



“Mulier Imperiosa”: The Stepfamilies of Eva Elisabetha in Buda in the First Half of the Eighteenth Century

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This article offers a case study based on examination of legal documents concerning the marital conflicts which arose in the three consecutive marriages of a wealthy burgher woman. It situates this specific case in the context of Early Modern gendered marriage patterns. The documents which were produced in the course of the judicial dissolution of the first marriage described the young wife as a slave to her elderly, tyrannical husband. Other sources, however, including documents pertaining to her second two marriages, suggest that it would be misleading to argue, on the basis of the documents generated in the course of her divorce, the wife completely adapted herself to the patriarchal norms of her age. As her later marriages and economic successes show, she was not at all a helpless woman, though she could pretend to be one when this role served her interests. Her case suggests that the patriarchal model transmitted by the normative literature of the age could be successfully challenged, and ambitious, capable women, who had good financial and family backgrounds, had were able at least to some extent to negotiate relationships actively and challenge cultural norms. The documents concerning her second and third marriages add novel information to the study of the relationships between stepsiblings and halfsiblings. This case study highlights, moreover, the ways wedded women and widows could rely at times on the support of their families of origin.

Keywords: widow, remarriage, stepfather, stepchildren, half-sister/brother, family violence, patriarchal model

Introduction

With the help of a Christian alliance, the Habsburgs recaptured Buda, the former capital of Hungary, from the Ottoman Empire on September 2, 1686. After the siege, the town was in flames for three days. The citizens fled or were captured by the victorious army, and little more than deserted ruins remained. Given the proximity of the Danube River and its strategical and commercial significance, the Habsburg court had great plans for the city. The official from the Treasury responsible for its reconstruction had arrived at the time of the siege. The Habsburg court was so afraid of possible traitors and spies that it

supported the total exchange of population in the town, which was under the direct control of Vienna until the turn of the century. They were expecting Catholic, primarily German-speaking citizens, whom they sought to attract by granting them building plots and concessions in an attempt to encourage them to settle permanently in the city. Accordingly, the overwhelming majority of the settlers who were granted civic rights were German-speaking. However, on the outskirts of Tabán (one quarter of the city), the ruler supported the settlement of South Slavic and Hungarian people and other groups from the Balkans, even though their social and economic prestige lagged far behind that of the German settlers. Many settlers came from Vienna to Buda, where the reconstruction and consolidation work to be done, which would last decades, bore many opportunities for adventurers and anyone with an enterprising spirit.

This is the where our story begins. Eva Elisabetha was a remarkable woman from Vienna who arrived in Buda as the first, much younger wife of a self-made man. She was highly educated in comparison to the non-noble women of her age, and following the death of her first husband, she led an independent life. She managed the real estate and business that she had inherited, and she chose her second husband herself. Her life was exceptional in the sense that she could and did act as an “equal” partner in a patriarchal world. While we cannot call her example typical, we can still draw the conclusion that a woman’s influence and opportunities in life could in such rare cases depend strongly on her talent and remarkable character, through which she could successfully challenge the ideal model of the patriarchal family characteristic of her age.

Eva Elisabetha grew up as a stepchild in a family in Vienna because she lost her father at an early age. Her first marriage was arranged by her family (presumably her stepfather, though the sources offer no information concerning this), and it was an unequal marriage, as her husband was 30 years older than she. He was a widower who sought to improve his social status through the marriage and provide for a successor. The generational and cultural differences between the spouses, however, led to frequent conflicts and domestic violence, and Eva Elisabetha’s stepfather legally and financially supported his stepdaughter against the aggressive husband. Following the death of the first husband, Eva Elisabetha married again, this time to a man of her own choosing, who was also a widower and who had a son. The marriage was motivated both by financial concerns (Eva Elisabetha gave loans to the man) and the aspiration of the widower to integrate into the city community,

where he was a newcomer.¹ When we examine the marriage strategy of Eva Elisabetha, it is clear that she married socially “upwards” in order to increase her status in the city. This strategy and her age almost excluded men who had not been married before. The stepson did not pose a threat to Eva Elisabetha, as he was almost an adult, and the common child would inherit the property after the mother.² After the death of the second husband, Eva Elisabetha married again, and through this marriage, she rose into the world of the nobility. Her third marriage was probably also motivated by the lack of male relatives in the neighbourhood, as her family lived in Vienna and she had a bad relationship with her stepson, with whom she spent very little time. She had no obligation to give him accommodation in her house after the death of his father. The stepson presumably died young or left Buda. In the third marriage, she gave birth to two sons, who became the half-brothers of her daughter from the second marriage.

As we have seen, Eva Elisabetha spent her whole life in stepfamilies, which was presumably not exceptional at the time. Her struggle for more independence and upward social mobility, however, rendered her an exceptional woman in the social world of the city. While the relationships between the children and the parents or stepparents are important topics in the study of stepfamilies, given the lack of ego documents, we can only make assumptions concerning the legal cases and documents that survived. In this article, I therefore attempt to extend the analysis of the remaining sources to the private lives and emotions of a woman and her extended family.

Eva Elisabetha’s first marriage fits in with the classical, idealized image of obedient (or oppressed) women in the early modern age. The first introduction of the marital dispute by the legal historian György Bónis at the beginning of the 1960s described Eva Elisabetha as a woman suffering under the patriarchal power of a much older husband who was saved from a miserable life only through the help of her powerful relatives.³ However, the microhistorical method that I use enables us to reconstruct the roles of the woman in different families that she played over the course of six decades, a remarkably long period of time, and we can also acquaint ourselves with the relatives of the spouses, who to varying degrees all played roles in her life. In addition, the decisions of our heroine

1 See the article of Katalin Simon in the present issue: “Remarriage Patterns and Stepfamily Formation in a German-speaking Market-Town in Eighteenth-Century Hungary.”

2 Stretton, *Stepmother*, 91–92, 95.

3 Bónis, *Buda és Pest*, 275, 278–80, 287.

had an impact on the later lives of her children from her last two marriages. My microhistorical analysis compels us to significantly modify the image of Eva Elisabetha: while according to the earlier analysis, she was a helpless, impotent, weak, lazy woman who escaped to her relatives, now we see her, already at the time of the administration of the legacy of the first husband, as a very efficient, competent and independent woman who consciously shaped her future and carefully selected her new husband.

Only through the study of a wide range of sources can we determine what constituted the “something else” which distinguished the everyday lives of real couples (*Ehe in Aktion*) from the “ideal type” of the patriarchal family model, which the Church and the state preferred and supported.⁴

On the basis of the available sources, the case study still cannot give a similarly precise picture of the three marriages: the more harmonious the marriage becomes, the less sources we have concerning it. The break-up of the first, stormy marriage was the topic of gossip for the residents of the town, who were interested in the urban scandals. However, the nature of sources limits research on emotional dynamics, because we only have half of the documents in the legal cases which were started to obtain a judicial separation. The available documents depict only the cases which were negotiated in front of the body of the magistrates, and the primary goal in these cases was to clarify property issues. On the basis of these sources, it is difficult to study the emotional background. We thus cannot offer such an inquiry resembling in its level of detail the inquiry conducted by Alexandra Lutz, for example, in Holstein, because we do not have access to the documents of the Holy See, which are essential for any profound study of events in a Catholic town.⁵

Furthermore, according to the documents of the town of Buda, the negotiations which took place with the spouses were primarily verbal, and these negotiations were followed by a written record of the state of affairs and the decisions of the magistrates. The written pleadings clearly reflect the rational

4 Hufton, *Arbeit*, 28–29; Opitz-Belakhal, *Geschlechtergeschichte*, 113; Dionigi Albera writes about the microhistorical scholarship in Italy, contending that it is only through the combination of different sources that we can gain glimpses into the depths of social realities, in particular if we can follow the individual actions of a person for decades. It is only through this method that we can reconstruct strategies, alliances, conflicts, and careers on a local level. Giovanni Levi also warns us that the study of just one household can be misleading, as there was cooperation among individual households. Albera, *Das Haus*, 110–11.

5 Lutz, *Ehepaare*.

arguments of the contemporary jurists. Consequently, we can hardly detect individual voices in these documents.⁶

The story of the second marriage offers a glimpse into the mentality of the era. The relationship between the second husband and his adult son (Eva Elisabetha's stepson) offers an exceptional, individual example of family solidarity, and the conflict between them and the imperial civil servant who sought to destroy them gives another personal element to the family history. Apart from this story, we have to content ourselves with the typical public administration records of the council when we seek to reconstruct the life of Eva Elisabetha and the lives of the members of her extended family. These documents include the schematic records of the registers of the council meetings, files of property and credit issues and cases, and the testament and the documentation of the execution of the will. While these sources cannot replace the missing ego documents and the materials of the family archive, they still offer a more nuanced understanding of the life and eventual social success of an ambitious, urban woman.⁷

Eva Elisabetha, the "Slave" of the First, Elderly Husband

We undoubtedly know more about the life and marriages of Eva Elisabetha than we do about the lives of the other women of the era in Buda, partly because of the scandals which stemmed from her first marriage. The young girl, who was under the guardianship of Georg Freysinger, an imperial saddler, arrived from Vienna to Buda in 1694, where her fiancé was waiting for her. The fiancé, who was decades elder than she, was Johann Georg Unger. Unger had already been married once, and he was an established man in the town. He had accumulated wealth, he was a member of the council of Buda, and he had also been elected mayor of the town. His political enemies argued that Unger, who was a self-made man who had climbed the social ladder to join the ranks of the patricians, was illiterate, uneducated, and came from the lower classes.⁸ However, the charge of illiteracy was unfounded. After his death, an impressive number of files (36) were found in his home which were classified according to subject. The only true statement that we can confirm was that he was indeed a self-made man, since Matthias Fux, his relative, who also lived in Buda and worked as a locksmith, indeed did not belong to the elite of the town. The sources only reveal of his

6 Ibid., 337–38.

7 Warner, *Conclusion*, 234–36, 239.

8 Pásztor, *Buda és Pest*, 149.

first wife that she was a simple woman. The merchant Unger, who was the owner of big houses, vineyards, and two shops, lived at the level of other rich citizens. However, he had no direct successor who would have inherited his fortune.

Unger followed the advice and recommendations of other councilors and friends, who convinced him that he needed a new wife who better suited his acquired social position, for which he had fought for decades. His office as a counselor and a mayor and his financial situation required that he find an educated, wealthy, well-trained woman from a good family. Eva Elisabetha fulfilled all these conditions. Furthermore, she was young enough to give birth to a successor. She brought to the marriage several consumer goods, fine clothes, two valuable golden rings (one of which was decorated with eight diamonds, the other with turquoise), a significant amount of cash (500 forints), and a separate piece of property (1,000 forints). Soon the wife, along with her stepfather, became the husband's main creditor.

The second marriage undoubtedly could have given Unger more social recognition, but in reality, just the opposite happened. The husband and wife, who came from different social milieus and belonged to two different generations, could not live in peace together. The young wife, who had been educated in the contemporary metropolis, Vienna, found herself with a husband who sought strictly to control and “train” his second wife according to his own ideals, referring to the age difference between them as justification and the fact that, as an older person, he had more experience in life. Some contemporary marriage advisors warned the parents precisely on these grounds that they should not choose a husband who was decades older than their daughter. We do now know how the spouses related to each other at the beginning, and we can only guess what kind of emotions or behavior led to the final deterioration of their relationship. The young wife felt that the husband left no space for her. Indeed, she felt that he took revenge on her for any violation of his ideas of what made a good wife by beating her brutally. In a case like this, the woman had the right to turn to her own family for protection and interference or to seek the protection of the body of the magistrates. The family members of the wife, however, could, in principle, only verbally mediate between the spouses; they could not take physical action to stop the beatings unless the life of the woman was in danger, because only the magistrates had the authority to control the “disciplining” power of the head of the family.⁹ The mediation of the family

⁹ Bónis, *Buda és Pest*, 275–76; Lutz, *Ehepaare*, 342.

members was not successful, so the parson was also contacted. He sought to make peace between the spouses for five years.

We know the description of the state of affairs from the petitions which were submitted in the names of the spouses. In these documents, both parties question the suitability of the other as wife or head of the family, according to the contemporary customs. Unger allegedly expected his young wife to assist him in the shop or the management of the family estates. Eva Elisabetha and her family, however, argued that Unger abused his power as the head of the family. According to them, he intervened in things which fell under the competence of the wife. They even protested against Unger's "treatment of his wife as a slave." We can interpret the phrasing that they used ("wie eine Slavinn behandelt") as proof of the exceptional circumstances of the family in Vienna. This assumption is confirmed by the fact that they call the husband a "Tyrannos." On the basis of the targeted, legal reasoning, the family of the second Mrs. Unger relied on the help of an educated, up-to-date jurist who was also familiar with Protestant teachings to write the petition.¹⁰ No one questioned the fact that the husband was the head of the family, but this did not give him the right to abuse his power, prevent her from filling her family role in the household, or forcing her to do "slave work." This behavior ("tyranny") allegedly went beyond the traditional frames, which limited the power of the head of the patriarchal family. Thus, there was grounds for the wife to turn to the body of the magistrates with her complaint.¹¹ In the petitions submitted on behalf of wives, the jurists usually stressed the wives' obedience and subordination to their husbands, which, as women at the time, they were expected to prove: they did not deserve to be punished by their husbands, let alone to be treated brutally. In contrast, the husband mainly tried to prove that his spouse had failed to fulfill her tasks and duties as a wife for a longer period of time, and thus she allegedly deserved corporal punishment. Of the charges a husband could bring against his wife, the most severe was the charge of adultery.¹² Unger was away from Buda at one point for half a year, when he pursued his business elsewhere. He contended

10 The jurist from Vienna was familiar with Luther's reasoning, since the representatives of the wife often depict the husband as a tyrant referring to Luther's argument. Lutz, *Ehepaare*, 176.

11 Dülmen, *Das Haus*, 45; Lutz, *Ehepaare*, 176. It is perhaps purely coincidental, but in the year of the submission of the petition against Unger, Mary Astell's work *Reflections upon Marriage* was published. It met with considerable interest and had many subsequent editions. In this work, Astell asks why, if every human being is born to be free, women are born to be slaves. If there is no need for absolute power in the state, why is a tyrant the head of the family? Bock, *Frauen*, 48.

12 Lutz, *Ehepaare*, 385.

that during this time he suffered a loss of 1,000 forints because of his wife's negligence, as he had entrusted her with the running of the shop. Allegedly, his wife had also started spending time with unreliable characters. She had been dancing into the night and flirting with the shop assistants. Nevertheless, the latter contention was little more than an assumption, as Unger could not produce any concrete evidence of adultery for the magistrates. "She began spending time with unreliable characters" was a formula which was used when there was no concrete proof of adultery. Thus, this allegation made to the authorities without eyewitnesses was merely slander. The elderly merchant from time to time sought to "bring his young wife to her senses" by beating her. For instance, when he found out about the loss that his business had suffered, he beat her with a black-jack. The wife and her family members again accused the husband of brutality in front of various forums. In front of the council, Unger defended himself by stressing that, as her husband, he had the right to beat her if she deserved it. Other husbands who were charged with "excessive disciplining" often used the same reasoning. They argued that their spouses deserved severe punishment because they were too obstinate.¹³ While no one questioned the husband's right to punish his wife, the contemporaries still disapproved of the unnecessary cruelty. There was, however, no precise definition of the border between the "rightful" punishment and brutality. By exploiting this uncertainty, Unger claimed that he, as the head of the family, could rightfully "discipline" his wife, who violated the contemporary norms. According to him, five or six blows with a black-jack constituted "moderate" (*moderirt*) punishment. The family of the wife and the magistrates, however, were of another opinion.¹⁴

In 1700, Eva Elisabetha and her family had had enough of the untenable situation, which was so bad that she had had to flee to Vienna seven times over the course of five years. The honor of a woman who fled to her family's residence was usually not called into question, because when she was treated unfairly, a wife had the right to move back to her parents' or her brother's domicile until the conflict was settled.¹⁵ Unger's repeated accusations of adultery, therefore, were found unconvincing. Eva Elisabetha's relatives, however, eventually succeeded in persuading the magistrates that the elderly husband was mentally ill and needed

13 Ibid. 176–77.

14 On the basis of the investigations of Alexandra Lutz, in Holstein, the courts considered a slap in the face a "moderate" punishment, but a blow to the face or a beating with any object belonged to a different category. Ibid., 337–38.

15 Ibid., 343.

a temporary guardian. Also, a judicial separation was granted. The process by which Unger was made the charge of a guardian is a very interesting story. At the end of 1699, he sat among the members of the council and he voted. One year later, in mid-March, the councilors, referring to a “change of mood and gloomy disposition as far as he [Unger] is concerned,” declared him non compos and appointed curators to administer his property.¹⁶

The granting of the judicial separation was under the authority of the Church, but the clarification of property issues between the spouses fell under the competence of the council. After the Church granted the judicial separation and Unger was put under a guardian, the body of the magistrates ruled that the curators had to pay 300 forints every year (a significant sum of money) to Eva Elisabetha as alimony so that she would be able to pay for accommodation, household costs, clothing, and servants. At the beginning of 1700, Unger was again invited to the council, albeit he could not be in full possession of his property, as the ban on the property would only be lifted under condition that the alimony was paid to his wife.¹⁷ Eva Elisabetha, who had moved to Vienna, however, had received only pennies from him. After a long lawsuit, however, with the help of her stepfather she was eventually triumphant. She received her husband’s vineyards as a leaseholder, and Unger’s real estate was mortgaged in exchange for the significant dowry and the separate property of the wife, which Eva Elisabetha demanded. Thus, her claim had priority over other creditors. The story so far clearly shows that the young Mrs. Unger enjoyed the unflinching support of her prestigious family in Vienna. If a woman had an excessive attachment to the family house, this often led to severe conflicts between the spouses, in particular in the case of a first marriage. Often, both parties in such cases—the wife’s parents and the husband’s parents—expected a young wife to be obedient (and a significant age difference only strengthened these expectations). The relatives of a woman who had a significant dowry often sought to control the situation (and the wealth) by manipulating the young wife.¹⁸ In the case of Eva Elisabetha, though the documents strongly reflect the

16 Géra, Simon, and Oross, *Buda város tanácsülési*, 156. Number of the minute-book (in what follows: Jk.) 480. sz.

17 Géra, Simon, and Oross, *Buda város tanácsülési*, 156, Jk. 505. sz., 814. sz., 815. sz., 902. sz., 1294. sz.

18 The relevant research is not uniform. David Warren Sabean, for instance, found many examples of the manipulation of a young wife by relatives who wanted to control the property, which was given to the husband. This manipulation often led to the deterioration of the marriage. Rainer Beck drew similar conclusions. Alexandra Lutz, however, argued that the wife’s family intervened on an emotional basis. In

targeted strategy and reasoning of the jurists involved, the Unger-case¹⁹ reveals very strong emotions and an intensifying conflict, which had a deep impact on the lives of the spouses. The Church and the magistrates, however, did not accept the emotional reasoning, but some of the sources reveal indirect signs of the intensity of the strife between the spouses, for instance the husbands increasing aggressiveness.²⁰ The wife and her family took revenge in a similar vein. They did not content themselves with the granting of the judicial separation. Rather, they sought to humiliate Unger publicly in the town and place him under the control of a guardian, even if this meant they had to spend even more money on the lawsuit.

Johann Georg Unger died in 1705 without a direct successor. The judicial separation enabled the widow to inherit the property if there were no other relatives. The brothers of the merchant or the locksmith Fux, who lived in the town, could attack the widow's claim to the bequest, but they had little hope against the powerful Wittmann-family, who had excellent contacts in Vienna, so the parties reached a peaceful agreement. The widow, who was still young, returned to Buda from Vienna and became a wealthy woman. She inherited an estimated 10,500 forints. However, her ex-husband also left her a significant debt of 8,759 forints, but Eva Elisabetha was the main beneficiary on various rights as well (dowry, the separate property of the wife, alimony, a loan, in total 6,200 forints). After this money was deducted from the estate, the widow and the two Unger-brothers, who lived far from Buda, shared a further 1,800 forints. Until the brothers arrived in Buda, the councilors delegated Fux, Unger's relative and a reliable citizen, to help the widow administer the heritage. However, Eva Elisabetha had changed a lot over the course of the decade which has elapsed since she had first arrived at Buda. She was no longer an inexperienced young woman who could be treated as a "slave," and she did not let the administration of the property out of her hand. Her husband's business had been running at a loss for a long time, and had she not acted with resolve and determination, the creditors would have taken possession of a large part of the bequest. Eva Elisabetha must have been a good businesswoman, because not only was she able to maintain her claim to her ex-husband's estate, she was also able to make his business profitable again. The renting of the flats brought in a significant

most cases, we can observe conflicts between the mother-in-law, who wants a say in everything, and the husband, who is jealous of her influence over his wife. Sabeau, *Property*, 134; Lutz, *Ehepaare*, 339–47, 351.

19 For details see Géra, "Kóhalomból", 256–59.

20 Lutz, *Ehepaare*, 190, 192, 196–203.

income, especially the renting of the house in the castle (4,540 forints). In the impressive building where Unger and later his widow lived, only wealthy residents who were respected members of the community could afford to pay the rent, for instance, the two military constables and a bath owner from Vác, while the shop, which was located in the basement, was rented by the rich tanner from Pest, Herüsch. There were also tenants in the house called Zöld Szőlőfürt (Green Bunch of Grapes, 3,022 forints) in the Víziváros district, but the so-called lower house also served as a manorial building, where the most valuable wine-press of the era (100 forints) was stored. This was badly needed, because Unger's vineyards, which covered 30 quarters (Székesfehérvári-hegy, Pál-völgy), constituted the largest civic vineyard estate in the town. To get an impression of its size, one need merely consider the following numbers: 78 day-laborers gathered the harvest in the abovementioned year, 22 people carried the butts and treaded on the grapes, and the operation of the wine-press lasted 14 days. In 1705, the people who took the inventory estimated the value of the vineyards to be 1,630 forints.²¹ During the 1703–1711 War of Independence led by Ferenc Rákóczi against the Habsburgs, thanks to the shortage of money, the wine from Buda, which was also popular abroad, was also accepted as means of payment. Thus, while the value of other pieces of real estate decreased, that of the vineyards went up. Eva Elisabetha gave up trading and rented out both of the shops which had belonged to her ex-husband.

The widowed Eva Elisabetha managed the indebted property well, which clearly throws into question the contentions made by her late husband, according to whom she had refused to share the tasks of the household and the business, as one would expect of a good wife.²² True, she may not have been a good trader, but this is no wonder, as the merchants of Italian origin in Buda all married the daughters of other Italian merchants, who were brought up to become the wives of traders. Eva Elisabetha, who was given a Latinist education, was presumably brought up to be the wife of a civil servant. Consequently, she was familiar with the world of offices. She knew how to manage the real estate and she had a solid knowledge of housekeeping, which was expected of a wife of her social standing

21 The other large wine-press belonged to the Cettó family and was worth 90 forints. BFL, Buda Város Tanácsának iratai. Hagyatéki leltárak (= IV.1002.z.). When Eva Elisabetha died, 710 akó (1 akó is about 12 gallons) wine was found in her cellars. BFL IV.1002.z. Nr. 716.

22 Another archival source depicts the parallel case of another contemporary councilor, Tobias von Krempel, and his wife, which offers further documentation of the judicial separation. Mrs. Krempel accused her husband of brutality, while the latter accused her of neglecting her household duties and of having committed adultery.

The Honor of the Stepson

Eva Elisabetha did not remain single for long, because the sources from 1706 refer to her as Mrs. Dietz. As a wealthy and childless widow, she may well have had many suitors. She was about 30 years old at that time, so she could still hope to give birth to children, and her wealth enabled her to choose a husband which suited her tastes. Even the Fathers of the Church, who considered the isolated, pious life as the most desirable for widows, were more lenient with childless women who could still bear children.²³ Instead of a patrician, Eva Elisabetha chose Johann Adam Dietz as her next husband, who was an imperial water engineer (*kay. cameral Landt undt Wasseringeneur*). Dietz, who had a higher social standing than the average citizen, was considered a renowned expert, as he had led the water regulation works of the Danube River at Nußdorf, next to Vienna. He was invited to Buda with the task of restoring the waterworks which had been used in the Turkish times but which were destroyed during the siege of the city, but the position also entailed work on the great fortresses of Buda, Esztergom, Székesfehérvár, and the smaller fortresses in their neighborhood.²⁴ Dietz is one of the few contemporaries about whom we have relatively detailed personal information. At the time of his marriage, he must have been at least middle-aged, because he was a father of an adult man who was loved by many women for his good looks and charm, which he probably inherited from his father. With his annual salary of 1,200 forints, Dietz would have become the best-paid employee of the Treasury of Buda by far had he received this money. However, between 1705 and 1708, he did not receive his salary, and in addition to his former claims, the Treasury owed him 4,917 forints, which was the price of a large house in the castle. This was not exceptional, as during the War of Independence, the Treasury was indebted to all of its employees because of the fiscal problems faced by the higher authorities. However, the office owed Dietz the highest sum because in the reasoning of the officials, Dietz did not need to pay accommodation costs as he could peacefully stay at the Bauhof. Further, they argued that the water works, which had been transferred under the authority of the body of the magistrates, was not completed. Dietz met Eva Elisabetha because he resided in the castle as her tenant, since he preferred

23 Ingendahl, *Witwen*, 34; Westphal, Schmidt-Voges, and Baumann, *Venus und Vulcanus*, 169.

24 The invitation of Dietz was decided in 1690, after the death of the sinker of Buda, Virgilius Lindner. Dietz had already seen the waterworks of Buda, whose restoration he had to finish. ÖStA FHKA AHK HFU 03.01.1690 Karton 766 fol. 11–12.

to stay in the dwelling rented out by her to living in the unfriendly storehouse of building materials and the accompanying buildings. Because his salary was withheld, he ended up owing Eva Elisabetha a significant amount of money in rent and also debts from other loans. He eventually followed the example set by other unmarried men who got into debt:²⁵ he married his creditor, the widowed Mrs. Unger.²⁶

We know little of the personal relationship between Dietz and his wife. Eva Elisabetha was busy managing the real estate that she had inherited from her first husband. Dietz had no say in these matters, because as far as the authorities were concerned, his wife had sole say in the management of the property she had inherited from her first husband. They had one child, named Regina, who lived to see adulthood. Their domestic lives, however, were disturbed by Dietz's son, who lived in the common household. Because of his son, Dietz got into a severe conflict with Matthias Lampert Kollbacher, a high-standing officer of the Treasury, who was known for his violent nature and great wealth. Kollbacher accused Dietz's son of seducing his wife. Furthermore, he claimed that the young Dietz was the real father of his wife's children.²⁷ This charge stigmatized a young, unmarried man for life in an age when honor was considered an individual's most important source of social capital. If he failed to clear himself of the charge, he could not count on an office according to his social standing or an advantageous marriage.²⁸ The conflict intensified when the wife, whom Kollbacher called "a beast who needs a lashing," escaped with her valuables to the household of the Dietz family. In 1708, Kollbacher seized their letters, which led to the first open confrontation with Dietz in Vienna. Over the course of

25 See, for instance, Ulrich Benedikt Maylin, a notary in Buda, who married, as a sick and elderly man after a long widowhood, in order to give a dowry to his daughters. Another case is that of Johann Eckher, a bath councilor in Buda, who developed Császárfürdő (Imperial Bath) from the property of his third wife in the critical years of the War of Independence. Maylin had adult daughters, while Eckher had two sons from his previous marriages, and Maylin did not make a secret of the fact that he hoped to solve his financial problems through his second, late marriage. Géra, "Kőhalomból," 254–55, 267–68.

26 ÖStA FHKA AHK HFU 08.01.1709 [r. Nr. 452] Karton 1017 fol. 88.v.; 19.08.1709 [r. Nr. 454] Karton 1023 fol. 202–27.

27 According to our present knowledge, Dietz's letter is the only source from which we know that Kollbacher remarried after the death of his (first or second) wife in 1702. Dezső Dümmerth, who documented the years spent by the Kollbacher family in Pest, mentions seven children, the youngest of which was born in 1702. The reason for the lack of data lies in the fact that Kollbacher, who fought with the council in Pest for ten years and did not hesitate to put up armed resistance, moved to Buda at the time of the conflict with Dietz. Dümmerth, *Pest város*, 229–30.

28 In the German literature, Early Modern Society, which was based on the honor of the individual, is also referred to as *Ehrgeellschaft*. Schmidt-Voges, *Das Haus*, 11.

the next year, Kollbacher made a scene over his allegations against the younger Dietz almost every day in Buda. Kollbacher did not content himself with angry accusations and the charge of dishonesty. He also used his fists to fight for what he perceived as his rights, a tendency which the magistrates of Buda had already had occasion to observe. He sent a message with a priest to the Dietz family claiming that he would “destroy them at any price.” He allegedly added that he would get someone to cut off the older Dietz’s legs, since the older Dietz had defended his son, and he would even get some soldiers who would beat the father and son to death. To stress his message, Kollbacher threatened Dietz with a pistol on the street in front of passersby by making a “knightly gesture.” The most severe assault occurred on a Sunday after mass in the Church of the Virgin Mary. Kollbacher and his companions attacked the young Dietz with swords and pressed him against the wall, forcing him to sit on the ground.²⁹ The older Dietz, who feared for his life and his son’s life, turned to the Treasury for protection, and in his petition he copied abstracts from his own letters and the letters of his enemy. Dietz denied the allegations Kollbacher had made against his son in the name of his family, and he protested against Kollbacher’s attempt to get rid of his wife and their small children by accusing the young Dietz of having seduced her. Furthermore, according to Dietz, Kollbacher also completely disregarded the interests of his children. Dietz presented himself, in contrast, as a family-loving man and as someone who “protects his own honor and the honor of his family until the last drop of his blood.”³⁰ He wanted to set the record straight by calling witnesses from the lay community and clergymen, and he stressed that he would show that he was an honest man who stood as a warrant for his son. One might wonder why it was the older Dietz who turned to the authorities for help and not his adult son. At the time, coming of age meant that in criminal cases a young man was responsible for his actions, and he was also in charge of his own property if he had inherited something from his family. At the same time, he had no say in decisions concerning his father’s affairs. However, young men were only

29 Kollbacher’s threats had to be taken seriously, because it was well known that in 1699, in the company of some imperial commissariat officers, he attacked the mayor and the notary, who were coming from mass. The two men were brutally beaten. Dümmerth, *Pest város*, 229.

30 The original text: “Er seine Ehefrau mit vielen unerzogenen Kindern per force, zwar durch meinen Sohn zu einer S. V. Huren declariren will, wan dan die Eltern in ihren Kindern leben sollen, er aber solches nicht achtet, so bin ich aber eines anderen seins, mein und der Meinigen Ehre biß auf den letzten bluthstropfen zu defendiren.”

considered to have reached full maturity when they were married.³¹ The charge of dishonesty against the younger Dietz, who lived in his father's household, endangered the honor of the whole family, so the head of the family (in this case, the older Dietz) represented his son in front of the authorities. Kollbacher was well aware of this, and so he lawfully called the engineer to account for his son's deeds.³² We do not know the outcome of the story, and the sources do not indicate whether an impeachment followed the conflict. Whatever the case, the Treasury and the office holders in Buda soon found themselves expressing their sorrow at the sudden death of the older Dietz.

The sources reveal very little about Eva Elisabetha's attitude towards her stepson and the conflict in which he found himself embroiled. It is worth noting, however, that in 1711, in a dispute between the dismissed officers of the Treasury and the individuals who had been reemployed by the Hungarian Treasury—a dispute which grew increasingly intense and led to outbreaks of physical violence—she supported Kollbacher, who not much earlier had been threatening to have her husband and stepson killed. An eyewitness stressed that she was passionate in her defense of Kollbacher and had conducted herself with an “indescribable, devilish fury” (*mit einer unbeschreiblicher gleichsamb böllen Furie*). The sources, however, do not reveal anything about her possible motives.³³ The contemporary authors of the guides to proper conduct apparently did not exert much influence on her, because they praised moderate behavior as a female virtue and they warned women against intervening in the affairs of men, especially in the case of official matters. However, some women of higher standing could still feel entitled to voice their opinions, even if they were not encouraged to do so. In Buda, Eva Elisabetha was not the only woman who violated social norms and meddled in disputes among men. Other women of a moderately prominent social standing opposed the measures taken by the office holders of the town or the magistrates. Even the parson's inadequate knowledge of German became a source of complaint. The eyewitness cited above may have been surprised by the widowed Mrs. Dietz's conduct for two reasons. First, Eva Elisabetha had defended the most powerful enemy of her late husband and stepson. Second, the wives of imperial officers were not expected to participate

31 Hufton, *Arbeit*, 27–29; Burghartz, *Zeiten der Reinheit*, 55, 71; Wunder: “*Er ist die Sonn*,” 45; Schmözl-Häberlein, *Kleinstadtgesellschaft(en)*, 109.

32 Dülmen, *Das Haus*, 159; Schlinker: *Das Haus*, 692, 694.

33 ÖStA FHKA AHK HFU 15.01.1712 [r. Nr. 465] Karton 1045 fol. 241–56.

in such scenes. They were not expected to “lower themselves” to the level of the average women of the town.³⁴

After the death of Johann Adam Dietz, Eva Elisabetha started to collect her husband’s claims because Dietz’s retained salary in the Buda years amounted to 6,900 forints, and the Treasury also owed him a significant sum, 2,572 forints for his work on the regulation of the Danube River at Nußdorf. The Treasury disapproved of the demanding tone of her letter, which did not suit a widow, and the authorities also wondered why it was not Dietz’s son who was making the claims, as he was in charge of the estate. The office holders threatened Eva Elisabetha, telling her that if she failed to submit the final accounts of the work her late husband had done, she wouldn’t get a penny and, indeed, she would be summoned to court. Eva Elisabetha, however, was not intimidated because her second petition was of a similar tone, and she strongly disapproved of the rejection of her claim and the setting of conditions. She contended that she was being put into an impossible situation because, for lack of cash, she could not pay the arrears of the salary of the clerk of her late husband, and the clerk refused to complete the accounts until he received his payment. The last statement clearly shows that there was not a good relationship between the younger Dietz and his stepmother, because otherwise he would have helped her or at least would have written a letter of support to the authorities. The house in Buda and the real estate constituted the separate property of the wife, so the young Dietz could not have lived in the house of his stepmother without her consent. After he received his part of his father’s estate, Eva Elisabetha had no other obligations to him. Even according to custom, he was supposed to learn a profession or find a job. We can conclude that there was some kind of conflict between the stepmother and the stepson because the young Dietz disappeared from the sources and there is no evidence that he kept maintained any relationship with his half-sister, Regina. His disappearance may well have been explained by the fact that he also became an imperial officer like his father because the officers of the emperor were usually sent to distant places.³⁵

34 If a burgher woman violated the above norms, her conduct usually had no consequences because the contemporary culture of disputes allowed for a louder voice and more vehemence, even for women. Castan, *Straffällige Frauen*, 494–95, 498–99. In the English literature, Early Modern Society is also called “face to face society” because of the indirectness, openness, and often brutality of the verbal interactions. Haldemann, *Das gerügte Haus*, 446.

35 ÖStA FHK A HK HFU 09.01.1713 [r. Nr. 472] Karton 1059 fol. 110–111.; 29.05.1713 [r. Nr. 474] Karton 1063 fol. 495–504.; 03.09.1715 [r. Nr. 488] Karton 1097 fol. 49–50.; 04.05.1718 [r. Nr. 507] Karton 1135 fol. 45–48; It is also possible that Kollbacher carried out his threat and the young Dietz suffered an

Half-Siblings and Inheritance in the Third Family

Eva Elisabetha's third marriage enabled her to further increase her social prestige and reach the top of her career. The daughter of a burgher could not hope for a more prestigious husband than an imperial office holder or an officer of a noble origin. In 1716, the woman sold the shop in Víziváros, which she had inherited from Unger. She was still referred to in the documents as Dietz's widow, but in 1718, the documents began to refer to her as the wife of Johann Adam von Lichtenau(er), the imperial commissariat chief director of Érsekújvár.³⁶ The family property came from Eva Elisabetha's previous marriages, and it was well known in the town that the business issues fell under her competence. If her interests demanded, she referred to the absence of her husband in order to gain more time, but this was not the experience of contemporaries.³⁷ Eva Elisabetha, who was in her early 40s at the time of the third marriage, gave birth to at least two children to her third husband, Christian and Franz Joseph. At the time of the fire of 1723, the couple, together with the two children and Regina, the minor daughter from the second marriage, lived in the house, which Eva Elisabetha had inherited from Unger, in the neighborhood of the town hall (today Tárnok Street 26). The house burned down, together with the furnishings.³⁸

Eva Elisabetha, who at some point also lost her third husband, lived in the Unger house until her death in 1752 (its value was 5,359 at that time). She presumably managed the real estate which she had inherited from Unger well, and she even bought a manor below Bécsi kapu in spite of the fire, because she left a significant inheritance to her children, 3,000 forints. Her case offers at least

accident and died like his father. Further research is rendered difficult by the fact that the younger Dietz's father's letters and the letters of the Treasury are the only sources we have on him, because he did not belong under the jurisdiction of the town. Furthermore, the sources do not mention his first name, and the family name was rather common, so it is almost impossible to find out what happened to him if he managed to leave Buda alive.

36 The name of the new husband appears in two different forms in the sources. The form Lichtenau is more frequent, but the signature of the head of the family reads Lichtenauer, while his wife signed as Lichtenau. BFL Buda Város Törvényszékének iratai. Törvényszéki iratok. (= IV.1014.b.) Lichtenauerné adósságügye (1718), Buda Város Tanácsának iratai. Végrendeletek. (=IV.1002.y.) A I. 1380.; Buda Város Tanácsának iratai. Vegyes iratok. (=IV.1002.uu.) A Nr. 631., Nr. 68.; The marriage contract dates from 1717. Simon, *Az 1723-as*, 514.

37 "[...] dan beruff sich auch auff die abwesenheith ihres H. mit welchen wir doch nichts zu thun." One of Unger's former creditors wanted to get money that he had lent to Unger 26 years earlier back. The creditor saw through Eva Elisabetha's tactic, who eventually presented counter-demands. The council declared the debt void. BFL IV.1002.uu. Nr. 68.

38 Simon, *Az 1723-as*, 491.

one example of the important role a woman could play in the transmission of property. According to the will of the elderly Mrs. Lichtenau, she named Regina Dietz, her daughter from the second marriage, as her heir general because she brought the largest part of the family property into the third marriage, as she had made it already clear in the marriage contract, where the spouses had agreed on this matter. This was not unusual, because in case of half-sisters or brothers, it was not the sex of the child that mattered, but rather what their parents had brought into the marriage and what constituted common property. Consequently, there could be significant differences in the heritage of the siblings. The parent who made the last will could only ask the children who received a larger share of the inheritance to be fair and support their poorer siblings.

Regina Dietz, who was more than 40 years old at the time, lived as a single woman (*mein villgeliebte Maimb*) in her mother's household. This was exceptional. In her will, Eva Elisabetha mentioned only the names of the women who received larger shares of the inheritance. The male members of her household received only moderate sums, as was the custom. The mother and her unmarried daughter were assisted by a female cook, a kitchen maid, the burgher wife of a local iron merchant, and the bath attendant Kahr, who acted as a nurse to the elderly and sick woman, who was in her 80s, but she did not forget to mention other female members of her household. The largest share of the inheritance, which amounted to a proper dowry (100 forints), was given to a young girl who was called her foster-daughter.³⁹ Eva Elisabetha's funeral was spectacular, and it harmonized well with the lifestyle she had led. In accordance with her request, she was buried next to her third husband, at the Jesuits.

However, Eva Elisabetha's wishes were not all respected, because the children (Regina Dietz, more precisely her half-brothers, Christian von Lichtenau, who lived in Trencsén, and Franz Joseph von Lichtenauer, who served as an imperial postmaster and who represented Regina Dietz in front of the authorities) allegedly complained of "the injustice of their mother," and they attacked the will in front of the magistrates.⁴⁰ As I argued above, Eva Elisabetha made the

39 Under the term *Erziehungskind/Ziebkind*, the contemporaries meant the children of lower social standing who lived in the household of the testator. These children usually belonged to the servants, and they were often orphans or semi-orphans whom the employer liked and therefore helped with the donation of a smaller dowry. Géra, "Kőhalomból," 392–93.

40 Eva Elisabetha did not mention her adult sons in her will. They were presumably mentioned in the common will of her late, third husband, which was sent to the Court War Council of Vienna (and which was destroyed during the discarding of the documents in the second half of the eighteenth century). The only male relative mentioned in her will was a younger man from the Wittmann family, who lived in Buda

will in favor of her daughter according to the prevailing custom at the time, and as the marriage contract shows, she did so with the consent of her third husband. The common will of the spouses also confirms that the husband was well aware of the fact that since he had brought much less to the marriage than his wife, their common children would get less than their sister, who was born from the wealthier Dietz. The conduct of the children was, however, unusual. We can even argue that the change of the will was the “price” of the love of the brothers. Regina, who had no male family members in the neighborhood, could not stay alone in the house in Buda as an unmarried woman, because the whole estate was sold and she presumably moved to a domicile owned by one of her brothers, for which she presumably also had to give something in exchange. We do not know why Regina remained unmarried in spite of her significant dowry. We may assume that something was wrong with her and therefore she had no suitors even after her mother’s death. We have namely no other explanation for the fact that the magistrates approved of the change of the lawful will and the content of the marriage contract. Furthermore, Regina Dietz was undoubtedly in a more difficult social situation than her younger step-brothers, who as imperial office holders had much more valuable networks than an unmarried woman. It is thus no wonder that the men eventually received a larger share of the property than what had been left to them in the will.⁴¹

Imperiosa Mulier: Conclusion

The three marriages and subsequent blended families of Eva Elisabetha offer a good example in support of the notion that the practice of family life could occasionally be rather different from the image of the patriarchal family found in the normative literature. As a 17-year-old maid, she had little say in the choice of her first husband, and as an obedient girl, she accepted the decision made by her mother and her stepfather. However, she apparently selected her two other husbands deliberately and strategically, because with every marriage, she managed to climb higher and higher up the social ladder of the contemporary urban society until she reached the top. Urban public opinion was usually interested in other people’s marriages, especially the female audience. The small booklets which described marital relationships and the popular pieces of *Hausvaterliteratur*

for a while with the mother and daughter. Eva Elisabetha was very sick when she made her will on April 13, 1751. The document was read publicly on January 31, 1752. BFL IV.1002.y. A I. Nr. 1380.

41 BFL IV.1002.z. A Nr. 1482., Nr. 1519., Nr. 716. (Lichtenauné); Bónis: *Buda és Pest*, 275–79, 287.

were mainly read by the educated public. The larger illiterate population was informed of the principles formulated in these booklets from the sermons delivered by the parson. The mostly illiterate crowd preferred the simpler and more entertaining genres if they discussed relationships between men and women. It is not accidental that the plays and farces which dramatized marital conflicts attracted wide audiences. A favorite topic of theater plays, comedies presented at fairs, and printed pamphlets was the “fight for who is wearing the trousers” (*Kampfes um die Hosen*), a subject of which audiences never seemed to tire.⁴² The main actors were mostly urban, wealthy merchants or master craftsmen and their spouses, who mutually tried to take over control of the house. The reader or the audience laughed at the women, who wore the trousers and beat up their husbands, or the men, who wore bonnets and nursed their babies. The authors, who sought more balanced portrayals, would also depict the woman in a subordinate situation (e.g. as a slave) next to the images of the subordinated men.⁴³ Eva Elisabetha was a woman who was gossiped about, but she was also widely recognized, and many women may well have been envious of her, because she won the fight for the trousers. In the eyes of men, she was presumably seen as an *imperiosa mulier*, thus, a woman whom they surely did not want as a wife. However, Eva Elisabetha could never have won this fight without the support of the family into which she was born. Her relatives lived in Vienna, and they immediately ran to help her when she needed money, a lawyer, or a network of influential figures. Eva Elisabetha had an intense relationship with her Vienna relatives for six decades. It is characteristic that in her last years, when she was in her 80s, she and her unmarried daughter, who was in her 40s, were

42 The other variant, “the trousers or the apron” (*Hose oder Schürze*), comes from another influential author of the anti-marriage literature, the Magdeburg priest Johannes Sommer. His first work was published in 1608 under the title *Ethographia Mundi*. According to his next work, the second part of the “true and believable description of the contemporary world” was given the title “Malus mulier.” Two victims of the cruel women, two husbands, who were chased out of their homes. They describe how domestic power was taken from them by their wives. The husbands lament the arrogance of the women (*superbia*), which they explain through their nobler origin: while man was created out of mud, outside of the Garden of Eden, woman was created in Eden, from the rib of man. The pamphlet became so successful that Sommer expanded the second edition with a further anti-woman part at the request of the publisher. *Imperiosus [!] Mulier das ist / das Regiersüchtige Weib. Der alte und lengwirige Streit und Krieg zwischen deß Mannes Hosen und der Frauen Schürze*. The pamphlet, which interpreted marriage as a lasting, domestic war, went through several editions. According to the male discourse, it contained obscene elements and rough jokes. Schilling, *Hose oder Schürze*, 137–40, 144; Westphal, Schmidt-Voges, and Baumann, *Venus und Vulcanus*, 110–16.

43 Wunder, “*Er ist die Sonn*,” 104–5, 111; Borin, *Frauenbilder*, 241–43; Westphal, Schmidt-Voges, and Baumann, *Venus und Vulcanus*, 111–15.

assisted not by the sons from the third marriage but by a nephew who traveled from Vienna to Buda. The case of the second husband, Dietz, and his adult son from his first marriage also testifies to similarly strong family ties. Allegations concerning the abduction and seduction of the wife of another man rendered the young Dietz an adulterer, which was punished by the Church, and the lay authorities also did not disregard the accusations. The husband who contended he had been cuckolded did everything to render the case even more severe, and his conduct showed that he had accused his wife of adultery already before the abduction. The elder Dietz, however, stood by his son in spite of the fact that he very well knew the consequences of abduction, and it would have been easier for him to disown his child. However, he refused to take the easier path, and as a father, he fought with a powerful enemy until “the last drop of his blood” by endangering his own reputation and even his own life.

The case of Eva Elisabetha is a good example which shows that the relationship of a woman to her natal family remained very important even after she had married. After the second marriage, when her husband died, since she as a stepmother had no obligations towards her adult stepson, the relationship between stepmother and stepson did not continue. There is also no sign that the stepson would have been interested in his stepsister, who must have been four or five years old at the time of the death of their father. Even though boys and girls inherited equally, there could be significant differences of wealth between half-brothers and half-sisters, since they inherited the property of their biological parents, which, as we have seen, could easily lead to conflicts. In our case, the power and prestige of the sons born to Eva Elisabetha’s third marriage overrode the mother’s lawful will, whose beneficiary was an unmarried woman, their older half-sister.

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