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STROSSMAYER'S COLONISATION OF JOSIPOVAC: THE ECONOMIC AND LEGAL ASPECTS

STOSSMAYEROVO NASELJAVANJE JOSIPOVCA, EKONOMSKI I PRAVNI ASPEKTI

ABSTRACT

The Đakovo area in the second half of the 19th century was rich in forests, fully grown and ready to be exploited, but the number of people to cultivate the cleared land and bring it to its new purpose was insufficient. For this reason, the Bishop Strossmayer, as the lord of the Episcopal Manor, stimulated the colonisation of the clearings and founding of new settlements in the nearby of Đakovo: Josipovac, Jurjevac and Krndija. A thorough research of the archival documents on the founding of these villages was conducted by Andrija Šuljak, but because of his sudden passing he never completed and published his paper. This paper, based on the documents he came by, deals with the economic and legal aspects of colonisation of the village of Josipovac and the contracts between the settlers and the Manor. The archival documents give the significance even to the oral tradition on the initial contacts between Strossmayer and the colonists, recorded by the parish priest of Punotovci, Josip Lukić. The plan of cultivation of the clearings was impossible to implement without leasing the aforesaid land. Thus the initial contact, according to Lukić, between the Slovaks and Strossmayer came in the ideal moment and results in colonisation of Josipovac in 1881. Strossmayer's plan was conducted in agreement and with permission of the ecclesiastical and civil authorities: Cathedral Chapter of Đakovo, Royal Provincial Government in Zagreb and Royal Subcounty in Đakovo. The first conditions of colonisation, kept in the Archiepiscopal Archives in Đakovo, were modified in part, in order to be adjusted to the needs and interests of both the settlers and the Manor, before the Sale Contracts were signed with each of the settlers in 1889. Strossmayer provided the newly founded villages with common land for the needs of their rural districts and the local Church communities (subsidiaries). The effect of the economic and legal measures and actions taken by the Episcopal Manor and the settlers were concluded in 1894, when the Royal District Court in Đakovo, as the land registry authority, confirmed the registration of the new villages, that is, the registration of the transfer of the land to new legal and natural entities based on the legal effects of the contracts and donations.

Key words: *Strossmayer, Episcopal manor in Đakovo, Slovaks, Josipovac, colonisation of Slavonia*

SAŽETAK

Đakovština je u drugoj polovici 19. stoljeća bila bogata šumama koje su bile zrele i spremne za sječu, ali siromašna stanovništvom koje bi moglo zemljišta iskrčenih šuma privesti novoj ulozi, pašnjacima i oranicama. Stoga je biskup Strossmayer kao vlastelin iz ekonomskih razloga potaknuo naseljavanje novih stanovnika na područje šumskih krčevina i osnivanje novih mjesta u Đakovštini: Josipovca, Jurjevca i Krndije. Temeljito arhivsko istraživanje o osnivanju Josipovca, Jurjevca i Krndije proveo je Andrija Šuljak, ali zbog iznenadne smrti nije napisao znanstveni rad o tome. Na temelju dokumenata prikupljenih njegovim marom, u ovom se radu obrađuju ekonomski i pravni aspekti naseljavanja sela Josipovca i ugovorne obveze između vlastelinstva i naseljenika. Arhivski dokumenti daju ozbiljnost i činjenicama usmene predaje, zapisane po punitovačkom župniku Josipu Lukiću, o prvim kontaktima kasnijih josipovačkih naseljenika s biskupom Strossmayerom. Plan budućeg načina obrade i uživanja iskrčenih zemljišta bilo je nemoguće provesti bez davanja označenih krčevina u zakup. Stoga kontakt između Slovaka o kojima piše Lukić i biskupa Strossmayera dolazi u pravom trenutku i rezultira počecima naseljavanja Josipovca 1881. godine. Strossmayerova je namjera provedena uz suglasnosti i odobrenja mjerodavnih crkvenih i državnih institucija: Stolnoga kaptola u Đakovu, Kraljevske zemaljske vlade u Zagrebu i Kraljevske podžupanije u Đakovu. Prvi pisani uvjeti naseljavanja, koji se i danas čuvaju u Nadbiskupijskom arhivu u Đakovu, vremenom su se djelomično mijenjali i prilagođavali mogućnostima naseljenika i vlastelinstva, sve do konačnog sklapanja „Kupovno-prodajne pogodbe“ sa svakim naseljenikom 1889. godine. Strossmayer je novoosnovana mjesta, temeljem svojih darovnica, opskrbio i zajedničkim seoskim zemljištima namijenjenim za opće potrebe seoske mjesne općine i crkvene zajednice (filijale). Učinak provedenih ekonomskih i pravnih postupaka i radnji Biskupskoga vlastelinstva i naseljenika zaokružen je 1894. godine, kada je Kraljevski kotarski sud u Đakovu, kao gruntovna oblast, gruntovno proveo osnivanje novih mjesta, odnosno uknjižbu dodijeljenih zemljišta na nove fizičke i pravne osobe temeljem pravnih učinaka kupovno-prodajnih pogodaba, darovnih pogodaba i posvetnica.

Ključne riječi: *Strossmayer, Biskupsko vlastelinstvo Đakovo, Slovaci, Josipovac, naseljavanje Slavonije*

1. Bishop Strossmayer as the Lord of the Manor

Episcopal Manor in Đakovo was restored after the liberation of Slavonia from the Ottomans in the late 17th century, and was further developed and improved by the bishops of Đakovo. Besides being undoubtedly the longest running lord, Strossmayer was also the most successful administrator of the Episcopal Manor. The results of his management were evident in the Episcopal See of Đakovo, its immediate surroundings, as well as in other parts of the diocese and throughout Croatia, either within the ecclesiastical or broader social context. He left an inerasable trail as the founder and the patron of the major Croatian cultural and scientific institutions in Zagreb. The state of the Manor Strossmayer inherited when he became the Bishop of Đakovo and the way he administered the manorial resources was best described by his closest associates Matija Pavić and Milko Cepelić in their jubilee book devoted to Strossmayer, in the chapter titled “Josip Juraj Strossmayer as the Lord of the Manor” (Cepelić/Pavić, 1900, 845-935). Due to the abolition of feudalism in 1848, Strossmayer took over the Manor in 1850 under the entirely different economic circumstances than his predecessors. Nevertheless, being a fairly young man, supported by his associates, well trained clerks and managers, Strossmayer overcame all the manorial problems, including

the financial difficulties (Cepelić/Pavić, 1900, 872). It seems, though, that Strossmayer's success has to be attributed to his endeavour to carefully monitor the Manor, improve the contributing capacities, and remove the ones holding back the development.

The management of rich natural resources, such as forests, pastures and plough fields, was crucial in the planning of the economic development of Eastern Slavonia throughout the history, but in order to exploit the resources, the local population was of utmost importance, although its number varied in different periods of time. In the second half of the 19th century the Đakovo area was abundant in natural resources, particularly in forests, fully grown and ready for logging, but the number of people to clear the ground, bring it under the cultivation and turn it into pastures and plough fields was scarce. In such circumstances, for the economic reasons, the Bishop Strossmayer, as the lord of the manor, stimulated the colonisation of the new places around Đakovo namely: Josipovac, Jurjevac and Krndija.

This paper discusses the village of Josipovac and the economic and legal aspects of the colonisation, as well as the settler's land leasing obligations to the Episcopal Manor.

2. The Settlers and Their Descendants

Today, Josipovac is widely known for its live Slovak tradition and rich cultural heritage. The Slovak minority mostly consists of the descendants of the settlers who arrived in the second half of 19th century. There are several authors of comprehensive works about the Croatian Slovaks, but the most distinguished are Vita Ušaka and Kvetoslav Kučerov. They analysed the reasons for emigration of the Slovaks from their homeland and described the places and the waves of their migration to Croatia, covering a great deal of information about the places populated by the Slovaks. However, from its earliest history on, Josipovac was also populated with other ethnicities (Croats, Hungarians, Germans, and Czechs). Some authors already dealt with the issue of the Slovak colonisation of the villages around Đakovo: Josipovac, Jurjevac, Beketinci and Piškorevci (Kučerova, 2005, 87-102). Several authors, mainly naturalised or native born inhabitants of Josipovac, wrote on their home village and various historical aspects of life, work, live cultural, artistic and social activities, mostly in the second half of the 20th century, but the earliest history of Josipovac in their works was merely touched upon.

One of the authors who wrote on the immigration of the Slovaks and other ethnicities to Josipovac, the founding of the village, regulated relations between the Episcopal Manor and the settlers, was Monsignor Andrija Šuljak, a priest, cathedral canon, professor of ecclesiastical history at the Faculty of Theology in Đakovo, native born Slovak from Josipovac and Croatian patriot. A more comprehensive work on Andrija Šuljak was written by Luka Marijanović, a cathedral canon and university professor (Marijanović, 2011, 65-86). Šuljak wished to publish all the collected and studied materials about Josipovac and its earliest history in the work that was to be issued in the monograph on Josipovac. After his sudden passing in 2010, the manuscript was not found in his legacy, just the collected and copied documents from the Archdiocesan Archives in Đakovo (AAD), which were at his disposal and used for further study and writing. However, some of the found documents and studied data Šuljak published as one of the authors of the popularly written catalogue of the Slovak exhibition titled "Josipovac Punitovački Slovačko selo u Đakovštini" (Josipovac Punitovački a Slovak Village in the Đakovo Region), held in the Museum of the Đakovo Region in 2008 (Josipovac 2009). This published work of Šuljak (Šuljak 2009, 4-38), together with other archival documents, are the basis for this paper on the economic and legal aspects

of Strossmayer's colonisation of the clearings in the districts of Punitovci and Gorjani and the founding of the new village of Josipovac.

A romanesque story on the first contacts between the later settlers of Josipovac the Bishop Strossmayer is based on a recorded oral tradition of the oldest residents of Josipovac collected in the form of the memorial by Stjepan Lukić, a parish priest of Punitovci (1946-1951), under the title "Povijest slovačkog sela Josipovac" (A History of a Slovak Village of Josipovac). According to this memorial and Šuljak's article, the Slovaks who later came to Josipovac had settled first in the nearby of Orahovica around 1850 and founded the settlements of Zokov Gaj, Duga Međa, Petrovo Polje and Podrumina. Their first, accidental, encounter with the Bishop Strossmayer was related to the blessing of the bells for the newly erected chapels in Duga Međa and Podrumina. Although these parts were under the Diocese of Zagreb, due to a great distance from the episcopal see, most probably at somebody's urging, they turned to Strossmayer, a well-known friend of Slovaks (Judak/Sedlak 2006, 169-188), for the blessing of the church bells. After the ceremony, the Bishop offered the settlers a chance to replace hard labour in Gutmann's forests for the colonisation on his manor, to cultivate the land and to found new settlements in the districts of Punitovci and Gorjani. His suggestion, apparently, seemed acceptable to the Slovak delegation, headed by Vavrin Kanisek and Stjepan Zelnik, so they urged the first group of colonists to move on 17 January 1881 and to settle down on the marked house lots, which would be later known as the village of Josipovac (Archives of the Roman Catholic Parish of Punitovci, sign A-XI-2; Šuljak, 2009, 7-8).

3. Material and Legal Conditions for the Colonisation and Founding of Josipovac

3.1 Economic Basis for the Colonisation

The arrival of the settlers at Josipovac was closely connected with Strossmayer's management of the manorial forests. In the second half of 19th century the forests were the most important source of income of the Episcopal manorial estate (Cepelić/Pavić, 1900, 855-870). According to the Forest Act of 1858, Strossmayer needed a permit from the Royal Provincial Government in order to clear large forested areas on his manorial estate. Accordingly, in 1879 he put in a request for the permit to clear the forests in Cerovac, Branjevina, Pašina and Krndija and to cultivate the cleared land by turning it into plough fields and pastures. The Royal Subcounty in Đakovo supervised the implementation of Strossmayer's request. The manorial management, with the approval of the Government, was ordered to complete the study for turning the clearings into plough fields and pastures, that is the study for tillage and exploiting the cleared land (AAD, Episcopal Manor, 564/1879). However, the regular income of the manorial estate and the existing financial resources could not guarantee the implementation of the study without granting the lease of the cleared plots (Šuljak, 2009, 5-6). At the time, when the Đakovo Region was sparsely populated, the arrival of the potential leaseholders, the Slovak settlers mentioned by Josip Lukić in the aforesaid memorial, was highly desirable.

3.2 Material Conditions for the Colonisation

The areas to be colonised by the new settlers of Josipovac were the clearings of Pašine, Suševina and Branjevina. It was the territory of systematically cleared forests, wilderness with shrubberies and swamps, without melioration channels and ditches, not even a solid road, nothing but a beaten path through the cleared forest. So, it came as no surprise when Strossmayer himself wrote a note on the back side of the conditions document, from 5

January 1881, which said: "It's worth a try, but I doubt those people will succeed." (AAĐ, Episcopal Manor, 21/1881; Šuljak, 2009, 13).

The colonisation conditions offered by the Episcopal Manor to the settlers were worded in a document, which is preserved in the Archiepiscopal Archives in Đakovo (AAĐ, Episcopal manor, 21/1881.) Its facsimile was published in the previously mentioned catalogue, together with Šuljak's interpretation of the original text:

1. „From the crucifix in Branjevina, at the crossroads near Drljak, along the both sides of the road to Tomašanci, each family will be granted a plot of 20 fathoms wide and 80 fathoms long for the croft. Here they can build a house, convert the land into a garden, a plum orchard or something else. The Manor will not ask tribute in kind for the yields from this acre, however he will be able to purchase the croft later. 2. Each family will be obliged, for the duration of the contract, which is 15 years, to convert 15 acres of clearings into a plough field. 3. The Manor will sell 5 out of 15 acres of cultivated plough fields and 1 acre of croft to each family for 50 florins per acre, and the Manor will register the sale in the land registry at his expense. 4. Every lessee must clear the land on his own, acquire his own tools as well as the building materials for the house. 5. The lessee owes 1 fathom of wood per every acre of land he clears to the Manor. The rest he can keep for himself. 6. The Manor will lend the lessee seeds in the first year to sow the land. The seeds must be returned after the harvest. 7. The Manor leases the land for 15 years, first ten of which the lessee will give 50 kg of crops per acre to the Manor every year, and 100 kg during the remaining five. 8. The lessee is free to cultivate the land at will. 9. The settlers are allowed to freely glean the wood from the clearings that are to be brought under cultivation. 10. The lessee will be able to put his livestock out to pasture on the aforesaid clearings with payment of 50 coins fee per cow and 25 coins fee per calf, horse, sheep or pig. 11. The settlers can temporarily live in one of the rooms reserved for manorial servants, or can adapt one half of the manorial pigsty for their living quarters. 12. These conditions will become valid if at least 20 families settle down and when they are authorised by the Bishop“ (Šuljak, 2009, 8-13).

These conditions were, apparently, changed with time, in order to be adjusted to the needs and interests of both the settlers and the Manor, until each lessee signed the contract in 1889 (AAĐ, Episcopal Manor, 1889). Thus, Pavić and Cepelić, at the turn of the century, described somewhat different colonisation conditions and obligations of the settlers than the ones offered in 1881. According to them, each settler received one acre of croft and ten acres of plough fields and meadows. The allocated 11 cadastral acres of land were to be cleared within ten years according to the contract. The obligations consisted of two phases. In the first ten-year period the settlers were required to pay in crops and wood to the Manor according to the contract conditions, that is, 50 kg of crops per acre (the croft being excluded) every year and a fathom of wood per cleared acre paid on a one-time basis. Taking into the account that the settlers had the obligation to clear and cultivate the land, there was a rather interesting penalty clause in the contract by which a lessee had to pay 3 florins per uncleared acre every year as a rent. Once the ten-year period had expired, the settlers were not required to pay the Manor in kind anymore, but to pay 50 florins per acre twice a year, in total of 42 instalments. (Cepelić/Pavić, 1900, 902-903).

The living conditions of the settlers were, apparently, very difficult, because from the initial 44 families that arrived in 1881, only 7 remained in 1883. The rest of them moved away in the

meantime, but they were replaced by newcomers, as seen in the Manorial census. The first census, containing 44 names and surnames of the household heads, was made by the estate overseer Hugo Sudarević on 19 January 1881, when the first settlers were granted house lots (AAĐ, Episcopal Manor, 64/1881). Šuljak presented a precise transcription of their names and surnames (Šuljak 2009, 14). However, only 7 family householders were mentioned in the census from 1883 (“Popis Žitelja Naselnika u Josipovcu...”), in which the households were listed by house numbers. The census consisted of 54 house numbers (number 15 was the church), including the following information for every householder leaving at that number: “name and surname; where is he from; what documents does he have; what religion is he affiliated with; what is his nationality; is he legally married or is he cohabiting; his present moral conduct; how many acres has he cleared; remark” (AAĐ, Episcopal Manor, 715/1883). Thus we can see that all of the villagers were Roman Catholics. By nationality, there were 29 Slovak, 11 Hungarian, 6 Croat, 5 Czech (Pemac), and 2 German families (AAĐ, Episcopal Manor, 715/1883). Šuljak published the facsimile along with the transcription of the census. (Šuljak, 2009, 15-24).

3.3 Legal Aspects of the Colonisation

According to Strossmayer’s intention to found new settlements on the clearings, the Royal Provincial Government in Zagreb and its Department of Religion and Education, instructed the Diocesan Chancery in Đakovo from 20 September 1881 about the new settlements on the clearings, all the legal formalities and the approvals from the civil and ecclesiastical authorities to be obtained before the Government can issue the permit for the implementation of that intention (AAĐ, Diocesan Chancery in Đakovo, 895/1881). According to the instruction, Strossmayer issued the guidelines to the Directorate of the Episcopal Manor from 8 October 1881 on the series of procedures to be taken regarding the legal aspects of the founding of settlements. First, a land registry extract had to be obtained for the land plots to be leased together with their value estimate. On the basis of these documents, the Chapter had to give their consent for abalienation of the episcopal land and send their opinion to the Royal Provincial Government for further legal proceedings. Once when the Government approved the abalienation, in agreement with the Royal Subcounty in Đakovo, it was possible to legally determine the layout of the settlements and sign the lease contract with the settlers. Finally, the case had to be sent to the Department of Interior of the Royal Government for confirmation (AAĐ, Diocesan Chancery in Đakovo, 895-1881; Episcopal Manor, 1081/1881).

The settlers signed contract with the Manor in 1889. The contracts mostly defined the clauses described by Pavić and Cepelić in their book. The clauses were surely altered with time due to the poverty of the settlers who on several occasions pleaded Strossmayer to allow them defer their obligations. Among the manorial records from those years there are a number of requests by the settlers for deferred payment or borrowing the sowing seed in the years of poor crops (AAĐ, Episcopal Manor, Documents 1881-1889), even in the year when the contracts were signed or later. In their collective request from 11 August 1889 they pleaded to be released from paying the “kila” (50 kg from the crops) for the current year, because the harvest was very poor and they barely managed to gather the seeds for the upcoming seedtime. This request mentions 59 families, that is, the names and surnames of the householders (AAĐ, Diocesan Chancery in Đakovo, 318-1890). The settlers wrote to Strossmayer again in 1894, asking to be allowed to postpone the payment of the residual annual instalments for the period from 1891 to 1894. The debt was to be settled on 1 January 1895 at once, but they petitioned the Bishop to have it distributed into 8 semi-annual instalments. Strossmayer’s handwritten

note on the back of the document testifies in favour of his benevolence (AAĐ, Diocesan Chancery in Đakovo, 341/b-1898).

Besides founding of settlements and colonisation of settlers, Strossmayer, as the lord of the Manor, thought it was necessary to provide newly founded villages with common land for the needs of their rural district. Thus he, by virtue of the donation agreements from 12 December 1893, granted the District of Josipovac land, stating the individual land plots (AAĐ, Episcopal manor, 478/1893).

Land registration procedure for the newly founded settlements and donated land as well as the implementation of the contracts closed rather late, in 1894, although all cadastral documentation necessary for the registration had been completed much earlier, on 15 October 1885. The reason for this was that the Royal District Court in Đakovo, as the authority for land registry, allowed all the land contracts and the founding of the new settlements of Krndija, Jurjevac and Josipovac to be registered on 25 July 1894, under the number 1822/Z. Thus land registration of the allocated plots of District of Punitovci, entry no. 34, and District of Gorjani, entry no. 216, was allowed for the village of Josipovac, as well as the transfer of those plots to their new proprietors. The same decision of the Court allowed registration of the mortgage on all immovable property in favour of "Manor of the Diocese of Đakovo", according to obligations set in the contracts. The decision also stated that all the documentation on the land registration was to be kept in the Court within the Collection of Documents (AAĐ, Episcopal Chancery in Đakovo, 210-1894).

REFERENCES

AAĐ, Episcopal Manor: **Archdiocesan Archives in Đakovo, fonds: Episcopal Manor, documents from the period 1879-1893** /Nadbiskupijski arhiv u Đakovu, fond: Biskupsko vlastelinstvo, spisi iz razdoblja 1879.-1893./

AAĐ, Diocesan Chancery in Đakovo: **Archdiocesan Archives in Đakovo, fonds: Diocesan Chancery in Đakovo, documents from the period 1881-1898** /Nadbiskupijski arhiv u Đakovu, fond: Duhovni stol u Đakovu, spisi iz razdoblja 1881.-1898./

Archives of the Roman Catholic Parish of Punitovci, sign. A-XI-2, *Povijest Slovačkog sela Josipovac*, manuscript, Stjepan Lukić, parish priest of Punitovci (1946-1951).

Cepelić, M./ Pavić, M. (1900): *Josip Juraj Strossmayer biskup bosansko-djakovački i srijemski god. 1850-1900.*, Zagreb, 1900.-1904.

Josipovac (2009): *Josipovac Punitovački slovačko selo u Đakovštini*, Muzej Đakovštine Đakovo, Matica slovačka Josipovac Punitovački, 2009.

Judák, V./ Sedlák, P. (2006): *Josip Juraj Strossmayer a Slovaci*, Međunarodni znanstveni skup Josip Juraj Strossmayer, Zagreb, 19. svibnja 2005. [i] Đakovo, 20. svibnja 2005. : povodom 190. obljetnice rođenja i 100. obljetnice smrti, Hrvatska akademija znanosti i umjetnosti, 2006., pp. 169-188.

Karaman, I. (1995): *Uloga i značaj biskupskog imanja Đakovo u sklopu slavonskog kasnofeudalnog/kapitalističkog veleposjeda*, Diacovensia, Vol. 3, No. 1, pp. 229-239

Kučerova K. (2005): **Slovaci u Hrvatskoj (Od početaka naseljavanja)**, Matica slovenska, Martin

Marijanović, L. (2011): **Prilog životopisu dr. Andrije Šuljaka** (1936.-2010.), Zbornik muzeja Đakovštine, No. 10, pp. 65-86

Šuljak A. (2009): **Selo Josipovac**, u: *Josipovac Punitovački slovačko selo u Đakovštini*, Đakovo : Muzej Đakovštine Đakovo, Matica slovačka Josipovac Punitovački, 2009., pp. 4-38