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Michael Ursinus

## The *Terra Nullius* between the *Contado* of Split and the Pious Foundation (*vakıf*) of Rüstem Paşa c. 1574 – 1585\*

Michael Ursinus  
Universität Heidelberg  
Seminarstraße 2  
69117 Heidelberg  
Deutschland  
michael.ursinus@ori.uni-  
heidelberg.de

A synopsis of Venetian and Ottoman sources for the period 1574 – 1585 allows the reconstruction of a belt of no-man's land in the immediate hinterland of Split which separated the City's *territorio* from the *çiftlik* possessions of the famous Grand Vizier Damad Rüstem Paşa, son-in-law (*damad*) of Sultan Süleyman the Magnificent, which was made up of several mills and about 70 taxpaying Christian households. The Ottoman survey register BOA TD (Başbakanlık Osmanlı Arşivi, *tarhir defteri*) 622 of 1585 is the first *defter* to record the grounds of this no-man's land. It refers to them as having been «unproductive» or «empty» of any regular agricultural activity since they were taken from the Venetians «at the time of conquest». By 1585 the grounds in question, consisting of fields and vineyards, were placed under the responsibility of the local cavalry troops (*sipahi*). It is likely that this belt of territory was «policed» by the fortress personnel of Klis and, more particularly, the nearby *castellum* of Lončarić and the kale of Kamengrad (Kamen).

Key words: Ottoman Dalmatia, Split, Klis, Lončarić, Kamen, Rüstem Paşa, border, boundary, *terra nullius*

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In the years preceding the war with Venice about Cyprus, the territory of Split, its *contado* or *territorio*, was anything but safe. Particularly for the years 1564 and again 1569 we learn from local sources about *troppe vessazioni* and *incursioni dei Turchi*.<sup>1</sup> In the city itself the threatening proximity of the new neighbour was palpable, as Ottoman soldiery, if we trust the local sources, regularly visited the city where the inhabitants were paid little respect by them (*essendo la città di continuo frequentata da Turchi, li quali praticano con manco rispetto*).<sup>2</sup> In 1557 Venice received reports about Ottoman plans to establish a port at both, or either, extremes of Split's *territorio*, one in the west at

Salona (Solin), the other near the mouth of Žrnovnica river in the east, which would potentially have damaged beyond repair the role of Split as a major trade emporium. It never came to this, but instead the existing salt works (*memlaha*) was enlarged at this latter location in 1566, worked by salt workers from Poljica, the semi-autonomous mountain district behind the coastal town of Omiš.<sup>3</sup>

After the war which saw the battle of Lepanto in October 1571 and the Ottoman conquest of Cyprus (recognized by Venice on 7 March 1573) finally being brought to an end by separate peace treaty concluded with the Republic in 1573, it was the year 1574 that seemed to bring the long-awaited

\* The present article has benefited profoundly from the detailed reviewing and constructive criticism by two anonymous reviewers for whose support I am most grateful. Apart from new topographical insights due to revised identifications of place-names as well as additional source references, the revised article will draw fresh evidence from a section of the Ottoman survey register BOA TD 622 not discussed in an earlier version. See M. Ursinus 2016, pp. 83-122.

1 F. Carrara 1844, p. 42.

2 L. Katić 1958, p. 207.

3 G. Novak 2005, p. 86f.

border settlement.<sup>4</sup> By then, first in 1539 and again in 1574, the small but strategically important fortification of Kuk (situated south from the source of the river Jadro) above the villages of Mravince and Kučine had fallen into Ottoman hands. Across these villages, yet extending much further south and, in particular, west, a large *çiftlik* holding (later turned into a pious foundation, *vakıf*) had been established (probably from the mid-1550s)<sup>5</sup> by Grand Vizier Damad Rüstem Paşa (in this position 1544-53 and again 1555 until his death in 1561), son-in-law (*damad*) of Sultan Süleyman.<sup>6</sup> This *çiftlik* constituted an unusually large freehold agrarian complex (of *mülk* status) cut out from the *contado* of Split and held by the Grand Vizier himself and, after his death, his wife Mihrimah Sultan, comprizing 70 Christian households, 20 watermills and five mills for treating linen situated in or along Jadro river, plus a number of *mezraas*, including that of Kuk. It must have been Mihrimah Sultan who later succeeded in transforming the entire *çiftlik* complex with its additional freehold properties (consisting mostly of water mills) situated along Jadro river (known as the «forts» (*kale*) of Biskupija, Kotmarić, Jakov Ormatić and Lukšić)<sup>7</sup> into a pious foundation (*vakıf*). As his triangular-shaped *çiftlik*, like a wedge, pushed the *territorio* of Spalato further to the south, reducing its *vicinità* even further, Rüstem Paşa's southern *çiftlik* boundary became, for the time being, the equivalent of the outer border of the Ottoman Empire towards Venice in this area. This was to make a swift solution to the ongoing border dispute look increasingly urgent. It is true that the Porte had sent a certain Ömer Çavuş to Livno with instructions to put an end to the border dispute which had erupted between Rüstem Paşa and Split and then between Split and Mihrimah Sultan with the help of two cadis once and for all, but Ömer died in 1566, and everything for the moment remained as it was. Only a full decade later, in 1576, a Veneto-Ottoman border commission succeeded in establishing an agreed line along the southern boundary of the *çiftlik* (i.e. the Ottoman external border) towards Split (i.e. Venice). A little while before, the Venetian emissary Giacomo Soranzo had rejected an earlier attempt at fixing the border along the coast of Dalmatia, which is why the Sultan decreed by

means of an Imperial firman dated 25 November – 3 December 1575 to work out a new line for the entire length of the line from Zara (Zadar) through Sebenico (Šibenik) and Traù (Trogir) to Spalato (Split), this time with the help of the *sancakbeğis* of Bosnia (Ferhad) and Klis (Mustafa) and the cadis of Sarajevo and Skradin, assisted by Cafer Çavuş and the Venetian border *commissario*.<sup>8</sup> The corresponding *hüccet*, issued by the cadi of Sarajevo as the senior judge and dated 18 – 26 July 1576, has survived not in its original, but in several Venetian translations.<sup>9</sup> Like Lovre Katić I shall quote from the Venetian translation of the border document as issued in Salona (Solin) during the first decade of Cumaziyülevvel 984 of the hegira, taking this as the basic text which will be complemented by a number of place-name variations found in the related documents (their call numbers given in round brackets):

*Principiando dalla caldiera del Sasso, che e in mare, et continuano li confini fin à Spalato, et de li passano oltre il mare fino sotto Vranizza (no 847: Oranicch), et de li alla colina piana di Gustir (no 852: Guschier, no 847: Costiera nominata Gostir), et de li ascendendo continuamente fin' al Sasso grande (no 847: Luchia grande), et de li alla stradda di vissoca (no 852: Visucca, no 847: Visocca), et de li per schiena della stradda alla valle secca (no 847: fiume secco), et della valle secca fin dentro del mare, et passano oltre il mare appresso di Scità (no 847: Sitte), et inferische alli confini di Polizza. In questi confini e compreso anco la Isola di Barbarich, si che tutti li luoghi, che sono dentro di questi antenominati confini sono della fortissa, et giuridittion di Spalato.*<sup>10</sup>

The stations along the border are described as follows (first going in a more or less north-south, then anti-clockwise direction): (1) a (vase shaped) needle of rock in the sea [a location in today's Kaštela known as Kotal]; (2) the shore opposite Vranjic; (3) the flat hill of Gušćer [here: modern Brda]; (4) continuously upwards to a big rock [possibly hight 48 near kilometre 5 of the aqueduct]; (5) up to the Visoka road; (6) along the Visoka road to the Dry Valley [Suhi potok between Kamen and Stobreč]; (7) from the Dry Valley directly to the sea; (8) across the sea in the vicinity of Sita [on the eastern side of the bay of modern

4 On the Ottoman-Venetian border in Dalmatia over time see M. P. Pedani 2017.

5 The *vakıfs* of Rüstem Paşa are discussed by A. Yüksel 1995, pp. 226, 229, 251-252, 274.

6 On Rüstem Paşa see G. Neciboğlu 2014, p. 313-381; especially p. 318-325. For Rüstem Paşa and his wife Mihrimah see in this journal I. Alduk 2010, pp. 63-70.

7 TD 622 (1585), fol. 236b.

8 Archivio di Stato di Venezia, Miscellanea documenti turchi no 829.

9 Archivio di Stato di Venezia, Miscellanea documenti turchi nos 847, 848 and 852.

10 Archivio di Stato di Venezia, Miscellanea documenti turchi no 859 c 6 (Ottoman date given as 1st decade Cumaziyülevvel 984 / Venetian date given as 4. Agosto 1576), p. 7. Vgl. L. Katić 1958, p. 208. The Venetian translation by Michele Membré of the *Naipo's* (the *naib's*) border description dated 12 August 1576 shows several marked deviations from the «basic» text as defined above. I am grateful to my reviewers for drawing my attention to the references I. Grgić 1962; J. Jelaska 1985 and A. Duplančić 1988.

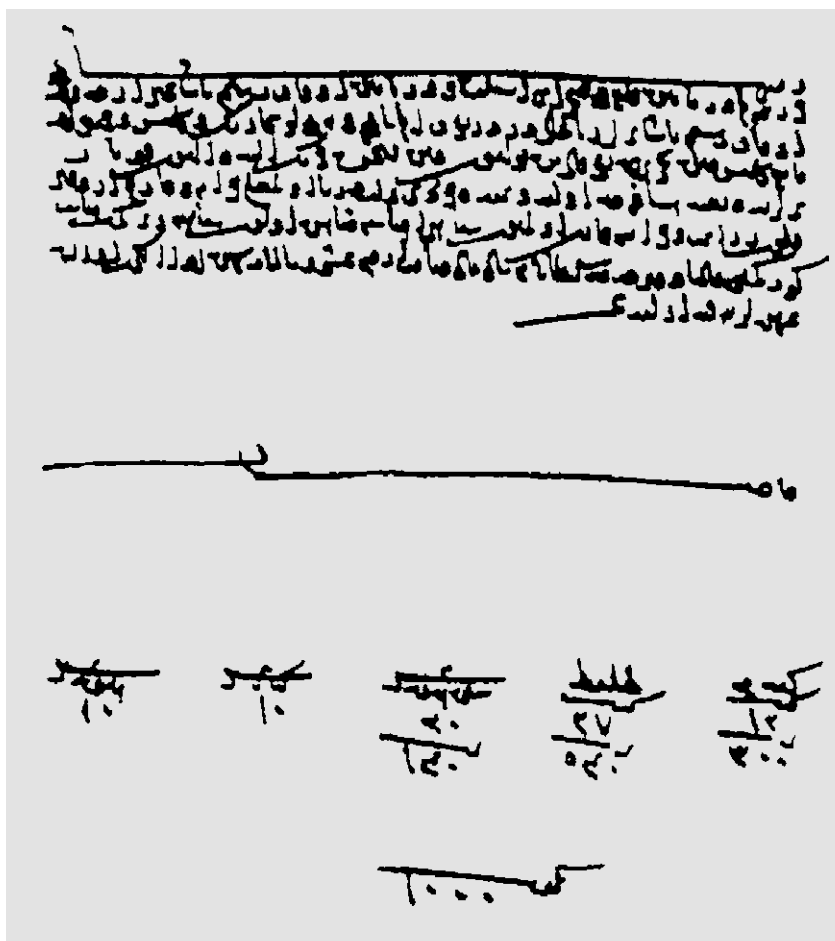


Figure 1  
Detail from BOA TD 622, fol. 237B

Stobreč];<sup>11</sup> (9) across to the boundary of Poljica;<sup>12</sup> (10) included in this territory is the islet of Barbarič.<sup>13</sup>

Between stations (3) and (5), another Venetian translation of the *hüccet* (no 856) notes further way marks (the following is a summary, not a literal translation of the passage in question): Above the hill of Gušćer there is a large stone (*sasso grande*); along the road there is another large stone as well as a collapsed wall (*muro rouinado*) and a ruined house (*casa rouinada*); on climbing further there is another big rock which is noted and recorded as part of the boundary description (*notado della descrizione di confini*). Upon climbing up still further, the Visoka road is encountered...

This perambulation of 1576 makes one surprising fact very clear: It corresponds closely, if not word by word, to the boundary delineation put forward by the Knez of Klis back in 1328, almost exactly 250 years earlier!<sup>14</sup> By special circumstance which I shall refer to in a moment, the territory of Split should henceforth be reduced even further than was envisaged by Klis in 1328.

Luckily we have at our disposal a corresponding perambulation from Ottoman sources. In particular the Defters BOA TD 533 dated 1574 (for the sandjak of Klis) as well as BOA TD 622 for the same area dated 1585 contain relevant passages. The recording of the perambulation for

11 I. Babić 1984, p. 44: Sita is to be found at a position opposite Epetium (modern Stobreč).

12 See below, note 16.

13 It seems likely that this reference does not relate to today's Barbarinac, but, as suggested by one of my reviewers and gratefully acknowledged, to Barbaruša opposite Stobreč. See Duplančić 1988, pp. 158, 160-162.

14 L. Katić 1958, p. 209. The author describes this as a «word by word» correlation.

the «Çiftlik of Katići village and the *mezraas* of Gorica, Kuk and Mravince Sveti Luka» in BOA TD 533 of 1574 (p. 451) runs as follows:

*Çiftlik-i karye-i Kaşiç ve mezraa-i Gorica ve mezraa-i Kuk ve mezraa-i Ravnica İsveti Luka yerleriyle hududı*

*İvraniça nam kale kurbında vaki olan tuzladan Tuyma demekle maruf bunara andan Kuru Köpriye*

*andan İnce Yol sıra gidüb zikr olan tarikin üsti yanında Yukarı Taşa varır andan*

*depe başında Çatal Taşa andan Kila nam taş andan Kuru Dereye andan deryaya andan derya sıra Luvine*

*nam harabe kilisaya andan Site memlahasına andan Site kalesine andan Poliça hududına andan Zirnovniça nam nehre*

*andan derbende andan Zirnovniçayla gidüb kaynak başına varır ve andan Sitne sınıruyla*

*gidüb Mosur nam yaylağıyla kale-i Klis hududına dahil olur andan Kuça*

*nam harabe kaleye andan harabe kile kilisaya andan Klis hududına andan Lonçariç nam kastel*

*kale yerlerinden andan İvraniç nam harabe kaleye andan mukayyed ez hudud olan tuzlaya*

*müntehi olduğu şühud-i udulla mülk-i tammada olan hudud bunlardır ki zikr olındı*

*der tasarruf-i evka-f-i Rüstem Paşa el-merhum hin-i tahrirde ayan-i vilayet şehadetleriyle evkaflarından*

*tasarrufında bulunmağın defter-i cedide üzerlerine kayd olındı ber muceb-i mülk*

*paye-i padişahi vakfiyet üzere kayd olındı çiftlik-i mezburda sakin*

*olan reaya resmin vakfa eda ederler.*

In English (together with my identifications in square brackets of the localities in question): «Its boundaries [are as follows:] From the salt works (*tuzla*) near the fortress of Ivranica [Vranjic] to the spring known as Duyma [Dujmovača], from there to the Dry Bridge (*kuru köprü*) [Mostine], from there along the Narrow Road (*ince yol*) to the Upper Stone (*yukarı taş*) towards the high point of the said road, from there to the Forked Stone (*çatal taş*) [the *Petra tonata* of the Venetian documents; *Triščeni kamen*]

on the top of the hill,<sup>15</sup> from there to the rock known as Kila [Kila hill], from there to the Dry Stream (*kuru dere*) [the *Valle secca* of the Venetian sources; *Suhi potok*],<sup>16</sup> from there to the sea (*derya*), then along the sea (*derya sıra*) to the ruined church named Luvine [reading uncertain; the church of Sv. Lovre?], from there to the salt works (*memlaha*) of Sita [near the mouth of the river Žrnovnica], from there to the fortress of Sita (*Site kalesine*) and so to the border of Poljica (*Poliça hududına*),<sup>17</sup> from there to the river of Žrnovnica, from there to the gorge (*derbend*) [through which Žrnovnica river passes], from there along Žrnovnica river up to its spring (*kaynak başına*), from there along the boundary of Sitno [village] along the summer pastures (*yaylak*) known as Mosor – the mountain range of Mosor east of Klis and Split, probably running along the heights of the rocky cliff from west of Kičere (882 m) through Klobuk (536 m) and Kranjača (582 m) to Koludar (522 m) – and enters the boundary of the fortress of Klis (*kale-i Klis hududına dahil olur*). From there it continues towards the ruined fortress of Kuça [modern Gradina north of Mravince, the old Kuk],<sup>18</sup> from there to the ruined church [a precursor of Sveti Petar], from there to the boundary of [the town] of Klis, from there to the *castellum* known as Lončarić, from the grounds belonging to the castle [*castellum*] towards the ruined castle (*kale*) of Vranjic and from there to the salt pan (*tuzla*) already defined in the [course of the] boundary. Here [the perambulation] ends. Its boundary line runs as established by competent and trustworthy witnesses (*şühud-i udulla*) [on the basis of] full property rights (*mülk-i tammada*) [...]»

TD 622 of 1585 (fol. 236b) would add a few details. Descending from the heights of the Mosor range, it formulates:<sup>19</sup> «[from here] to the ruined fortress (*harabe kale*) of Kuçaç [undoubtedly a variant of the toponym Kuk], from there to the church (*kilisa*), from there to the borders of Klis, from there down the hill towards the river Jadro, from there along Kosa which lies on the near bank of Jadro river to the river Jadro, from there along the river Jadro to the sea (*deryaya*) [...]»

Let us now try, even in the absence of a location map, to generally visualize these lines of demarcation

15 For this location see L. Katić 1956, p. 135-177; here p. 141.

16 Modern Sirobuja.

17 The border of the autonomous district known as Poljica is indicated on the map entitled *Poljica. Zemljovid 1:40.000*, authored by Ivan Stojak and published by *Poljica*, Godišnjak Poljičkog dekanata, Gata 1996. Quoting from the so-called *Poljički statut* of 1 February 1665, the Poljica's western boundary ran from below the Standing Stone immediately to the sea, and then up along its course to the Spring of the river Žrnovnica (*Stojni Kamen, ispod kamena odmah prema moru, gore uz rijeku Vrelo Žrnovnice...*). The line of the boundary is indicated on the map in red. It runs towards the Mosor range along a line passing the high point known as Kičere (882 m) at a distance of about 500 metres further to the west.

18 On Kuk see the excellent detailed article in this journal by Ivan Alduk 2009, p. 71-83.

19 BOA TD 622, fol. 236b: *andan Koçaç nam harabe kaleye andan kiliseye andan Klis hududına andan depenin aşığına nehr-i Soline andan Solinin berü yakasında Kosa ile nehr-i Soline andan Solin suyu ile deryaya andan derya ile İvraniç nam harabe kaleye andan mukayyed ez hudud olan tuzlaya varub.*

established by the Veneto-Ottoman border commission together with those of the Perambulation. The situation is most clear-cut when viewed from the west: Here, the northern boundary of the territory of Split, separated from the southern boundary of Rüstem Paşa's *çiftlik* by the Bay of Vranjic, runs several hundred metres to the south; a little further to the east, where the boundary of the *çiftlik* initially runs past Dujmovača and then passes beneath the aqueduct of Diocletian at the location known as Mostine, the boundary of the *territorio* of Split still continues running at a distance of several hundred metres south from the Grand Vizier's holdings, probably some distance east of the location known as «Glavicine» or «Turska kula» (situated towards Poljud). Further towards the east, at a point where the *çiftlik* of Rüstem Paşa borders on the rock known as Kila, the *vicinità* of Spalato extends at its northernmost parts up to the Visoka Road before reaching the Dry Valley (Suhi potok; Sirobuja) between Kamen and Stobreč. Only here, below the small fortress of Kamen which had just been taken back by the Ottomans,<sup>20</sup> both demarcation lines appear eventually to have converged, hitting the sea near Stobreč.

What this implies is of some significance: There appears to have existed, situated between both demarcation lines, a narrow belt of territory that was situated beyond both the Grand Vizier's *vakıf* and the *contado* of Split; a cordon of land in the possession of no-one, a *terra nullius* in its legal meaning (for which the sources find varying expressions), perhaps meant to reduce the likelihood of transgression and consequently open conflict. Until now this has been known to exist only for the area around the mouth of the river Jadro, the Port of Salona, where such an uncultivated cordon is mentioned in a Venetian source for the year 1576.<sup>21</sup>

There is further confirmation for this cordon of no-man's land. BOA TD 622 (fol. 237b), the survey register composed in 1585, records plots (*zeminha*) of agricultural grounds (*mezraaha*) as being situated between the territory (*sahra*) of the fortress of Split and the pious foundation (*vakıf*) of Rüstem Paşa. These grounds are explicitly described as lying outside the boundary of the Grand Vizier's possessions (*gayr ez hudud-i evkaf-i Rüstem Paşa*), and are categorized as unproductive (*harabe*) and «outside the survey register» (*haric ez defter*). By using the (fiscal) terms «empty» or «unproductive» (*harabe*) as well as «outside the scope of the *defter*» (*haric ez defter*), these

territories are clearly characterized by the Ottoman fiscal administration as being lacking in any individual or institutional beneficiary, in other words – as no-man's land. This of course constitutes a rare fiscal anomaly, which, being seen as such even at the time, called for a more practical solution.

Let us therefore look at the exact wording of the above entry (BOA TD 622, fol. 237b):

*Zeminha-i mezraaha der ma-beyn-i kale-i sahra-yi İsplit ve der ma-beyn-i evkaf-i Rüstem Paşa gayr ez hudud-i evkaf-i Rüstem Paşa yerler ve bağlardır der tasarruf-i ehali-i karye-i Loncarik ve Klis ve Kamengrad tabi'-i Klis hin-i tahrirde tasarruflarında bulunub hin-i fethde Firenk elinden alınub konar yerlerinden baid mesafede olduğundan cüz'î ve leb-i derya olmağla harabe ve haric ez defter kalub ziraat ve hirasete kabil olmayub sipahi ümenasına zâmin olub sipahiye verilmek münasib görilmeğün haliya defter-i cedid-i sultani-ye sal be-sal sahib-i arza öşür ve salariyesin eda etmek üzere uhdelerine kayd olındı hasıl [...] yekun 1,000*

Translation: «The plots (*zeminha*) of agricultural grounds (*mezraaha*) in between the territory (*sahra*) of the fortress of Split (İsplit) and the pious foundations (*evkaf*) of Rüstem Paşa, outside [lit.: without] the boundaries (*gayr ez hudud*) of the pious foundations of Rüstem Paşa, consist of fields (*yerler*) and vineyards (*bağlar*) worked by the inhabitants of the villages of Lončarić, Klis and Kamengrad [today's Kamen] belonging to Klis. At the time of the survey [the grounds] were found in their possession (*tasarruflarında*), but since, at the time of conquest, they were taken from the hands of the Frankish (i.e. Venetians) and are [now at] a far distance from the places where they [the villagers] have settled, are scattered (*cüz'î*) and [near] the edge of the sea (*leb-i derya*), they remained empty (*harabe*) and outside [the scope of] the [previous] survey register (*haric ez defter*), unsuitable for agriculture and farming. Since it is [now] considered appropriate [that the grounds should] be given to the *sipahis* after the agents (*ümena*) of the *sipahis* had [already] been made responsible (*zâmin*), they are now recorded in the New Sultanic Defter in their names on condition that they remit to the lord of the land (*sahib-i arz*) their tithe (*öşür*) and *salariye* tax year after year.

[annual] income [...] in total 1,000.»

20 After being briefly occupied by the Venetians at the beginning of the Cypriot war, it was soon after handed back to the Ottomans: G. Novak 2005, p. 80ff.

21 L. Katić 1958, p. 207.

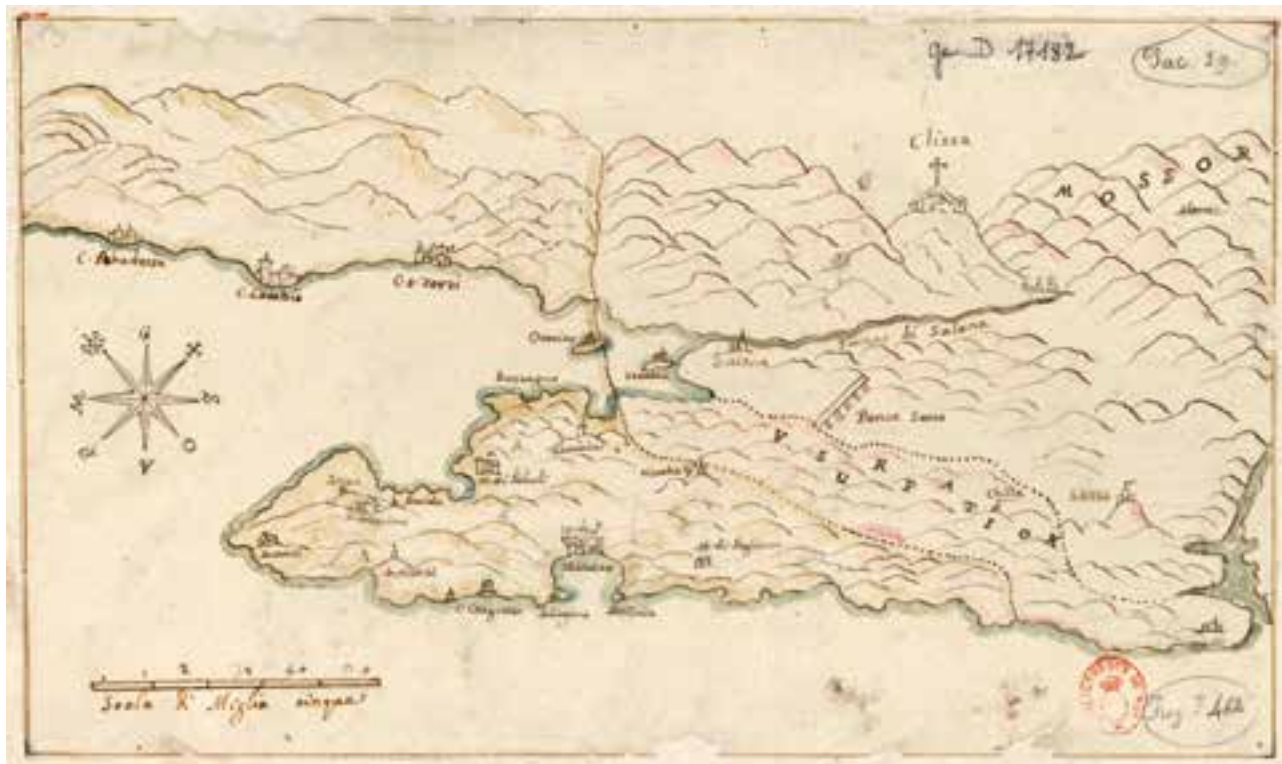


Figure 2  
Split and its Hinterland, ca. 1600. (Bibliothèque nationale de France, Paris, sign. Reg. B 0462-29)

What becomes clear is this: The grounds situated «outside» the boundary of Rüstem Paşa's *çiftlik* holdings, consisting of fields and vineyards, were left unrecorded in the previous survey register (BOA TD 533) of 1574 while being tended to by the inhabitants of the villages of Lončarić, Klis [-Varoš] and Kamen, but remaining outside their radius for regular agricultural use – hence the description of the grounds as «unproductive» or «empty» (*harabe*) and «unsuitable for agriculture and farming» (*ziraat ve hirasete kâbil olmayub*). They were evidently not meant for «normal» agricultural exploitation. Significantly, all three «villages» were settlements in the immediate vicinity of fortresses (*kale*) or similar military installations (such as a *castellum* or *kaştel*), so the (semi-) military character of the cordon remains a dominant feature, even after the grounds transfer into the care of the (local) cavalry by 1585. In fact, the *kaştel* of Lončarić and, in particular,

the fortress (*kale*) of Kamen are situated such as to effectively 'police' the cordon from the Ottoman side.

The Venetian and Ottoman evidence combined suggest that a kind of *cordón militaire* separated the possessions of Grand Vizier Rüstem Paşa from what remained of the *contado* of Split at least for the period between 1574 and 1585. It was made up of a belt of «empty» land, taken from Venetian control at the time of conquest, which was not farmed in the regular way and, being categorized as «unproductive» or «empty» (*harabe*) was not yielding any recorded quantity of produce before the New Sultanic Defter was drawn up in 1585. Until this time it was considered *haric ez defter* or «outside the range of the survey records», a no-man's land. Overlooked by the *castellum* of Lončarić and the small fortress of Kamengrad, this *cordón militaire* was seen from the Venetian side as a stretch of *terra occupada* or *usurpation* and consequently depicted as such on some (near) contemporary Venetian maps (fig. 2).<sup>22</sup>

22 I owe this information to the kindness of my colleague Marko Rimac from the University of Split and Marko Matijević.



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## Sažetak

Michael Ursinus

### **Terra Nullius između splitskog okruga (*Contado*) i zadužbine (*vakıf*) Rustem Paše 1574. – 1585.**

Ključne riječi: Osmanska Dalmacija, Split, Klis, Lončarić, Kamen, Rustem-paša, granica, *terra nullius*

Mletački i osmanski izvori za razdoblje od 1574. do 1585. pružaju vrijedne podatke o ničijoj zemlji u neposrednom zaleđu Splita, o pojasu koji je dijelio teritorij (*territorio*) grada od poljoprivrednih imanja (*çiftlik*) u posjedu velikog vezira Rustem-paše, zeta (*damad*) sultana Sulejmana Veličanstvenog, a koji su se sastojali od nekoliko mlinova i sedamdesetak kršćanskih domaćinstava koja su plaćala poreze. Osmanski zemljišnik BOA TD 622 iz 1585. godine prva je isprava (*defter*) koja je popisala parcele u ovoj ničijoj zemlji. Za ove parcele navodi se da su »neproduktivne« i »neiskorištene« za bilo kakvu redovnu poljoprivrednu aktivnost jer su oduzete od Mlečana »u vrijeme osvajanja«. Do 1585. godine ove parcele, a koje su bile polja i vinogradi, stavljene su u nadležnost lokalnih konjaničkih jedinica (*sipahi*). Ovaj teritorij vjerojatno je nadzirala posada tvrđave Klis te sigurno iz obližnjeg kaštela (*castellum*) Lončarić i utvrde (*kale*) Kamengrad (Kamen).

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