https://doi.org/10.22364/iscflul.7.2.10

Thomas Hoffmann, *Dr. iur., LL.M., Professor*
Tallinn University of Technology, Estonia

Hesi Siimets-Gross, *Dr. iur., Associate Professor*
University of Tartu, Estonia

THE INSTITUTE OF SERFDOM IN HILCHEN'S DRAFT LAND LAW OF 1599 – A REGIONAL COMPARISON

Summary

Hilchen's draft land law for Livonia, a comprehensive work in three volumes written in 1599 at the request of the Polish king and on behalf of the Livonian nobility, was and is often regarded in legal literature and historical research as a document that tried to codify a particularly hard form of serfdom in Livonia. Comparisons with contemporary German and Polish land laws, Lithuanian and Curonian statutes and Roman law in the form of the contemporary *ius commune* provide a much more serf-friendly picture of Hilchen's draft, which will be analysed in more detail by this contribution.

Keywords: serfdom, early modern period, land law, David Hilchen, Livonia

Introduction

In historiography and literature from the 19th century to the end of 20th century David Hilchen (1561–1610), who was Livonia's leading humanist in the late 16th century, was known mainly as the creator of the draft Land Law (*Landrechtsentwurf*)[1] of 1599, according to historians, for example, Arveds Švābe (Sigismunda Augusta Livonija politika. In: *Latvijas vēsture*, 1964). In terms of the oppression of servants, "Hilchen's draft Land Law reflects the maximum demands and endeavours of the Livonian nobility."[2] In our contribution, we will first provide the background for drafting of the Land Law and the contemporary political environment, than we will compare the provisions of the draft Land Law on serfdom with sources from Roman law, i.e., the Justinian Institutes and Codex. We will then move on to a comparison with contemporary German, Polish, Lithuanian and Curonian laws.

---

[1] The research and writing of this article is supported by grants PUT1030 and IUT20-50 from the Estonian Research Council.
On the draft Land Law in general see Hoffmann T. Der Landrechtsentwurf David Hilchens von 1599: Ein livländisches Rechtszeugnis polnischer Herrschaft [David Hilchen's Land Law draft of 1599: A Livionian legal testimony of Polish rule]. Frankfurt am Main: Peter Lang, 2007), as well as Hoffmann T. Livonian Law under Late Polish Rule. In: Einheit und Vielfalt in der Rechtsgeschichte im Ostseeraum. Frankfurt am Main: Peter Lang, 2011, pp. 81–88.

[2] Švābe A. Sigismunda Augusta Livonija politika. [The Politics of Sigismund August in Livonia]. In: Latvijas vēsture, Stockholm: Daugava, 1962, p. 429.

1. Background of the draft Land Law

At the time, the middle knightly law (*Mittleres Ritterrecht*, printed in 1537), which constituted a fusion of the most important German medieval law collections, still applied in Livonia. The Livonian nobility had previously intended, under the rule of the Teutonic order, to draft a modern land law; when the Livonian nobility surrendered to Poland in 1561, it succeeded in their request to King Sigismund August to include their claim for a comprehensive land law for Livonia in the *Privilegium Sigismundi Augusti*[3]. It did provide that Livonian Land Law should be drawn up on the basis of Polish, Lithuanian and Livonian laws.[4]

The Polish king commissioned a learned lawyer, syndic of the city of Riga, notary of Wenden and king's secretary David Hilchen[5], who composed a corresponding draft within only a few months. However, the draft was not finally promulgated by the Polish Sejm; only its procedural regulations in their substantial parts were put into force immediately by resolution of Sigismund III.[6]

2. The draft Land Law and its alleged role as the origin of serfdom in Livonia

Since the early 20th century, the draft Land Law has grown in infamy for its provisions on serfdom, which, in turn, gave Hilchen the role of "creator of serfdom for the Livonian peasantry". The person who drew the most detailed attention to this aspect of the land law was the historian Roberts Vipers (Robert Wipper, 1859–1954), who went into exile from the Soviet Union to Latvia before he returned with his family to Moscow in 1941, working from 1943 at the Academy of Science of the Soviet Union (1943–1954).[7] Vipers states that Hilchen "had implemented [in the draft Land Law] artfully and in a sophisticated and well-planned manner the theory of slavery based on Justinian's Institutions".[8] Vipers compared the initial parts of the Institutes of Justinian and the second book of the draft Land Law and came to the conclusion that Hilchen "intended to protect the ears of his more enlightened contemporaries by carefully avoiding terms as 'slave' or 'slavery' and used instead the expression '*alieno iuri subiectae*'

---

[3] Schirren C. Die Capitulationen der livländischen Ritter- und Landschaft und der Stadt Riga vom 4. Juli 1710, nebst deren Confirmationen [The *Capitulationen* of the Livonian Nobility and the City of Riga of 4th July 1710, including their Confirmations]. Dorpat: Karow, 1865, pp. 2–23.

[4] See art. 7 in the second *Ordinatio Livonia*, available in: Volumina Legum II, St. Petersburg: Ohryzko Jozafat, 1859, p.377.

[5] See for the latest biography and edition of his Latin correspondence 1577–1603: Viiding K., Hoffmann T., Siimets-Gross H., Sapala P. David Hilchen [Heliconius] (1561–1610). In: Early Modern Letters Online. Oxford: University of Oxford, 2018. Available at: http://emlo-portal.bodleian.ox.ac.uk/collections/?catalogue=david-hilchen [last viewed October 27, 2019].

[6] On details of the genesis of the draft Land Law see Hoffmann T. 2007, pp. 62–65.

[7] Jüristo D. Mõnedest Läti ülikooli esimestest ajalooprofessoritest. [About some of the First Professors of History in the University of Latvia]. Manuscript [used with the permission of the author], pp. 2–6.

[8] Vipers R. David Hilchen. Die erste rechtliche Fixierung der Leibeigenschaft in Livland [The First Legal Fixation of Serfdom in Livonia]. In: Filologu biedrības raksti, No. 8, 1928, pp. 225–240, here pp. 234–235.

(sc. *personae*)", even though in his understanding "it in fact was slavery that was constituted here by law".[9] However, as a historian Vipers did not know or did not pay attention to the systematic features of the Justinian Institutes[10] as a legal text. However, beyond that, his analysis was so convincing and suitable to Soviet doctrine that subsequent literature – for example, from Estonia, Latvia, and also Germany – in many cases followed Vipers' verdict on Hilchen.

Even as late as in 1992, the "Eesti talurahva ajalugu", for instance, states the following: "The manor owners wished to increase their power over their peasants, which can clearly be seen from the codex drafts by David Hilchen (1599) [..]. They are mainly based on provisions concerning the slavery of Roman law".[11]

1. The draft Land Law on serfs and its Roman Law sources

In the draft Land Law, the regulation of serfs says that they belong to the category of persons "who are dependant of the rights of another" together with persons under guardianship. While guardianship was regulated in the Institutions, serfs were not, and so that these parts had to be composed by Hilchen himself.

Title 11 § 1 about serfs reads, as follows: "Serfs and their offspring – just as their possessions[12] – are in the power of their landlord, and they cannot dispose over those without their landlord's consent, neither can they leave to go somewhere else."[13]

The ban of leaving the land was the fundamental element that distinguished serfs or "hereditary peasants" (*Erbbauer*) from free person or lease farmers. In Ancient Rome slaves had to obey their owner's commands, but were not bound to the land by the law.

In early modern German scholarly discussion serfs were mainly compared to Roman *coloni*, for example in Cod. 11, 48, 23, 1. According to this, the land-bound peasants or colons and their children were perpetually free, but "they shall have no right [..] to leave the estate and go to another, but shall always be

[9] Vipers R. 1928, pp. 234–235.

[10] See for a detailed analysis of the land law draft and Justinian Institutes Siimets-Gross H., Hoffmann T. Der Einfluss der Justinianischen Institutiones auf die Regelung der Leibeigenschaft im Landrechtsentwurf David Hilchens (1599) [The Influence of Justinian's Institutiones on the Regulation of Serfdom in David Hilchen's Land Law draft (1599)]. In: Forschungen zur baltischen Geschichte, No. 13, 2018, pp. 9–23.

[11] Eesti talurahva ajalugu [The History of Estonian Peasanthood], Vol. 1, Tallinn: Olion, 1992, p. 463.

[12] About the right of possession see more in Seppel M. Die Kreditbeziehungen der leibeigenen Bauern Livlands im 16. Jahrhundert [Loan Relationships on and among Livonian Serfs in the 16th Century]. In: Estnisches Mittelalter: Sprachen – Gesellschaft – Kirche. Schriften der Baltischen Historischen Kommission, No. 20, 2015, pp. 145–166.

[13] For details, see: Siimets-Gross H., Hoffmann T., 2018, pp. 9–23.

bound to the soil which their father has once undertaken to cultivate"[14], which is closest to Hilchen's provision on serfs.[15]

This provision stresses the personal freedom of a *colonus* but still provides that he was bound to his land. The category of *colonus* in the sense of land-bound tenant was unknown to the Justinian Institutes.

It is true that Hilchen used Justinian's systematic private law textbook as a model, but not only in the first part of the regulations about persons and their division – which is the only issue analysed by Vipers –, but also in the structuring of the entire beginning of the second book of the draft Land Law. In doing so, he followed the contemporary practice of his time and centuries after. Also in Lithuania, the neighbouring territory to Livonia, Roman law had already been received. Even the Lithuanian First Statute of 1520 had been influenced by Roman law in the form of Institutes, as well as Digest and Codex. The Second (1566) and Third Lithuanian Statutes (1588) were even more strongly influenced by Roman law.[16]

A detailed comparison also reveals that Hilchen explicitly did not include the regulations of the Institutes on slaves into the draft Land Law (he omitted them in their entirety). After continuing according to the division in Institutes, Hilchen turns to the division of *alieni iuri subiectae*, the legal status that Hilchen's land law draft distributes to peasants. The concrete classification of those provisions was not found in the Institutes, so Hilchen had to invent those provisions himself. This chapter includes doubtlessly free peasants as well as lease farmers (*Geldpächter*), who in Livonia were generally free to move or leave as far as they paid their regular payment of the lease.

It is quite probable that Hilchen – a lawyer who had studied in Germany – knew not only the regulations of Justinian's Codex, but also the contemporary

[14] Annotated Justinian Code. Translation by Blume F. H. II (ed.). Available at: http://www.uwyo.edu/lawlib/blume-justinian/ajc-edition-2/index.html [last viewed October 27, 2019].

[15] See for detailed analysis of Hilchen's land law draft with Codex of Justinian: Siimets-Gross H., Hoffmann T. David Hilchen (1561–1610) und das "Kolonenrecht" des Codex Justinianus [David Hilchen and the law on "Colones" in the Code of Justinian]. In: Recht und Wirtschaft in Stadt und Land. /Law and Economics in Urban and Rural Environment. Neunter Rechtshistorikertag im Ostseeraum (The 9th Conference in Legal History in the Baltic Sea Area). Luts-Sootak M, Schäfer F. (eds.), Frankfurt am Main: Peter Lang, 2020, pp. 421–436.

[16] For an overiew see Steinke D. Die Zivilrechtsordnungen des Baltikums unter dem Einfluss ausländischer, insbesondere deutscher Rechtsquellen [The Private Law Systems in the Baltics under the Influence of foreign, especially German Law Sources]. Göttingen: Universitätsverlag Osnabrück, 2009, p. 93ff, as well as Danilowicz I. Historischer Blick auf das Litthauische Statut und den Einfluss des Römischen Rechts auf das Polnische und Litthauische. [A historical View of the Lithuanian Statute and the Influence of the Roman Law to the Polish and Lithuanian Law]. Dorpat: Schünmann, 1834.

discussion about the statutes of the serfs that was on-going at that time in Germany.[17]

2. Regulation in earlier Livonian Law and in German contemporary legal discussion

The previous Livonian Middle Knightly Law had mentioned the peasants, although not in any great detail. The notion in Chapter 234 has the following wording: "Wor ein here ein dorp hefft, dar mach he synen buren geven ein sünderlick recht" ("Where a Lord has a village, there he has a proper right in his peasants").

The *Privilegium Sigismundi Augusti* did not define a serf, although it did regulate the right of a former land owner to demand the serf back, Art. XXII: "Peasants, who [..] are in the power of another, must not be kept captive by this landlord, but have to be returned [..] to the one who makes the claim". This did bind the serfs to the land, according to the *Privilegium* that was given by the king in 1561. In Livonia, land-bound peasants from the late 16th to the 18th century had a very similar status to that in northern Germany.[18] The prohibition on them abandoning their land was present in the contemporary discussion on the northern German serfdom, as remarked on by eminent lawyers such as Husanus[19], Mevius[20] und Zasius[21]. It was the central element that distinguished serfs or hereditary peasants from free tenants.[22] But this would not necessarily

---

[17] See for introduction Knothe H.-G. Zur Entwicklung des Rechts der Gutsherrschaft im deutschen Ostseeraum im Spiegel von Mevius Abhandlung über die "Bauers-Leute" [On the Evolution of the Legal Framework of the Concept of *Gutsherrschaft* in the German Baltic Sea Area as reflected in Mevius' Writings on Peasants]. In: Geschichte und Perspektiven des Rechts im Ostseeraum. Erster Rechtshistorikertag im Ostseeraum, hrsg. von Eckert J., Modéer K. A., Frankfurt/Main *et al.*: Peter Lang, 2002, pp. 237–274.

[18] Schmidt C. Leibeigenschaft im Ostseeraum [Serfdom in the Baltic Sea Area]. Köln: Böhlau 1997, on Livonia pp. 51–62. The comprehensive research on serfdom in the Baltic Sea area, on Livonia, does not deal substantially with the Polish period.

[19] Heinrich Husanus (1536–1587) was a German jurist, diplomat, legal scholar and author of various legal opinions. On legal humanism see in general Wieacker F. Privatrechtsgeschichte der Neuzeit [A History of Private Law in Modern Times], Göttingen: Vandenhoeck & Ruprecht, 1996, p. 145f.

[20] David Mevius (1609–1670) was a legal practicioner and preeminent lawyer of his time. For details, see David Mevius (1609–1670), Leben und Werk eines pommerschen Juristen von europäischem Rang [David Mevius – Life and Achievements of a Pomeranian laywer of European Rank], hrsg. Jörn N., Schriftenreihe der David-Mevius-Gesellschaft, No. 1, 2007, Hamburg: Kovac, 2007.

[21] Ulrich Zäsy (lat. Udalricus Zasius; 1461–1535) was among the most influential humanistic legal scholars of his time and was author of legal opinions and legislative drafts. For details, see Meußer A., Für Kaiser und Reich. Politische Kommunikation in der Frühen Neuzeit: Johann Ulrich Zasius (1521–1570) als Rat und Gesandter der Kaiser Ferdinand I und Maximilian II [For Emperor and Empire. Political Communication in Early Modern Times]: Johann Ulrich Zasius (1521–1570) as Counseler and Legate of Emperors Ferdinand I and Maximilian II]. Husum: Matthiesen Verlag, 2004 (= Historische Studien).

[22] Wiese M. Leibeigene Bauern und Römisches Recht im 17. Jahrhundert. Ein Gutachten des David Mevius [Serfs and Roman Law in the 17th Century. A legal Opinion about David Mevius]. In: Schriften zur Europäischen Rechts- und Verfassungsgeschichte 52, 2006, pp. 155–158.

mean that serfs were seen as slaves in terms of ancient Roman law. Böckelmann[23], for instance, points out the word serf in his home region (the Palatinate) in Latin would not be translated as *"servus/servi"*, as only those lacking all freedom were designated by this title.[24]

3. The notion of the 'serf' (*Erbpauren*) in Polish, Lithuanian and Curonian law

In 1557, king Sigismund August started promoting agrarian reforms, which did concern both agrarian property of the sovereign as well as private property. According to Zytkowiecz, these reforms "increased peasants' obligations in terms of paying the roll of rent rather in money than in kind which had the effect that more and more peasants tried to escape their place [*Scholle*]"[25]. But in Poland, a "gradual narrowing of the peasant's legal status on the land (*glaebe adscriptio*) is already witnessed from the development of the latifundia (1496). The many laws issued by the Diet against escape (more than 60 in the 16th and 17th centuries) are evidence that escape was proving an efficient means of resistance for the peasants." At the same time, relations between the peasant and government authorities were gradually broken off. From the middle of the 15th century, suits brought by subjects against their lords disappeared from the royal courts of justice. The legal situation of the peasant population can be defined as strict serfdom.[26]

As described in detail by Cerman,[27] different forms of serfdom prevailed in Central and Eastern Europe. Szołtysek[28] elucidates for the Rzeczpospolita that "the most extreme form was the manorial system based on peasants' personal and hereditary subjection, as well as on their labour obligations (*corvée*) to the manors. While this system was introduced in the territories of Poland–Lithuania during the 16th to early 17th centuries, the strongest manorial systems developed in western Poland and in some parts of Ukraine (esp. Volhynia)."[29]

---

[23] Johann Friedrich Böckelmann (1633–1681) was from 1661 Palatinatian Council, and from 1664 Vice-President of the *Hofgericht*. For details, see Scholz L. Leibeigenschaft rechtfertigen – Kontroversen um Ursprung und Legitimität der Leibeigenschaft im Wildfangstreit [Justifying Serfdom – Controversies on the Origin and Legitimacy of Serfdom in the Context of *Wildfangstreit*]. *Zeitschrift für Historische Forschung*, No. 45 (52), 1, 2018, pp. 41–81.

[24] Scholz L. 2018, p. 69.

[25] Zytkowicz L. The Peasant's Farm and the Landlord's Farm in Poland from the 16th to the Middle of the 18th Century. *Journal of European Economic History*, Vol. 1, No. 1, 1972, pp. 135, 143.

[26] Zytkowicz L., 1972, p. 147.

[27] Cerman M. Villagers and Lords in Eastern Europe, 1300–1800. Basingstoke: Palgrave Macmillan, 2012.

[28] Baten J., Szołtysek M. A golden age before serfdom? The human capital of Central-Eastern and Eastern Europe in the 17th–19th centuries. MPIDR Working Paper No. WP 2014-008, August 2014. Available at: https://www.demogr.mpg.de/papers/working/wp-2014-008.pdf [last viewed October 27, 2019].

[29] Szołtysek M. Three kinds of preindustrial household formation system in historical Eastern Europe: A challenge to spatial patterns of the European family. *The History of the Family*, No. 13 (3), 2008, pp. 223–257.

Lithuanian law regulated serfdom in detail in the third Lithuanian Statute from 1588[30]. For example, its chapter 12 states: "If domestic servants [..] and other serfs [..] escape from their landlord, the landlord shall not be impeded by remote location, long duration, or prescription periods to reclaim [..] the serf". According to Lithuanian Statutes, Art. 14, the landlord to whom the serf fled has to give him back complete with family and possessions. After being cited by court, he has to compensate the serf's work and if he does not render the serf upon being ordered so by the court, he has additionally to pay a fine and compensate the work: "[..] If the person summoned to court does not admit and return the serf [..], he has – just as if he has to pay a fine for each person on basis of this statute – to make restitution for each person double, as well as compensate the damage caused by the serf [..] and his missing work [..]".

These regulations quite closely correlate to the respective provisions in contemporary Curonian law (Statutes from 1617), where the term "serf" is defined, as well as the questions of fugitive serfs resolved. According to Art. 50[31]: *Prima potestas privata est dominorum in homines proprios, sive rusticos* (First of all, the Lords (=*domines*) have personal power over their own people, i.e. their peasants). Art. 52 states further – "*Si tales homines mares sine voluntate domini sui ad alios transfugerint [..] reddi debebunt*". (If male persons without consent of their owner flee to others [..] they should be given back), and Art. 53 clarifies that "*Adversus tales fugitivos [..] nullus sit praescriptioni locus [..].*" (against fugitives [..] no limitation of action can take place [..].)

Regarding the question of a period of limitation of action, Lithuanian statutes differentiated according to the distance from the old landlord and the type of dependant persons. According to Art. 12, the option to remain with a new landlord – on the condition that the old one did not reclaim him – after a period of 10 years was only granted to "Erbunterthanen" (i.e., a peasant who rendered his work service: *arbeitsleistender Pawr*), who now lived within a radius of 5 or 6 miles from the old landlord. Household servants (*ErbHaussGesind*) belonged to the other type of person, captives and other serfs (*sonst leibeigene*) and the right to claim them was limited neither by "the distance of the place, by the length of time nor by the prescription period". The other group of serfs was made up only of the persons "that were taken captive during the war or other servants that were serfs and their offspring and children" (Art. 21). Thus, under Lithuanian law household servants and other serfs endured the hardest conditions.

Curonian law did not foresee the possibility that the actions could be limited, and the same applies partly to Lithuanian law, although there the picture is more differentiated. Concerning the prescription period, this correlates to the Codex

[30] The text used stems from the German manuscript from the Rara collection of the University Library in Tartu: Das gantze Statuten Buch des Gross Fürsten=thumbs Littawen. Aus dem Polnischen ins Teütsche gebracht und geschrieben [The Entire Book of Statutes of the Grandduchy of Lithuania. Translated from Polish into German]. Collection of Manuscripts, No. 134.

[31] Die Quellen des Curländischen Landrechts [The Sources of Curonian Land Law]. Bd. 1, Lief. 3, Acta Commissionis de anno 1617. Hrsg Rummel C v. Dorpat: Kluge, 1848. The numeration could vary according to the edition or manuscript.

of Justinian, where the *fugitivus* or runaway was seen as a thief – theft, too, had no prescription period.

In comparison to Lithuanian and Curonian law, Hilchen's draft Land Law was more serf-friendly, as it provided a limitation period of ten years and grants serfs the right to remain with their new landlord after those ten years, as stated in Book 2, Art. 12 (2): the landlord to whom the serf escaped had – if the landlord did not return the serf and did not attend court after being duly summoned – to pay a fine of 20 Polish Florins, and still return the serf, unless the serf has been missing for ten years, in which case his claim expired.[32] This fine was smaller than, for example, in the Curonian Statutes, according to which 40 florins should be paid (Art. 54).

Conclusions

Ultimately, it should be noted that the allegedly hard rules on serfs in Hilchen's draft Land Law originate primarily from previous customs, laws or other legal acts. Already the *Privilegium Sigismundi Augusti* mentioned serfdom as "old [..] legal usus in Livonia".

Hilchen's draft, however, contains several regulations that deviate from the privilege and other contemporary local rules, but, above all, from the Roman tradition and other regional rules, such as the Curonian or Lithuanian statutes. In this draft, the provisions on serfdom – such as the provisions on the return of fugitive peasants or about the limitation period of claims, etc. – are more favourable to the serf and his new landlord than many contemporary practices or laws in northern Germany, Polish Law, the Code of Justinian or the Curonian and Lithuanian Statutes, which stipulated harsh punishment for fugitive serfs, and additionally did not grant them the possibility to stay with their new landlord even after ten years.

As a fugitive serf would choose a landlord known for good and fair treatment of his serfs and as this landlord would, from his own economic interest, try to keep (and to eventually hide) such a serf, landlords also had a genuine interest in granting fair conditions to serfs both in order to prevent escape, as well as to attract fugitive serfs. In contrast to previous evaluations of the draft Land Law, and in comparison to contemporary regulation in the region, this difference in Hilchen's draft would, in practice, have had the considerable effect of significantly improving, rather than reducing, the legal status of serfs.

[32] "[..] so offt soll er dem gegentheil 20 Fl Polnisch erlegen, undt soll gleichwoll den verlauffen wiedergeben. Eß were dan [..], daß zehen jahr von zeit der mißenheit verfloßen, dan nach solcher zu recht verwahrten zeit kann er ihn allß verjahret nicht abforderen" [[..] he shall pay 20 Polish Florin to the other party, and he shall return additionally the runaway – unless he was missed longer than ten years. In that case, if he has been lawfully kept for such a time, he cannot claim return of him, as the claim has become time-barred].

BIBLIOGRAPHY

Literature

1. Baten J., Szołtysek M. A golden age before serfdom? The human capital of Central-Eastern and Eastern Europe in the 17th–19th centuries. MPIDR Working Paper No. WP 2014-008, August 2014. Available at: https://www.demogr.mpg.de/papers/working/wp-2014-008.pdf [last viewed October 27, 2019].
2. Cerman M. Villagers and Lords in Eastern Europe, 1300–1800. Basingstoke: Palgrave Macmillan, 2012.
3. Danilowicz I. Historischer Blick auf das Litthauische Statut und den Einfluss des Römischen Rechts auf das Polnische und Litthauische [A historical View of the Lithuanian Statute and the Influence of the Roman Law to the Polish and Lithuanian Law] Dorpat: Schünmann, 1834.
4. David Mevius (1609–1670) Leben und Werk eines pommerschen Juristen von europäischem Rang [David Mevius – Life and Achievements of a Pomeranian Laywer of European Rank], hrsg. Jörn N, Schriftenreihe der David-Mevius-Gesellschaft, No. 1. Hamburg: Kovac, 2007.
5. Eesti talurahva ajalugu [The History of Estonian peasanthood]. Vol. 1, Tallinn: Olion, 1992.
6. Hoffmann T. Der Landrechtsentwurf David Hilchens von 1599: Ein livländisches Rechtszeugnis polnischer Herrschaft [David Hilchen's Land Law draft of 1599: A Livionian legal testimony of Polish rule]. Frankfurt am Main: Peter Lang, 2007.
7. Hoffmann T. Livonian Law under Late Polish Rule. In: Einheit und Vielfalt in der Rechtsgeschichte im Ostseeraum. Frankfurt am Main: Peter Lang, 2011, pp. 81–88.
8. Jüristo D. Mõnedest Läti ülikooli esimestest ajalooprofessoritest [About some of the First Professors of History in the University of Latvia]. Manuscript.
9. Knothe H.-G. Zur Entwicklung des Rechts der Gutsherrschaft im deutschen Ostseeraum im Spiegel von Mevius Abhandlung über die "Bauers-Leute" [On the Evolution of the Legal Framework of the Concept of *Gutsherrschaft* in the German Baltic Sea Area as reflected in Mevius' Writings on Peasants]. In: Geschichte und Perspektiven des Rechts im Ostseeraum. Erster Rechtshistorikertag im Ostseeraum, hrsg. von Eckert J., Modéer K. A. Frankfurt/Main et al.: Peter Lang, 2002, pp. 237–274.
10. Meußer A. Für Kaiser und Reich. Politische Kommunikation in der Frühen Neuzeit. Johann Ulrich Zasius (1521–1570) als Rat und Gesandter der Kaiser Ferdinand I und Maximilian II [For Emperor and Empire. Political Communication in Early Modern Times: Johann Ulrich Zasius (1521–1570) as Counseler and Legate of Emperors Ferdinand I and Maximilian II], Husum: Matthiesen Verlag, (= Historische Studien), 2004.
11. Schirren C. Die Capitulationen der livländischen Ritter- und Landschaft und der Stadt Riga vom 4. Juli 1710, nebst deren Confirmationen [The *Capitulationen* of the Livonian Nobility and the City of Riga of 4th July 1710, including their Confirmations]. Dorpat, 1865, pp. 2–23.
12. Schmidt C. Leibeigenschaft im Ostseeraum [Serfdom in the Baltic Sea Area]. Köln: Böhlau, 1997.
13. Scholz L. Leibeigenschaft rechtfertigen – Kontroversen um Ursprung und Legitimität der Leibeigenschaft im Wildfangstreit [Justifying Serfdom – Controversies on the Origin and Legitimacy of Serfdom in the Context of *Wildfangstreit*]. *Zeitschrift für Historische Forschung*, No. 1(45), 2018, pp. 41–81.
14. Seppel M. Die Kreditbeziehungen der leibeigenen Bauern Livlands im 16. Jahrhundert [Loan Relationships on and among Livonian Serfs in the 16th Century]. In: Estnisches Mittelalter: Sprachen – Gesellschaft – Kirche, Schriften der Baltischen Historischen Kommission, 20, 2015, pp. 145–166.

15. Siimets-Gross H., Hoffmann T. David Hilchen (1561–1610) und das "Kolonenrecht" des Codex Justinianus [David Hilchen and the law on "Colones" in the Code of Justinian]. In: Recht und Wirtschaft in Stadt und Land [Law and Economics in Urban and Rural Environment], Neunter Rechtshistorikertag im Ostseeraum [The 9th Conference in Legal History in the Baltic Sea Area], Luts-Sootak M, Schäfer F. (eds.), Frankfurt am Main: Peter Lang, 2020, pp. 421–436.
16. Siimets-Gross H., Hoffmann T. Der Einfluss der Justinianischen Institutiones auf die Regelung der Leibeigenschaft im Landrechtsentwurf David Hilchens (1599) [The Influence of Justinian's Institutiones on the Regulation of Serfdom in David Hilchen's Land Law draft (1599)]. *Forschungen zur baltischen Geschichte*, No. 13, 2018, pp. 9–23.
17. Steinke D. Die Zivilrechtsordnungen des Baltikums unter dem Einfluss ausländischer, insbesondere deutscher Rechtsquellen [The Private Law Systems in the Baltics under the Influence of foreign, especially German Law Sources]. Göttingen: Universitätsverlag Osnabrück, 2009.
18. Szołtysek M. Three kinds of preindustrial household formation system in historical Eastern Europe: A challenge to spatial patterns of the European family. *The History of the Family*, No. 13(3), 2008, pp. 223–257.
19. Švābe A. Sigismunda Augusta Livonija polītika [The Politics of Sigismund August in Livonia]. In: Latvijas vesture. Stockholm: Daugava, 1962.
20. Viiding K., Hoffmann T., Siimets-Gross H., Sapala P. David Hilchen [Heliconius] (1561–1610). In: Early Modern Letters Online. Oxford: University of Oxford, 2018. Available at: http://emlo-portal.bodleian.ox.ac.uk/collections/?catalogue=david-hilchen [last viewed October 27, 2019].
21. Vipers R. David Hilchen. Die erste rechtliche Fixierung der Leibeigenschaft in Livland. [The First Legal Fixation of Serfdom in Livonia]. In: Filologu biedrības raksti, No. 8, Riga, 1928, pp. 225–240.
22. Wieacker F. Privatrechtsgeschichte der Neuzeit [A History of Private Law in Modern Times], Göttingen: Vandenhoeck & Ruprecht, 1996.
23. Wiese M. Leibeigene Bauern und Römisches Recht im 17. Jahrhundert. Ein Gutachten des David Mevius. [Serfs and Roman Law in the 17th Century. A legal Opinion about David Mevius]. In: Schriften zur Europäischen Rechts- und Verfassungsgeschichte 52, 2006.
24. Zytkowicz L. The Peasant's Farm and the Landlord's Farm in Poland from the 16th to the Middle of the 18th Century. *Journal of European Economic History*, Vol. 1, No. 1, Rome, 1972, pp. 135–154.

Legislative acts

1. [Codex Justinianus.] Annotated Justinian Code. Translation by Blume F. H. II Ed. Available at: http://www.uwyo.edu/lawlib/blume-justinian/ajc-edition-2/index.html [last viewed October 27, 2019].
2. [Curonian Statutes] Die Quellen des Curländischen Landrechts. [The Sources of Curonian Land Law]. Bd. 1, Lief. 3, Acta Commissionis de anno 1617. Hrsg Rummel C v. Dorpat: Kluge, 1848.
3. [Lithuanian Statutes] Das gantze Statuten Buch des Gross Fürsten=thumbs Littawen. Aus dem Polnischen ins Teütsche gebracht und geschrieben. [The Entire Book of Statutes of the Grandduchy of Lithuania. Translated from Polish into German]. Rare Collection of the Tartu University, No. 134.
4. Volumina Legum II. St. Petersburg: Ohryzko Jozafat, 1859.