis gessisse curam, si quid autem edificii factum fuisset in illo tempore [*fol. 63v*] fratrum Augustinensium, id non ipsi fratres, sed cives dicti oppidi Kermend fieri fecissent, ut tecturam ecclesie et ambitus. Scit etiam testis monasterium predictum a principio aliquantulum aliquando fuisse in meliori statu quoad structuram illius, et propter malam provisionem eorundem fratrum Augustinensium et non propter vetustatem devenisse ad tantam vastitatem. Addit testis, quod si edificia aliqua sint nova, per incuriam et malam provisionem sepe solerent dilabi et tendere ad ruinam. In causam scientie dicit testis, quatenus predicta vidisset et audivisset, prout et secundum quod deposuit superius.

Ad quintum positionis articulum hoc modo incipientem: Quinto ponit, quod fratres illi etc. Testis interrogatus respondit se scire, quod fratres Augustinenses, qui in dicto monasterio de Kermend pro tempore degebant, multum dissolute et preter normam regularis discipline vixissent. Nam sciret testis, quod illi fratres tam in oppido Kermend, quam extra illud in villis soliti fuissent frequentare tabernas, et ibidem cum rusticis compotare, et vespas inter potandum negligere. Dicit etiam testis se sepe sepius eosdem fratres Augustinenses vidisse tam in domo sua, quam extra domum suam in taberna aliorum ita fuisse inebriatos, quod vix tarda hora noctis ad monasterium eorum potuissent

intrare, de nomine tamen huiusmodi fratrum testis dicit se non recordari. In causa scientie dicit testis, quatenus hec ita fieri vidisset, et etiam ab aliis audivisset, sicuti deposuit. Et predicta dicit testis facta fuisse iisdem annis, quibus ipse in<sup>b</sup> oppido Kermend mansionem fecisset,<sup>c</sup> dicitque testis cum dictis fratribus fuisse presentes in tabernis tales bibulosos homines, quales ipsi iisdem predicti fratres fuissent, de quorum similiter nominibus dicit testis se non recordari.

Ad sextum positionis articulum, qui sic incipit: Item ponit, quod iisdem fratres etc. Testis interrogatus respondit se audivisse et veraciter intellexisse ab incolis oppidi Kermend et etiam externis honestis et fidedignis personis, quod sepefati fratres ordinis Sancti Augustini sepe malas et suspectas mulieres ad monasterium, claustrum et cellas eorum induxissent, et ibi cum eisdem, uti eis placuisset, conversati fuissent, aliasque iisdem fratres male vixissent, et propter malam vitam eorum reverendissimus dominus cardinalis Strigoniensis eosdem fratres Augustinenses de dicto eorum [*fol. 64r*] monasterio amovisset auctoritate apostolica, et fratres ordinis Sancti Francisci de observantia induxisset et collocasset. Causam sue scientie dicit testis, quatenus audivit, ut deposuit.

Ad ultimum positionis articulum de fama videlicet publica testis interrogatus respondit se de predictis scire esse publicam famam in dicto oppido Kermend et extra illud in locis sibi circumvicinis apud probos et honestos viros, secundum quod ipse deposuit, de hoc tamen ipse iudicare non potest an illi, apud quos talis de predictis habetur fama, sint invidi fratribus ordinis Sancti Augustini necne.

Cui testi sic examinato  
iniunctum est silentium etc.

VIGESIMUS SEPTIMUS testis honorabilis vir dominus Elias presbyter de Maracz plebanus parochialis ecclesie de Chakan<sup>86</sup> diocesis Iauriensis citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito, ad generalia testis interrogatus respondit se in etate habere quadraginta annos vel circa, et habere competenter pro sua condicione de rebus temporalibus, et esse hoc anno presenti sepius con-

<sup>86</sup> For Marác see note 67 above. For Csákány see note 55 above.

fessum et dixisse missam, non habereque odio aliquos fratres ex dictis ordinibus Sancti Augustini et Sancti Francisci de observantia, sed utrosque diligere equaliter, et non curaret, qui fratres ex ipsis predictis ordinibus permanerent in predicto monasterio Beate Marie Virginis de Kermend, non essetque inductus, sollicitatus nec avisatus, nec instructus, nec informatus quomodo in causa hac deponere et testificari deberet, nihilque esset sibi datum neque promissum, neque speraret habere in posterum pro eo, quod deponeret in hac causa, non esset iobagio domini Petri Erdedi, et ideo nescit quam ob rem deberet timere eum.

#### AD SPECIALIA DESCENDENDO

Ad primum articulum positionis qui sic incipit: Imprimis itaque ponit, quod olim felicitis memorie etc. Testis interrogatus respondit<sup>d</sup> se audivisse fama communi, et ita etiam ipse credere, quod divi reges Hungarie et alii Christifideles monasterium Beate Marie Virginis in oppido Kermend pro cultu divino per fratres religiosos [*fol. 64v*] ibi instituendos exercendo erigi et fabrefieri fecissent unacum domibus, cellis, curia, horto et aliis monastice vite necessariis. In causa scientie dicit testis, quatenus audivisset fama communi, et ipse quoque per se et oculis propriis vidisset sepius sic, ut premittitur, fundatum monasterium.

Ad secundum positionis articulum sic incipientem: Secundo ponit, quod iidem pii etc. Testis interrogatus respondit se similiter audivisse ex fama communi, et etiam credere, quod iidem<sup>e</sup> divi reges et Christifideles, qui fundassent monasterium, in pleno numero fratres ordinis Sancti Augustini in eundem monasterium introduxissent, et illud eis possidendum reliquissent, ut semper futuris temporibus matutinas in nocte, in die autem horas canonicas et missam cantando et legendo pro refrigerio animarum ipsorum fundatorum peragerent. In causa scientie dicit testis, quatenus ita audivisset fama communi et ipse quoque ita crederet.

Ad tertium positionis articulum, qui incipit: Tertio ponit, quod dicti fratres etc. Testis interrogatus respondit se scire adeo diminutum dictum monasterium fratrum Augustinensium de Kermend tempore eorundem tam in persolvendis divinis officiis, quam in numero fratrum, ut sciret, aliquando tres ad summum, aliquando duos, aliquando unum tantum fratrem ordinis Sancti Augustini in illo fuisse monasterio, quos

quidem fratres, sciret testis, quod aliquando per medium annum non dixissent, seu potius cantassent minime matutinas in eodem monasterio, crederetque testis, quod si matutine non fuissent dicte, longe magis alie quoque hore canonice in die fuissent per eosdem fratres neglecte. Dicit etiam testis se scire, quod vespere et completoria certis diebus per ipsos fratres Augustinenses non fuissent in dicto monasterio cantate, idemque testis observando talia, vehementer dicit se admiratum fuisse, quare dicti fratres ordinis Sancti Augustini tot auderent facere negligentias. De anno autem, quantum recordari posset, dicit testis predicta ita facta fuisse, ut superius deposuit, circa annum Domini millesimum quingentesimum tertium, millesimum quingentesimum quartum, millesimum quingentesimum quintum et aliis annis precedentibus et subsequentibus, quibus scilicet annis aliquando testis stetit in scolis ecclesie<sup>f</sup> [?] Kermend et aliquando [fol. 65r] in capellania, et frequenter dictum monasterium visitasset, et conversatus cum eisdem fratribus ordinis Sancti Augustini de Kermend fuisset, et talia sic, ut superius deposuit, fieri vidisset et audivisset. Dicit etiam testis se scire, quod ipse aliquando diebus festis cum certis aliis conscolaribus suis propter defectum fratrum Augustinensium cantasset in eodem monasterio missam, et propter predicta scit multos Christifideles scandalizatos, et malum exemplum a dictis fratribus accepisse.

Ad quartum articulum positionis hoc modo incipientem: Quarto ponit, quod dicta ecclesia etc. Testis interrogatus respondit se scire, quod tempore fratrum Augustinensium pro tempore in monasterio dicti oppidi Kermend degentium per incuriam et negligentiam eorundem fratrum magna desolatio facta fuisset in monasterio predicto de Kermend, et credit testis, quod si iidem fratres ibidem diutius permissi fuissent, dictum monasterium oppidi Kermend ad maiorem devenisset desolationem, si presertim fratres ordinis Sancti Francisci de observantia in locum eorundem fratrum Augustinensium instituti non fuissent. In causa scientie dicit testis, quia istud esset ad visum omnium, et dicit testis, quod tempore, quo ipse scit, semper dictum monasterium fuit in malo statu, tam quoad edificia, tam etiam quoad vitam dictorum fratrum Augustinensium, quia sicuti non curabant vitam eorum emendare et ordinare, ita etiam edificia negligebant, tecturaque ecclesie et ambitus

non per fratres, sed per cives dicti oppidi Kermend fuisset facta, que quidem tecture ecclesie et ambitus si non fuissent per dictos cives reparata, credit testis monasterium ipsum in muro ruinam pro aliqua parte iam fecisse. Et credit testis tantam desolationem non ex vetustate, sed ex negligentia et incuria dictorum fratrum, qui omnia devorare solebant, devenisse.

Ad quintum articulum positionis, qui sic incipit: Quinto ponit, quod fratres illi etc. Testis interrogatus respondit se scire, quod illi pauci fratres Augustinenses, qui in dicto pro tempore residebant monasterio, satis superque dissolute et absque omni norma regularis discipline vixissent. Dicit enim testis se scire, quod illi fratres ordinis Sancti Augustini, qui pro tempore degebant in dicto [fol. 65v] monasterio oppidi Kermend, sepius soliti fuerant ire ad tabernas tam in dicto oppido Kermend, quam extra in locis circumvicinis in villis scilicet, et vidisset testis eosdem fratres ibi in tabernis cum rusticis bibere et inebriare, et vidisset hec diversis locis et temporibus, aliquando ante prandium, aliquando post, et interdum post vespas, dicitque testis eosdem fratres ad cartas ludere ibi in tabernis, interrogatusque testis de anno, quo predicta viderit, dixit se vidisse ante presentem annum per sedecim ac duodecim, octavumque ac sextum, quintum, quartum et tertium annos. Interrogatus preterea testis de nominibus predictorum fratrum Augustinensium in tabernis conversantium, respondit testis vocatos et appellatos fuisse Ambrosium, Blasium ac Iacobum et alios, quorum nomina non recordaretur, et cum ipsis predictis fratribus Augustinensibus fuisse laicos presentes combibentes cum eisdem fratribus, de quorum similiter nominibus recordari non posset; dicitque testis se scire ex similibus factis dictorum fratrum Augustinensium eisdem fratribus et aliis viris religiosis non mediocre fuisse scandalum. In causa scientie dicit testis, quatenus ipse aliquando interfuisset cum fratribus predictis in bibendo et ludendo, et propterea predicta sciret.

Ad sextum articulum positionis sic incipientem: Item ponit, quod iidem fratres inter alias multiplices etc. Testis interrogatus respondit se audivisse, quod predicti fratres ordinis Sancti Augustini oppidi Kermend suspectas feminas duxissent ad claustrum eorum. Dicit preterea testis se scire, quod unus ex predictis fratribus Augustinensibus, de cuius

nomine non posset recordari, fuisset per castellanum castrum Kermend unacum quadam muliere suspecta in cella eiusdem fratris repertus et comprehensus, et per eundem castellanum unacum muliere in castro predicto detentus, et tandem publice ad visum multorum frater idem portatus fuisset ad monasterium eorum de Kermend, et datus ad manus aliorum fratrum, qui ibi erant, et tandem idem frater in catenis coniectus detrusus fuit in cellarium, cum fratres in monasterio prefato existentes alios carceres non habuissent. Mulier [fol. 66r] vero illa sic cum fratre reperta ignominiose cum magno scandalo fratrum predictorum ac totius ordinis et cleri dedecore posita et ligata ad mediastrum in medio civitatis stetit ibi a mane usque ad vespas, et tandem vituperiose de civitate sive oppido Kermend expulsa fuisset. De nomine tamen mulieris dicit testis se non recordari, neque etiam de anno, quo predicta facta fuissent. Et credit testis, quod non ob aliam causam reverendissimus dominus Thomas cardinalis Strigoniensis eosdem fratres Augustinenses auctoritate apostolica de dicto monasterio oppidi Kermend amovisset, et fratres observantinos induxisset et locasset ad illud, nisi quatenus idem reverendissimus dominus Thomas cardinalis talia ignominiosa, scandalosa et dampnabilia de ipsis predictis fratribus Augustinensibus intellexisset.

Ad ultimum positionis articulum de fama scilicet publica testis interrogatus respondit se de predictis scire esse publicam famam in dicto oppido Kermend et extra illud in locis sibi circumvicinis, prout et secundum quod deposuit, apud probos, honestos et fidedignos homines et non invidentes ipsis fratribus Augustinensibus.

Cui testi sic examinato tandem  
iniunctum est silentium etc.

VIGESIMUS OCTAVUS testis providus et circumspectus vir Stephanus Thoth de Batha<sup>87</sup> nunc in Kermend residens dicte diocesis Iauriensis citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito, ad generalia interrogatus respondit testis se in etate habere viginti octo annos vel circa, et in bonis hereditariis paternis

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<sup>87</sup> Bába, either the market town in County Tolna (with a Benedictine abbey) or the two villages (upper and lower Bába) in County Fejér (today Százhalombatta).

et acquisitis habere usque ad valorem quinquaginta florenorum vel ultra, esseque se confessum anno presenti et accepisse sacramentum Euchari-  
stie, cuperetque fratres ordinis Sancti Francisci de observantia propter  
bona servitia divina, que facerent, ut permanerent in monasterio Beate  
Marie Virginis de [fol. 66v] oppido Kermend, dicit tamen testis propterea  
se non habere odio fratres ordinis Sancti Augustini, imo eos diligere. Dicit  
etiam testis se non esse inductum preterquam, quod esset citatus ad<sup>s</sup> te-  
stificandum in presenti causa, non esse denique se avisatum neque in-  
structum neque informatum, quomodo et qualiter in causa presenti de-  
ponere et testificari deberet, nihilque esset sibi datum neque promissum,  
neque quitquam speraret habere in futurum pro eo, quod deponeret in  
presenti causa. Et dicit testis, quod licet esset iobagio domini Petri Er-  
dedÿ, tamen non eum tantum timeret, quod subtimeret veritatem, quo-  
niam postquam iurasset, plus Deum, quam hominem timeret, mallet  
enim perdere corpus, quam animam.

AD SPECIALIA DESCENDENDO

Ad primum articulum positionis qui incipit: Imprimis itaque ponit,  
quod olim felix etc. Testis interrogatus respondit se audivisse fama com-  
muni, quod monasterium Beate Marie Virginis de Kermend unacum  
domibus, cellis, horto, curia et aliis vite monastice necessariis pro cultu  
divino per fratres ibidem instituendos exercendo uxor Bele regis Hun-  
garie<sup>88</sup> fieri fecisset et construi, et id ex eo sciret, quoniam et ipse quoque  
fuisset in dicto monasterio, et esset id notorium.

Ad secundum positionis articulum hoc modo incipientem: Secundo  
ponit, quod iidem pii et Deo etc. Testis interrogatus respondit se licet ne-  
scire, tamen credere, quod prefata uxor Bele, fundatrix dicti monasterii,  
fratres ordinis Sancti Augustini ad illud in pleno numero induxisset, ad  
eum credit finem, ut futuris successivis temporibus nocte matutinas, in  
die autem horas canonicas ac missam cantando et legendo peragere de-  
berent, plenumque numerum fratrum in illo monasterio dicit testis iux-  
ta estimationem suam deberet esse viginti fratres vel parum minus.

<sup>88</sup> Mary († 1270), the daughter of Theodoros Laskaris, emperor of Nikaia.

Ad tertium articulum positionis sic incipientem: Tertio ponit, quod dicti fratres etc. Testis interrogatus respondit scire dictum monasterium tam in cultu divino, quam in numero fratrum tempore Augustinensium fuisse valde diminutum ita, quod ad summum sciret [fol. 67r] aliquando in dicto monasterio oppidi Kermend tres fratres ordinis Sancti Augustini, interdum vero tantummodo duos, qui nunquam matutinas et horas canonicas cantassent, nisi aliquando in festo Pasche et Nativitatis Domini. Causam sue scientie dicit testis, quia ipse alias fuisset servitor ipsorum fratrum Augustinensium de Kermend, et predicta ita, ut deposuit, vidisset. Audivit etiam testis, quod tantum unus bibbosus frater Anthonius nomine non existens presbyter habitasset solus in monasterio nullo alio fratre secum ibi existente, quem quidem fratrem Anthonium audivisset, ut publice confessiones audivisset. Interrogatus deinde testis, si sciret illum fratrem fuisse diaconum vel subdiaconum, respondit se id nescire. Sciret tamen testis bene, quod non fuisset presbyter eotunc, quando audiebat confessiones, tamen postea factus fuisset presbyter idem frater Anthonius, et in possessione Papocz<sup>89</sup> tandem primitias suas celebrasset. Dicit etiam testis audivisse communi fama, quod infra totum illud tempus, quo idem frater Anthonius solus et unicus fuisset in dicto monasterio de Kermend, neque misse neque aliquae hore canonicae fuissent ibidem dicte nec celebrate, nisi si ex secularibus presbyteris aliquando ibi aliquis missam celebrasset. Sciret etiam testis per rumores et clamores communis populi fratres ipsos ex talibus predictis factis eorum fuisse non parvum scandalizatos. De anno tamen, quo predicta facta fuerint, dicit testis se non recordari, quatenus non computasset. Dixit etiam testis cum predictis fratribus Augustinensibus se habuisse conversationem ex eo, quatenus per biennium fuisset servitor eorundem fratrum, et frequenter presertim diebus festis voluisset interesse matutinis, sed ibidem in dicto monasterio non fuissent dicte, propterea interesse et audire non potuisset. In causa scientie dicit testis, quatenus predicta vidisset et audivisset, prout et secundum quod deposuit superius.

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<sup>89</sup> Pápóc, a village in the east-northern corner of County Vas (above Sárvár) with an Augustinian convent and a collegiate church.



Ad quartum articulum positionis, qui sic incipit: Quarto ponit, quod dicta ecclesia etc. Testis interrogatus respondit se scire, quod dictum monasterium etiam in edificiis passum esset ruinam, quoniam vidisset non parvam desolationem, et credit [fol. 67v] testis, quod [si]<sup>h</sup> aliter de dicto monasterio provisum fuisset, longe in maiorem desolationem devenisset. Causam credulitatis sue dicit testis, quatenus vidisset eorum malam vitam ac incuriam et negligentiam eorundem fratrum Augustinensium tam in divinis, quam in edificiis. Et dicit testis habere quatuor annos, quod ipse mansionem habuisset in Kermend prefata, et ab eo tempore citra non fuisse dictum monasterium in meliori statu usque ad tempus eiectionis fratrum Augustinensium, sed indies in peiori statu. Et credit testis non propter vetustatem, sed propter incuriam et negligentiam fratrum Augustinensium monasterium ipsum in tantam denisse<sup>i</sup> desolationem. Credit etiam testis, quod si reverendissimus dominus Thomas cardinalis Strigoniensis auctoritate apostolica non amovisset fratres Augustinenses de dicto monasterio, et fratres observantinos in eundem non induxisset, dietim monasterium ipsum in peiorem devenisset statum. In causa scientie dicit testis, quatenus hec vidisset et audivisset prout deposuit.

Ad quintum articulum positionis, qui incipit: Quinto ponit, quod fratres illi etc. Testis interrogatus respondit scire eos fratres Augustinenses, qui in dicto monasterio pro tempore manserunt, satis dissolute vixisse, quoniam vidisset testis iisdem annis et temporibus, quibus ipse servitor dictorum fratrum fuisset, quod iidem fratres visitassent tabernas, et ibi cum laicis conversati fuissent comptando cum eisdem, ubi etiam testis interfuisset. Et sciret etiam testis, quod iidem fratres a mane usque post occasum solis ad tardam horam noctis inebriati vix ad claustrum redire potuissent. Dicit preterea testis se vidisse, et etiam crebro interfuisse, quod ipsi fratres lusissent ad cartas usque post medium noctis, et qui lucrum in cartis perdidisset, vinum in crastinum solvere tenebatur,<sup>j</sup> prout prius inter eos de hoc conventum fuisset. Dicit etiam testis se vidisse dum, cum eisdem frequenter ad mendicandum ivisset, fratres predictos Augustinenses sepius fuisse inebriatos inhonestissime. Interrogatus testis de nomine predictorum fratrum sic inebriose viventium, respondit testis fuisse fratrem Matheum priorem, fratrem Sigismun-

dum, fratrem Anthonium, fratrem Gallum et fratrem Gasparem Bantio. Insuper testis interrogatus de numero, quotiens predictos fratres vidisset in tabernis, et quotiens vidisset inebriatos extra et [fol. 68r] intra claustrum, et quotiens iidem fratres ludos et cartas exercuissent, dicit testis se nescire, quatenus sepius hec fecissent ipsi predicti fratres. In causa scientie dicit testis, quia ut superius deposuit, biennio mansisset cum dictis fratribus, et hec ita fieri vidisset.

Ad sextum positionis articulum, qui incipit: Item ponit, quod iidem fratres etc. Testis interrogatus respondit se preterito anno vidisse, quod quidam frater Anthonius in dicto monasterio Beate Marie Virginis de Kermend superius in choro ecclesie concumbebat, et habebat rem cum quadam muliere, et in videndo hunc actum fuit testi socius quidam Iohannis litteratus de Simigio nunc in Somoghar<sup>90</sup> commorans, qui simulcum teste hunc actum fieri vidisset, ut testis deposuit, quem quidem testem dictus frater Anthonius plurimum rogasset, ne alicui diceret id, quod vidisset. Dicit etiam testis se scire, quod dum, cum eodem fratre Anthonio in mendicando semel proficisceretur in quadam villa Egedy<sup>91</sup> vocata in domo plebani absente ipso plebano ad hospitium descendisset, ubi testis vidisset ipsum fratrem Anthonium obpressisse et rem habuisse cum coca<sup>k</sup> ipsius plebani. Preterea dicit testis se vidisse infra illos duos annos, quibus ipse testis servivit dictis monachis, sepiissime mulieres suspectas introductas fuisse ad domos fratrum Augustinensium et refectorium eorundem, et ibi convivatos et conversatos fuisse aliquando usque ad occasum solis. Nesciret tamen testis, si ibidem eadem mulieres suspecte pernoctassent cum fratribus necne, quoniam testis per fratres ipsos nunc pro vino deferendo, nunc pro portandis esculentis, nunc pro aliis negotiis mittebatur in diversum locum. Interrogatus testis de condicione talium feminarum, respondit testis illas fuisse suspectas et feminas mali nominis, de nominibus quarum testis dicit se non recordari. Addit etiam testis, quod quidam frater Sigismundus eiusdem predicti ordinis fingens et nominans quandam Elenam sibi esse spiritua-

<sup>90</sup> Somogyvár, a market town with a Benedictine abbey in County Somogy.

<sup>91</sup> Egyed (?), a village in County Sopron, part of the estates of Pápa; or Egyedföldre (?) alias Hagyáros, village in County Zala west to Zalaegerszeg.

lem sororem, frequenter eam inducere solitus fuisset ad claustrum, et ibi eam in prandio et cena hospitare et aliquando medio tempore. Dicit insuper testis, quod propterea devotio populi erga ipsos fratres Augustinenses et predictam [fol. 68v] ecclesiam eorum diminuebatur, quia videbant dissolutam et malam vitam ipsorum fratrum Augustinensium, et fieri continuam desolationem propter incuriam et negligentiam eorum, dicitque testis audivisse ipsos cives oppidi Kermend gravissime de talibus factis ipsorum fratrum Augustinensium querulatos inter se adeo, quod aliquando audivisset eosdem cives voluisse insurgere, et ipsos fratres pro huiusmodi malefactis eorum expellere. Et dicit testis, quod reverendissimus dominus Thomas cardinalis Strigoniensis bono zelo fratres ipsos Augustinenses de dicto monasterio amoverit, et observantinos fratres induxit, ut videlicet monasterium ipsum reformatum tam in edificiis, quam etiam in vita fratrum, ut inde divinus cultus et devotio fidelium augetur indies. In causa scientie predictorum dicit testis, quatenus vidisset et audivisset, prout et secundum quod deposuit superius.

Ad ultimum positionis articulum de publica videlicet fama testis interrogatus respondit se de predictis, ut et tanquam deposuit, esse publicam famam apud bonos, honestos et graves homines hic in oppido Kermend et extra in locis circumvicinis, quos non credit ex invidia vel odio, sed zelo fidei de talibus cupere aliter providere, et propterea de talibus loqui.

Cui testi sic examinato tandem  
iniunctum est silentium etc.

VIGESIMUS NONUS testis nobilis et egregius vir, dominus Franciscus Nadasdy de eadem Nadasd<sup>92</sup> diocesis Iauriensis, citatus, iuratus et exa-

<sup>92</sup> The Nadasdys are an ancient family of the county possessing Nadasd (village south to Körmend, see map 2 after page 8) and scattered pieces of land around it, traditionally holding offices in the county (*vicecomes*, *iudex nobilium*) and serving magnates. Franciscus (ca 1471–1541) was familiar of the Kanizsay family, castellan of Kanizsa (1505–1506). Later he lived in Nadasd and managed the properties and castles newly acquired by his son, Thomas (1498–1562) in Zalavár and Egervár (cf. his letters to his son between 1530–1541, MOL Magyar Kamara Archivuma, Nadasdy család levéltára (E 185), Missiles). Then he became familiar of Petrus Erdődy and was *vicecomes* of County Vas (1528, 1532, 1538/40) (ÖStA HHStA Arch. Erdődy, Kart. 95, fasc. 5, n. 2).

minatus, reducto prius sibi in memoriam iuramento per eum prestito, ad generalia testis interrogatus respondit se in etate habere quadraginta septem annos et ultra, bona nobilitaria habere in copia, bona temporalia iuxta suam condicionem, et esse confessum anno presenti, et accepisse sacramentum Eucharistie a suo plebano, et non habere odio dictos fratres ordinis Sancti Augustini, magis tamen cuperet testis, ut fratres ordinis Sancti Francisci de observantia propter bonam vitam eorum permanerent in monasterio Beate Marie Virginis de Kermend, quam dictos fratres Augustinenses, non esseque se inductum aliter [*fol. 69r*] nisi, quod esset citatus ad testificandum in presenti causa, non esse preterea se sollicitatum neque instructum, neque etiam informatum, quomodo in causa presenti deponere deberet, nihilque esset sibi datum neque promissum neque oblatum, neque etiam quitquam speraret habere in futurum propterea, quod deponeret in presenti causa, non esseque iobagio domini Petri Erdedÿ, sed esset dominus et nobilis sui proprii iuris, et ideo nequaquam timeret dominum Petrum Erdedi.

#### AD SPECIALIA DESCENDENDO

Ad primum articulum positionis qui sic incipit: Imprimis itaque ponit etc. Testis interrogatus respondit se audivisse communi fama, et ex eadem fama etiam scire, quod aliqui Christifideles monasterium articulatam unacum domibus, cellis, horto et curia ac aliis monastice vite necessariis pro cultu divino ibidem per fratres instituendos exercendo fieri fecissent, quoniam pro alia re, uti apparet, non esset possibile, quod fecissent, sciretque testis monasterium huiusmodi ubi esset, quoniam in eo aliquando testis fuisset.

Ad secundum positionis articulum hoc modo incipientem: Secundo ponit, quod iidem pii etc. Testis interrogatus respondit se similiter audivisse, quod iidem Christifideles, qui dictum fundassent monasterium, viros religiosos, fratres scilicet in pleno numero ordinis Sancti Augustini induxissent ad illud, et eis possidendum reliquissent, ut semper futuris successivis temporibus de nocte matutinas, in die horas canonicas et missam cantando et legendo peragerent, plenumque numerum dicit testis intelligere viginti vel viginti quinque fratres ad tantum monasterium et ad tanta servitia divina sufficere posse. Dicit tamen testis se scire, quod

tempore fratrum Augustinensium non fuissent fratres in pleno numero, sicuti debebant esse, et antiquitus per fundatores fuerat dispositum. Quoniam testis dicit, quod si tempore suo fuissent fratres Augustinenses in pleno numero, bene videri potuisset, sed quatenus non fuerint, propterea non vidit. [fol. 69v]

Ad tertium articulum positionis, qui incipit: Tertio ponit, quod dicti fratres etc. Testis interrogatus respondit se scire, quod tempore fratrum Augustinensium tam in cultu divino, quam in numero fratrum multum fuisset diminutum prefatum monasterium, quoniam aliquando ad summum tres fratres, aliquo duo et interdum nullus frater fuisset in dicto monasterio de Kermend tempore ipsorum Augustinensium, quoniam dicit testis se ivisse aliquando ad dictum monasterium causa audiende misse, et cum ivisset, nullum fratrem ibi reperire potuisset. Et cum aliquoties dixisset testis ipsis incolis oppidi Kermend, quod<sup>l</sup> cum ipse intrasset ad monasterium eorum, neminem potuisset invenire, nec missam audire, qui quidem civitatenses sive oppidani dixissent ista verba: quomodo, inquit, fieret missa, si nullus aliquando maneret in illo monasterio, subiungentes iidem oppidani, quod aliquando per unam septimanam missa non fuisset celebrata in illo monasterio predicto neque etiam alie hore canonice, et si qui fratres aliquando in dicto degebant monasterio, magis aliquando poterant tales fratres inveniri in tabernis, quam in dicto claustro. Et dicit testis sepius contigisse, quod seculares presbyteri dixissent in dicto monasterio missam propter defectum fratrum Augustinensium, aliquando vero propter defectum tam fratrum, quam presbyterorum vacabat penitus a divinis ipsum monasterium pluribus diebus. Interrogatus preterea testis de conversatione cum dictis fratribus dixit testis se non habuisse aliquam conversationem cum eis, quatenus propter eorum inordinatam vitam non eis afficiebatur, et quod non frequenter visitasset monasterium eorum, etiam causa audiende misse. Dicit insuper testis se vidisse aliquando in dicto monasterio fratrum predictorum non per aliquem fratrem Augustinensem, sed per aliquem secularem presbyterum celebratam fuisse missam, quatenus frater aliquis, qui celebrasset missam, ibi minime reperiebatur. Dicit preterea testis se non recordari, quod matutinas vel aliquas alias horas ibi audivisset, licet aliquando illuc ivisset ad audiendas vespas. Preterea testis

interrogatus de scandalo dixit audivisse tam a nobilibus, quam ab ignobilibus sepe, et quidem sine numero conquestos fuisse de fratribus, et eosdem fratres propter negligentiam [fol. 70r] horarum canonicarum et divinorum officiorum fuisse oblocutos et derisos, et male habitos a predictis nobilibus et ignobilibus. In causa scientie dicit testis, quia predicta vidisset et audivisset, prout et secundum quod deposuit.

Ad quartum positionis articulum, qui incipit: Quarto ponit, quod dicta ecclesia sive monasterium etc. Testis interrogatus respondit se scire, quod prefatum monasterium fratrum Augustinensium de Kermend tempore eorundem dietim desolatum fuisset. Sciret etiam testis ab eo tempore, quo ipse testis recordaretur, monasterium ipsum fuisse in meliori statu, sed postea in peius devenisse, et credit testis id ex negligentia fratrum et dissoluta vita eorum factum fuisse. Dicit etiam testis se credere, quod si fratres Augustinenses mansissent in dicto monasterio de Kermend, magis indies fuisset deterioratum, devastatum et neglectum tam in divinis, quam in edificiis ex eo, quia ista manifeste apparebant. Dicit insuper testis se aliquando vidisse ipsum monasterium aliquantulum<sup>m</sup> in meliori statu, quam tunc, cum fratres Augustinenses exivissent de illo, et diu ante, a tempore quo ipse testis recordari potest. Sciret etiam testis, quod per incuriam ipsorum fratrum Augustinensium et non vetustatem fuisset desolatum monasterium cum suis cellis. Adiungit insuper testis se bene scire, quod Iohannes Elberbok, dominus temporalis loci Kermend sepius voluisset excludere et expellere ipsos fratres Augustinenses de dicto monasterio eorum de Kermend propter eorum tantam negligentiam et malam vitam ipsorum. Causam sue scientie dicit testis, quatenus tunc fuisset famulus ipsius Iohannis Elberbok, et predicta verba audivisset ab eo. Qui etiam Iohannes Elberbok aliquando ad visum et auditum testis comminatus fuisset ipsis fratribus verbera et alias penas, nisi<sup>m</sup> ad meliorem vitam et ad meliora servitia divina se reducerent, atque de edificiis magis providerent. Et credit testis, quod si diutius ille supervixisset, iamdudum eosdem fratres Augustinenses de dicto monasterio eiecisset, quoniam sciret testis dictum dominum Iohannem Elberbok ad predictam causam eiectionis fratrum et laborasse, et practicum fecisse. Et dicit testis se credere, quod si [fol. 70v] reverendissimus dominus Thomas cardinalis Strigoniensis fratres predictos ordinis San-

cti Augustini non eiecisset, et alios fratres ordinis Sancti Francisci de observantia non introduxisset ad dictum monasterium oppidi Kermend, monasterium ipsum longe ad maiorem desolationem devenisset, et devotio populi per fratres illos nigros magis diminuta fuisset, quoniam modica aut nulla erat devotio populi erga ipsos fratres Augustinenses, nec ipsis mendicantibus tantam dabant elemosinam, ut ad eorum vite sustentationem et ad edificia aliqua facienda sufficere potuisset. In causa scientie dicit testis, quatenus predicta ita vidisset et audivisset, prout<sup>o</sup> deposuit superius.

Ad quintum positionis articulum sic incipientem: Quinto ponit, quod fratres illi, qui interdum tres vel duo etc. Testis interrogatus respondit se scire ac vidisse, et audivisse etiam ipsos fratres Augustinenses, prout etiam superius deposuit, satis dissolute vixisse, et vidisse aliquando eosdem fratres Augustinenses tam in oppido, quam extra illud in villis in tabernis, et ibi conversari et compotari [!] cum laicis, et fuisse aliquando eosdem fratres ita<sup>p</sup> inebriatos, ut non nisi per alios adiuti et sustentati in eorum claustrum redire potuerunt. Et audivit testis, quod aliquando laici in tabernis inebriatorum huiusmodi fratrum Augustinensium capita et clericas ac tonsuram liniendo et inungendo cum cibariis de milio factis penitus commaculassent et deturpassent. Et hec predicta dicit testis scire fuisse in maximum scandalum totius cleri, scitque testis predicta, quoniam vidisset et audivisset, prout superius deposuisset, alia tamen contenta istius articuli testis dicit se nescire.

Ad sextum positionis articulum, qui incipit: Item ponit, quod iidem fratres inter alios etc. Testis interrogatus respondit se audivisse fama communi, ut dicti fratres ordinis Sancti Augustini de Kermend sepe ad visum multorum ad monasterium eorum predictum feminas et mulieres suspectas induxissent, etiam ad hortum et domos eorum, et ibi iocatos fuisse cum eisdem mulieribus suspectis. Dicit etiam testis se veraciter audivisse, quod [fol. 71r] quidam prior dictorum fratrum Augustinensium monasterii oppidi Kermend quandam feminam impregnasset, nomina tamen eorundem fratris et mulieris testis dicit se nescire. Propter quos quidem excessus dictorum fratrum Augustinensium dicit testis se audivisse, quod non modo illi fratres, sed etiam reliqui clerici contempnebantur, et devotio populi erga predictam ecclesiam Beate Marie Vir-

ginis de Kermend penitus diminuebatur. Et ita testis dicit se audivisse, quod propter predicta enormia fratrum Augustinensium reverendissimus dominus cardinalis Strigoniensis auctoritate apostolica eosdem fratres Augustinenses de dicto monasterio eorum amovisset bono zelo fidei, et fratres ordinis Sancti Francisci de observantia induxisset. Addit etiam testis se credere et iam id etiam audivisse a bonis nobilibus vicinitatibus Kermend, quod etiam ipsi omnino nollent, quod amplius illi fratres Augustinenses ad dictum monasterium oppidi Kermend redirent, quoniam maior omnium esset devotio ad fratres ordinis Sancti Francisci de observantia, quam ad fratres ordinis Sancti Augustini, qui penitus iam essent contemptui propter eorum pravam et malam vitam tam apud clerum, quam apud vulgum nobilem et ignobilem. In causa scientie dicit, quatenus ita hec vidisset et audivisset, ut deposuit.

Ad ultimum positionis articulum de fama publica testis interrogatus respondit se scire esse publicam famam de premissis, ut superius deposuit, nec eam invidia aut odio, aut a malivolis ortam, sed ex facti veritate ac probis et honestis viris ortam esse.

Cui testi sic examinato tandem  
iniunctum est silentium etc.

TRIGESIMUS testis nobilis vir, Paulus Nagh de Kemesmal<sup>93</sup> diocesis Iau-riensis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito et de pravitate et nefando crimine periurii, ad generalia testis interrogatus respondit se esse annorum quinquaginta vel ultra, et ultra bona nobilitaria habere competenter de rebus temporalibus iuxta suam condicionem, et esse confessum, et accepisse sacramentum Eucharistie a suo plebano parochiali, et non habere se odio fratres Augustinenses, cupere tamen, ut fratres ordinis Sancti Francisci de observantia, ex quo essent bone et laudabilis vite, permanere in

<sup>93</sup> *Paulus Magnus de Kemesmal* was interrogated in 1499 as a neighbour in a trial for the possession of Kőlked between the Henczelffy and the Jobbágyi Beze family (MOL DL 58 214). His wife was Margherita Kisnárday, their daughter Margherita married Georgius Kisfaludy with properties in Csákány (MOL DL 101 795). Kemesmál (today part of Kemestaródfa), a village neighbouring Körmend to the west (see map 2 after page 8), inhabited by peasant-nobles.



monasterio Beate Marie Virginis<sup>9</sup> [fol. 7rv] de Kermend possent, non esseque se inductum nec avisatum nec sollicitatum nec informatum nec instructum, quomodo in causa presenti deponere et testificare deberet, nihilque esset sibi datum nec promissum, neque quitquam speraret habere in futurum pro eo, quod deponeret in hac causa, non esse denique iobagionem domini Petri, neque se esse subditum eiusdem, neque aliquo modo timeret eum.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis, qui sic incipit: Imprimis itaque ponit, quod olim etc. Testis interrogatus respondit se scire ex auditu, quod monasterium articulatum divi reges Hungarie et alii Christifideles unacum domibus, cellis, horto, curia et aliis vite monastice necessariis pro cultu divino per fratres ibidem instituendos exercendo construi et edificari fecissent. In causa scientie dicit testis, quatenus vidisset monasterium ipsum et audivisset, uti iam deposuit.

Ad secundum articulum positionis hoc modo incipientem: Secundo ponit, quod iidem pii etc. Testis interrogatus respondit similiter audivisse ex predicta fama communi, quod iidem reges et Christifideles, fundatores scilicet prefati monasterii, ad ipsum monasterium in pleno numero fratres ordinis Sancti Augustini induxissent et eis possidendum reliquissent, ut semper futuris temporibus nocte matutinas, in die horas canonicas et missam cantando et legendo peragerent. Et hec sciret testis, quatenus audivisset, plenumque numerum iuxta estimationem suam dicit esse testis duodecim aut ad minus decem fratres Augustinenses sufficere ad dictum monasterium.

Ad tertium positionis articulum sic incipientem: Tertio ponit, quod dicti fratres postquam etc. Testis interrogatus respondit se scire, quod monasterium Beate Marie Virginis tam in cultu divino, quam in numero fratrum tempore fratrum Augustinensium multum fuisset diminutum, quoniam dicit testis se scire, quod in dicto monasterio interdum ad summum tres, aliquando duo, interdum unus et aliquando nullus frater ordinis Sancti Augustini fuisset. Dicit etiam testis se scire, quod interdum nulla missa fuisset celebrata in dicta ecclesia Beate Marie Virginis tempore fratrum Augustinensium in grave scandalum totius populi et cleri.

In causa scientie dicit testis, quatenus, ut recordari posset, post mortem Mathie regis Hungarie fuisset castellanus in castro oppidi Kermend tribus annis, et [fol. 72r] predicta sic fieri vidisset et audivisset. Dicitque testis se nullam conversationem cum dictis fratribus ordinis Sancti Augustini habuisse, licet singulis diebus fuisset in dicto monasterio de Kermend, quando scilicet ibidem celebrata fuisset missa, dicitque testis se frequentasse dictam ecclesiam pro missa audienda, antequam fuisset castellanus in dicto castro, et etiam tunc, cum fuisset castellanus, et tunc quoque, cum amotus ipse fuerat ab officio castellanatus sui. Insuper dicit testis se dictis temporibus non fuisse in matutinis et aliis horis canonicis, quoniam raro ille cantabantur et dicebantur in dicta ecclesia Beate Marie Virginis preter missas, ad quas, cum celebrassent, aliquando ivisset. Dicit etiam se scire de scandalo propter clamores populi, quos testis dicit se audivisse ex eo, quod fratres Augustinenses paucos in ipso monasterio de Kermend tenerent fratres, et pauca vel potius nulla fierent divina officia. In causa scientie dicit testis, quatenus predicta ita, ut deposuit, vidisset et audivisset.

Ad quartum articulum positionis,<sup>s</sup> qui incipit: Quarto ponit, quod dicta ecclesia etc. Testis interrogatus respondit se veraciter scire, quod tanta desolatio fuisset facta in monasterio predicto de Kermend, ut si aliter non fuisset provisum, et dicti fratres Augustinenses in ipso monasterio permansissent, preter muros ecclesie monasterium ipsum corruisset. Dicit etiam testis se scire, quod predictum monasterium prius fuisset in meliori statu, sed successive tempore fratrum Augustinensium illud fuisset desolatum diu, antequam ipsi fratres Augustinenses de illo exivissent, et scit etiam testis, quod propter incuriam et negligentiam eorundem fratrum Augustinensium fuisset magis desolatum monasterium, quam propter vetustatem, quoniam dicti fratres Augustinenses non curassent quitquam ad reparationem et conservationem dicti monasterii oppidi Kermend, quoniam si curassent, propter vetustatem non tam cito monasterium prefatum desolatum fuisset. In causa scientie dicit testis, quatenus predicta, ut deposuit, vidisset.

Ad quintum articulum positionis sic incipientem: Quinto ponit, quod fratres illi etc. Testis interrogatus respondit se scire illos fratres, qui in dicto debebant monasterio, satis dissolute vixisse, nam dicit [fol. 72v] testis

frequenter dictos fratres Augustinenses monasterii oppidi Kermend ivisse in eodem oppido et extra in villis ad tabernas, et ibi cum rusticis bibisse. Dicit preterea testis audivisse fama communi, quod iidem fratres cum dictis rusticis ludos tabernicales lusissent, vidissequ eisdem fratres in taberna in die et in sero, quando scilicet ipse testis existens castellanus in castro Kermend ivisset aliquando pro curandis et gerendis negotiis domini sui, propter que non parum scandalizabantur fratres. Audivisset enim testis a nobilibus et ignobilibus, quod de negligentia divini cultus conquesti et lamentati fuissent et de inordinata vita ipsorum, et quatenus predicta ita vidisset et audivisset, ut deposuit, ideo sciret. De reliquis contentis huius articuli testis dicit se nescire.

Ad sextum positionis articulum hoc modo incipientem, Item ponit, quod iidem fratres etc. Testis interrogatus respondit se audivisse frequenter, quod ipsi fratres Sancti Augustini quasdam suspectas feminas ad monasterium eorum de Kermend aliquando introduxissent, et cum eisdem conversati fuissent, venissentque certi homines sive clientes de castello, rogantes ipsum testem, ut eis licentiam invadendi monasterium et extrahendi huiusmodi suspectas feminas de habitationibus ipsorum fratrum. Testis tamen propter reverentiam ordinis ad evitanda scandala, qui exinde oriri possent, minime fieri permisisset. Dicit preterea testis se scire, quod fratres ipsi aliquando insurrexissent contra eorum provincialem, dum ipsos visitasset, et pro huiusmodi eorum excessibus corrigere voluisset, ita, quod se in eiusmodi eorum delictis emendari facere non permisissent. Addit etiam testis se scire, quod dicti fratres pro mala et inordinata eorum vita ac negligentis tam circa divina officia, quam etiam circa edificia monasterii, que collabi et dirui permisissent, fuissent valde a populo vicino exosi et contemptui habiti adeo, quod populus ipse exiguam valde vel nullam potius ad monasterium ipsum et fratres inibi degentes habuisset<sup>t</sup> devotionem, audivissetque testis, quod populus vicinus dictos fratres potentialiter etiam propria auctoritate propter tam inordinatam eorum vitam expellere decrevisset. Interrogatus igitur testis dicit se nomina mulierum per fratres ipsos introductarum similiter et eorundem fratrum ignorare, [*fol. 73r*] quatenus de illis non curasset. De anno etiam mense et die, quibus tales mulieres in monasterio ipso fuerunt introducte, dicit se non recordari. Scit tamen,

quod populus ipse frequenter fuisset sibi, tanquam officiali loci illius de facinoribus et excessibus ipsorum fratrum conq̄esti [!]. Dicit etiam se scire veraciter, quod zelo fidei Christiane et devotionis ipsi fratres Sancti Augustini de dicto loco Kermend propter eorum sceleratam vitam fuissent amoti, et alii fratres observantini ibidem introducti, ut cultus divinus et devotio populi melius crescere et augmentari posset. Preterea finaliter<sup>u</sup> dicit testis esse publicam famam apud bonos, honestos et graves homines de omnibus et singulis premissis per eum testificatis, nesciret tamen si illi, apud quos huiusmodi fama vigeret, ipsos fratres odio vel amore aut invidia prosequerentur.

Cui testi sic examinato tandem  
est iniunctum silentium etc.

TRIGESIMUS PRIMUS testis honorabilis et discretus vir Petrus presbyter de Tholna, plebanus de Kelked<sup>94</sup> diocesis Iauriensis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito, ad generalia interrogatus respondit se habere quinquaginta quinque annos vel ultra, et in bonis usque ad viginti quinque florenorum, esse confessum sepius anno presenti, et celebrasse missam, non habere odio dictos fratres Augustinenses, et non curaret, qui ordo permaneret in dicto monasterio, non esset inductus neque sollicitatus neque informatus, quomodo in presenti causa deponere deberet, nihil datum esset sibi, neque speraret in futurum, non est iobagio domini Petri, nec timet eundem.

#### AD SPECIALIA DESCENDENDO

Ad primum articulum positionis qui incipit: Imprimis itaque ponit etc. Testis interrogatus respondit se audivisse de erectione monasterii per divos reges Hungarie facta et etiam de inductione fratrum, quo ibidem cultum divinum continuare deberent in pleno numero, hoc est in competenti, qui numerus suffecisset ad perficiendas horas canonicas missasque et alia omnia officia in laudem Dei fieri solita, et sic secundus articulus hic extitit implicatus. [*fol. 73v*]

<sup>94</sup> He probably originated from Tolna, a market-town along the river Danube in County Tolna. Kölked is a village adjacent to Körmend along the road to Szombathely.

Ad tertium articulum positionis qui incipit: Tertio ponit etc. Testis interrogatus respondit se scire et vidisse, quod multotiens solummodo tres aliquando duo, et aliquando unus tantummodo frater sive monachus in dicto monasterio Kermend fuisset repertus ita, quod aliquando una missa et aliquando nulla in dicto monasterio per diem fuisset celebrata aliis horis canonicis omnino obmissis. Sciret etiam certitudinaliter testis, et vidisset, quod paulo ante eiectionem sive amotionem dictorum fratrum Augustinensium ibidem tantummodo unus fuisset frater nomine Sigismundus, qui etiam rarissime missam celebrasset. Causam scientie dicit testis, quatenus multotiens ipse venisset devotionis causa ad monasterium pro missa audienda, ubi nullam missam celebrari reperisset, neque aliqua celebrata fuisset. Recordatur etiam testis se aliquotiens, imo septies ad minus vidisse illum fratrem Sigismundum se ad celebrandum preparasse ad petitionem parochianorum, sed quatenus ministrum, qui ei circa missam celebrandam ministrare deberet, non habuisset, fuisset coactus indumenta sacerdotalia reponere et missam relinquere non celebratam, sicque populus devotus exinde in confusione et indignatione discessisset. De tempore tamen, mense videlicet et die dicit se precise non recordari, credit tamen fuisse duobus aut tribus annis ante ipsorum fratrum Augustinensium amotionem. Expost dicit testis se parvam devotionem ad ipsos fratres habuisse, sed cum intrasset oppidum, potius ad ecclesiam parochialem, quam monasterium ipsum ivisset. Dicit preterea ipse testis se audivisse et presens fuisse, quod dicti fratres Augustinenses diebus festis pulsassent hora solita pro matutinis et aliis horis canonicis decantandis, ipseque testis ad monasterium ipsum intrasset, et nullum officium neque cantando neque legendo dictum fuisset. Scit etiam testis maximum scandalum contra ipsos fratres ex his et aliis similibus exortum fuisse illusioque et contemptus [!] ordinis. Audivisset sepius laicos ipsos de dictis fratribus conquestos fuisse dicentes: quomodo cum devotione aliqua poterimus istis fratribus elemosinas erogare, qui tam dissolute vivunt, ac nos et se ipsos scandalizant, aliisque malum exemplum prebent, et [fol. 74r] nullum cultum divinum exercent. Addit testis crebro audivisse apud incolas dicti oppidi Kermend dictum fuisse, quod fratres ipsos Augustinenses de claustro ipso soli expellere vellent, meliusque foret, ut clastrum vacuum maneret, quam tales improbi et scelerati

fratres ibidem remanerent ad scandalum populi et obloquium ordinis, imo totius clericalis ordinis.

Ad quartum articulum positionis, qui incipit: Quarto ponit, quod dicti etc. Testis interrogatus respondit se scire, quod edificia multum per incuriam et inadvertentiam, imo maximam negligentiam ipsorum fratrum in dicto monasterio potius, quam ex vetustate fuissent collapsa, diruta et destructa, que magnis sumptibus necessario debeant reparari. Sciret etiam, quod in principio, quando primum ipsum monasterium vidisset, fuisset in meliori statu tam in edificiis, quam in divinis, sed paulatim omnia defecissent, prout superius deposuit, maxime circa officia divina.

Ad quintum articulum positionis, qui incipit: Quinto ponit etc. Testis interrogatus dicit se vidisse et scire, quod ipsi fratres Augustinenses, qui in dicto monasterio de Kermend commorabantur, sepius frequentassent tabernas publicas vinarias, et se cum laicis conferentes inebriati fuissent, lusissentque cum eisdem laicis ad cartas et furfura. Est enim ludus rusticorum, qui alias *hajdone*<sup>95</sup> in Hungarica vocantur, quoniam accepto cumulo de furfuribus frumentorum immiscentes ad sortem pro quolibet ludentium unum denarium, et sic dividentes cumulum illum furfurum ad numerum personarum, pecunias impositas ad sortem luantur. Qui ludus inter alios honeste vite homines vilis et despectui habetur, ad quem ipsi fratres se non verebantur applicari. Causam scientie dicit testis, quoniam hec vidisset signanter in anno, cuius iam tertia inest revolutio, et fuissent presentes pluries fidedigni homines, tam laici, quam presbyteri, etiam prescripta videntes. De loco interrogatus dicit testis fuisse<sup>v</sup> in oppido Kermend et in platea magna oppidi eiusdem in domo circumspecti Iohannis Zabo tunc iudicis dicti oppidi, ubi testis convenisset ad videndum representari per scolares et rectorem scole ascensionem Domini, [fol. 74v] et ibidem multi utriusque sexus homines fuissent conquesti et lamentati, quod visitassent tabernas et divina officia negligenter. Causam scientie premissorum dicit testis, quatenus vidit et interfuit, prout deposuit.

<sup>95</sup> The *hajdús* were cattle-drovers. The road going to Pettau and further to Venice and North-Italy, an important destination of Hungarian cattle, ran near Kormend.

Ad sextum articulum dicit testis se vidisse, quod ipsi fratres de Kermend introduxissent mulieres suspectas ad monasterium predictum, et ibidem cum eisdem impudice conversati fuissent, vidissetque fratrem Sigismundum prefatum cum una tali muliere in balneo existentes et sese invicem lavantes, et hoc de anno, cuius iam tertia instaret revolutio in festo Sancti Sigismundi, anniversario scilicet nominis sui; fuissetque testis rogatus per ipsum fratrem Sigismundum, ne ea, que vidisset, cuiuspiam revelaret, et tandem ea de causa ipse testis fuisset per eundem fratrem Sigismundum invitatus ad quoddam prandium in domo circumspecti Gasparis Parvi de Kermend, ubi lautissime fuisset epulatus. De mense tamen et die prescriptorum dicit se non recordari. Preterea dicit sibi bene constare, quod dicti fratres Augustinenses auctoritate apostolica et de mandato sanctissimi domini nostri pape fuissent illinc expulsi eorum demeritis exigentibus, et fratres observantini ibidem introducti devotionis et divini cultus augendi causa.

Ad ultimum articulum de fama publica testis interrogatus dicit de his, que dixit et attestatus est, non solum famam publicam, sed etiam notorietatem apud omnes homines, qui ibidem conversabantur, existere.

Et sic testi silentium  
fuit iniunctum

TRIGESIMUS SECUNDUS testis honorabilis Blasius presbyter de Gjärrmath, plebanus parochialis ecclesie de Zenthkÿral diocesis Iauriensis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito, ad generalia testis interrogatus respondit se in etate [*fol. 75r*] esse triginta novem annorum, et competenter habere in bonis temporalibus, confessum et sepius celebrasse anno presenti missam, et non habere odio fratres Augustinenses, cuperet tamen permanere in dicto monasterio Beate Marie Virginis de Kermend fratres ordinis Sancti Francisci de observantia propter bonam et laudabilem vitam eorum, non esse se inductum neque sollicitatum neque instructum neque informatum, quomodo in causa presenti testificare<sup>w</sup> deberet, nihil datum esset sibi neque promissum, neque etiam speraret habere in posterum pro eo, quod deponeret in hac causa, non est vasallus domini Petri Erdedi, nec in aliquo eum timeret, cum non esset prelatus suus.

## DESCENDENDO AD SPECIALIA

Ad primum articulum positionis, qui incipit: Imprimis itaque ponit, quod olim felicitis memorie etc. Testis interrogatus respondit se audivisse communi fama, quod divi reges Hungarie et alii Christifideles monasterium articulatum pro cultu divino per fratres ibidem instituendos iugiter exercendo construi unacum domibus et aliis vite monastice necessariis fecissent, dictumque monasterium testis quoque vidisset edificatum et fundatum in oppido Kermend.

Ad secundum articulum positionis, qui incipit: Secundo ponit, quod iidem pii etc. Testis interrogatus respondit se similiter ex eadem fama communi audivisse, ut fundatores dicti monasterii in pleno numero ad illud fratres Augustinenses induxissent, et eis possidendum reliquissent, ut semper futuris temporibus nocte matutinas et in die alias horas canonicas cantando et legendo peragerent, plenumque numerum quoad tanta servitia et tam grande monasterium dicit esse debere viginti fratres. In causa scientie, quatenus audivit, et ita crederet, uti deposuit testis.

Ad tertium articulum positionis sic incipientem: Tertio ponit, quod dicti fratres etc. Testis interrogatus respondit se scire, quod dicti fratres predictum monasterium tam in cultu [*fol. 75v*] divino, quam in numero fratrum tempore fratrum ordinis Sancti Augustini multum diminutum fuisset, quoniam testis dum adhuc in scholis de Kermend scholaris degeret, sciret per visum unum et solum fratrem in dicto monasterio degisse nomine Matheum, quo defuncto, ut testis recordari potest, vacavit ecclesia prefata sive monasterium, ut nullus frater ibi fuerit repertus. Et tunc sciret testis, quod cessassent divina et hore canonicæ in dicto claustro non fuissent dicte. Nescit tamen testis, si infra huiusmodi dies per seculares presbyteros fuissent ibi celebrate misse, de anno tamen, quo fuerit, dicit se non recordari. Preterea dicit testis se scire, quod alia vice, dum iam ipse testis presbyter factus esset, solus et unicus frater nomine Anthonius in ordine subdiaconatus constitutus per unum mensem vel circa in dicto claustro mansisset, scitque quod infra illud tempus misse et alie hore canonicæ penitus fuissent neglecte, nescit tamen testis, si idem frater Anthonius per presbyteros seculares infra illud tempus missam celebrari fecisset. Et dicit testis scire pro certo, quod dictus frater Anthonius publice confessiones audivisset, et confitentes absolvisset. Insuper



dicit testis se aliquando conversatum fuisse cum dictis fratribus in clau- stro eorum, aliquando causa refectionis, aliquando causa comedendi et bibendi cum eis interdum in hieme et aliquando in estate, dum adhuc esset scolasticus, et etiam dum esset presbyter. Dicit etiam testis, quod ipse aliquando visitaverit dictum monasterium, tamen nec matutinis, nec aliis horis canonicis interfuisset, quoniam huiusmodi hore canonicæ raro per dictos fratres Augustinenses dicte et cantate fuissent, missis tamen eorum dicit testis se aliquando interfuisse, signanter tempore cuiusdam fratris Stephani prioris illius monasterii, qui inter alios priores eiusdem ordinis aliquantulum melius de divinis peragendis et de canonicis horis aliquando dicendis providere solebat, quam alii priores eiusdem ordinis. Et dicit [fol. 76r] testis se scire ex premissis scandalum fuisse in populo, ex eo, quia multa mala verba audivisset dici a populo contra fratres propter tales eorum negligentias. In causa scientie dicit testis, quatenus vidit et audivit, ut deposuit.

Ad quartum positionis articulum, qui incipit: Quarto ponit, quod dicta ecclesia etc. Testis interrogatus respondit se nescire, quod quitquam edificassent in dicto monasterio oppidi Kermend fratres Augustinenses loci eiusdem, aliasque testis ipse contenta articuli huius dicit per omnia esse vera ex eo, quatenus ipsi fratres quitquid habuissent sive ex elemosinis sive undecumque, potius consumpsissent in comedendo et bibendo, quam aliquid edificassent. Causam sue scientie dicit testis, quatenus scivisset et novisset vitam, mores et consuetudines eorum, quod magis ventri et gule indulgebant, quam alicui intendebant edificationi. Et dicit testis se scire dictum monasterium in principio, quando ipse vidisset, fuisse in meliori statu, quam tunc, cum dicti fratres ordinis Sancti Augustini de Kermend exierunt, quoniam testis novisset eos a viginti annis, et dicit testis ab illo tempore, quo ipse novisset eos, paulatim tandem desolatum fuisse monasterium. Et ob hoc testis dicit se scire, quod propter incuriam et negligentiam fratrum Augustinensium idem monasterium et domus illius desolate fuissent, quatenus ipsi fratres Augustinenses nihil aut parum in illo ad scitum testis edificassent. Dicit preterea testis constare sibi, quod per huiusmodi provisionem et locationem fratrum minorum ad monasterium provisum extitit, et consultum, ne idem monasterium de Kermend in ruinam et vastitatem deveniret, quoniam sciret testis longe maiorem

esse devotionem nobilitatis et populi communis ac cleri ad fratres ordinis Sancti Francisci de observantia, quam ad fratres ordinis Sancti Augustini, et largiorem etiam dictis fratribus observantinis fieri elemosinam, quam Augustinensibus. Et ita commodius ipsi fratres Sancti Francisci a ruina et vastitate monasterium ipsum conservare possent, ac melius reparare et edificare in cellis, domibus et aliis necessariis dicti monasterii, quam fratres ordinis Sancti Augustini. [*fol. 76v*]

Ad quintum positionis articulum, qui sic incipit: Quinto ponit, quod fratres illi etc. Testis interrogatus respondit se scire, quod fratres Augustinenses, qui in dicto vivebant monasterio de Kermend satis dissolute vixissent. Vidisset enim testis, et etiam a pluribus audivisset, quod iidem fratres monasterii dicti oppidi Kermend tam in eodem oppido, quam extra illud in villis tabernas vinarias frequentassent, et ibi inebriati fuissent intantum, quod in quadam villa *Wassallya*<sup>96</sup> vocata vidisset testis quadam vice quendam fratrem Augustinensem de dicto claustro, cuius nomen ignoraret, prenimia ebrietate corruisse in terram, et ibi tanquam exanimatus diutius iacuisse ad visum multorum virorum et mulierum scandalose et turpiter, quem testis ob reverentiam ordinis levare, et in quadam domum importari fecisset, ut ibi iaceret donec sobrius fieret, commisitque testis, ne eum quispiam impediret quoquomodo, ut tandem sobrius libere abire posset. Et licet testis habuerit in animo illum detinere, et ligatum introducere ad clastrum predictum oppidi Kermend, tamen cogitans id ad se non pertinere, et non esse officii sui hoc facere, pretermisit. Qui quidem frater tandem factus sobrius discessit ad viam suam. Dicit etiam testis se scire, quod dicti fratres Augustinenses tam in oppido Kermend, quam extra in villis ad visum suum lusissent cartas, et audivit etiam testis a sociis lusorum, quod quidam frater Ambrosius ordinis Sancti Augustini perdidisset, et ipsi lusores lucrati fuissent ab eodem Ambrosio fratre centum denarios Hungaricales, fuissentque duo presbyteri collusores dicti fratris Ambrosij, alter Paulus presbyter, condamnatus rector altaris de Gyarmath,<sup>97</sup> alter vero Georgius

<sup>96</sup> *Vasalja*, a village in the area called *Perbese* to the west of *Körmend*.

<sup>97</sup> *Gyarmat* (today *Rábagyarmat*), a village in towards and in the possession of the Cistercian abbey of *Szentgotthárd*.

presbyter, plebanus de Maracz.<sup>98</sup> Addit etiam testis se audivisse a quodam Michaele scolastico de Halÿath,<sup>99</sup> quod cum quodam fratre dicti monasterii de Kermend, qui non ausus fuisset ludere in claustro ad cartas, idem Michael satis cum eodem lusisset ad cartas in silva volens uterque celare ludum huiusmodi, et cum aliquando in ludo ad verba contentiosa venissent, se invicem ad capillos traxissent, [fol. 77r] et sese mutuo manibus, palmis pugnisque percussissent. De tempore, quo ista fuerint acta, testis dicit se non recordari, tamen credit fuisse circa annum quartum, ex quibus quidem factis dictorum fratrum testis dicit fuisse ortum scandalum ex eo, quatenus vidisset et audivisset populum conqueri de mala conversatione fratrum predictorum Augustinensium in tabernis et malo exemplo eorum et negligentia divinorum officiorum. Addit testis se vidisse in domo sua quendam fratrem Ambrosium presbyterum per tres dies non dixisse horas canonicas, et cum frater ille Ambrosius voluisset missam celebrare in ecclesiam ipsius testis, idem testis videns et cognoscens illum taliter esse indispositum, celebrare minime permisisset. In causa scientie dicit testis, quia hec predicta per eum testificata sic fieri vidisset et audivisset, sicuti superius iam deposuit. De effusione sanguinis et de aliis contentis istius articuli quinti testis dicit se nescire.

Ad sextum positionis articulum, qui incipit. Item ponit, quod iidem fratres etc. Testis interrogatus respondit se audivisse communi fama, quod mulieres alique intrassent ad dictos fratres Augustinenses de Kermend, et ibi fuissent cum eisdem fratribus conversate, an tamen ille eedem mulieres fuerint suspecte vel non, dicit testis se nescire. Et credit testis, quod reverendissimus dominus cardinalis Strigoniensis propter premissa auctoritate apostolica dictos fratres Augustinenses de monasterio oppidi Kermend amoverit, et fratres ordinis Sancti Francisci de observantia, tanquam melioris vite et conversationis induxerit et locaverit, ut inde cultus divinus et devotio Christifidelium auferetur.

Ad ultimum articulum positionis, de publica scilicet fama testis interrogatus respondit se scire de predictis esse communem famam apud

<sup>98</sup> He is the 14<sup>th</sup> witness here above.

<sup>99</sup> Maybe Hahót in County Zala along the river Dráva, with a Benedictine abbey.

omnes homines ibi existentes, prout et secundum quod ipse deposuit. Nescit tamen testis si illi, apud quos talis viget fama publica, habent odio vel invidia dictos fratres Sancti Augustini vel non.

Et sic testi tandem fuit silentium iniunctum etc.

[fol. 77v]

TRIGESIMUS TERTIUS testis, honorabilis vir, dominus Benedictus presbyter de Halasto, plebanus parochialis ecclesie de Hallos<sup>100</sup> Iauriensis diocesis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito, ad generalia testis interrogatus respondit se in etate habere quadraginta quatuor annos vel circa, et de bonis temporalibus habere in copia iuxta suam condicionem, sepius etiam anno presenti fuisse confessum, et sacrificasse seu celebrasse missam, non habere odio fratres ordinis Sancti Augustini, cupere tamen permanere magis fratres ordinis Sancti Francisci de observantia in monasterio Beate Marie Virginis de Kermend propter bonam et religiosam vitam eorum, quam fratres ordinis Sancti Augustini, non esse inductum aliter, nisi quod esset ad testificandum in presenti causa citatus, neque esse sollicitatum neque informatum neque avisatum neque instructum per quempiam, quomodo in hac causa deponere debeat, nihil datum neque promissum, neque sperat quitquam habere in posterum pro eo, quod deponit in hac causa, non est vasallus domini Petri, nec eum timet.

#### AD SPECIALIA DESCENDENDO

Ad primum articulum positionis, qui incipit: Imprimis itaque ponit, quod olim felicitis memorie etc. Testis interrogatus respondit se scire monasterium articulatam fundatum esse ad cultum divinum pro monachis et viris religiosis per Christifideles, quis tamen fundaverit, et quo tempore fuit fundatum, testis dicit se nescire.

Ad secundum positionis articulum, qui incipit: Secundo ponit, quod iidem pii et Deo devoti etc. Testis interrogatus respondit se similiter scire ex fama communi, quod fundatores dicti monasterii in pleno numero fratres Augustinenses induxissent ad ipsum<sup>x</sup> monasterium, et

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<sup>100</sup> Halastó, a village south to Kőrmend along the road to Egerszeg (see map 2 after page 8). For Hollós or Hidashollós see note 80 above.

illud eis reliquissent possidendum, ut matutinas ac horas canonicas et missas cantando<sup>v</sup> et legendo singulis diebus futuris temporibus peragerent. Quem numerum plenum testis dicit se intelligere tot, quot bene possent dicere et cantare officia divina predicta. In causa scientie dicit testis, quatenus audivit, ut deposuit.

Ad tertium articulum positionis sic incipientem: Tertio ponit, quod dicti fratres postquam etc. Testis interrogatus respondit se scire, quod satis fuisset diminutum monasterium de Kermend tempore fratrum Augustinensium tam in cultu divino, quam in numero fratrum, adeo, quod sciret testis, [fol. 78r] quod aliquando tres, aliquando duo et interdum unicus tantum frater Augustinensis fuisset in dicto monasterio de Kermend. Et dicit testis se scire, quod anno hinc vigesimo, quo scilicet ipse testis primitias suas celebrasset, fuisset aliquando solus et unicus frater Matheus nomine, quem vidisset testis aliquando celebrantem missam, an tamen aliquo die non fuerit dicta aliqua missa in dicto monasterio, dicit testis se nescire. Credit nihilominus testis, quod quamdiu ille unus frater fuisset in dicto monasterio, hore canonicæ penitus fuissent neglecte. Dicit etiam testis se scire, quod quando duo aut tres etiam fratres ordinis Sancti Augustini fuissent in dicto monasterio de Kermend, non multum se impedivissent in horis canonicis. Et dicit testis, quod licet ipse aliquando iverit ad dictum monasterium de Kermend, tamen ipse ibidem nec matutinas nec vespervas nec alias horas canonicas audire potuisset, quoniam uti etiam superius deposuit testis, dicti fratres Augustinenses non multum se de huiusmodi horis canonicis impediebant, missam tamen eorundem fratrum dicit testis se aliquando audivisse, ex quibus neglectionibus officiorum divinorum et diminutione fratrum populus inibi existens non parum scandalisatus<sup>z</sup> fuisset. Audivisset namque testis aliquotiens, dum ad ipsum oppidum Kermend venisset, a bonis et fidedignis incolis dicti oppidi Kermend dicentibus huiusmodi verba: Nescimus certe, quid sibi velint isti nigri fratres, nec scimus quomodo vivere volunt, quia non vivunt, ut boni religiosi, nec curant persolvere divina in dicto monasterio, neque nobis aliquam bonam devotionem vel bona exempla faciunt, sed potius dissolute et extra normam regularis discipline vivendo nos scandalizant et in errorem deducunt, essetque [melius]<sup>3</sup> illos non esse hic in monasterio, quam si esse. Dicit preterea

testis se habuisse aliquam conversationem cum dictis fratribus Augustinensibus tam in dicto claustro, quam extra claustrum, et etiam in domo sua in loquendo et bibendo, et aliquando visitando monasterium etiam pro confessione facienda. Et hec predicta per eum deposita propterea testis sciret, quatenus vidisset et audivisset, prout et secundum quod deposuit.

Ad quartum positionis articulum, qui incipit: Quarto ponit, quod dicta ecclesia etc. Testis interrogatus respondit se scire [*fol. 78v*] fuisse desolatum monasterium de Kermend tempore fratrum Augustinensium, nesciret tamen testis divinare, si meliorem vel peiorem statum monasterium et domus monasterii habuisset per hoc, quod fratres Augustinenses eiecti essent et observantini inducti. Et credit testis, quod melior fieret status monasterii tam in structuris, quam in edificiis sub istis observantinis, quam Augustinensibus, et ad hoc credendum ex eo testis inducitur, quatenus videret et sciret maiorem esse confluentiam ac devotionem populi et largiorem elemosinam ad fratres observantinos, quam Sancti Augustini a nobilibus, ignobilibus et populo et etiam patrono suo domino terrestri. Dicit etiam testis se scire, quod magis per negligentiam fratrum Augustinensium, quam per vetustatem monasterium devenisset in tantam vastitatem, quoniam ipsi parum de edificiis et edificatione curarunt, constatque testi, quod bene provisum sit monasterio, ne in ruinam et maiorem desolationem monasterium deveniret per hoc, quod fratres Sancti Augustini exclusi et observantini introducti essent, quia fratres observantini magis regulariter viverent, et magis devote divina peragerent, maiorque ad eos esset omnium hominum devotio et maior eis elemosinarum largitio a Christifidelibus preberetur, sicque citius et melius ipsi observantini monasterium ipsum non tantum conservarent ab ulteriore ruina, sed etiam extollerent edificiis et conservarent. In causa scientie, quatenus vidit et credit, ut deposuit.

Ad quintum articulum positionis, qui incipit: Quinto ponit, quod fratres etc. Testis interrogatus respondit se scire, quod fratres ordinis Sancti Augustini in tabernis vinorum versati fuissent,<sup>b</sup> quoniam testis fuisset compotator eorum. Audivit etiam testis, quod ipsi fratres Augustinenses cum laicis conversati fuissent in bibendo, audivisset tamen, quod interdum etiam fuissent inebriati. Preterea dicit testis non fuisse

annum, quod non bibisset ipse cum eisdem fratribus, ab eo tempore fuit visitare dictum oppidum Kermend. In causa scientie dicit testis, quatenus hec vidisset et audivisset, prout deposuit, de reliquis tamen contentis articuli testis dicit se nescire. [fol. 79r.]

Ad sextum articulum positionis, qui incipit: Item ponit, quod iidem fratres etc. Testis interrogatus respondit se scire, quod unus ex dictis fratribus ordinis Sancti Augustini in villa Bÿk<sup>101</sup> fuisset repertus cum quadam muliere suspecta, et idem tandem frater spoliatus veste fuisset captus per famulum egregii Ladislai, castellani<sup>c</sup> tunc de Kermend. De anno, quo fuerit, testis dicit se non recordari. Audivit etiam testis introductas feminas per fratres Augustinenses in monasterium ipsorum de Kermend, de nominibus tamen fratrum et mulierum testis ignorat. Et hec testis dicit audivisse se a fidedignis civibus et matronis oppidi Kermend. Scit etiam testis tanquam notorium, quod reverendissimus dominus Thomas cardinalis Strigoniensis auctoritate apostolica propter premissa mala et scandalosa opera ipsos fratres Augustinenses de dicto claustro oppidi Kermend amovisset, et alios fratres ordinis Sancti Francisci de observantia induxisset, et locasset bono odore fame et vite ac conversatione observantinorum, ut maior sit populi devotio ad Deum. Et scit testis ipsos fratres Augustinenses propter eorum premissam vitam apud Christifideles fuisse et esse contemptui.

Ad ultimum positionis articulum de fama publica testis interrogatus respondit se de predictis scire publicam famam, prout ipse deposuit, apud honestos et probos viros et non invidos fratribus Augustinensibus.

Cui testi sic examinato tandem  
iniunctum est silentium etc.

TRIGESIMUS QUARTUS testis, honorabilis vir, dominus Nicolaus, presbyter de Sewched, plebanus de eadem<sup>102</sup> Iauriensis diocesis, citatus, iuratus et examinatus ad generalia testis interrogatus respondit se in etate habere

<sup>101</sup> The nearest place to Kõrmend called Bük/Bükalja is the village (today part of Domonkosfa, Slovenia) in the region of Órség, pertaining to the estate of Némétújvár.

<sup>102</sup> Szecsőd, a village in the neighbourhood of Kõrmend on the road to Vasvár (see map 2 after page 8).

viginti septem annos,<sup>d</sup> et habere competenter de bonis temporalibus, et fuisse etiam presenti anno sepius confessum et celebrasse missam, et non habere odio fratres Augustinenses, cuperet tamen fratres observantinos ordinis Sancti Francisci permanere in monasterio Beate Marie Virginis de Kermend, non esseque se inductum neque sollicitatum, neque instructum, neque informatum quomodo in hac causa deponere [fol. 79v] et testificari deberet, nihilque esset sibi datum neque promissum, neque quitquam speraret habere in posterum pro eo, quod deponeret in hac causa, non esset vasallus domini Petri, nec timeret ipsum.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis, qui incipit: Imprimis itaque ponit etc. Testis interrogatus respondit audivisse communi fama, quod dictum monasterium articulatam pro cultu divino per fratres ibidem instituendos exercendo per divos reges Hungarie fundatum fuisset. In causa scientie, quatenus audivit.

Ad secundum articulum positionis, qui similiter incipit: Secundo ponit, quod iidem pii etc. Testis interrogatus respondit se similiter audivisse, quod pii fundatores predicti monasterii fratres Augustinenses in pleno numero in dictum monasterium induxissent<sup>e</sup> et eis possidendum reliquissent, [ut]<sup>f</sup> divina officia in articulo posita semper peragere deberent. In causa scientie dicit, quatenus audivit, ut deposuit.

Ad tertium positionis articulum sic incipientem: Tertio ponit, quod dicti fratres etc. Testis interrogatus respondit se scire satis diminutum fuisse monasterium tam in cultu divino, quam in numero fratrum, quoniam sciret testis, quod a pueritia et tempore iuventutis sue, dum stetisset in dicto oppido Kermend in scolis, aliquando solus et unicus frater mansisset in dicto monasterio oppidi Kermend, et sic dicit testis se scire etiam matutinas et horas canonicas penitus neglectas fuisse per dictos fratres, de missa autem, si aliqua die fuisset aliqua neglecta penitus, ignoraret. Causam scientie dicit testis, quia fuisset in dicto oppido presens, et ita vidisset, et predicta fieri audivisset, quod frequenter hore canonicæ non fuissent dicte. Dicit etiam testis habuisse conversationem cum dictis fratribus, quoniam etiam ibidem cum aliis scolaribus propter defectum fratrum fuisset vocatus et cantasset missam.



An propter predicta scandalisatus fuisset populus ibidem existens, testis dicit se nescire. [*fol. 8or*]

Ad quartum positionis articulum hoc modo incipientem: Quarto ponit, quod dicta ecclesia etc. Testis interrogatus respondit se licet vidisse<sup>g</sup> dictum monasterium fuisse satis desertum,<sup>h</sup> tamen an dictum monasterium fuerit desolatum necne, dicit testis se nescire.

Ad quintum articulum positionis, qui incipit: Quinto ponit etc. Testis interrogatus respondit se<sup>i</sup> vidisse aliquando cum presbyteris et laicis fratres Augustinenses predicti monasterii Kermend in tabernis vinorum, tamen de reliquis contentis istius articuli dicit se neque vidisse, neque audivisse.

Ad sextum positionis articulum sic incipientem: Item ponit, quod iidem fratres inter alias etc. Testis interrogatus respondit se nescire quicquam de hoc presenti articulo, crederet tamen testis prefatos fratres observantinos propterea ad dictum monasterium de Kermend fuisse inductos, ut divinus cultus melius perageretur.

Ad ultimum positionis articulum de fama scilicet publica testis interrogatus respondit se scire de predictis esse publicam famam, prout deposuit, in dicto oppido Kermend et in locis eidem oppido circumvicinis apud benevolos, honestos et dictis fratribus Augustinensibus non malivolos homines.

Eidemque testi sic examinato  
iniunctum est silentium etc.

TRIGESIMUS QUINTUS testis, nobilis vir Valentinus Kemesmalý de eadem Kemesmal<sup>103</sup> Iauriensis diocesis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito ad generalia testis interrogatus respondit se in etate habere quadraginta annos vel ultra, et ultra bona nobilitaria habere competenter de rebus temporalibus, esseque se confessum, et accepisse sacramentum Eucharistie a plebano suo parochiali, non habet odio fratres ordinis Sancti Augustini, nec curat,

<sup>103</sup> For Kemesmál see note 93. A Valentinus de Kemesmal is mentioned as advocate of the Nagyunyomis (1524, MOL DL 58 344) and as designated royal representative in a trial between the Csákányi Farkas (*cf.* 4<sup>th</sup> witness) and the Szecsődi family (1524, DL 107 192).

qui ordo permaneat in dicto monasterio de Kermend, non inductus neque sollicitatus, neque instructus, neque informatus, quomodo in hac causa deponere deberet, nihil datum neque promissum, nec sperat habere in posterum pro eo, [fol. 8ov] quod deponit in hac causa, non est iobagio domini Petri, et non timet eum.

AD SPECIALIA DESCENDENDO

Ad primum articulum positionis, qui incipit: Imprimis itaque ponit etc. Testis interrogatus respondit se scire ex auditu, quod divi reges Hungarie et alii Christifideles monasterium articulatum pro cultu divino per fratres ibi instituendos exercendo construi et edificari fecerunt. In causa scientie dicit testis, quatenus audivit.

Ad secundum articulum positionis hoc modo incipientem: Secundo ponit, quod iidem pii etc. Testis interrogatus respondit se [scire] similiter ex predicta fama communi, ut fundatores predicti monasterii fratres Augustinenses in pleno numero ad illud monasterium induxissent, et eis possidendum reliquissent ad eum finem, quod semper successivis temporibus nocte matutinas, interdium horas canonicas peragere cantando, missam vero cantando et legendo perficerent, plenumque numerum quoad huiusmodi monasterium testis intelligit octo vel decem fratres. In causa scientie dicit testis, quatenus audivit, ut deposuit.

Ad tertium articulum positionis, qui incipit: Tertio ponit, quod dicti fratres etc. Testis interrogatus respondit se nescire, quot fratres fuerint in dicto monasterio de Kermend tempore fratrum Augustinensium, vidisset tamen testis in illo monasterio aliquando tres, aliquando autem duos fratres. Utrum tamen plures fuerint necne ibidem fratres Augustinenses, testis dicit se nescire. Dicit etiam testis se audivisse a fidedignis hominibus, quod aliquando matutine, vespere et alie hore canonice et etiam misse non fuissent dicte in dicto monasterio de Kermend. Utrum tamen id contigisset in scandalum populi ibidem residentis, testis dicit se nescire, et predicta scit testis, ut deposuit, quatenus vidit et audivit.

Ad quartum positionis articulum sic incipientem: Quarto ponit, quod dicta ecclesia etc. Testis interrogatus respondit se scire desolationem prefati monasterii fuisse factam per fratres Augustinenses in eodem monasterio pro tempore constitutos, an tamen in posterum ipsis eodem

monasterio remanentibus fratribus Augustinensibus [*fol. 81r*] magis monasterium predictum fuisset desolatum necne, testis dicit se nescire, quoniam de hoc divinare non posset.

Ad quintum positionis articulum, qui incipit: Quinto ponit, quod fratres illi etc. Testis interrogatus respondit se audivisse fama communi, quod fratres Augustinenses de Kermend frequentassent tabernas, utrum tamen cum laicis ebrietates et symposias exercuissent, et verberati fuissent ad effusionem sanguinis, aut lusissent, dicit testis se nescire, quatenus ad ista ipse non advertisset.

Ad sextum articulum positionis, qui incipit: Item ponit, quod iidem fratres etc. Testis interrogatus respondit se audivisse ab hominibus fidedignis et honestis, quod predicti fratres Augustinenses oppidi Kermend in ecclesia eorum habuissent rem et actum venereum cum pravis mulieribus, et etiam dicit testis audivisse ex predicta fama communi, ut iidem fratres suspectas mulieres ad monasterium eorum et septa claustrum introduxissent, et male cum eis iidem fratres Augustinenses conversati fuissent, propter que predicta dicit testis audivisse reverendissimum dominum Thomam cardinalem Strigoniensem auctoritate apostolica amovisse dictos fratres Augustinenses de dicto monasterio Beate Marie Virginis, et locasse fratres ordinis S. Francisci de observantia, tanquam meliores vite Augustinis ipsis. In causa scientie dicit testis, quatenus ita, ut deposuit, audivit et scit.

Ad ultimum positionis articulum de fama publica testis interrogatus respondit de predictis scire esse publicam famam, ut deposuit, et veram apud viros honestos et fidedignos<sup>k</sup> in dicto oppido Kermend et extra in vicinitate oppidi, an tamen homines huiusmodi, apud quos viget huiusmodi fama, habeant odio istos fratres Augustinenses necne, dicit testis se nescire.

Et sic testi iniunctum est silentium etc.

TRIGESIMUS SEXTUS testis providus vir Nicolaus Borsos de Salý<sup>104</sup> diocesis Lauriensis, citatus, iuratus et examinatus, reducto prius sibi in memo-

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<sup>104</sup> Nicolaus was the serf of Sigismundus Sárfi of Sárfő, mentioned in 1525, when he and his relatives, Mathaeus and Georgius Borsos of Sárfő, committed a blood feud against the serfs of Ladislaus Darabos of Nádasd, both parties being sentenced by arbiters to pay blood-wit (MOL DF 285 199). For the village Sál see note 63.

riam iuramento per eum prestito, ad generalia [*fol. 8rv*] testis interrogatus respondit se in etate habere quadraginta octo annos vel ultra, et habere competenter de bonis temporalibus, esseque confessum anno presenti, sed non accepisse sacramentum Eucharistie, ex quo non habuissent plebanum in dicta possessione ipsorum, hodie tamen vellet accipere sacramentum Eucharistie, et licet non haberet odio fratres ordinis Sancti Augustini, cuperet nihilominus, ut fratres ordinis Sancti Francisci de observantia permanerent iam in monasterio Beate Marie Virginis de Kermend. Dicit preterea testis non esse se inductum, sollicitatum nec avisatum nec instructum nec informatum, quomodo in presenti causa deponere deberet, nihilque esset sibi datum nec promissum, nec quitquam a quoquam speraret habere in futurum pro eo, quod deponeret in hac causa, non essetque iobagio domini Petri Erdedÿ, et nec timeret eum.

#### AD SPECIALIA DESCENDENDO

Ad primum articulum positionis, qui incipit: Imprimis itaque ponit, quod olim etc. Testis interrogatus respondit se audivisse veraciter ex fama communi, quod monasterium articulatam divi reges Hungarie et alii Christifideles unacum domibus, cellis et aliis monastice vite necessariis pro cultu divino per religiosos ibidem instituendos exercendo construi et edificari fecissent. In causa scientie dicit testis, quatenus audivisset et sciret etiam, quatenus esset notorium.

Ad secundum positionis articulum hoc modo incipientem: Secundo ponit, quod iidem pii etc. Testis interrogatus respondit similiter audivisse fama communi, quod fundatores eiusdem monasterii fratres Augustinenses in pleno numero ad dictum monasterium articulatam induxissent, et eis possidendum reliquissent, ut futuris temporibus iugiter nocte matutinas, interdiu horas canonicas et missam cantando et legendo peragerent. Plenum autem numerum testis dicit intelligere ad tam grande monasterium et ad tot servitia divina sufficere sexdecim aut ad minus decem fratres, et hec ideo scit, quatenus audivit testis.

Ad tertium articulum positionis sic incipientem: Tertio ponit, quod [*fol. 82r*] dicti fratres etc. Testis interrogatus respondit se scire adeo fuisse neglectum monasterium tempore fratrum Augustinensium tam

in cultu divino, quam in numero fratrum, ut sciret testis aliquando ad summum tres, aliquando duos tantummodo fratres fuisse in dicto monasterio oppidi Kermend, audivissetque testis tam ab incolis oppidi Kermend, quam etiam extraneis eiusdem oppidi, quod neque matutine neque misse, neque alie hore canonice aliquando fuissent dicte in ecclesia predicti monasterii de Kermend. De scandalo autem dicit testis, quod aliquando audivisset ab incolis oppidi Kermend, quod fuissent locuti et conquesti, quod dicti fratres Augustinenses negligerent divina. Testis tamen dicit, quod ipse aliter non frequentasset dictum monasterium de Kermend, nisi quod aliquando ipse testis ivisset illuc ad monasterium ad audienda divina. In causa scientie dicit testis, quatenus predicta vidisset et audivisset.

Ad quartum positionis articulum, qui incipit: Quarto ponit, quod dicta ecclesia etc. Testis interrogatus respondit se scire et audivisse etiam, quod dictum monasterium de Kermend tempore fratrum Augustinensium ad visum multorum fuisset desolatum, et audivisset etiam a pluribus fidedignis hominibus, quod si iidem fratres Augustinenses diutius in dicto mansissent monasterio, magis Indies illud fuisset desolatum. Et dicit testis se scire, quod prius hinc ante viginti annos fuisset monasterium predictum in meliori statu, sed ex negligentia fratrum predictorum Augustinensium magis tandem fuisset desolatum, quam ex vetustate et antiquitate. In causa scientie dicit testis, quatenus vidit et audivit, ut deposuit.

Ad quintum positionis articulum hoc modo incipientem: Quinto ponit, quod fratres illi etc. Testis interrogatus respondit se audivisse ab incolis dicti oppidi Kermend et etiam extraneis eiusdem oppidi Kermend, quod fratres, qui pro tempore in dicto debebant monasterio de dicta Kermend, satis dissolute vixissent, et tam in dicto oppido Kermend, quam extra in tabernis cum rusticis symposias et ebrietates exercuissent. De reliquis tamen contentis huius articuli testis dicit se nescire. [*fol. 82v*]

Ad sextum positionis articulum sic incipientem: Item ponit, quod iidem fratres etc. Testis interrogatus respondit se audivisse fama communi, quod fratres Augustinenses de Kermend post suspectas feminas currere, et cum eis impudice conversari sepius soliti fuissent. Dicit

etiam testis se quadam vice cum dictum monasterium ingressus esset, quendam fratrem Augustinensem claudum priorem dicti claustrum Beate Marie Virginis de Kermend, cuius nomen ignoraret, vidisse in superiori domo eiusdem monasterii prope cellas loquentem et se conversantem cum quadam Margareta muliere suspecta de Kermend. Et credit testis quartum vel tertium annum iam elapsam, quod testis id vidisset. Et dicit testis se ivisse illud, quoniam oblagium sive comparisonem portaverat, ut missam celebrari faceret, propterque predicta scit, quod populi devotio diminuebatur erga prefatam ecclesiam Beate Marie Virginis, audivisse etiam se dicit testis, quod reverendissimus dominus Thomas cardinalis Strigoniensis ratione premissorum fratres ordinis Sancti Augustini de dicto monasterio Kermend auctoritate apostolica amovisset, et fratres ordinis Sancti Francisci de observantia induxisset et locasset. In causa scientie dicit testis, quatenus predicta ita fieri vidisset et audivisset.

Ad ultimum positionis articulum de fama publica testis interrogatus respondit se scire publicam famam de premissis, ut deposuit, et predicta audivisse ab honestis, probis et fidedignis hominibus. Addit testis se predicta a tot et tantis audivisse, ut non credit, quod aliquis ex eis non ex veritate dixisset, nec credit, quod aliquis eorum hec ex odio de eis dixisset.

Cui testi sic examinato  
iniunctum est silentium etc.

TRIGESIMUS SEPTIMUS providus vir Simon Rosos de Kermend<sup>105</sup> diocesis Iauriensis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestitum, ad generalia [fol. 83r] testis interroga-

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<sup>105</sup> Mentioned with the more distinguished title of *circumspectus* ("Simon Rosos in oppido Kermend commorans") in 1510 (MOL DL 21 991 and 22 090). His sister, Catherina married Michael Nyeregyvártó, burgher of Buda. His brother, Sebastianus litteratus was also burgher of Buda and steward of the nuns in Óbuda (north of Buda) of the order of St. Clare in the market town Cegléd. He was killed in a conflict with the townsmen in 1509. For his death Simon and Catherina demanded and finally received compensation (232 *florenos*) from the nuns as a result of a process before the collegiate church of Óbuda (MOL DL 22 546, 1503; DL 26 119, 1506; DL 21 967, 1509; DL 21 991, 1510).

tus respondit se in etate esse annorum septuaginta vel ultra, et habere in bonis, ut existimat, ad valorem trecentorum florenorum, et esse confes- sum anno presenti, et circa festa Pasche accepisse Eucharistie sacramen- tum, non haberetque odio fratres ordinis Sancti Augustini, cuperet ta- men testis magis fratres ordinis Sancti Francisci de observantia propter bonam vitam eorum permanere in monasterio Beate Marie Virginis de Kermend, fuissetque semper et esset modo quoque confrater predicti utriusque ordinis, et non esset inductus nec informatus per quemquam quomodo in causa presenti deponere deberet, nihilque esset sibi datum neque promissum, neque etiam speraret habere in posterum pro eo, quod deponeret in hac causa, essetque iobagio domini Petri Erdedÿ<sup>1</sup> in Ker- mend commorans, et non timeret aliter ipsum, nisi ut dominum tem- poralem in suos<sup>m</sup> gratiosum, qui quidem dominus Petrus tanquam bo- num iobagionem suum haberet eum reverenter.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis, qui incipit: Imprimis itaque ponit, quod olim felicitis memorie etc. Testis interrogatus respondit se audivisse fama communi a maioribus et antiquioribus monasterium articulatum per condam Belam regem Hungarie aut eius uxorem pro cultu divino unacum cellis, domibus et aliis monastice vite necessariis construi et edi- ficari fecisset [!], et nunc quoque dictum monasterium extaret erectum<sup>n</sup> in dicto oppido Kermend. In causa scientie, quatenus audivit.

Ad secundum positionis articulum, qui incipit: Secundo ponit, quod iidem pii etc. Testis interrogatus respondit intellexisse ex simili predicta fama communi, quod dictus Bela aut eius uxor, fundator scilicet dicti monasterii de Kermend, fratres ordinis Sancti Augustini induxissent [!] ad illud, et eis perpetuo possidendum reliquissent, ut futuris temporibus nocte matutinas et horas canonicas in die, et missam cantando et le- gendo in pleno numero peragere deberent. Qui quidem testis de pleno numero dicit se intelligere per hoc, quod tot [fol. 83v] et<sup>o</sup> tanti deberent esse fratres in dicto monasterio, ut sufficientes essent ad persolvenda divina die et nocte in ipso monasterio horas et missas cantare, et alia pietatis et devotionis opera ad edificationem Christifidelium facere, sive ibi essent viginti sive decem sive sex.

Ad tertium positionis articulum, qui incipit: Tertio ponit, quod dicti fratres postquam etc. Testis interrogatus respondit se scire contenta articuli huius vera esse, quoniam fratres ipsi Augustinenses etiam tempore testis disciplina regulari de die in diem refrigescentes vita et moribus ad deteriora relapsi fuissent, et pie voluntati fundatoris predicti monasterii contraveniendo in numero diminuti fuissent, diminuissentque et servitia divina. Quoniam sciret testis, quod aliquando vix tres vel duo fratres, aut solum unus frater in dicto monasterio de Kermend mansissent, qui quidem fratres nec missas celebrassent nec horas canonicas, ut debuissent, exolvissent. Preterea dicit testis veraciter scire, quod multis diebus, licet diversis temporibus, nulla missa fuisset celebrata in dicto monasterio de Kermend, neque per fratres Augustinenses ibidem residentes neque etiam per seculares presbyteros, neque etiam hore canonice fuissent inibi dicte, imo penitus neglecte propter paucitatem dictorum fratrum Augustinensium. Causam scientie dicit testis, quia ipse pluries ad pulsum campane ivisset ad monasterium predictum ad missas scilicet et horas audiendas, et dicit testis, quod non modo missas et horas ibidem audire potuisset, sed ne quidem unum fratrem ibi videre potuisset, licet ibidem diutius expectasset. Addit etiam testis, quod sepius cives loci Kermend ad scitum testis communiter, aliquando per litteras, aliquando in dicto oppido Kermend coram provinciali pro tempore constituto supplicassent, ut pro Deo et pro communi salute ipsorum providere deberet, ne predictum claustrum oppidi Kermend in divinis instantum negligeretur, velletque mittere et locare tot fratres in dicto monasterio, ut divina et hore canonice debito modo persolverentur, [fol. 84r] et alie devotiones per eosdem fierent in exemplum et edificationem Christifidelium. Qui quidem testis dicit se scire, quod idem provincialis etiam ad petitionem eorum non plures, nisi duos aut tres vel quatuor fratres ad dictum monasterium de Kermend misisset ita, ut aliquando in toto fuissent quatuor, etiam tres, duo, interdum quinque, aliquando vero sex, et interdum octo fuissent fratres Augustinenses in dicto monasterio de Kermend, qui paulatim iterum adeo defecissent, ut unicus tantum interdum in dicto monasterio remansisset frater, quem non credit testis, ut exolvisset horas canonicas, cum id per se facere non potuisset,<sup>p</sup> imo dicit testis, quod etiam missa certis diebus non fuisset celebrata.



Dicit etiam testis se scire, quod aliquando tempore reverendissimi domini Thome cardinalis Strigoniensis fuissent per annum in dicto monasterio de Kermend vel parum breviori tempore novem fratres Augustinenses vel circa, qui et missas et horas canonicas debite et bono modo persolvebant, tamen et illi paulatim defecissent, et abiisset quisque in viam suam ita, ut aliquando tres, interdum duo vel unus ex eis in dicto remansisset monasterio. Dicit etiam testis se sine numero conversatum fuisse in ipso monasterio de Kermend cum ipsis fratribus Augustinensibus nunc pro una, nunc pro alia causa, et visitasset etiam testis frequenter dictum monasterium a iuventute sua, aliquando ut missam aut horas audiret, aliquando ut conversaretur cum dictis fratribus, vel comederet cum eis. De scandalo autem constat testi notorie, quod predicti fratres Augustinenses non modo se ipsos, sed etiam populum sepiissime ex his scandalisassent, signanter inordinata et prava vita eorum. Et dicit testis, quod tanta negligentia fuisset facta in divinis tempore fratrum Augustinensium, quod digni fuissent, ut pro illis eicerentur et expellerentur de dicto monasterio oppidi Kermend. In causa scientie dicit testis, quia predicta ita, ut deposuit, vidisset et audivisset.

Ad quartum articulum positionis, qui incipit: Quarto ponit, quod [fol. 84v] dicta ecclesia etc. Testis interrogatus respondit se scire, quod illi fratres Augustinenses, qui pro tempore mansissent in dicto monasterio oppidi Kermend, permisissent desolari ipsum, et si diutius iidem fratres Augustinenses in eodem perseverassent monasterio, magis desolassent. Et edificia, que aliquando facta fuissent in eodem monasterio et domibus monasterii, non ipsi fratres Augustinenses, sed cives loci Kermend fecissent fieri. Nam istud testis ex eo dicit scire, quoniam ipse fuisset unus ex dictis civibus oppidi Kermend, qui huiusmodi edificia fecissent, et etiam ipse testis contribuisset in elemosinam ad huiusmodi edificia tanquam unus ex civibus loci Kermend pro condicione et devotione sua, sciretque testis aliquando dictum monasterium in edificiis fuisse in meliori statu, sed per negligentiam fratrum Augustinensium paulatim devenisse ad tantam desolationem, in quanta fuit tunc, cum fratres Augustinenses de illo exivissent et amoti fuissent. In causa scientie dicit testis, quatenus vidisset et audivisset, et sciret et fecisset, prout et quemadmodum superius deposuit.

Ad quintum articulum positionis, qui incipit: Quinto ponit, quod fratres illi etc. Testis interrogatus respondit se scire, quod illi fratres Augustinenses, qui pro tempore in dicto degebant monasterio, satis dissolute vixissent, sciret namque testis, quod illi iidem fratres Augustinenses frequentassent tabernas vinorum, et ibi cum laicis in dicto oppido et extra in villis bibissent, vidissetque eosdem fratres fuisse inebriatos, et ab aliis quoque id audivisset sine numero. Et quamvis testis non vidisset, ut dicti fratres invicem percussissent, audivisset tamen bene, quod in dicto monasterio eorum percussissent se iidem fratres Augustinenses usque ad effusionem sanguinis. Et dicit testis se eosdem fratres vidisse in tabernis vinorum diversis temporibus et diversis locis, propter que et fratres et homines loci Kermend scandalisabantur, quod quidem scandalum tanquam notorium testis dicit scire. Sciret etiam testis, quod propterea, quatenus visitabant tabernas, negligebantur divina officia. In causa scientie dicit testis, quatenus predicta vidit et audivit testis, uti deposuit. [*fol. 85r*]

Ad sextum positionis articulum hoc modo incipientem: Item ponit, quod iidem fratres inter alias etc. Testis interrogatus respondit se audivisse ex fama communi, quod fratres Augustinenses, qui pro tempore in monasterio oppidi Kermend residebant, consuevissent feminas suspectas inducere ad dictum monasterium eorum, et ibi cum illis prave et impudice conversari. Dicit etiam testis, quod dum ipse quadam vice ad dictos fratres Augustinenses introivisset, et venisset ad refectorium ipsorum, invenisset ibi duos fratres colloquentes cum quadam muliere suspecta, cuius quidem mulieris personam etiam modo bene nosceret, sed nomen illius nesciret. De anno et die, quibus testis ibi viderit mulierem predictam, et quam ob causam ipse tunc ad fratres predictos iverat, testis dicit se non recordari. Dicit preterea testis audivisse quendam fratrem ordinis Sancti Augustini de Kermend cum quadam suspecta muliere per castellanum castri Kermend receptum ac detentum, mulierem ipsam fuisse ligatam ad mediastrum civitatis Kermend, unde fratres ipsi Augustinenses fuissent valde scandalisati. Addit etiam testis se scire, quod quodam tempore quidam frater Simon ordinis Sancti Augustini de sepefata Kermend dimisso habitu suo regulari induisset se habitu seculari, quem habitum vulgus vocat soap, et accinctus gladio solebat ire per dictum

oppidum Kermend in locis suspectis cum laicis male vite. Qui frater Simon per quendam Blasium Salaÿ civem dicti oppidi repertus, fuisset in facie percussus et vulneratus<sup>q</sup> turpiter, ignominiose et scandalose<sup>r</sup>, et hac causa fratres ipsi Augustinenses valde fuissent scandalizati. De anno, quo id fuerit actum, non recordatur. Addit insuper testis, quod quodam vice tempore vindemiarum quidam frater Augustinensis de Kermend in Egersek<sup>106</sup> in tecto cuiusdam domus quandam puellam renitentem volens opprimere et deflorare, laici eundem fratrem propter huiusmodi nefandum scelus volentes capere, detinere et percutere, vix manus laicorum fuga evasit. Qui frater inde ad dictum claustrum oppidi Kermend rediens insalutato priore levata sua sarcina furtim aufugit, de quo fratres ipsi et populus Kermendini oppidi non parum fuerunt scandalisati, de quo quidem scandalo modo quoque in Egersek esset publica [*fol. 85v*] fama, et dicit testis id contigisse in anno supra decimo. Et credit testis, quod reverendissimus dominus Thomas cardinalis Strigoniensis non propter probitatem, sed propter improbitatem ipsorum eosdem fratres Augustinenses auctoritate apostolica eiecisset, ne se ipsos et alios Christifideles scandalisarent diversis eorum malefactis, et ne tam preclara ecclesia divinis officiis privaretur. In causa scientie dicit testis, quatenus predicta vidisset et audivisset, prout et secundum quod deposuit.

Ad ultimum positionis articulum, de publica scilicet fama testis interrogatus respondit se de predictis, sicuti deposuit, scire esse publicam famam in dicto oppido Kermend et extra in locis circumvicinis apud bonos et probos ac honestos viros et non invidos fratribus ordinis Sancti Augustini.

Et testi iniunctum est silentium.<sup>s</sup>

TRIGESIMUS OCTAVUS testis providus vir Paulus Nagh de Kermend prefata, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito, ad generalia testis interrogatus respondit in etate se habere quinquaginta tres annos vel ultra, et habere in bonis tem-

<sup>106</sup> Egerszeg (today Zalaegerszeg), market town in County Zala (see the road leading there from Kőrmend on map 2 after page 8).

poralibus ad valorem centum florenorum iuxta estimationem suam, esse se confessum et accepisse sacramentum Eucharistie, non haberet odio fratres Augustinenses, quoniam alias esset etiam confrater illorum, cuperet tamen fratres ordinis Sancti Francisci de observantia, ut permanerent in monasterio Beate Marie Virginis de Kermend, non esset inductus nec sollicitatus nec avisatus nec instructus nec informatus per quempiam, quomodo in causa presenti testificari deberet, nihilque esset sibi datum nec promissum, nec etiam quitquam speraret habere in futurum pro eo, quod deponeret in hac causa, essetque vitricus dicte ecclesie Beate Marie Virginis de Kermend, et esset iobagio domini Petri Erdedi, qui haberet testem in reverentia tanquam talem iobagionem, et vasallum suum et non timeret eum aliter, nisi ut dominum terrestrem.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis, qui incipit: Itaque ponit, quod olim felix etc. Testis interrogatus respondit se audivisse fama communi, et ita se quoque credere, quod antiqui reges Hungarie [*fol. 86r*] et alii Christianifideles monasterium articulatam a fundamento pro cultu divino per fratres ibidem instituendos exercendo erigi, et cum domibus et aliis vite monastice necessariis construi fecissent. In causa scientie dicit, quatenus audivit et credit, ut deposuit.

Ad secundum positionis articulum, qui incipit: Secundo ponit, quod iidem pii etc. Testis interrogatus respondit se similiter communi audivisse fama, et credere quoque, quod fundatores in pleno numero fratres ordinis Sancti Augustini induxissent ad dictum monasterium, et eis possidendum reliquissent, ut semper matutinas et horas canonicas ibi peragerent, plenumque numerum dicit testis tot, quot sufficerent ad huiusmodi servitia peragenda.

Ad tertium articulum positionis, qui incipit: Tertio ponit, quod dicti fratres etc. Testis interrogatus respondit se scire, quod aliquando tres, aliquando duo, aliquando unus fuisset monachus in dicto monasterio de Kermend, et scit testis aliquando nullam missam celebratam fuisse in ipso monasterio. Scit etiam testis, quod frequenter non fuissent dicte matutine et alie hore canonice, sed penitus neglecte, et scit, quod pulsassent ad vespas, ad matutinas et alias horas canonicas, tamen non fuissent

dicte aut cantate. Causam scientie dicit testis, quatenus ex quo fuit confrater eorum, frequenter illic conversabatur. Et dicit testis, quod cum quidam frater Ambrosius pulsasset ad vespervas, et testis continuo illuc ivisset, ut audiret vespervas, neminem invenisset ibi dicentem easdem preter ipsum fratrem Ambrosium, quem testis obviam habuit festinantem ad tabernam, et cum eundem testis interrogasset, si iam dicte fuissent vespere, respondisset sibi frater prefatus: Non possumus facere, ut et campanam pulsemus, et vespervas cantemus. Dicit etiam testis scire tunc vespervas non fuisse dictas in dicto monasterio et similiter aliis pluribus diebus, et scit ista a decem annis et ultra. Sed de fratre Ambrosio dicit hoc fuisse anno tertio, quatenus solitus fuit frequenter visitare claustrum tam pro divinis audiendis, quam etiam pro negotiis fratrum. Ad matutinas dicit testis se non ivisse frequenter, quatenus neque ipsi fratres multum se [fol. 86v] impediabant de matutinis, cum rarissime illas dicere solebant. De scandalo scit tanquam notorium.

Ad quartum articulum positionis testis interrogatus dicit se scire, quod fratres Augustinenses de Kermend fecissent desolationem quam edificationem, et bene testis scit, quod si non fuissent eiecti de illo monasterio oppidi Kermend, magis desolassent. Scit monasterium predictum in meliori statu aliquantulum fuisse, sed dietim ab eo tempore, quo testis in dicto Kermend oppido mansit, in edificiis et structuris in deterius declinasse. Addit testis, quod fratres nihil aut parum edificassent, sed cives vel ipse testis ex officio suo et de voluntate civium eiusdem oppidi, cum ipse fuerit vitricus ecclesie et decanus confraternitatis sive societatis Beate Marie Virginis,<sup>107</sup> fecisset edificia, que facta sunt circa monasterium, imo addit testis, quod quando aliquid edificari fecit, fratres ipsi in nullo penitus sibi et civibus adiutorio fuerunt, et desolationem dicit non fuisse tantam, si providissent et negligentes non fuissent monachi. Credit tamen magis desolationem fuisse ex negligentia fratrum, quam ex vetustate edificiorum. In causa scientie, quia predicta, ut deposuit, vidit et audivit.

Ad quintum articulum positionis testis dicit se scire, quod fratres frequentassent tabernas vinorum, et faciebant symposias et ebrietates

<sup>107</sup> The existence of this confraternity was not known otherwise.

cum rusticis bibendo, et vidisset eosdem fratres inebriatos, et devenisse sepius ad contentiones cum laicis in taberna. De causa scientie dicit testis, quatenus interfuisset cum eis bibendo et symposiam faciendo, de reliquis contentis huius articuli dicit se nescire, neque recordari de tempore neque de loco.

Ad sextum articulum positionis testis interrogatus dicit se vidisse fratres Augustinenses in dicto monasterio et in cellis eiusdem monasterii cum suspectis mulieribus, et audivit eos cachinnantes, et vidit alia turpia exercentes. Scit etiam testis, quod quidam frater cum una captus suspecta [fol. 87r] muliere in cella, et ductus fuit ad castrum, et ibidem detentus in carcere. Illa vero mulier in mediastro oppidi ligata stetit, et tandem expulsa turpiter de oppido fuit cum scandalo fratrum et totius ordinis eorum. De nominibus fratris et mulieris testis ignorat, neque recordatur de anno, quo fuerit, que quidem predicta fuissent tempore Stephani castellani de Kermend. Et audivit et credit, quod propter premissa auctoritate apostolica reverendissimus dominus Strigoniensis prefatus eosdem eiecit, et observantinos induxit. Et audivit aliquando ex ore prefati reverendissimi domini Strigoniensis ita predictis fratribus dicere, ut pauci essent, et divina negligenter, quod si plures nollent esse, et vitam nollent emendare, divinaque officia magis curare, vellet eos eicere, quoniam nollet huiusmodi claustrum permittere, ut desolaretur, et destitueretur divinis. Interrogatus testis de tempore et de loco dixit tunc, quando dominus Strigoniensis Romam proficisceretur,<sup>108</sup> et id fuisse in medio predicti claustrum. Item dicit testis se scire devotionem Christifidelium adeo fuisse diminutam erga fratres Augustinenses, ut nonnulli fuissent, qui etiam ad missam eorum noluerunt ire, neque elemosinam eisdem fratribus dare propter eorum vitam scandalosam, et quod ipsi fratres fuerunt magno contemptui multis adeo, quod scit testis frequenter fuisse rumorem et voluntatem populi cum indignatione eiciendi et expellendi ipsos fratres Augustinenses de dicto claustrum. In causa scientie, quatenus predicta, ut deposuit, vidit et audivit testis, et id omnino scit certitudinaliter, quod condam Iohannes Elber-

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<sup>108</sup> Bakócz left for Rome in the fall of 1511 for the fifth Lateran Council, which opened in May 1512.

boch si supervixisset, fratres ipsos eiecisset. Scit etiam, quod frater Anthonius non existens sacerdos audivisset confessiones publice, et absolvisset confitentes.

Ad ultimum articulum testis interrogatus respondit se de predictis scire esse publicam famam, ut deposuit, apud bonos et honestos viros et non invidos ipsis fratribus Augustinensibus.

Et sic testi iniunctum  
est silentium etc.

[fol. 87v]

TRIGESIMUS NONUS testis honorabilis vir dominus Stephanus plebanus de Kermend, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito, ad generalia interrogatus respondit se in etate habere annos quadraginta quinque vel circa, et habere bona temporalia competenter pro condicione sua, confessus, et sepius celebravit hoc anno presenti missam, non habet odio fratres Augustinenses, cupe- ret tamen observantinos propter bonam vitam eorum hic in monasterio permanere, non inductus neque sollicitatus neque informatus, quomodo in presenti causa deponere deberet, nihil esset sibi datum, neque speraret in futurum, non est iobagio domini Petri, neque eum aliter timeret, nisi ut talem patronum.

#### AD SPECIALIA DESCENDENDO

Ad primum articulum positionis testis interrogatus respondit se audivisse ab antiquioribus, ut Bela rex Hungarie monasterium articulatam pro monachis pro cultu divino ibidem exercendo construi fecisset. In causa scientie, quatenus audivit.

Ad secundum positionis articulum testis interrogatus respondit se audivisse, ut in pleno numero idem Bela fratres Augustinenses induxisset ad dictum monasterium relinquendo eis perpetuo, ut ibidem horas articulatam semper peragerent. In causa scientie, quatenus audivit.

Ad tertium positionis articulum testis interrogatus respondit se scire, quod interdum tres, aliquando duo, interdum unus et aliquando nullus frater mansisset in dicto claustro de Kermend. Scit etiam testis, quod quidam frater Anthonius, dum adhuc esset accolitus, solus in dicto claustro degebat quasi per mensem vel circa, et scit testis infra illud tempus fuisse

aliquos dies, quibus nulla missa fuisset celebrata in dicto monasterio, excepto, quod aliquibus diebus solebat idem frater Anthonius vocare aliquem presbyterum secularem ad celebrandam missam. Et nihilominus scit testis, quod inter illos dies contigisset, quod nec per sacerdotem secularem [*fol. 88r*] neque per fratrem aliquem fuisset aliqua missa dicta. De horis autem canonicis scit testis, quod non tantum tempore illius unius fratris Anthonij manentis in claustro predicto, sed etiam tunc, quando fuerunt quatuor vel quinque vel sex, penitus et in totum hore canonicæ fuerunt neglecte et non dicte. Et hec sciret veraciter ex eo, quatenus frequenter ivisset ad monasterium ad faciendam confessionem, et dicendam vel audiendam missam, vel mirandum de tanta desolatione et negligentia. Addit etiam testis frequentissime redarguisse et corripuisse fratres predicti monasterii de tanta negligentia divinorum officiorum et de tanta desolatione monasterii et scandalosa eorum vita, illi vero respondissent se non sufficere ad reformandam tantam desolationem, quoniam esset eis exigua elemosinarum largitio, et propterea etiam non posse eos numerose vivere, ut omnes horas canonicas et divina officia persolvere possent. Et de scandalo testi constat, quatenus aliquando populus oppidi Kermend sibi conquesti fuissent de divinorum officiorum negligentia et de desolatione. In causa scientie, quatenus vidit et audivit, et interfuit, ut deposuit.

Ad quartum articulum positionis testis interrogatus respondit se scire ex auditu a quodam Paulo Nagh conteste suo,<sup>109</sup> qui fuit vitricus et decanus tempore fratrum Augustinensium, et etiam testis vidit oculata fide, quod dum ipsi cives oppidi Kermend aliqua edificia in monasterio et domibus eiusdem fieri fecerunt, nullum penitus adiutorium etiam in minima re ipsi fratres eis prestiterunt ita, ut neque lapidem vel aliud quitquam de uno loco ad alium portare, levare aut ponere adiuvarunt, sed quasi extranei a monasterio fuissent inter edificandum et reficiendum. Et dicit testis hec vidisse, et se vehementer admiratum fuisse, quatenus videbat ipsos fratres neque ad partes illas, ubi laboratores exercebant labores edificiorum, ivisse. Et credit testis, quod si Augustinenses fratres diutius in ipso monasterio permansissent, in maximam vastitatem devenisset dictum monasterium. Causam sue credulitatis dicit testis, quoniam vidisset [*fol. 88v*] illos ab octo annis, quibus

<sup>109</sup> See witness 38<sup>th</sup>.



hic fuit et cum illis conversatus est, eos semper fuisse negligentes tam in divinis, quam in edificiis; scitque testis, quod quando venisset ad dictum oppidum, fuisset aliquantulum in meliori statu dictum monasterium, tamen dietim deterioratum fuit. Et scit testis, quod non tam ex vetustate, sed ex incuria fratrum monasterium cum suis domibus, horto et curia fuisset desolatum. Scit preterea testis, quod per inductionem fratrum observantinorum et eiectionem fratrum Augustinensium monasterium ipsum in divinis et structuris atque edificiis reformabitur, et melius conservabitur. Causam scientie sue dicit testis, quatenus scit notorie observantinos fratres esse sanctioris vite, melioris exempli et maiorem ad eos populi devotionem, quam ad fratres Augustinenses, et sic per elemosinarum elargitiones eisdem monasterium ipsum reformari et conservari posset.

Ad quintum positionis articulum testis interrogatus dixit se vidisse fratres Augustinenses non regulariter vixisse, sed tanquam acephalos ad tabernas vinorum ivisse, et ibidem symposias cum laicis exercuisse, et audivit etiam ab aliis, quod iidem fratres talia frequentissime exercuissent. Scit denique testis quendam fratrem, de cuius nomine non recordatur, missum fuisse per alios fratres in mendicationem ad remotas partes, qui dum rediisset ex predicta mendicatione, et secretam pecuniam a priore et fratribus celatam habuisset, quadam die ad tabernam vini in domum providi Cristoferi Paÿertak corrigiatoris de Kermend idem frater se contulisset, et inter bibendum ad contentiones verbosas et rixas cum quodam curiali devenisset circa annum quartum proxime elapsum, de die ignoraret, et in fine ad manus devenissent<sup>110</sup>, et ita fortiter deiectum in terram, ut visus fuisset semimortuus dictus frater, quo victo et in terram detruso curialis ille manu sua persensisset apud eundem fratrem in quodam nodo pecuniam esse, quam ab eodem abstulisset, et aliqua parte pecunie sibi retenta reliquam sibi restituisset. Tandem idem frater de dicta taberna [*fol. 89r*] in claustrum fuisset deductus, unde ipsi fratres non parvum de hoc scandalum passi fuerunt apud populum. In causa scientie dicit testis, quatenus hec veraciter audivisset a quodam domino Alberto presbytero conteste suo<sup>110</sup> et ab aliis presbyteris, qui ibidem presentes fuissent, de quorum nominibus non recordatur.

<sup>110</sup> Albertus Nagyliszikai, the 1<sup>st</sup> witness above.

Ad sextum articulum positionis testis interrogatus respondit se vidisse frequentissime suspectas mulieres in dicto monasterio predictorum fratrum et eorum domibus et ibi fratres cum eis impudice conversatos fuisse. Ab octo annis id vidit, quibus testis hic mansit, de nominibus tamen non recordatur. Audivit etiam, quod una illarum habuit filium ab aliquo fratre predicti ordinis et monasterii, quibus predictis intellectis dictus dominus Strigoniensis fratres Augustinenses amovisset, et observantinos induxisset et locasset, ne de die in diem populum fratres ipsi scandalisarent, et ipsis sic prave viventibus devotionem populi diminuerent. Scit etiam fuisse ex dictis suspectis mulieribus aliquas<sup>v</sup> ignobiles et unam nobilem. Scit etiam testis, quod quidam frater Michael, prout de nomine recordari posset, repertus fuit cum suspecta nobili muliere, cuius nomen ignoraret, in cella, tandem detentus per castellanum dicti castris Kermend, et demum ad supplicationem presbyterorum secularium dimissus fuit, et eadem nocte de claustro furtim aufugit. Mulier vero ligata ad mediastrum oppidi, et ibi aliquandiu retenta et virgis cesa, tandem de oppido expulsa et eiecta fuit cum maximo scandalo et vituperio fratrum. Et propter tale scandalum fratres ipsi per aliquot dies non exierunt de claustro eorum, illamque predictam feminam idem frater Michael vocabat sororem spiritualem, cum tamen in una cella secum comprehensa fuisset, ubi per aliquot dies mansissent, et invicem conversati fuissent. Et propter predicta in populo ad scitum testis devotio erga fratres ac ordinem et ecclesiam fuit [fol. 89v] diminuta.

Ad ultimum articulum positionis testis interrogatus respondit se de predictis scire esse publicam famam<sup>w</sup> in oppido Kermend et locis circumvicinis, prout et secundum quod deposuit, apud probos et honestos viros, et nescit, si illi, apud quos talis viget fama, sunt [!] invidi fratribus ordinis Sancti Augustini necne.

Cui testi sic examinato tandem  
iniunctum est silentium etc.

QUADRAGESIMUS testis providus et circumspectus vir Gregorius Polgar, civis dicti oppidi Kermend, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito, ad generalia testis interrogatus respondit se in etate habere septuaginta annos vel ultra, et habe-

re in bonis temporalibus competenter iuxta condicionem suam, et esse se confessum etiam anno presenti et accepisse Eucharistie sacramentum circa Pascha, non haberetque odio fratres ordinis Sancti Augustini, tamen cuperet, ut fratres ordinis Sancti Francisci possent permanere in monasterio Beate Marie Virginis de Kermend, non esset inductus neque sollicitatus neque informatus, quomodo in causa hac deponere deberet, nihil etiam esset sibi datum, neque etiam quitquam speraret habere in posterum pro eo, quod deponeret in hac causa, essetque iobagio domini Petri Erdedi, quem uti dominum temporalem et non aliter timeret.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis testis interrogatus respondit se audivisse ex fama publica et communi, quod condam dominus rex Bela monasterium articulatum unacum domibus et cellis vite monastice necessariis pro cultu divino per fratres ibidem instituendos exercendo erigi et construi fecisset.

Ad secundum positionis articulum sic incipientem: Secundo ponit [*fol. 90r*] quod iidem pii etc. Testis interrogatus respondit se audivisse communi fama et ex illa scire etiam, quod dictus Bela pleno numero fratres ordinis Sancti Augustini ad dictum induxisset monasterium articulatum, et eis possidendum reliquisset, ut futuris perpetuis temporibus nocte matutinas in die autem horas canonicas et missam cantando et legendo pro refrigerio anime sue peragerent, quem quidem plenum numerum fratrum dicit testis intelligere, sicuti etiam a fratribus ipsis Augustinensibus intellexisset, quod si generalis eorum provideret, deberent esse in dicto monasterio duodecim fratres vel ultra. In causa scientie dicit testis, quatenus audivit, ut deposuit.

Ad tertium articulum positionis, qui incipit: Tertio ponit, quod dicti fratres etc. Testis interrogatus respondit se scire, quod tempore fratrum Augustinensium dictum monasterium articulatum multum fuisset diminutum tam in cultu divino, quam in numero fratrum, quod interdum tres, aliquando vero duo et aliquando unus tantummodo frater fuisset in ipso monasterio Beate Marie Virginis, et ille quoque fuisset claudus. Et sciret testis, quod aliquibus diebus adeo fuisset neglecte misse, quod penitus nulla fuisset celebrata missa in eodem

monasterio. Scit etiam testis, quod frequentissime hore nocturne et diurne diversis annis et temporibus non essent dicte, licet ad huiusmodi horas campanam aliquando pulsaverunt. Causam scientie dicit, quatenus ivit aliquando ad dictum monasterium, ut missam audiret, et non potuisset audire, quatenus in clauastro non fuisset preter unum fratrem, qui nec missam nec horas dicere potuisset. Interrogatus de numero, dicit se totiens fuisse, quod numerum nesciret. Dicit etiam testis, quod ipse fuisset conversatus cum eis in comedendo, bibendo et loquendo, et frequenter causa audiende misse visitasset monasterium. Et dicit testis scandalum propter premissa fuisse manifestum adeo, quod aliquando fuit sermo et rumor inter cives eicere ipsos pro tanta ipsorum negligentia, et fuisse rumorem et verba inter oppidanos fratres esse dignos, ut expellerentur, et alii magis religiosi inducerentur [*fol. 90v*] in locum eorum. In causa scientie, quatenus vidit et audivit testis, ut deposuit.

Ad quartum articulum positionis interrogatus testis dicit, quod ab eodem tempore, quo ipse vidit, semper desolatum fuit dictum monasterium propter negligentiam potius dictorum fratrum Augustinensium, quam vetustatem. Et audivit ab ipsis fratribus dicentibus se non esse sufficientes ad conversationem monasterii in divinis et in edificiis, cum essent pauci et pauperes. Alia contenta articuli dicit esse vera, quoniam si ipsi fratres Augustinenses non fuissent amoti de dicto monasterio, et alii in locum eorum inducti, ad extremam vastitatem monasterium redactum fuisset. Scit etiam testis a iuventute sua claustrum, et septa eiusdem fuisse in meliori statu, sed dietim deterioratum et desolatum esse in edificiis tempore fratrum Augustinensium per incuriam eorundem fratrum. Et id scit, quia vidisset testis, quod fratres nullam provisionem fecissent, et quod non ex vetustate, sed ex negligentia eorum dirutum et devastatum monasterium esset, et si ibidem mansissent, indies magis collapsum fuisset, et sic ad meliorem statum edificationum et augmentum divini cultus per inductionem observantiorum restauraretur, quatenus maior populi concursus et devotio ad eos haberetur.

Ad quintum articulum positionis interrogatus testis dicit se vidisse frequenter fratres in tabernis vinorum, et aliquando aliquos ex ipsis fra-

tribus Augustinensibus vidisse ita inebriatos, ut vix ad clastrum redire potuerunt, quos quidem fratres vidit testis sequenti die dicentes missam. In causa scientie, quatenus vidit, de reliquis contentis huius articuli,<sup>y</sup> ac quo anno et tempore predicta fuerunt, dicit se nescire.

Ad sextum articulum positionis testis interrogatus dicit se audivisse communi fama, quod fratres suspectas mulieres induxissent, et cum eis in monasterio conversati fuissent.<sup>z</sup> Et id testis dicit se scire, quoniam quidam frater Augustinensis cum quadam [*fol. 91r*] femina, quam frater ille sororem suam spiritualem appellabat, fuit repertus, tandem detentus per castellanum, ac ad castellum ductus, ibique aliquandiu servatus, femina autem in mediastro oppidi ligata, et tandem de civitate expulsa fuit. De causa scientie dicit, quatenus audivit. Scit preterea testis tanquam notorium, quod quidam frater prior dicti monasterii generasset cuidam mulieri unum filium, qui filius adhuc cum matre vivit. Mater quoque id non diffiteretur, quod a dicto fratre puerum non concipisset, et hoc testis a dicta femina audivisset, essetque de hoc publica fama. Et scit testis, quod ex predictis et aliis malis facinoribus reverendissimus dominus Thomas cardinalis Strigoniensis motus ipsos fratres Augustinenses auctoritate apostolica eiecisset, et alios fratres, observantinos scilicet induxisset, ut divinus cultus et populi devotio eo magis cresceret et augmentaretur. Et hec ex publica<sup>a</sup> fama ab honestis et fidedignis viris ipsis fratribus Augustinensibus non invidis neque malivolis, secundum quod deposuit, audivisset. Addit etiam testis, quod ante plures annos, de quibus recte non recordaretur, scit quosdam fratres diversis quidem temporibus per varios homines pro diversis eorum scelerosis excessibus, et presertim propter mulieres acriter percussos et vulneratos, diversisque peius afflictos in scandalum et dedecus fratrum et totius ordinis ipsorum et ad indevotionem erga monasterium predictum et fratres Christifideles.

Ad ultimum articulum positionis testis interrogatus respondit se de predictis omnibus scire publicam famam apud viros honestos et probos, ac non invidios ipsi fratribus Augustinensibus, secundum quod ipse deposuit superius.

Silentium iniunctum est  
testi

QUADRAGESIMUS PRIMUS testis circumspetus vir [fol. 9rv] Andreas Chwthÿ de Kermend predicta,<sup>111</sup> citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito, ad generalia testis interrogatus respondit se in etate habere quadraginta annos vel circa, et habere in bonis temporalibus ad valorem duorum milium florenorum, confessus esset anno etiam presenti, et accepisse sacramentum Eucharistie, et non habere odio fratres ordinis Sancti Augustini, cuperet tamen propter bonam vitam eorum fratres ordinis Sancti Francisci permanere in monasterio Beate Marie Virginis de Kermend, non esset inductus nec informatus, quomodo in hac caua deponere deberet, nihil esset sibi datum, nec quitquam speraret habere in posterum pro eo, quod deponeret in causa presenti, est iobagio domini Petri Erdedi, et non timet, nisi uti decet dominum temporalem.

#### AD SPECIALIA DESCENDENDO

Ad primum articulum positionis interrogatus testis respondit se scire ex auditu, quod aliqui Christifideles pro cultu divino per fratres instituentos exercendo monasterium articulatam construi fecissent, sciretque huiusmodi esse monasterium in Kermend.

Ad secundum articulum positionis interrogatus testis dicit ex eodem fama audivisse, ut fundatores in pleno numero fratres ordinis Sancti Augustini induxissent ad dictum monasterium, et eis possidendum reliquissent, ut futuris temporibus iugiter divina, uti articulatur, peragerent officia, plenumque numerum dicit testis intelligere illum, qui tot perficere possent servitia divina. In causa scientie, quatenus hec, uti deposuit, audivit.

Ad tertium articulum positionis testis interrogatus dicit se scire, quod fratres Augustinenses aliquando tres, aliquando duo fuissent tan-

<sup>111</sup> Andreas had a considerable wealth which he earned by cattle trade. He was exempted from seigniorial taxation and although he was the serf of Petrus Erdődy (in 1528 his castellan in Kőrmend) and „officially” not a nobleman (for which reason the royal curia refused to hear him personally concerning the violent act he committed on behalf of his landlord), he enjoyed the title and the roles of nobility within the community: he acted as arbiter in a conflict among noblemen and had lands in tenure with serfs. (*nobilis arbiter*: MOL DL 101 827, 1520–1523; *libertinus*, castellan: ÖStA HHStA Arch. Erdődy, Kart. 95, fasc. 5, n. 2, 1528; tenure: MOL DL 58 281).

tum in monasterio. Scit etiam, quod rarissime matutine, vespere et alie [hore] canonicè cantate fuissent in dicta ecclesia, licet pulsassent<sup>b</sup> campanas, nescit tamen si aliquè<sup>c</sup> dies remansissent sine missa, nisi tunc, quando fratres vocati ad [fol. 92r] aliam fuissent ecclesiam ad celebrandum pro defunctis in obsequiis alicuius demortui. Habuit testis<sup>d</sup> conversationem cum fratribus, sepiusque claustrum visitavit pro divinis audiendis et locutum sepe cum fratribus, et interrogasse eos, quare tantam negligentiam in divinis facerent, qui respondissent se paucos esse, nec unde viverent, haberent, ideo non possent divina persolvere. Et ideo testis dicit ipsos multa et gravia scandala propter negligentiam divinorum pertulisse, et hec scit, quatenus vidit et audivit, ut deposuit.

Ad quartum articulum positionis testis interrogatus<sup>e</sup> dicit se credere, quod fratres Augustinenses desolassent<sup>f</sup> monasterium predictum, quoniam testis a viginti annis, quibus ipse hic fuit, scit monasterium in meliori statu in edificiis, sed paulatim declinasse in deterius. Causam scientie dicit, quatenus vidit testis, quod magis per incuriam, quam per vetustatem edificia monasterii sunt diruta. Addit etiam testis se scire, quod si cives dicti oppidi tecturam monasterii non fecissent reparari, Indies magis claustrum destructum et desolatum fuisset. Et dicit testis bene factum fuisse, quod reverendissimus dominus cardinalis Strigoniensis ipsos fratres Augustinenses eiecisset, et observantinos induxisset, quoniam tempore observantinorum non tantum monasterium in edificiis et structuris reficietur, quatenus melioris vite sunt, verum etiam devotio Christifidelium magis augmentabitur. Causam scientie dicit testis, quatenus vidit et audivit, ut deposuit.

Ad quintum articulum dicit testis se scire et vidisse ipsos fratres frequentasse tabernas, et ibidem fecissent coqui, et bibissent cum laicis usque ad ebrietatem inclusive. Causam scientie dicit, quatenus et ipse testis bibisset cum ipsis fratribus, de anno tamen ac quotiens et in qua domo, non recordatur, quatenus sepius et in diversis locis id fecissent, sciretque, quod dicti fratres in dicto monasterio ipsorum habuissent<sup>g</sup> pastores omnes, vulgo [fol. 92v] *hajdú*<sup>112</sup> vocatos et aliorum pecorum, et cum illis conversati fuissent, et cum illis se vino ingurgitassent. Interro-

<sup>112</sup> For *hajdús* see note 95.

gatus testis unde hec sciret, dixit se intellexisse a famulis suis, qui etiam de societate huiusmodi fuissent. Constat etiam testi de scandalo per notorietatem, quatenus horas canonicas, vesperas et completorium persistendo in tabernis neglexissent, et ideo clamores propterea subortos fuisse contra eosdem inter oppidanos.

Ad sextum articulum positionis testis interrogatus dixit se audivisse dictos fratres mulieres suspectas ad monasterium induxisse, et cum eisdem conversatos fuisse. Vidit etiam quendam fratrem captum fuisse in cella sua cum quadam muliere suspecta, quam ipse frater sororem spiritualem appellabat, et devinctum catenis in castro detentum, quem castellanus ad preces certorum proborum virorum eliberaverat, et in claustrum remiserat, et ipse frater sequenti nocte aufugerat,<sup>h</sup> mulier vero fuit ligata ad mediastrum et virgis cesa, tandem expulsa de civitate in ignominiam fratrum. Scit etiam testis, quod reverendissimus dominus Thomas cardinalis Strigoniensis tot malis rumoribus de fratribus intellectis motus eosdem auctoritate apostolica eiecisset, et observantinos induxisset. In causa scientie dicit testis, quatenus vidit et audivit, ut deposuit.

Ad ultimum articulum testis interrogatus respondit se scire de predictis esse publicam famam, prout deposuit, in dicto oppido Kermend et locis ei circumvicinis apud probos et honestos viros et non malevolos fratribus Augustinensibus.

Silentium iniunctum est testi

QUADRAGESIMUS SECUNDUS testis providus Andreas Býro de Nadasd<sup>113</sup> citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito, ad generalia respondit se in etate habere quinquaginta annos vel ultra, et habere<sup>i</sup> iuxta suam condicionem competenter in bonis, [*fol. 93r*] esseque confessum anno presenti, et non<sup>i</sup> accepisse sacramentum Eucharistie propter certos suos inimicos, qui sibi essent infesti, non habet odio fratres Augustinenses, cuperet tamen fratres ordinis Sancti Francisci remanere in dicto monasterio de Kermend, non esset inductus neque informatus, quomodo in causa deponere deberet, nec esset quitquam sibi datum nec speraret habere in posterum

<sup>113</sup> For Nadasd see note 92.



pro eo, quod deponeret in causa presenti, non est iobagio domini Petri, nec eum timeret.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis testis interrogatus respondit se ab anti-quis audivisse, quod monasterium articulatum tempore belli karbel<sup>114</sup> fuisset fundatum per Belam regem Hungarie pro cultu divino per fratres ibi instituendos exercendo. In causa scientie, quatenus audivit, ut deposuit.

Ad secundum articulum testis interrogatus respondit se similiter audivisse, quod dictus Bela rex in pleno numero fratres ordinis Sancti Augustini induxisset, ut horas articulatas semper peragere deberent in dicto monasterio, et ita illud eis possidendum reliquisset, plenumque numerum scit testis esse, secundum quod ei videtur, decem fratres.

Ad tertium articulum positionis interrogatus testis dicit se scire ab annis triginta vel ultra, quod interdum tres, interdum duo et aliquando unicus tantum frater mansisset in dicto monasterio de Kermend. Et id dicit testis se scire, quatenus aliquando visitasset ecclesiam fratrum pro divinis audiendis, et si plures fuissent, bene videre potuisset. Et scit etiam testis, quod pluribus diebus a tempore predicto diversis annis misse non fuissent dicte, et hore canonice penitus neglecte. Causam scientie dicit, quatenus sepius causa devotionis se illuc divertisset, sed neque missam neque alias horas canonicas audire potuit. Et hec etiam audivisset ab aliis fidedignis hominibus. Scit etiam, quod propter premissa populus in oppido et extra oppidum existentes magnum in fratres Augustinenses odium habuisset. In causa scientie, quatenus hec vidisset et audivisset. [*fol. 93v*]

Ad quartum articulum positionis interrogatus testis dicit se scire, quod monasterium predictum non tantum<sup>k</sup> in divino cultu fuisset destitutum, sed etiam in peiorem statum devolutum ita, quod nisi reverendissimus dominus Thomas cardinalis Strigoniensis auctoritate apostolica ipsos fratres Augustinos eiecisset, et observantinos induxisset, credit testis in magnam ruinam monasterium predictum deventum fuisse. Scit

<sup>114</sup> Neither the literature nor personal information helped me to identify with certainty this war.

etiam monasterium ipsum a triginta annis in meliori statu fuisse, sed ob incuriam fratrum Augustinensium successive vastitati subiacuisse, et credit testis, quod per huiusmodi fratrum observantinorum inductionem et Augustinensium eiectionem monasterium ipsum in cultu divino et structuris indies reficietur, et Christifideles devotionem maiorem erga fratres observantinos habebunt. Credit preterea testis non ex antiquitate edificiorum, sed ex incuria fratrum ad tantam devenisset [!] desolationem, quatenus fratres quitquid ex elemosinis habere potuerunt, id ad gulam et ventrem perniciose exposuerunt. In causa scientie, quatenus vidit et audivit testis, ut deposuit.

Ad quintum articulum positionis testis interrogatus dicit se pluries vidisse fratres in tabernis et cum laicis bibisse ac inebriatos fuisse, et aliquando inter conversandum redargutos fuisse per laicos non pertinere ad bonos religiosos ita vino indulgere, ut ipsi faciunt. Et audivit etiam a fidedignis hominibus ipsos fratres Augustinenses iurgia et rixas cum laicis exercuisse et contendisse verbis usque ad consertionem manuum, sed de effusione sanguinis nescit, et neque de anno testis recordatur, et dicit testis, quod vidisset in domo Iohannis Azo et Gregorij Karol<sup>115</sup> de Kermend et in aliis domibus et tabernis. Interrogatus cum quibus, dixisset testis, quod cum talibus ebriosis, sicuti ipsi erant. Audivisset etiam fratres predictos lusisse ad cartas, et scit scandalum in populo et clero propter huiusmodi tabernarum visitationes, quatenus notorie fiebant per fratres. In causa scientie, quia hec ita vidisset et audivisset. [fol. 94r]

Ad sextum articulum positionis interrogatus testis dicit se audivisse communi fama, quod fratres Augustinenses suspectas feminas se [!] ad monasterium eorum introduxissent, et cum illis male vixissent. Et sciret testis quandam mulierem cuidam famulo ipsorum, cum qua rem habere solebant, quod nuptui<sup>1</sup> tradiderunt, ut liberius sub colore matrimonii illam, quotiens vellent, habere possent. Dicit etiam testis, quod reverendissimus dominus Thomas cardinalis Strigoniensis bene fecisset, quod ipsos fratres Augustinenses amovisset, quatenus propter eorum gravia scandala Christicole a devotione retrahebantur, et a largitione elemosinarum multi probi homines se abstinebant. Addit testis etiam se

<sup>115</sup> He is the 44<sup>th</sup> witness below.

audivisse a multis, quod nigri fratres ante quinquaginta annos et antea digni fuissent expelli de dicto monasterio propter eorum malam vitam et famam. In causa scientie dicit testis, quatenus hec ita vidit et audivit, uti deposuit.

Ad ultimum articulum testis interrogatus respondit se de predictis scire esse publicam famam apud probos et honestos viros et non invidos fratribus Augustinensibus, prout et secundum quod deposuit,<sup>116</sup> in oppido Kermend et in locis circumvicinis.

Silentium testi est iniunctum

QUADRAGESIMUS TERTIUS testis honorabilis vir, dominus Laurentius presbyter de Kermend rector altaris defunctorum in ecclesia Sancti Martini alias parochiali extra muros oppidi Kermend fundati,<sup>116</sup> citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito, ad generalia testis interrogatus respondit se esse triginta duorum annorum vel ultra, et habere bona temporalia competenter iuxta suam condicionem, esse confessum, et celebrasse missam sepius anno presenti, non habereque odio fratres Augustinenses, nec curaret, an Augustinenses vel observantini deberent remanere in dicto monasterio Beate [fol. 94v] Marie de Kermend, non inductus neque informatus, quomodo in causa deponere debeat, nihil datum esset sibi neque in posterum quitquam sperat habere, essetque sub patronatu domini Petri Erdedi, qui iuxta suam exigentiam teneret eum in honore.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis testis interrogatus respondit se audivisse ab antiquis et etiam a parentibus suis, quod condam antiquus Bela monasterium articulatum pro cultu divino per fratres ibidem exercendo cum domibus et aliis monastice vite necessariis construi fecisset. In causa scientie, quatenus ut deposuit audivit, sciretque etiam testis solus monasterium esse in Kermend<sup>n</sup> fundatum.

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<sup>116</sup> The church of St. Martin was probably the oldest in the town. No remains of it survive. It probably stood in the north-eastern corner of the town, here mentioned as outside the walls (see map 1 after page 8).

Ad secundum positionis articulum testis interrogatus respondit se similiter audivisse ex eadem fama communi, quod idem Bela prefatus fratres Augustinenses in pleno induxisset ad dictum monasterium numero, et eis possidendum reliquisset, ut horas canonicas articulatas et missam ibidem peragerent, quem quidem plenum numerum testis intelligit quoad tanta servitia sexdecim fratres. In causa scientie, quatenus ita audivit et etiam ipse credit.

Ad tertium articulum positionis interrogatus testis dixit utrosque parentes suos et ipsum in oppido predicto Kermend fuisse natum, et novisse a pueritia sua dictum monasterium, et frequenter vidisse fratres et servitia divina in dicto monasterio existentes. Et dicit testis se scire, quod fratres, qui pro tempore hic constituti erant, valde tardi et frigidi ad peragenda divina officia, et scit aliquando solummodo fuisse quatuor, aliquando tres, aliquando duos unumque interdum fratrem in monasterio predicto, et sic veraciter sciret, quod frequentissime misse non fuissent dicte in monasterio, ac etiam matutine, hore canonice, vespere et completoria ad scitum testis [*fol. 95r*] absque numero fuissent neglecta. Causam scientie dicit testis, quoniam habuisset conversationem cum fratribus, et sepius illuc ad monasterium ivisset, et vidisset absque numero negligi officia divina, ut prius deposuit, tamen fratres campanam pulsassent. Addit testis, quod aliquando fratres vel frater unus pro tempore constituti vocati fuerunt extra ad villas cum aliis presbyteris secularibus ad exequias vel commemorationem faciendas pro defunctis, claustrum<sup>o</sup> vacuum penitus relinquendo, nullam missam ibi celebrando, et alias signanter horas canonicas diurnas vel nocturnas non dicendo. De scandalo dicit testis se scire, quatenus audivit et inter clericum et inter populum lamentationes graves et querelas contra ipsos fratres sepius fuisse pro talibus eorum negligentis. Audivit etiam frequenter dici vituperiosis verbis apud multos homines, quod talibus fratribus, quales isti sunt, neque elemosine elargiri deberent, et neque essent digni teneri in claustro propter eorum malos mores et inordinatam vitam. In causa scientie dicit testis, quatenus predicta vidit et audivit, ut deposuit.

Ad quartum articulum testis interrogatus dicit se scire dictum monasterium in meliori statu aliquantulum prius fuisse, sed postea propter incuriam eorum ad vastitatem denisse<sup>p</sup> ex eo, quatenus nihil

edificarunt. Et scit testis propter expulsionem fratrum Sancti Augustini et per introductionem fratrum Sancti Francisci de observantia reverendissimus dominus cardinalis Strigoniensis bene persuasit et providit dicto monasterio, quatenus propter maiorem populi devotionem et concursum ad dictos fratres ac etiam elemosinarum largitionem ipsi observantini celerius et commodius ipsum claustrum in edificiis suis reficient et decorabunt. Et scit testis omnes fere oppidanos et circumvicinos nobiles [fol. 95v] et ignobiles gratias agere Deo de huiusmodi provisione domini cardinalis Strigoniensis, unde maiorem ipsorum et successorum suorum salutem<sup>9</sup> sperant. In causa scientie, quatenus vidit et audivit testis, ut deposuit.

Ad quintum articulum positionis interrogatus testis dicit se frequenter vidisse fratres Augustinenses in tabernis cum laicis symposias et ebrietates fecisse usque ad ebrietatem. Audivit etiam testis eosdem iurgia, rixas et contentiones cum laicis fecisse, et audivit, quod fratres in claustro se mutuo percussissent, sed nescit de effusione sanguinis neque etiam de ludo eorum, sed vidit in claustro iamdicto quendam fratrem tempore primitiarum unius fratris chorisasse cum una femina in presentia plurimorum virorum et mulierum, de anno non recordatur. Vidit etiam eos in taberna in domibus Iohannis Azbolth, Gregorii Karol et apud Benke Isakÿ et in domibus aliorum, quorum nomina non recordatur. Addit etiam se scire et vidisse fratres in oppido apud laicos coquinam fieri fecerunt, et ibidem tam prandium, quam cenam cum laicis sumpserunt. Et vidit testis frequenter fratres ipsos cum mulieribus, que eis cibaria in domibus eorum extra claustrum coxerunt, cum eis cibaria portabant in mensa prandere et cenare. Et hec scit, quatenus vidit. Interrogatus de nominibus mulierum talium dixit unam fuisse uxorem Nicolai Nÿlas, aliam uxorem Iohannis Asbolth, tertiam uxorem Nicolai Karol, de nominibus aliorum non recordatur. Iterum interrogatus testis quomodo id sciret, respondit quatenus fere a pueritia sua ad presentem etatem dies suos in dicto oppido peregisset, et horum aliqua fieri vidisset, dum iunior fuisset, aliqua vero tunc, cum iam esset in sacris. [fol. 96r]

Ad sextum articulum positionis testis interrogatus respondit se scire, quod quidam frater Michael fuisset captus per quendam Benedictum

Ferde, castellanum castris Kermend in cella sua cum quadam muliere, quam fingebat esse sororem suam, et detentum in castello, pro quo frater dixit testis se supplicasse unacum aliis apud castellanum, ut eliberaretur, qui dimissus fuerat ad supplicationem proborum virorum et presbyterorum, mulier vero ligata publice ad mediastrum et percussa turpiter, ac expulsa de civitate, de quo fratres fuerunt plurimum scandalisati. Addit etiam testis, quod scit quendam fratrem Anthonium Augustinensem non sacerdotem audivisse publice confessiones, nescit tamen, si fuit subdiaconus vel diaconus, et scit, quod iste frater Anthonius aliquandiu solus in claustro predicto mansisset, et signanter post fugam dicti fratris Michaelis de claustro, creditque quod propter predicta reverendissimus dominus Thomas cardinalis Strigoniensis Augustinenses amovisset, et fratres Sancti Francisci de observantia induxisset. Et testis dicit nullam devotionem fidelium habuisse ad dictam ecclesiam propter malam vitam ipsorum fratrum Augustinensium. In causa scientie dicit testis, quatenus predicta audivisset et vidisset, prout deposuit superius.

Ad ultimum articulum positionis interrogatus testis dixit se de predictis, prout deposuit, scire publicam famam esse in oppido Kermend et locis circumvicinis apud probos et honestos viros et dictis fratribus Sancti Augustini non invidos.

Et sic testi iniunctum  
est silentium

QUADRAGESIMUS QUARTUS testis providus vir Gregorius [*fol. 96v*] Karolj de dicta Kermend<sup>117</sup> citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito, ad generalia testis interrogatus respondit se in etate habere quadraginta annos vel circa, et habere competenter in bonis iuxta suam condicionem, et esse confessum anno presenti, et accepisse sacramentum Eucharistie, non habet odio fratres Sancti Augustini ordinis, nec curat, qui fratres ex sepefatis ordinibus in dicto

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<sup>117</sup> He is mentioned in 1528 when he committed a violent act against the serfs of the Gersei Pető family in Vasvár with other serfs and familiars of Petrus Erdődy, among them Franciscus Nádasdy, witness 29<sup>th</sup> here above and Andreas Csuti, witness 41<sup>st</sup> (ÖStA Arch. Erdődy, Kart. 95, fasc. 5, n. 2).

monasterio permanerent, non est inductus nec informatus, quomodo in causa presenti debeat deponere, nihilque datum neque promissum, neque sperat habere in posterum pro eo, quod deponit, est teoloniator, et subditus domini Petri Erdedi, qui eum honeste teneret, et timeret eum tanquam dominum temporalem.

AD SPECIALIA DESCENDENDO

Ad primum articulum positionis testis interrogatus respondit se scire ex auditu, quod condam Bela rex monasterium articulatum in oppido Kermend cum domibus et aliis vite monastice necessariis pro cultu divino per fratres ibidem instituendos exercendo construi et edificari fecisset, et id scit, quatenus audivit, ut deposuit.

Ad secundum articulum positionis testis interrogatus respondit se similiter audivisse, quod idem Bela in pleno numero fratres Augustinenses induxisset ad dictum monasterium, et eis possidendum reliquisset, ut horas canonicas et missam cantando et legendo semper peragerent, plenumque numerum dicit testis intelligere, qui potuissent explere divina officia, sive fuissent illi viginti sive xvi sive decem fratres. In causa scientie, quatenus audivit, ut deposuit testis.

Ad tertium articulum positionis interrogatus testis dicit se scire, quod aliquando fuissent tres, aliquando duo fratres et interdum unus frater Augustinensis in dicto monasterio de Kermend, et scit [*fol. 97r*] rarissime matutinas et horas canonicas fuisse dictas in prelibato monasterio, de missa tamen, si fuerit vel non fuerit dicta, testis ignorat. Audivit tamen a quibusdam bonis viris, quod aliquibus diebus nulle fuissent dicte misse in ipso prefato monasterio, propter que fuit scandalum in dicto oppido et extra. Dicit se frequenter visitasse claustrum prefatum pro missa audienda, ex quo maneret in vicinatu monasterii, et essent duodecim anni, quod novisset ipsum monasterium, et ab illo tempore scit uno anno melius, quam aliis officia divina persoluta fuisse. In reliquis tamen annis scit, quod semper defectuose fuissent persoluta. De causa scientie dicit testis, quatenus vidisset et audivisset ita facta fuisse.

Ad quartum positionis articulum testis interrogatus dicit se scire monasterium predictum circa annum duodecesimum fuisse in meliori statu, sed iam fuisse paulatim propter negligentiam dictorum fratrum Augu-

stinensium desolatum, et magis per incuriam fratrum, quam ex vetustate. Et scit testis, quod si ipsi fratres Augustinenses mansissent in dicto monasterio, magis illud fuisset desolatum, quatenus non curassent edificare, et illas elemosinas, quas Christifideles eis elargiebant, potius male et inutiliter consummebant, quam ad edificia et ad reparationem dicti monasterii exposuissent. In causa scientie, quatenus vidit testis et audivit, ut deposuit.

Ad quintum articulum positionis testis interrogatus respondit, quod ab eodem tempore, quod ipse fuisset in Kermend, sciret, quod fratres Augustinenses visitassent tabernas, et ibi bibissent cum rusticis, et testis<sup>r</sup> cum eis aliquando bibisset in diversis tabernis et temporibus [*fol. 97v*] et in domo sua propria, cum vinum initiasset, et propter huiusmodi visitationem tabernarum scit testis, quod neglecta fuissent divina officia, et propter hoc magnum fuisset in populo scandalum. De causa scientie dicit testis, quatenus vidisset, et sciret etiam, quod fecissent aliquando cibaria coqui in oppido, et comedisse extra monasterium et interdum cum mulieribus suspectis in monasterio.

Ad sextum positionis articulum interrogatus testis dixit se vidisse mulieres suspectas introductas ad septa claustrum per dictos fratres Augustinenses, et cum eisdem convivatas fuisse. Et scit testis quendam fratrem, cuius nomine, ignorat, captum fuisse in cella propria cum quadam muliere suspecta, quam sororem spiritualem vocabat, et ductum ad castrum, tamen illum scit ad supplicationem nonnullorum aufugisse, mulierem vero in mediastro ligatam et percussam, et tandem de oppido turpiter expulsam, et ob hoc fratres fuerunt valde scandalisati. Et credit id fuisse factum circa annum octavum. Scit etiam, quod reverendissimus dominus Thomas cardinalis Strigoniensis propter malam eorum vitam eos exclusisset, et observantinos auctoritate apostolica induxisset pro reformando divino cultu et augenda devotione Christifidelium, et tam oppidani, quam extranei nobiles et ignobiles reddunt gratias Deo, quod reverendissimus dominus Thomas cardinalis Strigoniensis Augustinensibus eiectis observantinos induxisset.

Ad ultimum articulum de fama publica testis interrogatus respondit se [scire] de premissis esse famam publicam, prout deposuit, in dicto oppido Kermend et locis circumvicinis apud probos et honestos viros, et



dictis fratribus Augustinensibus [*fol. 98r*] non invidos. Non enim credit testis, quod odio ista fama orta fuisset, quoniam notorium fuisset, quod fratres Augustinenses fuissent<sup>s</sup> male vite et negligentes in divinis.

Cui testi sic examinato  
tandem iniunctum est silentium etc.

QUADRAGESIMUS QUINTUS testis providus vir Georgius Kÿral, civis dicti oppidi Kermend, citatus, iuratus et examinatus, reducto sibi prius in memoriam iuramento per eum prestito, ad generalia testis interrogatus respondit se in etate habere plusquam quinquaginta annos, et habere bona ad valorem centum florenorum, esseque presenti anno confessum, et accepisse sacramentum Eucharistie, et non haberet odio fratres ordinis Sancti Augustini, et magis tamen cupere, ut fratres ordinis Sancti Francisci de observantia in monasterio Beate Marie Virginis de Kermend permanerent, quam fratres Sancti Augustini, non esset inductus neque informatus, quomodo in causa presenti deponere deberet, nihil esset sibi datum, neque quitquam speraret habere in posterum pro eo, quod deponeret in hac causa, essetque vasallus domini Petri Erdedi, qui eum honorifice tanquam talem iobagionem teneret, et non formidaret eum, nisi ut dominum temporalem.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis interrogatus testis respondit se scire monasterium articulatam fundatum fuisse in oppido Kermend per condam Belam regem Hungarie et eius uxorem pro divino cultu per fratres ibi instituendos exercendo cum domibus et cellis vite monastice necessariis. In causa scientie dicit testis, quatenus audivisset ex fama communi et etiam esset notorium.

Ad secundum articulum positionis interrogatus testis dixit [*fol. 98v*] se similiter audivisse, et credere, quod dictus Bela fratres Augustinenses in pleno numero ad dictum induxisset monasterium, et eis perpetuo possidendum reliquisset, ut perpetuis futuris temporibus singulis noctibus matutinas, in die horas canonicas et missam cantando et legendo in dicto peragerent monasterio, quem quidem plenum numerum credit testis esse viginti vel ad minus decem fratres. In causa

scientie dicit testis, quatenus audivisset, ut deposuit, et etiam ipse crederet, uti articuletur.

Ad tertium articulum positionis testis interrogatus respondit se scire, quod fratres ipsi Augustinenses refrigerantes in divinis serviendis adeo diminutum fuisset monasterium ipsum in numero fratrum, ut aliquando tres, interdum duo fratres et aliquando unus tantummodo frater mansisset in dicto monasterio tempore fratrum Augustinensium, vidissetque testis ab ineunte etate sua, quod dicti fratres Augustinenses sepius matutinas et horas canonicas non cantassent, et aliquibus diebus etiam missam nec cantando nec legendo dixissent<sup>t</sup> in dicto monasterio ipsi fratres Augustinenses. Cum quibus quidem fratribus dicit testis habuisse conversationem in bibendo, comedendo et loquendo tam in dicto monasterio, quam extra, sepiusque pro divinis audiendis idem testis ivisset ad dictum monasterium tunc fratrum Augustinensium, propterque predicta dicit testis se scire, quod Christifideles tam in dicto oppido, quam extra non parvum scandalizabantur. Addit etiam testis se scire, quod quidam Iohannes Ellerboh tunc dominus temporalis loci Kermend propter tantam negligentiam ditorum fratrum in divinis et propter tantum scandalum per fratres factum in populo voluisset eosdem fratres Augustinenses [eicere],<sup>u</sup> et alios inducere melioris vite religiosos. In causa scientie dicit testis, quatenus ista vidisset et audivisset, prout deposuit superius. [*fol. 99r*]

Ad quartum positionis articulum testis interrogatus respondit se scire, quod tempore fratrum Augustinensium per incuriam et negligentiam eorundem dictum monasterium desolatum fuisset. Credit etiam, quod si auctoritate apostolica aliter de aliis religiosis vite melioris provisum non fuisset, indies magis desolatum fuisset. Addit etiam testis se scire, quod cum ipse alias iudex dicti oppidi Kermend fuisset, et tempore sui iudicatus unacum aliis civibus eiusdem oppidi tecturam claustrum facerent, dicti fratres Augustinenses nullum adiutorium ipsis prestitissent, etiam lapidem aut testam vel lignum de uno loco in alium facientibus, unde propter hoc predicti fratres magno contemptui fuissent dictis civibus oppidi Kermend. Scit etiam testis aliquando dictum monasterium cum eius septis fuisse in meliori statu, sed paulatim propter negligentiam fratrum desolatum fuisse. Qui quidem fratres Augustinenses, si non fuis-

sent eiecti de ipso monasterio, magis fuisset indies desolatum, quia quicquid Christifideles eis elargitabant, omnia male consumebant. Dicit etiam testis se scire, quod propter malam vitam eorundem fratrum Augustinensium dietim minores dabantur eis elemosine propter indevotionem populi erga eos, et sic, cum non habuissent unde, paulatim magis permisissent desolari ipsum monasterium. Et credit testis, quod potius propter negligentiam et incuriam eorundem fratrum dictum monasterium ad tantam vastitatem, quam propter vetustatem [devenisset].<sup>v</sup> Scit etiam testis, quod bene sit provisum per reverendissimum dominum Thomam cardinalem Strigoniensem eidem monasterio instituendo in eo fratres observantinos, nam id ad maiorem edificationem et conservationem illius monasterii esset, quoniam ad istos fratres observantes maior esset populi devotio, et maior eis elemosinarum largitiones essent, [fol. 99v] quam illis Augustinensibus, ex quibus commodius edificia fieri per eos poterunt tum etiam, quatenus fratres observantini per se quoque magis laborant, et intendunt ad labores edificiorum, quam fratres ordinis Sancti Augustini. In causa scientie dicit testis, quatenus predicta vidisset et audivisset, prout deposuit.

Ad quintum positionis articulum testis interrogatus respondit se sepius vidisse fratres Augustinenses in tabernis vinorum diversis locis et annis in dicto oppido Kermend et extra in locis circumvicinis, et ibi cum rusticis et laicis symposias et ebrietates exercuisse cum magno scandalo Christifidelium, an tamen dicti fratres ad verbera usque ad sanguinis effusionem venerint, testis dicit se nescire. Scit etiam testis, quod propter premissa negligebantur divina officia. In causa scientie dicit testis, quatenus vidit et audivit, prout deposuit.

Ad sextum articulum positionis interrogatus testis respondit se audivisse communi fama, quod dicti fratres Augustinenses mulieres suspectas ad dictum ducebant monasterium, et ibi cum eisdem impudice conversati essent. Addit etiam testis, quod quidam frater in cella sua cum quadam suspecta muliere receptus, et ad castrum Kermend ductus fuisset, et tandem frater ad petitiones nonnullorum eliberatus, et mulier ad mediastrum civitatis ligata et cesa virgis, de oppido expulsa cum dedecore fratrum fuisset. Dicit etiam audivisse, quod reverendissimus dominus cardinalis Strigoniensis auditis predictis excessibus fratrum

Augustinensium eorum demeritis exigentibus de dicto monasterio amovisset, et observantes collocasset. In causa scientie, quatenus hec audivisset, prout deposuit. Addidit testis, quod Augustini propter malam vitam eorum digni fuissent<sup>w</sup> prius expelli de monasterio et ipsi cives, si ausi fuissent, diu eicere voluerunt. [*fol. 100r*]

Ad septimum articulum positionis, de fama scilicet publica testis interrogatus respondit se scire de predictis esse publicam famam in oppido Kermend et extra in locis circumvicinis, prout ipse deposuit, apud probos et honestos viros, et non ex odio divulgatam, sed ex facti rei veritate.

Eidemque testi iniunctum  
est silentium etc.

QUADRAGESIMUS SEXTUS testis providus vir Mathias Tapasto, civis dicti oppidi Kermend dicte diocesis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per ipsum prestitito, ad generalia testis interrogatus respondit se in etate habere quinquaginta annos vel ultra, et habere in bonis ad valorem septuaginta quinque florenorum, essetque Laurini<sup>118</sup> confessus anno presenti, et accepisse sacramentum Eucharistie, non haberet odio fratres ordinis Sancti Augustini, cuperet tamen testis, ut fratres ordinis Sancti Francisci de observantia permanerent in monasterio Beate Marie Virginis de Kermend, non esseque se inductum neque informatum, quomodo in causa hac deberet deponere, nihilque esset sibi datum neque speraret etiam in posterum quitquam a quoquam habere propterea, quod in hac deponeret causa, essetque vasallus domini Petri Erdedi, qui eum teneret in reverentia, et ipse non aliter, nisi ut dominum timeret temporalem.

AD SPECIALIA DESCENDENDO

Ad primum articulum positionis testis interrogatus respondit se audivisse communi fama, ut divi reges Hungarie et alii Christifideles monasterium articulatum cum domibus et aliis monastice vite necessariis in dicto oppido Kermend pro cultu divino per fratres ibidem instituendos

<sup>118</sup> Győr, the see of County Győr along the river Rába.

exercendo construi et edificari fecissent. In causa scientie, quatenus dicit testis, ut audivisset, ipse quoque monasterium sciret esse<sup>x</sup> in Kermend, quoniam vidisset, et in eo fuisset.

Ad secundum articulum positionis testis interrogatus respondit [*fol. 100v*] se similiter audivisse communi fama, ut fundatores dicti monasterii fratres Augustinenses ad illud in pleno induxissent numero, et eis possidendum reliquissent,<sup>y</sup> ut semper futuris successivis temporibus matutinas in nocte et in die horas canonicas et missam cantando et legendo peragerent, de pleno autem numero testis intelligit sexdecim vel duodecim, vel ad minus decem fratres sufficere ad tantum monasterium et tanta divina peragenda servitia.

Ad tertium articulum positionis testis interrogatus respondit se scire ab eo tempore, quo ipse recordari potest, quod dictum monasterium articulatum tempore fratrum ordinis Sancti Augustini multum fuisset diminutum<sup>z</sup> tam in numero fratrum, quam etiam in cultu divino intantum, quod sciret testis, ut in eodem monasterio de Kermend aliquando tres, interdum duo fratres Augustinenses et aliquando unus tantum conversus frater mansisset. Et sciret etiam testis, quod nullas horas canonicas neque missam aliquam aliquibus diebus interdum in eodem dixissent monasterio propter paucitatem fratrum Augustinensium. Causam sue scientie dicit testis, quoniam ipse aliquando, ut audiret divina, ivisset ad dictum monasterium et predicta, uti deposuit, vidisset. Et sciret testis fuisse scandalum Christifidelium tam in dicto oppido, quam extra in locis circumvicinis propter negligentiam dicatorum fratrum Augustinensium in divinis. Scit etiam testis fuisse dictitatum sepius inter cives dicti oppidi, quod propter negligentiam eorundem fratrum Augustinensium in divinis non deberent dare eis elemosinas. Et dicit etiam testis se scire, quod iidem cives intimassent provinciali eiusdem ordinis fratrum Augustinensium, ut provideret de dictis fratribus, et non pateretur fieri tantam negligentiam in divinis in tanto monasterio. Scit etiam testis, quod iidem cives dicti oppidi si potuissent, voluerunt aliquando ipsos fratres ordinis Sancti Augustini de dicto eicere monasterio, prout etiam dominus eorum tunc temporalis condam Iohannes Ellerboh voluit ad scitum testis eicere ipsos fratres Augustinenses. Interrogatus testis de tempore, dixit predicta fuisse diversis annis et temporibus

ab eo tempore, quo ipse testis recordari potest. In causa scientie [*fol. 101r*] dicit testis, quia predicta per eum deposita vidisset et audivisset, prout deposuisset superius.

Ad quartum articulum positionis interrogatus testis dixit se scire monasterium articulatam fuisse aliquando in meliori statu et desolationem factam fuisse tempore fratrum Augustinensium, et in posterum plus accidisse, si ipsi fratres Augustinenses in illo monasterio diutius permansissent. In causa scientie dicit testis, quia vidisset assiduum negligentiam eorundem fratrum Augustinensium et indevotionem populi erga eos; sciretque testis magis propter incuriam fratrum Augustinensium pro tempore ibi residentium, quam vetustatem desolatam fuisse monasterium predictum. Et scit etiam testis bene fuisse provisum per reverendissimum dominum Thomam cardinalem Strigoniensem auctoritate apostolica ipsi monasterio per hoc, quod illos Augustinenses amovisset, et istos observantes induxisset, quatenus sciret testis, quod tempore observantium citius et melius reformabitur dictum monasterium, quam tempore fratrum Augustinensium. Causam sue scientie dicit testis, quatenus vidisset singulis diebus devotionem populi crescere erga fratres, et maiorem concursionem et maiorem largitionem elemosinarum fieri istis videret, quam illis. Videret etiam testis dictos fratres observantes ferventiores esse et ad divina et ad edificia curanda. In causa scientie dicit testis, quatenus hec predicta ita, ut deposuit, vidisset et audivisset.

Ad quintum articulum positionis interrogatus testis respondit se scire dictos fratres Augustinenses diversis annis et temporibus et diversis locis frequentasse tabernas vinorum, et ibi inebriatos fuisse. Et propter hoc dicit testis se scire, quod omnia divina officia fuissent sepius per dictos fratres Augustinenses in Kermend pro tempore residentes neglecta. Scit etiam testis, quod aliquotiens dictos fratres Augustinenses ipsi expulissent<sup>a</sup> de taberna, et pepulissent eos usque ad dictum claustrum eorum, sciretque testis eosdem fratres nigros talibus eorum factis scandalisasse, et se ipsos [*fol. 101v*] et ordinem eorum ac clerum et alios Christifideles, et dicit testis ista fuisse diversis annis, temporibus et locis. In causa scientie dicit testis, quatenus hec ita, ut deposuit, vidisset et audivisset, et aliquando interfuisset. De reliquis contentis huius articuli testis dicit se nescire.

Ad sextum articulum positionis interrogatus testis dicit se audivisse a quodam famulo predictorum fratrum Augustinensium, quod quidam Benedictus Ferde inveniens quandam feminam in quadam cella cuiusdam fratris, eandem cum ipso captivasset, et finaliter fratre dimisso mulierem ad mediastrum ligari, et tandem de dicto oppido in maximum scandalum ipsorum fratrum Augustinensium expelli fecisset, quo quidem tempore dicit testis se fuisse in Alba Regali<sup>119</sup> cum suis mercantiis, et ideo per se predicta videre non potuisset, tamen audivisset, ut iam deposuit. Scit preterea testis quendam fratrem Simonem regulari habitu deposito et veste seculari sumpta quadam nocte in dicto oppido vagantem et discurrentem vulneratum fuisse enormiter per quendam de oppido, de cuius nomine non recordatur, in facie. Et scit testis exinde fratres ipsos multum fuisse scandalisatos, et dicit testis de anno, quo fuerit, non se recordari, quoniam diu est, quod fuerit. Et scit testis, quod ob premissa oppidanorum et externorum populorum devotio erga fratres et dictam ecclesiam Beate Virginis valde fuisset imminuta adeo, quod scit testis quod interdum fuissent aliqui, qui noluerunt etiam dictum claustrum visitare pro divinis, ita iidem fratres Augustinenses despiciantur, et vita eorum contempnebatur, sed potius ibant ad ecclesiam parochialem. Et scit etiam testis, quod auditis premissis reverendissimus dominus cardinalis Strigoniensis auctoritate apostolica bono zelo amotis fratribus Augustinensibus tanquam inutilibus, fratres Sancti Francisci de observantia tanquam meliores vite et religionis induxit et locavit. In causa scientie dicit testis, quatenus predicta ita, ut deposuit, fieri vidisset et audivisset. [*fol. 102r*]

Ad ultimum articulum positionis testis interrogatus respondit se de premissis scire esse publicam famam in dicto oppido Kermend et extra in locis circumvicinis, secundum quod ipse deposuit, apud graves, probos et honestos viros, an tamen illi sint invidi erga fratres Augustinenses, testis dicit se nescire.

Cui testi sic examinato  
tandem iniunctum est silentium etc.

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<sup>119</sup> Székesfehérvár, the see of County Fejér.

QUADRAGESIMUS SEPTIMUS testis circumspectus vir, Andreas Pap iudex et incola dicti oppidi Kermend, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestito, ad generalia testis interrogatus respondit se in etate habere quadraginta annos vel ultra, et in bonis temporalibus habere competenter iuxta suam condicionem, esse confessum etiam anno presenti, et accepisse sacramentum Eucharistie, non habere odio fratres Augustinenses, et non curaret, qui fratres ex sepefatis ordinibus in dicto monasterio permanere deberent, non esset inductus neque informatus, quomodo in presenti causa testificari deberet, nihilque esset sibi datum, neque quitquam in posterum speraret habere pro eo, quod in causa hac deponere deberet, essetque subditus et vasallus domini Petri Erdedi, qui testem honorifice teneret, et testis non aliter, nisi ut dominum timeret temporalem.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis interrogatus testis respondit se audivisse communi fama, quod uxor Bele regis monasterium articulatum pro cultu divino per fratres ibi instituendos exercendo cum domibus et aliis vite monastice necessariis construi et erigi fecisset. In causa scientie, quatenus audivisset ipseque vidisset monasterium sic erectum.

Ad secundum articulum positionis testis interrogatus respondit se similiter audivisse, quod eadem regina, uxor Bele, fratres Augustinenses in pleno numero ad dictum induxisset [*fol. 102v*] monasterium, et eis possidendum reliquisset, ut futuris temporibus nocte matutinas, in die horas canonicas cantarent, et missas similiter cantando et legendo peragerent, quem plenum numerum dicit testis se intelligere tot fratres, qui possent divina tanta persolvere, sive illi essent decem sive duodecim, sive sedecim. In causa scientie, quatenus audivit, ut deposuit, et ita credit.

Ad tertium articulum positionis interrogatus testis respondit se scire adeo fratres Augustinenses fuisse refrigeratos a divinis servitiis, ut aliquando duo fratres conversi, aliquando unus frater claudus tempore fratrum Augustinensium fuisset in dicto monasterio. Audivit etiam testis, quod misse et hore canonice in aliquibus diebus in totum fuissent neglecte propter paucitatem fratrum. Et dicit testis id fuisse inter medios annos a vigintiquinque annis, quibus ipse testis novit monaste-



rium, propterque premissa Christifideles plurimum scandalisabantur, et id tam oppidanis erat etiam extraneis circumvicinis in grave scandalum. Dicit preterea testis audivisse, quod condam Iohannes Ellerboh non semel voluisset dictos expellere fratres Augustinenses de monasterio prefato propter malam vitam et negligentiam eorundem fratrum. Qui quidem testis dicit aliquando conversatum fuisse se cum ipsis fratribus Augustinensibus in comedendo et bibendo, et audienda divina, et quod ipse testis aliquando visitaverit dictum monasterium causa sue devotionis. In causa scientie dicit testis, quatenus predicta vidisset et audivisset, sicuti superius deposuit.

Ad quartum articulum positionis testis interrogatus respondit se scire desolatum esse prefatum monasterium, sed nescit testis, si per incuriam et negligentiam fratrum fuisset desolatum monasterium. Preterea dicit testis se nescire divinare, quid in futurum potuisset fieri de restauratione dicti monasterii de Kermend per ipsos fratres Augustinenses.

Ad quintum articulum positionis interrogatus testis dixit se audivisse communi fama, quod fratres Augustinenses de Kermend visitassent tabernas, et fecissent symposias, ipse tamen non vidisset, quatenus ad hec non advertisset; et populum scit testis diversimode [*fol. 103r*] propter predictos fratres fuisse scandalisatum, alia contenta huius articuli testis dicit se nescire.

Ad sextum articulum positionis interrogatus testis dixit se audivisse communi fama suspectas mulieres per fratres Augustinenses introductas fuisse ad claustrum eorum de Kermend, et cum eisdem conversatos fuisse, ac comedisse, et bibisse. Sciret etiam testis quendam fratrem captum cum quadam muliere in sua cella per Benedictum Ferde, castellanum castri Kermend, et tandem fratrem emissum fuisse ad preces proborum, et feminam ligatam ad mediastrum oppidi prefati, et deinde fuisse cum ignominia fratrum expulsam de oppido. Audivisse etiam dicit testis quendam fratrem Augustinensem vulneratum in facie per quendam Blasium Zalaÿ, propter que et fratres predicti et communis populus non parum fuissent scandalizati. Et dicit testis propter premissa erga ordinem, claustrum et fratres ordinis Sancti Augustini devotionem populi se scire valde defecisse, credere etiam reverendissimum dominum Thomam cardinalem Strigoniensem motum fuisse zelo fidei ac salute Christifidelium, et

propter futuram maiorem eorundem Christifidelium devotionem dictum monasterium fratribus Sancti Francisci de observantia illis fratribus Augustinensibus prius exclusis auctoritate apostolica dedisse. Et predicta dicit testis se scire, quatenus vidisset, audivisset et crederet, ut deposuit.

Ad ultimum articulum positionis de publica fama testis interrogatus respondit se de predictis, uti deposuit, scire esse publicam famam apud honestos, graves et probos viros et non invidos fratribus ordinis Sancti Augustini in dicto oppido Kermend et locis circumvicinis.

Testique tandem fuit iniunctum  
silentium etc.

QUADRAGESIMUS OCTAVUS testis nobilis vir, Georgius Bÿkÿ, nunc inhabitator sepefati oppidi Kermend, citatus, iuratus et examinatus reducto [fol. 103v] prius sibi in memoriam iuramento per eum prestitio, ad generalia testis interrogatus respondit se in etate habere quadraginta annos vel ultra, et ultra bona nobilitaria, que haberet in quatuor locis, haberet bona temporalia competenter iuxta suam condicionem, et etiam anno presenti esse se confessum, et accepisse sacramentum Eucharistie, non habet odio fratres Augustinenses, nec curat, qui fratres ex dictis ordinibus permanent<sup>b</sup> in monasterio Beate Marie Virginis de Kermend, non est inductus nec informatus quomodo in causa presenti deponere debeat, nihilque esset sibi datum, neque quitquam habere speraret in futurum pro eo, quod deponeret in hac causa, essetque familiaris domini Petri Erdedÿ, qui eum uti talem famulum teneret in reverentia, et non aliter timeret eundem dominum Petrum, nisi sicuti talem dominum et patronum.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis testis interrogatus respondit se audivisse communi fama, quod dictum monasterium articulatum cum domibus et aliis vite monastice necessariis fuisset per uxorem Bele fundatum pro cultu divino per fratres ibidem instituendos exercendo. In causa scientie dicit testis, quatenus audivisset et sciret, in quo loco esset fundatum monasterium, quoniam in eo fuisset monasterio.

Ad secundum positionis articulum interrogatus testis dixit se similiter ex eadem fama communi audivisse, quod eadem uxor Bele fratres

Augustinenses in pleno numero ad dictum induci fecisset monasterium, ut eodem numero semper futuris temporibus horas canonicas et matutinas ac missam cantando et legendo persolverent, et ita eis illud monasterium possidendum reliquisset, que quidem plenum numerum dicit testis intelligere tot fratres, qui dicta divina celebrare possent, duodecim scilicet decem aut ad minus octo fratres. In causa scientie dicit testis, quatenus audivit testis, ut deposuit.

Ad tertium articulum positionis testis interrogatus dicit se audivisse communi fama, quod aliquando tres et interdum duo fratres Augustinenses tempore eorundem fuissent in dicto monasterio, et quod aliquando presbyteri seculares propter defectum [*fol. 104r*] dictorum fratrum dixissent missam in dicto monasterio, scitque rarissime fuisse matutinas, vespas et alias horas canonicas ibidem in dicto monasterio decantatas. Et id dicit testis fuisse a vigintiquinque annis ex eo, quod aliquando frequentasset dictum monasterium pro divinis audiendis, et fuisset conversatus cum fratribus eisdem intra et extra monasterium in comedendo, bibendo et loquendo, et scit propter premissa scandalum in populo fuisse, prout articulatur. In causa scientie, quatenus vidit et audivit, ut deposuit.

Ad quartum articulum positionis interrogatus respondit testis se scire fratres predictos ordinis Sancti Augustini fecisse desolationem monasterii, et nescit, si fecissent aliquod edificium in monasterio. Scit etiam testis, quod certa bona, terras scilicet arabiles, prata et vineas dicti monasterii desertassent iidem fratres, et scit, quod Indies, si ibidem iidem fratres Augustinenses perseverassent, magis desertata<sup>c</sup> predicta fuissent. Scit etiam testis aliquando tempore suo, quo ipse novisset monasterium, fuisse in meliori statu, et dicit, quod bene factum esset, quod fratres Augustinenses de dicto monasterio exclusi fuissent, et fratres observantini inducti, quatenus observantini citius reformarent clastrum, et ecclesiam in divinis augere possent. In causa scientie, quatenus vidit et audivit predicta, ut deposuit.

Ad quintum articulum positionis testis interrogatus respondit se scire, quod dicti fratres Augustinenses frequentassent tabernas vinorum tam in dicto oppido, quam extra, et ibi bibisse cum rusticis et inebriatos fuisse, quoniam etiam testis interdum cum eisdem fratribus fecisset symposias, propterque predicta scit testis, quod populus non parum et ipsi quoque fratres scandalisabantur. Preterea dicit testis etiam se scire, quod

aliquando tarda hora circa occasum solis de taberna vinorum iidem fratres Augustinenses redibant ad dictum clastrum eorum, quo die credit testis tunc fuisse per ipsos fratres neglecta divina officia, et signanter hore canonice non fuissent dicte. [fol. 104v] De anno, numero et tempore testis interrogatus dicit predicta fuisse diversis annis ac temporibus et locis. In causa scientie dicit testis, quatenus hec ita vidit et audivit. De reliquis contentis articuli dicit testis se nescire.

Ad sextum<sup>d</sup> articulum positionis interrogatus testis dicit se vidisse suspectas mulieres ingredi et egredi ad monachos prefatos, et coqui eisdem, et quid ibi egerint, dicit testis se nescire. Audivit etiam testis frequenter alias suspectas mulieres introductas fuisse per fratres predictos, et scit testis, quod quadam vice quedam mulier de Bÿkÿ venisset et descendisset in hospitium ad domum testis, et paulo post descensum huiusmodi mulieris venit quidam frater ad domum testis, et ad visum suum frater ille cum muliere prefata secreto diu locutus fuit, et post intermissum colloquium audivit testis, quod frater ille vocabat illam sororem, et ipsa vocabat eum fratrem. Et scit testis, quod secunda die mulier illa introducta fuisset per dictum fratrem ad monasterium, et fuisset ibi aliquot diebus, quibus testis in negotiis domini sui ab oppido prefato fuisset absens, et iterum redeunte teste idem intellexit fratrem illum unacum muliere per Benedictum Ferde castellanum in cella sua fuisse captum, et in castellum ductum, mulierem vero ligatam ad mediatrum in medio oppidi et male tractatam, ex oppido tandem enormiter cum magno fratrum et ordinis ipsorum scandalo et dedecore expulsum. Cuius quidem mulieris dicit testis nomen fuisse Dorotheam, nomen vero fratris testis dicit ignorare. Audivit etiam de quodam Augustinensi fratre, quod propter demerita sua fuisset idem frater enormiter in facie vulneratus. Addit etiam se scire quandam relictam Stephani Bixi,<sup>120</sup> cognatam uxoris ipsius testis per quandam fratrem Ambrosium sepe

<sup>120</sup> The members of the Bükési family were originally the possessors of Nádálja (see note 74 above), however, the family gradually impoverished selling and pledging its properties. Stephanus Bükési's sons, Stephanus and Georgius finally in 1525 pledged their lands in Nádálja, Bükés and Medves to Franciscus Sós of Mikebuda for his earlier 300 forint credit, which finally remained in his hands and the Bükési brothers moved to Rádóc (for more details see BÁNDI, *Körmend in the Middle Ages*, 79–81).

introducendam fuisse ad dictum monasterium tali ficto colore, quod fuissent consanguinei, cum tamen pro certo non fuerint. Et scit testis, quod mulier illa aliquando non per portam claustrum, sed per sepe horti ascendendo [fol. 105r] ad dictum fratrem ingressa fuisset. Causam scientie dicit testis, quatenus de domo sua mulier illa ad fratrem predictum intrasset, et hoc dicit testis fuisse de tertio vel quarto anno ante examen ipsius testis. Et scit testis propter premissa fuisse scandalisatos fratres, et populi devotionem diminutam fuisse tam erga monasterium, quam erga fratres et ordinem ipsorum ita, ut testis audiverit dici inter populum, quod dicti fratres digni essent, ut expellerentur, et non essent digni accipere elemosinas Christifidelium. Addidit etiam testis, quod quedam Margareta Ferdenos fuit impregnata per priorem, et peperit filium, qui modo esset pastor porcorum in dicto oppido. Audivit etiam testis quendam fratrem Anthonium nondum presbyterum audivisse confessiones hominum, et absolutiones dedisse, propter quod reverendissimus dominus cardinalis Strigoniensis motus eosdem fratres Augustinenses apostolica auctoritate eiecit, et fratres observantinos in illum monasterium induxit.

Ad ultimum positionis articulum testis interrogatus dixit esse de predictis publicam famam apud viros honestos et graves, et non invidiosis fratribus Augustinensibus, prout superius deposuit, in oppido Kermend et extra in locis circumvicinis.

Silentium testi tandem  
est iniunctum etc.

QUADRAGESIMUS NONUS ET ULTIMUS testis nobilis Michael Radoczÿ de eadem Radocz<sup>121</sup> diocesis Iauriensis, citatus, iuratus et examinatus, reducto prius sibi in memoriam iuramento per eum prestitio, ad generalia testis interrogatus respondit se in etate habere quadraginta annos vel circa, et ultra bona nobilitaria competenter habere de rebus temporalibus, esse-

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<sup>121</sup> He might be the same person with litteratus Michael Rádóczy, mentioned in 1524 as proctor of the Nagyunyomis (MOL DL 58 344). In 1538 he had one ground-plot in Rádóc and two in Sároslak (MOL Magyar Kamara Archivuma, Conscriptiones portarum [E 158], Liber X, Vas m. 1538).

que se confessum, et accepisse sacramentum Eucharistie anno presenti circa festum Pasche, non haberetque odio [fol. 105v] fratres Augustinenses, cuperet tamen testis illos permanere in monasterio Beate Marie Virginis, qui essent fratres melioris vite, non essetque inductus neque informatus, quomodo in presenti causa testificare deberet, nihilque sibi esset datum neque promissum, neque speraret quitquam habere in posterum pro eo, quod deponeret in causa presenti, non essetque servus domini Petri Erdedi neque subditus, proptereaque non timeret eum, essetque iudex nobilium comitatus Castri Ferrei.

#### DESCENDENDO AD SPECIALIA

Ad primum articulum positionis interrogatus testis respondit se audivisse, quod Christifideles monasterium articulatum cum cellis et aliis monastice vite necessariis pro cultu divino in dicto oppido Kermend per fratres ibi instituendos exercendo construi fecissent, quis tamen erigi fecerit, nescit preter hoc, quod scit in quo loco sit fundatum monasterium. In causa scientie, quatenus audivit fama communi.

Ad secundum articulum positionis testis interrogatus respondit se audivisse fama communi dictum monasterium propterea fuisse fundatum, et ad eam causam inductos fuisse fratres Augustinenses, ut pleno numero ipsi ibidem existentes divina peragerent, et horas canonicas et missam singulis decantarent diebus, plenumque numerum dicit testis intelligere illum, qui dicta divina persolvere possint officia. In causa scientie, quatenus audivit.

Ad tertium articulum positionis interrogatus testis respondit se scire, quod aliquando duo, aliquando tres et interdum unus fuisset frater Augustinensis in dicto monasterio tempore fratrum Augustinensium. Sciret etiam testis, quod pluribus diebus hore canonicæ fuissent neglecte, quoniam qui eas cantasset, nemo fuisset. Nescit tamen testis si aliqua inibi missa fuisset neglecta. Audivit tamen communi fama, quod pluribus diebus nulle misse fuissent celebrate in dicto monasterio propter [fol. 106r] defectum fratrum predictorum, et hec dicit se audivisse ab honestis et fidedignis viris. Interrogatus de anno et tempore dixit testis id scire ab eo tempore, quo novit monasterium, et habuit conversationem cum fratribus, visitavit etiam frequenter claustrum causa divinorum offi-

ciorum audiendorum, propterque premissa dicit fuisse populum scandalisatum et rumorem populi. In causa scientie dicit, quatenus vidit et audivit, ut ponitur.

Ad quartum articulum positionis testis interrogatus respondit se scire, quod monasterium predictum tempore fratrum Augustinensium fuisset desolatum, quatenus, unde edificia et reparationes facere potuissent, non habuissent, ex quo propter malam vitam eorum modica erat populi erga eos devotio et consequenter tenuis elemosinarum largitio, ita ut vix etiam ad paucorum fratrum usum tales elemosine sufficebant. Et credit testis, quod nisi reverendissimus dominus Thomas cardinalis Strigoniensis auctoritate apostolica illis eiectis observantinos introduxisset, monasterium ipsum in extremam vastitatem devenisset. Et scit testis dictum monasterium tam quoad edificia, quam quoad divinum cultum fuisse in meliori statu, et non ex antiquitate, quantum per incuriam fratrum desolatum fuisse. In causa scientie, quatenus vidit testis et audivit, ut deposuit.

Ad quintum articulum positionis interrogatus testis dicit<sup>e</sup> se scire, quod dicti fratres Augustinenses in monasterio de Kermend pro tempore constituti frequenter visitassent tabernas, et ibi cum laicis symposias et ebrietates exercuissent. Causam scientie dicit testis, quatenus sepius cum eis in tabernis vinorum fuisset, et vidit etiam testis eosdem fratres ibidem luisse ad piramides et etiam ad cartas, de reliquis contentis articuli testis dicit se nescire. Scandalum vero et negligentiam divinorum propter predicta scit fuisse. [*fol. 106v*]

Ad sextum articulum positionis interrogatus testis dicit se audivisse communi fama, et scire etiam veraciter mulieres suspectas introductas fuisse ad fratres. Scit etiam de quodam fratre capto cum quadam muliere, quam sororem suam appellabat, propter que populus fuisset vehementer scandalisatus, et devotio eorundem erga fratres et ecclesiam non parum fuisset diminuta, et ob hanc causam audivit testis reverendissimum dominum Thomam cardinalem Strigoniensem auctoritate apostolica ipsis fratres ordinis Sancti Augustini eiecisse, et fratres ordinis Sancti Francisci de observantia ad dictum monasterium Beate Marie Virginis de Kermend induxisse. In causa scientie dicit se vidisse et audivisse testis, sicuti superius deposuit.

Ad ultimum positionis articulum de fama publica testis interrogatus respondit se de predictis, ut deposuit, in dicto oppido Kermend et in locis circumvicinis eidem oppido et apud probos et honestos viros esse publicam famam, an tamen illi, apud quos talis habetur fama, sint invidi necne dictis fratribus ordinis Sancti Augustini, testis dicit se nescire.

Cui testi sic examinato tandem  
iniunctum est silentium

Quibus quidem prescriptis testibus sic, ut premittitur, per reverendissimum dominum Martinum episcopum Augustopolitanensem, iudicem remissorie receptis et examinatis, magister Martinus de Wÿhel, procurator et nomine procuratorio egregii domini Petri de Erdedw comparuit ibidem, loco scilicet examinis testium coram eodem domino Martino iudice remissorie, et petiit eundem, ut unamecum notario et testibus infrascriptis ad sepefatum monasterium Beate Marie Virginis de dicta Kermend accedere et ruinam ac desolationem in illo, alias per fratres Augustinenses et tempore eorum factam, diligenter inspicere, videre et cognoscere, et tandem de huiusmodi desolatione [*fol. 107r*] ac ruina fidem facere, ac huiusmodi processui decretum suum interponere, et reverendissimo domino Georgio episcopo Quinqueecclesiensi aut reverendo domino Michaeli Wÿthesio remittere vel reportare dignaretur. Qui quidem reverendus dominus Martinus de Atad, episcopus Augustopolitanensis, iudex scilicet presentis remissorie huiusmodi requisitionibus dicti magistri Martini, tanquam legitimis inclinatus ad dictum monasterium unamecum notario et testibus infrascriptis accessit, ibique primum ecclesiam, deinde ambitum, capellam, domos, cellas, curiam et hortum diligenter inspexit, et postquam bene et diligenter inspexisset, idem dominus episcopus, iudex remissorie ac testes, et ego quoque notarius infrascriptus oculata fide vidimus, ac perspeximus, et cognovimus ibidem non parvam esse ruinam, vastitatem et desolationem factam. Vidimus etiam per prefatum egregium dominum Petrum Erdedÿ et ipsos quoque fratres ordinis Sancti Francisci de observantia ibidem nunc auctoritate apostolica locatos iam in aliqua parte dictam ruinam et desolationem restauratam esse, et indes, uti dicto domino episcopo ac testibus et mihi notario fuit visum, tam in edificiis, quam in



cultu divino et numero fratrum magis ad augmentum et restaurationem maiorem tendere. Quare dictus dominus Martinus episcopus, iudex remissorie fidem fecit unacum testibus coram me notario publico tam de desolatione tempore fratrum ordinis Sancti Augustini, quam de restauratione, reparatione et reformatione dicti monasterii, prout ego quoque itidem oculata fide vidi et perspexi, ac huic presenti processui decretum suum interposuit, dictoque reverendissimo domino Georgio episcopo Quinqueecclesiensi vel domino Michaeli Wÿthesio remittere decrevit vel reportare, prout solus reportavit. Acta sunt hec et facta sub anno Domini millesimo quingentesimo decimo octavo, indictione [fol. 107v] sexta, die vero lune, decima septima mensis Maii, hora tertiarum vel quasi, in prefata Kermend, pontificatus sanctissimi in Christo domini nostri, domini Leonis divina providentia pape decimi anno sexto, presentibus ibidem egregiis et nobilibus viris Stephano castellano castris Monÿorokerek<sup>122</sup> et Benedicto Swlyok de Berkefalwa,<sup>123</sup> testibus fidedignis ad premissa vocatis et rogatis.

Predicto finaliter anno Domini millesimo quingentesimo decimo octavo, indictione sexta, die vero Iouis decima septima mensis Iunii, hora tertiarum vel quasi in predicta civitate Budensi Wesprimiensis diocesis iurisdictionis spiritualis Strigoniensis in domo reverendissimi domini Georgii episcopi Quinqueecclesiensis pontificatus sanctissimi in Christo patris et domini nostri, domini Leonis divina providentia pape decimi anno sexto in mei notarii publici testiumque infrascriptorum ad hoc vocatorum et rogatorum presentia reverendi patres, domini Martinus de Atad episcopus Augustopolitanensis et in causa suprascripta iudex remissorie et Michael Wÿthesius in eadem causa iudex subdelegatus coram prefato reverendissimo domino Georgio episcopo Quinqueecclesiensi personaliter constituti, idem dominus Martinus episcopus prescriptas attestaciones et dicta testium alias per eundem de mandato eiusdem reverendissimi domini Georgii episcopi Quinqueecclesiensis receptas et descriptas, et Michael Wÿthesius processum per eum similiter de mandato et commis-

<sup>122</sup> See note 42 above.

<sup>123</sup> See note 47 above.

sione eiusdem in causa presenti factum et habitum, ac in formam rotuli collectum et conscriptum eidem reverendissimo domino Georgio episcopo Quinqueecclesiensi, religiosis fratribus, Blasio de Quinqueecclesiis priore provinciali ordinis Sancti Augustini et altero Blasio guardiano monasterii et conventus Sancti Iohannis de Buda ordinis Sancti Francisci de observantia ad infrascripta citatis respectivi exhibuerunt et presentarunt. Quibus quidem processu et attestacionibus sic, ut premittitur, per dictos dominum Martinum Attadi episcopum et Michaellem Wýthesium presentatis prelibatus reverendissimus dominus Georgius episcopus Quinqueecclesiensis [*fol. 108r*] ad requisitionem et instantem petitionem prefati magistri Martini de Wýhel procuratoris, ut premittitur, ibidem presentis decretum et auctoritatem suam interposuit, et mandavit processum et attestaciones huiusmodi per me notarium claudi et sigillo suo, quo utitur, consignari, ac venerabili domino Ladislao Cherbokor preposito Chanadiensi,<sup>124</sup> portitori ad hoc nominato iuramentum de fideliter ad Urbem portando et presentando prefato sanctissimo domino nostro pape et ei tradendo exigi, et eidem processum sibi consignari. Ego itaque notarius infrascriptus tamquam obedientie filius processus huiusmodi partim per me, partim per alios fideliter scriptos, et in singulis foliis suis per me subscriptos clausi, et sigillo dicti reverendissimi domini Georgy episcopi Quinqueecclesiensis sigillavi, et tandem sic clausos et sigillatos processus huiusmodi dicto domino Ladislao preposito, portitori ad hoc in manibus meis tactis Scripturis Sacrosanctis ad sancta Dei Evangelia iurato ad deferendum in curiam Romanam, et presentandum sanctissimo, fideliter tradidi et assignavi. Acta sunt hec et facta anno, indictione, die, mense, hora, loco et pontificatu quibus supra, presentibus ibidem venerabili domino Blasio presbytero archidiacono et canonico Waciensi, et nobili viro domino Nicolao Margay, testibus fidedignis ad premissa vocatis et rogatis.

[*fol. 110r*] Et ego Iohannes natus nobilis condam Anthony Mýlethýnczy de Strigonio eiusdem diocesis sacra apostolica regalique in hoc regno

<sup>124</sup> Ladislaus Cserbokor came from a burgher family in Buda. Cf. Stephanus Cserbokor (Himperger) was owner of a butcher's stall in Buda in the first decades of the 16<sup>th</sup> century. KUBINYI, *The Familiar Ties of the Burgbers of Buda and Pest in the Jagiellonian Era*, 230.

Hungarie auctoritatibus etc. notarius publicus prefatorumque dominorum, Michaelis Wÿthesÿ subdelegati iudicis et Martini Atthadi episcopi Augustopolitanensis, iudicis remissorie et cause predictae coram eis scriba, quia premissis omnibus et singulis, dum sic, ut premittitur, coram eisdem dominis iudicibus reverendissimo domino Georgio episcopo Quinqueecclesiensi ac per eos fierent et agerentur, unacum prenominate testibus interfui, eaque omnia et singula sic fieri vidi et audivi, ac ex actis et processibus comperi. Ideo acta et processus huiusmodi ex protocollis et notis meis actisque et actitatis dicte cause extraxi, et presenti registro in centum et septem foliis papiri ac duobus pargameni [!] ligatis per me cum suis originalibus diligenter auscultatos et collationata, partim per alium fidelem usque ad processum coram Martino episcopo prefato factum transcribi et exemplari feci, et partim per me processum scilicet coram dicto domino Martino episcopo factum transcripsi et exemplavi, et in hanc formam publicam redegì, singulumque folium papiri in inferiori margine nomine meo et primum pargameni similiter nomine, hic vero ultimum signo et subscriptione meis solitis et consuetis signavi, et tandem huiusmodi registrum clausum et appensione sigilli prefati reverendissimi domini Georgÿ episcopi Quinqueecclesiensis de eius mandato per me munitum tradidi et assignavi in fidem, robur et testimonium omnium et singulorum premissorum rogatus et requisitus.

## PHILOLOGICAL NOTES

## PAGES 3–49

<sup>a</sup> Fol. iv *vacat*. At the bottom of pages: [r] ‘Notarius in premissis scilicet’ [v] ‘Iohannes Antonÿ Mÿlethÿnczÿ de Strigonio’. <sup>b</sup> ‘Parochialis’ crossed out. <sup>c</sup> ‘Imisit’ in ms. <sup>d</sup> ‘Legittimam’ in ms. <sup>e</sup> Added in the margin. <sup>f</sup> ‘In’ deleted. <sup>g</sup> Altered from ‘quoquoqmodo’. <sup>h</sup> ‘Monasterium’ crossed out. <sup>i</sup> ‘Redden[da]’ crossed out. <sup>j</sup> The grammatical structures can be written out in full also with *gerundium* (‘ad iura reddendum’, ‘causam huiusmodi audiendum’). Yet in the following I will use the *gerundivum*, which is preferred by medieval Latin. <sup>k</sup> *Sic* instead of ‘nobis’, i.e. the predicate in the main clause is ‘contigerit’. <sup>l</sup> Altered from another word. <sup>m</sup> Altered from another word. <sup>n</sup> ‘In’ crossed out. <sup>o</sup> Altered from ‘iuramentis’ (?). <sup>p</sup> ‘Francisci’ in ms, which is obviously a mistake. <sup>q</sup> ‘Parochialis’ crossed out. <sup>r</sup> ‘Tantum’ crossed out. <sup>s</sup> ‘In’ interlined here and after ‘maximum’, where it is crossed out. <sup>t</sup> Altered

from *'subdelegatorias suas litteras'*: change of word order by inverted commas. <sup>u</sup> *'Iohan'* crossed out. <sup>v</sup> *'iudex'*, which seems to be a *lapsus calami* during copying. <sup>w</sup> Altered from *'cum certis prioris provincialis ordinis eiusdem litteris'*: change of word order by inverted commas. <sup>x</sup> *'Ad'* crossed out. <sup>y</sup> *'Prior'* written in the margin, interlined by inverted commas. <sup>z</sup> *'Etc.'* crossed out.



## PAGES 50–78

<sup>a</sup> Added in the margin by inverted commas. <sup>b</sup> *'Kermend'* crossed out. <sup>c</sup> *'Postea apud'* crossed out. <sup>d</sup> Added in the margin. <sup>e</sup> *'Tabernis'* crossed out. <sup>f</sup> *'Dict'* crossed out. <sup>g</sup> *'Petri'* is repeated in ms. <sup>h</sup> *'Ecclesiam'* crossed out. <sup>i</sup> *'Odio'* is omitted in ms. <sup>j</sup> Only *'tam'* in ms without mark of contraction. <sup>k</sup> *'Necne'* is repeated in ms. <sup>l</sup> Altered from *'ponit itaque'*: change of word order by inverted commas. <sup>m</sup> *'Vid'* crossed out. <sup>n</sup> *'Cum'* interlined. <sup>o</sup> *'Augustin'* crossed out. <sup>p</sup> *'Mansisset'* in ms, missing contraction mark of nasal consonant. <sup>q</sup> *'Fratres'* interlined. <sup>r</sup> Altered from *'scandalizati fuissent'*. <sup>s</sup> *'Nesciret'* in ms, missing contraction mark of nasal consonant. <sup>t</sup> Altered from another word. <sup>u</sup> *'Credere'* crossed out. <sup>v</sup> Two dots on *'w'* in ms. <sup>w</sup> *'Ibidem'* crossed out. <sup>x</sup> *'Quatenus'* interlined. <sup>y</sup> *'de'* in ms. <sup>z</sup> *'Ibidem'* crossed out.

## PAGES 78–112

<sup>a</sup> Contraction mark of nasal consonant (for *'fuerant'*) crossed out. <sup>b</sup> *'Tandem'* crossed out. <sup>c</sup> *'Causa'* crossed out. <sup>d</sup> *'Quomodo'* is omitted in ms. <sup>e</sup> *'Diminutum'* interlined from margin. <sup>f</sup> Unclear correction at the end of the word. <sup>g</sup> *'Eo'* is omitted in ms. <sup>h</sup> Altered from *'eos'*. <sup>i</sup> *Sdt. domum monasterii*. <sup>j</sup> *'Aliquando'* crossed out. <sup>k</sup> *'Al'* crossed out. <sup>l</sup> *'Ill'* crossed out. <sup>m</sup> *'S'* interlined. <sup>n</sup> *'Cum'* is omitted in ms. <sup>o</sup> Unclear correction at the end of the word with contraction mark of nasal consonant crossed out. <sup>p</sup> Altered possibly from *'prou'*. <sup>q</sup> Altered possibly from *'audivisse'*. <sup>r</sup> *'Testificare'* in ms, although it is conjugated as a deponent verb elsewhere. <sup>s</sup> *'Testificare'* in ms, although it is conjugated as a deponent verb elsewhere. <sup>t</sup> *'Divina'* interlined from the end of the line. <sup>u</sup> *'Iuramento'* is omitted in ms. <sup>v</sup> *'Secundum'* in ms after *'iuxta'*. <sup>w</sup> Above the end of the word *'s'*, which probably indicates the endeavour of the notary to make the last letter of the word more legible. <sup>x</sup> *'Ad quartum articulum positionis, qui incipit sic: quarto ponit quod dicta [61r] ecclesia sive monasterium etc. Testis interrogatus respondit'* crossed out and started again on next page. <sup>y</sup> Contraction mark of nasal consonant above the word (for *'cepissent'*) is crossed out. <sup>z</sup> *'Monasterium'* crossed out.

## PAGES 113–141

<sup>a</sup> *'Hic'* crossed out. <sup>b</sup> *'Hac'* crossed out. <sup>c</sup> *'Fecissent'* in ms. <sup>d</sup> *'Respondit'* crossed out. <sup>e</sup> *'Iide'* in ms without contraction mark. <sup>f</sup> Uncertain reading. The word is altered from something. <sup>g</sup> *'Causam'* crossed out. <sup>h</sup> *'S'* omitted in ms. <sup>i</sup> *'Sic'* Elsewhere usually *'devenisse'*. <sup>j</sup> Altered from *'tenebantur'*. <sup>k</sup> *Sdt. coqua*. <sup>l</sup> *'Ip'* crossed out. <sup>m</sup> *'Vidisse'* is repeated in ms. <sup>n</sup> *'S'*

crossed out. <sup>o</sup> 'Pro' in ms. <sup>p</sup> 'Fuisse' is repeated in ms. <sup>q</sup> 'De' crossed out. <sup>r</sup> 'Neque' interlined. <sup>s</sup> 'Artic' crossed out. <sup>t</sup> 'Populus' crossed out. <sup>u</sup> A word of uncertain reading (maybe 'scire') crossed out. <sup>v</sup> 'Dicit testis fuisse' interlined from margin. <sup>w</sup> 'Testificare' in ms, although it is conjugated as a deponent verb elsewhere. <sup>x</sup> Altered from another word (maybe 'dictum'). <sup>y</sup> 'Cantando' is repeated and crossed out. <sup>z</sup> Altered from 'scandalisaba'.

## PAGES 141–165

<sup>a</sup> 'Melius' is omitted in ms. <sup>b</sup> 'Fuisse' in ms. <sup>c</sup> 'De' crossed out. <sup>d</sup> 'Annos' interlined. <sup>e</sup> The initial letters are altered. <sup>f</sup> 'ut' is omitted in ms. <sup>g</sup> 'Se' crossed out. <sup>h</sup> 'Monaste' crossed out. <sup>i</sup> 'Aliquando' crossed out. <sup>j</sup> 'Melioris vite' or 'meliores vita' would be more easily understandable. <sup>k</sup> 'Hic' crossed out. <sup>l</sup> 'Hic' crossed out. <sup>m</sup> The final 's' in 'suos' written above the letter 'o'. <sup>n</sup> 'Hic' crossed out. <sup>o</sup> 'Et' is repeated in ms. <sup>p</sup> Contraction mark of nasal consonant ('potuissent') crossed out. <sup>q</sup> 'In facie' repeated and crossed out. <sup>r</sup> 'Et hac causa' crossed out. <sup>s</sup> The usual closing formula was probably first omitted and then inserted, since it is shortened and written at the end of the last line instead of the usual central position. <sup>t</sup> Contraction mark of nasal consonant ('ivissent') crossed out. <sup>u</sup> Following 'victo' in ms, which seems to be a *lapsus calami* during copying. <sup>v</sup> 'Fuisse' is repeated in ms. <sup>w</sup> 'Hic' crossed out. <sup>x</sup> 'Si' is repeated in ms. <sup>y</sup> 'Dicit' crossed out. <sup>z</sup> 'Ad' crossed out.

## PAGES 165–181

<sup>a</sup> 'Ex publica' is repeated in ms. <sup>b</sup> 'Pulsasset' in ms without contraction mark. <sup>c</sup> 'Alique' altered from 'aliqua'. <sup>d</sup> 'Cum fratribus' crossed out. <sup>e</sup> 'Testis' is repeated in ms. <sup>f</sup> 'Desolasset' in ms. <sup>g</sup> 'Habuisset' interlined from margin. <sup>h</sup> 'Aufegerat' in ms. <sup>i</sup> Contraction mark of nasal consonant crossed out. <sup>j</sup> 'Es' crossed out. <sup>k</sup> 'Tantum' interlined. <sup>l</sup> Change of word order from 'nuptui quod tradiderunt'. <sup>m</sup> 'Hic' crossed out. <sup>n</sup> 'Esse' crossed out. <sup>o</sup> 'Clastrum', the first 'u' inserted. <sup>p</sup> Sic! Elsewhere usually 'devenisse'. <sup>q</sup> 'Salute' in ms. <sup>r</sup> 'Aliquando' crossed out. <sup>s</sup> 'Fuisse' in ms. <sup>t</sup> 'Dixisset' in ms. <sup>u</sup> 'Eicere' is omitted in ms. <sup>v</sup> 'Devenisset' is omitted in ms. <sup>w</sup> 'Fuisse' in ms. <sup>x</sup> 'Esse' altered from 'esset'. <sup>y</sup> 'Reliquisset' in ms. <sup>z</sup> 'Ipsum monasterium' is repeated in ms.

## PAGES 182–195

<sup>a</sup> 'Expulisset' in ms. <sup>b</sup> 'Permaneret' in ms. <sup>c</sup> 'Desertata', the second 'ta' interlined. <sup>d</sup> 'Articulum' crossed out. <sup>e</sup> 'Dicit' interlined.



## SOURCES

ARCHIVIO SEGRETO VATICANO – CITTÀ DEL VATICANO (ASV)

Archivum Arcis (Arm. I–XVIII), n. 2858  
Registri Vaticani

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Serie Ll (Collette del padre Generale)  
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15 483. 21 967. 21 991. 22 090. 22 140. 22 546. 22 851. 26 119. 55 798.  
58 214. 58 251. 58 281. 58 344. 58 358. 58 359. 70 079. 89 092. 101 795.  
101 827. 107 192

Galla Ferenc hagyatéka (P 2088)

IIa, 4. tétel

IIb, 11. tétel

Magyar Kamara Archivuma

Conscriptiones portarum (E 158), Liber X, Vas megye, 1538

Nádasdy család levéltára (E 185), Missiles

Mikrofilmtár

Vasvári-szombathelyi káptalan protokolluma (U 917), n. 18 524

ORSZÁGOS SZÉCHÉNYI KÖNYVTÁR, KÉZIRATTÁR (NATIONAL  
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Urkunden, 10. 156. 10 210. 10 247. 10 269. 10 270. 11 211

Kart. 95. 96. 130



## BIBLIOGRAPHY

- A pamnonbalmi Szent Benedek-rend története*, szerk. ERDÉLYI LÁSZLÓ, I–XII/b, Budapest 1902–1912 [*The History of the Order of St. Benedict of Pamnonbalma*].
- Acta Tomicianae I–XVI*, Poznaniae–Wratislaviae–Cracoviae 1882–1961, III, 12–13 (*Epistolae et legationes, responsa, actiones, res gestae... Sigismundi I. Regis Poloniae...* ed. STANISLAUS GÓRSKI).
- Aegidii Viterbiensis O.S.A. registrum generalatus. I: 1506–1514. II: 1514–1518* (FH O.S.A. I/17–18), ed. ALBERICUS DE MEIJER, Romae 1984–1988.
- ÁLDÁSY ANTAL: *Olaszországi történelmi kutatások*, Magyar Könyvszemle [Hungarian Book Review] 1 (1892–1893) 240–277, 251–253 [*Historical Researches in Italy*].
- ANDRIĆ, STANKO: *The Miracles of St. John of Capistran*, Budapest 2000.
- BALOGH JOLÁN: *Az esztergomi Bakócz kápolna*, Budapest 1955 [*The Bakócz-chapel in Esztergom*].
- BÁNDI ZSUSZANNA: *Körmend a középkorban* (Körmendi Füzetek), Körmend 1987, 37–41 [*Körmend in the Middle Ages*].
- BARTA GÁBOR–FEKETE NAGY ANTAL: *Parasztháború 1514-ben*, Budapest 1973 [*Peasant war in 1514*].
- BARTHES, ROLAND: *The Reality Effect*, French Literary Theory Today: A Reader (ed. by Tzvetan Todorov), Cambridge 1982, 11–17.
- BARTLETT, FREDERIC C.: *Remembering. A Study in Experimental and Social Psychology*, Cambridge 1995.
- BERGER, PETER L.–LUCKMANN, THOMAS: *Die gesellschaftliche Konstruktion der Wirklichkeit. Eine Theorie der Wissenssoziologie*, Frankfurt a. M. 2003.
- BÓNIS GYÖRGY: *A jogtudó értelmiség a Mobács előtti Magyarországon*, Budapest 1971, 364–365 [*The Jurist Intelligentsia in Hungary before Mobács*].
- BRUNDAGE, JAMES A.: *Medieval Canon Law*, London–New York 1995.
- Bullarium Franciscanum [n.s.] I–III*, ed. FR. ULRICUS HÜNTEMANN–FR. JOSEPH M. POU Y MARTI, Quaracchi 1929–1949.
- Bullarium Ordinis Sancti Augustini Regesta III* (FH O.S.A. III/3), ed. CAROLUS ALONSO O.S.A., Romae 1998.
- BURKE, PETER: *How to be a Counter-Reformation Saint*, [Id.], *The Historical Anthropology of Early Modern Italy. Essays on Perception and Communication*, Cambridge 1987, 48–62.

- CEVINS, M.M. DE: *Les confréries en Hongrie à la fin du Moyen Âge: l'exemple de la confrérie »Mère de Miséricorde« de Bardejov (1449–1525)*, *Le Moyen Âge* 106 (2000) 347–368.
- CHARTIER, ROGER: *Popular Appropriations: The Readers and Their Books*, [Id.], *Forms and Meanings. Texts, Performances, and Audiences from Codex to Computer*, Philadelphia 1995, 83–97.
- CLIVE, BURGESS: *The Parish, Church and the Laity in Late Medieval Bristol* (The Bristol Branch of the Historical Association. Local History Pamphlets 80), Bristol 1992.
- COHEN, THOMAS V.: *Three Forms of Jeopardy: Honor, Pain and Truth-Telling in a Sixteenth-Century Italian Courtroom*, *Sixteenth Century Journal* 29 (1998) 975–998.
- Corpus Iuris Canonici I–II*, ed. AEMILIUS FRIEDBERG, Graz 1959.
- CSUKOVITS ENIKŐ: *Középkori magyar zarándokok* (Historia Könyvtár. Monográfiák 20), Budapest 2003 [*Mediaeval Hungarian Pilgrims*].
- DACOSTA KAUFMANN, THOMAS: *Court, Cloister and City. The Art and Culture of Central Europe 1450–1800*, London 1995.
- DAVIS, NATALIE ZEMON: *Fiction in the Archives. Pardon Tales and their Tellers in sixteenth-century France*, Stanford (Calif.) 1987.
- DAVIS, NATALIE ZEMON: *The Return of Martin Guerre*, Cambridge (Mass.) 1983.
- Dizionario Biografico degli Italiani VI*, Roma 1964.
- DUFFY, EAMON: *The Stripping of the Altars: Traditional Religion in England 1400–1580*, New Haven 1992.
- Egidio da Viterbo O.S.A. Lettere familiari. II: 1507–1517* (FH O.S.A.), a cura di ANNA MARIA VOCI ROTH, Roma 1990.
- Egyháztörténelmi emlékek a magyarországi hitújítás korából I–II*, kiad. BUNYITAY VINCE *et al.*, Budapest 1902 [*Remnants of Ecclesiastical History from the Age of the Hungarian Protestant Reformation*].
- ELM, KASPAR: *Die Bedeutung Johannes Kapistrans und der Franziskanerobservanz für die Kirche des 15. Jahrhunderts*, [Ders.], *Vitasfratrum: Beiträge zur Geschichte der Eremiten- und Mendikantenorden des zwölften und dreizehnten Jahrhunderts: Festgabe zum 65. Geburtstag* (Saxonica Franciscana 5, hrsg. von Dieter Berg), Werl 1994, 309–320.
- ELM, KASPAR: *Verfall und Erneuerung des Ordenswesens im Spätmittelalter. Forschungen und Forschungsaufgaben*, Untersuchungen von Kloster und Stift (Veröffentlichungen des Max-Planck Instituts für Geschichte 68. Studien zur Germania Sacra 14), Göttingen 1980, 188–238.
- ERDÉLYI GABRIELLA: *A közösség és a földesúr hitváltása (Esettanulmány)*, Mezőváros, reformáció és irodalom (16–18. század) (Historia Litteraria 18, szerk. Szabó András), Budapest 2005, 7–25 [*The conversion of the community and the landlord. A case study*].
- ERDÉLYI GABRIELLA: *Ágyastartó papok és parázna barátok a laikus elvárások és a reformációs propaganda keresztjében*, Nők és férfiak..., avagy a nemek története (Rendi társadalom – Polgári társadalom 16, szerk. Lácza M.), Nyíregyháza 2003, 388–394 [*Concubinate priests and licentious friars in the crossfire of lay expectations and evangelical propaganda*].
- ERDÉLYI GABRIELLA: *Bakócz Tamás és a szerzetesrendek*, Történelmi Szemle [Historical Review] 44 (2002) 21–64 [*Thomas Bakócz and the religious orders*].

- ERDÉLYI GABRIELLA: „*Causa Scientiae*”. Egy 16. századi tanúvallatási jegyzőkönyv anatómiája, Korall 9 (2002) 5–31 [„*Causa Scientiae*”. *The anatomy of a 16<sup>th</sup> century witness interrogation record*].
- ERDÉLYI GABRIELLA: *Crisis or Revival? The Hungarian Province of the Order of Augustinian Friars in the Late Middle Ages*, *Analecta Augustiniana* 67 (2004) 115–140.
- ERDÉLYI GABRIELLA: *Egy Bakócz-féle kolostorper története*, Várak, templomok, ispotályok. Tanulmányok a magyar középkorról (*Analecta Mediaevalia* 2, szerk. Neumann Tibor), Budapest–Piliscsaba 2004, 71–96 [*The history of a convent reform of Cardinal Bakócz*].
- ERDÉLYI GABRIELLA: *Egy kolostorper története. Hatalom, vallás és mindennapok a középkor és az újkor határán* (TMT 38, Budapest 2005 [*The Story of a Convent's Case. Power, Religion, and Everyday Life at the Turn of the Middle Ages and Modern Times*]).
- ERDÉLYI GABRIELLA: *Gyónás és áldozás a késő középkorban*, Századok [Centuries] 137 (2003) 525–548 [*Confession and communion in late Medieval Hungary*].
- ERDÉLYI GABRIELLA: *Hatalom, vallás és mindennapok a középkor és az újkor határán: egy kolostorper története*, Századok [Centuries] 138 (2004) 823–841 [*Power, religion and everyday life at the turn of the Middle Ages and Modern Times: the story of a convent's process*].
- ERDÉLYI GABRIELLA: *Mindennapi élet és szóbeli kommunikáció a kora 16. században* (Esettanulmány), Információáramlás a kora újkorban (Információtörténelem 1, szerk. Z. Karvalics László–Kiss Károly), Budapest 2004, 57–81 [*Everyday life and communication in the early 16<sup>th</sup> century. A case study*].
- ERDÉLYI GABRIELLA: *Obszerváns és protestáns „bitváltás”: ajánlat egy analógiára* (A körmendi kolostor obszerváns reformja), Mi végre a tudomány? (Fiatalkutatók Fóruma 1 – 2003), Budapest 2004, 315–332 [*Observant and Protestant „conversion”: an analogy proposed. The Observant reform of the convent at Körmend*].
- ERDÉLYI GABRIELLA: *Papa Leone X e l'Ungheria: la storia del processo ad un monastero* (Questioni e Metodi), *Annuario dell'Accademia d'Ungheria. Studi e Documenti Italo-Ungheresi* 1998–2002, Roma–Budapest 2005, 110–137.
- ERDÉLYI GABRIELLA: *Válság vagy megújulás? Az Ágoston-rendi remeték magyar provinciája és a rendi reform ügye a késő középkorban*, Egyháztörténeti Szemle [Review of Church History] 3 (2002) 51–67 [*Crisis or revival? The Hungarian province of the Augustinian friars and the Observant reform in the late Middle Ages*].
- ÉRSZEGI GÉZA: *Hétköznapiak a középkorvégi magyarországi bencés monostorokban*, *Mons Sacer* 996–1996. Pannonhalma 1000 éve (szerk. Takács Imre–Szovák Kornél–Monostori Martina), Pannonhalma 1996, I, 561–567 [*Everyday Life in the Benedictine Monasteries of Late Mediaeval Hungary*].
- ESCH, ARNOLD: *Ist Oral History im Mittelalter Fassbar? Elemente persönlicher und absoluter Zeitrechnung in Zeugenaussagen*, *Vergangenheit in mündlicher Überlieferung* (Colloquium Rauricum 1, hrsg. von J. von Ungern-Sternberg–H. Reinau), Stuttgart 1988, 321–424.
- EVANS, G.R.: *Law and Theology in the Middle Ages*, London–New York 2002.
- F. ROMHÁNYI BEATRIX: *Kolostorok és társaskáptalanok a középkori Magyarországon*, Budapest 2000 [*Convents and Collegiate Churches in Mediaeval Hungary*].

- FALLENBÜCHL FERENC: *Az ágostonrendiek Magyarországon* (A Szent István Akadémia II. osztályának értekezései III/3), Budapest 1943 [*The Augustinians in Hungary*].
- FRAKNÓI VILMOS: *Carvajal János bíbornok magyarországi követségei (1448–1461)*, Budapest 1889 [*The Hungarian legacies of Cardinal Juan de Carvajal*].
- FRAKNÓI VILMOS: *Erdődy Bakócz Tamás élete* (Magyar Történelmi Életrajzok), Budapest 1899 [*The life of Thomas Bakócz de Erdőd*].
- FRAKNÓI VILMOS: *Monumenta Vaticana Hungariae historiam illustrantia. Fraknoi Vilmos jelentése*, Magyar Sion [Hungarian Sion] 13 (1882) 441–453 and 509–525 [*Monumenta Vaticana Hungariae historiam illustrantia. The report of Vilmos Fraknoi*].
- FRANZ MACHILEK: *Privatfrömmigkeit und Staatsfrömmigkeit*, Kaiser Karl IV. Staatsmann und Mäzen (hrsg. von F. Seibt), München 1978, 87–101.
- FUCHS, RALF-PETER–SCHULZE, WIENFRIED (Hrsg.): *Wahrheit, Wissen, Erinnerung. Zeugenverhörsprotokolle als Quellen für soziale Wissensbestände in der Frühen Neuzeit* (Wirklichkeit und Wahrnehmung in der Frühen Neuzeit 1), Münster 2002.
- FÜGEDI ÉRIK: *Koldulórendek és városfejlődés Magyarországon*, [Id.], Kolduló barátok, polgárok, nemesek, Budapest 1981, 57–88 [*Mendicant orders and urbanisation in Hungary*].
- GATTONI, MAURIZIO: *Leone X e la Geo-Politica dello Stato Pontificio (1513–1521)* (Collecanea Archivi Vaticani 47), Città del Vaticano 2000.
- Giles of Viterbo O.S.A. Letters as Augustinian General (Lettere ufficiali, 1506–1517)* (FH O.S.A. Series II), a cura di CLARE O'REILLY, Romae 1992.
- GINZBURG, CARLO: *The Inquisitor as Anthropologist*, [Id.], Clues, Myths and the Historical Method, Baltimore 1989, 156–164.
- GRENDI, EDOARDO: *Micro-analisi e storia sociale*, Quaderni Storici 35 (1977) 506–520.
- GUGLIA, EUGEN: *Die Türkenfrage auf dem V. Lateran Council*, Mitteilungen des Instituts für Österreichischen Geschichtsforschung 1900, 679–691.
- HOFFMANN, LUDGER: *Kommunikation vor Gericht*, Tübingen 1983.
- HOFMEISTER, PHILIPP: *Die Kardinalprotektoren der Ordensleute*, Theologische Quartalschrift 142 (1962) 425–464.
- JULIA, DOMINIQUE: *La religion – histoire religieuse*, Faire de l'histoire I–III (éd. par Jacques le Goff–Pierre Nora), Paris 1974, II, 137–167.
- KANDRA KABOS: *Bakocs codex. Bakócs Tamás egri püspök udvartartási számadó-könyve 1493–1496. évekről* (Adatok az egri egyházmegye történelméhez 2), Eger 1888 [*Bakocs codex. The account book of the court of Tamás Bakócz, bishop of Eger*].
- KARÁCSONYI JÁNOS: *Szent Ferencz rendjének története Magyarországon 1711-ig I–II*, Budapest 1922–1924 [*The History of the Order of St. Francis in Hungary until 1711*].
- KÖBLÖS JÓZSEF: *Egyházi közép-préteg Mátyás és a Jagellók korában* (TMT 12), Budapest 1994, 376–377 [*The Middle Layers of Ecclesiastical Society during the Time of King Matthias Corvinus and the Jagiellos*].
- KOLLÁNYI FERENCZ: *A magánkegyúri jog hazánkban a középkorban*, Budapest 1906 [*The Right of Private Patronage in Mediaeval Hungary*].
- KOLLÁNYI FERENCZ: *A magyar katolikus főpapság végrendelkezési jogának története*, Budapest 1896 [*The history of the testamentary rights of the Hungarian Catholic Episcopate*].

- KÖRMENDY KINGA: *A jogtudó magyar értelmiség és a Curia Romana a XVI. század elején, Régi és új peregrináció. Magyarok külföldön, külföldiek Magyarországon* (A III. Nemzetközi Hungarológiai Kongresszus előadásai), Budapest–Szeged 1993, I, 171–175 [*The Hungarian jurist elite and the Curia Romana at the beginning of the 16<sup>th</sup> century*].
- KUBINYI ANDRÁS: *A belpolitika II. Lajos uralkodása idején*, Engel Pál–Kristó Gyula–Kubinyi András, Magyarország története 1301–1526, Budapest 1998, 342–343 [*Internal Politics during the Reign of King Louis II*].
- KUBINYI ANDRÁS: *Budai és pesti polgárok családi összeköttetései a Jagelló-korban*, LK 37 (1967) 228–291 [*The Familiar Ties of the Burgbers of Buda and Pest in the Jagiellonian Era*].
- KUBINYI ANDRÁS: *Írástudás és értelmiségi foglalkozásúak a Jagelló-korban*, Magyar Herold [Hungarian H.] 1 (1984) 186–208 [*Literacy and the Lay Intelligentsia in the Jagiello Era*].
- KUBINYI ANDRÁS: *Mátyás király és a monasztikus rendek*, [Id.], Főpapok, egyházi intézmények és vallásosság a középkori Magyarországon (METEM Könyvek 22), Budapest 1999, 239–248 [*King Matthias and the Monastic Orders*].
- LE GOFF, JACQUES: *The Birth of Purgatory*, Aldershot 1984.
- LE GOFF, JACQUES: *Au Moyen Age, temps de l'Eglise et temps du marchand*, Annales E.S.C. 15 (1960) 417–433.
- LE ROY LADURIE, EMMANUEL: *Montaillou: The promised Land of Error* (trans. by Barbara Bray), New York 1978.
- LEONESSA, MAURO DA: *Il Predicatore Apostolico. Note storiche*, Isola del Liri 1929.
- Lexikon für Theologie und Kirche IV*, hrsg. von WALTER KASPER, Freiburg–Basel–Rom 1995.
- LUKCSICS PÁL: *A vásárbelyi apácák története*, Veszprém 1923 [*History of the Nuns of Vásárbely*].
- LUKCSICS PÁL: *Az esztergomi főkapitán a mobácsi vész idején, 1500–1527* (A Római Magyar Történelmi Intézet Kiadványai), Esztergom 1927 [*The Chapter of Esztergom at the time of the Battle of Mobács*].
- MÁLYUSZ ELEMÉR: *Az ágostonrend a középkori Magyarországon*, Egyháztörténet [Church History] 1 (1943) 427–440 [*The Augustinians in Mediaeval Hungary*].
- MÁLYUSZ ELEMÉR: *A pálosrend a középkor végén*, Egyháztörténet [Church History] 3 (1945) 1–53 [*The Pauline Order at the End of the Middle Ages*].
- MÁLYUSZ ELEMÉR: *Egyházi társadalom a középkori Magyarországon*, Budapest 1971 [*Ecclesiastical Society in Mediaeval Hungary*].
- MARTIN, FRANCIS X.: *Friar, Reformer and Renaissance Scholar: Life and Work of Giles of Viterbo, 1469–1532* (The Augustinian Series 18), Rome 1992.
- MARTIN, FRANCIS X.: *The Augustinian Order on the Eve of the Reformation*, Miscellanea Historiae Ecclesiasticae II (Bibliothèque de la Revue d'histoire ecclésiastique 44), Louvain 1967, 71–104.
- MEZEY LÁSZLÓ: *Maestro Agostino da Vicenza, Agostiniano Platonista nell'Ungberia Cinquentesca*, Rapporti Veneto–Ungheresi all'epoca del rinascimento (Studia Humanitatis 2, a cura di Tibor Klaniczay), Budapest 1975, 325–335.
- MIRI, RUBIN: *Corpus Christi. The Eucharist in Late Medieval Culture*, Cambridge 1991.
- Monumenta Romana Episcopatus Veszprimiensis I–IV*, ed. GUILIELMUS FRANKÓI–IOSEPHUS LUKCSICS, Budapest 1896–1908.

- MOORMAN, JOHN: *A History of the Franciscan Order from its Origins to the Year 1517*, Oxford 1968.
- NEIDIGER, BERNHARD: *Stadtregiment und Klosterreform in Basel*, Reformbemühungen und Observanzbestrebungen, 539–569.
- NYHUS, PAUL L.: *The Franciscan Observant Reform in Germany*, Reformbemühungen und Observanzbestrebungen, 207–218.
- OHST, MARTIN: *Pflichtbeichte: Untersuchungen zum Busswesen in Hoben und Späten Mittelalter* (Beiträge zur Historischen Theologie 89), Tübingen 1996.
- OSZVALD ARISZTID: *Fegyverneky Ferenc, sági prépost, rendi visitator 1506–1535*, Emlékkönyv Szent Norbert halálának 800 éves jubileumára (1134–1934), Gödöllő 1934, 51–108 [*Ferenc Fegyverneky, Provost of Ság, Visitor of the Premonstratensian Order 1506–1535*].
- PÁSZTOR LAJOS: *A magyarság vallásos élete a Jagelló-korban*, Budapest 1940 [*The religious life of Hungarians in the Jagiello-era*].
- PETROVICH ÉDE: *Új magyar egyetemi vonatkozású adatok a XV. századból egy római levéltárban*, Filológiai Közöny [Philological Journal] 16 (1970) 158–163 [*New Hungarian data concerning university life in the 15th century from a Roman archive*].
- Reformatio in archidiecepsi Strigoniensi ad a. 1564*, ed. VOJTECH BUCKO, Pozsony 1939.
- Reformbemühungen und Observanzbestrebungen im spätmittelalterlichen Ordenswesen* (Berliner Historische Studien 14, Ordensstudien 6), hrsg. von KASPAR ELM, Berlin 1989.
- REGÉNYI KUND: *Az eperjesi Szentháromság karmelita konvent története*, Tanulmányok a középkori magyar történelemtől (Az I. Medievisztikai PhD-konferencia előadásai, szerk. Homonnai Sarolta–Piti Ferenc–Tóth Ildikó), Szeged 1999, 103–114 [*The History of the Carmelite Convent of the Holy Trinity in Eperjes*].
- Régi Magyar Könyvtár I–III*, szerk. SZABÓ KÁROLY, Budapest 1879–1896 [*Old Hungarian Library I–III*].
- Regula Beati Augustini una cum expositione Hugonis de Sancto Victore*, Venetiis 1508 (Biblioteca Angelica).
- REINHARD, WOLFGANG: *Nepotismus. Der Funktionswandel einer papstgeschichtlichen Konstanten*, Zeitschrift für Kirchengeschichte 86 (1975) 145–185.
- RITOÓKNÉ SZALAY ÁGNES: *Bakócz Tamás Breviáriumának kéziratosa versei*, [Id.], „Nympha super ripam Danubii”. Tanulmányok a XV–XVI. századi magyarországi művelődés köréből, Budapest 2002, 175–190 [*Manuscript Poems in the Breviary of Thomas Bakócz*].
- ROSARIO, ANTONIO DO-ALONSO, CARLOS: *Actas inéditas de diez capítulos generales 1419–1460*, Analecta Augustiniana 72 (1979) 5–133.
- ROSENTHAL, PAUL-ANDRE: *Construire le ‘macro’ per le ‘micro’*. Fredrik Barth et la microstoria, Jeux d’échelles. La mycroanalyse à l’expérience (éd. par J. Revel), Paris 1996, 141–159.
- RUBIN, MIRI: *The Making of the Host Desacration Accusation: Persuasive Narratives, Persistent Doubts*, Proof and Persuasion. Essays on Authority, Objectivity, and Evidence (ed. by Suzanne Marchand–Elizabeth Lunbeck), Brepols 1996, 100–123.
- SABEAN, DAVID WARREN: *Communion and Community. The Refusal to Attend the Lord’s Supper in the Sixteenth Century*, [Id.], Power in the Blood. Popular Culture and Village Discourse in Early Modern Germany, Cambridge 1987, 37–60.

- SABEAN, DAVID WARREN: *Peasant Voices and Bureaucratic Texts: Narrative Structure in Early Modern Protocols*, Little Tools of Knowledge. Historical Essays on Academic and Bureaucratic Practices (ed. by Peter Becker–William Clark), Ann Arbor (Mich.) 2001, 95–140.
- SABEAN, DAVID WARREN: *Village Court Protocols and Memory*, Gemeinde, Reformation und Widerstand. Festschrift für Beter Blickle zum 60. Geburtstag (ed. by Heinrich R. Schmidt–André Holenstein–Andreas Würigler), Tübingen 1998, 3–23.
- SCHNUTZ, RICHARD A.: *Medieval Papal Representatives: legates, nuncios, and judges-delegate*, Studia Gratiana post octava decreti saecularia XV, Roma 1972, 441–463.
- SCHULZE, MANFRED: *Fürsten und Reformation. Geistliche Reformpolitik weltlicher Fürsten vor der Reformation* (Spätmittelalter und Reformation [n.R.] 2), Tübingen 1991.
- SCHULZE, WINFRIED (Hrsg.): *Ego-Dokumente. Annäherung an den Menschen in der Geschichte* (Selbstzeugnisse der Neuzeit 2), Berlin 1996.
- SCRIBNER, ROBERT W.: *Cosmic Order and Daily Life: Sacred and Secular in Pre-industrial German Society*, [Id.], Popular Culture, 2–16.
- SCRIBNER, ROBERT W.: *Popular Culture and Popular Movements in Reformation Germany*, London 1987.
- SCRIBNER, ROBERT W.: *Preachers and People in German Towns*, [Id.], Popular Culture, 123–144.
- SCRIBNER, ROBERT W.: *Ritual and Popular Religion in Catholic Germany at the Time of the Reformation*, [Id.], Popular Culture, 32–41.
- SETTON, KENNETH M.: *Pope Leo X. and the Turkish Peril*, Proceedings of the American Philosophical Society 1969, 367–424.
- Synodus dioecisiana insignium abbatiarum S. Mariae Farfensis et S. Salvatoris Maioris ord. S. Benedicti invicem perpetuo unitarum celebrata per eminentissimum... dominum Carolum Barberinum A.D. 1685.*
- SZÉKELY GYÖRGY: *Reform und Politik im Leben des Kardinals Bakócz*, Reform – Reformation – Revolution (Ausgewählte Beiträge einer wissenschaftlichen Konferenz in Leipzig 1977, hrsg. von Siegfried Hoyer), Leipzig 1980, 81–86.
- SZÜCS JENŐ: *A ferences obszervancia és az 1514. évi parasztbáború. Egy kódex tanúsága*, LK 43 (1972) 213–263 [*Franciscan Observants and the Peasant War of 1514*].
- SZÜCS JENŐ: *Ferences ellenzéki áramlat a magyar parasztbáború és reformáció hátterében*, Irodalomtörténeti Közlemények [Communications of Literary History] 78 (1974) 409–435 [*The Movement of the Franciscan Opposition in the Context of the Hungarian Peasant War and the Reformation*].
- TELSTE, KARI: *A tale of courtship or immorality? Some reflections on court records as narratives*, Tid ok Tanke 1 (1997) 75–82 (Fact, fiction and forensic evidence, ed. by Sølvi Sogner).
- Temesvári Pelbárt: Sermones Pomerii. Pomerium de Sanctis & Pomerium Quadragesimalium*, Régi Magyar Könyvtár, III, *passim* (1486–1521).
- THEINER, AUGUSTINUS: *Vetera monumenta historica Hungariam sacram illustrantia I–II*, Romae 1859–1860.

- TÓTH-SZABÓ PÁL: *Szatmári György prímás. 1457–1524* (Magyar Történeti Életrajzok), Budapest 1906 [*Primate György Szatmári*].
- TUSOR PÉTER: *Magyar történeti kutatások a Vatikánban* (Collectanea Vaticana Hungariae I/1 – Excerptum), Budapest–Róma 2004 [*Hungarian Historical Researches in the Vatican*].
- WAGNER, CAROLUS: *Diplomatarium comitatus Sarosiensis*, Posonii–Cassovia 1780.
- WALSH, KATHERINE: *Papal Policy and Local Reform II*, *Römische Historische Mitteilungen* 22 (1980) 105–145.
- WALSH, KATHERINE: *Papsttum und Ordensreform in Spätmittelalter und Renaissance: Zur Wechselwirkung von Zentralgewalt und lokaler Initiative*, *Reformbemühungen und Observanzbestrebungen*, 411–431.
- WEISSER, MICHAEL: *The Peasants of the Montes*, Chicago 1972.
- WODKA, JOSEPH: *Art. Cesarini Giuliano*, *Lexikon für Theologie und Kirche I–VI* (hrsg. v. Josef Höfer–Karl Rahner), Freiburg 1957–1961<sup>2</sup>, II, 997.
- WODKA, JOSEPH: *Zur Geschichte der nationalen Protektorate der Kardinäle an der römischen Kurie* (Publikationen des ehemaligen Österreichischen Historischen Instituts in Rom 4/I), Innsbruck–Leipzig 1938.
- Xystus Schier: *Memoria provinciae Hungaricae Augustiniana antiquae*, ed. MARTINUS ROSNAK, Graecii 1778.



## ABBREVIATIONS

BF	Bullarium Franciscanum
E TE	Egyháztörténelmi emlékek a magyarországi hitújítás korából - <i>Remnants of Ecclesiastical History from the Age of the Hungarian Protestant Reformation</i>
FH O.S.A.	Fontes Historiae Ordinis Sancti Augustini
LK	Levéltári Közlemények - <i>Archivistical Communications</i>
LThK	Lexikon für Theologie und Kirche
MREV	Monumenta Romana Episcopatus Vesprimiensis
PRT	A pannonhalmi Szent Benedek-rend története - <i>The History of the Order of St. Benedict of Pannonbalma</i>
TMT	Társadalom- és Művelődéstörténeti Tanulmányok - <i>Studies of Social and Cultural History</i>



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## EGY KOLOSTORPER TÖRTÉNETE ÉS JEGYZŐKÖNYVE

A késő középkori kolostorreformok – a vallásos élet megújítása a szerzetesi közösség átszervezésével – konfliktusokkal terhelt események voltak. Az egymásnak feszülő érdekek és felek: szerzetesrendek, világi és egyházi hatóságok összeütközése gyakran szentszéki kivizsgálásokat eredményezett. Az olvasó egy ilyen eljárás kivételesen fennmaradt jegyzőkönyvét, illetve ennek szakapparátussal ellátott kiadását tartja a kezében.

Ez az eset Körmen-d mezővárosában történt. Itt állt a város központjában Szent Ágoston remetéinek régi kolostora, akik valójában kolduló rendi barátok voltak. A szerzetesrendek késő középkori – nevével a régi ideálok megtartására utaló obszerváns – megújulási mozgalma a hazai kolduló rendek közül a ferencesek körében volt a legsikeresebb. A cseri barátok népszerűségét a hívek körében legjobban kolostoraik növekvő száma tükrözi. Az új alapítások persze sok költséggel jártak. Ennél olcsóbb lehetőség volt egy már meglévő kolostor átadása nekik. Körmen-den is ez történt Bakócz Tamás bíboros-prímás kezdeményezésére, aki a városban földesúr és a kolostor kegyura volt. Amint az lenni szokott, a kolduló rendek felett közvetlen joghatósággal rendelkező pápától kért engedélyt a kolostori életbe való külső beavatkozásra 1513-ban. Az ágostonosok eltávolításának szükségességét a felbomlott vallási élettel, a fráterek hanyag és kicsapongó életével, a hívek e felett érzett felháborodásával indokolta. A 15. században ez bevett érvelés volt. Valószínűleg az ellentmondáshoz nem szokott nagyhatalmú érseket is váratlanul érte azonban az ágostonosok merész válasza: az 1517 nyarán bekövetkező eltávolításuk ellen Rómába fellebbeztek.

Az itt kiadásra kerülő jegyzőkönyv a X. Leó pápa által az érsek eljárásának jogosságát és megalapozottságát ellenőrizni akaró, 1518 tavaszán-nya-

rán lezajlott kivizsgálás eredeti jegyzőkönyve. A hazai forrásanyagban egyedülálló irat az idők viszontagságát a Barberini-dinasztiának ma a Vatikáni Apostoli Könyvtárban őrzött gyűjteményében élte túl. A *Registrum* két nagyobb egységre oszlik: először a szentszéki eljárás egyes mozzanatait, az eljárás során keletkező iratok kerültek rögzítésre; második része az ügyben kihallgatott helybéli lakosság tanúvallomásait tartalmazza.

A *Bevezetés* első, hangsúlyosabb részének tárgya maga a vizsgálat. Az ennek középpontjában álló korabeli kérdésre keresi a választ: szabályosan végigvitt kolostorreform történt a vallásos élet megújításának céljával, vagy amint az ágostonosok védekeztek, erőszakosan fosztották meg őket kolostoruktól mögöttes, hatalmi szándékkal? A választ a vizsgálat egyes mozzanatainak jogi kontextusa, majd pedig az érsek-prímásnak a szerzetesrendekhez és megújulási törekvésekhez való viszonya összefüggésében kell keresnünk.

A második rész a tanúvallatási jegyzőkönyv szövegének vizsgálatán alapszik. Itt először a tanúkihallgatás eseménye kapcsán társadalom- és mentalitástörténeti problémák – például elit és népi kultúra viszonya, az emlékezés mechanizmusa – vetődnek fel. A tanúk által elmesélt történetek révén pedig a közösség és a szerzetesek kapcsolatát, a kegyúr beavatkozását megelőző évtizedekben megélt mindennapjaikat, az embeereknek a szerzetesek viselkedésére adott reakcióit figyeljük meg.

A *Bevezetés* tulajdonképpen egy nagyobb ívű, tézisszerű összefoglalás. A kolostorper kapcsán felvetődő egy-egy témakör részletesebb elemzése külön dolgozatok keretében már megtörtént. A kolostorper monografikus feldolgozása a közelmúltban látott napvilágot. Az eredmények magyar nyelven tehát könnyen hozzáférhetők. (Mindeme munkáimat tételesen lásd a *Bibliográfiában*.)

Egyrészt ez, vagyis az önisméltés elkerülésének törekvése indokolja a bevezető tanulmány angol nyelvű közlését. Annak ugyanakkor, hogy az egész kötet angol–latin, s nem magyar–latin nyelvű, korántsem személyes okai vannak. A forrás ugyanis a nemzetközi tudományosság figyelmére több okból is érdemesnek látszik. Egyfelől hasonló jegyzőkönyv kiadásáról magam nem tudok. Másfelől pedig még a késő középkorból is egész Európában igen szűkösek az olyan források, amelyekben egyszerű emberek szólalnak meg.

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Misztófalusi Kis Miklós (1650–1702) betűivel  
*With the letters of Nicolas Kis of Misztótfalu (1650–1702)*  
Nyomtatta az Eto-Print, Budapesten, 2006 februárjában  
*Printed in Hungary*







Vessel for keeping holy-water and Crucifix. Hungarian National Museum, Goldsmith Collection, Treasure findings at Körmend from the possessions of the Augustinian convent (Inv. No. CIM. SEC. II, II, 6 and XV, 10). Previous page: the parish church and parsonage of Körmend (Photo by Balázs Zágórhídi Czigány)











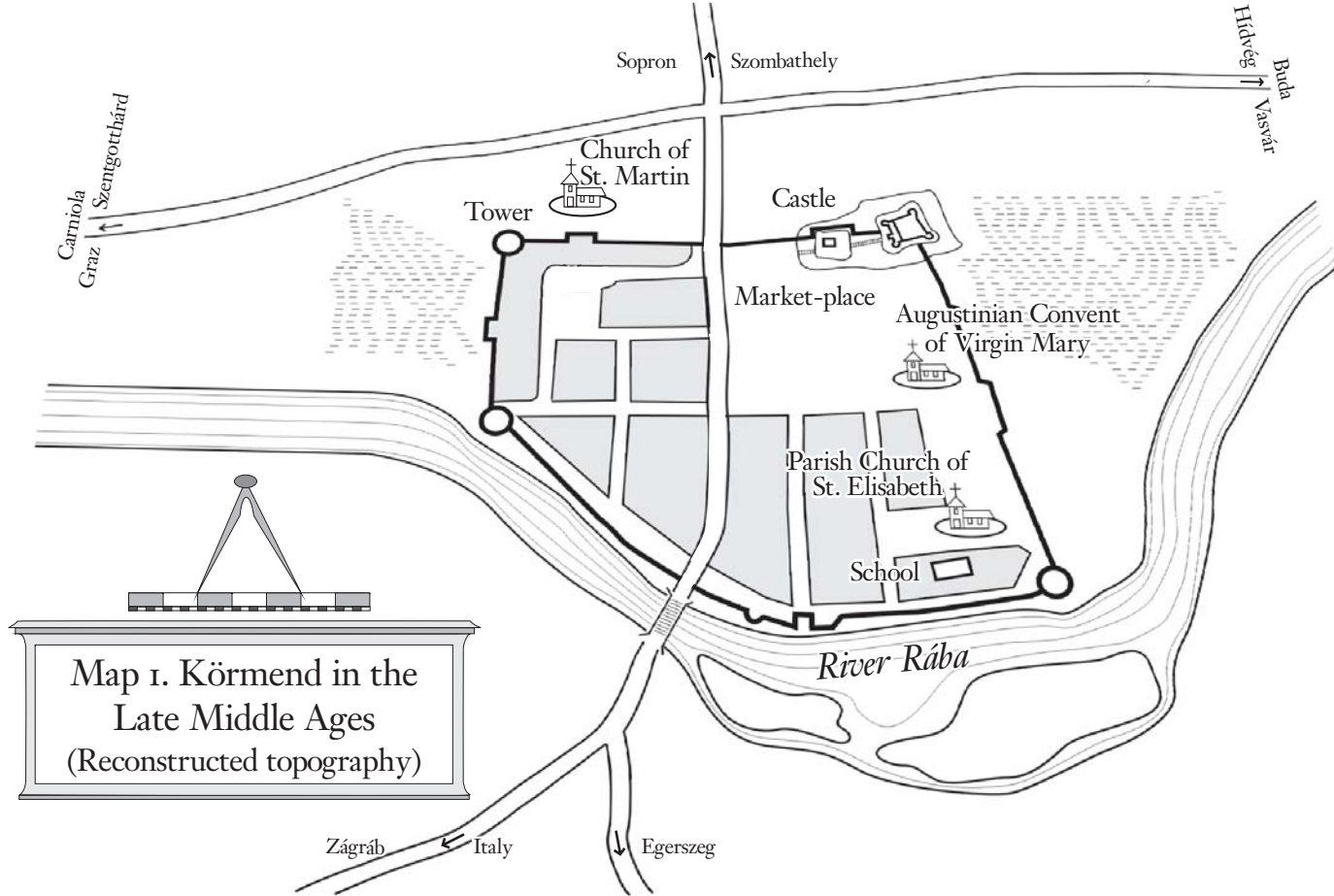
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scit de illo Gasparius oppidum tunc magis  
de Ravenna dicit Gasparius pro dicto in mulieribus  
aliquid scit dicit ab eis tempore quo tunc  
in dicto fructu oppidum Gasparius in Ravenna  
structuram in dicto de Ravenna dicit tunc quod scit  
nihil aut parum de Ravenna dicit tunc cum dicit  
tunc de Ravenna dicit de voluntate tunc regem  
oppidum cum dicit scit tunc tunc dicit de Ravenna  
confirmitate sui comitatus tunc Gasparius dicit  
scit de Ravenna qui facta sunt circa Gasparius  
tunc dicit tunc quod Gasparius aliquid de Ravenna  
scit tunc in nullo scit dicit et tunc ad Ravenna  
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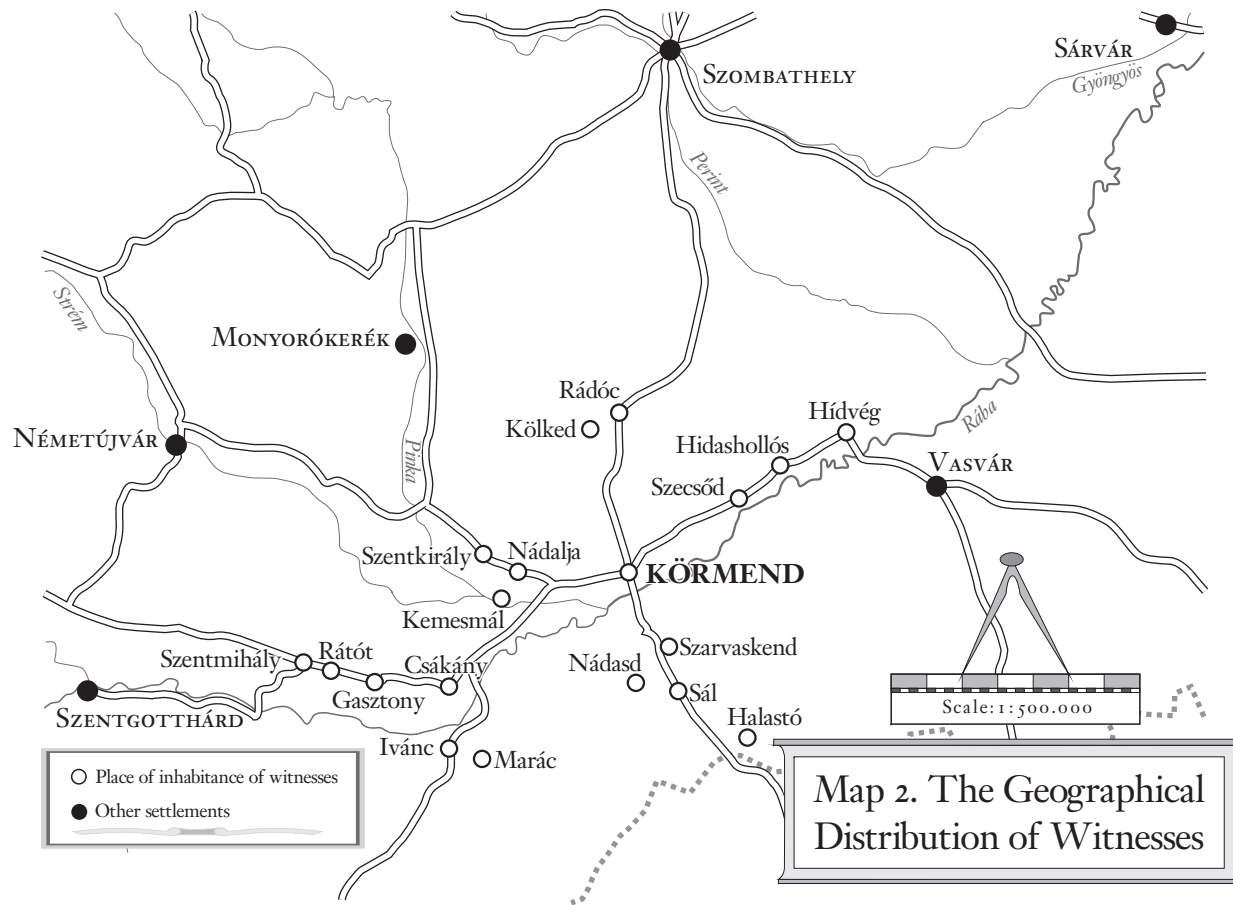
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Map 1. Körmend in the  
Late Middle Ages  
(Reconstructed topography)









- 1. ARANYOSSZÉK
- 2. BESZTERCE
- 3. FEHÉR