

The First Family to have a Fee Tail in Grand Duchy of Lithuania. Tyszkiewicz or Radziwiłł?

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Abstract:

The landowners of Europe, if they thought about their descendants and the grandeur of their family were interested in not scattering the accumulated landholdings. To achieve this, the legal institution of fee tail was created. A fee tail is a type of fund that includes certain property, as indivisible and inalienable, in the hands of a certain family forever, inherited by primogeniture. There are also different opinions in historiography, which family founded the first fee tail in Grand Duchy of Lithuania – the Radziwiłł or the Tyszkiewicz. The Radziwiłłs created their ordinations in 1586. But in 1567, by the will of Wasyl Tyszkiewicz, something similar to fee tail was really created in Lahoyšk. In 1567, Wasyl forbade his daughters to inherit Lahoyšk by his will. However, it can be said that Wasyl will was not legally complete and precise enough, too ambiguous to be able to say that it established a fee tail. It did not stipulate that the estates could not be divided, that it must be inherited by primogeniture, there was no fee tail approbations, fee tail foundation act documents, etc. Therefore, the status of the Lahoyšk estate can only be described as a proto-fee tail.

Keywords:

Fee Tail, Tyszkiewicz Family, Radziwiłł Family, Lahoyšk, Grand Duchy of Lithuania, Inheritance.