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THE WORLD OF DON ANTE MARŠIĆ OR CHURCH AND STATE IN 15TH CENTURY KORČULA

Abstract: The article analyses the relationship between the state and the Church in late medieval Venetian-ruled Dalmatia, using the example of the life and work of a Catholic priest, Marko Maršić, and the long litigation between his grandson and heir, Ante Maršić, and the bishop and chapter of Korčula.

Keyword: Dalmatia, Korčula, Venice, Catholic church, micro-history

Over decades of research, Desanka Kovačević-Kojić analysed the Dubrovnik Archives in order to investigate the social and economic history of medieval Bosnia and Serbia. There is probably no greater contrast in terms of the transmission of medieval sources than that between Bosnia and neighbouring Dalmatia. The present study, which is based on a relatively little-known Dalmatian archive, that of Korčula, is intended to commemorate the great researcher of the neighbouring Dubrovnik Archives.¹

The present work continues the analysis of the richest archive of a late medieval Dalmatian island, which I began almost two decades ago and which I have already

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¹ The classic study on the history of the island for the period before 1420 is Vinko Foretić, "Otok Korčula u srednjem vijeku do g. 1420", Zagreb 1940; more recently Serđo Dokoza, *Dinamika otočnog prostora. Društvena i gospodarska povijest Korčule u razvijenom srednjem vijeku*, Split 2009, which, like Foretić, does not deal with Venetian rule (from 1420); Ermanno Orlando, *Gli accordi con Curzola, 1352–1421*, Roma 2002.

presented to Serbian colleagues in the memorial publication for another great Serbian medievalist, Sima Ćirković.² Desanka Kovačević-Kojić should also be honoured with a micro-historical study.

It examines the life of a single priest, Don Marko Maršić, who skilfully worked his way up from poor circumstances to become a wealthy land and livestock owner. This work is also part of a debate that has long characterised research on the Venetian-ruled Adriatic. Studies of the last twenty years have shown that Venice was a composite state that largely preserved the existing power and social structures in Dalmatia and saw itself primarily as a mediator between competing local factions.³

This was especially true for those urban communities in Dalmatia that did not offer armed resistance to Venice. While Zadar shared a long history of conflict with Venice, Korčula, which became subject to the Republic of St Mark in 1420, experienced a veritable economic boom under Venetian rule. Venice protected the small island community against Dubrovnik, an overpowering neighbour before 1420, which cut off the Korčulans' trade and disputed their fishing rights. From 1420, an international border ran between Korčula and Dubrovnik, and Venetian ships defended the interests of the Korčulans if necessary. The Korčulans, like other Dalmatians, maintained trans-Adriatic trade with the Marche and Apulia, but unexpected business opportunities opened up in Venice itself: the island exported figs and pitch for shipbuilding in particular to the Adriatic metropolis, and Korčulan merchants also entered the shipping trade with Venice. The Serenissima therefore

² Oliver Jens Schmitt, "Micro-history and Lebenswelten as approaches to late medieval Dalmatian history: a case study of Korčula", in: Srđan Rudić (ed.), *Spomenica akademika Sime Ćirkovića*, Beograd 2011, 137–158; Oliver Jens Schmitt, *Korčula pod Venecijom u XV. stoljeću*, Split 2024; cf. the comprehensive monograph by my former academic student Fabian Kümmeler, *Korčula. Ländliche Lebenswelten und Gemeinschaften im venezianischen Dalmatien (1420–1499)*, Berlin–Boston 2021.

³ Fundamental are the works of Ermanno Orlando, "Politica del diritto, amministrazione, giustizia. Venezia e la Dalmazia nel basso medioevo", in: Uwe Israel & Oliver Jens Schmitt (ed.), *Venezia e Dalmazia*, Roma, 2013, 9–61; idem, *Venezia e il mare*, Bologna 2014; idem, *Strutture e pratiche di una comunità urbana. Spalato, 1420–1479*, Venezia–Vienna 2019; and Egidio Ivetic, *Storia dell' Adriatico*, Bologna 2019; between 2008 and 2024, the Istituto Veneto di Scienze, Lettere ed Arti and the Austrian Academy of Sciences have dedicated a whole series of conferences to the Venetian overseas empire: Gherardo Ortalli & Oliver Jens Schmitt (ed.), *Balcani occidentali, Adriatico e Venezia fra XIII e XVIII secolo / Der westliche Balkan, der Adria-raum und Venedig (13.–18. Jahrhundert)*, Vienna 2009; Gherardo Ortalli, Oliver Jens Schmitt & Ermanno Orlando (ed.), *Il Commonwealth veneziano tra 1204 e la fine della Repubblica. Identità e peculiarità*, Venezia 2015; Gherardo Ortalli, Oliver Jens Schmitt & Ermanno Orlando (ed.), *Comunità e società nel Commonwealth veneziano*, Venezia 2018; Ermanno Orlando & Gherardo Ortalli, *Dimensioni istituzionali del Commonwealth veneziano (secoli XIV–XVII)*, Venezia 2024; Monique O'Connell, "The Contractual Nature of the Venetian State", in: Gherardo Ortalli, Oliver Jens Schmitt & Ermanno Orlando (ed.), *Il Commonwealth veneziano tra 1204 e la fine della Repubblica. Identità e peculiarità*, Venezia 2015, 57–72; eadem, *Men of Empire: Power and Negotiation in Venice's Maritime State*, Baltimore 2009.

did not suppress the trade of this Dalmatian island, but rather Korčula benefited from new economic horizons.

On the island itself, the Venetian presence was minimal: the governor, who changed every two years, flanked by a chancellor, and (from 1454) the bishop, also accompanied by a chancellor, both mostly without any other foreign personnel. All other offices, from magistrate to the field guards, were held by locals who administered the island in accordance with the statutes dating back to the 13th century. The Catholic clergy was also made up exclusively of locals; only a few Bosnian Franciscans immigrated towards the end of the 14th century, and from 1454 bishops tended to be foreigners (Italians).

Against this background, more recent research (especially by Ermanno Orlando) understands Venetian rule as a process of negotiation between actors in regional society, the local Venetian representatives and the Venetian central authorities. The local society was anything but homogeneous: on Korčula, as elsewhere in Dalmatia, patricians and *popolani* faced each other, but on Korčula the latter were particularly powerful and influential. This was due to the demographic and economic weight of the villages in relation to the harbour town – the villages, especially Blato and Čara, did not simply form a dependent *contado*, but had their own assemblies (*veće*) and a strong political self-confidence. Thus, actors in the villages should by no means be understood as subjects. Both patricians and peasants turned to the local governors and the central authorities in Venice to assert their interests, whereby political and business interests often went hand in hand.

In addition to the concept of negotiated power, communities, their structures and their self-image have therefore moved to the centre of research in recent years (cf. fn.3). The unique documentation of the Korčula archive makes it possible to delve into the micro-level of local and even individual constellations in a dense description and to analyse a late medieval island society at close range and to accompany it with a narrative. Most recently, Fabian Kümmeler has uncovered the lifeworlds of rural society, of peasants and especially of shepherds, in a comprehensive monograph. Together with preliminary work by the author of these lines, who has also devoted himself to the urban population in particular, almost all sectors of the population have been covered, at least in outline, with the exception of the Catholic clergy. This gap in research can at best be justified by the fact that the possibility of finally analysing population groups beyond the elites and beyond the cities has led to the neglect of that community, which naturally had considerable influence in a medieval society. In addition, the religious history of the island was very quiet – the population was uniformly Catholic and there is no evidence of people of other faiths in the rich archives.⁴

The ecclesiastical history of Korčula at the end of the Middle Ages has only been partially researched. What we do know is thanks to the research of Vinko Foretić,

⁴ These explanations are based on the works cited in footnote 2 as well as V. Foretić, *Otok* and S. Dokoza, *Dinamika*. The statutes of the island are reprinted in Antun Cvitanić & Miljenko Foretić, *Statut grada i otoka Korčule*, Korčula 2014.

who published a fundamental monograph on the island in pre-Venetian times, i.e. up to 1420, in 1940.⁵ Serđo Dokoza's more recent monograph hardly brings anything new to the field of church history, as he relies on the same archive funds as Foretić and had even less material at hand than Foretić due to archive losses.⁶ Korčula was an integral part of the Catholic Adriatic world, and despite the small size of the town, there was a dense network of churches and affiliated Catholic brotherhoods typical of the time and region. In 1300, Korčula was separated from the diocese of Hvar and merged with the diocese of Ston to form a new diocese of Korčula and Ston, with the seat of the diocese being moved to Korčula. The bishop was assisted by the canons of the cathedral church (in leading positions: archdeacon, archipresbyter, primicerius), who were responsible, among other things, for managing the tithe that clerics had to pay from their income to the cathedral chapter. In 1370, the chapter had eight members. In addition to canon law, the island's statutes also regulated the position of priests – activities to which Don Marko Maršić devoted a lot of time and energy, namely playing dice and trading, were forbidden, and as the father of an illegitimate son, he was not too strict about morality either.⁷

The cathedral dedicated to St Mark has been documented since 1329, while other churches were dedicated to St Peter, All Saints, St Michovil, St Sergius, St Anthony, St Luke, St Barbara and St Catherine. There were parishes in seven villages, namely Lumbarda (St. Roch), Blato (All Saints), Smokvica (purificatio Marie), Popnata/Pupnat (Birth of Mary), Čara (St. Peter), Račišće (St. Nicholas) and Žrnovo (St. Martin).⁸ In 1394, a Franciscan convent was founded on a small island off Korčula by Franciscans from Bosnia. There is evidence of confraternities since the early 14th century, such as the confraternity of All Saints (since 1301). The fact that a confraternity also existed in the village of Blato with its large population (documented from 1350) emphasises the importance of the villages in relation to the island's capital.

All of this forms the framework for the micro-historical case study to which we will turn. It concerns the legacy of Don Marko Maršić, who died in the late summer of

⁵ V. Foretić, *Otok*, 338–366; S. Dokoza, *Dinamika*, 239–253.

⁶ During a visit to the Museum of the City of Korčula in 2007, which I made together with my friend and colleague Prof Dr Marko Trogrlić, University of Split, the manuscript of the council minutes came to light by chance. It may be that they can be found there with other materials from Foretić.

⁷ Vinicije B. Lupis, "Pregled povijesti Stonske biskupije od osnutka do 1541. godine", in: Želimir Puljić & Nediljko A. Ančić (ed.), *Tisuću godina upostave Dubrovačke (nad)biskupije*, Dubrovnik 2001, 197–217, here 209ss., relies on Foretić for the 14th century; Božo Baničević, "Osnivanje Korčulanske biskupije", in: Želimir Puljić & Nediljko A. Ančić (ed.), *Tisuću godina upostave Dubrovačke (nad)biskupije*, Dubrovnik 2001, 219–234; on the cathedral, see the treatise by Cvito Fisković from 1939, reprinted in: Cvito Fisković, *Korčulanske studije i eseji*, ed. by Vicko Fisković & Damir Tulić, Korčula 2008, 7–102; on the cathedral chapter Ante Gulin, *Hrvatski srednjovjekovni kaptoli Dalmacije, Hrvatskog primorja, Kvarnerskih otoka i Istre*, Zagreb 2008, 109–117, also essentially based on Foretić.

⁸ Jadranka Neralić, *Put do crkvene nadarbine. Rimska kurija i Dalmacija u 15. stoljeću*, Split 2007, 133.

1457 and left a considerable fortune to his grandson (*sic* – Don Marko had a son named Frane).⁹ It was not uncommon for priests to issue wills in Dalmatia, but there was no standardised legal practice in the urban communities. In Korčula, no one denied a priest the right to make a last will and testament. The conflict centred on something completely different.¹⁰

The canons of the cathedral chapter had denounced Don Marko and, after his death, his heirs, because Don Marko had not paid his dues to the cathedral chapter for decades and had finally tried to bequeath his property to a direct descendant. What began as a dispute between a few clerics on a small island in southern Dalmatia escalated into a conflict that was brought before Pope Pius II and mobilised numerous actors on the island. The trial dragged on until 1462 and soon centred on the question of jurisdiction – because Ante Maršić, the heir to Don Marko's fortune, had once been ordained as a priest but resigned from the clergy in order to avoid the ecclesiastical jurisdiction exercised by the bishop. The bishop, for his part, insisted that the case be assigned to ecclesiastical jurisdiction. Ante Maršić in turn turned to the Venetian governor (*comes*) and asked him to take over the judicial judgement of the dispute. Both the bishop and the governor came from the Venetian patriciate, at times even from the same family (Leon – the governors changed every two years). Bishop Luca Leon (1454 – 7 July 1462) was the first Venetian on the bishop's throne – his predecessors had all been Korčulans; the fact that the bishop was a foreigner was to play an important role in the whole conflict. As the rich priest had also appointed leading local patricians as his legal representatives (*procuratores*), the local elite was also drawn into the dispute. And as it had to be established how much livestock the deceased priest had owned, shepherds were also summoned to court.

In the following, the individual stages of the process will be reconstructed. The episode will then be analysed in terms of its significance for larger issues.

The conflict began on 4 August 1457 with the summoning of the then already old and ill Don Marko Maršić, vicar and canon of the cathedral church, by his colleagues, the canons of the cathedral chapter, Don Ante Jurjević, Don Marko Jurčić, Don Ante (q. Simeonis) Mikulić and Don Marcus Michaelis. The spokesman then and in the following period was Don Ante Mikulić, who represented the Cathedral Church of St Mark and had the authority (*procura*) of the canons. They brought this accusation

⁹ The records of the trial (*Copia processus facti contra Antonium Marsich per Reverendum patrem dominum episcopum*) can be found in: Državni arhiv u Zadru [=DAZ], Arhiv Korčule [=AK], 17/32/3; the case is dealt with in outline in O. J. Schmitt, *Korčula*, 54–61.

¹⁰ Zoran Ladić, *Last Will: Passport to Heaven. Urban Last Wills from Late Medieval Dalmatia*, Zagreb 2012, unfortunately devotes little attention to the wills of clerics, see especially 147 fn. 394. In Zadar, the city statute prohibited priests from issuing wills; in Dubrovnik and Trogir, on the other hand, there were no such obstacles. The statute of Korčula also had no prohibition. However, priests were also subject to canon law; the new study by Sarah Rigaudeau, *Le testament en droit canonique du XII^e au XV^e siècle*, Paris 2021 was not accessible to me; see Loïc Pierrot (20 avril 2020), "La rédaction du testament canonique au Moyen Âge", *Chroniques chartistes*. <https://doi.org/10.58079/mpie>, read on 20 February 2025.

before the bishop, which they were to repeat many times: Don Marko Maršić had amassed a fortune of several thousand ducats (which would have made him one of the richest men in all of Dalmatia), but had never paid dues to the bishop or the cathedral chapter in return, and this despite the fact that he had begun his ecclesiastical career in great poverty – so he had not inherited the fortune, but had acquired it during his time as a priest. In the face of death, Don Marko Maršić tried to bequeath his property. The canons demanded around 400 ducats in compensation from the moribund priest for unpaid dues.

Shortly after the plaintiffs, the presumptive heir, Ante, son of Frane Maršić, appeared before the bishop's ecclesiastical court: he admitted that he was favoured by his grandfather in his will, but asked for a postponement in order to appoint a legal representative. The bishop postponed the court hearing; and before it was resumed, one of the canons, Don Mate Žilković, appeared before him, apparently having pangs of conscience about bringing a case against a dying man. He asked that the issue be clarified only after the death of Don Marko Maršić. Apparently, the rich priest died on 5 August 1457. And now the canons appeared before the bishop and urged him to prevent the will from being executed and the deceased's property from being handed over to his grandson. "*Instantanter, instantanter, instantius, instantissime*" they asked the bishop, according to the records.¹¹ On the evening of the death, the executors were invited to the bishop's palace – they were respected patricians and businessmen such as *ser* Marin Paperčić, *ser* Petar Obradović and *ser* Ante Ivčić – the deceased priest had travelled in the circles of the local patriciate.

On Monday, 8 August 1457, the heir, Ante Maršić, was summoned before the bishop. On behalf of the cathedral chapter, he was asked to pay the tithe that his grandfather had never paid. The heir requested a period of eight days and pointed out that his grandfather had never paid anything under customary law. In fact, the dispute only became acute again in October 1458, when the canons of the cathedral chapter became active again. On Saturday, 21 October 1458, they summoned Ante Maršić; on Sunday, 22 October, the sacristan Luka Gajetić appeared before Maršić and informed him of the summons. And on Monday, 23 October 1458, the canons complained that the accused had not appeared before the bishop. In fact, Ante Maršić had changed his strategy: he rejected the jurisdiction of the bishop's court and claimed that only the secular judiciary had jurisdiction over him. On Tuesday, 24 October, Don Ante Mikulić denounced Ante Maršić and his father Frane, and a week later, on Tuesday, 31 October 1458, the sacristan summoned both father and son to appear before the ecclesiastical court again. On the same day, Don Ante Mikulić appeared before the bishop and argued that Ante Maršić was still a cleric and therefore had to answer to the bishop – because he had received the lower orders and could not simply resign from the clergy. Mikulić had consulted the bishop's archives ("*chomo apar in libro deli ati del nodaro e cancelliere de Monsignor misser lo Vescovo*", f. 5r). However, the

¹¹ DAZ, AK, 17/32/3, f. 1v.

Maršić family no longer deviated from their course and demanded that the case be brought before the jurisdiction of the governor ("*per esser nuy mundani et non chierexi*", f. 4v).

Now the conflict escalated: on 13 November, the plaintiff summoned Ante Maršić to appear before the episcopal court again, and Don Ante Mikulić presented his own memorandum, which summarised his view of the matter in nine points. On 27 November 1458, the sacristan once again appeared before Maršić to summon him before the ecclesiastical court. He again failed to appear, but in the meantime Don Ante Mikulić had compiled an inventory of the possessions of the deceased Don Ante Maršić. This document is of great economic and historical value: the priest had acquired 95.5 gonjaj (1 gonjaj = approx. 910 square metres) of vineyards, houses and land all over the island. In the town of Korčula, he owned a large house and two smaller houses; work was underway on a second house, as well as a small house near the church of St Peter. The gardens and vineyards were scattered all over the island (in the villages of Lumbarda, Čara, Pupnat, Smokvica). In Lumbarda ("*ortus cum domo*", f. 7v), in Čara ("*domus cum ortis penes domum*", "*una domus nova in Kzara magna cum ortis*", "*una domus cum parvo orto*", f. 7v) he owned real estate.

The matter now became serious and witnesses were questioned, first the influential notary *ser* Ivan Dragačić, who reported that the deceased priest had a brother named Ante, who had already died in 1431 – the widow had then moved in with her brother-in-law and the latter had managed his deceased brother's inheritance as he saw fit. This shows that the priest had indeed owned family property, so the canons' statement that the deceased had acquired his wealth solely during his time as a priest was not correct (f. 8v). On 19 January 1459, Mikoje Marković from the village of Žrnovo above the Korčula town was then interrogated – he testified that the deceased had owned 150 head of cattle in the village of Žrnovo alone, but that Don Marko Maršić's father had owned even more cattle – a second indication that the priest did not come from an impoverished family. On 31 January, another testimony was taken, this time in the village of Čara, located in the interior of the island. The testimony of the shepherd Živa Marinić *aliter* Gussar was taken by the chaplain of the village and the notary Ivan Dragačić: he had herded 390 head of cattle of the deceased priest and never paid the tithe, except once, and then Don Marko Maršić said that as a member of the cathedral chapter he wanted to offset this against his share of the church's income – the shepherd said. Another shepherd, Marko Lisica, stated that he was currently herding 47 head of cattle belonging to the deceased. The witnesses said that the herd had once numbered 500 head of cattle, probably mainly sheep.

On 14 and 16 February 1459, the bishop's men interrogated close friends of the deceased – their statements give us a rare insight into the reality of life for Catholic clerics in late medieval Dalmatia. Don Frane Lučić was related to the deceased. They had always been together, he and the deceased, he testified; and Don Marko Maršić had lived in a dilapidated house a long time ago and there was no chimney. "*When the wind called Bora blew, you had to make a fire in a corner of the house*" (f. 11r).

Maršić was so poor that he went fishing himself; the catch was then prepared by Don Frane. He collected wood where he found it and slept on a grate that was normally used to dry figs; he laid a torn rug on it, covered himself with a cheap cloth and protected his back with his clothes. This is probably one of the most accurate descriptions of how poor people slept in late medieval south-east Europe – at the same time, we are given an insight into a meagre household: young Marko Maršić could not buy actual firewood, he lived on fish he caught himself – private fishing was considered a sign of poverty on an island where meat was plentiful; the house resembled a hut, there was no bed, but there was a grate for drying figs. Dried figs were exported from Korčula to Venice in large quantities, so the equipment was also available in a poor household.

Don Frane knew exactly how Don Marko Maršić had come into his fortune: the deceased had given herds of 100 or 200 animals to shepherds who had to graze them; however, if animals died due to accident or illness, he had demanded compensation from the shepherds relentlessly and this would have been paid in the form of vineyards. In this way, the priest took possession of many vineyards. Don Frane, a close personal friend of the deceased, had concealed a number of things from the bishop's interrogators, as was revealed on 16 February 1459 when *ser Ante Stanojević* from Lumbarda, a village near the Korčula town, was questioned: Don Marko Maršić had been destitute in his youth; he had lived in a one-storey house and the household goods had not been worth three ducats. At night, however, the priest played cards and dice; *ser Ante* also knew how shabby the priest's bed was. He had 16 quarts of wine as income and lived by selling the grape harvest in advance. But then he obtained mandates (*procuraciones*); he also sold candles from the church and thus raised money for his passion, gambling. His gambling companions were two priests, Don Frane Lučić and Don Marko Komarić and two patricians, namely the witness himself, *ser Ante Stanojević*, and another nobleman. *Ser Ante* was also able to date exactly when Don Marko had built up his wealth, namely from 1426 onwards.

Other witnesses commented on the question of whether the deceased had paid tithes; Don Marko Jurjević answered in the negative. *Ser Mate Obradović*, who had leased this tithe for 15 years, confirmed this statement and specified that Don Marko Maršić had only paid the tithe for the income that his widowed sister-in-law received from her vineyards. However, when the sister-in-law died, Don Marko also kept her property for himself and paid nothing at all.

On this basis, the heir was summoned to appear before the ecclesiastical court again – the summons was delivered to him on 20 February 1459. On 23 February, it was recorded that Ante Maršić had again failed to appear. On 14 March 1459, the bishop sent a personal summons (f. 15 v "*A ti Antonio Marsich fio de ser Francescho significhemo che nuy te havemo dato do termini a pagar e acordar la somma data contro de ti a favor del capitulo e de la gliexia de misser San Marcho*"). Maršić did not appear again. The bishop now passed judgement: the heir had to pay 80 ducats. Maršić did not respond. On 21 May 1459, the bishop sent a reminder for payment.

On 16 June 1459, the canons demanded that the judgement be implemented. As Maršić made no effort to pay, the bishop excommunicated him and had this judgement publicly displayed in the cathedral church. However, Ante Maršić himself went on the counter-offensive: on 11 April 1459, he complained to the Venetian governor Domenico Leon that the bishop was overstepping his authority by taking action against him as a layman. He was only subject to secular jurisdiction and had resigned from the clergy on 16 July 1458. He also immediately appealed against the excommunication. When Maršić and the governor's chancellor wanted to speak to the bishop and were already climbing the stairs of the bishop's palace, the bishop chased them away with a wave of his hand (f. 24v "*nutum fecit, ut discenderemus*").

The case had thus taken on a new dimension, as the bishop had refused to communicate with the governor and thus also rejected his legal jurisdiction. Ante Maršić now officially filed a lawsuit against the canons and demanded 100 ducats in compensation for the circumstances that the clerics had caused him. Above all, however, he took the case to Pope Pius II, who sent the Bishop of Hvar to Korčula in August 1459 to act as a judge of appeal; Bishop Luca Leon objected eloquently (f. 26r–26v).

On 12 September 1459, Maršić appeared before the bishop with the corresponding letter from Pope Pius II; he also presented the bishop with a letter from the Bishop of Hvar, who was charged with investigating the case (f. 25v). Maršić demanded 100 ducats in damages from the canons; he demanded that this claim be documented in writing by the chancery. Maršić said that he wanted to take the case to the Pope or the Venetian authorities, but always with the aim of proving that he was not a member of the clergy (f. 25v "*intendo a proseguir la dita lite davanti la nostra Illustrissima Signoria de Venexia over davanti santo Padre Papa intendendo sempre provar de non esser sta sotoposto ala lege canonica nè anche ale sententie fate per monsignor misser Viscovo*"). The ecclesiastical jurisdiction did not advance the case.

Apparently, it remained unresolved for around a year and a half until the heir took the initiative again and used an important instrument of Venetian jurisdiction, the so-called "*sindici*".¹² This was a commission consisting of two Venetian patricians who travelled to the overseas territories of the Republic of St Mark and investigated outstanding court cases there. On 12 April 1461, the "*sindici et provisores ad partes Dalmatie et Albanie*" Giovanni Contarini and Antonio Venier investigated the case at the request of Ante Maršić (f. 17v "*la Sua Reverentia ha processo indebite et iniuste contra de mi... azo io non sia disfato per la volontà de Monsignor antedito alo qual per niuna raxon non spetava lui zudigar mi ni condanar per la raxon sopra alegata per la qual cossa vi piazza veder quella sententia contra de mi fata e trovando non esser sta ben fata anzi indebite et iniuste per la autorità haveti cassar et annular chomo quella che in se non ha alcun fondamento de raxon*").

¹² Cf. Ermanno Orlando, "Alle radici del *Commonwealth* veneziano: il sistema di giustizia", in: Ermanno Orlando & Gherardo Ortalli (ed.), *Dimensioni istituzionali del Commonwealth veneziano (secoli XIV–XVII)*, Venezia 2024, 193–212; Cristina Setti, *Venezia e lo Stato da mar negli itinerari dei Sindici inquisitori in Levante*, Milano 2021.

The bishop was summoned before the *sindici* and, after fierce resistance (f. 18r “*quod erat de foro suo et quod ad eum spectabat id quod fecerat*”), granted their request and recognised that the case had to be brought before the Venetian governor of the island (f. 17r). The case had thus taken a decisive turn. On 10 May 1462, Maršić officially brought the case before the governor and presented the entire court dossier once again. In mid-July 1462, the canons also accepted that the governor was the decisive judicial authority (f. 18v “*quod fiat ius et quod magnificus dominus comes ... faciat prout sibi de iure videtur*”).¹³

And indeed, it was the Venetian governor Domenico Morosini who put an end to the years-long legal dispute on 12 August 1462, emphasising that both parties to the dispute had accepted the decision of the *sindici* that the case should be transferred to the secular court (f. 26v “*de consensu et voluntate ipsius Reverendi domini episcopi et Antonii Marsich requisitione ad nos devoluta et remissa*”). The governor decided that Maršić had left the clergy in a lawful manner and was therefore a layman (f. 26v “*merus et purus laicus*”). After his departure, the governor had several conversations with the bishop in the loggia of the parish of Korčula, i.e. a public place. The governor had not made it easy for himself (f. 27r “*viso et relecto et examinato pluries et pluries dicto processu, visa examinata et relecta pluries prefata sententia... visa renuntiatione ordinis et habitus clericalis facta per ipsum Antonium manu ser Antonii Saimier comitis palatini et imperialis notarii*”). On the main square of the city, under an image of the Mother of God, the governor read out the judgement in the name of Jesus Christ, “*from whom all righteousness proceeds*”. Ante Maršić had been wrongly summoned before a spiritual court. He therefore also overturned the bishop’s judgement, as this had been made “*contra ius et equitatem*” (f. 27v), as it was clear that the defendant no longer belonged to the clergy. This meant that the canons were defeated, but so was the bishop.

If we lift our gaze from the detailed files and attempt to categorise the above, several possible interpretations emerge. First and foremost, there is the relationship between the Church and secular power in the Venetian state. The heads of both powers were represented by Venetian patricians who, however, had different loyalties. The governor’s allegiance was clear and was to the state, while the bishop’s was more delicate – his head was the Pope, but as a member of a Venetian patrician family, he could not completely reject the interests of the Venetian state. In this particular case, Luca Leon was a weak figure on the bishop’s throne; he became embroiled in numerous conflicts with local society, which culminated in the symbolic killing of his dog (whose name “Buba”, “beetle”, has been preserved in the records). Bishop Luca Leon tried by all means to increase the income of the diocese and to control the clergy, not least their mobility – Italy was nearby and clerics tended to travel to Rome and complain about the bishop there. That clerics travelled without the bishop’s permission was an old problem, as regulations in the city statute show.

¹³ Missing are f. 19–22 and thus important additional documents.

The bishop lived on the island with his illegitimate son Feliciano, whom he also employed as a notary. Don Marko Maršić was therefore in the best of company as a cleric and father.¹⁴ The fact that he became embroiled in a conflict with the governor immediately after his arrival on the island also weakened him in the eyes of the Venetian state.¹⁵

Don Marko Maršić thus had a strong position against a bishop with an insecure power base, and shortly before his death he had tried to get his grandson the benefice of St Michael's Church in Korčula, which he actually succeeded in doing – Ante Maršić also took over this position before he retired from the priesthood.¹⁶ Not only the trial record, but also other sources prove that the priest was an influential man who served the bishop as a vicar.¹⁷ His example proves that there were certainly opportunities for social advancement in Korčula, as Don Marko became rich at a time when two brothers from the peasant class, Zanin and Zuanin Dragačić, were challenging the political and economic dominance of the patricians.¹⁸

For traditional elites, local patricians, the bishop and the Venetian governor, this meant that they had to deal with a society in which politically and economically talented upstarts were demanding their place. And these up-and-comers knew the political and legal system of their time very well. Both the Dragačić and Maršić turned to the highest authorities, the Doge of Venice or the Pope. Nothing would be more misguided than to assume that village upstarts on Korčula had a spatially and intellectually limited horizon. And they also challenged the established political systems. The Dragačić questioned the local patricians' monopoly on power and demanded institutionalised political representation of the peasants. Maršić challenged the jurisdiction of the bishop. Both the Dragačićs and Maršić did so in collusion with the Venetian authorities. Maršić skilfully exploited the fact that Venice reacted sensitively if the Catholic Church acted too independently on Venetian territory. This was mostly an internal Venetian conflict, as the high clergy usually consisted of Venetian patricians.¹⁹ The case of Luca Leon provides striking evidence of how these Venetian clerics behaved in the event of conflict. When the powerful *sindici* in Dalmatia appeared on the scene, they summoned him – i.e. the secular power naturally assumed that the bishop would have to comply with a summons to

¹⁴ Oliver Jens Schmitt, "Les apports des archives de Zadar à l'histoire de la Méditerranée orientale au XVe siècle", in: Sandro Franchini, Gherardo Ortalli & Gennaro Toscano (ed.), *Venise et la Méditerranée*, Venezia 2011, 45–54, here 51–52.

¹⁵ DAZ, AK, 14/26/2, f. 72v.

¹⁶ DAZ, AK, 15/27/1, f. 23r–23v.

¹⁷ DAZ, AK, 14/25/1, f. 5r.

¹⁸ Oliver Jens Schmitt, "Storie d'amore, storie di potere. La tormentata integrazione dell'isola di Curzola nello Stato da mar in una prospettiva microstorica", in: Uwe Israel & Oliver Jens Schmitt (ed.), *Venezia e la Dalmazia*, Roma 2013, 89–109.

¹⁹ Katarina Mitrović, *Mletački episkopi Kotora*, Beograd 2007; eadem, "Opati italijanskog porekla na čelu benediktinskih opatija od Kotora do Lješa u srednjem veku", *Istorijski zapisi* 89/3–4 (2016) 255–276.

appear before a state commission of enquiry. And Bishop Luca Leon complied and also submitted to the *sindici* the decision that the trial should be transferred to the governor's secular court. This also deprived the canons of any possibility of insisting on ecclesiastical jurisdiction. Canon law was thus eliminated for this case, especially as the governor followed Ante Maršić's argument that his resignation from the priesthood was lawful. The heir's strategy of relying entirely on the secular arm had borne fruit. The *sindici* did not allow the Pope and his representative, the Bishop of Hvar (also under Venetian rule), to intervene. Thus, the Venetian state easily prevailed against the bishop and also against Pope Pius II (who, moreover, was dependent on Venice's naval assistance in the fight against the Ottomans at this time).

However, the trial also revealed power structures on the island itself. The canons and the bishop fought to increase the Church's income, which they hardly succeeded in doing. During the trial against Ante Maršić, for example, a delegation from the village of Blato appeared before the bishop and explained that the inhabitants were not prepared to pay more taxes than usual.²⁰ And in 1460, while the trial against Maršić was still ongoing, the citizens of the town were on the verge of overthrowing the unpopular bishop.²¹ With such a weak leader, the canons found it difficult to assert themselves against the grandson of the filthy rich priest. The priest's strategy had included aligning himself with the powerful on the island, especially the influential patricians. The intervention of the *sindici*, however, robbed the canons of their last chance to assert themselves. The bishop had already acted clumsily beforehand when he rejected the appeal judge appointed by the Pope. The Venetian authorities, however, did not engage in open conflict against the Church; this was not even necessary. It was enough to oblige the bishop and the canons to recognise the primacy of secular jurisdiction in this case. Without support from the Pope, the local clergy could not dare to resist.

The dispute over the inheritance of Don Marko Maršić is a small mosaic stone in a yet-to-be-written history of the relationship between the Catholic Church and the Venetian state in the 15th century. The extraordinarily dense tradition makes it possible to analyse the actions and motivations of important actors on the seemingly micro-level of a Dalmatian island. Just as the Korčulan actors in the 15th century liked to seek the stage of the great Adriatic politics, the will of Don Marko Maršić is also connected with fundamental questions of Venetian statehood – negotiation, mediation, and communication on various levels of a composite state system.²²

²⁰ DAZ, AK, 15/24/3, f. 145v.

²¹ DAZ, AK, 15/27/6, f. 186r(a)–189r.

²² E. Orlando, "Politica del diritto, amministrazione, giustizia"; idem, "Alle radici".

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**СВЕТ ДОН АНТЕ МАРШИЋА
ИЛИ ЦРКВА И ДРЖАВА НА КОРЧУЛИ У 15. ВЕКУ**

Резиме

Рад испитује живот једног свештеника, дон Марка Маршића, који се вешто уздигао из скромних прилика и постао богат власник земље и стоке, као и борбу за његово наследство. Ова студија такође се уклапа у ширу расправу која већ дуго карактерише истраживања о Јадрану под влашћу Венеције. Студије из последњих двадесет година показале су да је Венеција била сложена држава која је углавном очувала постојеће управљачке и друштвене структуре у Далмацији и себе видела првенствено као посредника између супротстављених локалних фракција.

Чланак прати вишегодишњи спор око наследства дон Марка Маршића од чијег је унука и наследника, Анте Маршића, корчуланска римокатоличка црква потраживала дедине неисплаћене десетине дуговане корчуланском бискупу и каптолу. Испоставило се да је Анте некоћ био свештеник, али је напустио тај позив, због чега је тврдио да се на њега не може односити јурисдикција црквеног суда. Маршић је одбијао да се појави на суду, док је испитивано порекло имовине његовог деде, а када је екскомунициран због игнорисања бискупа и каноника, прво се обратио папи Пију II, а затим млетачким властима са жалбом. Световне власти су стале на Маршићеву страну и он је 1462. године, пуних пет година након што је наследио дон Марка, успео да добије пресуду у своју корист. Тиме су бискуп, врло непопуларан на Корчули, и његови каноници доживели пораз.

Спор око наследства дон Марка Маршића представља мали мозаик у још неиспричаној историји односа између Католичке цркве и Млетачке државе у 15. веку. Изузетно богата документација омогућава анализу деловања и мотива важних актера на наизглед микронивоу једног далматинског острва. Као што су корчулански актери у 15. веку радо излазили на позорницу велике јадранске политике, тако је и тестамент дон Марка Маршића повезан са темељним питањима млетачке државности – са преговорима, посредовањем и комуникацијом на различитим нивоима сложеног државног система.