The earliest laws of the kingdom of Hungary are full of references to servi, and they clearly show that the servus was identified as an item of property. Towards the end of the twelfth century, legal references to servi disappear. At the same time, the number of charters expands rapidly, as does the reference to servi within the charters. These charters continue to show that servi in Árpádian Hungary were viewed as items of property and were frequently treated as such.

The Servus as Property on Lay Domains in Hungary

The legal status of the servus and his female counterpart, the ancilla, was that of an item of property. In all cases in which they occur in private charters, they appear as items belonging to the landlord, and they are included among the other tools or chattels of his property. A praedium might contain both cultivated and uncultivated fields, orchards, vineyards, houses, and ploughs, but it almost certainly included servi or mancipia. A perfect example is the property Andrew II confiscated from Ban Simon because of his participation in the assassination of the queen, Gertrude, in September 1213. Included among this property were villages and praedia which had servi and ancillae belonging to them. The servi on Simon’s property formed part of the equipment (utilitas or pertinentia) of the praedium, a designation which was not at all uncommon. As equipment, lords considered their servi and ancillae a type of movable property and termed them as such (res mobiles or bona mobilia). Servi

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1 Towards the end of the thirteenth century, libertini began to replace the servi, as discussed below.
frequently appear listed among other movables such as hogs, oxen, horses, and weapons. In 1230, Anna, the widow of a comes, left a detailed will in which she bequeathed to relatives six ancillae by name along with a ring, belts, tunics, horses, and a large carpet acquired from Greece. Occasionally, donations of all res mobiles were made ‘with the exception of servi and ancillae’.

That servi and ancillae were movable goods is particularly clearly illustrated by the fact that they were frequently the objects of various business transactions. As goods with a specific monetary value, and in the absence of much cash, landlords at times used servi as a means of payment. When Ipolitus, son of Cuk decided to sell a property along with its mill to the canons of Székesfehérvár in 1243, he received twelve marks, which the canons paid ‘partly in kind through suitable men and partly in silver’. Seven years later, a widow sold land which comprised her dos for 8 marks, but she received the price of her dos ‘in men, that is, in an ancilla by the name of Neste and her son Michael, and in a horse and in cattle and in silver’. Another charter records the payment of a debt owed to a comes with eight mancipia. One of the more interesting examples of servi used as payment came from the last decades of the thirteenth century. Ladislas IV had given one of his followers, Ponik the ban of Croatia and comes of Zala County, two castles, and in the process ignored the apparently legitimate claims of Ponik’s relatives to them. When Ladislas died, Ponik was forced to return the castles to their legitimate owners. Since Ponik had made several improvements on the castles when they were used in the war against Otakar II, king of Bohemia, he requested a reimbursement. Instead of money, Ponik received a number of servi and ancillae in compensation for the expense of the improvements made to the castles. The servi and ancillae had to be transported to the castle from Nycolaus’ lands, and in the process of moving

6 This use of servi has been noted as early as 1909 by Mária Gáspár. Mária Gáspár, A rabszolgaság megszűnése hazánkban [The end of slavery in Hungary] (Budapest: Garai Mór Könyvnyomda, 1909), 17.
7 partim per viros idoneos estimatam, partim in argento. Wenzel, Codex diplomaticus Arpadianus, 7: 144.
8 ipsam summam pecuniae in hominibus, videlicet una ancilla, nominem Neste, et filio suo Michaële, et in equo, pecudibus, et argento ab eodem Jakow plenarie recepisse. DL 028895.
9 Nagy et al., Codex diplomaticus patrius, 7: 334–35.