CHAPTER THREE

Family Strategies

The ministerials’ choice of marriage partners was limited not only by their obligation to marry within the familia and the church’s prohibition of consanguineous marriages but by their own family strategies. This chapter will examine the strategies that lineages employed to ensure their continued existence. This required a decision in every generation on how many sons and daughters a family permitted to marry and on how to provide for their unmarried siblings. Allowing only one son to marry could result in the extinction of the lineage in the male line if the designated heir failed to sire a son; permitting too many sons to marry could lead to the lineage’s rapid decline if the patrimony on which its position in society was based was divided among too many heirs. Lineages could deal with this dilemma in a variety of ways; for example, they could place their cadets in the church, or they could allow them to remain unmarried laymen. Some lineages were luckier than others in this demographic lottery and for several centuries produced a male heir to continue the line, but others made decisions that contributed to their decline and eventual demise.

Studying the ministerials’ family strategies is at best a problematic undertaking. No head of a lineage of archiepiscopal ministerials articulated his plans in an extant document. Instead their strategies must be inferred from reconstructions of their genealogies. These are based, however, not on hard evidence such as the English Inquisitions Post Mortem, but on the seemingly random references to individuals and their family affiliations in the surviving records, most commonly in conveyances of land and in witness lists. Women, who could not serve as witnesses, are underrepresented, and there is no way of knowing how many children died before they could leave a trace in the documents. All conclusions drawn from such evidence are thus inherently tentative. To be completely honest,
such statements as “only one son married” or “the couple was childless” should nearly always be qualified with a disclaimer like “as far as we know.” But though it may make a difference biologically that a second son married and did in fact sire children, if they were never mentioned and did not succeed to even the smallest portion of the lineage’s position, their biological existence is irrelevant to the family’s social and dynastic history.

Until the middle of the thirteenth century and especially in the second half of the twelfth century, many lineages of archiepiscopal ministerials severely curtailed the number of sons they permitted to marry. Often only a single son married, and he usually waited until he became the head of the lineage at his father’s death. This policy had serious consequences for wives, daughters, and younger brothers. Wives were normally many years younger than their first husbands and, provided they survived childbirth, could outlive their spouses by many years. Widows were then faced with the task of raising fatherless sons. Daughters with brothers were a liability because their marriages or even their placement in a convent occurred at the expense of the lineage’s patrimony. It is worth noting in this regard that Count Sigiboto IV of Falkenstein never bothered to mention his daughters’ names and that they, unlike the count’s wife and two sons, were not depicted in the family portrait that he commissioned in 1166 before his departure for Italy.1 Younger sons married only if their mothers or wives were heiresses, if they could establish a new lordship at a higher elevation in the Alps or on the southeastern frontier, or possibly if they settled in a town and ventured into commercial activities (this last opportunity was severely limited in an overwhelmingly rural and mountainous region). Some found a home in the church, but a good many others seem to have lived as unmarried laymen waiting for an opportunity that rarely came—say, the death of an older brother or the appearance of an attractive heiress—and the portion of the family’s patrimony that had been assigned to their upkeep eventually reverted to the main line.

In the course of the thirteenth century many families adopted the new strategy of allowing two sons in each generation to marry, perhaps because the surviving lineages had become aware of the connection between family extinction and a too rigorous curtailment of the younger sons’ right to marry. The contrast between the two strategies should not be overstated. Younger brothers had married in the twelfth century too, but there were more opportunities to do so in the thirteenth. The surviving lineages, like the Gutrats, who had profited from the extinction of the noble houses and their coministerials were, as I pointed out in chapter 1, considerably wealthier than their ancestors a century earlier and could better afford to establish a second son in his own household. Moreover, the creation of the ecclesiastical principality by Archbishop Eberhard II in the first half of the

1. The family portrait has been reproduced in Freed, Counts, p. 18; on the daughters, see pp. 45–46.
thirteenth century provided the ministerials with more permanent and lucrative employment. Whereas their ancestors had been rewarded by the archbishops with fiefs and alods, many more ministerials had a chance, particularly after the accession of Archbishop Frederick II in 1270, to serve their lord as a burgrave, virdame, judge, councilor, or such; and the archbishops could reward such loyal service by subsidizing the ministerials’ marriages. The latter policy was connected with a change in the system of dotal payments that for the first time required the bride’s family to make a sizable contribution to the establishment of a married couple’s household. These topics will be explored in more detail in the next two chapters, but let me simply note here that the establishment of the archbishop’s territorial supremacy, the diffusion of the marriage payments system (Heiratsgabensystem) in the archdiocese, and the tendency for two sons in each generation to marry were interrelated.

Unmarried sons continued to find a place in the church, but here too there was a change. Although ministerials had become canons and monks in the twelfth century and had even attained high ecclesiastical offices, for example, as bishops of Gurk, some of their thirteenth-century successors seem to have been conscious careerists who used their positions to benefit their kinsmen, clerical or lay. Certainly the very highest position, the archbishopric itself, opened to ministerials and knights only in 1270.

This change in the ministerials’ family strategies had its drawbacks too. If each line of a lineage continued to let more than one son marry, its patrimony was soon fragmented. As I suggested in chapter 1, this seems to have been one cause of the Kalhams’ financial difficulties. Second, after 1270 the ministerials became increasingly dependent on the archbishop’s favor for their survival. Though the servile bonds that tied them to the archbishop gradually atrophied, their reliance on his largesse deprived them of much of their newfound freedom.

Conjugal Households

Throughout the 250 years that are under consideration in this book it was customary for a man to establish his own household when he married. A man normally could marry only after his father died or if the lineage had sufficient resources to provide him with a separate home. This meant that men generally postponed marriage until they were about thirty or even older, entailing the risk that the heir might die before he could father a son or at least before his son attained his majority.

There is no evidence that a married man continued to live with his parents or

that two married brothers shared the same domicile. The two best examples are late ones. When Archbishop-Elect Philip arranged the betrothal of Kunigunde of Goldegg to the Styrian ministerial Ulrich II of Liechtenstein in 1250, the groom’s father, the poet Ulrich I, promised to give his young son “the castle of Murau when he wished to separate himself from his paternal inheritance.” Similarly, the brothers Nicholas and Eckart X of Tann agreed in 1326 that they would possess jointly all their people, property, castles, courts, advocacies, manors, and vassals. Each brother was to have the same authority to issue commands in the other’s house as if he were the head of the household or to take what he needed from the other’s home. The arrangement proved unworkable, and they divided their property five years later, but the point is that Nicholas and Eckart always maintained separate households, at Lichtentann and Altentann, respectively, even when they owned and administered their property in common.

The evidence is less explicit for the twelfth century, but brothers whom scribes associated with different locations presumably maintained separate residences: for example, Hiltigoz of Kirchhalling and his brother Berthold of Weibhausen, Megingod I of Surberg and Rudolph of Wonneberg, Frederick III of Pettau and Otto I of Königsberg, and Henry I of Neukirchen and Conrad I of Sonham. Although Sigiboto I and Megingod II possessed Surberg jointly, Megingod had also acquired his wife’s castle in Högl, and he built a house in Salzburg where he presumably lived during his lengthy tenure as burgrave of Hohensalzburg. By the thirteenth century powerful ministerial lineages possessed several castles where, as in the case of the Tanns, married couples could live apart from their kinsfolk. For example, the brothers Kuno V and Otto II of Gutrat, both of whom were married, had inherited two castles from their mother in Lower Austria and owned two castles, two hundred meters apart, on the Gutratsberg. There was only one dominant couple per household.

The husband’s widowed mother and unmarried siblings may have lived with the couple, but this was not always the case. About 1190 the cathedral canons

3. UB Steiermark 3:135–36, no. 72. On the financial arrangements and political background of this marriage, see chapter 4 at note 91 and chapter 5 at note 52.
5. Kirchhalling-Weibhausen (SUB 1:341–42, no. 175; 599, no. 29); Surberg-Wonneberg (Au, p. 117, no. 145; MB 3:15, no. 36; SUB 1:366, no. 218; 374–75, no. 231); Pettau-Königsberg (SUB 3:8–10, no. 540); and Neukirchen-Sonham (SUB 2:654–56, no. 482).
7. SUB 4:246–47, no. 206; Dopsch, Geschichte Salzburgs 1/1:390. The Gutrats were not the only ministerials with such arrangements. The Pettaus possessed upper and lower castles in Pettau (UB Steiermark 4:307, no. 509), and Frederick VI styled himself in 1286, when his father was still alive, “Frederick of Hollegenburg the Younger of Pettau” (MC 6:20–21, no. 29), presumably because he lived in Hollegenburg. In 1305–6 William IV of Staufenbeck and his cousin Henry I, both of whom were married, sold their sections of the castle of Staufenbeck to the archbishop. William referred to his section as the rear portion (Regesten 2:29, no. 227; 66–67, no. 544; 89, no. 762; 90–91, no. 775). Similar conditions also prevailed in late medieval Bohemia. See John Klassen, “Household Composition in Medieval Bohemia,” JMH 16 (1990): 55–75. Although Klassen’s evidence is predominantly urban, he argued that Bohemian barons who owned more than one castle could readily establish a married son or a younger brother in a separate castle.
conceded to Ita of Werfen, the widow of Kuno II of Schnaitsee, a lot next to the hospital of Saint John in the city of Salzburg, where she built a house and may have served the needy herself. When Frederick IV of Pettau married in 1213 Herrad of Montpreis (today Planina, Slovenia), her father Ortolf conferred his other castle Hörberg (today Podsreda, Slovenia), with all its appurtenances and servile retainers, on his own wife Gerbirg. Moreover, many a widow, like Jutta of Surberg, the mother of Sigiboto I and Megin god II, may have found one of the double houses of Augustinian canons or Benedictine monks more agreeable than her daughter-in-law’s home. In short, the typical ministerial household consisted of a married couple and their children and perhaps, depending on the couple’s stage in the life cycle, his mother and unmarried siblings.

Such a system of conjugal households meant, however, that the eldest son or a younger brother could marry only if the lineage had sufficient resources—for example, multiple castles—to set him up in a separate home. It is not surprising, therefore, to find that many lineages, particularly in the second half of the twelfth century, severely curtailed the number of sons they allowed to marry. A good place to start is to look at the genealogies of the Kalhams and Steflings that were presented in the previous chapters (genealogies 1.3 and 2.1). The first known generation of the Kalhams consisted of two, possibly three, brothers, only one of whom had known descendants. Only one of the six brothers in the second generation is definitely known to have married, though Otto may have been the progenitor of the Knutzings, an obscure family of ministerials who died out in a generation. It was only in the third generation, about 1200, that this family discipline broke down, leading in the fifth generation to the establishment of a cadet line at Wartenfels. As for the Steflings, only one of the five sons of Magan of Türken had known descendants, though the Plain ministerial Henry IV may have been the son or grandson of one of Otto I’s brothers. During was the only one of Otto I’s three or four sons who had a child. I have hypothesized the existence in the last generation of another Stefling heiress who married a Goldegg, but she could just as well have been During’s daughter as Ortolf II’s. In spite of the flaws in the evidence, these two genealogies do suggest that lineages were exercising considerable control over their sons’ right to marry.

A far more striking example is provided by the Tanns, whose sense of family
GENEALOGY 3.1 Tann

Eckart I of Muntigl  Unnamed of Kalham? before 1127-1136 Salzburg Ministerial

Diemut of Mitterkirchen? widow of Wisint of the Pongau d. 1160/63? ca. 1180-1214/17

Eckart II of Muntigl  Rupert of Muntigl  Henry of Muntigl 1136-1170/75 before 1139 same as 1146 Cathedral Canon

same as same as


Eckart III  Gerberg  Wolfram I 1163/67-1214 1191/93 m. of

Eckart IV  Eckart V 1211-1246/50 Cathedral Canon

Euphemia  Nun 1214/25 m.

St. Peter's  Herburg  1214 1214/25 of Pettau?  1244 d. 1243/46 1214/17-1259

Eckart VI 1245-1304 m.

1. Unnamed of Rohr Austrian Ministerial
2. Unnamed of Polheim Austrian Ministerial
3. Petrissa of Stauf Regensburg Ministerial

Eckart VII der Rohrer 1281-1302

Eckart VIII der Polheimer See below

Eckart IX der Stauffer der Giaim 1282?1297-1303 m.

Catherine of Radeck? Salzburg Ministerial d. 1297
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<td>Eckard VIII</td>
<td>Adelaide Schenck</td>
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<td>Polheimer</td>
<td>von Reichenec?</td>
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<td>1282, 1304-1314</td>
<td>Upper Palatinate</td>
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<td>d. 1326</td>
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<tr>
<td>Conrad</td>
<td>Nicholas</td>
<td>Eckart X</td>
<td>Margaret</td>
<td>Eckart</td>
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<tr>
<td>Canon</td>
<td>Burgrave</td>
<td>1304-1338</td>
<td>1326-1340</td>
<td>illegitimate</td>
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<tr>
<td>Berchtesgaden</td>
<td></td>
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<tr>
<td>1305-1314</td>
<td>Raschenberg</td>
<td>Elizabeth</td>
<td>Conrad II</td>
<td>Serf</td>
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<tr>
<td>Provost</td>
<td>1325</td>
<td>1326?</td>
<td>of</td>
<td>of</td>
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<tr>
<td>Berchtesgaden?</td>
<td>1307-1338</td>
<td>1335-1337</td>
<td>Oberndorf</td>
<td>St. Peter's</td>
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<td>1316-1333</td>
<td>Salzburg</td>
<td>Ministerial</td>
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<tr>
<td>Wandelburg Grans</td>
<td>Eckart XI</td>
<td>Eckart</td>
<td>Eckart XII</td>
<td>Ursula</td>
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<tr>
<td>of Uttendorf</td>
<td>1338-1340</td>
<td>1335</td>
<td>1335-1391</td>
<td>von Kuchl</td>
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<td>d. after 1340</td>
<td>died young</td>
<td>Burgrave of Ibm</td>
<td>d. 1391</td>
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<td>1340</td>
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<tr>
<td>Eckart XIII</td>
<td>Eckart XIV</td>
<td>Amelia</td>
<td>Elizabeth</td>
<td></td>
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<tr>
<td>1379-1396</td>
<td>Cathedral Canon</td>
<td></td>
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<tr>
<td>Burgrave of Ibm</td>
<td>1346-1398</td>
<td>Erhard</td>
<td>Seitz of</td>
<td></td>
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<tr>
<td>Curator of Radeck, 1391</td>
<td>1346-1398</td>
<td>Parish Priest of Salzburg, 1394</td>
<td>Bavarian</td>
<td>Bavarian</td>
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<tr>
<td>d. 1391</td>
<td></td>
<td>der Sattelbogen</td>
<td>Laimingen</td>
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<td></td>
<td></td>
<td>d. 24 March 1398</td>
<td>Ministerial</td>
<td>Ministerial</td>
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<td></td>
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<td>1391</td>
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<td>1394</td>
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identity is revealed by the use of the name Eckart, which they employed in every
generation, sometimes for two or even three sons, for nearly three hundred years
(see genealogy 3.1). Only one pair of brothers in the first five generations mar-
rried, and it is conceivable that Rupert of Muntigl-Thalgau, whose son Eckart III
was the progenitor of the later Tanns, married only when it became clear that
his brother Eckart II, the first Tann, would have no children.12 What is particularly striking about the Tanns, besides the repetition of the leading name, is how
little information there is about any children except the heir. Either the Tanns had
very few children or the eldest son was favored at the expense of his sisters and
younger brothers, who were excluded from virtually any portion of the family’s
patrimony.13 The genealogy is a testimony to an extraordinary sense of family
discipline.

Closely connected with this preference for the heir was the late age at which
men married, presumably because they had to wait until their father died or a
suitable wife, preferably an heiress, was found. Georges Duby has established that
in the twelfth century there was a generational gap of approximately thirty years
between a father and his eldest son in northwestern France. It was these unmar-
rried heirs and their younger brothers, the so-called juvenes, who went on cru­
sades, participated in tournaments, and were the chief troublemakers in medieval
society.14

The same pattern of behavior can be detected among the archiepiscopal ministe­
rials in the twelfth century. Although it is almost always impossible to determine
with any precision when a man or woman was born, the year when the son of
a prominent ministerial began to witness charters or notices in a Traditionsbuch
provides a useful clue not only about the son’s age but about the father’s when he
married. There is some evidence that boys, especially those whose fathers were
dead, began to serve as witnesses when they were about ten. The son of Burgrave
Conrad of Hohensalzburg, the orphaned Henry of Neuenfels, who was born be­
tween 1222 and 1225,15 witnessed his first charter in 1234.16 Henry must thus have
been between nine and twelve. Similarly, Frederick III of Pettau and Ortolf II
of Katsch-Montpreis were called boys when they witnessed their first charter in

12. On the Tanns, see Heinz Dopsch and John B. Freed, “Henndorf im Mittelalter und an der
Wende zur Neuzeit,” in Henndorf am Wallersee: Kultur und Geschichte einer Salzburger Gemeinde,
13. The Falkensteins pursued a similar strategy. See Freed, Counts, p. 65. See also Duby, “Lin­
eage,” pp. 71–75.
in The Chivalrous Society, p. 116; and idem, Medieval Marriage, pp. 11–12.
15. Henry’s father Burgrave Conrad of Hohensalzburg was still childless in 1222 (SUB 3:298–
300, no. 771) but was a father when he died in 1225. Henry was specifically described as a heres
parvulus on this occasion (SUB 3:327–28, no. 799).
p. 630, n. 274.
Since Isidore of Seville placed *pueritia* between seven and fourteen, it is a safe guess that a boy was about ten when he was associated as a witness for the first time with his father, presumably because the lad was considered old enough to understand the proceedings.

If this insight is applied to the men in Diemut of Högl’s well-documented life (see genealogy 3.2), the following results are obtained. Her father Henry of Högl, who witnessed his first charter in 1121, would have been about thirty-four when he married Euphemia of Moosen about 1145. Diemut’s first husband Meginhard of Siegsdorf was called in 1152 a *puer*, and his brother Henry witnessed his first charter only in 1158. Their father Liutolt, who had first served as a witness in 1104/16, would thus have been between thirty-six and forty-eight when Meginhard was born. Diemut’s second father-in-law, Meginod I of Surberg, was wounded in 1110 when in youthful impatience (“juvenili ardore”) he violated Archbishop Conrad I’s prohibition against fighting during Henry V’s expedition to Rome. Since the archbishop is not likely to have appointed a callow youth as his butler on so important an undertaking, Meginod is one more example of Duby’s not so young youths. If we assume for argument’s sake that Meginod was twenty-five in 1110, then he would have been approximately forty in 1126/27 when his older son Sigiboto I was born, because the latter witnessed his first charter in 1136/37. Sigiboto I would have been in turn thirty-one when his son Sigiboto II was born. As for Meginod II, who was mentioned first in 1144, he would have been between twenty-seven and twenty-nine when he married Diemut between 1161 and 1163. These figures are hardly exact, and it is quite possible that many of these men had older daughters or sons who did not survive. But the ages calculated in this fashion do at least suggest that most men married late, if they married at all, and that a generational gap of thirty years between an archiepiscopal ministerial and his oldest surviving son was not unusual.

This strategy of severely limiting the number of sons who were permitted to marry and of men’s postponing marriage had important ramifications not only for wives, younger sons, and daughters, but also for the heirs themselves. Some of the consequences will be examined in the following sections.
<table>
<thead>
<tr>
<th>Name</th>
<th>Dates</th>
<th>Mother</th>
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<tbody>
<tr>
<td>Ulrich</td>
<td>1110-1125/30</td>
<td></td>
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<tr>
<td>Henry I</td>
<td>1104/16-1138/39</td>
<td>Liuzman of Seekirchen 1104/16 m. Richgardis 1104/16</td>
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<tr>
<td>Conrad I</td>
<td>1130-1136</td>
<td>Reginbert 1110-1136 m. Liutkarda 1130-1136 d. by 1139 m. Liutkarda ca. 1136</td>
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<tr>
<td>Henry II</td>
<td>d. before father</td>
<td></td>
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<tr>
<td>Henry of Högl</td>
<td>1110-1126</td>
<td>Diemut 1126-1138/39 m. Otton of Högl 1121-1151 m. Euphemia of Moosen Noble ca. 1145-1152/55 m. Diemut 1145/51-1213 m.</td>
</tr>
</tbody>
</table>

1. Memhard of Siegsdorf (d. 1159/60)
2. Megingod II of Surberg (d. 1193)
3. Unknown
4. Conrad of Truchtlaching (d. 1225)
Heirs and Heiresses

It was absolutely essential that the heir marry well, preferably a noblewoman or an heiress who would raise the prestige of the lineage and increase its wealth. If he did so, the heir might be able to marry in his father’s lifetime or procure the resources that would enable more than one of his own sons to marry. Either outcome would improve the lineage’s chances for survival.

The most prestigious match for a twelfth-century ministerial was marriage to a noblewoman. Although the children of such a union were ministerials themselves, it was an indication that the lineage had arrived socially and was certainly a major factor in the gradual acceptance of the ministerials as nobles. Such marriages were relatively common. For example, Diemut of Högl’s mother was the noblewoman Euphemia of Moosen, and her great-uncle Henry of Seekirchen, the first ministerial burgrave of Hohensalzburg, had married the noblewoman Liutkarda of “Schönberg.” Although there is no evidence that these two noble brides were richly endowed, others were. For instance, in 1125/47 the archiepiscopal ministerial Henry of Kappel and his wife, the noblewoman Liutkarda, daughter of Sigwin of Schlitters, gave Saint Peter’s thirty-four serfs as censuales and some property near Kappel. Since Liutkarda was identified in the Traditionsbuch entry as Sigwin’s daughter, I suspect that the serfs had been part of her inheritance.

Frederick II of Pettau (d. 1167/74) made the best match. His wife Benedicta

26. SUB 1:364, no. 214; 2:422–23, no. 303; 436–37, no. 312; 546–48, no. 397. I had previously identified Liutkarda as a member of a family of Michaelbeuern ministerials who lived in Schönberg, about fifteen kilometers northwest of Seekirchen and dismissed the descriptions of her as a noblewoman as a courtesy granted to a benefactor (Freed, “Diemut von Högl,” pp. 601, n. 104, 645). But since it was Archbishop Eberhard I rather than some scribe in a Traditionsbuch who called her a noble (nos. 303, 312), I now believe she really was a noblewoman. Moreover, Schönberg was not Liutkarda’s ancestral home but that of her second husband Ralf of Schönberg, a ministerial of the duke of Bavaria (UB Raitenhaslach 1:25–26, no. 23; Raitenhaslach, pp. 106–12, no. 133, specifically p. 107). She was not identified as Liutkarda of “Schönberg” until 1170 (SUB 2:546–48, no. 397).

27. SUB 1:363–64, no. 213; 369, no. 223. The location of Henry’s home is in dispute. Most recently, Reindel-Schedl, Laufen, p. 385, placed Henry in Kapell in Upper Bavaria. Since the property at Mettenham that Henry and Liutkarda gave Saint Peter’s is seven kilometers north of Kössen, and since Schlitters is in the Ziller valley in Tyrol, I am inclined to place Henry’s home in the Kapell that is near Kössen in Tyrol. Some other examples of ministerials who married noblewomen in the twelfth century are Witilo, a “servitor sancti Rodberti,” who before 1116 had married Kunigunde, sister of the Upper Austrian noblemen Pero and Pilgrim of Weng-Puchheim (SUB 1:316–17, no. 137; 351–53, no. 193; 598, no. 28); Berthold of Weng, who was also known as Berthold of the Pinzgau and who joined Saint Peter’s before 1139 with his wife Judith, a kinswoman of the nobleman Adalbert (SUB 1:347–48, no. 186; 350–51, no. 191); Bertha of Tegernbach, second wife of Hartnild II of Itzling-Fischach, burgrave of Hohensalzburg in the 1150s and 1160s (SUB 1:442, no. 351; 679, no. 201 [Hartnild was stepfather of the nobleman Ortof of Tegernbach: Au, pp. 121–22, no. 161; SUB 1:658–59, no. 155; 2:519–20, no. 372]); Hildegard, daughter of the nobleman Bernhard of Stübing and wife of the archiepiscopal ministerial Rudolph of Deinsberg (1121–68) (SUB 2:190–91, no. 121; 450–51, no. 325; 537–38, no. 388; and Hans Pirchegger, Landesfürst und Adel in Steiermark während des Mittelalters, 3 vols., Forschungen zur Verfassungs- und Verwaltungsgeschichte der Steiermark 12, 13, 16 [Graz, 1951–58], 1:125–29 and the genealogical table after p. 205); and Henry of Deutschlandsberg (d. 1205), son-in-law of the Carinthian nobleman Wichard I of Karlsberg (SUB 2:631–33, no. 465a; 3:63–64, no. 583).
was the sister of the nobleman Otto of Ehrnegg-Königsberg. The couple’s oldest son Frederick III continued the main line of the lineage, and their second son Otto established a cadet line in Königsberg (today Kunšperk, Slovenia) that survived until the end of the fourteenth century.28

Such marriages to noblewomen ceased in the thirteenth century because most noble houses either had died out or had become ministerials themselves. The Pettaus are the major exception. The first wife of Frederick V (d. 1288), the most important member of the lineage, was Countess Sophia of Pfannberg, and his second wife was an unnamed countess.29 His male descendants continued to marry countesses until their extinction in the male line in 1438, but it was not until the last generation of the lineage’s existence that Pettau women finally married nobles. The brides were the two sisters and heirs of the last Pettau, Frederick IX, and one of them married a younger son at that (see genealogy 3.3).30

Noblemen were reluctant to marry ministerial women because, as I explained in the preceding chapter, the children obtained their mother’s inferior legal status. Such a marriage was normally a last resort by a noble family that could no longer find a suitable partner among its peers and preferred a misalliance to extinction. There is little evidence from the twelfth century for such unions involving archiepiscopal ministerials. The marriage of the nobleman Ulrich I of Sims to Liutkarda of Berg was discussed in chapter 1. It is possible to infer in a few other cases that such a marriage might have taken place.

For example, Otto of Dietfurt conferred Dietfurt on Saint Peter’s in 1151/67. Two versions of the donation were recorded in the abbatial Traditionsbuch. Otto was called a free man in one and an archiepiscopal ministerial in the other.31 One possible explanation for this uncertainty about Otto’s legal status was that he was the son of a mixed marriage. An Ascwin was identified in the second version of Otto’s donation as his maternal uncle. A Walter of Dietfurt (the only reference to such an individual) had been the second witness in 1125/47 when the “fidelis homo” Ascwin had conferred on Saint Peter’s his property in Tiefstadt, ten kilometers east of Dietfurt; and an Ascwin of Tiefenbach had joined Saint Peter’s in 1147/51.32 An Adala of Tiefenbach (the only reference to such a person) was

29. MC 2:111–12, no. 664; Regesten 1:164–65, no. 1276. Frederick’s second wife was simply called a countess, but Pirchegger, “Herren von Pettau,” p. 17 and genealogical table following p. 199, identified her as Agnes of Pfannberg. I cannot see how Frederick could have married another Pfannberg without violating the prohibition against affinitive marriages.
32. SUB I:391, no. 265; 526, no. 511. The latter entry is dated 1147/67, but the first witness Liutwin was almost certainly Burgrave Liutwin (he was the first witness in no. 509), who died in
listed among the archiepiscopal ministerials who witnessed Otto’s first donation of Dietfurt to Saint Peter’s. Otto may thus have been the son of Walter of Dietfurt, a free man, and the sister of Ascwini of Tiefenbach, an archiepiscopal ministerial. Since Otto gave Dietfurt to Saint Peter’s, he was presumably the last representative of his family, and his entrance into the archiepiscopal ministerial age, like that of the Sims, was of little consequence for the archbishop.

There are, however, several examples of fairly important noblemen whose descendants became archiepiscopal ministerials as a result of their marriages to Dienstweiber. The one case in the twelfth century, that of the Katsches, will be discussed below in connection with the ministerials’ settlement on the southeastern German frontier. The two examples in the thirteenth century, the Felbens and Walchens, the last two remaining noble families of noncomital rank in the principality itself, will be treated in chapter 5 because their marriages were almost certainly linked to Archbishop Eberhard II’s acquisition of comital jurisdiction in the Pinzgau.

This imbalance in the number of marriages between noblemen and women of ministerial status versus marriages between ministerials and noblewomen casts some new light on a heated scholarly debate earlier this century about the degree to which the nobles and ministerials fused. Aloys Schulte contended that the distinction between noble families of free and unfree origin survived until the fifteenth century. He pointed out that if a nobleman married an imperial ministerial, the wife had to be manumitted as late as 1408 to prevent the children from obtaining their mother’s inferior status. Otto Freiherr von Dungern, who relied heavily on Austrian evidence, argued that there was considerable intermarriage between the two orders before the fifteenth century. Intermarriage was common, but it was in large measure a one-way street involving male ministerials and noblewomen, because the ministerials’ personal servitude was not forgotten.

Most ministerials, even in the twelfth century, had to settle for wives who were their peers. The right choice could enable a son to marry in his father’s lifetime and dramatically improve his family’s fortunes. Diemut of Högl’s first husband, Meginhard of Siegsdorf, who was still a boy in 1152, must have been at most in his late teens when he was killed in 1159/60 in unknown circumstances; his father

1151. There are other examples of obscure free men who married women who were archiepiscopal ministerials, but there is no evidence that they themselves or their children, if they had any, actually became ministerials. For instance, the archiepiscopal ministerial Nendinc and his wife, son, daughter, and son-in-law, the free man Rehwin, renounced the world in 1139/47 and gave their property to the cathedral chapter (SUB 1:608, no. 50). Similarly, in 1122/47 the free man Engilsac and his wife, Gepa of Winklham, an archiepiscopal ministerial, gave the canons their property (SUB 1:613, no. 57).

<table>
<thead>
<tr>
<th>Name</th>
<th>Birth Year</th>
<th>Death Year</th>
<th>Spouse</th>
<th>Father</th>
<th>Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Henry I</td>
<td>1146/47</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Frederick I</td>
<td>1132/37-1137</td>
<td></td>
<td>m. sister of Godfrey of Wieting</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dietmar I</td>
<td></td>
<td></td>
<td>m. Gertrude of Hichham</td>
<td>Salzburg Ministerial</td>
<td></td>
</tr>
<tr>
<td>Frederick II</td>
<td>1144? 1153-1167</td>
<td>d. by 1174</td>
<td>m. Benedicta of Ehregg-Königsberg?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Frederick III</td>
<td>1180-1219</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Otto I</td>
<td></td>
<td></td>
<td>d. by 1222 Königsberg</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Henry II</td>
<td></td>
<td></td>
<td>m. 1188/93-1249 Maria Saal</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Luhtfri III</td>
<td></td>
<td></td>
<td>d. by 1251 Bishop Eppenstein</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mathilda</td>
<td></td>
<td></td>
<td>d. by 1251 St. Georgen</td>
<td></td>
<td></td>
</tr>
<tr>
<td>of Untersaupurg?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hartnid I</td>
<td>1197? 1228-1249</td>
<td>d. by 1251</td>
<td>m. 1280-1235</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Frederick IV</td>
<td>1197? 1211-1261</td>
<td>d. by 1266</td>
<td>m. 1241-1249</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Henry III</td>
<td>1197? 1211-1261</td>
<td>d. by 1266</td>
<td>m. 1241-1249</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gerbing</td>
<td>1224</td>
<td></td>
<td>m. 1224? 1244-1264</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

See below:  
Children:  
Henry of Scharfenberg  
Görg Ministerial
<table>
<thead>
<tr>
<th></th>
<th>Hartnid I</th>
<th>m.</th>
<th>Unnamed of Hollenburg</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frederick V</td>
<td>Styrian Marshal</td>
<td>1255</td>
<td>1253/54</td>
</tr>
<tr>
<td>Hartnid II</td>
<td>Governor of Styria?</td>
<td>1246-1258</td>
<td>m.</td>
</tr>
<tr>
<td>Adelaide</td>
<td>Imperial Ministerial Knight</td>
<td>1277-1279</td>
<td>Ulrich of Montpreis</td>
</tr>
<tr>
<td>Frederick</td>
<td></td>
<td>1246-1288</td>
<td>m.</td>
</tr>
</tbody>
</table>

1. Countess Sophia of Pfannberg, 1264
2. Countess Agnes of Pfannberg? 1287

<table>
<thead>
<tr>
<th></th>
<th>Hartnid III</th>
<th>Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frederick VI</td>
<td>1264? 1280-1299</td>
<td>1264? 1284-1316</td>
</tr>
<tr>
<td></td>
<td></td>
<td>d. by 1300</td>
</tr>
</tbody>
</table>
survived him.\textsuperscript{34} The marriage of Frederick IV of Pettau to Herrad of Montpreis in 1213 provides an even more dramatic example of how marriage could alter a man’s and a lineage’s position. Frederick, whose own father had still been identified as a boy in 1180 and who lived until at least 1219, must still have been very young when he married, because he lived until the 1260s. Herrad’s inheritance consisted of the castles of Montpreis and Hörberg, which were described in 1251 as two of the five principal fiefs of the church of Gurk. His uncle’s castle of Königsberg was the third. Possession of the three castles made the Pettau-Königsbergs the most powerful family in what is now southeastern Slovenia (Otto of Königsberg’s brother-in-law was lord of the fourth castle Rohitsch [Rogatec]). In the end the Pettaus were unable to maintain this position near the confluence of the Sava and Sotla because Frederick IV’s only surviving child was a daughter, Gerbirg, and the castles of Montpreis and Hörberg passed through her to Henry of Scharfenberg (today Svibno, Slovenia), a ministerial of the count of Görz. In the second half of the thirteenth century Henry’s sons were able in turn to establish separate lineages in Montpreis and Hörberg (see genealogy 3.3).\textsuperscript{35} The accidents of birth and death had in this case transferred two important lordships to three different lineages in as many generations. The right choice of a spouse could thus profoundly influence a lineage’s fortunes.

Wives, Maternal Uncles, and Nephews

Besides heiresses, it was wives who were most affected by such family accidents. Since most wives were considerably younger than their first husbands, if only for biological reasons, there was a good chance that a woman who survived childbirth would outlive her first husband by many years and perhaps assume some of his responsibilities, particularly during her eldest son’s minority. A widow often turned for help to her own brother, who was bound to her son by ties of blood and affection but could not profit personally from his nephew’s death. A nephew’s unfulfilled expectation that he would inherit his uncle’s property, however, as well as a mother’s remarriage, could lead to bitter family conflicts.

Women who survived their first husbands by many years might assume their place as the de facto head of the lineage. The childless Diemut of Högl outlived her first husband Meginhard of Siegsdorf (a rare example of a small age differential) by fifty-three years and her second husband Megingod II, to whom she was married for thirty years, by two decades. She may even have served as the burgravine of Hohensalzburg during the five years between Megingod’s death in 1193 and the first reference to her last husband, Conrad of Truchtlaching, as the castellan.\textsuperscript{36}

\textsuperscript{34} Freed, “Diemut von Högl,” pp. 603–4.
Her great-aunt Liutkarda of "Schönberg," who died in 1168/70,37 buried her first husband Henry of Seekirchen in 1138 or 1139; and Diemut's mother-in-law Jutta of Surberg outlived Megingod I by thirty-five or forty years.38 The only references to Benedicta of Ehrnegg-Königsberg occur during her widowhood (Frederick II of Pettau died in 1167/74 and her eldest son Frederick III was still called a boy in 1180), but they are highly revealing. She used five hides that her husband had allegedly seized from Admont to provide her unnamed daughter with a dowry, and she assisted a noble kinsman in abducting a girl whom he wished to marry in spite of her family's objections.39 The widowed Benedicta behaved like an imperious grande dame.

Remarriages were fairly common for both women and men. A childless heiress or noblewoman remained an especially valuable prize. Diemut of Högl with her four husbands held the record, but several of her other relatives also contracted two or more marriages: her great-aunt Liutkarda of "Schönberg" buried three husbands, and her mother Euphemia of Moosen married twice. In fact Diemut's last husband Conrad of Truchtlaching may well have been twenty-five years her junior, a rare instance of a man's marrying an appreciably older woman. After her death Conrad married a woman who bore him a son.40 Like Conrad, most widowers remarried. For example, Frederick V of Pettau married two times and Eckart VI of Tann three.41 There must have been many more such remarriages that have left no trace in the extant documentation.

Since marriages to affines were also prohibited by canon law, multiple marriages were another factor that forced the ministerials to contract marriages outside the archiepiscopal familia. Two of Eckart VI's wives, for example, were Austrian ministerials, and the third was a retainer of the bishop of Regensburg. Moreover, a second marriage could be a cause of conflict between the children of the two marriages or their stepparents. Diemut of Högl's relations with her mother Euphemia and her half-siblings, the children of Euphemia's second marriage to Count Wolfram of Dornberg, appear to have been strained. For instance, Diemut arranged for Herrenchiemsee to celebrate the anniversaries of the following people after the death in 1193 of her second husband Megingod II of Surberg: Megingod, his parents, his nephew Sigiboto II, who had not returned from the Third Crusade, and her father Henry of Högl.42 The names of her mother (con-
ceivably Euphemia was still alive) and Diemut’s half-brother Count Conrad, who had also perished on the Third Crusade, are conspicuous by their absence. In any case, Diemut’s noble relatives played no role, except during her minority, in her long and well-documented life.

Although the difference between Diemut’s and the Dornbergs’ legal and social status may have been a factor in their estrangement, disputes about property were often at the heart of such bitter feelings. In 1160/63, for example, Archbishop Eberhard I settled a quarrel between two of his ministerials, Hartwig of Kuchl and his stepson Manegold, about a property in Kellau. Manegold proved that the property belonged to him and his mother, who had retained its lifelong use. Eberhard ruled that Manegold was to obtain the property within six weeks of his mother’s death, but he was required to pay his stepfather a pound.43 This particular dispute between two obscure men has remained part of the historical record because the cathedral chapter eventually obtained the property in Kellau, but such quarrels over a mother’s or wife’s lands, like Roland and Ganelon’s, must have been common.

A widow often turned to her brothers for help. Unlike such paternal uncles as England’s King John or Richard III, who profited from the deaths of their older brothers’ sons, maternal uncles gained little from the premature demise of their sisters’ sons. Indeed, whereas a father’s younger brother could become the head of the lineage if his nephew died without an heir, a sister’s son was often, like Otto of Pettau-Königsberg, the chief heir of his mother’s childless brother. Since maternal uncles were likely to be closer in age to their nephews than the boys’ fathers had been, a mother’s brother could also serve as a role model. In fact affection between a maternal uncle and his nephews is characteristic of patrilineal descent systems in which authority is vested in the father and his kinsmen and where the mother’s brother functions as a type of “male mother.”44 Charlemagne’s and Roland’s mutual devotion in The Song of Roland is the classic literary illustration of this bond, but there is evidence that the poem reflected family reality, albeit in a greatly exaggerated fashion.

The most explicit account of the role maternal uncles could play in the lives of their sisters’ children is provided by the Leibnitzes, though the story concerns a widower rather than a widow. Rüdiger of Weilkirchen had married a fellow ministerial, a daughter of Burgrave Eberhard of Leibnitz and the sister of Sigmar and Rudolph of Leibnitz and Provost Roman of Gurk (1146/49–1174), who

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43. SUB 2:481, no. 345. The document is dated 1160/64, but since During of Diebering, who witnessed it, died in 1163, it can be dated no later than 1163.

subsequently became Bishop Roman II of Gurk (1174–79). She died, and in 1160 Rüdiger, concerned about the welfare of his motherless children, discussed his situation with his brothers-in-law. In exchange for thirteen marks, Rüdiger returned the fourteen hides that had composed his wife’s dowry, and Sigmar assumed custody of two of Rüdiger’s small children, a boy and a girl, whom he promised to treat properly and eventually place in a monastery. Although it may have been unusual for a widower to turn to his wife’s brothers for help, there is a hint in the story that Rüdiger was in financial difficulty and that he had married a woman from a “better” family than his own.

Normally it was the widow who sought the assistance of her brothers, as can be seen from the fact that fatherless sons were associated with their maternal uncles in the witness lists. Although the identity of Diemut of Högl’s paternal grandfather is unknown, her father Henry and his older brother Otto were listed repeatedly from 1110 onward as witnesses with their Seekirchen uncles. Similarly, in 1144 Frederick II of Pettau, whose father had died in the 1130s, accompanied his uncle Godfrey of Wieting to Leibnitz.

The expectations, including hopes for a substantial inheritance, that families sometimes attached to this cognatic bond can be seen in the names they gave their sons. Benedicta’s son, Otto I of Pettau-Königsberg, presumably had been named for her brother, the nobleman Otto of Ehrnegg-Königsberg. Otto’s name was in a sense a claim to his uncle’s lordship. Two other examples, one clerical, the other lay, are even more interesting. Bishop Roman II of Gurk (1174–79), who had been provost of the church since the late 1140s, was identified as a blood relative of his predecessor Bishop Roman I (1131–67), who had presumably promoted his young kinsman’s career. The best guess is that Roman II’s father, Burgrave Eberhard

45. SUB 2:409–11, no. 294; 483–84, no. 347.
46. SUB 1:325–27, no. 155; 340, no. 172; 350, no. 191a; 2:190–91, no. 121; 206–7, no. 138b; 217–19, no. 144a; 236–37, no. 159; 308–10, no. 210c. As the dispute over the Seekirchen inheritance dragged on, the scribes became increasingly confused about the precise relationship between the Högls and Seekirchen. In 1159/64, approximately a decade after Henry of Högl’s own death, Archbishop Eberhard I referred to Henry as the son of the paternal uncle (“filius patrui”) of Henry of Seekirchen (SUB 2:436–37, no. 312). This would have made the two Henrys first cousins, members of the same agnatic lineage who had adopted different surnames. See also SUB 1:456–57, no. 374a; 2:546–48, no. 397. Henry of Högl’s father could have been the Rupert of Högl who served as a witness in 1090/1104 (SUB 1:304, no. 110).
47. SUB 2:326–28, no. 226. Godfrey of Wieting had two nephews named Frederick: Frederick II of Pettau and Frederick I of Deutsch-Landsberg (SUB 2:523–25, no. 375). For the reason for identifying the Frederick in question as Frederick II of Pettau, see Freed, “German Source Collections,” pp. 90–91. Some other examples of such uncle-nephew relations are Wolfram of Offenwang and his nephews Adalbert of Offenwang and Wolfram I of Harpfetsam (SUB 1:359, no. 203; 365, no. 217b; 397, no. 275a; 412–13, no. 295); Wolfram I of Harpfetsham and the sons of his sister(s) (SUB 1:536, no. 546; 634–35, no. 101); and Eckart (Eckart III of Tann?) and the sons of his sister Gerbtryg, Wolf­ram II and Dietmar II of Harpfetsam (SUB 1:490, no. 438). On the Harpfetshams and Offenwangs, see Reindel-Schedl, Laufen, pp. 377–78.
of Leibnitz, had married a sister of Bishop Roman I and that since birth Roman II had been destined by both families, as his unusual name suggests (I have not discovered any other men named Roman), to follow in his illustrious predecessor’s footsteps.

The lay example concerns the so-called Older Itzlings and the sons of their sister Adelaide, who had married Rudolph I of Traunsdorf (see genealogies 3.4 and 3.5). What makes this example so intriguing—almost perplexing—is that Adelaide’s sons, the so-called Younger Itzlings, who were named after their maternal uncles and succeeded their uncles in various court offices, adopted Itzling as their own name, presumably because they had obtained a substantial portion of their uncles’ property even though one of the uncles, the seneschal Markwart III, had sons of his own. The uncles were the chamberlain Hartnidi II of Itzling-Fischach, who also served as burgrave of Hohensalzburg (1151-1165/66); the seneschal Markwart III; and Gerhoch I. Adelaide’s sons were Rudolph II of Traunsdorf, who obtained his father’s name and inheritance; Hartnidi of Gersdorf-Itzling; the seneschal Markwart I of Gersdorf-Itzling; the chamberlain Gerhoch I of Gersdorf-Itzling; and Rüdiger I of Gersdorf-Bergheim, vidame of Salzburg and progenitor of the Bergheim-Radecks. Since Bergheim is only one kilometer from Fischach, the chief residence of Burgrave Hartnidi II, Rüdiger must have obtained Hartnidi’s share of the Itzlings’ patrimony. The odd thing is that the older Markwart had two sons of his own, Conrad and Henry, who were not given any of the first names traditionally associated with the Itzlings and who even adopted the new surname Zaisberg.49 If the knight Henry of Itzling who sold a serf to Mondsee in 1271 was identical to Markwart III’s grandson Henry who had been mentioned in 1231,50 then the decline of the Older Itzlings, who had been one of the most influential lineages in the twelfth century, was precipitous. It looks almost as if Markwart’s sons had been disinherit in favor of Adelaide’s sons.

I will hazard a guess about how this may have happened. Since the last reference to the nephews’ father, Rudolph I of Traunsdorf, occurs in 1139 and since in 1160 three of his sons—Rüdiger, Rudolph II, and Gerhoch—were still being called “pueri,”51 the Younger Itzlings are one more example of boys who were raised by their maternal uncles, with whom they appeared frequently in the witness lists. The only one of the uncles who initially had a child was Burgrave Hartnidi, but Bertha died before her father.52 The lack of a male heir or any heir at all may have prompted the burgrave’s brother Markwart III, who had already served as a witness in 1122, to marry; but his sons Conrad and Henry made their

50. Regesten 1:78, no. 601; SUB 3:403–5, no. 862.
51. SUB 1:367, no. 221; 2:483–84, no. 347.
52. Hartnidi had a daughter Bertha who was mentioned in 1163 when Archbishop Eberhard I agreed to the alodification of Hartnidi’s manor in Fischach (SUB 2:519–20, no. 372). Since she was not named in 1169 when Hartnidi and his wife Bertha gave Fischach to the cathedral chapter (SUB 1:672–73, no. 189; 679, no. 201; 2:544–45, no. 395), she had probably died before her parents.
GENEALOGY 3.4 The Older Itzlings

Markwart I
1090/95

Hartnid I  Markwart II  Meginwart  Megingoz I
1090/95-(1110?) (1090?)-1122  1104/16  1104/16

Hartnid II  Gerhoch I  Markwart III  Adelaide  Benedicta  Gerhoch II
of Fischach  Crusader?  Seneschal  1122  m.  d. by 1147  Zechmeister
Chamberlain? 1122-1147/51 1152? 1155-1180  m.  m.  ca. 1150
1141  1122-1180  Rudolph I  Engelschalk  1100/16-1151
Burgrave of  of  of
Hohensalzburg  Gertrude?  Traunsdorf  Carinthia
1151-1165/66  m.  1110? 1121-
23 February 1170
m.
1. Irmgart, d. 1151/63
2. Bertha of Tegernbach
Noble
1163-after 1170

Bertha
1163
d. 1169?

Conrad  Henry I  Gerhoch III  Megingoz II
of  of  Judge of  Zechmeister
Zaisberg  Itzling  Judge of  1163/66
Crusader?  1180-1231  of  Salzburg  1151-1167/70
1169-1215  d. by 1241  1139/44-
1170

Henry II
1231
same as knight 1271?  Gerhoch IV  Megingoz III
1170-1193  1170-1188/93
Genealogy 3.5 The Younger Itzlings

Rudolph I of Traunsdorf ca. 1122-1139
Adelaide of Itzling 1122

Rudolph II of Traunsdorf-Kröpfel-Itzling ca. 1151-1182 d. 1188/93
Hartnid of Gersdorf-Itzling 1147/52

Rüdiger I of Gersdorf-Bergheim 1122
Markwart I of Gersdorf-Itzling 1170-1202
Gerhoch I of Forchtenstein 1182
Adelaide of Saalfelden 1158-1202

Ortolf I

Markwart II of Bergheim 1197
Euphemia of Hohensalzburg 1225-1242
Eichham 1214-1244

Gerhoch II of Bergheim-Radeck 1216-1233
Mathilda ca. 1244

Rüdiger II of Bishop of Chiemsee 1216-1233 m.
Dietmar II of Bishop of Passau 1233-1250
Ortodorff of Eichham 1198-1256

Mathilda of

Markwart II of Bergheim 1197
Euphemia of (Truchtlaching?) 1215-1218/25

Gerhoch II of Bergheim-Radeck 1216-1233
Eichham 1214-1244

Rüdiger II of Bishop of Chiemsee 1216-1233 m.
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Gerhoch II of Bergheim-Radeck 1216-1233
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Rüdiger II of Bishop of Chiemsee 1216-1233 m.
Dietmar II of Bishop of Passau 1233-1250
Ortodorff of Eichham 1198-1256

Mathilda of
first appearances only in 1169 and about 1180, respectively. By then a good deal of the Itzlings' property may already have been committed to Adelaide's sons. The Older Itzlings' family strategy had worked to the detriment of their agnate descendants and to the advantage of the younger sons of Rudolph I of Traunsdorf.

Yet nephews in the twelfth century were often bitterly disappointed by the arrangements their childless maternal uncles had made for the disposition of their fortunes. Diemut of Högls's life is so well documented precisely because she was the central figure in a dispute that resulted from such bequests and that dragged on for ninety-nine years. Her great-uncle Ulrich of Seekirchen had bequeathed on his deathbed all of his possessions, both alods and fiefs, to his brother Conrad (See genealogy 3.2). The latter had in turn left the lifelong use of all his possessions to his brother Henry, burgrave of Hohensalzburg, on condition that the cathedral chapter, Saint Peter's, and the Nonnberg obtain them after Henry's death. Since the burgrave's only son Henry II had died before his father, Henry I had assigned the lifelong use of the Seekirchen patrimony to his wife Liutkarda of "Schönberg." The three churches were to take actual possession of the lands after her death. Henry of Högls, whose mother was the burgrave's sister, claimed the Seekirchen inheritance after the death of Henry I (d. 1138/39); but his claims were countered by Liutkarda, and the cathedral provost and Archbishop Eberhard I rejected Henry's suit. As Henry was dying in 1151, Provost Henry (1147–51) and Abbot Henry I of Saint Peter's (1147–67)—greatly concerned, we are told, about Henry of Högls's eternal well-being—visited him and admonished him not to raise any additional claims. The indignant Henry refused to heed their advice and instead summoned his young daughter Diemut to his deathbed and conferred on her the disputed Seekirchen inheritance. Archbishop Eberhard I, who recounted this story sometime between 1159/60 and 1164, stressed that Henry's actions had been without legal foundation, because he had not inherited the properties, nor had they been bequeathed to him.

Diemut's husbands pursued her claims. Archbishop Eberhard paid little attention to the claims of her first husband, the young Meginhard of Siegisdorf (d. 1159/60), but Megingod II of Surberg was more persistent. He harassed Liutkarda of "Schönberg" until the archbishop ordered him to stop. Eberhard ruled that the three houses were to take possession of the Seekirchen inheritance after her death. In the meantime the three churches were under no legal obligation to respond to Megingod's suit, because no one was obliged to defend his right to property that he hoped to acquire but did not yet possess. Liutkarda's death in 1168/70 and the collapse of archiepiscopal authority during the Alexandrine Schism brought the conflict to a head. As burgrave of Hohensalzburg, Megingod II was the most powerful man in Salzburg, and the cathedral chapter, Saint Peter's, and the Nonnberg agreed in 1170 that Diemut and Megingod were to retain lifelong use of the properties.

53. SUB I:511, no. 476; 672–73, no. 189a; 700, no. 242.
her great-uncles’ bequests. The three houses did not take actual possession of the entire Seekirchen inheritance, augmented in the interim by the possessions of the Högls and Surbergs, until the death in 1238 of Henry of Neuenfels, son of Diemut’s last husband, Conrad of Truchtlaching, and his second wife.54

The Bergs, Schnaitsees, Deutsch-Landsbergs, and Pettaus raised similar claims to the bequests their maternal uncles (and aunt in the case of the Bergs and Schnaitsees) had made.55 Archbishop Eberhard I and the monastic scribes who recounted these disputes stressed the illegality of the nephews’ claims. Godfrey of Wieting’s nephews, Frederick II of Pettau and Frederick I of Deutsch-Landsberg, had been incited by the devil, according to the archbishop, to reject all their uncle’s offers of compensation and to burn and pillage his lands.56 The Bergs and Schnaitsees persisted only after one of the Bergs, Conrad, who was near death, repented, dropped his claims, and miraculously recovered.57 In all these disputes the nephews or their descendants in the end obtained either lifelong use of the disputed properties or a compensatory payment.

There are at least three plausible, not necessarily irreconcilable, explanations for why the seemingly affectionate relations between maternal uncles and their nephews so frequently ended in such bitter controversies. Barbara Rosenwein has argued that such disputes were in fact a device to renew a spiritually advantageous relationship between a monastery and the donor’s heirs, whose patronage the house hoped to obtain.58 The cathedral canons, for example, remembered Henry of Högl, Diemut, and Megingod II in their necrology.59 Second, Stephen D. White, who studied land conveyances to five French monasteries between 1050 and 1150, concluded that there were no laws in the modern sense regulating the disposition of property but only conflicting norms that could be invoked as circumstances demanded. Kinsmen were obliged as faithful Christians to approve

55. On the claims that the Bergs and Schnaitsees made to the donations of Hiltigoz and Diemut of Kirchhalling, see SUB 1:341–42, no. 175; 599, no. 29; 620–21, no. 77; 633–34, no. 99. On Kirchhalling, see Reindel-Schedl, Laufen, p. 387. On the claims that Godfrey of Wieting’s nephews, Frederick II of Pettau and Frederick I of Deutsch-Landsberg, made to his donations to Saint Peter’s and Admont, see SUB 1:399–400, no. 278; 2:336–37, no. 234; 377–78, no. 267; 378–80, no. 268a; 523–25, no. 375; 663–64, no. 489; 3:505–6, no. 955. Godfrey and his wife Adela hoped that Saint Peter’s would found a new monastery on the land they gave the abbey in Wieting. The endowment proved insufficient for this purpose, and Saint Peter’s established a priory there. For additional information, see Josef Hück, Geschichte der Propstei Wieting im Görtschitztal, Kärnten (1147–1848) (Salzburg, 1979), pp. 15–30.
56. SUB 2:523–25, no. 375.
57. SUB 1:633–34, no. 99. For Archbishop Eberhard I’s account of the Seekirchen inheritance dispute, see SUB 2:436–37, no. 312. Hauthaler dated the document about 1155, but it must be placed after 1159/60 because it refers to the death of Diemut’s first husband Meginhard of Siegsdorf, who died in 1159/60.
the measures a man took to aid the saints and their earthly representatives and to ensure his own salvation, but a donor was also expected to respect the inheritance rights of his heirs. If the heirs felt their rights had been violated, the resulting dispute could easily degenerate into a feud if a compromise settlement could not be reached. Such disputes became less common after 1200—this was true in Salzburg too—owing to changes in piety, the establishment of more effective secular authority, and the development of a legal system that defined more precisely the rights of the donor and his heirs.60 Third, Claude Lévi-Strauss provided an anthropological perspective on the avunculate. Familiar or antagonistic relations between maternal uncles and nephews and the reverse relationship between fathers and sons correlate with another pair of opposites in kinship systems: tender or hostile relations between brothers and sisters are linked with distant or affectionate feelings between husbands and wives.61 The numerous conflicts between maternal uncles and nephews in twelfth-century Salzburg may thus be an extension of the brothers’ attempt to exclude their sisters from a share of the lineage’s patrimony and the growing emphasis on the conjugal household.

Sisters

The right of women to inherit property was accepted without question, as the numerous heiresses demonstrate, but it was usually considered subsidiary to a brother’s claims. An heiress was by definition a woman without a surviving brother, but any property that was assigned to a sister was lost to her family of origin if she had children of her own (spouses did not inherit from each other). Lineages thus had an interest in limiting their daughters’ inheritances, and they were increasingly supported in this by the archbishops, who, as I will explain in more detail in chapter 5, were concerned about the alienation of the patrimony of important lineages outside the archiepiscopal familia.

The inheritance rights of women were acknowledged on several occasions. When Count Hermann II of Ortenburg (d. 1256) in 1238 subenfeoffed the Gurk ministerial Ulrich of Liemberg with Liemberg, Bishop Ulrich I of Gurk (1221–53) announced that the husbands of Liemberg women could obtain the fief through their wives “because women received fiefs by the same right as men.”62 Similarly, when Archbishop Eberhard II granted the brothers Berthold II and Giselbrecht I of Gurkfeld the rights of archiepiscopal ministerials in 1246, he enfeoffed them, their sons, daughters, and sons-in-law with all the fiefs they had previously held from the counts of Bogen. The terms of the Gurkfelds’ enfeoffment are espe-

60. White, Custom. Bouchard, Holy Entrepreneurs, has extended Rosenwein’s and White’s analyses to relations between the Burgundian Cistercians and their patrons in the twelfth century.


cially significant because in the same charter Eberhard II granted the Gurkfields the rights in regard to fiefs that all archiepiscopal ministerials enjoyed. 63

I know of only two instances in the entire period under consideration where female archiepiscopal ministerials were excluded ipso facto on account of their gender from any claim to a specific portion of their paternal patrimony, but both were highly unusual. In the first case the priest Eberhard had given his stepson Dietmar I of Kendl a small assart in Schildlehen that had belonged to Saint Peter’s, or so witnesses testified many years later; and Dietmar or his brother Adalbero had then expelled the abbey’s men from the monks’ remaining property in Schildlehen. After many years of controversy, Adalbero’s son Conrad I of Kendl finally renounced his claims in 1238 and was then enfeoffed by the abbot of Saint Peter’s with Schildlehen on condition that only Conrad’s “progeny of the male sex” could inherit the fief. If the witnesses’ testimony was at all accurate, then the Kendls’ right to Schildlehen—property obtained from a married priest and by force—was highly dubious, and even Conrad’s enfeoffment was a begrudging concession to keep the peace. 64 As it turned out, in 1288 Saint Peter’s had to pay Conrad’s widowed daughter-in-law, granddaughter, and the latter’s husband £50 to renounce their claims. 65 Women could not be so easily excluded after all.

The other example involved the castellany of Pettau. After Frederick V of Pettau led a rebellion of the Styrian magnates against Hungarian rule in Styria, Archbishop Ulrich was forced in 1258 to save Pettau by pledging it for 3,000 marks to King Bela IV of Hungary, who was besieging the city. 66 Then in 1279 Rudolph of Habsburg, who considered himself the legal successor of Bela and King Ottokar II of Bohemia, pledged Pettau for 2,100 marks to Frederick V, who had been recognized by the king as an imperial ministerial. 67 To reassert archiepiscopal authority, in 1280 Archbishop Frederick II procured Frederick V’s condemnation by a court of his peers and deprived Frederick of all his fiefs and rights. Among the terms of Frederick V’s subsequent reconciliation with the archbishop was the stipulation that Frederick’s direct descendants in the male line were to possess the

63. SUB 3:639–40, no. 1095.
64. SUB 3:428–32, no. 884; 487–89, no. 935. The 1238 settlement should be placed in its political context. Archbishop Eberhard II had utilized Emperor Frederick II’s outlawing of Duke Frederick II to assert Salzburg’s feudal suzerainty in the upper Enns valley where Schildlehen was situated. See Dopsch, “Premsyl Ottokar II.,” pp. 473, 479. Since the Enns was the main invasion route into the principality from Styria, Eberhard, who settled the dispute, presumably did not want a disgruntled ministerial ensconced in such a strategic position. In other circumstances Conrad of Kendl might have been forced to surrender Schildlehen completely.
65. Regesten 1:169, no. 1314. Conrad’s granddaughter Margaret and her husband Leopold of Neideck inherited the Kendls’ other property (SUB 4:225–26, no. 186; Regesten 3:85, no. 482).
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undivided castellany.68 Placed in this context, the exclusion of the Pettau women was a reminder that the castellany was an archiepiscopal office and not Pettau family property and that the Pettaus were archiepiscopal, not imperial, ministe­

rials. At the same time the archbishop was recognizing that Frederick rather than Henry I of Montpreis or Frederick I of Hörberg, the sons of Frederick’s cousin Gerbiring of Pettau (see genealogy 3.3), was the rightful lord of Pettau (the latter also had rights there).69 Neither the case of the Kendls nor that of the Pettaus can thus be cited as evidence that women were automatically disinherited on account of their gender.

Some ministerial women, in fact, seem to have shared fairly equally with their brothers. For example, about 1160 Richgardis of Hessenbach sold her share of Hessenbach to Berchtesgaden for five pounds with the consent of her brothers Frederick and Werner; Werner then sold his portion for six pounds.70 The daughters of Berthold II and Giselbrecht I of Gurkfeld, who seemingly were enfeoffed along with their brothers in 1246, may be another example, but it is also conceivable that one of the brothers had only daughters, who were heiresses in their own right.

But patrilineages, noble or ministerial, generally tried to limit their daughters’ inheritance rights in favor of their sons, because any property the women inherited would be lost to their natal family if they married or took the veil. Count Sigiboto IV’s directives to his sons are highly revealing in this regard. Although his niece had obtained a sizable portion of the Falkenstein inheritance, even though she had two brothers, Sigiboto instructed his sons to provide one of their sisters with a dowry but specifically excluded his daughters from any additional share of his domains.71

Women are underrepresented in the genealogies not only because they could not serve as witnesses but also because, except for heiresses, they did not have a great deal of inherited property at their own disposal. Only two Tann daughters can be identified in the first six generations of the lineage’s existence: the widowed Gerbiring, who in 1188/93 gave Saint Peter’s a hide and a serf in memory of her murdered son, Wolfram II of Harpfetsham; and Euphemia, who in 1214/25 became a nun in Saint Peter’s (her brother Eckart IV gave the abbey half a hide on this occasion).72 The Pettau daughters did not fare any better. In 1167/88 G., the wife of Dietmar I of Eichham, conveyed to Saint Peter’s her property

68. Regesten 1:122–23, nos. 955, 957, 958.
69. Frederick of Hörberg had sold his share of the upper castle of Pettau to Frederick V in 1274 (UB Steiermark 4:307, no. 509). This shows that the brothers had obtained some rights in Pettau through their mother.
70. Berchtesgaden, pp. 315–16, nos. 133, 134.
71. CF, pp. 113–16, nos. 142, 143; pp. 135–36, no. 157; pp. 150–55, nos. 171–73. Fox, Kinship, pp. 114–20, pointed out that patrilineages generally are uninterested in their own women. In the most extreme instance they are dismissed as “‘rubbish’ because they cannot reproduce the group (11.4).”
72. SUB 1:490, no. 438; 498–99, no. 454.
in Kirchberg, which had been part of the Pettaus’ Wieting inheritance; and the unnamed wife of the Styrian ministerial Lantfrid III of Eppenstein received as her dowry five hides that her father allegedly had seized from Admont. It is quite possible, indeed probable, that these women received other properties as well as part of their marriage settlements or inheritances, but it was property that was only of marginal interest to the lineage; for example, land that had been acquired like Kirchberg from a mother or grandmother or whose title was dubious.

This disinheriting of women was formalized by the end of the thirteenth century when in exchange for their dowries or a subsequent payment women were increasingly required to renounce any further claims to their paternal inheritance, particularly if they contracted an extrinsic marriage. For example, in 1304 the two sisters of the last Gutrat, Kuno VI, who had married Habsburg and Wittelsbach ministerials, were required in return for 400 marks of silver to surrender their rights to the Gutrats’ possessions and rights within the principality. Although a daughter’s subsidiary inheritance rights thus could not be totally ignored, sisters were probably most victimized by the establishment of patrilineages. The numerous conflicts between maternal uncles and nephews suggest that a sister’s sons were also affected by this trend.

Younger Brothers

The other big losers were younger brothers, but unlike their sisters they had options besides marriage and the convent. Their most likely fate was to remain unmarried laymen, endowed with a small portion of the lineage’s patrimony that reverted to the senior line after their deaths; and they undoubtedly shouldered a goodly portion of the ministerials’ military burden. Younger brothers could hope, however, to succeed their older brother if he failed to sire a son, marry an heiress, establish a new lordship, pursue commercial ventures, or attain an ecclesiastical office. Families who failed to deal effectively with the problem of younger brothers risked impoverishment.

If he was lucky, a younger unmarried brother was able to maintain a separate household in a place where he could protect the family’s interests in a secondary

74. Regesten 2:82, no. 692. For a further discussion of the disinheritance of women, see below, at note 168 and chapter 5 at note 91. Duby, “Lineage,” pp. 71–73, found that women were treated in a similar fashion in the Mâconnais.
75. Sixty men accompanied Archbishop Adalbert II to the peace negotiations in Venice in 1177, for example, considerably fewer than the 400 men who belonged to the entourage of the archbishop of Cologne; but in 1169 Adalbert II had been deprived of his temporal authority. Archbishop Conrad III and his brother Otto brought 125 and Sigiboto, the cathedral provost, 35. Historia ducum Venetico-rum, ed. Henry Simonsfeld, MGH SS 14 (Hanover, 1883), pp. 84–87. On this passage, see Reuter, “Episcopi,” pp. 82–85.
lordship. Two examples are instructive. William of Wonneberg, son of the paternal uncle of Megingod II of Surberg, conferred on the cathedral canons on his deathbed, probably on 23 March 1183, four manors, including the one at Wonneberg, where the scribe said that William maintained his home, on condition that his childless cousin Megingod retain lifelong use of the manors.76 It should be noted that William lived in a manor house, while his cousins Sigiboto and Megingod owned a castle six kilometers to the south.

The other example concerns the transfer of the Schnaitsees from their original home in Upper Bavaria to the Pongau after Kuno I’s appointment in 1163 as castellan of Hohenwerfen (see genealogy 3.6). Kuno’s son Kuno II, who married the daughter of the previous burgrave, succeeded his father and father-in-law in that office and was often called Kuno of Werfen.77 Kuno II’s unmarried brother Etich of Schnaitsee adopted the name Jettenbach (a place twelve kilometers north of Schnaitsee) in the 1190s, probably after Kuno II’s death when Etich divided the Schnaitsees’ lands with his nephews Kuno III of Werfen-Gutrat (Gutrat is near Hallein, south of Salzburg) and Conrad I, who kept Schnaitsee itself.78 After Etich’s death Jettenbach reverted to the main line, and his great-nephew Kuno IV employed the name in 1244.79 Interestingly enough, in 1255 Kuno IV and his son Albrecht bequeathed Jettenbach not to the sons of Kuno’s brother Karl but to Frederick I of Törring, son of their sister Ita, and it became the seat of one line of

76. SUB 1:709–10, no. 265. The entry is dated 1183/96, but William, who usually appeared in his cousins’ entourage, was mentioned for the last time on 17 May 1182 (SUB 1:693–94, no. 226). Since William’s deathbed bequest to Au was witnessed by Sigiboto II (Au, p. 117, no. 145), who never returned from the Third Crusade, William must have died between 1183 and 1189. A likely guess is 23 March 1183, because the canons celebrated William’s anniversary on that day (Necrologia Germaniae 2:117). On the family relationship, see Freed, “Diumut von Hög,” p. 616. Three of the four manors, including the one in Wonneberg, were identified as “curtes villicaes.”

77. Kuno I was specifically identified in 1163 as “Chvuno senior de Weruen” (SUB 2:520–22, no. 373). Since both the widow of During of Diebering, the burgrave who was killed in 1163, and the mother of Kuno III and Conrad I of Schnaitsee-Gutrat were named Ita (SUB 1:448–49, no. 363a; 664–65, no. 170; 2:637, no. 468; 3:209–10, no. 698b), I have identified Kuno II’s wife Ita as During’s daughter. There is one other piece of evidence that corroborates this hypothesis. A Conrad of Diebering served as a witness in 1183/88 (Berchtesgaden, pp. 342–43, no. 177; on the date, see Dopsch, “Von der Existenzkrise,” p. 380). If this Conrad was the same person as Kuno II’s son Conrad, as Zillner, “Salzburgische Geschlechterstudien. III.,” pp. 40–41, had already surmised, then this would be proof that Kuno II had married During’s daughter.

78. Etich of Schnaitsee was identified as Kuno I’s son or Kuno II’s brother, or both, in Berchtesgaden, pp. 318–20, no. 140; MB 2:291, no. 30. He was identified as Etich of Jettenbach in Au, p. 123, no. 167; SUB 2:670–75, no. 497. The reason for assuming that Etich of Jettenbach was the same person as Etich of Schnaitsee, besides the rarity of the name, is that Etich of Jettenbach was listed immediately after Kuno II’s sons, Kuno III and Conrad I, in no. 497. Conrad, who employed the surname Werfen only once after 1195 (SUB 3:40–42, no. 565), was known either as Conrad of Schnaitsee (Berchtesgaden, p. 352, no. 195; SUB 1:739, no. 320; 2:626–27, no. 462; 3:52 ff., nos. 575, 578, 586) or as the burgrave of Mühldorf (MB 2:358, no. 224; SUB 2:690 ff., nos. 512, 521–24, 528, 529; 3:22–26, nos. 551a, 551b, 552). Kuno III, in contrast, employed the name Schnaitsee only once (SUB 3:37–38, no. 563) and by 1209 had adopted the lineage’s new name of Gutrat (SUB 3:127–28, no. 627). Schnaitsee itself reverted to Kuno III after Conrad’s death and was still in his descendants’ possession at the Gutrats’ extinction in 1304 (Regesten 2:82, nos. 692–94).

GENEALOGY 3.6 Schnaitsee-Gurat

Kuno I of Schnaitsee
Hallgraf, Spanheim, Salzburg Ministerial
Burgrave of Hohenwerfen, 1163-1170
ca. 1125-1168/69
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Bertha of Hofkelz-Berg
Salzburg Ministerial

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Ita of Diebering
1190/93
d. by 1218
m.
Kuno II
Burgrave of Hohenwerfen
1170-1190, 1152/55-1190
ca. 1140-1197

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Etich of Schnaitsee-Jettenbach
1190-1206?
1190-1231

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Kuno III of Gutrat
Burgrave of Hohenwerfen
1190-1206?
1190-1231

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Conrad I
of Schnaitsee
Burgrave of Mühlendorf
1197-1205/14
1190-1205/14

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Otto I
Burggrave of Hohenwerfen?
1206-1227

---

Gertrude of Mureck
Styrian
Ministerial
1205/14
d. by 1241

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Kuno IV
of Schnaitsee-Jettenbach
Ortenburg Ministerial
m.
Tettelham?

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Ita
1219/31-1242/46
m.
Karl of Gutrat
1219-1239/43
m.
Henry II of Törting
Salzburg Ministerial
1208-1240

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Conrad II
Cathedral
Canon
1233-1244

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Margaret of Zobing
Austrian Ministerial
1230-1260

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Albrecht of Jettenbach
1227-1251
d. 1255

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Kuno V
Burggrave and Captain of Salzburg
1268
Seneschal
Salzburg Ministerial
1233? 1243-1294
m.
Euphemia
1286-1301

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Otto II
Austrian Ministerial
1233?
1243-1296
d. 1299
m.
Kunigunde of Liechtenstein
Austrian Ministerial
1266

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Herburg
1296-1304
m.
Walter of Taufkirchen
Bavarian Ministerial

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Kuno VI
Seneschal
1304
m.
Elizabeth
1296-1304
m.
Eberhard of Wallsee
Austrian Ministerial

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Henry
1296-1299
the Törrings. Perhaps Jettenbach had become marginal to the Gutrats’ interests in the principality proper and in Lower Austria and could thus be used as part of a sister’s marriage settlement. In any case, both William of Surberg-Wonneberg and Etich of Schnaitsee-Jettenbach were permitted to live semiautonomous lives without hurting their lineage’s permanent interests.

Whereas William and Etich remained bachelors, other younger sons like Megin­
god II of Surberg married heiresses, sometimes considerably after their older brothers’ marriages, and played a prominent role, thanks to their wives’ inheritances, in the affairs of the archdiocese and principality. They or, more appropriately said, their sons could in effect take the place of their wife’s or mother’s lineage. This manifested itself in the sons’ adoption of the mother’s toponymic surname—just as Prince Charles of England is a Windsor and not a Mountbatten. As has already been pointed out, the sons of Henry of Scharfenberg, who married Gerbring of Pettau (who had inherited the castles of Montpreis and Hörberg from her mother), became the Montpreises and Hörbergs. Even Megingod II of Sur­
berg was identified on one occasion as Megingod of Hög! If the younger brother who married an heiress became the progenitor of the main line of the lineage be­cause his older brother failed to father a surviving son, the focus of the lineage’s interests nevertheless shifted, as the next two examples illustrate, as a result of the younger son’s marriage.

Karl of Gutrat, the younger brother of Kuno IV and the ancestor of the later Gutrats, married Margaret of Zöbing, heiress to a cadet branch of the Kuenringer, the most powerful lineage of Babenberg ministerials. Her inheritance in Lower Austria included two castles, two market towns, three villages, and the patronage of six churches. Karl married many years after his brother, because though in 1227 Kuno’s son Albrecht witnessed a charter with his father, in 1233 Karl was

80. Dopsch, Geschichte Salzburgs 1/1:383; Englbrecht, Drei Rosen für Bayern, pp. 32–33. For two centuries the counts of Auxerre pursued a similar family strategy of assigning to their unmarried younger brothers the counties of Nevers and Tonnerre, which reverted to the main line after their deaths. See Bouchard, Spirituality, pp. 20–21.

81. Berchtesgaden, p. 328, no. 152. The following evidence indicates that Megingod II was the younger brother. Whereas Sigiboto I first served as a witness in 1136/37 (SUB 2:247–48, no. 166), Megingod II made his first appearance only in 1144 (SUB 2:230–32, no. 230). Moreover, Sigiboto I was named first in the 1150s and 1160s when the two brothers served as witnesses; that is, Megingod II was identified as Sigiboto’s brother (SUB 2:395 ff., nos. 280, 291, 292, 372). Even after Megin­
god II became burgrave of Hohensalzburg, Sigiboto I continued to be listed first in documents (SUB 2:563 ff., nos. 412, 416a, 426, 467, 482, 486).

the father of two children who were still too young to be mentioned by name in a sale that required their nominal consent. Karl may have been prepared to incur Eberhard II’s wrath by marrying outside the familia without the archbishop’s permission because Karl’s marriage to Margaret was the only way that he as a younger son could establish his own household. In any case the Gutrats’ divided loyalty was a constant source of trouble for the rest of the lineage’s existence.

The other example concerns Hartnid I of Pettau, who was mentioned for the first time only in 1228, fifteen years after his older brother Frederick IV had married the heiress Herrad of Montpreis. Perhaps Hartnid married his wife, the unnamed daughter and heiress of the Styrian ministerial Swiker III of Hollenburg, when it became clear that his older brother would have no sons. The acquisition of Swiker’s lordships of Hollenburg in Carinthia and Wurmborg (today Vurberg, Slovenia), northwest of Pettau, was a partial compensation for the Pettaus’ loss of Montpreis and Hörberg, which passed via Frederick’s daughter to the Scharfenbergs, and focused the Pettaus’ interests once again on the Drava rather than Sava valley. It is worth noting that both Karl of Gutrat and Hartnid I of Pettau gave their eldest sons, Kuno V of Gutrat and Frederick V of Pettau, the distinctive leading name borne by the heir of their respective dynasties.

Until 1200 a younger son or an ambitious heir could also hope to better his position in life by establishing a new lordship on the southeastern German frontier in Styria or at a higher elevation in the Alps. Frederick I of Pettau appears to have been a Bavarian who settled initially in the Lavant valley in Carinthia, where he married the sister of the prominent Carinthian archiepiscopal ministerial Godfrey of Wieting. Archbishop Conrad I subsequently appointed Frederick burgrave of the new castle of Pettau, which was designed to protect the Drava valley from Hungarian incursions. Frederick’s grandson Otto of Königsberg, thanks to his mother’s inheritance, then moved to the farthest edge of German settlement, the area west of the confluence of the Sava and Sotla Rivers, near the modern Slovenian-Croatian border.

Another of Godfrey of Wieting’s sisters married Frederick I of Deutsch-Landsberg, son of Pabo Hofekelz of Berg. Pabo was a Bavarian who had appeared

84. On the political ramifications of Karl’s marriage, see chapter 5 at note 36.
85. Freed, “German Source Collections,” p. 107. Hartnid’s uncle Otto I of Pettau-Königsberg, who was mentioned for the first time in 1188/93, is another example of a younger brother who married late, even though he had been assigned his mother’s inheritance, or at least was a man of some years when he became a father. Otto’s children were still too young to be identified by name in 1237, and his sons were still being called boys in 1251, though Otto I would have been at least seventy-five when he made his last appearance in 1249 (ibid., p. 96).
86. Ibid., pp. 87–90. The best general introduction to medieval German colonization in east central Europe is Charles Higounet, Les Allemands en Europe centrale et orientale au Moyen Age (Paris, 1989), esp. pp. 157–68. For a detailed treatment of German settlement in what is now Slovenia, see Pirchegger, Untersteiermark.
with his son Frederick in Leibnitz in 1144 under the name Poppo of Sankt Ulrich.\(^{87}\)

The best guess is that Pabo/Poppo had moved from his native Chiemgau to Styria in the 1130s, when Archbishop Conrad I began building the castle of Leibnitz, twenty-five kilometers east of Deutsch-Landsberg. The archbishop’s biographer explained that the castle of Leibnitz was unfinished in 1147 when Conrad I died and that its chief defense had been its garrison rather than its fortifications.\(^{88}\) Poppo of Sankt Ulrich (there is an Ulrichskirche in Frauenthal, three kilometers east of Deutsch-Landsberg) was presumably one of those assigned to man the unfinished castle.

Whereas Pabo settled in Styria, his brother Starchant or his nephews Adalbero I and Starchant II of Berg moved from Berg in the Chiemgau up the Inn River to Mehrn, a kilometer south of Brixlegg in Tyrol, at the confluence of the Inn and Ziller Rivers. Mehrn or Mehrnstein subsequently replaced Berg as the lineage’s name.\(^{89}\) At least two of the seven sons of Henry Hofekelz I of Berg thus sought their fortunes outside the Chiemgau, and the lineage itself had disappeared from Bavaria by the end of the century.\(^{90}\)

One other example of such a transfer of an archiepiscopal ministerial to the southeastern frontier is worth exploring on account of its political and strategic implications. Ortolf of Montpreis, whose daughter Herrad married Frederick IV of Pettau, was mentioned for the first time in 1190, along with his castle.\(^{91}\) He was


\(^{88}\) Vita Chunradi, pp. 74–75.

\(^{89}\) On the identity of Starchant II of Berg and Starchant of Mehrn, see MB 2:311, no. 96. Haithaler and Martin, the editors of the Salzburger Urkundenbuch, were uncertain about the location of Mehrn (SUB 1:1084; 3, R 190); but it should be sought in Tyrol because in 1183/96 the cathedral canons granted Starchant the lifelong use of their property in Volddöpp, which is two kilometers northeast of Brixlegg (SUB 1:718–20, no. 283), and because Starchant served as proctor of the parish priest of Kundl, which is eight kilometers downstream from Brixlegg (MB 2:352–53, no. 217). I can only speculate on what prompted Starchant’s move to Mehrn, but Starchant and Gebhard of Berg followed a Berthold of Mehrn as a witness in an undated entry in the Traditionsbuch of Herrenchiemsee (MB 2:316–17, no. 111). If Berthold of Mehrn was identical with Starchant I’s maternal uncle Berthold of Kirchhallung-Weihsen (SUB 1:599, no. 29; 341–42, no. 175), then Starchant I may have inherited Mehrn from his maternal uncle. It is noteworthy that the cathedral canons gave Starchant II the property in Volddöpp in exchange for a manor in Otting, two kilometers northeast of Kirchhallung.

\(^{90}\) Henry Hofekelz I of Berg’s sons were Conrad (Au, p. 90, no. 5; MB 2:286, no. 12; 291, no. 30; SUB 2:204–5, no. 135); Henry II (SUB 1:633–34, no. 99); Lapo (MB 2:295, no. 44); Megingod (SUB 1:334–35, no. 161); Otto (Au, p. 90, no. 5; MB 2:291, no. 30; SUB 1:328–30, no. 157; 334–35, no. 161; 335–36, no. 163; 2:204–5, no. 135; 217–21, no. 144f; 251, no. 169; 430–31, no. 308); Pabo (Au, p. 90, no. 5; SUB 1:328–30, no. 157; 2:217–21, no. 144f); and Starchant (Au, p. 90, no. 5; MB 2:291, no. 30; 292, no. 32; 305, no. 75; SUB 1:334–35, no. 161; 308–10, no. 210a; 2:228–29, no. 151; 272–73, no. 187). Besides Pabo, who settled in Styria, and Starchant, who moved to Tyrol, the only other one of Henry’s sons who married was Otto, who was also known as Otto of Weingarten; but his marriage to the noblewoman Irmgart was childless (MB 2:314, no. 103; SUB 2:376, no. 265; 430–31, no. 308; 529, no. 381).

\(^{91}\) SUB 2:648–49, no. 478.
almost certainly the same person as the boy Ortolf II of Katsch, who had served as a witness in 1180 and was the scion of a noble family who had entered the archiepiscopal ministerialage in the mid-twelfth century. Ortolf’s ancestral home, Rauchenkatsch, was on the southern approaches to the Katschberg Pass over the Tauern Mountains, which linked the Lungau with Carinthia. Since ministerials of the bishops of Gurk were living by 1192 in Rauchenkatsch and by the thirteenth century in Moosham on the northern approach to the pass, the best guess is that Bishop Dietrich I (1179–94) sought to gain control of this strategic crossing by enfeoffing Ortolf with some of Gurk’s possessions in southern Styria, where he built Montpreis. In exchange, Ortolf had presumably surrendered Katsch to the bishop. At the same time Ortolf’s new castle also strengthened Gurk’s position north of the Sava, where Bishop Henry I of Gurk (1167–74) had already founded a Carthusian house at Geirach (today Jurklošter, Slovenia), which bordered on the lordship of Montpreis. Episcopal territorial interests and family advantage thus complemented one another in Ortolf’s resettlement.

Another way that younger sons or lineages could improve their position was to settle in towns or engage in commerce. This was quite common in the more urbanized areas of western Germany, where many prominent burgher families were the descendants of ministerials, but the mountainous archdiocese was overwhelmingly rural. Still, there are some tantalizing hints that some prominent ministerials or their cadets may have settled in Salzburg or have profited from selling their surplus agricultural commodities and from the production and sale of salt.

92. Klebel, Der Lungau, pp. 89–92. The location of Katsch was long in dispute, but Gotbert Moro, “Zur Geschichte des Lieser- und Katschtal es,” Carinthia I. 136–38 (1948): 183–94, demonstrated that the Katsch in question was Rauchenkatsch in the Lieser valley rather than the village of Katsch in the Mur valley, northeast of Murau, Styria. Ortolf, his cousin Ulrich of Montpreis, and Ortolf’s Pettau heirs retained rights, however, in the Lungau on the other side of the pass. See MC 1:310–12, no. 418; SUB 3:519–20, no. 969; 601, no. 1054. The boy Ortolf II of Katsch (SUB 2:584–85, no. 424) was in all probability the son of Ortolf I of Katsch, who was in turn identified in 1148 as the son of the nobleman Hartwig I of Katsch and his deceased wife Hemma (MC 1:145–46, no. 163). Both Ortolf I and his brother Henry were or became archiepiscopal ministerials, perhaps because their mother Hemma was one, but the circumstances are far from clear. See Klebel, Der Lungau, p. 92; Moro, “Zur Geschichte,” p. 194; and Pirchegger, Landesfürst, 1:104, n. 10.

93. Eberhard of Katsch was present in 1192 when Bishop Dietrich I traded some property with the chapter of Gurk (MC 1:264, no. 354) and in 1199 when Archbishop Adalbert II confirmed the mining rights of the Gurk chapter (SUB 3:720–21, no. 531). Otto II of Katsch, who was mentioned between 1217 and 1245 (MC 1:354, no. 463; 2:33–34, no. 570) and who employed the surname Rauchenkatsch in 1241 (MC 2:27–29, no. 562), was specifically identified as a Gurk ministerial (MC 1:354, no. 463; 2:21, no. 554). Gebhard of Moosham was identified in 1246 as a Gurk ministerial (MC 2:38–39, no. 576).


The Older Itzlings provide the best example of such urbanized ministerials (see genealogy, 3.4). Burgrave Hartnid and his brothers behaved like their peers, but a cadet branch of the lineage had seemingly settled in the city of Salzburg. A Megingoz of Itzling and his son Gerhoch II and a Meginwart of Itzling were listed in 1104/16 as witnesses after a cobbler.96 Gerhoch II, who was mentioned for the last time in 1151, was the Zechmeister or guildmaster of Salzburg and the father of Gerhoch III, judge of the city of Salzburg, and of Megingoz II, who succeeded his father as guildmaster.97 A Megingoz, presumably Megingoz II, was identified on several occasions as a burgher (civis or urbanus) of Salzburg and in 1170 as the father of Gerhoch IV and Megingoz III.98 The guild that Gerhoch II and Megin­goz II headed was a prayer and charitable fraternity without any known political functions (it spent 100 marks about 1100 feeding the poor before Christmas). Its members, who paid fifteen pennies in dues each year and were divided into forty-seven congregations, were drawn from all strata of society in the archdiocese and its suffragan dioceses.99 Gerhoch II and Megingoz II must thus have been men of considerable stature in the region, with some numerical skills, if they were chosen to be guildmasters. It should be stressed that there is no evidence how Megingoz I and his descendants were related to the other Itzlings, but the repetition of the leading name Gerhoch and the similar radicals in the names Markwart, Meginwart, and Megingoz suggest kinship.

The Gutrats may have shipped salt from Hallein (the Gutratsberg overlooks Hallein), the most important saltworks in the eastern Alps, down the Salzach, Inn, and Danube to the Vienna area and returned with wine from their Lower Austrian lands. All that is known for certain is that in 1299 they possessed “das Neue Sieden,” one of the nine Südhäuser, facilities for boiling down the brine, in Hallein (the other eight belonged to the archbishop and various churches).100 It is not known for certain how and when the Gutrats obtained this lucrative asset, but the Gutrats’ acquisition of the Südhaus has most recently been dated 1243/46, that is, immediately after Kuno V and Otto II were restored to the archbishop’s favor after

96. SUB 1:320–21, no. 145.
97. On Gerhoch II, see SUB 1:357–58, no. 201; 530–31, no. 528; 670–71, no. 186; on Ger­hoch III, see SUB 1:670–71, no. 186; 465–66, no. 390a (a Berthold was the judge by 1170 [SUB 1:457–58, no. 374c; 566–67, no. 662a]); on Megingoz II, see SUB 1:448–49, no. 363a; 536–37, no. 548; 663, no. 166; 664, no. 169.
99. The guild statutes are published in SUB 4:473–74, no. 404. On the guild, see Dopsch, Ge­sichte Salzburgs 1:2:699–703. Otto of Lohen is another example of an urbanized ministerial who may have become a merchant. He was preceded in 1125/47 in one witness list by Rüdiger of the Bridge (the bridge over the Salzach in Salzburg) and the merchant Timo and followed by Siegfried, son of Rapoto of Krems (in Lower Austria), and was listed in another entry between Timo and Ulrich, bailiff of Saint Peter’s (SUB 1:337, no. 166; 339, no. 170; 391, no. 266). Reindel-Schedl, Laufen, p. 388, could not identify the Lohen in question.
their father’s death. Since it is known that the Cistercians of Raitenhaslach, who owned one of the other Sudhäuser in Hallein, sold or exchanged most of their salt for wine in Krems, the center of the Lower Austrian wine-producing area in the Wachau, the question arises whether the Gutrats, whose castles and lordships of Senftenberg and Zöbing were only a few kilometers from Krems, did the same thing. There is no way to know for sure, but if they did, Kuno V and Otto II were shrewd businessmen who profited handsomely from their father’s controversial marriage to Margaret of Zöbing. At least some archiepiscopal ministerials may thus have engaged in mercantile activities and perhaps have provided for younger sons in this fashion.

Placing younger sons and unmarried daughters in ecclesiastical foundations was a traditional way to provide for children who could not establish their own households, but it is not easy to document. The Benedictines and Augustinians of Salzburg, which was the citadel of the papal party in Germany from 1077 until 1177, were noted for their fervor and piety. In 1149, for example, King Conrad III praised the love and religious life he had experienced in Salzburg upon his return from the Holy Land. Unfortunately from the perspective of the social historian, the canons and monks seem also to have perceived the use of surnames as incompatible with their renunciation of the world. In 1198 between sixteen and twenty-five cathedral canons witnessed five charters of Adalbert II, in which he granted various churches a share of the income from the newly found salt deposits on the Tuval (today the Gutratsberg); but the canons were identified only by their first names and dignities.

102. Otto Volk, Salzproduktion und Salzhandel mittelalterlicher Zisterzienserklöster, VF, Sonderband 30 (Sigmaringen, 1984), pp. 69–71. The Gutrats were not the only ministerials to engage in such trade. Henry I of Rohr (1190–1235), a Bavarian ministerial, obtained from Bishop Gebhard of Passau (1222–33) the unusual privilege of shipping down the Inn each year 36,000 kilograms of salt, free from the episcopal tolls at Obernberg and Passau, and returning with foods, in particular wine and grain, that were also to be free from such exactions. The salt appears to have come from “das Neue Sieden,” because Henry I’s grandson, Henry III of Rohr (1284–1310), surrendered to Archbishop Conrad IV his income of ten pounds from “das Neue Sieden” (SUB 4:279–80, no. 238). See Helga Reindel-Schedl, “Die Herren von Rohr und ihr Gericht jenseits der Salza Fl, jenseits der ’Comite in Tittmaning,’” ZsLG 43 (1980): 347–50.
103. SUB 2:390–91, no. 274. On the Augustinians, see Weinfurter, Salzburger Bistumsreform: on Saint Peter’s, see Festschrift St. Peter zu Salzburg, 582–1982; on Admont, see Klaus Arnold, “Admont und die monastische Reform des 12. Jahrhunderts,” ZS(R)G, KA 89 (1972): 350–69. Buchard, Sword, pp. 59–64, has argued against the prevalent view expressed by such scholars as Duby, Knight, p. 105, that families placed children in churches for economic rather than religious reasons. She pointed out that it was not cheap to do so because, for example, cathedral canons, unlike monks, retained a claim to a share of the family inheritance; and many families with numerous children did not do so. The latter point is certainly valid, but it cost less by the thirteenth century to place a daughter in a convent than to provide her with a marriage settlement. As was pointed out, Eckart IV of Tann gave Saint Peter’s only half a hide when his sister took the veil. See also below, chapter 4 at note 93. Moreover, in Salzburg even the cathedral chapter was a house of regular canons. Still, sincere religious conviction was probably the chief factor that impelled numerous men and women to take the habit, particularly in the twelfth century, when new foundations proliferated in the diocese.
104. SUB 2:707–17, nos. 521, 523, 525, 526, 527.
Still, the *Traditionsbücher* of the cathedral chapter, Admont, and Saint Peter’s provide some clues about the social composition of the houses in the twelfth century. The approximately three hundred twelfth-century entries in the canons’ *Traditionsbuch* supply the names of seventeen canons (only a small percentage of the total membership), of whom six were nobles and eleven were archiepiscopal ministerials. Four, possibly five, women who belonged to the Salzburg ministerial-lage are known to have become canonesses there. The fifty-five monks of Admont who can be identified in this fashion included twenty nobles, eighteen archiepiscopal ministerials, and sixteen ministerials of other lords; the sixty-two nuns who joined the abbey included twenty nobles, fourteen archiepiscopal ministerials, and twenty-five retainers of other lords. For Saint Peter’s the figures are monks, eight nobles, eighteen archiepiscopal ministerials, and one non-Salzburg ministerial; nuns, eight nobles, eight ministerials, and five non-Salzburg ministerials.\footnote{Freed, “Ministerials and the Church,” p. 6.}

Since nobles and their families were probably more likely to be identified in such sources than ministerials, it is safe to conclude that ministerials predominated in these houses. The proliferation of Augustinian double houses in the archdiocese in the twelfth century, at the very moment when the ministerials were forming into distinct lineages, testifies to the importance of such houses in providing for children who could not be accommodated otherwise.

There is another way to get at the problem of unmarried sons and daughters entering the church—namely, to look at the genealogies of individual lineages. One must remember that it is usually an accident, a chance reference in a document, that reveals the existence of such clerical family members. The name of the cathedral canon, Eckart V of Tann, survives in the historical record because Archbishop Eberhard II removed Eckart as the parish priest of Sankt Veit in the Pongau on account of his unspecified “enormous excesses.”\footnote{SUB 3: 587–88, no. 1039.} The clerics include, for example: the Judges of Friesach (genealogy 1.2), Provost Gotbert of Maria Wörth (1151–62) and Adalbert III, a blind monk in Admont (1166/67); Stefling (genealogy 2.1), the cleric Ortof I (ca. 1180) and Kuno II, the parish priest of Tarsdorf (1200/1214); and Younger Itzlings (genealogy 3.5), Bishop Rüdiger of Passau (1233–50).

Fragmentary and impressionistic as this evidence may be, it does suggest that placing younger sons in the church was fairly routine between roughly 1100 and 1250. Appointment as a parish priest was probably more important and prestigious in the archdiocese than it may have been in other parts of Europe because there were relatively few parishes there. For example, there was only one parish church in the city of Salzburg, and by 1300 there were only thirty-five parishes in what is today the modern Austrian province of Salzburg, a number that then remained unchanged for centuries.\footnote{Dopsch, *Geschichte Salzburgs* 1/2:1000. Bouchard, *Sword*, p. 47, stated that “virtually no” Burgundian nobles became chaplains or parish priests.} In any case, having a brother or son as the
local parish priest was undoubtedly useful for the lineage. For instance, Conrad II of Neukirchen served in 1205/14 as the parish priest of Burgkirchen, seven kilometers from his brothers’ home. The family gained even more if a brother or uncle, like Rüdiger of Bergheim, the bishop of Chiemsee and Passau, attained a high ecclesiastical office. There is no evidence, however, that other lineages, like the Older Itzlings, utilized the church in this fashion; but this may simply be a function of the extant documentation. Placing a son in the church was merely one of several ways a family could provide for its cadets.

On balance, the fate of a younger brother may not have been a particularly happy one. Except for ministerials like Pabo Hofkelz of Berg (Poppo of Sankt Ulrich), who founded new lordships on the Styrian or alpine frontiers, no family within the principality itself, except the Bergheim-Radecks, managed to establish a cadet line before 1250 that lasted for a generation beyond its founder’s death; and the Radecks were the very first lineage of greater ministerials that was in financial difficulty. They were forced in 1270 to pledge for £200 the castle of Radeck, which they had built only about 1247. Most younger sons, like Etich of Schnaitsee-Jettenbach, or their sons, like William of Wonneberg with his four manors, probably decided they simply did not possess the resources to maintain a way of life appropriate to their rank and remained single. It was a game of Russian roulette in which there were more losers than winners.

Most younger sons may have remained unmarried, but not all of them stayed chaste. They and their older brothers and fathers, married or not, sired numerous children out of wedlock. Although no one in the archdiocese could match Count Baudouin I of Guines, whose twenty-three natural sons and daughters attended his funeral in 1206, the names of a few bastards survive because their fathers or brothers for some reason acknowledged their existence in an extant document. It is interesting to observe that acknowledged bastards often obtained a rank one level below their father’s in the military order of precedence (clipeus militaris, Heerschildordnung), which prohibited a man’s being enfeoffed by his inferior. For example, in 1282/83 Rudolph of Habsburg purchased the Swabian county of Löwenstein and enfeoffed his natural son Albrecht of Schenkenberg with it; this occurred at the same time the king enfeoffed his legitimate sons Albrecht and Rudolph with Austria, Styria, Carinthia, and Carniola. Similarly, Count Sigiboto IV’s unmarried paternal uncle, Wolfker, had two sons: Otto of Hernstein,
who was one of Sigiboto IV’s retainers, and Lazarus of Falkenstein, a ministerial of the counts of Andechs-Wolfratshausen, who was usually called Lazarus of Wolfratshausen. The illegitimate sons of archiepiscopal ministerials became knights: Dietrich, son of Liutolt of Haberland-Siegsdorf; Hermann of Salzburg, son of Megingod II of Surberg; and Frederick, son of Hartnid I of Pettau. Ulrich, son of Megingod II’s paternal uncle, Rudolph of Surberg-Wonneberg, however, pursued a clerical career and became dean and parish priest of Ampfing. On a considerably lower rung of the social ladder than the Surbergs and Pettaus, the obscure archiepiscopal ministerial Merboto of Hart appears to have been the father of four serfs (mancipia), Walter, Rüdiger, Merboto, and Henry, who about 1190 were given to Herrenchiemsee as censuales. The natural son of a king became a count; a noble’s son, a ministerial; a ministerial’s son, a knight; and the sons of a minor ministerial, altar dependents. The hierarchical order of society was thus maintained even among children born on the left side of the bed—and they were the lucky ones.

Two other points are worth noting about these illegitimate sons. First, they normally were mentioned in conjunction with family business. For example, Dietrich was present about 1160 when his father and half-brother, Liutolt and Henry of Haberland-Siegsdorf, conferred Haberland on Saint Peter’s; and Frederick V of Pettau selected his half-brother Frederick to represent him in 1280 on a board of arbitration in a dispute with Archbishop Frederick II. In short, acknowledged bastards were expected to protect the family’s interests. Yet they were never considered full members of the lineage. Although Albrecht of Schenkenberg and the knight Frederick of Pettau bore the same names as their legitimate brothers, most bastards were given names that distinguished them from their legitimate kinsmen. The most extreme example is Lazarus of Falkenstein-Wolfratshausen (he is the

114. CF, pp. 3–4, no. 1. On Lazarus, see Freed, Counts, p. 30, n. 63. It is conceivable that Wolfker had been legally married to Otto’s and/or Lazarus’s mother(s), but because she or they were ministerials, Otto and/or Lazarus became disinherited.

115. On Dietrich, see SUB 1:445, no. 356b; 462–63, no. 384. A Hermann was identified as Sigiboto I of Surberg’s “fratruelis,” literally the son of a father’s brother (SUB 2:662–63, no. 488), and as Sigiboto’s “cognatus” (SUB 3:55–57, no. 578) in transactions that involved Sigiboto’s sister-in-law Diemut. Hermann thus was obviously not her son. He was almost certainly the same person as the Hermann of Salzburg who followed Sigiboto as a witness about 1190 (SUB 2:638, no. 470) and as Hermann “filius burggravii,” who served in 1183/96 as a witness (SUB 1:722–23, no. 289a). Fratruelis meant in this context not the son of a father’s brother—that is, a cousin—but rather a brother’s son or nephew. Hermann was thus Megingod II’s illegitimate son. On Frederick, see MC 5:274–75, no. 428; Regesten Salzburg 1:123, no. 959; 126, no. 981; UB Steiermark 4:298, no. 494.

116. Gars, pp. 28–30, no. 30: “Consensu domini Sybotonis de Surberch, cui hereditarie illud cessisset, ut Ulricus fratruelis suus, licet illegitimus esset, ad tempus vitae sui possederet.” It is conceivable that fratruelis referred in fact here to a brother’s son, as it did in the case of Hermann of Salzburg (see above, n. 115), but in that case the entry cannot be dated 1159/60 to ca. 1173 because Megingod II, who was probably about thirty in 1163, could not have had a son who was a parish priest in the 1160s. I have therefore identified Ulrich as the son of Sigiboto’s paternal uncle Rudolph.

117. MB 2:350–51, no. 206. Merboto was identified as an archiepiscopal ministerial in Berchtesgaden, pp. 331–32, no. 157.

118. SUB 1:444–45, no. 356; 462–63, no. 384; Regesten 1:119, no. 927; 123, no. 959.
only Lazarus I have ever encountered in the sources), but the name Hermann was equally alien to the Surbergs. A bastard’s name could thus be a constant reminder of his illegitimate birth and inferior status.

A patrilineage’s treatment of its daughters, younger sons, and bastards undoubtedly was often harsh, but the alternative—if the goal is defined as the survival of the lineage for another generation with its patrimony preserved and preferably enlarged—was worse. It is therefore instructive to look at a lineage, the Steinbrünnings, that seemingly refused to play the conventional game and chose instead to lay up for itself treasures in heaven. The result was its rapid impoverishment and social decline.

The first known generation of the Steinbrünnings consisted of six brothers: Tagino, Pilgrim, Ulrich, Egilolf, Folmar, and Gottschalk I (see genealogy 3.7). Tagino decided about 1145 to join Saint Peter’s as a lay brother and gave the abbey his alods in Steinbrüning and Triebenbach (northeast of Steinbrüning), a salt spring in Bad Reichenhall, and ten serfs. His wife Irmingart retained lifelong use of the property. Tagino also gave the monastery his archiepiscopal fief, which consisted of seventy-two serfs. On his deathbed about 1147 Pilgrim and his wife Wezala conferred on Saint Peter’s their properties in the vicinity of Steinbrüning. They placed their children in the abbey as oblates. Two of the brothers, Ulrich and Egilolf, left on the Second Crusade. Ulrich seemingly was unmarried, because his brother Pilgrim and sister-in-law Wezala executed his final bequest after his departure, but before he left Egilolf and his wife Mathilda, who wished to become a nun in Saint Peter’s, gave the abbey their properties in the Steinbrüning area, half a hide in the Pinzgau, a salt spring in Bad Reichenhall, and some property on a mountain in the Enns valley (presumably near Radstadt, where Pilgrim also owned property). The other two brothers, Folmar and Gottschalk I, were shadowy figures who were mentioned only in conjunction with their brothers.

The Steinbrünnings thus had until the middle of the twelfth century extensive holdings, including a large number of serfs (Tagino alone had eighty-two), in Steinbrüning itself and in its immediate vicinity as well as scattered holdings in the Enns valley and in the Pinzgau. The salt spring or springs (a whole spring or parts of one or more springs?) constituted a particularly valuable asset. (For example, in 1152/55 Berchtesgaden paid the widow of Henry of Högl fifty pounds for renouncing her claims to a quarter of a salt spring in Bad Reichenhall that Henry had given to the canons before he married Euphemia.) The family lost much of this property because at least three of the brothers (Tagino, Pilgrim,

120. SUB 1:430, no. 326. The entry is dated 1147/67, but Pilgrim died before he could execute the last wishes of his brother Ulrich, who had left on the Second Crusade (SUB 1:536, no. 547).
121. SUB 1:413–14, no. 296; 536, no. 547. On Pilgrim’s holdings in Radstadt, see SUB 1:386–87, no. 257.
122. SUB 1:374, no. 230; 608, no. 50.
123. Berchtesgaden, pp. 318–20, no. 140.
GENEALOGY 3.7 Steinbrünning

Unknown m. Surheim

Tagino
Monk
St. Peter's
ca. 1140-
1144/46
m.
Irmingart
1144/46
Pilgrim
same as
Pilgrim
of
Triebenbach
1125/47
m.
Wezala
cia. 1147

Ulrich
Crusader
cia. 1139-1147

Egilolf
Crusader
1147
m.
Mathilda
of
Englham?
Nun
1147

Gottschalk I
Folmar
same as Crusader
ca. 1140

Son
Monk
ca. 1147
Daughter
Nun
ca. 1147

Gottschalk II
after 1151-1205/14
m.
Neukirchen?

Henry I
1219-1255

Gottschalk III
1230s

Henry II
1255
Louis
1299
same as Henry
1300-1307?

Henry III
knightsed by 1319
d. 1329

Rüdiger
Otto
Eckart
1318-1335
1320-1340
1335-1341

Jäkel
d. by 1335
and Egilolf), and more likely four (Gottschalk, judging by his name, may have been the father of Gottschalk II), were married and because four of the brothers (Tagino, Pilgrim, Egilolf, and Ulrich) gave all or part of their share of the Steinbrünning patrimony to Saint Peter's, which became the largest landowner in the village in the second half of the twelfth century.124

The result was that the brothers’ earthly heirs were impoverished. The Steinbrünning’s only known lay descendant, Gottschalk II, was still a boy when he made his first appearance sometime after 1151.125 His son Henry I of Steinbrünning was identified as an archiepiscopal ministerial in 1225 but more frequently as a knight; that is, Henry I, whose grandfather and paternal great-uncles had been prominent ministerials, was one of the lesser ministerials who were increasingly being styled as knights in the first half of the thirteenth century.126 It is not known whether the lineage died out with Henry I’s son Henry II, who appeared with his father in 1255, or whether the knights who employed the name Steinbrünning in the first half of the fourteenth century and died out in turn shortly after 1341 were also Gottschalk II’s descendants.127 In any case, the division of the Steinbrünning patrimony among three or four married brothers in the first half of the twelfth century and their decision to confer their possessions on Saint Peter’s rather than on Gottschalk II left him and his descendants impoverished.

Family Extinction

At least the Steinbrünning survived until the mid-thirteenth century, or possibly even a century longer. The ultimate failure of a patrilineage was the inability to produce a son who survived long enough to continue the family (the absence of known descendants, it should be stressed, does not necessarily mean that a particular couple was without issue). Many lineages died out in the male line as early as the twelfth or the early thirteenth century (the Högls survived in the person of Diemut until 1213): Seekirchen (1138/39), Högl (1151), Siegsdorf (1171), Harpfetsham (1191), and Surberg (1204).128 The rapid extinction of aristocratic families is hardly unusual. For example, 106 ministerial lineages have been identified in the area around Bamberg; of these, only 78 still survived in 1300, 42

124. See Saint Peter’s manorial register (Urbar), which was compiled at the end of the twelfth century (SUB 1:513–18, nos. 479b, 479c, 480).
125. SUB 1:438, no. 343.
128. Henry of Siegsdorf was mentioned for the last time in 1171 (Berchtesgaden, p. 329, no. 154). On the date, see Berchtesgaden, pp. 326–27, no. 150. He was dead by 1174 (Raitenhaslach, pp. 4–5, no. 3). Wolfram II of Harpfetsham was mentioned for the last time in 1190 (SUB 2:648–49, no. 478), but he may have been the archiepiscopal seneschal Wolfram who was named in 1191 (SUB 2:649–51, no. 479). In any case, he was dead by 1193 (SUB 1:490, no. 438).
in 1400, and a mere 32 by 1550.\footnote{Gustav Voit, Der Adel am Obermain: Genealogie edler und ministerialer Geschlechter vom 11. bis 14. Jahrhundert, Die Plassenburg: Schriften für Heimatforschung und Kulturpflege in Ostfranken 28 (Kulmbach, 1969), p. 30.} The rise of the archiepiscopal ministerials was due in large measure to the elimination of the free nobility. Aloys Schulte, who attributed the extinction of the latter group to clerical celibacy, pointed to comparable examples in Sparta, Rome, and modern Sweden.\footnote{Schulte, Adel, pp. 250-94.}

The question is rather why a particular group of families died out during a specific period. Clerical celibacy hardly explains, for example, the decimation of the Roman patriciate or Protestant Swedish nobles. Scholars have offered a number of explanations besides clerical celibacy for the extinction of the medieval nobility, which can also be applied to some degree to the archiepiscopal ministerial age. Jack Goody pointed out that any system of “direct” inheritance has to deal with the biological fact that 20 percent of all couples are childless and that another 20 percent have only girls.\footnote{Jack Goody, The Development of the Family and Marriage in Europe (Cambridge, 1983), p. 44.} Thus there is always a good possibility that a particular couple will not have a son to bear the family name; but this biological fact became a threat to a patrilineage’s survival only if the husband’s brother or paternal uncle also failed to sire a son. But the archiepiscopal ministerials deliberately limited the number of sons they allowed to marry and the designated heirs married late, further reducing their chances to sire heirs before they died. Some of the cadets who might have continued the lineage were placed, as Schulte argued, in the church, while the bored heirs and younger sons who remained laymen—Duby’s not so young “youths”—risked and frequently lost their lives in feuds, tournaments, and crusades before they could father legitimate sons. Violence thus took a heavy toll.\footnote{Karl J. Leyser, Rule and Conflict in an Early Medieval Society: Ottonian Saxony (Bloomington, Ind., 1979), pp. 56–58; and Störmer, Früher Adel, pp. 86–87, have stressed the role of violence in the extinction of the free nobility.} The lineages’ quest to ensure their survival was made even more difficult in the twelfth century by the church’s discouragement or prohibition of adoption, lay concubinage, polygamy, and above all divorce and remarriage, devices that provided men in other societies and eras with alternative means to obtain an heir.\footnote{Goody, Development, esp. pp. 34–47. Goody’s thesis that the church deliberately controlled marriage to enhance its economic power has not won general acceptance. Although the church discouraged lay concubinage, it was not formally prohibited. See Brundage, Law, pp. 606–7. See also David Herlihy, Medieval Households (Cambridge, Mass., 1985), pp. 11–13. Although adoption as a device to continue a lineage disappeared from the medieval West, it also was not formally prohibited.}

These factors were at work in the extinction of the lineages named above. Only two of the four Seekirchen brothers seemingly married, but Conrad was childless and Henry I’s only son died before him. Henry of Högl’s older brother Otto died before him, unmarried and childless. Henry, who was in his thirties when he married, died a few years after his marriage, leaving only a young daughter as his
heir. Diemut’s first husband Meginhard of Siegsdorf was killed in unknown circumstances. Meginhard and Diemut were so young that their brief marriage may never have been consummated. His younger brother Henry married, but he too died violently before he could become a father. The Surbergs seemed more fortunate at first. Both Megingod I and Rudolph married, but Rudolph’s son William never married, and Megingod II’s marriage to Diemut remained childless. Since Megingod fathered at least one bastard, Hermann, it apparently was Diemut who was infertile. Megingod might have been tempted to repudiate her, but divorce was becoming increasingly difficult in the second half of the twelfth century and, besides, Diemut was Salzburg’s richest heiress. That left Megingod II’s nephew Sigiboto II as the only Surberg in the next generation, but as a bachelor in his thirties he left for the Holy Land in 1189 and never returned. Dietmar I of Harpfetsham died violently, but not before he had fathered two sons and at least one daughter. Dietmar’s grandson Wolfram II, the last Harpfetsham and a bachelor, was killed in unknown circumstances. In short, we see a pattern of men postponing marriage, childless couples, unmarried laymen, and violent deaths.

Two other observations should be made about the extinction of these particular lineages. First, clerical celibacy does not seem to have been a major factor in their demise. None of their known sons were clerics, except for individuals like Otto of Högl who took the habit on their deathbeds. This does not mean that unknown members of these lineages did not become canons, monks, or parish priests, but it is hard to see how, say, another Seekirchen brother would have made much of a difference in the lineage’s fate, since the Seekirkens allowed only two of the four brothers who did remain laymen to marry. Second, there is no evidence that any of these twelfth-century families had lost the archbishop’s favor or were in financial difficulty at their extinction. Their names and family circumstances have survived in the historical record precisely because they left fairly substantial bequests to various churches. They died out because they had succeeded too well in preventing the fragmentation of their patrimony among too many heirs.

In the twelfth and early thirteenth centuries the archiepiscopal ministerials were constantly juggling the propagation of the lineage against the need to preserve the family’s patrimony. Generally the heir, normally like Sigi boto I of Surberg the eldest son, was favored at the expense of his sisters and younger brothers, who received at best only a small portion of the family’s property; and even the heir waited until his father’s death to find a wife. Frequently the heir’s distinctive lead-

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135. SUB 1:359, no. 203; 490, no. 438. On the date of Wolfram II’s death, see above, n. 128. Dopsch, Geschichte Salzburgs 1/1:379 identified Dietmar I as the brother of Wolfram I of Harpfetsham, but I have made Wolfram Dietmar’s son because Wolfram was in turn the father of Wolfram II and Dietmar II of Harpfetsham (MB 3:87–89, no. 230; SUB 2:640, no. 473).
136. SUB 1:340, no. 172; 342, no. 177. Bouchard, Sword, pp. 60–62, found similar cases in Burgundy of families who did not put their younger sons in the church, but I have not found examples, as she did, of families who committed “dynastic suicide” by doing so.
ing name—Kuno among the Schnaitsee-Gutrats, Eckart among the Tanns, and Frederick among the Pettaus—indicated his destiny. He was expected to marry well, preferably an heiress who would increase the family’s wealth and enhance its standing. Noblewomen were a particular prize in the twelfth century. Younger sons could hope to marry only if their mothers or wives were heiresses or if they could establish a new lordship on the southeastern or alpine frontiers or, possibly, seek their fortunes in towns or in commerce. The frontier “closed” about 1200, however, and the archdiocese was an overwhelmingly rural area. Most younger sons thus either remained laymen who were granted a small portion of the lineage’s patrimony that reverted to the senior line upon their deaths or pursued clerical careers. Individual lineages could adopt different solutions to their problem, depending on their precise family circumstances, spiritual inclinations, or martial ardor. As Joel T. Rosenthal has recently pointed out, there is no monolithic pattern of family conduct in any era. The Steinbrünning are proof of that.

On balance, before 1250 many families did a better job preserving their patrimony than ensuring the lineage’s survival. The very strategies adopted to protect family holdings helped engender the endemic violence that so abruptly ended the hopes invested in a single son like Sigiboto II of Surberg. A growing realization of the dangers of curtailing a lineage’s reproductive possibilities too severely, coupled with the surviving lineages’ increased wealth, the financial rewards of serving the prince-archbishop, and the development of a new system of dotal payments, may account for the modifications in family strategy that become discernible in the mid-thirteenth century.

A Change in Family Strategy

The most notable change in family strategy after the mid-thirteenth century is that lineages routinely began to permit two sons in each generation to marry. As I have already noted, this had happened in the twelfth century if the mother or wife of the younger son was an heiress or if the younger son was able, say, to establish a new lordship on the frontier. The difference was that lineages could allow this to occur regularly because the surviving families had benefited from the extinction of the old nobility and their peers and so had greater wealth at this disposal, found greater opportunities for employment in the archbishop’s service, and adopted a new system of dotal payments that formalized the contributions that both the bride’s and groom’s families made to the establishment of the couple’s household. These changes more than compensated for the closing of the medieval frontier.

If opportunities improved for younger sons in the thirteenth century, they de-

clined for daughters. Although the greater ministerial lineages like the Tanns continued to contract extrinsic marriages to their peers in other principalities, less fortunate ministerials and above all their sisters were increasingly forced to marry their social inferiors—namely, members of knightly families—in a process that paralleled the ministerials’ own marriages with the free nobility in the twelfth century. Moreover, although dowries never exceeded the widow’s dower as they did in other areas of Europe—in that sense the marriage market was favorable for women—there were no heiresses comparable to Diemut of Högl in the period after 1250. Men still failed to sire surviving sons, but there was a good chance that a brother had been luckier in the demographic lottery. In addition, heiresses like the two sisters of the last Gutrat were often forced to renounce their inheritance as part of their marriage settlement or to accept monetary compensation because the archbishops blocked the alienation of lordships within the principality to men who did not belong to the archiepiscopal familia. Finally, the church continued to be an asylum for children who did not marry, but there seems to have been a more careerist pattern to such placements, though it is hard to tell whether this was due to a decline in religious fervor or is simply an artifact of the documentation.

By the thirteenth century the surviving lineages of archiepiscopal ministerials may have perceived the perils of curtailing too severely a lineage’s reproductive chances. Abbot Hermann of Niederalteich (1242–73, d. 1275) was conscious, at least, of the rapid decimation of the old nobility. He named forty-one important Bavarian noblemen, including the counts of Andechs-Meranien, Bogen, Falkenstein, Mödling, and Wasserburg, who had died without issue and whose domains had been acquired by Dukes Louis I (1183–1231) and Otto II (1231–53) of Bavaria. It is hard to imagine that the archiepiscopal ministerials, who could have drawn up similar lists of their co-ministerials, did not see the connection between the rapid decline in the number of lineages and their own family strategies.

Duby detected a change in family strategy at the end of the twelfth century among the northern French nobility, who began to permit several sons to marry. For example, four of the six sons of Count Baudouin II of Guines married. The cadets received their own fortified houses and small estates on the periphery of the lordship of the senior branch of the lineage. Neighboring noble houses did the same thing, and cadet lines proliferated. Duby thought that by 1200 the nobles were in a better position to provide for their cadets because they had greater wealth at their disposal owing to the increase in the rural population, which brought more land under cultivation and made estates more profitable; the greater levies that landowners were able to impose on the peasantry; the growth of a money economy that supplied the nobles with more cash; and the greater generosity of the...

princes, who gave the nobles gifts and stipends. It may also be, if we accept Duby’s argument, that by the end of the twelfth century the clergy and the laity had reached a compromise in which the church modified its opposition to consanguineous marriages and the nobility accepted the church’s strictures on divorce. Thus nobles who could no longer so easily repudiate barren wives (or the wives they blamed for their own sterility) may have realized that if they wanted to ensure the survival of at least one branch of the lineage they would have to let more than one son marry. Moreover, the Fourth Lateran Council’s reduction in the prohibited degrees of kinship increased the number of potential wives among a ministerial’s peers and may thus have made it easier for a younger son to find a suitable partner.

The same change in family strategy has also been observed after 1200 in southeastern Germany. Eveline Oberhammer examined the genealogies of twenty-one lineages of Styrian lords and seventeen Austrian ones between 1200 and 1500 (most of her evidence is late medieval). These families usually allowed only two sons to marry. Additional sons could marry only if their older brothers’ marriages had been without issue. The lords tried in this way to ensure the survival of their lineage without fragmenting its possessions among too many heirs.

The archiepiscopal ministerials adopted a similar policy, though there is not sufficient evidence to determine whether the age of marriage also declined in the thirteenth century. Like Duby’s French nobles, the Kalhams began about 1200 to let two sons marry (see genealogy 1.3), but the Tanns with their highly developed sense of family identity followed only in the late thirteenth century, with the sons of Eckart VI (see genealogy 3.1). If only Eckart IX had married, the lineage would have died out a century earlier.

It is useful to look at one other example, the Goldeggs, whose history qua Goldeggs began in 1180 when Otto III of the Pongau adopted that surname (see genealogy 3.8). It was not until the fifth generation, if one counts the Goldeggs’ Pongau ancestors, that two brothers, Otto VI and Conrad II, finally married. Significantly enough, Archbishop Frederick II announced six months after his election in 1270 that the powerful Styrian ministerial Wulfing V of Stubenberg

142. Since in 1188/93 Otto III of the Pongau conferred half a hide on Saint Peter’s for the benefit of his soul and the souls of his unnamed wife and all his debtors (SUB 1:486–87, no. 431), I have identified the Otto of Goldegg who served fairly regularly as a witness between 1195 and 1235 but who lived until 1250 as Otto IV (SUB 2:670–75, no. 497; 3:461–62, no. 911; 4:14, no. 14). Conrad I arranged in 1251 for various houses to perform the anniversaries of his father and two unnamed brothers (SUB 4:14–15, no. 15). Conrad I’s dead brothers were, presumably, Otto V, the godson of the count palatine of Bavaria (SUB 3:396, no. 856), and Henry puer of Goldegg, whose anniversary the cathedral canons celebrated on 18 December (Necrologia Germaniae 2:194). Conrad I, who had been mentioned for the first time only in 1244 (SUB 3:594, no. 1046), must have married toward the end of Otto IV’s long life, perhaps when it became clear that Conrad alone could continue the lineage, because his unnamed sons were identified in 1250 simply as boys (UB Steiermark 3:135–36, no. 72).
Genealogy 3.8 Goldegg

Otto III of the Pongau
1151/62-1188/93
same as Otto of Goldegg?
1180

Otto IV Kunigunde
1195-1244 before 1231
d. by 1251

Daughter Conrad I Otto V Son
m. 1244-1258 same as Otto puer? same as Otto puer?
Adalbero I Kunigunde Kunigunde
of born before born before
Walchen 1251 d. by 1251
Noble

Otto VI
Council Member 1290/91
Judge in Tittmoning
1307
1250-1307
m.
Elizabeth of Stubenberg
Styrian Ministerial
1270-1293

Conrad II Gertrude Kunigunde
1250-1299 1297-1310 1250-1262
m. d. by 1301 m.
Mechthild of Mechthild of
19 March 1231
Freising Ministerial 1280-1308
d. by 1251

See below

John I John II Frederick
1301-1319 1308-1330 1311-1333
m. m. m.
Anna Anna Anna
of of of
Weissenegg? Elizabeth Elizabeth
Bamberg Ministerial Liechtenstein Liechtenstein
1312/14 1311-1330 1311-1330
remarried 1331

Children
1319-1330
Otto VI

m. 1284/90- 1297 1301-1305 1301-1320 1301
Puchheim? Burgrave of Tittmoning
Upper Austrian Ministerial
Margaret
Bavarian Ministerial?
1314-1319

Ulrich Otto Otto VIII Wulfing III
(1319) 1330-1331 (1319) 1333-1339 Burgrave of Tittmoning
same as of
Otto VIII? 1345

(1319) 1339-1345

Conrad
of Pottendorf
Austrian
Ministerial
had agreed to the marriage of his daughter Elizabeth, who was the niece of Count Frederick I of Ortenburg (d. 1304) and Bishop Wulfing of Bamberg (1304–18), to the archbishop’s cousin Otto VI of Goldegg. Otto VI and Conrad II established separate lines, and two of Conrad II’s sons married in turn. The rapid fragmentation of the family patrimony that ensued may explain why John I, who complained that he was in great need, sold his share of his paternal inheritance to his cousin Wulfing in 1312 for £450, and why Wulfing then sold the castle and court in Taxenbach to Archbishop Weichart (1312–15) in 1314 for £800, with a right of redemption. The connection between the change in the ministerials’ family strategies and the financial difficulties so many of them started to encounter about 1300 is readily apparent. Nevertheless, the new policy was more successful in ensuring family survival. The Goldeggs survived, for example, until 1400, and the Walchenůs until 1410.

Ironically, one of the reasons the families had changed their tactics in the first place was that, like Duby’s northern French nobles, they had greater wealth at their disposal. Although ecclesiastical foundations eventually acquired most of the property that had belonged to such families as the Högls and Surbergs, some of the property of the extinguished lineages had passed to their peers—the Steflings had obtained Siegsdorf through the widow of Henry of Siegsdorf, and the Törings had acquired Harpfetsham. The district and bailival courts with which the ministerials had been subenfeoffed by the archbishops or the extinguished comital dynasties were particularly lucrative. The Gutrats’ courts at Abtenau and Gaissau and in the Kuchltal supplied them at their extinction in 1304 with an annual income of about £33.

Service to the archbishops also brought its rewards, as the case of Conrad of Wartenfels discussed in chapter 1 shows. In effect, many of the ministerials became officials in the new principality. The financially strapped Radecks survived in this fashion. Henry III of Radeck, the son of Gerhoch II of Bergheim-Radeck, represented Archbishops Frederick II and Conrad IV, for instance, on boards of arbitration in disputes with the dukes of Lower Bavaria. Henry’s nephew Gerhoch III was specifically identified in 1306 and again in 1320 as a member of the

144. MC 9:130, no. 442; Regesten 2:118, no. 1023; 3:17, no. 170.
145. Regesten 2:125, no. 1075; 137, no. 1182.
146. See above, chapter 1 at note 130.
147. Dopsch, Geschichte Salzburgs 1/1:389, 396.
148. On Siegsdorf, see Raitenhaslach, pp. 4–5, no. 3; SUB 1:464, no. 387; Regesten 1:19, no. 134. On Harpfetsham, see SUB 1:510, no. 475; UB Raitenhaslach 1:410–11, no. 493. On the genealogical connection, see Englbrecht, Drei Rosen, genealogies 1 and 2.
149. SUB 4:271–72, no. 231.
150. See above, chapter 1 at note 126.
archiepiscopal council, and he served from at least 1307 to 1312 as the captain of Mühldorf. In return, the archbishops provided the Radecks with financial assistance. In 1270 Henry III had been forced to pledge his half of the castle of Radeck to a consortium of knights. Archbishop Frederick II purchased Henry’s half in 1273 and redeemed the other half of the castle that Henry’s brother Ulrich II had pledged. Frederick agreed to return Ulrich’s half when the debt had been repaid. The Radecks regained the castle without repaying the debt; it had not yet been repaid in 1334 when Gerhoch III’s sons Rüdiger V and Henry IV finally sold Radeck to Archbishop Frederick III, and even then the archbishop allowed Henry IV to remain in Radeck as its burgrave. The archbishops could also, as will be discussed in chapter 5, directly subsidize the ministerials’ marriages. In short, service to the archbishop was a way that an impoverished lineage like the Radecks, which might not have been able to find suitable marriage partners earlier, was able to survive after 1270.

The most successful lineages like the Tanns and Goldeggs continued to find spouses after 1250 outside the familia (see genealogies 3.1 and 3.8). Starting with Eckart VI and his three wives in the second half of the thirteenth century until their extinction in the 1390s, Tann men contracted five known extrinsic marriages and two intrinsic ones. Tann women married twice externally and once internally. The Goldeggs, beginning with the generation of Otto VI and Conrad II, arranged at least seven external marriages (four men, three women) and no known internal ones. The most powerful lineages thus retained their family ties to their peers in the Habsburg and Wittelsbach domains. Inevitably this caused divided loyalties. Wulfing I of Goldegg, whose wife Margaret may have been a Bavarian, sided with the Wittelsbachs. He fought for them at the decisive battle of Mühldorf in 1322, even though Archbishop Frederick III was a staunch supporter of the Habsburgs, and in 1324 finally betrayed the castle and town of Tittmoning, which guarded the northern border of the principality, to King Louis the Bavarian.

Increasingly, however, ministerials were forced to marry their social inferiors in a process that paralleled their ancestors’ own marriages with nobles in the twelfth century. Once again it was predominantly ministerial women, like the noblewomen before them, who married downward—that is, members of upwardly mobile knightly families. There is one rare example of this in the twelfth century. 

153. On Otto VI’s and Conrad II’s marriages see above, n. 143. On John I’s and Frederick’s marriages, see above, n. 144. On Kunigunde’s engagement to Ulrich II of Liechtenstein, see UB Steiermark 3:131–33, no. 70: 135–36, no. 72. She was married by 1262 to the Passau ministerial Pilgrim of Tannberg (MB 29/2:180, no. 183; 443–45, no. 67). On Hadwig’s marriage to the Austrian ministerial Conrad of Pottendorf, see Regesten 2:71, no. 589; 3:20, no. 202.
154. Freed, “Crisis,” pp. 142–43. Wulfing’s wife was named Margaret (Regesten 2:137, no. 1182; 3:18, no. 178). I have not been able to ascertain her family of origin, but the best explanation for why Wulfing, whose mother was a Styrian and whose own lordship was situated deep within the principality, pursued a pro-Wittelsbach policy in opposition to the archbishop is that Margaret was a Bavarian. I have not included her among the Goldeggs’ known extrinsic marriages.
century, the marriage of a sister of Otto III of the Pongau, the first Goldegg, to the minor ministerial and knight Kuno of Engolding.\textsuperscript{155} Such marriages became more common after 1250 as the knightly lineages rose in prominence. For instance, the second wife of the knight Jakob I of Thurn, the archiepiscopal marshal in 1285, was Adelaide, daughter of the rebellious archiepiscopal ministerial Kuno of Kalham. Jakob’s son Jakob II, vidame of Salzburg in the early 1320s, married twice: in 1287 the unnamed daughter of the Upper Austrian ministerial Seibot of Wasen, and in 1308 Kunigunde, daughter of the Bavarian ministerial Greimold of Preising.\textsuperscript{156} Conrad II of Kuchl, the trusted financial adviser of four archbishops and the richest man in fourteenth-century Salzburg, married in 1302 Margaret of Weissenegg, daughter of Otto I of Weissenegg, a Carinthian ministerial of the bishop of Bamberg who had served in 1289 as the archiepiscopal burgrave of Friesach.\textsuperscript{157}

Ministerials who arranged for their daughters and sisters to marry knights were, like Kuno of Kalham, often in considerable political or financial difficulty. William IV of Staufeneck had to borrow £60 from Archbishop Conrad IV in 1305 so that his sister Ludmey could marry Frederick of Schlossberg, a knight who lived in the Lungau, and then he announced several months later that his sister’s marriage had left him so hopelessly indebted that he had no choice but to sell the archbishop his half of the castle and lordship of Staufeneck.\textsuperscript{158} It was not Ludmey’s marriage that caused their ruin, but the Staufenecks’ adherence to the Wittelsbachs in a vain effort to escape the archbishop’s lordship.\textsuperscript{159} In short, such marriages between knights and ministerials reflected the rise of the knights and the decline of the greater ministerials.

The latter was especially true when a ministerial took a wife of knightly status, the equivalent of a nobleman’s marrying a woman of ministerial rank. Thus William IV was himself married to a daughter of Jakob I of Thurn.\textsuperscript{160} Diemut of Kuchl, daughter of Salzburg’s richest man in the first decades of the fourteenth century, married the heavily indebted Ekk of Felben, scion of a noble family in the Pinzgau that had entered the archiepiscopal ministerialage at the beginning of the thirteenth century. Conrad II redeemed various properties that his son-in-law had pledged to cover his debts, and in 1324 Archbishop Frederick III enfeoffed

\textsuperscript{155} The knight Otto of Engolding, son of Kuno of Engolding, referred in 1188/93 to Otto III of the Pongau, the first Goldegg, as his maternal uncle (SUB 1:478, no. 414; 2:476–78, no. 341). Müller, cited by Widmann, \textit{Geschichte Salzburgs} 1:376, included the Engoldings in his list of archiepiscopal ministerials, but no Engolding was ever specifically called such. Kuno, who served as a witness between ca. 1135 and 1159 (SUB 1:792–93, no. 48; 2:476–78, no. 341), appeared, however, in groups of archiepiscopal ministerials (SUB 1:647–48, no. 128; 653, no. 142; 2:317, no. 217; 428–29, no. 306). The Engoldings thus apparently belonged to the group of lesser ministerials who were being styled as knights by the end of the twelfth century.

\textsuperscript{156} Freed, “Devotion,” pp. 216–18.

\textsuperscript{157} Freed, “Crisis,” p. 131.


\textsuperscript{159} Freed, “Crisis,” pp. 140–41; and below, chapter 5 at note 84.

\textsuperscript{160} Regesten 2:66–67, no. 544.
Conrad and his son and daughter with her husband’s former holdings when Ekk could not repay the loans. 161 In 1306 Eckart of Eichham sold all his property and people in Bavaria and Austria to Archbishop Conrad IV for £220, with the consent of his wife Salmey Twargaerinne, so that, Eckart said, he “could seek his fortune and invest his property elsewhere.” 162 Salmey, who belonged to an otherwise unknown family, appears to have been connected with the archbishop’s castle of Twarog (today Torek, Slovenia), situated in the archbishop’s lordship along the Sava. 163 Perhaps Eckart hoped to recoup his fortunes on the southeastern frontier, as is suggested by his presence in Styria in 1316, the only reference to him after 1306. 164

Such ministerial-knightly marriages are symptomatic of the gradual merger about 1300 of the remaining lineages of greater ministerials and knights into a single noble estate of knights in the principality of Salzburg. The situation was very different in the neighboring duchies of Austria and Styria, where the greater ministerials rarely married knights and belonged to a separate estate of lords. Peter Feldbauer examined approximately 300 marriages that Austrian lords contracted between 1250 and 1400 (there were approximately 70 such lordly families in 1282) and found that in more than 280 cases both partners belonged to the Herrenstand. He discovered only 9 marriages between lords and knights before 1350, and these usually involved younger sons or the least important families, who had originally been comital rather than ducal retainers. 165 Similarly, Eveline Oberhammer uncovered only a few marriages between Styrian lords and knights, and such marriages involved younger sons of downwardly mobile lordly families. 166 The archiepiscopal ministerials’ marriage choices thus demonstrate the archbishops’ success in preventing the formation of a powerful noble estate that would have checked their own power.

Women were the chief victims of the change in the ministerials’ family strategies and the archbishops’ success in asserting their own authority after 1270. There were simply no heiresses comparable to Diemut of Högl in the later period. Men continued, of course, to father only daughters who inherited their property. For example, the knight Gottschalk III of Unzing-Neuhaus, whose mother Diemut of Unzing had herself been an heiress and who served on and off between 1249 and the early 1270s as vidame of Salzburg, left Neuhaus to his daughter Gertrude and his son-in-law, the knight Henry III of Wiesbach. 167 But Gertrude was hardly in the same league as Diemut of Högl.

163. On Twarog, see Pirchegger, Untersteiermark, pp. 231–32.
164. Regesten 3:2, no. 10.
167. Gottschalk III of Unzing was the son of vidame of Salzburg and minor archiepiscopal ministerial Henry II of Teisendorf (MB 2:196–98, no. 15; SUB 1:748, no. 337; 755–56, no. 353; 3:178–81,
Generally women could no longer inherit all of a lineage’s property because, as the example of Elizabeth of Walchen illustrates, they had male cousins or because the archbishop forced them to renounce their inheritance. Elizabeth, who was the only child of Archbishop Frederick’s brother Otto and his second wife Adelaide and was herself married to a ministerial of the bishop of Freising, in 1297 renounced all her rights to her paternal inheritance in exchange for 200 marks of silver. Archbishop Conrad IV allowed the couple to keep the fiefs her father had held from the bishop of Regensburg and the castle of Hohenstein, which Otto had acquired from his first wife Otilia, an Ortenburg ministerial. Walchen itself passed to her cousins Adalbero III and Ortlieb, the sons of Otto’s younger brother Adalbero II. The existence of patrilateral kinsmen and the determination of Archbishop Conrad IV not to permit the alienation of a major lordship to the subject of a rival prince prevented Elizabeth of Walchen from being another Diemut of Högl or Herrad of Montpreis.

Marriage to an heiress thus could no longer play the same role in a lineage’s calculations as it had before 1270. The frontier had “closed,” and the greater ministerials were probably too conscious of their noble status to engage in trade, even had such opportunities existed in the eastern Alps. In effect, the only way families could provide for their daughters and younger sons after the interregnum was to serve the archbishop faithfully or to place their cadets in the church, two options that increased their dependence on the prince-archbishop. Although the church had always served as a haven for the unmarried children of the aristocracy, there appears to have been a more deliberate use of ecclesiastical foundations for this purpose than in the twelfth century, when religious enthusiasm had impelled whole families to take the habit in new or reformed houses. Admittedly this is an impressionistic judgment that is virtually impossible to document.

The role the church played in a late medieval lineage’s plans is illustrated by the case of Engelbert of Taching, an archiepiscopal ministerial, and his wife Bertha of Törning, who were identified in 1304 as the parents of thirteen children: Henry II, Conrad IV, Hartnid, Poppo II, Otto, Frederick, Eit, Leukart, Elizabeth,
Catherine, Christine, Ludmilla, and Agnes. Some information survives about the fate of seven of them. Conrad IV married; Hartnid remained a layman, but his marital status is unknown; Henry II joined Raitenhaslach; Poppo II served as a priest and canon in Berchtesgaden; Frederick was a cathedral canon; and Eit and Elizabeth were cathedral canonesses (Elizabeth became the mistress [magistra] of the canonesses). Thus at least five of Engelbert and Bertha’s thirteen children were placed in religious foundations.

Indeed, families were willing to expend considerable effort, expense, and influence to place a son in the cathedral chapter. In 1322 Rudolph of Scharfenberg apologized to his cousin Ulrich II of Montpreis, a cathedral canon who subsequently became bishop of Chiemsee (1322/23–30), because he had not sent Ulrich some promised silver on time; but Rudolph had been hindered from doing so by Duke Henry of Carinthia (1295–35), the titular king of Bohemia. Rudolph forwarded 7 marks of silver to Ulrich because Rudolph’s unnamed son had been staying with Ulrich for a year in the hope of being received as a member in the chapter. Rudolph left the matter in Ulrich’s hands. If the unnamed son was the cathedral canon Hugo of Scharfenberg, who served briefly in 1359 as bishop of Chiemsee, then Ulrich succeeded in placing his young kinsman in the chapter and in launching his career. Four of the nineteen members of the chapter in 1312 were in fact archiepiscopal ministerials.

The lineage that was most successful about 1300 in placing its sons in high ecclesiastical offices was the Saxes, an obscure family of lesser archiepiscopal ministerials and knights whose ancestors may have been retainers of the counts of Mödling and who had entered the archbishop’s service after the extinction of the Mödlings in 1208/13. John I, who became provost of Berchtesgaden in the late 1280s, supported its advocate Duke Albrecht of Austria in his protracted

173. Regesten 3:34, no. 340; 36, no. 355; 77, no. 763.
175. Ibid.
176. SUB 4:303–4, no. 263. The archiepiscopal ministerials were Provost Frederick of Leibnitz (the future Archbishop Frederick III), Ortlieb of Staufenreck, Frederick I of Berghem, and Ulrich II of Montpreis. Other members of the chapter included two counts, Frederick of Dollnstein and Henry of Graisbach (from the diocese of Augsburg); an Upper Austrian ministerial, Dean Weichart of Polheim, who became archbishop later that year; a Bamberg ministerial from Carinthia, Frederick Ungnad; and Nicholas II of Stadau, who belonged to a Styrian family of archiepiscopal knights. On the composition of the late medieval chapter, see Hans Wagner and Herbert Klein, “Salzburgs Domherren von 1300 bis 1514,” MGSL 92 (1952): 1–81.
177. Bishop John II of Brixen and his brother Andre Sax (Regesten 2:69, no. 565) were the sons of Walter Sax, who served in 1281 as a witness in Mühldorf with Saxo III, the parish priest of Peterskirchen, which is seventeen kilometers south of Mühldorf (Urkunden Raitenhaslach 1:309–10, no. 385; Lang and Metnitz, Salzburger Lehen, pp. 229–30, no. 244/3). The Saxes’ name, which was apparently derived like the Welfs’ from a characteristic leading name Sachso or Saxo, and their association with Mühldorf provide possible clues to their origins. A Saxo (Sachso II) had served as
war against Archbishops Rudolph and Conrad IV. Immediately after Albrecht and Conrad IV made peace in September 1297 and Salzburg allied itself permanently with the Habsburgs, the archbishop appointed John vidame of Salzburg, in a gesture of reconciliation. In 1302 Conrad IV obtained for John the bishopric of Brixen (as bishop, John II [1302–6]). John’s brother Eberhard, a cathedral canon, became dean of the chapter in 1296/98 and was elected provost of Berchtesgaden on 6 April 1305, in the presence of Archbishop Conrad. Pope John XXII appointed Eberhard provost of Salzburg on 12 April 1317, on condition that he surrender the provostship of Berchtesgaden; Eberhard died in 1319 as provost of the cathedral chapter. Bishop John’s nephew John II was dean of the cathedral chapter of Brixen from 1303 until his death in 1318. Ulrich Sachs belonged to the cathedral chapter of Salzburg from at least 1314 to 1319. No other lineage of archiepiscopal ministerials was able to hold so many high ecclesiastical offices simultaneously. The Saxes may have deliberately pursued clerical careers because as the descendants of men who had once served a minor comital dynasty they lacked the resources that were at the disposal of the greater ministerials.

The Saxes illustrate Joel T. Rosenthal’s point that lineages could employ a variety of strategies to enhance their standing and ensure their continuity. The archiepiscopal marshal during the last five years of Eberhard II’s archiepiscopate (1241 to 1246) (SUB 3:515 ff., nos. 966, 1016, 1046), and a Henry Saxo or Sachs (Henry II) had been identified in 1251 as an archiepiscopal ministerial (SUB 4:16, no. 16) and in 1262 as the judge in Mödling, upstream from Mühldorf on the Inn (Regesten 1:52, no. 389). Pushing back further in time, a Henry of Thann (Henry I), who lived seventeen kilometers west of Mühldorf and approximately seven kilometers northwest of Mödling, was identified about 1220 as the father of Ulrich, Henry, and Sachso (Au, p. 133, no. 207), whom I take to be the archiepiscopal marshal Saxo (Sachso II) and the archiepiscopal ministerial Henry Saxo or Sachs (Henry II). Finally, a Sachso (Sachso I), who was identified as a homo of Count Kuno III of Mödling, had given Au his property in Thann sometime after 1171 in the presence of his son Henry (Au, pp. 109–10, no. 110), who may have been the same person as Henry of Thann (Henry I). In short, the Saxes seem to have been retainers of the counts of Mödling who entered the archbishop’s service after the extinction of the Möldings in 1208/13. On the counts of Mödling and their men, see Günther Flohrschiitz, “Die Vögte von Mödling und ihr Gefolge,” ZsLG 38 (1975): 3–143; and Gars, pp. 84*–94*.

178. A Conrad was provost on 22 November 1285 (Regesten 1:153, no. 1200), but John held the office by 17 August 1289 (SUB 4:184, no. 153). John was listed among the duke’s adherents in 1290 (Regesten 1:176–77, no. 1370).

179. John was identified for the first time as the vidame on 20 November 1297 (Regesten 2:45, no. 358).


182. Regesten 3:4, no. 38; 18, no. 177.


184. Regesten 2:136, no. 1169; 3:11, no. 118; 18, no. 177. Such ecclesiastical dynasties already were common in Burgundian bishoprics in the eleventh and twelfth centuries. See Bouchard, Sword, pp. 79–84. In spite of such examples as Bishops Roman I and II of Gurk, the preferment of kinsmen appears to have become common in Salzburg only after 1270.
fundamental problem remained how to do so without dividing the family’s patrimony among too many heirs. Most families had been overly cautious before the mid-thirteenth century and had died out when the designated heir failed to father a son. The ministerials, therefore adopted a new strategy of allowing two sons in each generation to marry, because they may have perceived the connection between curtailing their reproductive chances too severely and the rapid thinning of their ranks. The difference between the older and newer strategies should not be overstated, however. Even before 1250 lineages had permitted more than one son to marry if the cadet’s mother or wife was an heiress or if he could establish a new lordship on the southeastern or alpine frontier. What changed was that this pattern of behavior became the norm for several reasons: the surviving lineages had greater resources at their disposal; the formation of the ecclesiastical principality provided married ministerials with secular career opportunities as archiepiscopal officials; and the ministerials, who were enfeoffed by the comital dynasties or archbishops with district courts, profited from the criminalization of justice.

As the thirteenth century progressed, however, younger sons could no longer seek their fortunes on the frontier or hope to marry an heiress, because most women had patrilateral male relatives who could continue the line and because the archbishops restricted the inheritance rights of women, particularly those who contracted an extrinsic marriage that threatened the archbishop’s rule. Moreover, the new policy was not without its risks. It increased the danger that the lineage’s resources would be divided among too many heirs and thus contributed to the growing financial difficulties that families like the Goldeggs and Radecks were encountering about 1300. At the same time, permitting two sons to marry made the ministerials more dependent on the goodwill and largesse of the archbishop, since he controlled access to offices within the principality and church.

As long as only one son married, lineages were not too concerned with providing for the married couple who obtained the family’s patrimony. At most, lineages had to ensure a decent living for their unmarried sons and daughters, whether they remained in the world as laypeople or entered the church, and to provide sufficiently for widows. When lineages regularly began to allow two sons to marry, families were confronted with the problem of establishing separate households for each couple and of providing them as well as widows with a living commensurate with their rank in society without bankrupting either the groom’s or the bride’s family. It was both in response to and as a result of this change in family strategy that in the thirteenth century the surviving noble and ministerial lineages developed an elaborate, carefully calibrated system of marital assigns that for the first time called on the wife’s family to make a significant contribution to the couple’s household. At the same time the archbishops could manipulate this new system of marriage payments for their own political purposes. Chapter 4 therefore focuses on the development of the so-called marriage payment system, and chapter 5 explains how the archbishops controlled the ministerials’ marriages by, among other things, subsidizing their marriages.