

Viktória KOVÁCS:

The Pozsony Toll Exemption in the Angevin and Sigismund Eras*

This study examines the question of the toll exemption of the citizen of Pozsony (Bratislava, Slovakia) in the Angevin period and under the rule of Sigismund of Luxembourg. Beyond interpreting the privilege guaranteed in the town charter issued by Andrew III in 1291, we discuss the problems connected to the validity of the privilege. The town charter ensured the Pozsony hospites the toll exemption in the entire kingdom, but only those could benefit from the privilege who travelled with the purpose of trade. Through royal confirmations, the country-wide toll exemption remained in effect throughout the Angevin and Sigismundian periods. All the lawsuits with known outcome ended with the acknowledgement of the exemption from tolls of the burghers of Pozsony except one case: in 1357 the cathedral chapter of Esztergom managed to break the privilege of the exemption with reference to the ancientness and pious donation of their right to collect tolls. Mentions from the reign of Louis I, however, also imply the existence of a lost but partially reconstructed charter issued by Charles I, which granted the Pozsony townspeople a regionally restricted toll exemption. The latter charter of privilege seems to have provided toll exemption for any kind of traffic, meaning transport of persons and goods on the Pozsony–Visegrád and Pozsony–Buda routes (meaning, the routes to the royal court) on and beside the Danube. Charles's charter providing a 'Danube toll exemption' was probably confirmed by Louis, because court records indicate that the privilege was in effect.

Key words: Bratislava, 14th–15th century, Pozsony town privilege, trade, toll exemption, Danube toll stations, Umschlagsrecht, smuggling



Pozsony (Bratislava, Slovakia), lying at the western border of the medieval Hungarian kingdom, has been classed by Erik Fügedi along with Székesehérvár, Sopron and Kassa (Košice, Slovakia) as one of Hungary's foremost trading centres in the first half of the fourteenth century.¹ Despite

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¹ Erik FÜGEDI: Középkori magyar városprivilegiumok [Medieval Hungarian Town Privileges]. *Tanulmányok Budapest Múltjából* XIV (1961), p. 17–107. (hereafter: FÜGEDI 1961) here: p. 35.

the well-known richness of sources concerning the city, however, considerable uncertainty still surrounds one of its citizens' principal trading privileges, the exemption from payment of tolls. The subject was last examined in detail at the turn of the twentieth century, and divergent views persist: some authors interpret the town's charter of privilege of 1291 as granting citizens toll exemption in the county of Pozsony alone.² Others think it had country-wide scope,³ and yet, others admit "national" exemption, but only after 1328.⁴ Besides the nature of the privilege conferred by the charter, there are problems relating to the validity and exercise of the privilege, a subject that has hitherto received substantial treatment only from Ferenc Kováts.⁵

The original charter issued by Andrew III (1290–1301) to the citizens of Pozsony on 2 December 1291 ordered that the *hospites* of Pozsony, when travelling in the kingdom with their goods or wagons for the purposes of trade, were not required to pay duty either on their goods or on horses and servants who travelling with or without goods. Up to this point, the provision is equivalent to country-wide toll exemption privileges granted to the merchants of other towns, but it goes further, because the king specifically mentioned the toll stations at the Pozsony (Danube) ferry on the Hainburg an der Donau road, the Csalló ferry, Szőlős, the crossing point on river Morava and the other tolls in Pozsony County. This stipulation lies behind the view that the toll exemption was regionally restricted rather than country-wide, because it only applied in the listed toll stations. The text, however, clearly states that the exemption also applied to toll stations anywhere else.⁶ Additionally, a few days later, on 6 December, the king

² Cf. Ferenc KOVÁTS: Adalékok a dunai hajózás és a dunai vámok történetéhez az Anjouk korában [Contributions to the History of Danubian Navigation and Danubian Tolls in the Angevin Age]. *Magyar Gazdaságtörténelmi Szemle* 8 (1901), p. 433–470. (hereafter: KOVÁTS 1901) here: p. 436–437; FÜGEDI 1961. p. 39–40; Renáta SKORKA: Pozsony gazdasági szerepe a 15. század első felében a zálogszerződések tükrében [The Economic Role of Bratislava in the First Half of the 15th Century in the Light of Pignorative Contracts]. *Századok* 138 (2004), p. 433–463, here: p. 433–434; Erik Fügedi, despite apparently accepting Kováts's opinion in the matter, notes that 'the vague wording of the charter of privilege also permits a reading of national toll exemption.' He also mentions that it was their 1291 charter the citizens of Pozsony submitted in a 1496 lawsuit to prove their exemption from payment of tolls at Zsitvató (Žitava, today part of Radvaň nad Dunajom, Slovakia) in Komárom County. FÜGEDI 1961. p. 40.

³ Cf. Katalin SZENDE: *Otthon a városban. Társadalom és anyagi kultúra a középkori Sopronban, Pozsonyban és Eperjesen* [At Home in the Town. Society and Material Culture in Medieval Sopron, Pozsony (Bratislava) and Eperjes (Prešov)]. Budapest. 2004. p. 35; Boglárka WEISZ: *A királyketteje és az ispán harmada. Vámok és vámszedés Magyarországon a középkor első felében* [The King's Two Thirds and the Count's One Third. Customs and Customs Duties in Hungary in the First Half of the Middle Ages]. Budapest. 2013. (hereafter: WEISZ 2013) p. 318.

⁴ Cf. KOVÁTS 1901. p. 437; Fügedi also adopts this opinion. FÜGEDI 1961. p. 40.

⁵ KOVÁTS 1901. *passim*.

⁶ "*Statuimus insuper, ut cum iidem hospites no(stri cu)m suis mercibus vel cu(ri)b(us) ubicun(que) in regno nostro causa mercandi voluerint proficiasci, nec de mercibus nec de equis vel personis eorum) cum*

ordered all toll stations in the country not to collect tolls from the Pozsony *hospites* travelling to destinations either within or outside the country, there and back (*tam in eundo extra regnum nostrum, vel alias, quam in veniendo*), because by virtue of the king's holy ancestors (*a sanctis progenitoribus nostris*) and his grace, they enjoyed the freedom to pass through toll stations without making payment.⁷ The city's charter thus conferred toll exemption to the Pozsony merchants throughout the land, although in practice their trading activities in the late thirteenth century may not have extended to anything like the whole country, as is suggested by sections of the December 1291 charters highlighting the county of Pozsony, roads leading out of the country and tolls collected at border gates. By mentioning these locations, these passages emphasize Pozsony citizens' involvement in foreign trade.⁸ The importance of trade with Lower Austria in particular is clear from the locations of the charter's list of crossing points: one route to Vienna started with the Danube ferry at the Abbot of Pilis's water tower⁹ in Pozsony and proceeded along the right bank past Hainburg, and another went via the Morava crossing at Dévény (Devín, today part of Bratislava, Slovakia) and proceeded overland via Morvamező (Marchfeld, Austria, Slovakia, and Czech Republic).¹⁰ Via the Szőlős (Pozsonyszőlős, Vajnory, today part of Bratislava, Slovakia) road, the Pozsony merchants could travel towards Nagyszombat (Trnava, Slovakia) via Cseklész (Bernolákovo, Slovakia), and the Csalló ferry carried them into Csallóköz.¹¹

The country-wide toll exemption granted to the Pozsony *hospites* in the 1291 charter remained in effect under Charles I (1301–1342), who made the

mercibus (et sine) mercibus euntibus et redeuntibus nullum tributum nullamque exactionem, videlicet in portu Posonien (si versus Haimburgam,) in portu (Challow, in Zeuleus, in transitu fluvii Morava et in aliis locis quibuscunque in comitatu Posoniensi) et alias, (ubi tributum exigi) consuevit, solvere teneantur". *Výsady miest a mestčiek na Slovensku I. 1238–1350.* Ed. Lubomir JUCK. Bratislava. 1984. (hereafter: VMMS) I. p. 75. (*Az Árpád-házi királyok okleveleinek kritikai jegyzéke. Regesta regum stirpis Arpadianae critico-diplomatica.* I–II. Ed. Imre SZENTPÉTERY – Iván BORSA. Budapest. 1923–1987. [hereafter: RA] nr. 3837); Juck filled in the parts missing from the original charter using Charles I's confirmation of 1313. VMMS I. p. 77.

⁷ *Codex diplomaticus Hungariae ecclesiasticus ac civilis.* I–XI. Ed. Georgius FEJÉR. Buda. 1829–1844. (hereafter: FEJÉR) VI/2. p. 299. (RA nr. 3840).

⁸ Cf. WEISZ 2013. p. 43, 318.

⁹ WEISZ 2013. p. 317.

¹⁰ Renáta SKORKA: Pozsony a bécsi közvetítő kereskedelem árnyékában [Bratislava in the Shadow of the Vienna Transit Trade]. In: *Tiszteletkőr. Történeti tanulmányok Draskóczy István egyetemi tanár 60. születésnapjára.* Ed. Gábor MIKÓ – Bence PÉTERFI – András VADAS. Budapest. 2012. p. 301–309. (hereafter: SKORKA 2012) here: p. 301–302; Ferenc Kovács claims that the crossing of the River Morava connected Pozsony to Moravia along the Lamacs-Beszterce-Stomfa-Malacka route (now Lamač-Banská Bystrica-Stupava-Malacky, Slovakia); KOVÁCS 1901. p. 435.

¹¹ KOVÁCS 1901. p. 435.

first amendment to the charter in 1313¹² and confirmed it on 31 March 1323¹³ after he started to use a new seal.¹⁴ An important point here is that Charles I's confirmation of Pozsony's privileges in 1313 was based not on the original charter but on a transcription bearing the personal seal¹⁵ of Archbishop Thomas of Esztergom (1305/1306–1321).¹⁶ Interestingly, we do not have knowledge of a case when the people of Pozsony made a direct request for the transcription of their charter issued in 1291, even though the original still survives.¹⁷ Owing to the physical deterioration of the original document, however, the passage concerning the toll exemption privilege is illegible and we know the full text only from the archbishop's transcription, via Charles I's charter of 1313.¹⁸

Ferenc Kováts claimed that Pozsony acquired exemption from payment of Pozsony county tolls in 1291, but it gained a country-wide exemption only by grant of Charles I in 1328.¹⁹ He cited a charter of Louis I (the Great) (1342–1382) from 1357, 'in which the king resolutely stated that the townspeople of Pozsony received general toll exemption, extending to the whole area of the country, from Charles I,'²⁰ and two mandates issued by Charles I in 1328.²¹

On 8 November 1328, Charles prohibited the town of Nagyszombat from imposing tolls on the people of Pozsony on any reason (*nulla penitus racione*). He imposed the same prohibition on the sons of Abraham Vörös on 13 November. The reason given for this provision in both cases was that

¹² Magyar Nemzeti Levéltár Országos Levéltára, Diplomatikai Fényképgyűjtemény [National Archives of Hungary. Collection of Photo Reproductions] (hereafter: DF) 238 656, FEJÉR X/7. p. 762–763. (Anjou-kori oklevéltár. *Documenta res Hungaricas tempore regum Andegavensium illustrantia*. I–XLVI. Ed. Tibor ALMÁSI – László BLAZOVICH – Lajos GÉCZI – Éva B. HALÁSZ – Tamás KÖFALVI – Gyula KRISTÓ – Ferenc MAKK – Ferenc PIII – Ferenc SEBŐK – Éva TEISZLER – Ildikó TÓTH – Krisztina RÁBALI. Budapest–Szeged. 1990–2017. [hereafter: AO] III. nr. 644).

¹³ In the 1323 transcription, the king provided the citizens of Pozsony the additional privilege that they were not obliged to accept the new royal coins and were exempt from payment of the related tax, the *ferto* (collecta fertonis). DF 238 664, FEJÉR X/7. p. 762–765, (AO VII. nr. 91); The Pozsony chapter transcribed this charter on 9 April 1347: DF 238 715 (AO XXXI. nr. 300).

¹⁴ Albert GÁRDONYI: I. Károly király nagypécsettjei [Grand-Seals of King Charles I]. *Turul* 25 (1907), p. 30–57. (hereafter: GÁRDONYI 1907) here: p. 36.

¹⁵ Cf. DF 238 656; FEJÉR X/7. p. 762–763. (AO III. nr. 644).

¹⁶ Pál ENGEL: *Magyarország világi archontológiája 1301–1457* [The Secular Archontology of Hungary 1301–1457]. I–II. Budapest. 1996. (hereafter: ENGEL 1996) I. p. 63.

¹⁷ Cf. DF 238 636.

¹⁸ Cf. DF 238 636, 238 656; FEJÉR X/7. p. 762–763. (AO III. nr. 644).

¹⁹ Ferenc Kováts ignored in his argumentation the identity of the so-called "*et alias*" in the charter of privilege of 2nd December 1291. He also disregarded the other previously mentioned charter from the 6 December [1291] – which similarly to the one from the 2nd of December contradicted his theory – in spite of the fact that he knew of its existence. KOVÁTS 1901. p. 436–437.

²⁰ KOVÁTS 1901. p. 437.

²¹ KOVÁTS 1901. p. 435–437.

Pozsony citizens and *hospites* were not obliged to pay tolls anywhere in the realm (*nusquam in regno nostro*),²² as he knew from the charters of privilege granted by his predecessors and confirmed by himself (*in ... litteris privilegialibus vidimus*).²³ Nagyszombat must have breached Pozsony's toll exemption at the toll station the town rented from the chapter of Székesfehérvár, and the sons of Abraham Vörös must have done so in Cseklész.²⁴ In the 13 November mandate, Charles notably upheld the Pozsony citizens' exemption at the toll station of Abraham Vörös's son Andrew and his brothers, despite the latter possessing the privilege to collect tolls from everybody, without discrimination (*sine differentia aliquali*).²⁵

The regionally-restricted interpretation of the toll exemption granted in 1291 seems to be refuted by the references in these royal mandates to a country-wide toll exemption acquired from previous kings. It takes on new credence, however, from the wording of a charter that Charles issued in Visegrád on 4 July 1328 explicitly granting the people of Pozsony country-wide toll exemption.²⁶ This might even have been the charter that the people of Pozsony presented to the king in November of that year in the legal dispute concerning tolls collection in Cseklész and Nagyszombat,²⁷ but the question remains clouded, because the charter survived only in the form of a summary transcription in King Matthias's charter of 27 May 1464.²⁸ That was when, at Pozsony's request, Matthias's transcribed and confirmed several economic privileges, mostly those concerning exemption from tolls and *harmincad* (*tricesima*, 'thirtieth') duties. The charters the Pozsony citizens presented for transcription were of various forms. As they requested, the transcription did not include the full text but only the articles (*articulos*) concerning freedoms and rights (*libertates et iura*), although these articles were probably transcribed literally.²⁹ On 10 February 1493, Vladislaus II (1490–1516) confirmed the content of Matthias's charter, thus recognizing the country-wide toll exemption for the people of Pozsony and their goods

²² "[...] *libertas dictorum civium et hospitem nostrorum per priores reges data et per nos confirmata id requirat, quod iidem nusquam in regno nostro tributum solvere teneantur*". VMMS I. p. 114. (AO XII. nr. 462); „[...] *quod quia fideles cives nostros de Posonio in nostris et predecessorum nostrorum quondam illustrium regum Hungarie litteris privilegialibus vidimus et pro certo cognovimus hanc libertatis prerogativam habere et pro meritis obtinuisse quod iidem aut aliquis ipsorum nusquam in regno nostro dare et solvere tributa teneantur*". VMMS I. p. 113, dated 4 July. (AO XII. nr. 466).

²³ VMMS I. p. 113. (AO XII. nr. 466).

²⁴ WEISZ 2013. p. 384, 110.

²⁵ WEISZ 2013. p. 110.

²⁶ DF 240 491 (AO XII. nr. 351).

²⁷ AO XII. nr. 462, 466.

²⁸ DF 240 491.

²⁹ DF 240 491.

and chattels (*tam de personis propriis, quam de omnibus rebus et bonis suis*).³⁰ He also issued a charter on 15 July 1498 transcribing and confirming several other charters that granted privileges to the people of Pozsony.³¹ The Pozsony citizens presented the 1464 and 1493 charters in the lawsuit over the tolls of Zsitvató (Žitava, today part of Radvaň nad Dunajom, Slovakia) 1495–1496. There, they joined with the citizens of Buda, Pest, Székesfehérvár, Esztergom, Visegrád, Komárom and Budafelhévíz in a successful challenge to the toll collection rights of the Nyitra (Nitra, Slovakia) church in Zsitvató.³² Returning to the Visegrád charter of 4 July 1328, I consider it – on the grounds of its *articulus* preserved by the summary transcription and its presumed privilege form³³ – to have been a royal judgement rather than the confirmation of a charter of privilege, because the text seems to resemble the form of a court judgement than that of the ground for a transcription or confirmation. The text itself makes no mention of confirmation.³⁴ I therefore conclude that the 4 July document may have been the judgement in the lawsuit that the citizens of Pozsony instigated against the sons of Abraham Vörös and/or the citizens of Nagyszombat. This is supported by the date of issue, close to the dates of the royal mandates issued in early November, and by the exact correspondence of the text of the *articulus* in the 4 July document to that in the 13 November 1328 mandate.³⁵ In the lawsuit, the king based the recognition of the Pozsony toll exemption on the town's charter of privilege, which he had confirmed. The mandates following the judgement, however, issued in November, were requested by the citizens, presumably to assist in the practical enforcement of their privilege.

Katalin Szende may have finally solved the 'mystery' of Pozsony's charter of 4 July 1328. She proposes that it never actually existed, and the *articulus* transcribed in Matthias's charter of 1464 is in fact a summary transcription of the 13 November charter. She traces the 'phantom charter' of 4 July to an error by Matthias's scribe, who mistook the name Briccius in the date of the 13 November document (*in festo beati Briccii confessoris*) for

³⁰ Tibor NEUMANN: Források Székesfehérvár középkori kiváltságainak történetéhez [Sources to the History of Székesfehérvár's Medieval Privileges]. In: Attila ZSOLDOS – Tibor NEUMANN: *Székesfehérvár középkori kiváltságai*. Székesfehérvár. 2010. p. 43–122. (hereafter: NEUMANN 2010) here: p. 83–84.

³¹ DF 240 822.

³² 15 June 1496: NEUMANN 2010. p. 55–90, mainly 81–84.

³³ "[...] *continentur iste articulus quod quia fideles cives nostros de Posenio in nostris et predecessorum nostrorum condam illustrium regum Hungarie litteris privilegialibus vidimus et pro certo cognovimus hanc libertatis prerogativam habere et pro meritis obtinuisse quod iudem aut aliquis ipsorum nusquam in regno nostro dare et solvere tributa teneantur*". DF 240 491.

³⁴ DF 240 491; Cf. AO XII. nr. 351.

³⁵ Cf. DF 240 491; VMMS I. p. 113, dated 4 July, and AO XII. nr. 351, 466.

Ulricus and wrote this into the 1464 document. In this case, the date comes out as 4 July rather than 13 November.³⁶ The reference in the Matthias charter to the 4 July document as a ‘charter of privilege’ (*in ... privileg[io] ... Karoli regis dato*) rather than a ‘mandate’ does not contradict Szende’s argument; we see the same, for example in a summary transcription of Charles I’s charter of 30 July 1336 (*in litteris preceptorii*).³⁷ The scribe who drafted Louis I’s decree of on 21 February 1366³⁸ also inconsistently mentions a charter of privilege (*in privilegio ... Lodovici regis ... dato*). The expression *in privilegio* in the 1464 charter therefore does not seem to describe the form of the transcribed documents and means only ‘in/according to the privilege (issued by Charles/Louis)’.³⁹

The charter that Louis the Great issued in Visegrád on 25 January 1357, was also adduced by Ferenc Kovács as evidence that the citizens of Pozsony received their country-wide toll exemption from Charles I, relates to a lawsuit between Pozsony and the Esztergom chapter concerning payment of tolls.⁴⁰ Among the documentary evidence that the citizens of Pozsony submitted on 19 January 1357, recorded somewhat tersely, was the charter confirmed by Charles I’s middle seal (lost in Wallachia). This contained the privileges from an older charter bearing the previous seal.⁴¹ It was on this charter that Louis I based his recognition of the Pozsony citizens’ exemption, by grace of King Charles, from payment of tolls (*dicti ciues de Posonio ex gracia ... Karoli regis ... ipsis facta a solucione tributorum exempti habeantur*).⁴² The description of the charter presented by the Pozsony citizens, (one that did not even mention the Árpád-era grant of toll exemption) does not make clear what kind of document it was. I think, that the transcription of 1323, incorporating Charles I’s charter of 1313 confirming the town charter of 1291, is the most likely contender, because Louis I confirmed it – at the request of Pozsony judge Jacob and three jurors: John, son of Jacob, (another) Jacob, son of Reyhard and Stephen ‘Bruno’ –

³⁶ Katalin SZENDE: Mennyit ér a kiváltság? Városprivilegiumok kibocsátása és rendelkezéseik betartása I. Károly alatt [What is the Privilege Worth? Issuing and Observing Town Privileges in Hungary during the Reign of Charles I]. In: *Pénz, posztó, piac*. Ed. Boglárka WEISZ. Budapest. 2016. p. 285–339, here: p. 327–328. (n. 183).

³⁷ VMMS I. p. 125–126. (AO XX. nr. 316).

³⁸ DF 238 835 = DF 238 836.

³⁹ Cf. DF 240 491.

⁴⁰ FEJÉR IX/2. p. 568–570; Cf. KOVÁCS 1901. p. 437.

⁴¹ “[...] *ubi etiam dicti ciues Posonien. priuilegium Domini Caroli regis [...] sub mediocri sigillo eiusdem, in partibus transalpinis casu deperdito, confectum, tenorem priuilegii sui, priori et antiquiori sigillo ipsis consignati, confirmatiue continens, nobis praesentarunt*”. FEJÉR IX/2. p. 569.

⁴² DF 237 234; FEJÉR IX/2. p. 569–570.

on 18 January 1357, the day before the submission of documentary evidence.⁴³ Nonetheless, there are other possibilities to consider.

Information from Louis's reign suggests that the toll exemption granted to Pozsony's citizens during the reign of Charles I did not derive solely from the town's charter of privilege. On 8 January 1350, Elizabeth the queen mother had instructed the toll owners and their collectors of tolls on land and on the Danube (*tributariis tam in terra quam super fluvio Danubii constitutis*) not to collect tolls from Pozsony citizens carrying wine and food to Buda or elsewhere in the kingdom (*vel alias in regno nostro*).⁴⁴ A mandate issued by Louis I on 26 January 1356 mentions toll exemption on wine, grain, oats and other foods (*de vinis, frugibus, avenis, ac aliis victualibus ipsorum*) carried by Pozsony citizens and *hospites* on ships or wagons down to Visegrád (*usque Vissegrad*),⁴⁵ as do his charters of 6 March for wine and grain (*de vinis et frugibus eorum*) carried from the city of Pozsony towards Visegrád (*versus Vyssegrad*).⁴⁶ Since the stipulation of toll exemption for wine and food transport along and beside the Danube is not mentioned in the relevant section of the town charter, we must seek its source elsewhere. There is a clue in the royal mandate of 26 January 1356, which states that the citizens of Pozsony were granted the exemption by Charles I's charter of privilege (*exhibuit nobis quasdam litteras privilegiales ... Karoli regis ... in quibus inter cetera expresse vidimus contineri*).⁴⁷ The 26 January document was almost certainly the basis for the king's mandate of 6 January 1366, because the wording of the two documents is identical, apart from obvious copy errors.⁴⁸ It was also Charles's previous charter of privilege – which I therefore, do not regard as identical to either the 1313 or the 1323 transcription of the town charter – that the Pozsony citizens may have cited in their dispute with Conrad of Wolfurt, *comes* of Óvár, in 1357. In the same place, we learn that Louis I had also confirmed his father's charter (*nostrarum confirmatoriarum*).⁴⁹ There are references to this confirmation or

⁴³ DF 238 757; Louis, a few years previously, had already confirmed this privilege conferred by Charles. Cf. 30 January 1352: DF 238 737.

⁴⁴ DF 238 727; FEJÉR IX/7. p. 100. (AO XXXIV. nr. 9).

⁴⁵ FEJÉR IX/7. p. 146. (AO XL. nr. 57).

⁴⁶ 6 March 1356: FEJÉR IX/7. p. 144–145; DF 238 753 (AO XL. nr. 111); 6 March 1356: KOVÁTS 1901. 445; DF 238 751 (AO XL. nr. 112).

⁴⁷ “[...] *quod iidem cives et hospites nostri de vinis frugibus et avenis ac aliis victualibus ipsorum tam in navibus quam in curribus usque Wyssegrad deferendis tributum vel aliquam tributariam exactionem nullas in regno nostro dare et persolvere teneantur sed a premissa exactione tributi absoluti et exempti habeantur*”. DF 238 749, 238 750; FEJÉR IX/7. p. 146. (AO XL. nr. 57).

⁴⁸ KOVÁTS 1901. p. 460; DF 238 831, 238 832.

⁴⁹ “[...] *mandamus quatenus a modo et deinceps a prefatis civibus et hospitibus nostris necnon (rebus) et bonis (eorundem) prout in eorum instrumentis videbitis contineri nullum tributum nullamque*

at least to the exercise of the privilege in the royal mandates of 6 March 1356⁵⁰ and even in dowager Queen Elizabeth's charter of 8 January 1350.⁵¹

All that we know from the Louis-era references to this charter of Charles I is that it existed.⁵² We do not know its exact date of issue or why the citizens of Pozsony needed a new charter to provide them with toll exemption or how it differed from the privilege provided in the 1291 charter. There are serious obstacles to answering these questions: we do not have the original charter or its presumed confirmation during the reign of Louis; its full text has not survived; and sources that preserve parts of its content seem to contradict rather than reinforce each other. The privilege must have applied to wine and food, and the Pozsony citizens claimed that it applied both to items intended for sale and items being transported for other purposes (*ad vendendum, vel pro alia causa deferendis*).⁵³ Some records of the privilege, also giving the point of view of the Pozsony citizens, claim that they were exempt from tolls due on their goods and chattels on the Danube and down to Visegrád (*a solutione tributi super Danobio persolvendi de rebus et bonis ipsorum*).⁵⁴ The privilege emphatically applied to transport by ship along the Danube and by wagon beside the river,⁵⁵ but we also find stipulations of the form of 'or elsewhere in the kingdom',⁵⁶ creating some uncertainties in determining the geographical reach of the toll exemption. Additionally, although most of the charters mention exemption from tolls on the transport of food and wine from Pozsony to Visegrád, one of them mentions Buda, and another the royal court, as their destinations.⁵⁷

tributariam exactionem petere recipere vel exigere vel exigere facere quovis modo presumpmatis". DF 238 762; KOVÁCS 1901. p. 446. (dated in this as 21 September).

⁵⁰ "[...] *cum nos fideles cives et hospites nostros Posonienses iuxta formam libertatum eorundem per dominum Karolum regem patrem nostrum et etiam per nos nunc eisdem concessarum*". DF 238 753 (FEJÉR IX/7. p. 144). "*Cum nos fideles Cives et hospites nostros Posonienses confinia regni nostri tuentes iuxta formam libertatum eorundem, per Illustrrem principem quondam dominum Karolum olim Inclitum Regem Hungarum genitorem nostrum Karissimum, et etiam per nos efficacissimorum literalium Instrumentorum, ex vigore ipsius graciose concessarum*". KOVÁCS 1901. p. 445.

⁵¹ "[...] *cum primum dominus Karolus quondam illustris rex Hungarie dominus et consors noster pie memorie et tandem dominus rex filius noster et nos iudici iuratis civibus et universonis hospitibus nostris de civitate nostra Posoniensi de gracia speciali annuerimus*". DF 238 727; FEJÉR IX/7. p. 100.

⁵² The data that follows comes from charters that mention the Pozsony citizens' exemption from Danube tolls and their toll-free transport of wine and food.

⁵³ 6 December 1357: KOVÁCS 1901. p. 447.

⁵⁴ 23 September 1357: DF 238 762; KOVÁCS 1901. p. 446. (dated in this as 21 September); 7 July 1359: "*de bonis et rebus eorum, in Wissegrad deferendis, nullum Tributum dare tenerentur*". KOVÁCS 1901. p. 451. (dated 3 July).

⁵⁵ 26 January 1356: FEJÉR IX/7. p. 146.

⁵⁶ "*Tributum vel aliquam Tributariam exactionem nullas in regno Nostro dare, et persolvere teneantur*". FEJÉR IX/7. p. 146. "*In Budam vel alias in regno nostro deferunt*". DF 238 727; FEJÉR IX/7. p. 100.

⁵⁷ This information is not exhaustive: "*in Budam*". FEJÉR IX/7. p. 100; "*in Wissegrad*". KOVÁCS 1901. p. 451; "*versus curiam nostram*". KOVÁCS 1901. p. 447.

In my opinion, the conclusion to be drawn from these scattered references is that the citizens of Pozsony received a geographically limited toll exemption privilege from Charles I applying to all kinds of travel and transport on and beside the Danube from the city to Visegrád and Buda, because the holders of the privilege were the citizens and *hospites*, and not only the merchants, of Pozsony. The end-point of the specified route seems to have been the royal court, possibly explaining why Queen Elizabeth in her 1350 charter prohibited the collection of tolls from Pozsony citizens carrying wine and food to Buda or elsewhere (*in Budam vel alias in regno nostro*).⁵⁸ In 1350, the king's seat was in Buda,⁵⁹ and this case may have been an interpretation of the privilege in terms of the current state of affairs. There is another example, however, of 'Danube toll exemption' covering transport to Visegrád and Buda.⁶⁰ The holding of 'multiple kinds' of toll exemption by a town's citizens is not a unique or even unusual phenomenon, as it is clear from the example of Sopron, another Western border town. In the Árpáadian age, probably under the reign of Béla IV (1235–1270) or Stephen V (1270–1272), Sopron's merchants acquired a country-wide toll exemption resembling the privilege enjoyed by Pozsony citizens.⁶¹ Andrew III guaranteed this privilege in 1291, and in a charter of 1297 restated it⁶² to exempt the citizens of Sopron, like those of Székesfehérvár and Buda, from tolls on the whole territory of the kingdom 'both when navigating up and down the waters of the Danube and of other rivers of our kingdom, and when on mainland'. Thus, the citizens of Sopron were also granted explicit exemption from payment of Danube tolls.⁶³ Charles I confirmed the 1297 charter in 1317.⁶⁴ That was next transcribed during the reign of Sigismund in 1397, who cited it in prohibiting tolls from being charged on Sopron citizens' goods within the kingdom.⁶⁵ In 1323, Sopron also acquired exemption from payment of tolls up to the Lajta (Leitha, Austria / Lajta, Hungary) and the Rába rivers, meaning certain part of the counties of Vas

⁵⁸ 8 January 1350: DF 238 727; FEJÉR IX/7. p. 100.

⁵⁹ László IVÁN: *A visegrádi vár története a kezdetektől 1685-ig* [The History of Visegrád Castle from the Beginnings to 1685]. Visegrád. 2004. p. 26.

⁶⁰ Cf. 4 July 1374: DF 238 909; FEJÉR IX/4. p. 570.

⁶¹ WEISZ 2013. p. 343.

⁶² WEISZ 2013. p. 343–344.

⁶³ "[...] *üidem hospites et quilibet ex ipsis ab omni solutione tributi, sicut cives Albenses et Budenses, per totius regni nostri climata tam super aquam Danubii et aliis fluviis(!) in regno nostro existentibus in descendendo aut ascendendo, quam super terram liberi, immunes penitus sint et exempti*". *Elenchus fontium historiae urbanae* III/2. Ed. András KUBINYI – Monika JÁNOSI – Péter E. KOVÁCS – József KÖBLÖS – István TRINGLI. Budapest. 1997. p. 99.

⁶⁴ *Sopron szabad királyi város története* [The History of the Free Royal City of Sopron]. I/1–II/6. Published by Jenő HÁZI. Sopron. 1921–1943. (hereafter: HÁZI 1921–1943) I/1. p. 27–28.

⁶⁵ WEISZ 2013. p. 344.

and Sopron: ‘... regionally restricted toll exemption applied to their goods, to persons travelling on foot, and to those crossing in other ways. Thus, not only to Sopron citizens coming and going for purposes of trade, but also to those pursuing other affairs ...’.⁶⁶

We can give other examples of toll exemptions for those travelling to the courts of the king and the queen. In 1363, Louis I prohibited – as something unbecoming (*sicut non decet*) – anyone from collecting tolls (and thirtieth customs duties) from Sopron citizens when they brought their gifts and taxes to the royal court.⁶⁷ A similar provision by Sigismund in 1389 also ensured toll exemption to Sopron citizens bringing gifts – and expressly New Year gifts – to the king’s court.⁶⁸ Under a decree of Louis I issued in 1378, tolls could not be demanded from special emissaries and deputies (*de ... ambasiatoribus seu nunciis specialibus*) of the citizens of Szeben (Sibiu, Romania) sent to the king or queen, at least in the case that the emissaries went on their journey without goods.⁶⁹ In 1391, when citizens of Szeben, representing the seven Saxon seats, reported to Sigismund their grievous treatment at toll stations, it was heard that citizens (or their emissaries) travelling to ‘carry out affairs’ at the courts of the king or queen and those bearing gifts for the royal couple were being – illicitly – required to pay tolls.⁷⁰

The apparently exaggerated description of the documentary evidence presented by the citizens of Pozsony during their legal dispute with the Esztergom chapter in 1357 suggests the possibility that they presented Charles’s charter providing toll exemption on the Danube. I consider it to be more likely, however, that the document involved, was the current

⁶⁶ WEISZ 2013. p. 344.

⁶⁷ HÁZI 1921–1943. I/1. p. 130.

⁶⁸ HÁZI 1921–1943. I/1. p. 224. (*Zsigmondkori oklevéltár* [Charters from the Age of Sigismund]. I–XII. Ed. Elemér MÁLYUSZ – Iván BORSÁ – Norbert C. TÓTH – Tibor NEUMANN – Bálint LAKATOS. Budapest. 1951–2013. [hereafter: ZsO] I. nr. 875).

⁶⁹ Urkundenbuch zur Geschichte der Deutschen in Siebenbürgen I–VII. Ed. Franz ZIMMERMANN – Carl WERNER – Gustav GÜNDISCH. Hermannstadt – Köln – Wien – București. 1892–1991. (hereafter: UGDS) II. p. 488–489.

⁷⁰ “[...] *cumque etiam praefati cives et hospites nostri aut nuncii seu ambasiatores eorum aliqui ad nostram vel reginalem maiestates in factis et necessitatibus ipsorum venire voluerint [...] ex tunc praefati tributarii super ipsos et a [...] clenodiis seu muneribus nostrae vel reginali maiestatibus per ipsos portandis et exhibendis [...] tributariam exactionem peterent, reciperent et indefesse extorquerent*”. UGDS III. p. 9; Sigismund re-issued the charter at the request of Szeben citizens the same year (UGDS III. p. 27–29), and did so again in 1397 (UGDS III. p. 187–190), 1404 (UGDS III. p. 315–317) and 1405 (UGDS III. p. 334–337). There is also a known copy issued by the Transylvanian Voivode, Frank Szécsényi, at the request of Szeben and the seven Saxon towns in 1393. (UGDS III. p. 65–67). The text of these is largely identical, although there are some significant deviations in the copy issued by the voivode, who could guarantee the enforcement of its provisions only in the areas under his jurisdiction. The king also issued the charter to Brassó (Braşov, Romania) in 1391 (UGDS III. p. 13–16) and 1395 (UGDS III. p. 120–123).

king's confirmation of the town's charter, since it was issued on the previous day. Because the 1357 document states that the Pozsony citizens presented a charter of privilege that bore Charles's middle seal and was a confirmation of a charter issued under his previous seal, the former variant would imply that the people of Pozsony already held Danube toll exemption before 1323, the year that Charles started to use his new seal.⁷¹

Further complicating the situation are the water toll tariffs that Louis I introduced on 22 March and 24 June 1366 for ships passing along the Danube from Vienna or from elsewhere to the kingdom, and to the opposite direction, towards Vienna. Under the royal mandate to the toll collectors of Rajka, Győr, Komárom, Zsitvató, Esztergom, Szob, Visegrád, and Óbuda, ships carrying cloth or other goods paid a toll of one Forint per foot (1 royal foot = 31.26 cm)⁷² width of the bottom of the ship. Ships carrying pottery (*ollas*) had to pay three Forints per ship, and those carrying fruit, such as apples and pears, two Forints per ship. Ships travelling upriver had to pay half tolls. The mandate left payment of thirtieth customs duty unchanged (*tricesimis tamen salvois remanentibus a mercatoribus prenotatis*).⁷³ In 1374, Louis sent a foot measure authenticated with his engraved heraldic shield to the Viennese merchants after learning that innovations (*novitates et calumpnias*) by toll owners and collectors on the stretch of the Danube between Vienna and Buda were deterring merchants from coming into the kingdom. At the same time, the king prohibited anyone from requiring merchants to use a shorter measure than the one he had approved when measuring the width of ship bottoms.⁷⁴ This implies that the toll owners' innovation consisted of using a shorter than customary measure to squeeze more money out of the merchants. When Louis the Great transcribed and confirmed the 22 March toll tariff on 27 June 1366, it was at the request of the Pozsony judge Jakus (Jacob).⁷⁵ The reason why the otherwise toll-exempt Pozsony citizens felt the need to have the toll tariff transcribed may have been that they had two

⁷¹ Cf. GÁRDONYI 1907. p. 36.

⁷² István BOGDÁN: *Magyarországi hossz- és földmértékek a XVI. század végéig* [Hungarian Linear and Land Measures to the End of the 16th Century]. Budapest. 1978. p. 79.

⁷³ 22 March 1366: DF 258 545: 092–090; 24 June 1366: József TELEKI: *Hunyadiak kora Magyarországon* [The Age of the Hunyadis in Hungary]. I–XII. Pest. 1852–1863. X. p. 376–377; The text of the two charters is identical. Cf. 22 February 1370: UGDS II. p. 337–339; Cf. András KUBINYI: *Budapest története a későbbi középkorban Buda elestéig (1541-ig)* [The History of Budapest in the Late Middle Ages until the Fall of Buda (1541)]. In: *Budapest története a későbbi középkorban és a török hódoltság idején*. Ed. László GEREVICH – Domokos KOSÁRY. Budapest. 1975. p. 7–240, here: p. 47.

⁷⁴ 15 June 1374: *Magyar diplomacziái emlékek az Anjou-korból* [Hungarian Diplomatic Records from the Angevin Era]. I–III. Ed. Gusztáv WENZEL. Budapest. 1874–1876. III. p. 73–74.

⁷⁵ DF 258 545: 092–088.

kinds of traffic along the Danube: besides carrying their own goods, they carried goods belonging to others, for which they were obliged to pay tolls.

On 1 November 1297, Andrew III conferred on Pozsony the transshipment right (*Umschlagsrecht*), a privilege that was widespread in German lands but unique in Hungary.⁷⁶ It provided that shippers who brought merchants' goods from German lands to Vienna or Hungary could not carry them beyond Pozsony; the goods could only continue on the ships of Pozsony citizens and inhabitants.⁷⁷ Although the transcription of the toll tariff by Jakus might conceivably have concerned the exercise of the transshipment right, it was hardly an unusual phenomenon, and below we will discuss reports of Pozsony townspeople's abuse of their rights in surface carriage, many involving goods belonging to others.⁷⁸ If we regard the above mentioned case as a manifestation of the *Umschlagsrecht*⁷⁹ and assume that Pozsony citizens carrying others' goods should have known where they had to pay tolls, and how much, the transcription of the Danube toll tariff certainly seems to contradict any kind of interpretation of the transshipment right as allowing Pozsony citizens to carry foreign merchants' goods free of tolls within the country.⁸⁰

The citizens of Pozsony must have continued to experience difficulties exercising their toll exemption on the Danube. In a charter of 12 July 1371, Louis I resorted to command toll owners, particularly those of Rajka, Bodak, Királysziget, Komárom, Neszmély, Esztergom, Szob, Visegrád and Óbuda, and their *officiales* and toll collectors and the royal thirtieth customs collectors and their deputies, not to collect from Pozsony citizens or *hospites* either tolls or customs duties on food (such as wheat, rye, oats, wine and hay) carried on ships or *carinae* from Pozsony to Buda.⁸¹ The 1371 mandate had essentially the same content as the king's charter of 4 July 1374, except

⁷⁶ SKORKA 2012. p. 302.

⁷⁷ "[...] *quod quicumque navigio versus Wyennam vel Hungariam cum rebus suis mercimonialibus se transferre intenderent, per nautas, qui de Theotonia in Posonium cum navibus suis ad deferendum mercatores venerint, de cetero transferri non valeant ullomodo, nisi per nautas civium nostrorum predictorum, vel commorantium in eadem*". VMMSI. p. 80–81.

⁷⁸ Cf. WEISZ 2013. p. 317.

⁷⁹ There is a doubt concerning the exercise of the transshipment right. It was granted in Andrew III's charter of 1297, which to our knowledge was first confirmed by Ladislaus V on 12 September 1453 (DF 240 253). The latter was the basis for Matthias's charter of 27 May 1464, confirming the transshipment right article (DF 240 491). Vladislaus II confirmed Matthias's charter on 10 February 1493 (NEUMANN 2010. p. 83–84) and reformulated and confirmed it in a charter of 15 July 1498 (DF 240 822). In the period preceding the royal confirmation of 1453, there was only one chapter transcription of the original document, issued by the Pozsony chapter on 29 June 1433 (DF 239 584). The Pozsony chapter also transcribed the 1297 charter on 17 June 1516 (DF 241 147).

⁸⁰ Cf. SKORKA 2012. p. 302.

⁸¹ KOVÁTS 1901. p. 460–461.

in the appearance of Buda on the list of specified tolls and the provision that the king would refer Danube toll collectors and *officiales (tributarios vero et officiales tributorum ... super dicto fluvio constitutorum)* for punishment to his treasurer, Bishop John of Vác, if they came under his own jurisdiction, and to palatine Emeric Lackfi if they came under the jurisdiction of prelates and barons.⁸² The charters seem to imply that Louis, sometime before July 1371, had issued an – otherwise unknown – charter⁸³ (*in litteris eorum privilegialibus per nos eis graciosse concessis lucidius continetur et exprimitur*) adding exemption from payment of thirtieth duty⁸⁴ to the Pozsony townspeople's Charles-era exemption from paying tolls on carrying food along the Danube. The king renewed this freedom for the citizens citing their poverty and need, above all because of their city had burned down.⁸⁵

The Louis-era charters mentioning the Pozsony citizens' exemption from paying Danube tolls prompted Ferenc Kováts to conclude that their national toll exemption 'shrank even further to river transport of food and wine on the Buda (Visegrád) route.'⁸⁶ Kováts saw this as deriving from the change in the destination and structure of Pozsony trade after the Árpáadian age: the Pozsony townspeople's privilege seems to have taken a new meaning and narrowed: 'it took on a new outline ..., now, in the middle of the fourteenth century, toll exemption concerned carriage of raw agricultural produce to Buda.'⁸⁷ The undoubted rise in the volume of trade to Visegrád and Buda did not, however, imply the insignificance of trade in goods – predominantly wine – to other destinations, foreign or domestic.⁸⁸ In 1343, Margrave Charles of Moravia notified the judges, jurors, citizens and inhabitants of Olomouc, Brno, Znojmo and other towns in Moravia of the concessions he had granted to the citizens of Pozsony, permitting them to trade and unload all kinds of goods, particularly wine, freely in the territory of his margraviate.⁸⁹ This measure indicates the export of wine to

⁸² DF 238 909; FEJÉR IX/4. p. 569–571.

⁸³ When Matthias, in his charter of 27 May 1464, transcribed and confirmed several privileges of the Pozsony townspeople, or rather articles of their charters conferring freedoms and rights, the source for the article on exemption from Danube tolls and thirtieth tax was not the charter of privilege but Louis the Great's charter of 4 July 1374. DF 240 491.

⁸⁴ Cf. 24 February 1371: DF 240 822; FEJÉR IX/4. p. 131–132; On the Pozsony townspeople's exemption from thirtieth customs duty, see SKORKA 2012. p. 304–305.

⁸⁵ "[...] *ideo nos paupertatibus et inopiis eorundem civium et hospitum presertim propter combustionem ipsius civitatis que perpessi sunt pie et misericorditer compatientes ipsam et eandem gratiam eis duximus innovandam atque approbandam*". DF 238 875; KOVÁTS 1901. p. 461.

⁸⁶ KOVÁTS 1901. p. 439.

⁸⁷ KOVÁTS 1901. p. 438.

⁸⁸ Katalin SZENDE: Sopron és Pozsony kapcsolatai a késői középkorban [Connections between Sopron and Bratislava in the Late Middle Ages]. *Soproni Szemle* 46 (1992), p. 168–179, here: p. 173; SKORKA 2012. p. 302.

⁸⁹ 3 January 1343: FEJÉR IX/7. p. 36. (AO XXVII. nr. 5).

Moravia at this time. In April 1382, the *familiares* of the Pozsony castellan, Ladislaus Kasztellánfi, at a crossing point (*in quodam vado seu transitu*) called *Roreynfurth*, attacked and robbed Pozsony citizens who were taking a wagon of animal hides to the fair in Stillfried, Lower Austria.⁹⁰

Several facts challenge the hypothesis that the citizens of Pozsony did not hold country-wide toll exemption under Louis I. Most conspicuously, on 30 January 1352⁹¹ and again in 1357,⁹² Louis I confirmed the Pozsony town charter, or more accurately its transcription of 1323, without changes. As we have mentioned several times, the latter charter included a country-wide exemption from tolls. The king added a clause of confirmation and a new hanging seal to the 1357 charter on 22 January 1365.⁹³ Secondly, from the late Louis era, several royal mandates prohibiting the collection of tolls from Pozsony merchants incorporate the section of the town's charter⁹⁴ that provided exemption from tolls solely to citizens and *hospites* travelling for the purposes of trade. One of these, his mandate of 9 June 1378, which survived in three original copies, was directed in general to all toll owners of the kingdom (*tributa ... tam in terris quam in aquis habentibus*) and their toll collectors,⁹⁵ as did two earlier charters, issued on 3⁹⁶ and 22 May 1375,⁹⁷ although the latter two specifically mentioned the toll collectors of Pozsony and Vereknýe (Vrakuňa, Slovakia) (*tributariis de eodem Posonio et de Berkenye*). In addition, there are a few fortuitous records of disputes involving the Pozsony townspeople's exemption and toll stations neither on nor beside the Danube. On 6 December 1371, Queen Elizabeth the Younger prohibited her *officialis* in Maniga (Malženice, Slovakia) from collecting tolls from

⁹⁰ The crossing point called Roreynfurth (Koorfurd, Rorefud) given as the location of the attack is unknown. In the investigation carried out following the complaint by the citizens of Pozsony, a priest called Ladislas sent as a witness by the Zobor monastery, together with the king's deputy Andrew of Vereknýe, sought information on the events in the county of Pozsony, which means that the crossing point must have been in that county. 3 May 1382: DF 239 008; 12 July 1382: DF 239 021.

⁹¹ DF 238 737.

⁹² 18 January 1357: DF 238 757.

⁹³ DF 238 757; Transcribed by the Pozsony chapter on 20 August 1382. DF 239 024.

⁹⁴ Cf. 2 December 1291: VMMS I. p. 75. (RA nr. 3837).

⁹⁵ "[...] *mandamus quatenus [...] cives nostros cum suis mercibus vel curribus ac equis ubicumque in regno nostro causa mer(candi) profici(ss)centes [...] nullomodo audeatis molestare vel quovismodo impedire nec de mercibus nec de equis (vel per)sonis eorum cum mercibus et sine mercibus euntibus et redeuntibus [...] nullum tributum nullamque tributariam (exaccion)em videlicet in portu Posonyensi versus Haymburgam in portu Challow (in) Zeuleus in transitu fluvii Marva et in aliis locis quibuscumque in comitatu Posonyensi et alias ubique ubi tributum exigi consuevit petere vel exigere presumptatis*". DF 238 962, 238 963, 238 964.

⁹⁶ FEJÉR IX/7. p. 372–374; Judge Stephen and the Pozsony jurors had the Pozsony chapter transcribe the king's open charter carrying the privy seal on 11 May 1375, DF 238 914.

⁹⁷ 22 May 1375: DF 238 915, 238 916.

Pozsony citizens and *hospites* in breach of their rights.⁹⁸ In 1376, the Pozsony townspeople sued Stephen Mikcsfi – and after 1377, his sons Stephen and Ákos, to whom the case passed upon the death of their father – before the *iudex curie* and the judge of the royal towns concerning tolls they had been forced to pay on the Cifer estate despite their privileges. The nobles responded to the accusation with the claims that the Cifer toll belonged to their castle in Vöröskő (Hrad Červený Kameň, Slovakia) (*predictum tributum in dicta Chyfer exigi consuetum ad castrum Wereskw dictum(!) ipsorum magistrorum Stephani et Akus pertinere*) and they had charters for the castle and, consequently, for the toll.⁹⁹ We have no information on this, however, nor on the outcome of the lawsuit. It is certain, however, that Cifer was the toll station between the estates of Cifer and Paty (Pát), on the road from Nagyszombat to Szenc (Senec, Slovakia) and the road from Bazin (Pezinok, Slovakia) through Csanak and Báhony (Báhoň, Slovakia).¹⁰⁰ Finally, in 1384, during the reign of Queen Mary, Margaret, widow of Master John, son of Sebes Bazini, and Barbara¹⁰¹, widow of Master Nicholas, brother of Master John, admitted before the Pozsony chapter the citizens' exemption from payment of the Bazin toll,¹⁰² putting an end to the parties' protracted litigation before the *iudex curie*, Nicholas of Szécs.¹⁰³

Exercising the privilege(s) of exemption from tolls did not always go smoothly in practice. In the second half of the Angevin period, Pozsony citizens ran into trouble above all with the owners of the Danube and Danube-side toll stations (see map nr. 1), indirectly indicating the significance of Visegrád and Buda as trading destinations for the city. These toll owners included Conrad of Wolfurt, *comes* of Óvár,¹⁰⁴ Michael of Köpcsény, castellan of Óvár,¹⁰⁵ Michael of Szeg, who collected tolls from them at the annual fair of Oroszvár,¹⁰⁶ 'Little' Ladislaus, the *officialis* of

⁹⁸ KOVÁTS 1901. p. 462.

⁹⁹ 14 March 1377: DF 238 948.

¹⁰⁰ 15 January 1412: Magyar Nemzeti Levéltár Országos Levéltára, Diplomatikai Levéltár [National Archives of Hungary. Collection of Original Charters] (hereafter: DL) 9865 (ZsO III. nr. 1580); 15 January 1412: DL 9869; DF 283 504; FEJÉR X/5. p. 353–354. (ZsO III. nr. 1584).

¹⁰¹ Vö. Engel Pál: Középkori magyar genealógia [Medieval Hungarian Genealogy]. In: *Arcanum DVD Könyvtár IV. Családtörténet, heraldika, honismeret*. Budapest [2004]. Hontpázmány nem 9. Szentgyörgyi-ág 2. tábla: Szentgyörgyi és Bazini [Hontpázmány kindred, 9th Szentgyörgyi branch, Table 2: Szentgyörgyi and Bazini].

¹⁰² In the medieval county of Pozsony, now Pezinok, Slovakia.

¹⁰³ 1 May 1384: DF 239 039, DL 7078. The town and the nobles of Bazin had already gone to court over the unlawful imposition of the Bazin toll. Cf. 24 March 1376: DF 238 936; 9 June 1376: DF 238 938; 27 August 1378: DF 241 363; 15 October 1378: DF 238 968.

¹⁰⁴ 23 September 1357: KOVÁTS 1901. p. 446. (dated 21 September).

¹⁰⁵ 8 June 1375: KOVÁTS 1901. p. 462–463; 27 June 1375: KOVÁTS 1901. p. 466.

¹⁰⁶ DF 239 215; In 1381, Michael Szegi was castellan of Óvár (and probably comes of Moson). ENGEL 1996. I. p. 385, 386.

Queen Elizabeth the Younger at Maniga,¹⁰⁷ Nicholas of Komárom and Stephen son of Stephen at the Komárom toll,¹⁰⁸ the Héderváris at the toll stations of Bodak, Ásvány and Öttevény,¹⁰⁹ John son of Thomas of Gönyü, comes of Bakony, Komárom, Győr and Fejér¹¹⁰ at the Győr toll,¹¹¹ Stephen and Ákos, sons of Stephen Mikcsfi, at their Cifer toll station,¹¹² the Győr and Királysziget toll collector of Ákos son of Stephen Mikcsfi, comes of Fejér,¹¹³ the Győr chapter at its Abda toll station,¹¹⁴ the nobles of Bazin at the Bazin toll¹¹⁵ and the Esztergom chapter at the Esztergom toll.¹¹⁶

In the cases that have been studied and the outcome determined, the Pozsony townspeople managed to have their exemption from tolls upheld against the toll owners who challenged them, except for the Esztergom chapter. In the 1357 lawsuit mentioned at several points above, the chapter was eventually victorious over the townspeople of Pozsony. The king's reasons for the judgement were that the Esztergom church had been granted the toll as a votive gift or as alms (*ex elemosynaria provisione ... datum fuisse*), and that a later grant could not be at the expense of an earlier grant (*priori donationi posterior preiudicare minime videatur*). The chapter's right to collect tolls was older than Pozsony's toll exemption, as it proved by presenting a charter of Ladislaus IV (1272–1290) that incorporated charters issued by King Emeric (1196–1204), Andrew II (1205–1235) and Béla IV.¹¹⁷

Finally, there are signs that at the end of the Louis era, tolls may have been collected from Pozsony townspeople on a temporary basis by royal decree, although we know little about the actual date and circumstances of this. The evidence comes from an undated letter from the master of the treasury, Thomas of Szentgyörgy, answering a letter from the city of Pozsony.¹¹⁸ He confirmed the king's order, communicated in a letter to him, that the customary tolls (*gvön dleichew maüt*) be collected from them (*der*

¹⁰⁷ 6 December 1371: KOVÁTS 1901. p. 462.

¹⁰⁸ 5 July 1359: KOVÁTS 1901. p. 448–449. (dated 28 June); 7 July 1359: KOVÁTS 1901. p. 450–453. (dated 3 July).

¹⁰⁹ 6 March 1356: FEJÉR IX/7. p. 144–145; DF 238 753 (AO XL. nr. 111); 24 December 1357: KOVÁTS 1901. p. 446–447. (dated 23 December.); 20 July 1359: KOVÁTS 1901. p. 453–454; 20 August 1360: DF 238 785; 20 October 1360: KOVÁTS 1901. p. 454–459; 15 June 1375: KOVÁTS 1901. p. 463–464; 27 June 1375: KOVÁTS 1901. p. 464–465; 6 March 1376: KOVÁTS 1901. p. 467–468.

¹¹⁰ Cf. ENGEL 1996. I. p. 102, 141, 133, 127.

¹¹¹ 27 June 1375: KOVÁTS 1901. p. 465–466; 6 March 1376: KOVÁTS 1901. p. 467–468.

¹¹² 14 March 1377: DF 238 948; 25 November 1377: DF 238 953.

¹¹³ 13 May 1384: KOVÁTS 1901. p. 468–469. (dated 11 May).

¹¹⁴ DF 239 200; 6 March 1376: KOVÁTS 1901. p. 467–468; Cf. 13 October 1385: DF 239 056.

¹¹⁵ 24 March 1376: DF 238 936; 9 June 1376: DF 238 938; 27 August 1378: DF 241 363; 15 October 1378: DF 238 968; 1 May 1384: DF 239 039, DL 7078.

¹¹⁶ 25 January 1357: FEJÉR IX/2. p. 568–570.

¹¹⁷ 25 January 1357: FEJÉR IX/2. p. 568–570.

¹¹⁸ DF 239 222.

Chünig fürnams geschafft hat von ew maut zenemen). He also mentioned that when the cardinal was in Buda, he ordered that they come before the king in the matter of their freedom (*umb ewer freyhait*), but nobody had appeared on their behalf.¹¹⁹ A solid clue to the dating of the letter, other than Szentgyörgyi's period of tenure as master of the treasury, is the mention of the cardinal's stay in Buda. In this period, however, there were two cardinals in the country. Whether the letter refers to papal cardinal-legate Pileus de Prato¹²⁰ or to Demetrius, archbishop of Esztergom,¹²¹ also created cardinal by Pope Urban VI (1378–1389) and permitted to retain his archiepiscopate, in my opinion it cannot be satisfactorily settled, and the letter can be dated only to between 1379 and 1382.¹²² Since we know nothing about the collection of tolls other than what was written in the letter, it is difficult to decide whether the events should be interpreted as a suspension of the Pozsony townspeople's toll exemption or whether one or more toll owners had lodged a legal challenge to the privilege and the king made an interim decision, pending court judgement, to Pozsony's detriment. We know of a decision by King Sigismund in 1428 concerning a similar interim period, ordering the Pozsony townspeople's privilege to be enforced at the Köpcsény (Kitsee, Austria) toll until he came to Pozsony (*interim quousque nos ... in dictam civitatem nostram Posoniensem prout intendimus personaliter accedemus*) to appraise the citizens' privileges in person.¹²³

Following Louis's death, at the complaint of the Pozsony townspeople, Queen Mary prohibited the toll owners from collecting tolls from them, citing old freedoms (*ab antiquo observatis*) that were confirmed by her father. She did this twice: on 16 January 1383 and 4 April 1384. At the same time, the queen instructed Palatine Nicholas of Gara to defend Pozsony citizens

¹¹⁹ DF 239 222.

¹²⁰ Cf. Vilmos FRAKNÓI: *Magyarország egyházi és politikai összeköttetései a római szent-székkal I. 1000–1417* [Ecclesiastical and Political Relations of Hungary with the Holy See I. (1000–1417)]. Budapest. 1901. (hereafter: FRAKNÓI 1901) p. 284; Antal ÁLDÁSY: *A nyugoti nagy egyházszakadás története VI. Orbán haláláig, 1378–1389* [A History of the Great Western Schism until the Death of Pope Urban VI, 1378–1389]. Esztergom. 1896. p. 120, 131–132; Konrad EUBEL: *Hierarchia catholica medii aevii sive summorum pontificum, S.R.E. cardinalium, ecclesiarum antistitum series I. (1198–1431)*. Münster. 1913–1914. (hereafter: EUBEL I.) p. 23.

¹²¹ Cf. FRAKNÓI 1901. p. 284; EUBEL I. p. 24.

¹²² Thomas of Szentgyörgy appears as *magister tavernicorum* between 26 December 1378 and 26 March 1382. ENGEL 1996. I. p. 38.

¹²³ “[...] quod in ipsorum civium nostrorum et aliorum forensium hominum preiudicium et consuetudinibus ac libertatis derogamen cedit satis grande undecum nos de libertatibus et consuetudinibus ipsorum civium et hospitem nostrorum Posoniensium et eciam aliorum mercatorum forensium in hac parte hactenus observatis per nos personaliter dum illac uti intendimus in brevi veniemus velimus experiri”. DF 239 498.

from anyone demanding tolls from them and to provide for their compensation (*cum plenitudine satisfaccionis*) in case of violations.¹²⁴

At Pozsony's request, Sigismund first confirmed the 1357 transcription of their town charter, bearing Louis the Great's confirmation clause of 1365, on 24 June 1389,¹²⁵ and did so again on 25 August 1412.¹²⁶ He transcribed and confirmed the latter on 9 July 1436.¹²⁷ In 1430, Sigismund also extended the Pozsony citizens' toll exemption to the inhabitants of St Nicholas Street in the suburb of Pozsony.¹²⁸

Indicating the significance of the toll exemption privilege is a mandate sent by Sigismund on 20 July 1389, hardly a month after the first confirmation of the town charter on 24 June, to the land and water toll owners of the kingdom (*tributa ubique per universa regni nostri climata tam in terris quam in aquis habentibus*) and the royal and seignorial toll collectors prohibiting them from collecting tolls from Pozsony citizens in breach of their privilege. It stated that the citizens of Pozsony had presented to Sigismund the Louis the Great's charter granting their freedoms, which the King Sigismund had confirmed, and incorporated the passage of the town charter providing for the freedom of Pozsony citizens and *hospites* (*cives et hospites nostri*) to pass the Pozsony ferry to Hainburg, the Csalló ferry, the crossing point of the Morava at Szőlós, the Pozsony county tolls and other tolls when travelling for purposes of trade.¹²⁹ In 1414, at the complaint of the Pozsony townspeople, Queen Barbara also prohibited the toll owners of the country from collecting tolls from them in breach of their privilege.¹³⁰

In addition to royal mandates making the general demand of all toll holders that they observe the Pozsony townspeople's privilege,¹³¹ some

¹²⁴ The two charters have identical wording, except for a few discrepancies attributable to copy errors. DF 239 028, 239 038; FEJÉR X/8. p. 135–137.

¹²⁵ DF 239 079.

¹²⁶ DF 239 328 (ZsO III. nr. 2572).

¹²⁷ DF 239 633; FEJÉR X/7. p. 757–773; Transcribed by the Pozsony chapter on 22 July 1438. DF 239 706.

¹²⁸ “[...] *insuper volumus quod sicuti cives ipsius civitatis nostre Posoniensis requirente eorum libertate tributum solvere non tenentur ita et ipsi cives et populi nostri de (dicto vico Sancti Nicolai eandem habeant in non solvendo tributum libertatis prerogativam*”. DF 239 508.

¹²⁹ DF 239 084; FEJÉR X/8. p. 283–286.

¹³⁰ 31 January 1414: DF 239 349; FEJÉR X/5. p. 522–523.

¹³¹ These include some ‘personal’ charters: On 20 February 1418, citing the Pozsony citizens’ toll exemption (*ab omni tributaria solucione et exaccione de personis et rebus ac familiaribus et hominibus eorum quibuscumque exigenda a dudum exempti sint*), Sigismund prohibited tolls being collected specifically from the Pozsony citizen and merchant (*cive et mercatore*) Andrew Trelesch, and on 1 May 1429, he did the same for another Pozsony citizen and merchant Leonard (*rebusque et bonis eiusdem quibuscumque necnon et hominibus ipsius cum huiusmodi rebus et mercibus suis procedentibus*), said to be called Langwiser. DF 239 386 (ZsO VI. nr. 1526); DF 239 500.

charters with specific addressees or naming specific toll stations have also survived. These give valuable information on trading activity by Pozsony citizens and particularly its destinations (see map nr. 2). Appearing prominently among the problematic toll stations are those on or beside the Danube: most often the Komárom toll, but also the tolls at Óvár,¹³² Győr,¹³³ and Neszmély,¹³⁴ the Héderváris' toll stations at Hédervár,¹³⁵ Bodak¹³⁶ and Öttevény,¹³⁷ the Abda toll,¹³⁸ which was also connected to the route beside the Danube. In 1389, the king prohibited the owner of the Komárom toll, together with those of the Győr and Hédervár tolls, from collecting from Pozsony citizens.¹³⁹ master Stephen,¹⁴⁰ the castellan of the *comes* of Komárom, Stephen Lackfi, in a letter to the town of 10 May 1393, promised safe passage to Pozsony townspeople travelling by land or water with their goods or other possessions, but only if they paid the toll which he collected as had also been the custom in the past.¹⁴¹ Although the castle came into royal possession in 1397,¹⁴² the castellan was the addressee of three royal mandates, all with the same text prohibiting collection of tolls on the goods of Pozsony townspeople and their carriers (*de ... rebus mercimonialibus ... civium nostrorum et earum conductoribus*) between 1401 and 1403. Sigismund sent the 1401 and 1402 mandates to the Tata and Buda toll collectors and to the chapter of Székesfehérvár in addition to the castellan. The 16 December 1403 mandate, however, was sent solely to the chapter of Székesfehérvár,¹⁴³ which possessed tolls along the routes frequently used by Pozsony trade (one third of the Moson toll since the Arpadian period¹⁴⁴ and the

¹³² 13 December 1403: DF 240 491.

¹³³ 11 September 1389: KOVÁTS 1901. p. 469; 13 December 1403: DF 240 491.

¹³⁴ 13 December 1403: DF 240 491.

¹³⁵ 11 September 1389: KOVÁTS 1901. p. 469, 3 March 1430: KOVÁTS 1901. p. 470.

¹³⁶ 3. March 1430: KOVÁTS 1901. p. 470.

¹³⁷ 13 December 1403: DF 240 491; 3 March 1430: KOVÁTS 1901. p. 470; The placement Nagyút mentioned in the charter is, according to Ferenc Kováts, a Hungarian translation of the German name of the village Öttevény, implying that this concerns the Öttevény toll. KOVÁTS 1901. p. 442. n. 5.

¹³⁸ 13 October 1388: DF 239 074; 13 December 1403: DF 240 491.

¹³⁹ 11 September 1389: KOVÁTS 1901. p. 469.

¹⁴⁰ Cf. ENGEL 1996. I. p. 141, 344.

¹⁴¹ "[...] ut quicumque vestrum cum suis bonis mercimonialibus vel quibuscumque aliis intencionem ad istas partes veniendi haberent in aquis vel in terris secure veniant benigne assumpemus honorifice abire permittemus nullam in hoc suspicionem habere debeatis fide nostra mediante hoc autem non pretermissio ut sicut prius consuetudo fuit tributum recipere ita et nunc recipiemus et non aliter certificantes harum nostrarum testimonio litterarum". DF 239 120 (ZsO I. nr. 2929).

¹⁴² ENGEL 1996. I. p. 344.

¹⁴³ 1 February 1401: DF 239 226, (ZsO II. nr. 851); 19 September 1402: DF 239 249 (ZsO II. nr. 1907); 16 December 1403: DF 239 262 (ZsO II. nr. 2849).

¹⁴⁴ WEISZ 2013. p. 272–273; Cf. 20 July 1421: FEJÉR X/6. p. 377. (ZsO VIII. nr. 785).

Nagyszombat toll since at the latest the first third of the fourteenth century).¹⁴⁵ The mandate may also, however, concerned tolls collected in Székesfehérvár itself.¹⁴⁶ Evidence for this is that Székesfehérvár appears beside Óvár, Öttevény, Abda(hida), Győr, Neszmély, Csaba, Dorog, Pázmánd, Mór, Bánhida, Tata, Hánta and Miskolc in the list of toll stations that the king had – only a few days earlier, on 13 December 1403 – prohibited from collecting tolls from Pozsony merchants (*causa mercandi proficiscentes*).¹⁴⁷ The mention of the Dorog and Csaba tolls implies the use of the route from Esztergom to Buda,¹⁴⁸ and the road from Győr to Székesfehérvár led through Mór and probably through Hánta.¹⁴⁹ Pázmánd may correspond to the toll station *Pazon* mentioned in Sigismund's 1415 charter prohibiting the Transylvanian Saxons from collecting tolls at royal toll stations.¹⁵⁰ Pázmánd lies near Pannonhalma in the county of Győr, and was also a station on the Győr–Székesfehérvár road.¹⁵¹

The customs station *villa Barka* named in a royal charter of 1414 (known only from a publication by György Fejér) concerned with illicit toll collection from Pozsony citizens¹⁵² was most probably on the Győr–Buda route. Dezső Csánki's historical geography includes, without identification, a village named Bárk (Bárkány),¹⁵³ belonging to the rectorate of the chapel of St George the Martyr¹⁵⁴ founded by Louis I,¹⁵⁵ in the county of Komárom. Under the heading, he also mentions a 1466 charter that mentions estates and toll stations and reports on a lawsuit between the archbishop of Esztergom and the parish priest of St George-church in Buda. The lawsuit

¹⁴⁵ WEISZ 2013. p. 384.

¹⁴⁶ Cf. WEISZ 2013. p. 155–157.

¹⁴⁷ “[...] *nullum tributum nullamque tributariam exactionem in predictis locis tributorum videlicet Ovar, Ettevin, Abodahyda, Jaurino, Nesmyl, Chabyan, Dorog, Pasuan, Mor, Banhyda, Tatha, Hantha, Myskolcz et in Alba Regali ac alias ubique ubi tributum exigi consuevit petere et exigere presumatis.*” – DF 240 491.

¹⁴⁸ Cf. György GYÖRFFY: *Az Árpád-kori Magyarország történeti földrajza* [Historical Geography of Hungary in the Age of Árpáds]. I–IV. Budapest. 1963–1998. (hereafter: GYÖRFFY 1963–1998) IV. p. 591, and the map supplement to this book, ‘Pest and Pilis counties with Csepel Island up to the early 14th century’.

¹⁴⁹ Cf. Lajos GLASER: *Dunántúl középkori úthálózata* [Medieval Road-System of Transdanubia]. *Századok* 58–59 (1929–1930), p. 138–167, 257–285. (hereafter: GLASER 1929–1930), here: p. 150.

¹⁵⁰ 13 January 1415: UGDS III. p. 639–640.

¹⁵¹ Boglárka WEISZ: *Győrből Fehérvárra vezető út* [The Road from Győr to Fehérvár]. (manuscript).

¹⁵² FEJÉR X/5. p. 513. (ZsO IV. nr. 1908).

¹⁵³ Dezső CSÁNKI: *Magyarország történelmi földrajza a Hunyadiak korában* [The Historical Geography of Hungary in the Age of Hunyadis]. I–V. Budapest. 1890–1913. III. p. 495.

¹⁵⁴ FEJÉR X/5. p. 513. (ZsO IV. nr. 1908).

¹⁵⁵ András VÉGH: *Buda város középkori helyrajza* [The Medieval Topography of Buda]. I–II. Budapest. 2006–2008. I. p. 63.

concerned the illicit demand of tolls from the archbishopric's people of Örs at the *Bark possessio* in Komárom County.¹⁵⁶ The toll also appears among the thirty-seven toll stations whose owners palatine Ladislas of Gara summonsed to the court in 1455 because of their illicit collection of tolls from both Hungarian and Austrian merchants.¹⁵⁷ This latter information, concerning Austrian merchants, provides an unexpected clue to the identification of *Bark*. It must have been on a major route in fact or potentially used by Austrian merchants. In my opinion, it may be Barok, near Bicske in Fejér County, about 10 kilometers from the archbishop of Esztergom's village of Örs,¹⁵⁸ a possible station on the road from Győr to Buda between Bánhida and Bicske.¹⁵⁹ The latter two toll stations also appear in the palatine's charter of 1455.¹⁶⁰

Another of the 'old' routes that could have been significant in the Sigismund era was that towards Hainburg. We can infer the continuity of trade with Lower Austria from the recurring dispute with the owners of the Köpcsény toll, which first appears in 1416. That was when the Pozsony townspeople complained to the king that when they or other foreigners (*alii forenses*) were travelling with their goods on the proper road to Hainburg or – in the other direction – to Oroszvár, Henry Slandersperger, captain of Köpcsény, forced them on to the road to the castle so that he could extract tolls from them in the *oppidum* of Köpcsény.¹⁶¹ Despite the king expressing his disapproval (*percepimus displicenter*) of the toll collection, and prohibited the practice as being in breach of ancient custom, the Pozsony townspeople made the same complaint in December 1418, this time accusing Henry Slandersperger of seizing the goods of Pozsony merchants heading towards Hainburg.¹⁶² Sigismund then prohibited the castellan from forcing the Pozsony citizens to proceed via Köpcsény, citing their national toll exemption (*a solucione cuiuslibet tributi sive thelonei quorumcunque predicti*

¹⁵⁶ DL 16 414.

¹⁵⁷ Wiener Stadt- und Landesarchiv Hauptarchiv – Urkunden (1177–1526). (hereafter: AT WStLA HAUrk) 3615, in: monasterium.net, URL <<http://monasterium.net/mom/AT-WStLA/HAUrk/3615/charter>> (access: 10 May 2017).

¹⁵⁸ GYÖRFFY 1963–1998. II. p. 349.

¹⁵⁹ Cf. GLASER 1929–1930. p. 149.

¹⁶⁰ Cf. AT WStLA HAUrk 3615, In: monasterium.net, URL <<http://monasterium.net/mom/AT-WStLA/HAUrk/3615/charter>> (access: 10 May 2017).

¹⁶¹ “[...] *dum* [...] *cives et incole nostre civitatis Posoniensis et alii forenses cum eorum rebus et mercibus versus Haynburgam vel in Kerchenburg in via recta proficiscerentur eosdem per aliam viam ad castrum nostrum Koltzpe appellatum ducentem causa solucionis thelonei in opido Koltzpe solvendi per tuam potenciam contra ipsorum antiquam laudabilem et approbatam consuetudinem transire et proficisci compelleres et coartares in ipsorum preiudicium et dampnum multum grave*”. DF 239 369 (ZsO V. nr. 1681).

¹⁶² 11 December 1418: DF 239 402 (ZsO VI. nr. 2616).

regni nostri Hungarie tributa habentium exempti sint penitus et supportati), and assigned Peter Kapler, *comes* of Pozsony, to defend them in his name against the castellan and others.¹⁶³ A decade later, in 1428, the Pozsony citizens made another complaint about toll collection in Köpcsény,¹⁶⁴ and the king had to deal with the matter again in 1430¹⁶⁵ and in 1437.¹⁶⁶ At that last occasion, the castellan of Köpcsény was Peter Kapler (son of the Pozsony *comes* of the same name), who had seized goods, food and horses from Pozsony citizens Michael Palner and Nicholas Berlicheler as they were on their way from Hainburg to Pozsony, and no doubt failing to visit the Köpcsény toll collector.¹⁶⁷

The charters recording legal disputes mention persons other than Pozsony citizens, including foreigners and merchants (*alios homines forenses et mercatores*),¹⁶⁸ and put emphasis on diversions from the proper, straight and customary route (*via directa et eis consueta*)¹⁶⁹ – arguing, for example, that Köpcsény was not a toll station on the Hainburg–Pozsony–Oroszvár road – suggest that failure to recognize the Pozsony citizens’ toll exemption was not the primary source of the problem, even though the king and, it seems, the citizens (at least partially) made reference to it.¹⁷⁰ The king’s charter of 6 March 1430 settling the dispute between the town and the pledge holder of Köpcsény castle, Philip Pöckl,¹⁷¹ and his wife, lady Walpurga, widow of Peter Kapler and their sons implies that the Köpcsény castellans’ actions against Pozsony citizens’ abuse of their toll exemption right may have lay behind the protracted conflict. Sigismund permitted Pozsony citizens to pass along the road to Hainburg and Oroszvár, beside the branch of the Danube under Pozsony and Köpcsény with their goods, food and other things without visiting the Köpcsényi toll collector (*irrequisito tributario in dicta Kwczcze constituto seu constituendo*) and without paying tolls, but prohibited them from travelling with persons not resident in Pozsony and from hiding goods of such persons in their wagons.¹⁷² That means that

¹⁶³ 11 December 1418: DF 239 403 (ZsO VI. nr. 2617).

¹⁶⁴ 26 March 1428: DF 239 490; Cf. 17 August 1428: DF 239 492; 28 December 1428: DF 239 498.

¹⁶⁵ 6 March 1430: DF 239 512, 239 513.

¹⁶⁶ 8 April 1437: DF 239 698; 7 June 1437: DF 239 668; 17 July 1437: DF 239 671; 14 November 1437: DF 239 667 (In the DL-DF database, dated on 9 June).

¹⁶⁷ 14 November 1437: DF 239 667 (In the DL-DF database, dated on 9 June).

¹⁶⁸ 28 December 1428: DF 239 498.

¹⁶⁹ 22 March 1416: DF 239 369 (ZsO V. nr. 1681); 28 december 1428: DF 239 498.

¹⁷⁰ Cf. 11 December 1418: DF 239 402 (ZsO VI. nr. 2616); 17 August 1428: DF 239 492.

¹⁷¹ Cf. ENGEL 1996. I. p. 348.

¹⁷² “[...] *extraneos tamen seu forenses homines et mercatores qui videlicet in dicta civitate nostra Posoniensi residenciam non facerent seu eorundem res et mercimonia iudem cives et hospites nostri secum seu in eorum curribus clam et occulte conducere et portare nullatenus presumant nec quivois eorum sit ausus modo aliquali*”. DF 239 512.

Pozsony citizens – probably by virtue of their toll exemption – did not have to visit the Köpcsény toll station on their way to Hainburg or Oroszvár, but this did not apply to others. In this case, the Köpcsény castellan was presumably attempting to control traffic and ensure his rightful toll revenue when he forced Pozsony citizens to make a detour, and suspected – probably not without foundation – that they were assisting persons subject to tolls to bypass the toll station. Evidence of this is that Sigismund’s 1430 charter permitted Pozsony citizens and others (*eciam alii quicumque homines forenses*) to pass along this route without visiting the Köpcsény toll station only if they were taking oxen, other live animals and food to Pozsony to supply the inhabitants of the town (*pro usu et necessitate dictorum civium civitatis nostre Posoniensis*).¹⁷³ The charter provided a grace period of one year for the people of Pozsony to stop their practices injurious to the castellan. After that time, Pozsony citizens caught smuggling, and the outsiders they took with them, were to forfeit their goods, which would be given to Philip Pöckl, lady Walpurga and their children. The king also ordered that Pozsony citizens perpetrating this crime were to be arrested and taken before the town court, while the culpable persons from outside Pozsony and foreigners, after being deprived of their goods, were to be released.¹⁷⁴

In other cases, Pozsony citizens seemed to have helped non-Pozsony merchants posing as fellow-citizens to get through toll stations rather than bypass them. Alternatively, they smuggled the merchants’ goods through toll stations. On 3 March 1430, Laurence of Hédervár warned all his toll collectors, but particularly those in Bodak, Hédervár and Öttevény, to take care (*caventes tamen et perspicaciter revidentes*) that people from Pozsony, on the pretext of their toll exemption, did not ‘quietly’ (*tacite ac sub silencio*) take with them foreigners (*extraneos*) carrying goods.¹⁷⁵ In the agreement between the citizens of Pozsony and the Bazin nobles drafted by the Pozsony chapter in 1384 to close their toll dispute, the citizens, in return for recognition of their toll exemption, guaranteed that anyone who took an outsider not subject to the town’s freedoms to the Bazin toll or took such a person through the toll would be punished by the town court if it could be

¹⁷³ 6 March 1430: DF 239 512, 239 513.

¹⁷⁴ “[...] si qui vero forsitan ex eisdem civibus et hospitibus nostris Posoniensibus huiusmodi extraneos et forenses homines eorundemque res et mercimonia in eorum societate aut in curribus secreta occulte et celative conducere et portare conarentur et presumerent extunc omnes tales tam videlicet conductores quam eciam conducti qui ultra unius anni spacium reperti fuerint perdicionem et ammissionem omnium rerum et bonorum apud eos tunc rependiendorum prefatisque Philippo Pokkl et domine Walpurgae prolibusque eorundem prenotatis dandarum et assignandarum incurrant eo facto”. DF 239 513, 239 512.

¹⁷⁵ 3 March 1430: KOVÁTS 1901. p. 470.

lawfully proved against him.¹⁷⁶ Hédervári's instruction to his toll collectors proposed the seizure of the goods of perpetrators and their prosecution before the town court.¹⁷⁷

From the above, it is my opinion that the subject of the toll exemption granted to the citizens of Pozsony is more complex than previously portrayed.¹⁷⁸ In Pozsony's charter of 1291, Andrew III conferred on its *hospites* toll exemption in the entire territory of the kingdom, but the privilege could only be exercised by those travelling for purposes of trade. Through royal confirmations, the country-wide toll exemption remained in effect throughout the Angevin and Sigismund periods. Mentions from the reign of Louis, however, imply the existence of a lost but partially-reconstructed charter issued by Charles I which conferred on the Pozsony townspeople a regionally restricted toll exemption. The latter charter of privilege seems to have provided toll exemption for any kind of traffic, meaning transport of persons and goods on the Pozsony–Visegrád and Pozsony–Buda routes – in practice the routes to the royal court – on and beside the Danube. It applied to Pozsony citizens and *hospites*. Charles's charter providing a 'Danube toll exemption' was probably confirmed by Louis, because court records certainly imply that the privilege was in effect.

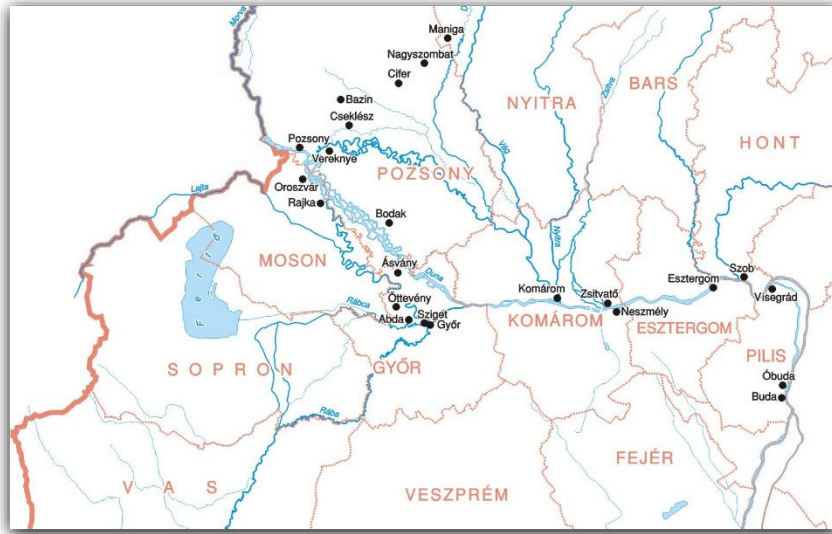
When it came to exercising the toll exemption privilege(s) at toll stations, compliance by the toll collectors was not always forthcoming, and this was the source of several lawsuits between the toll owners and the citizens. The cases of known outcome all ended with recognition of the Pozsony townspeople's toll exemption right except for the dispute with the Esztergom chapter in 1357, which broke their privilege by citing the ancient standing of its toll collection right and its grant as a votive gift. I hope that the study of the court papers has also shown that the Pozsony townspeople's complaints of illicit toll collection were not always driven by the failure to recognize their toll exemption right. In some of the disputes,

¹⁷⁶ "[...] e converso vero assumptentes predicti cives Posonienses quod si aliquis ex ipsis aliquam alienam personam non utentem libertate dicte civitatis Posoniensis secum duceret ad locum tributi in dicta Bozen nomine libertate ipsius civitatis et asserens ipsam personam alienam frui libertate eiusdem civitatis seu eciam ipsam personam alienam ultra ipsum locum tributi in Bozen fraudulenter deduceret et ubi id contra ipsum civem Posoniensem alienam personam deducentem legitime possent approbare extunc iidem iudex et iurati cives in Posonio et in futurum constituendi eundem concivem ipsorum modo premissis repertum punire teneantur iusticia predictae civitatis Posoniensis mediante". DF 239 039, DL 7078.

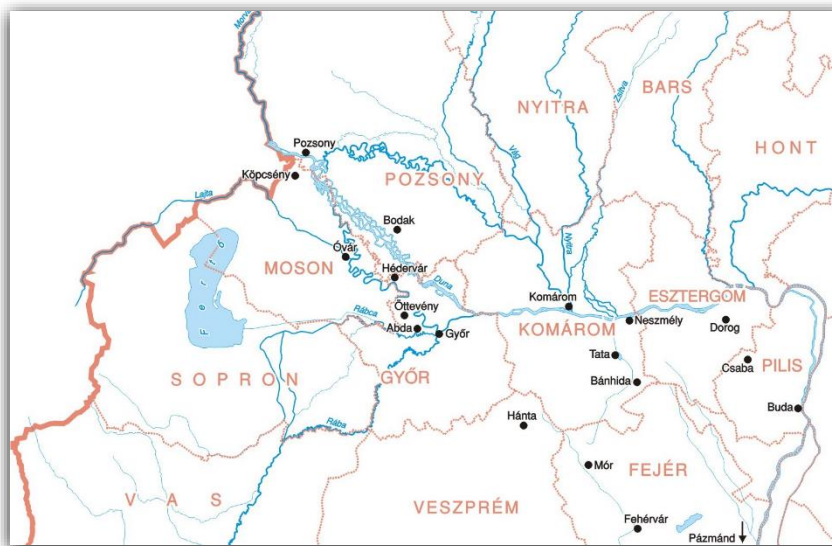
¹⁷⁷ 3 March 1430: KOVÁCS 1901. p. 470.

¹⁷⁸ A hitherto unexamined question is whether the Pozsony townspeople paid customs duties on salt brought in from Austrian lands in the periods when royal permission could be granted for the otherwise-prohibited import of Austrian salt to meet shortfalls in supply. Cf. 9 January 1355: DF 238 744; 30 June 1362: FEJÉR IX/7. p. 208–209; 29 June 1379: DF 238 978; 14 december 1381: FEJÉR IX/7. p. 433–434.

the citizens themselves seem to have been responsible through their abuse of their privilege by attempting to smuggle through the toll stations persons – or goods belonging to persons – not subject to the town's freedoms.



Map 1 Toll stations that Pozsony burghers had connection with during the Angevin period / the Sigismundian period (map created by Béla Nagy)



Map 1 Toll stations that Pozsony burghers had connection with during the Angevin period / the Sigismundian period (map created by Béla Nagy)