PROGRESS WITHOUT CONSENT: ENLIGHTENED CENTRALISM VIS-À-VIS LOCAL SELF-GOVERNMENT IN THE TOWNS OF EAST CENTRAL EUROPE AND RUSSIA, 1764-1840

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in History

By

Curtis G. Murphy, M.A.

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PROGRESS WITHOUT CONSENT: ENLIGHTENED CENTRALISM VIS-À-VIS LOCAL SELF-GOVERNMENT IN THE TOWNS OF THE POLISH-LITHUANIAN COMMONWEALTH, 1764-1840

Curtis G. Murphy, M.A.

Thesis Advisor: Andrzej S. Kamiński, Ph.D.

ABSTRACT

In the eighteenth century, European rulers pursued a common policy of enlightened centralism, which assaulted the rights of self-governing corporations in the name of material, social, and economic progress. For the towns of the Polish-Lithuanian Commonwealth, enlightened centralism began under King Stanisław August Poniatowski (r. 1764-1796) and continued uninterrupted through the partitions of Poland into the mid-nineteenth century. Employing the petitions, financial records, and demographic data of a select group of towns from Poland and Ukraine, this study investigates the consequences of enlightened centralization for the political and economic lives of burghers, Jews, and other town dwellers in Poland-Lithuania and some of its successor states: the Russian Empire (after 1795), Austrian West Galicia (1795-1809), the Duchy of Warsaw (1806-1815), and the Congress Kingdom of Poland (after 1815). A particular emphasis is placed on the fate of so-called private towns, which possessed royal charters and rights of self-government but belonged to individuals. When divorced from the effects of nineteenth-century industrialization and population growth, enlightened centralization in the towns of Poland-Lithuania did not produce the economic growth, administrative efficiency or social improvements that served to justify the abrogation of self-government in the minds of Enlightenment writers and many modern historians. Instead, centralizing policies weakened the political rights of townsmen, imposed enormous administrative costs, and substituted an
ineffective and legalistic system for local control. Private towns fared the worst under centralization because state control undermined the ability and incentive of owners to offer attractive conditions to townsmen, and these unusual entities experienced an absolute decline in population and wealth after 1795.
The research and writing of this thesis is dedicated to everyone who helped and inspired me along the way.

I am particularly grateful to Professors Andrzej S. Kamiński, Catherine Evtuhov, James Collins, and Gerald Mara for their guidance and assistance in completing this project. In addition, I received generous advice and archival assistance from Ryszard Szczygieł, Natalija Bialous, and Krzysztof Kossarzecki. The Georgetown University History Department provided financial and moral support, as well as a fruitful environment for thinking and working. In addition, this dissertation would never have been completed without the advice, assistance, and overall support of my inimitable wife, Amanda.

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Curtis G. Murphy
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A Note on Place Names

The numerous border realignments, which characterize the territories of the former Commonwealth, present difficulties to the historian who wishes to employ place names without offending national sensibilities. Town names, in particular, have varied widely with the change of regimes, the most notorious example being modern-day L’viv (Latin: Leopolis; Polish: Lwów; German: Lemberg; Russian: Lvov). In this work, I follow the practice of employing the version of the town’s name recorded in the contemporary historical documents. In effect, towns in the Commonwealth retain their Polish name, while those under Russia are listed by the Russian version. The only exception is the towns of the Austrian partition, where I continue to employ the Polish version, as the primary documents I employed were recorded in Polish. This method avoids anachronism but demands that the reader will occasionally encounter different names for the same town, particularly for the Commonwealth towns absorbed into the Russian Empire.

These towns, along with their modern, Ukrainian or Belarusian appellations, are listed below.

<table>
<thead>
<tr>
<th>Polish name</th>
<th>Russian name</th>
<th>Present name</th>
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<tbody>
<tr>
<td>Bracław</td>
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<td>Dubno</td>
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<td>Kamieniec-Podolski</td>
<td>Kamenets-Podol’skii</td>
<td>Kam’ianets-Podils’kyi</td>
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<td>Krzemieniec</td>
<td>Kremenets</td>
<td>Kremenets’</td>
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<td>Łuck</td>
<td>Lutsk</td>
<td>Luts’k</td>
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<td>Mohylów</td>
<td>Mogilev (Podol’skii)</td>
<td>Mohyliv-Podils’kyi</td>
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<tr>
<td>Nieśwież</td>
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<td>Ołyka</td>
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<td>Ostróg</td>
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<td>Żaslavl’</td>
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<td>Żółkiew</td>
<td>Zhokva</td>
<td>Zhovkva</td>
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<td>Żytomierz</td>
<td>Zhitomir</td>
<td>Zhytomyr</td>
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## Common Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tr>
<td>AGAD -</td>
<td>Archiwum Główne Akt Dawnych w Warszawie (The Main Archive of Old Records in Warsaw)</td>
</tr>
<tr>
<td>AML -</td>
<td>Akta miasta Lublina (Records of the town of Lublin after 1809, a fond in APL)</td>
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<td>AOZ -</td>
<td>Archiwum Ordynacji Zamoyskiej (The Archive of the Zamoyski Entail, a fond in APL)</td>
</tr>
<tr>
<td>APL -</td>
<td>Archiwum Państwowe w Lublinie (The State Archive in Lublin)</td>
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<tr>
<td>AR -</td>
<td>Archiwum Radziwiłłów (The Radziwiłł family Archive, a fond in AGAD)</td>
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<tr>
<td>ASK -</td>
<td>Archiwum Skarbu Koronnego (The Crown Treasury Archive, a fond in AGAD)</td>
</tr>
<tr>
<td>AZ -</td>
<td>Archiwum Zamoyskich (The Zamoyski family Archive, a fond in AGAD)</td>
</tr>
<tr>
<td>BC -</td>
<td>Biblioteka Książąt Czartoryskich (The Library of the Czartoryski princely family, in Kraków)</td>
</tr>
<tr>
<td>DPKP -</td>
<td>Dziennik Praw Królestwa Polskiego (The Legal Journal of the Kingdom of Poland, after 1815)</td>
</tr>
<tr>
<td>DPKW -</td>
<td>Dziennik Praw Księstwa Warszawskiego (The Legal Journal of the Duchy of Warsaw, 1807-1815)</td>
</tr>
<tr>
<td>KBO -</td>
<td>Komisja Boni Ordinis (The Good Order Commission, a fond in APL)</td>
</tr>
<tr>
<td>KCW -</td>
<td>Komisje Cywilno-Wojskowe Lubelskie (The Civil-Military Commission of Lublin, a fond in APL)</td>
</tr>
<tr>
<td>KML -</td>
<td>Księgi miejskie Lublina (Records of the town of Lublin before 1809, a fond in APL)</td>
</tr>
<tr>
<td>KRSW -</td>
<td>Komisja Rządowa Spraw Wewnętrznych (The Governing Commission on Internal Affairs, a fond in AGAD)</td>
</tr>
<tr>
<td>ML -</td>
<td>Tak zwana Metryka Litewska (The So-Called Lithuanian Metrica, a fond in AGAD)</td>
</tr>
<tr>
<td>PRN -</td>
<td>Protokół potocznny Rady Nieustającej (The Ordinary Minutes of the Permanent Council, a subsection of ML)</td>
</tr>
<tr>
<td>PSZRI -</td>
<td>Polnoe sobranie zakonov Rossiiskoi Imperii (The Complete Collection of the Laws of the Russian Empire)</td>
</tr>
<tr>
<td>SG -</td>
<td>Słownik geograficzny Królestwa Polskiego i innych krajów słowiańskich (The Geographical Dictionary of the Kingdom of Poland and Other Slavic Countries)</td>
</tr>
<tr>
<td>TsDIAK -</td>
<td>Tsentralnyi Derzhavnyi Istorycheskyi Arkhiv v Kyeve (The Central State Historical Archive in Kyiv, Ukraine)</td>
</tr>
<tr>
<td>VL -</td>
<td>Volumina legum (The Laws of the Polish-Lithuanian Commonwealth)</td>
</tr>
</tbody>
</table>
[The] measures [of tyrants] may sound very “untyrannical” and beneficial to modern ears . . . But they all have in common the banishment of the citizens from the public realm and the insistence that they mind their private business. -Hannah Arendt, The Human Condition

The substance of the ideas of 1789 is not the limitation of sovereign power, but the abrogation of intermediate powers. -Lord Acton, “Nationality”

**Introduction:**

**Self-Government, Poland-Lithuania, and the Enlightenment**

**Delegated Republicanism and Enlightened Centralism**

In the larger scheme, this dissertation concerns the clash of values and behaviors characteristic of two, opposed models of governmental organization: delegated republicanism and centralism. By delegated republicanism, I mean the division of political power between rulers in the capitals and autonomous, self-governing corporations in the provinces that prevailed in Europe prior to the eighteenth century. This arrangement evolved in Medieval Europe, when the king or territorial ruler delegated certain rights and responsibilities to corporate groups in exchange for taxes, with the presumption that these groups would govern themselves in the name of the sovereign. Delegated republicanism in not a system per se, as its most prominent feature consists of the plurality of laws and customs. At the same time, the more common appellation of “feudalism,” with its associations of Marxist teleology and connotations of “backwardness,” does injustice to a political arrangement that in many respects resembled the shared sovereignty codified in the United States Constitution.¹

¹ On various European understandings of republicanism, see: Republicanism: A Shared European Tradition, ed. Martin van Gelderen and Quentin Skinner, 2 vols. (New York, 2002). The classic studies on federalism and local government in the United State are, respectively: William Riker, Federalism: Origin, Operation, Significance (New York, 1964); Robert A. Dahl, Who Governs? Democracy and Power in an American City (New Haven, Conn.,1961). In the last half-century, a number of political and legal reforms have changed the dynamic of local-federal relations in the United States, resulting in an increase in the role and supervisory power of Washington. For
Examples of corporations, which retained considerable power and control over their territories and members through the eighteenth century, include the Estates of Brittany and Burgundy, the dietines of Hungary, and the Jewish parliament of Poland-Lithuania.\(^2\) Urban corporations were perhaps the most common beneficiaries of delegated power, and cities and towns from Spain to Ukraine enjoyed extensive rights of self-government, financial autonomy, and legislative power prior to the modern period. Sixteenth- and seventeenth-century contemporaries referred to cities in Holland, Spain, France, and Germany as “republics” comparable to the independent city-states of Italy, even though these “republics” existed on the territory of a sovereign, who was the ultimate source of their rights and privileges.\(^3\) The chartered towns of Poland-Lithuania, the subject of this study, fit precisely into this schema of delegated republicanism, given the extensive rights and privileges granted to them by the kings of Poland and the grand dukes of Lithuania from the fourteenth to eighteenth centuries. In contrast, eighteenth-century Russian emperors devolved responsibility to elected officials in


towns, but the rights, privileges, and autonomy of European urban corporations never appeared in the heartland provinces of the empire.⁴

Criticism of the power and independence of urban republics as detrimental to the authority of the ruler and the interests of their own populations had appeared even in the Middle Ages, but in the seventeenth century, European monarchs such as Louis XIV and Frederick William moved to curb the financial and political autonomy of these “republics.”⁵ By the middle of the eighteenth century, a new model of enlightened centralism had gained ascendancy, which justified further encroachments into urban autonomy in the name of order, reason, and progress. Rulers of the Enlightenment and their polemicists were overtly hostile to local self-government and the republican form of organization. Monarchs such as Joseph II of Austria, Frederick the Great of Prussia, Catherine II of Russia, and even King Stanislaw August Poniatowski of Poland-Lithuania (r. 1764-1796) promoted centralized, unitary, and rationally-directed government as a superior and more efficient organizational model. Local self-government, Enlightenment-era publicists insisted, was incompetent, tyrannical, and detrimental to the rulers’ benevolent plans for the general welfare.⁶ French Jacobins and Napoleonic administrators embraced this reasoning.

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and exported enlightened centralism across Europe, creating a lasting transformation that continues to prevail in today’s liberal democracies.  

Apologists of enlightened centralization promised material and economic improvement in the towns by breaking down barriers and unlocking resources that had been hidden or squandered by self-interested elites. According to this reasoning, the state, and not local elites, could more effectively rationalize urban space, improve public hygiene, and establish safe and sanitary living conditions. Indeed, as emphasized by James Collins, eighteenth-century centralism coincided with a “municipal revolution,” in which cities received illumination, broad boulevards, as well as fire-fighting and waste disposal infrastructure, reflecting the demands of an increasingly commercial and consumption-based society.  

Taken in conjunction with the demographic changes and economic explosion of the industrial revolution in the following century, enlightened centralism appears to have played a decisive role in the transition to the modern world. At the same time, one might question the connection that the central appointment of officials, state control over urban finances, and the promulgation of regulations played in this process. Did the delegated republics of early modern Europe lack the foresight, expertise, and broader vision to effect changes without the intervention of the central state? Was enlightened centralism necessary for the social and economic change that ushered in the industrial world?

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With these two questions in mind, the study will investigate the consequences of the policies of enlightened centralism for a number of self-governing towns in the Polish and Ukrainian territories of the Polish-Lithuanian Commonwealth and its successor states. Poland-Lithuania presents an ideal and under-utilized subject for a study about delegated republicanism and centralization. In the Commonwealth, decentralization was the rule until the late eighteenth century and, consequently, autonomous corporations proliferated and were responsible for a wide range of judicial, administrative, and police functions. Enlightened centralism appeared in the Commonwealth abruptly, with the ascension of King Stanisław August in 1764. Following the infamous partitions of Poland, which completely erased the Commonwealth from the map of Europe by 1795, the same policies of enlightened centralism continued, but with greater vigor, under the autocratic regimes of Russia, Prussia, Austria, and the Napoleonic Duchy of Warsaw. The goals and influences, which inspired Stanisław August, also motivated his autocratic successors in the nineteenth century. At the same time, the sudden onslaught of enlightened centralism in Poland-Lithuania throws the consequences of individual centralizing policies into sharper relief than in other European countries, where the state already possessed a great deal of power and influence within the towns and urban corporations by 1700.9

Towns in Poland-Lithuania enjoyed the same rights and privileges as other European towns, such as those in seventeenth-century France and the Holy Roman Empire.10 At the same


time, Poland-Lithuania’s towns serve as a useful model for this study due to their multinational character, as well as their organizational plurality. Catholics, Uniates, Orthodox, Jews, and Armenians lived side by side in the Commonwealth’s towns and administered their communities according to corporate institutions of local government, the most famous of which was the Jewish kahal.\textsuperscript{11} In addition, the Commonwealth was home to numerous private towns, which enjoyed royal privileges but belonged to private individuals. Private towns existed across Northern Europe, and developed to serve the interests of cash-strapped rulers and wealthy land-owning nobles. Nobles invested in town infrastructure to create exchange points for their peasants, rulers approved of their creation and offered royal charters in order to receive taxation, and burghers migrated to these hybrid entities so long as they received the privileges and rights offered in other towns.\textsuperscript{12} Private towns proliferated in the decentralized Commonwealth, and the majority of burghers lived in these hybrids in the eighteenth century. Indeed, many of the largest and most successful towns in Poland-Lithuania, such as Zamość, Dubno, Nieśwież, and Mohylów, were the property of individual noblemen.\textsuperscript{13}

Private towns offer a useful control group for understanding enlightened centralism in the eighteenth and nineteenth centuries, as townsmen often enjoyed the same privileges and rights as similarities with their Hungarian counterparts. See: Balázs Szelényi, "The Dynamics of Urban Development: Towns in Sixteenth and Seventeenth Century Hungary," The American Historical Review 102 (April, 2004), 360-386.\textsuperscript{11} On the kahal, see: Juliusz Bardach, "Żydzi w Birżach radziwillowskich w XVII - XVIII wieku," Przegląd Historyczny 81, no. 1-2 (1990), 199-220; Hundert, Jews in the Polish-Lithuanian Commonwealth, 45, 81, 103; Daniel Stone, "Jews and the Urban Question in Late Eighteenth Century Poland," Slavic Review 50, no. 3 (Autumn, 1991), 533.


\textsuperscript{13} Zamość in the seventeenth-century was taxed as one of the six largest towns in the Commonwealth. See: Bogucka and Samsonowicz, Dzieje miast, 354-355; Ryszard Szczygiel, "Zamość w czasach staropolskich," in Cztery sta lat Zamościa, ed. Jerzy Kowalczyk (Wrocław, 1983), 95-116. For more information on the size of private towns, see: Korzon, Wewnętrzne dzieje Polski, vol. II, 326-334.
their royal counterparts, but the state only came to play a dominate role in these hybrids after the partitions. The effect of enlightened centralism on these private towns was particularly dramatic, since their prosperity depended on the ability of the owners to offer incentives and guarantees not possible under the conditions of uniformity demanded by the centralized state. I argue that private towns could only thrive in a decentralized system such as that of the Commonwealth, which permitted a complex equilibrium to develop between the economic interests of the owner, the rights of the burghers, and the guarantees of the king. Private towns vexed post-partition officials, who proved unable to reconcile the state’s professed respect for private property with the bureaucratic assumption that towns should belong to the state. 14 As a result, state efforts to intervene in private towns after 1800, in some cases with the express purpose of benefiting the residents, undermined the benefits for both burghers and owners.

In considering the case of enlightened centralism in Poland-Lithuania, this study follows a different approach than most Polish studies of the region, which often treat the final partition of 1795 as an inviolable threshold. 15 I begin with the ascension of Stanisław August in 1764 and follows the fate of a select group of towns through the partitions to Austrian, Napoleonic, and Russian rule, ending in the decade after the unsuccessful November Uprising of 1830. This period is characterized by continuity in ever greater vigor of state-imposed centralization, enabling one to observe the results of individual state policies, irrespective of their national or


15 For examples of Polish historiography on towns, especially the tendency of experts to concentrate on either the pre-partition or post-partition period without overlapping, see: Dzieje Lublina (op cit.); Lublin: Dzieje miasta. Vol. II: XIX i XX wiek, ed. Taduesz Radzik, et al. (Lublin, 2000); See also: Bogucka and Samsonowicz, Dzieje miast; Marian Surdacki, Urzędów w XVII i XVIII wieku: Miasto - Społeczeństwo - Życie codzienne (Lublin, 2007); Mazurkiewicz, et al., “Miasta prywatne powiatu lubelskiego,” 103-197.
governmental origin. In addition to the temporal novelty of this work, two comparisons are presented: between royal and private towns in both the Polish, Catholic region in present-day Lublin province with the Ukrainian towns in the provinces of Volhynia and Podolia. Finally, this study explains the political, social, and economic meaning of centralization in terms of its effects on the burghers and town-dwellers themselves. I am interested above all in how policies of enlightened centralism played out on the local level, how burghers and other town dwellers responded, and to what degree the salutary goals of economic, material, and social improvement appeared in these towns as a result of centralization.

In brief, I argue that the imposition of enlightened centralism, first under the Commonwealth, and then with more vigor after the partitions by the Napoleonic and Russian officials who ruled the towns in question, failed to produce the material or economic improvements, which rulers had promised as a justification for the abolition of town autonomy. Centralization served the political end of eliminating intermediary institutions and institutional plurality, becoming, by the turn of the nineteenth century, the principal end of state policy in the towns rather than a means for improvement. In practice, centralization redirected resources in a way that often punished thriving towns while rewarding stagnant ones, imposed enormous administrative costs on a system that had functioned with little overhead, and replaced local autonomy with a legalistic and cumbersome system of centralized supervision that proved ineffective in achieving many of the center’s goals. Finally, centralization, in its quest for administrative uniformity and the common good, replaced the beneficial situation for burghers in private towns with one that encouraged rapaciousness on the part of town owners, effecting a relative decline in all towns that were not completely subordinate to the central government.

**The Polish-Lithuanian Context**
From the Renaissance to the Enlightenment, Poland-Lithuania was a decentralized, federated republic, where extensive rights belonged to corporate groups, whose rights limited the powers of the king and the central government. I follow Andrzej Kamiński in conceiving of the pre-Enlightenment Commonwealth as a “civic society,” in which citizens on all levels played an active role in governing their localities and the country.\textsuperscript{16} After the 1569 Union of Lublin, nobles in both the Polish Crown and the Grand Duchy of Lithuania managed the affairs of their provinces through dietines (\textit{sejmiki}), which also elected representatives to the national parliament (\textit{sejm}). Jews participated in a parallel national parliament, the Council of Four Lands, which distributed the tax burden among communities, until abolished by the Commonwealth’s parliament in 1764. Jewish communities also possessed kahals, organs of local self-government and justice in each town. As in other parts of Europe, religious confraternities in both the Catholic and Orthodox regions of the Commonwealth were responsible for aspects of social welfare within their communities.\textsuperscript{17}

Towns (\textit{miasta} and \textit{miasteczka})\textsuperscript{18} enjoyed wide autonomy and political prerogatives comparable to German towns in the Holy Roman Empire, particularly the “home towns” described by Mack Walker. From the Middle Ages, the majority of towns possessed a charter known as Magdeburg Law, which empowered burgher-citizens to elect their own judicial, executive and legislative officials, though elections in larger towns tended to fall under the

\textsuperscript{16} This is in opposition to a “civil society,” where subjects of the state are permitted to organize and engage in collective endeavors, so long as these organizations do not challenge the prerogatives of the state. For an overview, see: Andrzej S. Kamiński, \textit{Historia Rzeczypospolitej wielu narodów} (Lublin, 2000).


\textsuperscript{18} Urban centers in East Central Europe were often small and locally oriented, and therefore I use the term town throughout, except when referring the centers of international trade such as Danzig and Warsaw. When Polish law distinguishes between \textit{miasta} and \textit{miasteczka} for taxation purposes, I translate the latter as “township.” See: Miller, \textit{Urban Societies}. 

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control of local elites. Magdeburg Law authorized townsmen to levy taxes, build walls, and maintain militias. In addition, larger towns possessed individual royal privileges, granting them the right to collect additional tolls and duties to support urban improvement projects. Notably, the king conferred Magdeburg Law on private towns as well, usually as a result of a petition by an owner seeking to attract residents. With the exception of the towns in Royal Prussia, which were governed by a different but analogous constitution known as Chełmno Law, self-government in Polish-Lithuanian towns was remarkably uniform.\textsuperscript{19}

The Commonwealth remained decentralized and locally governed, even as its neighbors increasingly embraced policies associated with Enlightened absolutism, i.e. the concentration of power in the center for the sake of the common good.\textsuperscript{20} Indeed, even Polish monarchs who sought to increase royal power at the expense of the parliament, such as Jan Sobieski and August II, continued the tradition of granting individual exemptions and privileges to local corporations.\textsuperscript{21} In the eighteenth century, the national parliament became mired in a partisan stalemate, failing to pass a single law between the coronation and death of August III (r. 1733-1763). While the dietines, town corporations, and kahals continued to operate, certain members of the elite watched with anxiety as Poland-Lithuania’s neighbors increased their military power and revenue with the aid of centralizing policies. In addition, reform-minded thinkers such as

\textsuperscript{19} According to Bogucka and Samsonowicz, smaller towns had more democratic governments. Danzig, the largest and most powerful city in the Commonwealth, was dominated by a wealthy oligarchy. Bogucka and Samsonowicz, \textit{Dzieje miast}, 145-150. For a one of the first descriptions of Magdeburg Law, see: Bartolomej Groicki, \textit{Porządek sądów miejskich prawa magdeburskiego w Koronie Polskiej} (1559), ed. Karol Koranyi (Warsaw, 1953); For an eighteenth-century, burgher perspective on Magdeburg Law and the privileges of towns, see: Adam Mędrzecki, \textit{Zbior praw, dowodów i uwag dla obiaśnienia zaszczytów stanowi mięyskiemu ex juribus municipalibus służących} (Warsaw, 1790), part II, 6-20. See also: Walker, \textit{German Home Towns}, 34-72.

\textsuperscript{20} This fact was observed by Napoleon’s chief source of information on Poland, Claude Rulhière, \textit{Histoire de l’anarchie de Pologne et du démembrement de cette république}, vol. 1 (Paris, 1807), 97-127. See also: Władysław Konopczyński, \textit{Geneza i ustanowienia Rady Nieustającej} (Krakow, 1919), 39-55.

\textsuperscript{21} A good example of this is the privileges granted to Jewish corporations. See: \textit{Jewish Privileges in the Polish Commonwealth: Charters of Rights Granted to Jewish Communities in the Sixteenth to Eighteenth Centuries}, ed. Jacob Goldberg (Jerusalem, 1985). See also: Jan Riabinin, \textit{Rada miejska lubelska w XVIII wieku} (Lublin, 1933).
Stanisław Konarski complained that the stalemate at the center had contributed to the neglect and consequent ruin of the country’s cities and towns.\(^{22}\)

The Czartoryski family represented one faction among the Commonwealth’s elite, with a vision of reforming the Commonwealth’s parliament according to the British model. In desperation to achieve their ends, the Czartoryskis conspired with the newly reigning Russian empress Catherine II to place one of their own on the throne. Rather than support the Czartoryskis’ choice candidate, who would enjoy the power and popularity of the enormously wealthy family, Catherine decided to engineer the election of her former lover, Stanisław Poniatowski. The nephew of the Czartoryski \textit{pater familias}, Poniatowski was connected with the reform plans of the family, but personally possessed limited means and enjoyed little prestige among the nobility. His only title at the time of his election was “Pantler of Lithuania,” a minor honor that indicated to his contemporaries his parvenu status. At the same time, Poniatowski had an Enlightenment education, and had composed pamphlets on reforming the Commonwealth as a means of wooing the future Catherine the Great. In the wake of August III’s death, a combination of Russian military pressure and the disorganization of the opposition combined to ensure the election of Poniatowski in 1764 as Stanisław II, king of Poland and grand duke of Lithuania. As an indication of his intentions and ambitions, the new king immediately renamed himself Stanisław August.\(^{23}\)

Stanisław August’s plans involved the augmentation of royal power and central control over the provinces. With the support of Russian soldiers, the new king, the Czartoryskis and their


supporters confederated the parliaments of the 1760s, using a semi-military procedure that allowed a small majority to override any opposition. Several of the early reforms directly affected the royal towns. A law passed by the parliament in 1768 subjected all state towns to inspection and auditing by royal officials and empowered Good Order Commissions with the authority to rewrite town constitutions and manage finances. Unfortunately for the reformers, Catherine’s assistance came at a price, and the Russian empress would only allow reforms that maintained the Commonwealth’s dependence on Russia. During a contentious debate in 1767-1768 over the subject of religious toleration for minorities, Catherine’s ambassador, Nikolai Repnin, imprisoned certain senators and exiled them to Siberia. Outrage about Russian domination and the king’s subservience fueled a revolution that came to be known as the Confederacy of the Bar. The Confederacy unleashed a civil war between partisans and the Russian-backed king, ultimately providing the pretext for the first partition of Poland between Russia, Austria, and Prussia in 1772.24

The parliament that ratified the first partition in 1775 also instituted a number of centralizing measures, including a permanently standing executive administration, the Permanent Council. This council and its subordinate body, the Department of Police, obtained significant power to regulate the finances of towns, particularly through a new alcohol monopoly discussed in Chapter One. Further reforms came in 1788, when the parliament tried to shake off Russian domination and establish a standing army capable of defending the country. This parliament, which remained continuously in session until 1791, passed wholesale structural reforms, including the famous Constitution of the Third of May. In addition, the parliament passed a reform, “Our Royal Towns” on 18 April, 1791. Reflecting in part the demands of a burgher-

rights movement organized by the first ever joint congress of the Commonwealth’s cities and towns, as well as the enlightened convictions of reformers such as Hugo Kołłątaj, the urban reform law granted burghers the Polish version of habeas corpus, the right to own landed property, and the opportunity to serve on central commissions, among other concessions. Shortly thereafter, the parliament, inspired by lobbying from the same Kołłątaj, authorized the establishment of a central Police Commission with extensive supervisory and regulatory power over the towns.  

Unhappy with these reforms, the opposition appealed for Russian assistance, leading to the creation of the Targowice confederation. Catherine convinced Stanisław August to join this body in order to preserve the Commonwealth, but Russia and Prussia nonetheless annexed about half of Poland-Lithuania’s territory in 1793, in addition to overturning the reforms of the Third of May at the final parliament in Grodno. A final uprising to regain independence, lead by Tadeusz Kościuszko in 1794, failed to defeat the combined forces of Russia, Prussia, and Austria, and the Commonwealth ceased to exist after the final partition of 1795. Stanisław August dutifully abdicated in 1796. Notably, the partitioning powers justified their incursion into the Commonwealth in part with the claim that the decentralized republic was plagued by disorder and chaos arising from its weak central government.  

Centralization only increased after the partitions. After a decade of rule by the three powers, Napoleon inflicted a crushing defeat on Prussia in 1806 and forced the Hohenzollerns to cede territory from the second and third partitions to a new state, the Duchy of Warsaw, which

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Napoleon modeled on his own highly-centralized administration in France. Town officials were tightly subordinated to a hierarchical chain reaching from ruler down to prefect, sub-prefect and mayor. Napoleon’s organization abolished elections and subordinated town budgets to central review and approval. For the first time, magistracies in private towns were also subject to state appointment and budgetary review. In an indication of the enlightened reformers’ true goals, Hugo Kołłątaj, who had co-authored the Constitution of the Third of May, praised Napoleon’s top-down administration in the Duchy as surpassing “the great good” done by his own work. In 1809, a subsequent Napoleonic victory over Austria resulted in further acquisitions for the Duchy of Warsaw, including the region around Lublin. The Duchy of Warsaw served as the launching pad for Napoleon’s invasion of Russia, and Poland contributed 100,000 soldiers to the effort.

In 1815, the victorious Tsar Alexander I ceded some parts of the Duchy back to the partitioning powers, but retained the lion’s share for himself. To mollify European opinion, Alexander declared his new acquisition the separate and autonomous Congress Kingdom of Poland. The tsar even promulgated a liberal constitution with a bicameral legislature. Although this charter was generous on paper, particularly in comparison with governmental forms in Russia, Alexander repeatedly violated his own charter and his successor, Nicholas I, had little sympathy for the project. At the same time, the liberal constitution retained Napoleon’s top-down subordination of provincial and urban officials. Ironically, townsmen in Russia proper, in accordance with Catherine the Great’s Charter to the Cities of 1785, elected their own municipal officials.

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28 Hugo Kołłątaj, Uwagi nad teraźniejszym położeniem tej części ziemi polskiej, którą od pokoju tyłyckiego zaczęto zwać Księstwem Warszawskim (Leipzig, 1808), 160-183, 200-205.
officials and enjoyed slightly greater freedoms than the burghers in the Congress Kingdom.

Increasingly frustrated with their treatment, the Poles rose up against the tsar in 1830, which prompted Nicholas I to annul the constitution and established direct control over the area. The Congress Kingdom nonetheless remained administratively separate from Russia proper throughout the nineteenth century. 29

This study concerns enlightened centralism in two regions of Poland-Lithuania: the predominately Polish, Catholic region of Lubelszczyzna, or the Lublin lands; and the Ukrainian territories of Volhynia and Podolia. 30 Both areas contained a wide variety of town types, from large trading centers such as Lublin, Zamość, Kamieniec Podolski and Dubno, to minor farming towns, like Firlej, Bychawa and Żytomierz. Both regions also included numerous examples of both private and royal towns. Significantly, neither region hosts a major city like Kraków, Vilnius or Warsaw. Towns, as political entities under the control of burghers, are the subject here, rather than cosmopolitan centers of national importance that might have attracted the attention of the central government prior to the reign of Stanisław August. At the same time, the towns under question all possessed charters and privileges from the king, guaranteeing the autonomy and political control necessary for a tradition of self-government.

Russia eventually gained control over both regions, though in a circuitous way. The Lublin region fell to the Austrian partition that was later incorporated into the Duchy of Warsaw,

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30 By Lubelszczyzna, I mean the modern territorial division, including the historic regions of województwo lubelskie and ziemia chełmska.
later Alexander I’s Congress Kingdom of Poland.\textsuperscript{31} Volhynia and Podolia, on the other hand, were absorbed immediately into the Russian partition, remaining a part of the Russian Empire’s so-called “Western provinces” until 1917.\textsuperscript{32} Once Alexander I had succeeded in creating the Congress Kingdom, Russian rulers controlled the overwhelming majority of the former Commonwealth’s lands, minus only Pomerania, the Grand Duchy of Posen, and Austrian Galicia. At the same time, the Congress Kingdom remained administratively and legally separate from the Russian Empire throughout the nineteenth century. In fact, the Congress Kingdom employed the Napoleonic model of administration in a modified version until 1866, and the Napoleonic civil law dictated court procedure until 1946.\textsuperscript{33} The fracturing of the former Commonwealth into different administrative systems affords an opportunity to test the achievements of two, different centralizing regimes against their claims of progress and improvement. The end point, the decade of the 1840s, serves to highlight the continuity of administrative centralization that spanned across the partitions of Poland and the 1830 November Insurrection.

Poland-Lithuania remains a seriously understudied subject in Anglophone historiography, and the process of centralization in the Commonwealth’s towns provides an important corrective to our understanding of the Enlightenment period. In the Commonwealth, corporate rights coexisted with the civic republican principles of voluntary and time-limited service in

\begin{itemize}
\item \textsuperscript{31} On the Austrian period, see: Tadeusz Mencel, \textit{Galicja Zachodnia 1795-1809: Studium z dziejów ziem polskich zaboru austriackiego po III rozbiorze} (Lublin, 1976), 33-66.
\item \textsuperscript{32} On the fate of various Ukrainian provinces under Russian rule, see: Oksana Karlina, "Konflikt mizh tradishchiami mis’kho samovriadubannia i systemoiu mistsevoho upravlinnia na Volyni naprykintsi XVIII pershykh desiatylittiakh XIX st.,” \textit{Sotsium} 7 (2007), 280-289; Henryk Mościcki, \textit{Dzieje porozbiorowe Litwy i Rusi}, vol. 1: 1772-1800 (Vilnius, 1913); P. G. Ryndziunskii, \textit{Gorodskoe grazhdanstvo doreformennoi Rossii} (Moscow, 1958), 290-310.
\item \textsuperscript{33} Śładkowski, "W epoce zaborów," 111-148. On urban government after 1870, see: “Instytucje gminne w Królestwie,” in: \textit{Listy polskie: Zeszyt próbny pisma poświęconego sprawom polskim wogóle i sprawom Królestwa w szczególności}, (Krakow, 1904), 142-147
\end{itemize}
The Enlightenment Narrative of History

A complication to studying delegated republicanism and enlightened centralism arises from the reality that many historians and political scientists have implicitly accepted the arguments of Enlightenment-era polemicists about the necessity of greater centralization and state control. Eighteenth-century thinkers, from Cameralists to Liberals, developed a number of justifications for the abolition of intermediate institutions and the imposition of unitary centralism. In the first place, Cameralists argued that the complex web of privileges and exemptions of various corporations interfered with efficient tax collection, recruitment, as well as rational urban planning and design. This line of thought finds an echo in several studies.

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about Joseph II and Frederick the Great. In discussing Joseph II’s assault on the privileges of local corporations, for example, T. C. Blanning and H. M. Scott criticize the power and autonomy of the estates as detrimental to Joseph’s fiscal and administrative reforms. Scott even refers to the rights of the Hungarian estates to consent to taxation as a “ramshackle system of government.”

C. B. A. Behrens and Brian Downing praise Frederick the Great’s assault on local privileges as good statesmanship, while concurrently criticizing those countries, such as France and Poland, which retained their complex system of localized privileges intact.

In a related way, many writers argue that a top-down bureaucracy, which can impose uniform rules for all, represents a more efficient and rational mode of organization than the delegation of tasks to overlapping, privileged bodies. The Polish philosopher Stanisław Staszic expressed this idea in his influential “Warnings for Poland,” a 1790 pamphlet urging greater central power. Napoleon and his administrators promoted this argument with gusto, and examples of this reasoning can be found in the speeches and correspondence of officials serving the Duchy of Warsaw.

Hegel endowed this argument with sophistication, arguing that the state was the rational end of humanity. In the dialectic of history, which Hegel so famously promoted, the divided rule of feudal monarchies should eventually succumb to unitary government, where officials fulfill the will of the sovereign alone. Max Weber also argued that the bureaucratic state was a more advanced and efficient form of organization than the “feudalism” of early authorities can direct people towards happier and more productive lives. See: Nicolas de la Mare, Traité de la Police, où l’on trouvera l’histoire de son établissement, les fonctions et les prerogatives de ses magistrats; toutes les loix et tous les reglements qui la concernent, vol. I (Paris, 1722). This latter treatise, in particular, has been found in the libraries of Polish officials from the eighteenth century. See: Andrzej Zahorski, Centralne instytucje policyjne w Polsce w dobie rozbiorów (Warsaw, 1959), 23-26.

40 Woolf, Napoleon’s Integration of Europe, 37-45, 96-102, 136-137. For the opinions of Napoleonic administrators in the Duchy of Warsaw, see Chapter Two.
41 G. W. F. Hegel, Outlines of the Philosophy of Right, T. M. Knox trans. (New York, 2008), 86, 265.
modern Europe. Weber posited that medieval European rulers permitted autonomous, self-governing cities to exist due merely to the lack of trained officials necessary to govern the cities themselves. Once rulers possessed a corpus of educated and informed administrator, urban autonomy became unnecessary.\(^{42}\)

Marc Raeff’s study of the “Well-Ordered Police State” is a classic example of a historian conceiving of state-directed local affairs in a positive light. Raeff’s argument that German rulers successfully modernized their territories through regulation continues to influence scholarly debate on seventeenth- and eighteenth-century government.\(^{43}\) Since the partitions, one of the dominant trends in Polish historiography has been to presume that the Commonwealth’s destruction resulted from its failure to develop the ruthless administrative and bureaucratic machinery hailed by Raeff. The influential Kraków School of the late nineteenth century developed an interpretation of Polish history harshly critical of the Commonwealth’s inability to “modernize.” Interwar successors to this school, such as Stanisław Kutrzeba and Władysław Konopczyński echoed this assessment, with the latter negatively contrasting Poland’s decentralization to the effective taming of local institutions in other European countries.\(^{44}\) Not only Polish historians, but Anglophone historians of the Commonwealth have argued that the primary shortcoming of the country was its failure to develop an administrative capacity similar to that of the partitioning powers. The most recent iteration of this trend is Jerzy Lukowski’s


Disorderly Liberty, which impugns the political culture of Commonwealth as hopelessly backward and unable to comprehend the necessity of wholesale reform.\textsuperscript{45}

Further, writers have often charged that local officials ruled in their own interests, exploiting their inferiors in the name of self-government. The French Revolution can partially be traced to complaints about unjust privileges and the local tyranny exercised by certain groups. For this reason, Jacobin revolutionaries set out to abolish all corporations in the name of liberty and equality.\textsuperscript{46} In the twentieth century, William Riker’s classic study of federalism advocated the view that divided government serves primarily in the interest of local minorities, who wish to frustrate the national majority. In fact, indignity about local corruption and petty tyranny reportedly lay behind Vladimir Putin’s 2004 decision to abolish gubernatorial and mayor elections in the Russian Federation. Notably, Putin could argue, with some justification, that many countries in the European Union appoint, rather than elect, their intermediary officials.\textsuperscript{47}

Even if local officials were not exploiting their positions, Enlightenment publicists charged that they were often incompetent and poor substitutes for professionally-trained, salaried officials. Officials in the Habsburg state levied this charge on self-governing institutions, resulting in the 1805 abrogation of local elections for former Commonwealth towns in Galicia. As stated by the law, this change was intended to prevent to selection of officials from depending upon “the caprice of the population.”\textsuperscript{48} Though the Russian Empire permitted local elections, governors’ reports from the Ukrainian provinces express a preference for appointed officers and

\textsuperscript{48} Mencel, \textit{Galicia Zachodnia}, 145-147.
a willingness to overturn elections that resulted in the victory of unworthy candidates. Again, Hegel and Weber lent intellectual weight to the idea that professionally-trained officials and the bureaucratic model of organization operated more effectively than locally-chosen, amateur officers.

Following in this logic, Daniel Ziblatt has recently argued that Cavour was compelled to pursue a path of centralization during the unification of Italy due to the “incomplete rationalization of authority” in the seven Italian states. In another study, Daniel Triesman asserts that centralization can be more effective than local government in many cases due to economies of scale in data collection and lower aggregate costs for administration.

Another line of attack against local corporations can be found in the writings of classical liberals, such as David Hume and Adam Smith. Both saw the plurality of intermediary bodies, guilds in particular, as interfering with an efficient marketplace and the free exchange of goods. Polish-Lithuanian authorities under King Stanisław August made similar “bird’s-eye” arguments, claiming that the freedom to found towns had resulted in an over-saturation of markets and weakened demand overall. Indeed, anti-guild literature across Europe in the eighteenth and early nineteenth centuries attacked these privileged groups for their arcane rules and chokehold on trade. Napoleonic officials proclaimed that the unitary state would sweep away barriers and create a dynamic economy. That the abolition of guilds coincided with the industrial revolution appears to have lent weight to this connection. Economic historian S. R. Epstein recently

reasserted this argument, claiming that the rise of the unitary state with the power to abolish particularistic privileges and complex webs of jurisdiction was the precondition for the economic boom of the nineteenth century.53

Taken together, these various arguments produce a tendency, which I term the “Enlightenment narrative” of history. The Enlightenment narrative views the rise of the unitary, centralized state and the corresponding destruction of estate and corporate self-government as necessary, if not inevitable, steps towards “progress.” Progress may be defined as universal suffrage, equal justice, civil rights, industrial capitalism, or the next stage in the dialectic leading to Communism, but enlightened centralism is always a key ingredient in the advancement of history. Consequently, the Enlightenment narrative paints privileged groups, who defended their position and fought to maintain political rights in the face of centralizing reforms, as short-sighted, selfish, and reactionary. Alternatives to the Enlightenment narrative exist, from the civic republicanism of Hannah Arendt to J. Toulmin Smith’s robust defense of self-government and local control as the sole conditions for liberty.54 At the same time, the Enlightenment narrative appears to me as a highly prevalent, if unconscious, interpretative category in historiography, one which invites reexamination and refutation.

**Enlightenment Narrative Historiography**

In addition to the general propositions above, the Enlightenment narrative often informs the historiographic interpretation of certain, key events in the history of the Poland-Lithuanian lands and its towns. First and foremost, Polish historians almost overwhelmingly applaud the

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Constitution of the Third of May, 1791 and its related laws as the capstone of a national “rebirth in decline.” Authors from Tadeusz Korzon to Emmanuel Rostworowski to Józef Andrzej Gierowksi have seen in the reforms of 1791 a sign that the querulous and anarchic Poles had finally come to their senses and instituted the centralizing reforms necessary to save their country.  

Related to this proposition is the conviction that the towns of the Commonwealth had reached such a state of decline and ruin, as a result of war and neglect, as to require intervention from the central government to effect economic and material improvement. Had the Constitution not been overturned by the final two partitions, this line of argument continues, Poland-Lithuania could have joined the company of European nations as a modern state.

Though there is decidedly less consensus in evaluating the last king, Stanisław August, many historians view his efforts to introduce a more “modern” administration into the country with decided sympathy. Napoleon also appears in an often positive light, despite the fact that his rigid centralism and legalistic control aroused opposition in his own time. Since the early nineteenth-century writers Hugo Kołłątaj and Kajetan Koźmian, Poles have praised the work of Napoleon in resurrecting the Polish “state” and placing the country on a “modern” administrative footing. In particular, Napoleon’s abolition of serfdom and imposition of legal equality among the estates attracted the admiration of the new class of state servants and the appointed administrators of towns, who blamed the partitions on the irresponsible and short-sighted

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56 This idea can be found in the reformist publications of the eighteenth century. See: Stanisław Poniatowski (the elder), *List ziemianina do pewnego przyjaciela z innego województwa* (Warsaw?, 1744); Konarski, *O skutecznym rad sposobie*, vol. I, 8-10. For modern authors who agree about the necessity of state intervention in towns, see: Ignacy Baranowski, *Komisje porządkowe (1765-1788)* (Krakow, 1907); Bogna Tyszkiewicz, *Komisja Dobrego Porządku w Poznaniu 1780-1784* (Poznań, 2005), 9-12, 78-102.

nobility. More recent treatments of the Duchy of Warsaw have tended to focus – with an air of national self-effacement – on Napoleon’s concern as to whether the anarchic Poles could be trusted with their own state.58

Polish historians rarely consider the consequences of these reforms for self-government and the republican constitution of the country. A number of writers, including Tadeusz Korzon, and Krystyna Zienkowska emphasize the civil rights granted to burghers by the reforms of 1791, neglecting to discuss the imposition of administrative supervision and central control that was imposed concurrently. Only the relatively obscure historian of Lublin, Józef Kermisz, observed this connection.59 Historians of state reforms, such as Andrzej Zahorski, frequently present the perspective of the central government, with little regard for the preferences of the localities.60 Other historians, both Polish and Anglophone, dismiss the towns as inconsequential, in need of state support, and hopelessly subordinate to the nobility. A popular trope in the Communist period was to blame the discordant republicanism and weak government for allowing the nobility to tyrannize the towns, apparently stifling growth and preventing the emergence of a French style capitalist bourgeoisie.61


61 Bogucka and Samsonowicz, Dzieje miast, 324-325; 562-571; Kochanowicz, "The Polish Economy,” 92-130; Lukowski, Liberty's Folly, 65.
The Enlightenment narrative informs treatments of private towns by emphasizing the supposed exploitative and unequal nature of owner-burgher relations. The few specialists on this subject view these private towns as curiosities arising from the “feudal” nature of the country, designed to become relics of the past after the ultimate victory of the state. For this reason, historians often write approvingly of the largely unsuccessful efforts by Napoleonic administrators to impose state control and order over these towns. Only rarely do authors consider the experience and priorities of the burghers and other town dwellers themselves. More recently, research by Moshe Rosman and Gerson Hundert has demonstrated the exceptional toleration and privileges offered to Jewish communities in Polish private towns. In addition, studies of private towns in Scotland, Ireland, and Northern Europe, have pointed the way to a new interpretation, one which attempts to understand the priorities of owners and burghers on their own terms. This approach, however, has yet to be replicated in studies specifically devoted to private towns in Poland-Lithuania as a whole.

Interestingly, Russian historians are often much more critical of their state’s experience with enlightened centralism than their Polish counterparts. Local government in Russia followed a different course than the Polish-Lithuanian and German models, since autonomous, self-governing corporations did not really exist in Muscovy. Further, as authorities such as Boris Mironov have observed, town and country in Russia remained poorly differentiated throughout

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64 Hittle, *The Service City*, 22-47.
the nineteenth century. In fact, the local government reforms of Peter and Catherine, which attempted to create corporate self-government in the towns and provinces, were themselves exercises in enlightened centralism, in the sense of a single ruler promulgating a rational model for all to follow. Catherine the Great’s Charter to the Towns, for example, imposed a uniform model of organization on a diverse countryside, replete with rationally-conceived regulations that strictly limited the power of local government.

Catherine’s centrally-directed reforms appear to have failed to produce the progress or administrative efficiency that enlightened polemicists envisioned, at least in the judgment of Mironov. The imperial historian A. A. Kizevetter agreed, concluding that Catherine’s reforms were only successful in the capitals and the Baltic provinces which had a tradition of self-government. Perhaps due to this lack of success, authorities on local government like N. Eroshkin, A. Kupriianov, and O Moriakova often emphasize instances where the state overstepped its bounds, stifled local government, or failed to achieve its goals despite possessing formidable tools of repression. The Enlightenment narrative, at least with regard to the question of local governments appears to carry far less currency in Russia than elsewhere in Europe. At the same time, as I will argue, the goals, assumptions, and arguments of enlightened centralism in Russia were broadly similar to their counterparts in Poland-Lithuania and the Napoleonic Duchy of Warsaw.

Challenging the Enlightenment Narrative: Method and Structure

67 Mironov blames the population rather than the law itself for the reform’s shortcomings. Mironov, Sotsial’naia istoriia Rossii, 495-500; A. A. Kizevetter, Gorodovoe polozhenie Ekateriny II 1785 g. Opity istoricheskogo kommentariia (Moscow, 1909), 319-322
When viewed from the perspective of the town-dwellers in Poland-Lithuania, enlightened centralism did not deliver the benefits that justified its assault on and ultimate abrogation of local self-government. Centralization, when divorced from the unrelated trends of population explosion and technological innovation, produced neither economic growth, nor administrative efficiency, nor material and social improvement. Rather, centralization merely shifted the responsibility for urban government to a corpus of officials, whose often legalistic and arbitrary decisions now determined the resources allotted to towns and the burdens they would face. Once centralization had been achieved, the state’s concern with economic and material welfare often dissipated. In 1834, for example, the Russian governor of Podolia submitted a report on town finances to his superior, the governor-general, in which he promised to send a separate dispatch on town cleanliness and construction, since no space on the prefabricated government form was allotted to this topic.69

In some cases, notably in private towns, centralization unequivocally worked to the detriment of their social and economic positions. The principal achievement of centralization was the destruction of an imperfect, but functioning, civic society, where ordinary citizens would fight for their rights in the face of opposition from town government, nobles, and the center. The imposition of a bureaucratic hierarchy in the towns ensured that urban officials answered to central directives and citizens had much more limited influence and control in affairs connected to their surroundings. All the centralizing polities in this study presumed the state to have a monopoly in terms of understanding the needs and capacities of town communities and attributed setbacks and mistakes to a lack of control and to the unreliable locals. The Congress Kingdom’s minister of finance, Franciszek Lubecki-Drucki, summarized this attitude in an 1822 remark that,

69 Tsentralnyi Derzhavnyi Istorikeynyi Arkhiv Ukraini (TsDIAK), f. 442, o. 1, s. 1519 (“Otechty kievskomu voennemu volynskomu i podol’skomu general-gubernatoru, 1834”), 42.
“Unfortunately, the situation of the government in a country undeveloped as ours is that the
government must take the initiative in everything and in every field.”70

The subjects for this study are the royal and private towns in the two regions outlined
above: Lubelszczyzna and Ukraine. I present the story of these two areas within the context of
developments affecting all self-governing towns. Four archives comprise the source base: the
Main Archive of Historical Acts in Warsaw, Poland; the State Archive in Lublin, Poland; the
Central State Historical Archive in Kyiv, Ukraine; and the Czartoryski library in Kraków,
Poland. To obtain the center’s perspective, I employ the minutes, reports, and plans of central
government agencies in Poland-Lithuania, as well as similar documentation for the provincial
authorities in the Duchy of Warsaw and the Russian Empire. The provincial authorities in both
territories commissioned numerous inspection tours of towns and, as centralized bodies,
produced massive amounts of paperwork corresponding to town matters, from great to mundane.

To obtain the burgher viewpoint, I examined at the record books for towns such as
Lublin, Zamość, Kraśnik, Nieśwież, Krzemieniec, and Żytomierz. In addition to inscriptions
related to town business, these records also include copies of royal privileges, reactions to central
decrees and, crucially, town budgets. The latter show the change in taxation and spending which
occurred over the course of the 80 years between 1764 and 1840, from the republican era to the
Nicolaevan period. Town record books also contain the plans and policies of central institutions,
from the Good Order Commissions of the eighteenth century to the Provincial Commissions of
the Congress era. Finally, I make use of population data, including the hearth counts of the
Commonwealth found in the Czartoryski library and the sporadic population surveys of the
nineteenth century, under the presumption that prosperity and good management in a given town
attracts settlement, while the opposite produces emigration and stagnation.

70 Quoted in: Smolka, Polityka Lubeckiego, 185-186.
Methodologically, this study attempts to understand the long term consequences of centralization for the towns in diverse territories, as articulated by burghers, Jews, and the analyses of central officials. Following the work of Pierre Bordieu, I presume that townspeople, like all human beings, behaved according to a certain habitus, and acted with an acute awareness of their interests and needs. Seemingly irrational choices can possess their own internal logic, making them “rational” to the subject, and I argue the burghers’ reactions to central policies, seen as illogical and backwards from the center, were perfectly rational within the context of delegated republicanism.\(^7^1\) The dual comparison, analyzing royal and private towns in both Lubelszczyzna and Ukraine, permits a broader view of the whole, for the purpose of distinguishing the common features and repercussions of centralization. The comparison also affords an opportunity to isolate one-time policy quirks from broader trends. For example, the Russian Empire’s obsession with nationality politics altered the dynamics of centralization in Ukraine, without changing the overall effect. Finally, the time period, 1764 to 1840, has the advantage of presenting the long view of centralization in Poland-Lithuania, focusing on the common trends and policies across the partitions and the November Insurrection, two events largely conceived – not without reason – as significant transition points.

In terms of structure, this work consists of five chapters: a discussion of one centralizing reform in general and four case studies centered around specific regions or town types. Chapter One, “Treasure in the Still” discusses one of the first large-scale centralizing reforms in the Commonwealth, an effort to convert the burghers’ individual alcohol revenue into a state-controlled monopoly for funding improvement projects in the towns. This reform affected all towns, with the exception of the largest centers, and provoked a flurry of complaints and

petitions to the central agency in charge of implementing it, the Department of Police. Rather than producing a stable source of ready money, the reform unleashed local rivalries among burghers, Jews, and local officials. As a reform regulated by a central agency, but dependent on local cooperation, this alcohol law primarily produced little other than memoranda on the need for greater central power. In my view, this law played a significant role in laying the groundwork for a 1791 reform law that imposed significant political control over the towns.

Chapter Two, “Where Cameralism and Liberalism Meet” follows the fate of Lublin, one of the largest towns in the Commonwealth, from the first efforts to impose central control through Austrian, Napoleonic, and Russian rule. Seen from this perspective, the first efforts of the so-called Good Order Commission in the 1780s to regulate and rationalize the town according to Enlightenment thinking form a continuum with the subsequent policies of the 1800s. In terms of mentality, approach, and inclination, the only difference between the Polish officials and their Napoleonic counterparts was possession of an effective apparatus of coercion. Each new regime chipped away further at self-government, the nadir of which occurred under Alexander I’s liberal constitution. The November Insurrection of 1830 and Nicholas I’s subsequent revocation of the constitution did not change the system of central supervision in the slightest. Meanwhile, the primary result of these policies was to impose enormous administrative costs on the town. The promises of cleanliness, order, and prosperity, which the Good Order Commission originally championed, did not materialize in the period under study.

Chapter Three, “Supervised Self-Government” considers the same period as the previous chapter, but for the Ukrainian provinces of Volhynia and Podolia, which entered the Russian Empire. Catherine the Great and subsequent rulers used the 1775 provincial reform and the 1785 Charter to the Towns as a means of integrating these areas into the state. Unlike the Napoleonic
Duchy, Catherine’s Charter allowed local elections, but all decisions of local government remained strictly controlled by a number of boards, inspectors, and officials. At the same time, the Russian Empire did not allow in Ukraine the full array of elective institutions used elsewhere under the assumption that the local population was not capable of serving in them. Thus, even though self-government in Russia contained only a marginally greater element of local control than in the Napoleonic Duchy, the Russian model became intertwined with the nationality issue from the onset. The November Insurrection only reinforced this trend of separate variations on the self-government model, which persisted throughout the nineteenth century, manifesting itself in all the major reforms of the period.

The final two chapters present the story of private towns in this period. Chapter Four, “Competing for Free Citizens on the Free Market,” compares the private towns of the Zamoyski family in the Lublin region with the Radziwill family’s holdings to the east. I argue that the decentralized Commonwealth created conditions favorable to burghers in private towns, including autonomy and low taxation. As mentioned above, both families possessed extensive administrative personnel, yet each encouraged and promoted self-government in the towns. A look at the budgets of the two families shows that private towns contributed extremely meager amounts of revenue, meaning that taxes were low, and the family seats, Zamość and Nieśwież, enjoyed near-continuous investment. Further, the efforts of owners to impose Enlightenment-inspired reforms in their towns were always tempered by market calculations. Only after the partitions did the calculus of owners change in a way that was detrimental to private town citizens.

Chapter Five, “All District Towns Should Belong to the State” compares the fate of private towns in the Napoleonic and Russian partitions. In both cases, the state tried to reconcile
a professed respect for private rights with the absolutist assumption that urban centers should be under state control. Napoleonic officials resolved the contradiction in favor of the latter principle, and attempted to regulate relations between owner and burghers. In seeking to prevent exploitation, Napoleonic officials drove a wedge between owners and burghers, and thwarted all attempts for owners to exert anything but a negative, rapacious influence. Russian officials generally respected the property rights of owners, but presumed the burghers in private towns to be serfs. Governors and inspectors complained about private towns primarily as a hindrance to uniform government, but in a state dedicated to protecting the interests of landowners, the only solution to this problem was to buy the towns in a manner similar to the serf emancipation. In both cases, the stereotype of the rack-renting town owner appears in this period, as owners lost all incentive to support and encourage their towns’ development. The result was a dramatic shrinkage in the weight and size of former private towns across the Commonwealth’s lands.

The conclusion will return to broad claims of enlightened centralism to explain how the cases presented here challenge and problematize some of the more influential arguments against delegated republicanism and local self-government. In brief, the imposition of centrally-directed, rational planning in the name of the common good could only be achieved through repressive policies and the impositions of a costly and inefficient bureaucracy. In fact, the categories and assumptions adopted by the center, far from directing resources in an efficient manner, served to punish and diminish those entities, private towns in particular, that fell outside of the conceptions of the center. Finally, officials in the center almost always overestimated their ability to achieve even the most prosaic of ends, even with the ruthless bureaucratic machines of the Napoleonic Duchy or the Russian Empire. Efforts to impose accountability, order, and cleanliness came to
naught, even after 80 years of the same policies and goals, and the cost was the complete
destruction of civic culture in the towns.

In light of these findings, this study will reassess certain historiographic axioms in Polish,
Russian, and Ukrainian history. Firstly, this study argues that the urban reforms connected to the
Constitution of the Third of May, as well as all the policies pursued by Stanisław August, served
primarily to diminish the power of local government. The claims, both at the time and in
historiography, that Stanisław August’s policies could have rejuvenated the towns finds little
confirmation in the actual policies pursued. Secondly, in the long view, Napoleon’s strict and
inflexible centralism was merely a logical continuation of policies pursued by Stanislaw August.
Reforms such as the Good Order Commission and the propinacja reform were the first steps in
an about-face from delegated republicanism to centralism, which reached its apogee under

Thirdly, the Ukrainian towns of the Commonwealth, far from being passive instruments
of noble power as sometimes depicted, shared the presumption of rights and privileges common
to entire urban culture of the Commonwealth.\footnote{Iaieievich, \textit{Voluntary Brotherhoods}; P. V. Mikhailyna, "Z istorii sotsial'no-ekonomichnoho zhittia Ukrains'kikh mist (Kinets' XVI - persha polovyna XVII st.) " \textit{Ukrains'kyi Istorychnyi Zhurnal} (1969), 66-72.} Subsequent differences have as much to do with chance – where the borders were drawn – than with inherent, national peculiarities. Fourthly, though both centralized and under the tsar, the system of local government in the Congress Kingdom differed significantly from that in the Russian Empire’s Ukrainian provinces, which themselves showed variations from the Muscovite heartland. Russian rulers allowed more self-
government in Ukraine than in the Congress Kingdom, where the Napoleonic model prevailed.
While officials in the Congress Kingdom sought to impose uniform centralization and greater equality, Russian officials allowed local elections but worried primarily about the influence of non-Russian groupings on urban government.

Finally, evidence from this study can help alter the narrative of private towns in the Commonwealth and elsewhere. I argue that these unusual institutions often enjoyed more rights and lower taxes than their public counterparts. Certainly, residents in the capitals of great landowners, such as Zamość and Nieśwież, enjoyed not only privileges commensurate with the inhabitants of Lublin and other royal towns, but benefited from the lord’s material investment and interest in retaining settlers. Even smaller private towns often paid comparatively few dues to and enjoyed limited interference from the owner. As other studies have shown, Jewish communities almost always enjoyed greater rights and benefits in private towns than elsewhere, a fact which I show extended to the Christian burgher community as well.\(^74\) I argue that the image of the rank-renting, exploitative owner – a common reoccurrence in Polish historiography – makes sense only after the partitions, when state policies abolished the owners’ ability to offer privileges and reduced the value of private towns to owners as show pieces.\(^75\) In the conditions of absolute property rights and state control, owners had little incentive to focus on anything other than gaining the maximum income from their properties. Even when owners tried to benefit their towns, the state actively prevented influence and discouraged any form of owner involvement.

This study should not be taken for a diatribe against enlightened centralism or a romantic glorification of pre-Enlightenment self-government. Rather, my goal is to question the


assumptions that appear to inform a dominant narrative about a major transformation in the life of a large section of the population. The Enlightenment is so often associated with reason, religious tolerance, democracy, and equality that one tends to forget the enormous political sacrifices that rulers demanded under the pretext of furthering the cause of progress. From the twenty-first century looking backwards, the assault on corporate privileges, local self-government, and the right to play a role in taxation may seem like progress, but this exchange would appear in quite a different light if we were asked to make the same sacrifices of our rights and privileges today.
Chapter 1:

Treasure in the Still: The Royal Towns, the Department of Police, and the Propinacja Law, 1776-1793

Propinacja: The Right to Distill

When Stanisław August Poniatowski ascended the throne of the Polish-Lithuanian Commonwealth in 1764, he brought both an ambitious reform plan to Warsaw and, it seemed, the means by which to enact his ideas. A member of the pro-reform party associated with the Czartoryski family, Stanisław August had been elevated to power by his former lover, Russia’s Catherine the Great, who intended to convert the Commonwealth into a satellite of the Russian Empire. With the backing of Russian troops, the reform party could impose its will upon the unwieldy parliament (sejm), so long as the authorities in St. Petersburg did not object. Though a backlash against Stanisław August’s subservience to Russia ultimately led to a civil war and the first partition of Poland, the king nonetheless secured a number of legislative victories enabling greater central control over the royal towns.¹

Unlike previous rulers of the Commonwealth, the reform party espoused a vision of centralized control and macroeconomic policy-making modeled on the Enlightenment era ideas of the Cameralists and the Physiocrats. The new regime conceived of the central government’s principal function in compelling each component of society to be “useful” to the country as whole.² For Stanisław August and his supporters, the royal towns represented a population in the most dire need of centralized assistance and stimulus, and the parliament enacted a number of

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¹ See: Kitowicz, Pamiętniki, 160-174; Stanisław Lubomirski, Pamiętniki, ed. Władysław Konopczyński (Lwów, 1925), 29-32, 143-150; Rostworowski, Ostatni król Rzeczypospolitej, 54-80; Łukowski, Partitions of Poland, 30-99; Konopczyński, Geneza i ustanowienie Rady Nieustającej.

laws affecting the royal towns in the first years of the new king’s reign.³ None of the new laws considered the perspective of the townspeople intended to benefit from central oversight, however. Indeed, one reform in particular, an attempt to convert alcohol production in the royal towns into a state-controlled monopoly, failed to achieve its goals precisely because the methods and assumptions of the Enlightened center priorities collided with the priorities and habits of the localities.

The right to make and sell intoxicants, known as *propinacja*, though of seemingly minor importance, became the nexus of a conflict between the twin impulses of centralism and republicanism in the late eighteenth century. Burghers, like nobles, Cossacks, and certain Jewish communities, possessed the individual right to *propinacja*, a characteristic which differentiated these corporations from the enserfed peasantry. Possession of *propinacja* rights was one of the attributes of a free person, and a corporations in the Commonwealth conceived the entirety of their accumulated rights and privileges as a kind of social contract with the monarch. For supporters of Stanisław August, *propinacja* discouraged burghers and Jews from engaging in more useful and productive trades. The revenue this right generated for townspeople, these politicians reasoned, would better serve as a source of state funding for restructuring and improving the towns in accordance with enlightened priorities as determined by the center. In converting individual burghers’ *propinacja* rights into a state-controlled, local monopoly, the government reserved for itself the prerogative to allocate the profits. Thus, the *propinacja* reform, from the burghers’ vantage point, was not only an attempt to abolish an inviolable right, but also a challenge to the towns’ autonomy and self-governing prerogatives.

³ According to the 1775 hearth tax (*podymny*), towns in Poland-Lithuania were classified as “cities” (*miasta*), “towns” (*miasta mniejsze*) and “townships” (*miasteczka*). All the towns referred to in this study, except for Lublin, fall into the latter two categories, and so the term “town” will be applied uniformly. See: VL, vol. 8, 88.
The story of the *propinacja* reform undermines some prominent narratives about Enlightenment reform in the Commonwealth. In the first place, historians typically assess the two partitions of 1793 and 1795 as the result of Russia, Prussia, and Austria’s fear of a rising, efficient Polish state. The *propinacja* law does not support this view, as government officials, commentators, and historians have widely judged this policy a failure. Instead of the material and economic improvement promised, the *propinacja* law produced hostility among local groupings by creating a new balance of winners and losers. Locals bombarded the center with petitions and complaints, squabbled over the new provisions, and frequently flaunted the rules established by the government. Officials in the Department of Police interpreted the *propinacja* law’s shortcomings as the result of their insufficient coercive power and an inadequate supply of state agents. Polish historians of the eighteenth century, such as Andrzej Zahorski, Krystyna Zienkowska, and Władysław Ćwik, have also subscribed to this state-centric perspective, arguing, in essence, that such reforms failed due to a weak center’s inability to enforce its goals in the provinces.

Indeed, the reform creating the Department of Police and the *propinacja* law kept the royal and urban officials at the local level intact, meaning that the central government had to rely on cooperation and voluntary obedience to implement policies suited to a rationalized hierarchy. This problem of incomplete centralization, so unfortunate for state officials, actually allows us to understand why locals would oppose such reforms, because the state lacked the force to prevent

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4 In particular, historians make this claim with regard to the reforms contained in the Constitution of the Third of May. See: Józef Andrzej Gierowski, "Reforms in Poland after the "Dumb Diet" (1717)," in: *Constitution and Reform*, 66-78; Lukowski, *The Partitions of Poland*. For reforms relating to the urban estate, see: Baranowski, *Komisye porządkowe*; Kermisz, *Lublin i lubelskie*; Michański, "Zagadnienie polityki antycechowej w czasach Stanisława Augusta," *Przegląd Historzyczny* 45 (1954), 635-651.

town-dwellers from responding according to the traditions and assumptions of local self-
government. The law really failed because the priorities and assumptions of the center did not
align with those of the locals. The reform’s promises to provide revenue for improving the towns
and increasing economic prosperity were of considerably less importance than the possibility of
losing the rights and self-governing powers which defined a community’s identity. A goal which
appeared obvious and necessary in the eyes of the center translated into a assault on the social
contract for town-dwellers, who worked to sabotage the new rules or turn them to local
advantage.

Further, the modes of operation of rational-bureaucratic centralism and local self-
government turned out to be so incompatible as to render all communication between the two
sides two mutually incomprehensible. Where locals saw the defense of their rights as the highest
priority, central officials became exasperated with the state’s inability to project its will, and
these divergent assessments produced two important consequences. Firstly, the law invigorated a
country-wide burgher rights movement, which petitioned the government in 1789 to admit the
third estate into parliament and thereby to prevent further urban reform laws conceived without
the townsmen’s input. At the same time, the law’s failure lent credence to reformers calling for
the establishment of an untrammeled, unitary hierarchy that would effectively abolish urban self-
government.

The twin demands for greater rights for the middle estate and more supervisory power for
the center combined to produce a series of laws connected to the Constitution of the Third of
May, 1791. A urban reform law passed in April of that year granted greater civil rights to the
burghers.6 At the same time, the parliament soon passed a law creating a national Police

6 For the law, “Our royal cities”, see: VL, vol. 9, 215-219. For some examples of burgher publicists’ demands, see:
Michał Swinarski, Wiadomość o pierwiastokowej miast zasadzie w Polszcze, ich szczególnych przywileiach i
Commission with the authority and coercive ability that the Department of Police lacked, in effect annulling many aspects of local self-government in the towns. Both of these developments can be traced to the *propinacja* law. The break-down of mutual understanding which characterized the *propinacja* law from genesis to conclusion fed the conviction of the Enlightenment-era reformers that their efforts required greater state power and more direct control. Despite the civil ranks of the urban reform law, the interpretation of the Department of Police was largely vindicated by the Four-Year Sejm’s legislation. From this perspective, the *propinacja* law represents a major step towards enlightened centralism in the Commonwealth.

**Burghers, Jews, and Starostas**

The conditions for this clash of understandings were rooted in Poland-Lithuania’s traditions of delegated republicanism. Unlike France, Prussia, and Austria, where the central government had asserted every greater control over the estates, towns, and corporation since the seventeenth century, centralization in Poland-Lithuania represented a dramatic break. Since the sixteenth century, Polish kings had unsuccessfully sought to increase royal power at the expense of the parliament, but no king until Stanisław August moved to erect a central, unitary state with executive power penetrating into the localities. Jan Sobieski and August II, examples of rulers who consistently fought to increase the royal authority, granted numerous privileges and exemptions to individual towns and corporations. When internal conflict, natural disaster, or other calamities appeared in individual towns, seventeenth-century kings and parliaments dispatched commissions, requested the assistance of royal officials, or invited appeals to the

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Wolnościach oraz o przyczynach upadku tychże miast (Warsaw, 1789), 27-28, 71-72, 91; Adam Mędrzecki, Zbiór praw, dowodów i uwag dla obiaśnienia zaszczytów stanowi miejskiemu ex juribus municipalibus służących (Warsaw, 1790), part IV, 1-9; part V, 1-22.
royal Assessor Court (*sąd assessorski*). No ruler, however pursued a comprehensive and uniform policy of town reform until 1764.\(^7\)

In the absence of central control, the royal towns of the Commonwealth governed themselves in accordance with a medieval charter of self-government, known as Magdeburg Law (*prawo majdeburskie*). This Germanic law code empowered burghers to elect their own judicial, executive, and legislative officials, with jurisdiction over the lives and property of the town citizens. In theory, town communities enjoyed the right to build walls, maintain militias, and raise taxes on their fellow citizens.\(^8\) In addition, many towns possessed royal privileges authorizing the collection of duties, such as bridge, market, and storage tolls, to fund the town magistrates’ expenses. As members of the urban estate, burghers were legally free, and enjoyed property rights, freedom of movement, and the *ius propinandi*, the right to produce and sell intoxicants. *Propinacja* was both a collective right shared by an estate and, as an opponent of the *propinacja* reform, Crown Chancellor Andrzej Młodziejowski, explained, “an individual freedom of ever burgher in town . . . [so that] each could have a way to make a living.”\(^9\) In exchange for these rights, the town community funneled dues and taxes to the Commonwealth

\(^7\) Many of the individualistic, corporate privileges were cited in complaints to the Department of Police. See also: *Jewish Privileges in the Polish Commonwealth: Charters of Rights Granted to Jewish Communities in the Sixteenth to Eighteenth Centuries*, ed. Jacob Goldberg (Jerusalem, 1985). In 1703, August II granted Lublin the same civic privileges enjoyed by Kraków as a reward for its loyalty to him in the Great Northern War. See: Jan Riabinin, *Rada miejska lubelska w XVIII wieku* (Lublin, 1933), 6-8. The papers of the Assessor Court were destroyed by the Nazis in 1944, but echoes of their decisions appear in the files of the Department of Police. For royal commissions, see: Stanowka, “Zmierzch znaczenia Lublina,” 127-148; Jan Ptaśnik, “Walki o demokratyzację Lwowa od XVI do XVIII wieku,” *Kwartalnik Historyczny* 39 (1925), 228-257.

\(^8\) King Kazimierz the Great established urban self-government in Poland, based on the thirteenth-century model of Magdeburg in Saxony. In the sixteenth century, Bartolomej Groicki made the first Polish-language translation of the legal procedures governed by Magdeburg Law. This law of self-government was applied to all towns, royal and private, and placed burghers in each town under the immediate power of the king or their lord, exempting them from feudal law. See: Groicki, *Porządek sądów miejskich*: Bogucka and Samsonowicz, *Dzieje miast*, 58-82. For an eighteenth-century burgher view of Magdeburg Law, see: Mędrzecki, *Zbiór praw*, part II, 6-20.

\(^9\) “Ius zaś propinandi iest wolnością w szczególności każdego po miastach mieszczanina, dla tegoż izby y zużył ku propinacyi mogł się utrzymywać, y mieć sposób do życia.” Archiwum Główny Akt Dawnych (AGAD), Tak zwana Metryka Litewska (ML) VII 78 (“Protokół potoczny Rady Nieustającej (PRN), March - May, 1777”), 18, 20-29.
treasury via the local, royal officials.\textsuperscript{10} Despite their privileges and powers, however, burghers were not represented in the local or national parliaments and therefore enjoyed little political clout beyond their town’s walls.

The Christian burghers of a given town lived side-by-side with two economic rivals: Jewish communities and privately-held, legally-exempt enclaves (\textit{jurydyki}). Organized as their own corporation, Jews tended to live in a segregated area, sometimes outside the town walls, and they possessed their own form of self-government for mediating disputes and distributing tax burdens, the kahal. The status of the Jewish community in a particular town depended on two factors: royal privileges and private agreements. In some cases, Jews lived separate lives largely divorced from those of the burghers, in others, Jews were essentially citizens of the town, performing duties, paying taxes, and sharing in the rights and privileges of burghers.\textsuperscript{11} Notably, many Jewish communities possessed privileges equating them with townsmen, an ipso facto grant of \textit{propinacja} rights. Enclaves, both legal and illegal, were miniature towns, established by nobles and ecclesiastical authorities on town property. Town authorities resented \textit{jurydyki} enormously, as they benefited from the commerce which the principal town enabled, but refused to contribute towards any of the town taxes or exactions.\textsuperscript{12} Adding to the resentment, residents of \textit{jurydyki} manufactured and sold alcoholic beverages on behalf of their patron, undermining the \textit{propinacja} profits of the townsmen. The three parties, urban citizens, Jews, and enclav-dwellers

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\textsuperscript{10} Over the centuries, burghers paid a variety of taxes, but the 1773-1775 parliament regularized town duties as a hearth tax (\textit{podymny}), as well as the excise tax on alcohol (\textit{czopowe}). See: VL, vol. 8, 88-90, 93.
\textsuperscript{11} In certain towns, such as Kazimierz Dolny, Chęciny, and Chełm, the Jewish community possessed royal privileges specifically equating them with burghers in terms of rights and privileges, but Hundert argues that residential segregation was the norm in royal towns. Hundert, \textit{Jews in Poland-Lithuania}, 21-45. \textit{Jewish Privileges in the Polish Commonwealth}, 119-120, 151-155; AGAD, ML VII 78, 253-254, 375-376; ML VII 79 (PRN, May – Sept, 1777), 111-121.
\textsuperscript{12} The classic study on \textit{jurydyki} is: Józef Mazurkiewicz, \textit{Jurydyki lubelskie} (Wrocław, 1956).
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lived in an uneasy pattern of conflict and cooperation, and each necessarily viewed a gain or exemption for one as a diminishment of its own stature.\(^\text{13}\)

Upon Stanisław August’s ascension, the royal towns’ primary link to the center operated through decentralized, royal officials known as starostas. Some starostas presided over a given territory centered around the castle adjacent to a major royal town, with a mandate to keep peace, execute judicial verdicts and preside over local courts for the nobility (\textit{Sądy grodzkie}). Other starostas merely held royal land in tenure, but both enjoyed certain political prerogatives in the royal towns located on their land.\(^\text{14}\) Frequently, starostas possessed the right to name the mayor or select candidates for the town council from a list proposed by the citizens. Starostas received lifelong usufruct from royal lands, which included income in the form of rents and fees paid by the townsmen within their district.\(^\text{15}\) In addition, starostas possessed \textit{propinacja} rights on land surrounding the royal towns. To complicate matters, starostas frequently leased their \textit{propinacja} rights to Jews living in the royal towns, meaning that the officer charged with protecting the Commonwealth’s interests at a local level was also an interested party with financial incentives at odds with certain members of the town community.

Aside from the periodic inspections mandated by the parliament, starostas did not face royal supervision, and therefore did not answer to royal supervisors or state offices, such as the

\(^{13}\) The rivalry between Christian burghers and Jews, in particular, found expression in the polemics of burgher-rights polemicists, who blamed Jewish competition for the apparent poverty of most towns. See: Swinarski, \textit{Wiadomość o pierwiastkowej miast zasadzie}, 43-59; Mędzrecki, \textit{Zbiór praw, dowodów i uwag}, part V, 22. Kółłtaj accepted this perspective as well: Kółłtaj, \textit{Listy anonimy i prawo polityczne narodu polskiego}, ed. B. Leśnorodski and Helena Wereszycka (Warsaw, 1952), 328-333.

\(^{14}\) For the sake of clarity, this chapter will employ the term starosta as a catch-all to encompass the wide array of titles that existed in the Commonwealth entailing starosta-like benefits and obligations, such as \textit{Starosta, Dzierżawca Starostwa, Uprzywilejowany Possessor}, etc. Both judicial (grodowy) and non-judicial (niegrodowy) starostas played a role in towns. For example, the town of Urzędów was subordinate to a non-judicial starosta. See: Surdacki, \textit{Urzędów}, 205-223.

\(^{15}\) The starostas had to pay the Commonwealth one-fifth of their income, which was raised to three-eights in 1776. In addition, the parliament of 1775 ordered that royal lands be governed by Emphyteutic Law, under which nobles would bid to hold vacant starosta positions on fifty-year contracts, but this reform would only apply following after the death of the current starosta. VL, vol. 8, 91-92. On the origins of the starosta, see: Aleksander Wejner, \textit{O starostwach w Polsce do końca XVIII wieku z dołączeniem wykazu ich miejscowości} (Warsaw, 1877), 1-34.
intendants in France or Kreisämter in Austria. Therefore historians such as Jerzy Lukowski have argued that these officials quickly degenerated into parasites on town and state funds. Other historians have asserted that starostas exploited the vacuum in royal authority to became petty tyrants, wielding the real political power in the towns and pressing burghers into feudal servitude. Indeed, townspeople themselves alleged that starostas had gradually appropriated more and more town income during the confusion of the seventeenth-century wars, leading to declining material conditions for the urban estate.

The reform party’s solution to the problems of the Polish-Lithuanian towns, including abuse by the starosta, involved a dramatic change in approach. Stanisław August had ambitious plans and his rise to power had coincided with a period, in which the solid republicanism of the nobility had eroded. Under August III (r. 1733-1763), the national parliament had become mired in a partisan stalemate and ceased to enact legislation, a time when the Commonwealth’s more autocratic neighbors were increasing their armies and revenues with the aid of centralizing policies. In this climate, a growing chorus of authors, including the ex-king, Stanisław Leszczyński, and the Piarist writer, Stanisław Konarski, proposed not only parliamentary reform, but the institution of a stronger central government with greater scope and power. In justifying their proposals, reformers cited a perceived economic and material collapse in the Commonwealth’s towns as a whole. They argued that a more powerful central government could enforce general regulations aimed at encouraging economic productivity universally and thereby

17 Bogucka and Samsonowicz, Dzieje miast, 323-325, Ćwik, Miasta królewskie, 40.45, 106; Surdacki, Urzędów, 217-267.
19 On the political stalemate in Poland before Stanisław August, see: Kitowicz, Pamiętniki, 46-126; Rostworowski, Ostatni król Rzeczypospolitej, 19-43.
benefit the entire country. Like Joseph II and other proponents of enlightened centralism, many members of the reform party also envisioned that a more powerful state could extend greater civil rights to formerly self-governing estates such as the towns.

The parliament during Poniatowski’s first decade considered several projects to reform the office of starosta, but none of these proposals were favorable to the burghers’ interests. The new government favored the creation a rationalized hierarchy, which would compel each component of society to become more “useful” to the state and the whole. For Stanisław August and his supporters, starostas were problematic mainly because they were too independent and unaccountable. Reform efforts, however, were complicated by the fact that most prominent members of the government were themselves starostas, and the kings’ ability to distribute these offices was one of their main sources of power and influence. Instead of abolishing these officials, one of the first urban reforms of the Poniatowski government, enacted by the parliament in 1768, sought to make the starostas more useful to the state by giving them

21 In a series of “Anecdotes” composed for his then lover, the future Catherine the Great, Stanisław August outlined his plans as a ruler, in which he envisioned some form of political participation for townsmen in the national government. Rostworowski, Ostatni król Rzeczypospolitej, 41-43: Another member of the reform party, Andrzej Zamoyski, composed an unsuccessful reform of the law code in 1778, which proposed a strengthened central government providing greater protection to peasants and burghers. See: Ryszard Orłowski, Między obowiązkiem obywatelskim a interesem własnym: Andrzej Zamoyski 1717-1792 (Lublin, 1974), 139-150.
22 The question of starosta abuse was the subject of numerous debates even before the creation of the Department of Police in 1775. A common proposal was to convert all starosta lands into hereditary property, thus giving them the incentive to manage the property more effectively. One deputy at the 1776 parliament even suggested turning royal towns into private towns as a means of encouraging starostas to better care for them. Dyaryusz seymu ordynarynego, 264-265; BC, ms 804 (“Zbiór miast, miasteczek, y wsiów”), 143; Stanisław Staszic, Wybór pism, ed. Celina Bobińska (Warsaw, 1948), 71.
23 This fact was noted by Mędrzecki, but a glance at the members of the Permanent Council shows that even the lower-ranking members (i.e. those possessing no official title such as Chancellor, Bishop, Palatine, Castellan, etc.) were listed as starostas. Mędrzecki, Zbiór praw, dowodów i uwag, part V, 20-22; Dyaryusz seymu ordynarynego pod związkiem konfederacji generalny obu obyga narodów agitującego się (Warsaw, 1777), 458-459. The subject of the king’s power to distribute offices and grants (his ius distributivum) was the subject of much debate. Republican reformist thinkers such as Stanisław Dunin Karwicki called for this power to be transferred to the parliament, and many deputies during the partition parliament made similar demands. See: Stanisław Dunin-Karwicki, Dzieła polityczne z początku XVIII wieku, ed. Adam Przyboś (Wrocław, 1992); Konopczyński, Geneza i ustanowienie, 227-236.
additional duties of supervision over the towns. The government instructed the starostas to inspect the financial records of the towns each year and further, ordered burghers to use the starosta’s courts as an intermediary appellate instance. As an exercise in enlightened centralism, this move was perfectly logical: starostas, who often made enormous fortunes managing the royal demesne, were well positioned to serve as town inspectors. Further, the burghers’ direct right of appeal to the Assessor Court had lead to an enormous backlog of cases. For burgher publicists such as Adam Mędrzecki and Michał Swinarski, however, this reform foreshadowed the *propinacja* law by blatantly violating a long-standing and inherent right of the burghers while simultaneously increasing the authority of their primary rival.²⁴

The reformist party only achieved a further extension of the state control over the towns after the Commonwealth’s neighbors had annexed a third of her territory in 1772. Operating under emergency laws and facing foreign pressure, the parliament called to ratify the first partition passed numerous structural reforms, among them the creation of the Permanent Council. The Permanent Council was partially a means to increase central power, a bone to the reformers, and partially a leash on the king, whom St. Petersburg now viewed as overly ambitious.²⁵ The Department of Police, as one of five bureaus in the council, was officially under the direction of Crown Marshall Stanisław Lubomirski, but the chairmanship of the bi-weekly meetings rotated among the regular members. These men included supporters of the king as well

²⁴ An anonymous justification for ending burghers’ right of direct appeal appears in: Biblioteka Książąt Czartoryskich (BC), ms. 817, 277. For the burgher perspective, see: Swinarski, *Wiadomość o pierwiastkowej miast zasadzie*, 27-28, 32; Mędrzecki, *Zbiór praw, dowodów i uwag*, 4-22. Ćwik argues that this law merely codified the starosta’s de facto powers, while Zienkowska notes that this law’s role in provoking the burghers to collective action in defense of their rights. Ćwik, *Miasta królewskie lubelszczyzny*, 106; Zienkowska, *Sławetni i urodzeni*, 21-23. For the law itself, see: VL, vol. 7, 351-352.

as members of the opposition. Regardless of affiliation, the Department’s members all subscribed to the idea that central power could more rationally and efficiently direct the resources of the country, making towns, burghers, and royal officials more “useful.”

Indeed, European police theory and the practical policies of European monarchs were likely as familiar to the members as the day-to-day realia of the Commonwealth’s towns. Zahorski has shown that the Department’s members were acquainted with the work of French police philosopher, Nicholas de la Mare. In addition, the internal debates of the Department reveal that the members were aware of contemporary European policies. Early discussions about projects to establish uniform weights and measures, as well as to abolish guilds, reveal a detailed familiarity with policies implemented across Europe. Members of the Department shared the contemporaneous European enthusiasm for centralized standards and uniform policies. Chairman Bishop Antoni Okęcki, for example, submitted a proposal to require all beggars to carry attestations and wear external markings that would be identical across the Commonwealth, a regulation to be enforced by the various town magistracies. Unfortunately for the Department’s members, their ambition exceed the authority granted by the parliament in 1775, and little came of the plans and programs devised in the first year.

The 1776 parliament provided the reformers with an opportunity to increase the power of central institutions, having been confederated to allow for majority voting. In addition, the
Russian ambassador, Otto von Stackelberg, had employed Russian military power in troublesome provinces to engineer the election of pliant deputies.\textsuperscript{30} The reforms passed in 1776 proceeded from a number of concerns and assumptions. In the first place, everyone of the reformist party agreed that the royal towns, not individually, but as a whole, were in a state of collapse and poverty, having never recovered from the wars of the seventeenth century. Even before the destructive civil war which preceded the first partition, foreigners’ accounts, polemics, and town petitions invoked the image of “ruined,” “filthy,” and “neglected” towns, in need of stimulus (dźwignięcie).\textsuperscript{31}

In addition, the new king and his supporters endorsed a physiocratic, macro conception of towns, which required urban dwellers to play a specific role in furthering trade and industry. In this view, burghers who earned most of their living from farming or alcohol production were failing in their economic obligations to the country. Tomasz Ostrowski, the acting chairman of the Department of Police, summarized the government’s new outlook in 1778:

[The propinacja income], which thus far has contributed only to drunkenness, and was the reason that burghers ceased to be burghers, i.e. merchants and artisans, could return them to the past, to their estate, and make them useful to the whole country in general.\textsuperscript{32}

At the same time, the Commonwealth’s coffers were dependent on the keg tax (czopowe), levied on the production and sale of alcohol. Although the government collected this income

\textsuperscript{30} See: Andrzej Stroynowski, Opozycja sejmowa w dobie rządów Rady Nieustającej: studium z dziejów kultury politycznej (Łódź, 2005).

\textsuperscript{31} Each person who used this image, naturally had a reason for doing so. Publicists such as Konarski wanted to spur reforms in the central government, while towns hoped for tax holidays. See: Konarski, O skutecznym rad sposobie, vol. 1, 8-10; For examples of burghers petitions which refer to ruin and poverty, see: AGAD, Archiwum Zamoyskich (AZ) 73 (“Sąplikacje różnych miast do Andrzeja Zamoyskiego Kanclerza Koronnego, 1765”), 106, 113-115, 147-150. On European views of Poland, see: Larry Wolff, Inventing Eastern Europe: The Map of Civilization on the Mind of the Enlightenment (Stanford, 1994), 243-260.

\textsuperscript{32} All translations, unless otherwise noted, are my own. “Ten fundusz, który dotąd niesłużył, tylu na pianstwo, y był przyczyną że mieszczanie przestali bydzić mieszczanami: to jest, kupcami y rzemieślnikami, powróciłyby ich nazad, do ich stanu, y zrobiłyby ich użytecznem w całemu w ogólności krajowi.”AGAD, ML VII 84, 264.
irregularly, usually in time of war, the keg tax became a regularly imposed duty after 1761. From 1776 to 1788 the keg tax from the towns was the third largest source of income for the Commonwealth, behind the hearth tax (podymny) paid by all peasants and burghers and the starostas’ kwarta. The problem for government reformers, therefore, was to encourage burghers to take up more diverse trades, while preserving the Commonwealth’s meager income intact.

Finally, the reform party blamed the poor condition and economic stagnation of towns on ineffective local government. Town magistracies, in the center’s view, failed to collect enough revenue or make the proper expenditures. As evidence, reform-minded leaders pointed to the poor infrastructure and badly-maintained roads. The conviction that town councils misused their resources and failed to embrace the priorities of the center led some to question the value of local self-government. Notably, the 1776 parliament, in addition to its other reforms, annulled Magdeburg Law in all the small royal towns of the Grand Duchy of Lithuania, justifying this extraordinary action in the following manner:

Lengthy experience has shown that these privileges have not achieved their intended effect, since the inhabitants continue ignorantly to practice agriculture, having not been encouraged to become merchants, traders, or artisans.

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33 Korzon, Wewnętrzne dzieje Polski, vol. III, 161. Surdacki gives the origin of the term czopowe, as from czop, a keg or barrel of spirits. Surdacki, Urzędów, 274. Swinarski devoted a good deal of time to complaining that the keg tax had ruined the burghers, claiming that it used to be collected only in times of need. Swinarski, Wiadomość o pierwiastkowej miast zasadzie, 29-30.


35 Walker, German Home Towns, 64.


37 “Przez bawienie się mieszkańców ich nieumiętnie utrzymywanym rolnictwem, a do kupiectwa, handłow, y rzemiosł nie zachęconych, długoletnim doświadczeniem zamierzonego przywileiom nie dowodzi skutku.” VL, vol. 8, 567. This law annulled Magdeburg Law in all the towns of Lithuanian except for the eleven palatinate capitals, placing the finances of these towns at the disposition of the Treasury Commission. This was an enormous psychological blow to the burghers of the entire Commonwealth, leading to mass migration as well as sparking the burgher-rights movement. See: Korzon, Wewnętrzne dzieje Polski, vol. II, 298; Zienkowska, Sławetni i urodzeni, 54.
These three beliefs – town poverty, excessive reliance on alcohol, and poor local government – combined to produce two further legislative acts in 1776. The parliament explicitly provided the Department with the authority to regulate and expend town incomes for “the most useful police regulations.” The same parliament also passed a regulation to end private distilling in towns and create local alcohol monopolies – the *propinacja* law.

The *propinacja* law, officially titled “A Regulation for Nowy Korczyn and Other Royal Towns in the Crown” was intended to address these problems mentioned, building on the principles of the 1768 starosta reform. This statute forbade individual distilling by burghers and Jews, but allowed Christian townsmen and the starosta to compete for a monopoly alcohol contract, the proceeds for which would be earmarked for the town’s use. The law increased the starosta’s supervisory power over the towns further by ordering these officials to oversee and validate the *propinacja* auctions, in which they could also participate. Banning Jews from *propinacja* can also be explained in terms of the new government’s emphasis on utility.

Eighteenth-century publicists generally depicted Jews, many of whom produced and sold alcohol, as parasites and idlers. One anonymous publicist expressed this perspective in 1774:

> Towns are made up for the most part of Jews, an idle community, for whom the only worthy industry is to separate the peasant from the fruit of his labor . . . One has to devise means in order to make Jews more useful to the country. The easiest

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38 At the 1776 Sejm, the Department pressed for more power than it ultimately received. For the debate, see: *Dyaryusz seymu ordynaryinego*, 122, 182. For the law: AGAD, ML VII 78, 18. 39 The law only applied to the Polish “Crown” territories, meaning that the Grand Duchy of Lithuania was exempt. 40 VL, vol. 8, 562. 41 In contrast, seventeenth-century kings viewed Jewish settlement as positive for economic development, and granted numerous privileges to individual Jewish communities. The first indication of a conceptual shift appeared in 1764, when the parliament abolished the Jewish *Va’ad*, in which representatives from across Poland-Lithuania gathered to allot the annual tax burden on Jewish communities. In its place, the parliament decreed a head tax on all Jews. An eighteenth-century Jewish writer, Ber of Bolechów, complained that this robbed the Jewish community of it “little position of importance.” See: *The Memoirs of Ber of Bolechow (1723-1805)*, M. Vishnitzer trans. (New York, 1973), 143-150. See also: Kollataj, *Listy anonima*, 329-332; Hundert, *Jews in Poland-Lithuania*, 75-76, 214-223.
The propinacja law would therefore benefit society in general. Burghers and Jews would have
to take up more fruitful professions, starostas would serve as intermediary supervisors, and the
towns would obtain new revenue for material improvement.

Although most agreed that the towns were in need of improvement, government officials
did not all share the perspective of centralization as a panacea for urban problems. In fact, the
law which eventually cleared parliament was ambiguously worded and contained no direct
reference to a supervisory role for the Department of Police. The titular head of the Department
of Police, Crown Marshall Lubomirski, had even criticized the government’s undisguised intent
of managing this towns’ propinacja funds from Warsaw. In a 1776 speech at parliament,
Lubomirski observed that the 1768 reform had already entrusted starostas, who knew local
realities better, with this authority. 43 In early 1777, however, Bazyli Walicki, palatine of Rawa
and acting chairman of the Department, argued that this new, potentially-significant revenue
source had to be “protected” from the rapaciousness of local officials. He proposed that the royal
decree to implement the law should include the following wording: “the revenue [from
propinacja] is reserved for the general use of the town by law, and it may not be touched without
the approval of the Department of Police.” 44 In a written response, Crown Chancellor
Młodziejowski protested that the law did not authorize such supervisory power, nor did the

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42 “Miasta po większości części składają się z żydów, gmin po rożniackiego, którego przemysł na to jedynie godzi,
ażeby chłopaka z zbioru prac jego wyrzucić... trzeba obmyśleć szrodki aby... żydów uczynić
użytecznieyszy kraiowi; nayłatwieszysy sposób byłby ustanowić powinniości dla nich, ażeby dzieci swoje do
przedzenia lnu y wełny lub innych podobnych robót zaprawiali.” BC, ms. 2619, (“Pisma i druki, 1774-1782”), 237.
See also: Daniel Stone, “Jews and the Urban Question,” 533.

43 Lubomirski further warned that the “public benefit” would serve as justification for the creation of monopolies. In
a separate speech, the Crown Marshall acknowledged that he served on these government bodies out of a conviction
that one must obey the laws regardless of one’s personal feelings. Dyaryusz seymu ordynarniego, 182; Zbiór mów
rożnych w czasie dwóch ostatnich seymów roku 1775 y 1776 mianych (Poznań, 1777), vol. III, 19.

44 See the Appendix for the decree, found in: AGAD, ML VII 78, 18.
reform aim to annul the burghers’ individual *ius propinandi*. Given the importance of alcohol production for many burghers’ livelihoods, Młodziejowski argued that the *propinacja* law intended to auction off town taverns. Nonetheless, Walicki’s position won, and in March, 1777, the king promulgated the decree with Walicki’s wording, mandating that *propinacja* auctions take place no later than April of the same year, with the money reserved for state-approved projects.\(^45\)

From the publication of this decree until the abolition of the Permanent Council in 1788, the *propinacja* law occupied the overwhelming majority Department of Police’s time. In all, the Department answered at least 527 petitions from 167 of the 214 royal towns that remained within the Commonwealth’s 1772 borders. Most of the initial petitions contained complaints about the auctioning process itself. Others presented requests to spend the money generated by the new fund. Further petitions merely enumerated unrelated problems, reflecting a view of the Department as a sounding-board for grievances. This chapter examines 135 of these petitions, presented by 82 separate towns in the period between the law’s formal inception and the first report of the Department of Police to the parliament in September, 1778.\(^46\) The petitions of twelve towns for the entire period of the law have also been employed. These towns, representing different regions and population sizes, comprise some of the most active correspondents with the Department and are listed below.\(^47\)

**Table 1: Selected Towns, 1776-1788**

\(^{45}\) AGAD, ML VII 78, 20-29. For the final decree, see: AGAD, ML VII 19, (“Protokół publiczny Rady Nieustającej, March – May, 1777”), 289.

\(^{46}\) As a result of the first partition, the Commonwealth lost one-third of her territory and one-fourth of her population to Russia, Prussia, and Austria. See: Korzon, *Wewnętrzne dzieje*, vol. 1, 61-78. A count of all towns remaining in the Commonwealth after 1772 can be found in: BC, ms 804, 621-647.

\(^{47}\) When I refer to additional towns in the footnotes, I will make note of the palatinate (*województwo*) in which they were located.
<table>
<thead>
<tr>
<th>Town</th>
<th>Palatinate</th>
<th>1787 Population</th>
<th>No. of Petitions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Great Poland</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Łęczyca</td>
<td>Łęczyca</td>
<td>≈ 1000</td>
<td>11</td>
</tr>
<tr>
<td>Płock</td>
<td>Płock</td>
<td>≈ 1950</td>
<td>9</td>
</tr>
<tr>
<td>Piotrków</td>
<td>Sieradź</td>
<td>≈ 2250</td>
<td>6</td>
</tr>
<tr>
<td>Warka</td>
<td>Mazovia</td>
<td>≈ 400</td>
<td>9</td>
</tr>
<tr>
<td>Little Poland</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lublin</td>
<td>Lublin</td>
<td>8550</td>
<td>13</td>
</tr>
<tr>
<td>Chełm</td>
<td>Ruthenia</td>
<td>≈ 2000</td>
<td>7</td>
</tr>
<tr>
<td>Urzędów</td>
<td>Lublin</td>
<td>1704</td>
<td>6</td>
</tr>
<tr>
<td>Kazimierz Dolny</td>
<td>Lublin</td>
<td>1093</td>
<td>6</td>
</tr>
<tr>
<td>Sołec</td>
<td>Sandomierz</td>
<td>1555</td>
<td>7</td>
</tr>
<tr>
<td>Bielsk</td>
<td>Podlasie</td>
<td>≈ 1200</td>
<td>6</td>
</tr>
</tbody>
</table>

The sources above are contained among a large collection of documents in Warsaw’s main archive, known as the “So-Called Lithuanian Metrica.” The same files include the minutes and projects of the Permanent Council and the Department of Police, containing high level discussions of various proposals, legal projects, and resolutions, as well as reports which the Department was required to present to the parliament every two years. In addition, the Metrica includes the minutes of all Department meetings during the course of its existence, from

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48 The taxable unit in the Commonwealth was the hearth, or chimney (dymy – literally, “smokes”), and all demographic data before 1787 must be calculated on the basis of hearth counts. Demographers estimate the ratio of persons per hearth at between 4 and 6, a figure which comports with my comparison of 1777 hearths with a total population count for the Krakow diocese (which includes the towns of Lublin, Urzędów, Kazimierz Dolny, and Sołec), conducted in 1787. Here and elsewhere in this study, I use the ratio of 5:1. For the population count, see: Józef Kleczyński, "Spis ludności diecezji krakowskiej z r. 1787," Archiwum Komisji Historycznej Akademii Umiejętności w Krakowie VII (1894)., 321-326; For the hearth count, see: BC, ms 1093, (“Ludność i przyczyny jego upadku w Polszcze”), 589-627. See also: Irena Gieysztorowa, Wstęp do demografii staropolskiej (Warsaw, 1976), 112-114.

49 The average number of petitions a town presented to the Department of Police between 1776 and 1788 was 3.16.

50 For the purpose of this study, Ukraine is defined as the four south-eastern palatinates, which incorporated into the Polish Crown (as opposed to the Grand Duchy of Lithuania) in the 1569 Union of Lublin. See: Harry E. Dembkowski, The Union of Lublin: Polish Federalism in the Golden Age (Boulder, CO, 1982).

51 The So-Called Lithuanian Metrica (ML), housed in AGAD, is a collection of documents that were transported to St. Petersburg in 1795 and compiled by Russian scholars in the nineteenth century. The name comes from the incorrect assumption that the documents belonged to the Polish king’s Lithuanian chancellery. This collection is divided into nine sections. All documents pertaining to this chapter come from the seventh division, which includes the papers of the Permanent Council.
1775 to 1788. During these sessions, the Department's officers reviewed and made administrative rulings on complaints and requests from the royal towns and noble officials throughout the Crown, the vast majority of which referred to the new *propinacja* law. This archival material is supplemented with demographic and fiscal information found in the manuscripts of the Czartoryski Library, as well as polemics and proposals from Sejm diaries, books, and newspapers. While numerous scholars have made use of this data, no one, to my knowledge, has systematically studied the Department of Police’s papers from 1775 to 1788 in order to observe how its effort to execute this law and establish control over town finances played out across the Commonwealth.

**Stage One: A Right for Auction**

The first signs of trouble appeared during the first auctions, a large percentage of which degenerated into mutual recriminations as starostas, burghers, and certain exempted Jewish communities battled to obtain the monopoly rights for their particular party. As can be seen from the chart below, contract disputes between the various local players comprised the overwhelming majority of cases the Department reviewed in the first two years of the *propinacja* law. The government became the mediating party in these conflicts and spent almost all its time resolving complaints about disputed auctions in the first two years of the law’s existence. These cases demonstrate the first clash of assumptions and priorities characteristic of this reform. Members of the Department of Police remained largely indifferent about the identity of the auction’s winner. As the purpose of the law was to generate money for local improvement, the government primarily desired that the auctions conclude as speedily as possible. On the other hand, burghers, starostas, and Jewish communities had a variety of economic and political motives to win the *propinacja* contract for one of their own at all costs. To obtain their ends, locals stalled, cheated,
and ignored the rules, even at the price of delaying the generation of this new revenue indefinitely. Those who were outmaneuvered by rivals appealed to the government, protesting the other side’s failure to comply with government regulations. This fact explains these numerous complaints, many of which required multiple resolutions from the Department before one side or the other would submit.\footnote{AGAD, ML VII 79, 21-23, 238-742; ML VII 84, 9-10; ML VII 82, (PRN, Dec, 1777 - March, 1778), 292-294; ML VII 91, (PRN, Nov, 1782 – March, 1783) 223-225.}

Before beginning the bidding process, many communities sought to exempt themselves from the law, based on the ambiguous wording of the March, 1777 decree. In the first place, the decree applied only to “smaller towns” (\emph{miasta mnieysze}) and ‘townships’ (\emph{miasteczka}), meaning towns classified as “cities” (\emph{miasta}) for taxation purposes immediately sought exemption. Other towns presented privileges and endowments from kings past, granting them rights equal to a city, such as Kraków or Lublin.\footnote{This, in itself, was a stretch as the law used the term \emph{miasteczka}, which theoretically should have encompassed only the latter category, a point that Chancellor Młodziejowski raised during initial debates on composing a decree. AGAD, ML VII 78, 22-23; VL, vol. 8, 88.} In addition, many Jewish communities possessed royal privileges equating them with burghers, an exemption of sorts from the abrogation of \emph{propinacja} rights for Jews. The results of these the early efforts are summarized in the table below. Note that many burgher and Jewish communities sought exemption multiple
times, on each occasion bringing more evidence to buttress their cases, but the Department always confirmed its original decision.

Table 2: Results of Petitions for Exemption from the *Propinacja* Law, 1777

<table>
<thead>
<tr>
<th>Burgher Petitions</th>
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<tbody>
<tr>
<td><strong>Town</strong></td>
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<tr>
<td>-----------</td>
</tr>
<tr>
<td>Płock</td>
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<tr>
<td>Piotrków</td>
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<tr>
<td>Lublin</td>
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<tr>
<td>Sandomierz</td>
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<tr>
<td>Łęczyca</td>
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<tr>
<td>Kalisz</td>
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<tr>
<td>Kamieniec-Podolski</td>
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<table>
<thead>
<tr>
<th>Kahal Petitions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Town</strong></td>
</tr>
<tr>
<td>-----------</td>
</tr>
<tr>
<td>Kazimierz Dolny</td>
</tr>
<tr>
<td>Dubienka</td>
</tr>
<tr>
<td>Chełm</td>
</tr>
<tr>
<td>Chećciny</td>
</tr>
<tr>
<td>Łęczyca</td>
</tr>
<tr>
<td>Krzemieniec</td>
</tr>
</tbody>
</table>

The exemption requests provide us with an immediate window into the town dwellers’ perception of the new law. In the first place, townsmen, especially citizens of palatinate capitals, appear to have been surprised to discover that the government considered them second-class towns. Since the Department made its determination largely on the basis of written privileges, and since every town of any size possessed some grants and exemptions, even if centuries+old, most petitioners assumed that they could escape the law. In many cases, rejection lead to the petitioners’ return with additional documents and privileges. Moreover, news about the

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possibility of exemption, appears to have spread quickly, as several petitions reference the favorable resolution obtained for other towns and kahals.55

Unfortunately for the exempted towns, the Department of Police determined that its authority applied to even the larger cities. Interestingly, the Department’s exemption in the case of Lublin addressed the economic concerns that partly informed all the towns’ petitions, to wit: “by placing propinacja in the hands of one through auction, others [will] . . . be caused difficulties.”56 In the same letter, however, the Department ordered the towns to levy an alcohol tax in place of a monopoly, requiring the respective magistracies to collect money from the various producers and sellers of intoxicants at an amount equal what the could have obtained from auctioning. Naturally, the central government would control the allocation of this new revenue.57 Even for the Jewish communities which did win exemptions, victory merely meant the right for one of their members to potentially win the contract, not a return to the previous individual freedom of profession.58

Despite the negative economic consequences, in most cases towns, starostas, and Jewish communities complied with the spirit, if not the letter, of the regulations and conducted an auction. For starostas, the motivation for winning the propinacja auction rested on purely economic calculation: combining the burghers’ propinacja with their own would create an almost complete alcohol monopoly on their territory.59 As revealed by burgher and starosta

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55 After the favorable resolution for the Jews of Kazimierz Dolny, the Jews of Chelm referenced this fact in their own petition. Moreover, once the Department had granted a temporary exception to the propinacja monopoly to Wlodzimierz, towns such as Kleck (Gniezno palatinate) requested similar exemptions. AGAD, ML VII 78, 375-376; ML VII 83, 88-89.
57 AGAD, ML VII 78, 249-252; ML VII 79, “Protocol, 64-70.
58 The Department explicitly noted this fact when it approved the petition of Lublin. AGAD: ML VII 79, 64-70.
59 The towns of Tuszyn (Sieradź palatinate), Dubienka (Belz palatinate) and Wlodzimierz used stalling tactics two years in a row. AGAD. ML VII 83, 363-368; ML VII 79, 738-742; ML VII 82, 292-294; ML VII 78, 377-379; ML VII 86, (PRN, May - Oct, 1779), 7-8.
petitions, starostas employed a number of strategies to secure the contract or prevent the burgher continent from obtaining it. In the first place, the starosta could simply refuse to appear at the auction, a move which automatically invalidated the process according to the 1777 regulations.\footnote{On the other hand, towns concerned that the starosta could bid higher than any one of the burghers might hold the auction without informing the starosta. The rival petitions are often so widely contradictory that one cannot tell what actually happened. Examples of this particular problem come from 1777 in Mielnik (Podlasie palatinate) and Urzędów. AGAD, ML VII 79, 187-188, 622-633.} Conversely, if the starosta chose to compete and lost, he could complain to the government that the burghers had conducted a secret, unsupervised auction. Some starostas accused town councils of awarding the contract to a burgher despite a higher bid by themselves. Others alleged that towns had declared a winner in violation of specific regulations mandating a minimum bid and the possession of sufficient collateral.\footnote{The government established the minimum bid as the amount collected annually by the government’s alcohol tax. In 1777, the starostas of Przrów (Krakow palatinate), Przedecez (Brześć-Kujawski palatinate), Rožan (Mazovia palatinate), and Stawiszyn (Kalisz palatinate) claimed to have bid higher or to have been absent from the auction, though the towns managed to convince the Department otherwise. In Łuków (Lublin palatinate), Janów (Ruthenia palatinate), and Tuszyń, the starosta charged that the magistracy had awarded the contract to a burgher without sufficient property. AGAD, ML VII 78, 310-311, 314-215, 316-317; ML VII 79, 9-14, 263-272, 238-341, 488-495, 542-548.} Finally, starostas could exploit their prerogative to name town officials, which usually included the right to select one of the four quarterly mayors each year. Using this leverage, starostas could pressure town magistrates into providing written support for their position, and many cases adjudicated by the Department include separate letters from the mayor in support of the starosta.\footnote{AGAD, ML VII 78, 318-319.}

For burghers, competing in the auction could be advantageous in completely non-monetary ways. In many cases, towns had a legal right to practice \textit{propinacja}, but for one reason or another – typically due to conflict with the starosta over the nature of those rights – the burghers had ceased to enjoy their prerogative to produce and sell alcohol. By alerting the Department of their desire to hold an auction, such towns could obtain an official government decision mandating a \textit{propinacja} auction, which had the effect of the center acknowledging the
burghers’ rights to produce alcohol. Starostas in such cases would protest that burgheRs had no such rights or, in any case, had long since ceased to exercise them, but the Department always favored the towns when documentary proof was available. Townsmen in Urzędów and Krzemieniec obtained such favorable resolutions, which had the effect of enhancing their prerogatives vis-à-vis the starosta.⁶³

Burghers consistently fought to ensure that the monopoly contract would be awarded to a member of their estate, a fact which appears puzzling for several reasons. Firstly, no matter who obtained the contract, the money produced would end up in the same treasury with the same restrictions. Secondly, even if a burgher did outbid his rivals, not all townsmen would necessarily benefit. The winner could just as easily employ outsiders or Jews to conduct his distilling operations, and many town citizens would remain without their previous income from alcohol.⁶⁴ Nonetheless, in case after case, burghers demonstrated extraordinary estate solidarity, and closed ranks to ensure that the monopoly contract would remain in burgher hands. For example, when mayors chose to side with the starosta, town citizens would compose separate petitions to the Department to dispute their magistrates’ testimony. When the starosta complained that the winner did not have enough collateral to support the amount pledged, the towns consistently replied with an sworn attestation that the community would collectively pledge its property to support their fellow burgher’s contract.⁶⁵ In 1778, two towns admitted to the Department that, in an effort to prevent the starosta from obtaining the contract, the winner

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⁶⁴ Burgher-contractors in Ryczwał and Zwoleń (both Sandomierz palatinate) wrote to the Department in 1777 to complain that the starosta was blocking his operation under the pretense of enforcing the law denying Jews propinacja rights, an example of the confusion caused these new regulations. AGAD, ML VII 79, 744-748; ML VII 80, 126-128.
⁶⁵ See no. 61 above for the towns in question. AGAD ML VII 78, 310-311, 314-315; ML VII 79, 9-14; ML VII 82, 292-294.
had bid an amount that could not possibly be collected. In both cases, the town communities had knowingly pledged their collective property in support of this unrealistic bid.\(^{66}\)

Perhaps the best example of the burghers’ mentality and self-conception with regard to *propinacja* can be found in a series of petitions from the townsmen of Łęczyca. In July of 1777, the townsmen and the Jewish community separately requested exemption from the law. In the burghers’ petition, the authors noted that the town had only been classified as “small” due to fires and military extractions. The Łęczyca petition requested exemption from the law on the basis of its ancient privileges. The petition continued that, if the Department were to reject its request, the town would pay 913 zlotys towards the *propinacja* fund in lieu of an auction. The Department of Police rejected both of these proposals and ordered an immediate auction. Two weeks later, the Department received a letter from the marshal of the Łęczyca palatinate dietine (*sejmik*), requesting “in the name of the entire citizenry of Łęczyca palatinate” that the town remain exempt from the *propinacja* law “and in full possession of the rights of a capital town.”\(^{67}\)

As the marshal made evident, the town had turned to the dietine for support after receiving the first rejection, since noble assemblies traditionally brought the requests of local towns to the national parliament. The Department, however, was no more concerned with the opinion of local nobles than with the preferences of townsmen and rejected the second petition.\(^{68}\)

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\(^{66}\) These towns, Janów and Sochocin (Mazovia palatinate), requested permission to collect only half the amount pledged, which the Starostas in this case supported. AGAD, ML VII 84, 87-88, 196-198.

\(^{67}\) The dietine was for nobles what town government was to burghers. Dietines elected deputies to the parliament, assessed taxes, voted for judged to the Crown Tribunal court – the highest court in the Crown, and generally ran the affairs of the palatinate or land. Although burghers did not have an official role in them, towns typically sent delegates to express their interests, which were frequently added to the instructions which the dietine gave to the elected deputies. See: Wojciech Kriegseisen, *Sejmiki rzeczypospolitej szlacheckiej w XVII i XVIII wieku* (Warsaw, 1991), 9-60. AGAD: ML VII 79, 331-334, 470-472.

\(^{68}\) For example, Lublin frequently obtained laws in its favor throughout the seventeenth century due to lobbying its local *sejmik* and the Sejm. Mazurkiewicz, *Jurydyki lubelskie*, 98-100.
community in Łęczyca displayed a similar tenacity, sending three separate requests for exemption, all of which were denied.\textsuperscript{69}

Even after losing their bid for exemption, the townsmen of Łęczyca refused to cede their collective right to propinacja. Following the loss of the 1779 propinacja auction to the starosta, Senator Walerian Łuszczewski, the magistracy simply refused to sign his contract. After the latter complained to the Department of Police, the burghers replied:

The town wishes to keep this auctioned propinacja for itself, and to this end, requests that the contract for the propinacja monopoly be given to the Honorable Hawrocki, the mayor, a respected citizen.\textsuperscript{70}

The Department sided with the starosta, but, Łuszczewski subsequently protested that the Łęczyca townsmen continued to import and sell spirits in violation of the law. Interestingly, in response to both complaints, the Department informed Łuszczewski that he, as starosta, was responsible for enforcing the law.\textsuperscript{71} This exchange nicely illustrates the principal problems with this reform: the central government underestimated the burghers’ attachment to their propinacja rights and overestimated the willingness and ability of starostas to serve as a subordinate agent of central power. As with many other propinacja complaints, this case also calls into question the common historiographic depiction of starostas as petty despots with virtually untrammeled power of the towns. Łuszczewski, who was not only starosta, but a senator, and therefore a member of the wealthy elite, could not even enforce his will in one of the smallest provincial capitals in the Commonwealth.

\textsuperscript{69} AGAD, ML VII 79, 331-334; ML VII 80, 130-133; ML VII 87 (PRN, May – Sept, 1780), 177-179.
\textsuperscript{70} “Miasto źczy się też propinacją zalicytowaną trzymać, y tym końcem uprasza, aby kontrakt na arędę propinacji Sławetnemu Hawrockiemu Burmistrzowi, obywatelowi dobrze osiadłemu, mógł bydż dany.” AGAD, ML VII 86, 39-41.
\textsuperscript{71} Other examples of starostas complaining that burghers were not obeying them occurred in Chelm, Gostynin (Mazovia palatinate), and Rypin (Dobrzyń palatinate), AGAD, ML VII 82, 351-353; ML VII 83, 217-218; ML VII 84, 5-7.
The struggle of burghers across the Commonwealth to maintain *propinacja* in burgher hands reflects the strength of their collective attachment to this right, regardless of the law’s aims or the Department’s goals. If a burgher received the contract, then, in appearance at least, the town had preserved its privileges intact. On the other hand, if the starosta successfully outbid the burghers, then the town had effectively forfeited its rights and therefore lost a piece of the burghers’ collective identity. For this reason, the burghers of Dubienka in the palatine of Belz refused the starosta’s offer of 1,000 zlotys per annum, if the citizens would renounce their right to *propinacja*. The burghers in this case did not dispute the starosta’s assertion that none of them had exercised this right in decades.\(^\text{72}\) Jewish communities also banded together to lobby for exemption from the law. Again, winning such dispensation created a possibility that could benefit only one member of the community, but the kahal always supported these efforts, as well as individual Jewish claims to the contract. The idea of alcohol-production as an individual right and the prerogative of an estate was not unique to the Commonwealth’s townsmen. The Russian Empire’s Zaporozhian Cossacks listed *propinacja* as one of their fundamental rights in a 1764 petition to Empress Catherine II, and this prerogative remained one of the few “ancient liberties” of the host, which Nicholas I respected.\(^\text{73}\)

**“Inveterate Disorder” - The Reaction in the Department of Police**

Complaints and counter-complaints from burghers, Jews, and starostas wrecked the Department’s timeline, and many towns remained in violation of the law for the first two years of its existence. In his 1778 report to the parliament, Chairman Ostrowski expressed the Department’s frustration with these delays and challenges thus:

\(^{72}\) AGAD, ML VII 78, 377-378
\(^{73}\) *Kievskiaia Starina* 1883, no. 6, 317-343; See also: Zenon E. Kohut, *Russian Centralism and Ukrainian Autonomy: Imperial Absorption of the Hetmanate, 1760s-1830s* (Cambridge, Mass., 1988), 277-285
In each step taken towards establishing good order, the Department has encountered enormous resistance, resulting partially from the novelty of things, partially from the inveterate disorder [of the towns], partially from the inadequacy of the law, and the power given granted to it [the Department].

As the chart below indicates, the majority of petitions resulted in a decision that a new auction should take place in the near future, resulting in further delays and problems. The Department of Police issued this verdict any time one of the petitioners could claim that a rival had failed to observe one of the eight regulations required by the March, 1777 decree. This rubric also encompasses cases in which no auction had yet occurred. Towns quickly learned that stalling had potential benefits. In Włodzimierz, for example, burghers justified repeated delays with the claim that the illegal distilling by the starosta and jurydyki had discouraged potential bidders. Since the town had no contract by March, 1778, the Department of Police was compelled to issue a face-saving ruling, allowing individuals to continue private distilling so long as they paid taxes to a specified, state-controlled propinacija fund. Not surprisingly, burghers preferred this “temporary” compromise, which Department reluctantly applied in other towns that had successfully postponed their auction through 1778. In future years, the Department withheld this option, and even Włodzimierz ultimately submitted to a propinacja monopoly.

74 “Znaydował bowiem Departament w każdym czynionym przez siebie ku dobremu porządkowi kroku mocen zawady, częścią z nowości rzeczy, częścią z zastarzałego nierządu, częścią na koniec z niedostateczności prawa, a zatym y mocy sobie nadanej wynikające.” AGAD, ML VII 84, 263.
75 Examples of this occurred in 1777 in Warta (Sieradz palatinate) and 1778 in Zakroczym (Mazovia palatinate), Wyszogród. AGAD, ML VII 79, 481-487; ML VII 84, 152-154, 172-173.
76 AGAD, ML VII 79, 738-742; ML VII 82, 292-294
77 The Department approved a similar compromise for Chelm, Koło, and Brdów (both of the latter, Kalisz palatinate). As already stated, the town of Kleck specifically requested this solution. AGAD, ML VII 82, 351-353; ML VII 83, 29-30, 33-34, 88-89
In general, the Department had three options for resolving cases: It could award the contract to one of the parties, order a new auction (or a first one, if none had yet been completed), or tell the petitioning parties to settle their disputes in court, i.e. to take their dispute to the Chancellor’s Assessor Court for burghers. Warsaw typically sided with the party that produced the most thoroughly documented evidence to prove their claim, and decisions were always thoroughly justified with references to laws and decrees, in an attempt to present a posture of neutrality. The Department was particularly inflexible with regard to the decree’s requirement that the minimum bid equal the amount collected by the keg tax. Burghers or starostas that accused their rivals of winning the contract on a lower bid almost automatically achieved their goal of having the auction annulled. Bidders, justifiably, claimed that they could never make a profit after paying such a sum to the town coffers. In response, the Department explained that any town which did not receive its minimum bid would be financially

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78 Examples for 1777 include: Łuków, Przyrów, Przedecz, and Rożan. AGAD, ML VII 78, 1777,” 316-317; ML VI 79, 263-272, 338-341, 488-495.
disadvantaged vis-à-vis others. In other words, the Department had established the minimum bid for the towns’ own good and flexibility would prove detrimental in the long run.

Nonetheless, the government periodically violated its own established precedents and issued unexpected rulings. Although standard practice was for the government to accept the attestation of the burgher community on behalf of one of their fellows in lieu of collateral, the Department denied such a petition in the case of Włodzimierz in 1778 and demanded that a new auction be conducted. In another instance, the Department awarded the contract to the starosta despite the fact that neither he nor the town had presented the documentation typically necessary for the government to back one or the other claim. Finally, of the two petitions in which the claimant requested permission to alter the contract, admitting that the winner had pledged an amount that could not realistically be collected, the Department approved one request to alter the contract, while denying the other, though the circumstances were identical. The rationale here cannot be identified, though we may suspect that the Department of Police made use of such “exceptions” to demonstrate its authority to recalcitrant townsmen.

In adjudicating contract disputes, the Department of Police found itself addressing a number of complaints beyond the realm of its competency. Town-dwellers had a long tradition of petitioning the central government with grievances. From their perspective, the Department

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79 Examples of this occurred in 1777 in Warta (Sieradź palatinate) and 1778 in Zakroczym (Mazovia palatinate), Wyszogród. AGAD, ML VII 79, 481-487. ML VII 84, 152-154, 172-173
80 Exceptions were even made in the granting of exceptions. For example, the Department allowed Piotrków to opt out of auctioning in 1777 but rejected the petition of Kalisz in the same year, even though the latter was larger in population. AGAD, ML VII 78, 249-252; ML VII 80, 134-135.
81 AGAD, ML VII 82, 294-295.
82 This happened in Szydlów. Whether the fact that the Starosta in question, Maciej Sołtyk, was a high-ranking senator (as Palatine of Sandomierz) influenced this decision cannot be conclusively determined. AGAD, ML VII 79, 288-294.
83 The cases came from 1778 in Janów and Sochocin, AGAD: ML VII 84, 87-88, 196-198.
84 Michel Crozier has argued that officials in bureaucratic hierarchies with rationalized procedures can only show their power by bending the rules or making exceptions. Crozier, The Bureaucratic Phenomenon, 196-207.
and this new law presented an ideal forum for venting and seeking redress.\textsuperscript{85} Some \textit{propinacja} contractors accused Jews of continuing to produce intoxicants on town property, while others complained of starostas closing down their operations on the pretense that they had outsourced their work to Jews.\textsuperscript{86} All contractors complained about alcohol-production in the \textit{jurydyki} undercutting their income. Other complaints merely reflected long-simmering resentments. Burghers accused starostas of levying unjust taxes, imposing illegal restrictions, and in one extreme case, annulling town courts.\textsuperscript{87} For their part, starostas complained of burghers refusing to use their appellate courts or to present their financial records, as required by the 1768 reform. Further, starostas accused towns of failing to pay their dues and not obeying the magistrates nominated by the starosta.\textsuperscript{88} In all the above cases, the Department of Police could only issue reprimands or instruct the quarreling parties to appeal to the royal Assessor court, but processing these largely irrelevant petitions consumed a good deal of the central government’s time.

For members of the Department of Police, the sheer number of disputes and the general lack of respect for its regulations simply reflected the “inveterate disorder” and “disobedience” of the towns. The town magistracies’ inability to follow rules ostensibly designed for their own benefit reinforced the belief that the town poverty was the result of local leaders’ negligence and corruption. Hence the metaphor expressed by Ostrowski in the Department’s first bi-annual report:

\begin{quote}
The Commonwealth has a significant funding source under the supreme authority of Your Royal Highness, hidden in the towns, and laying like buried treasure. In
\end{quote}

\textsuperscript{85} For town petitions at the turn of the eighteenth century, see: AGAD, Archiwum Publiczne Potockich 132 (“List miast polskich do Stanisława Szczuki, podkanclerza litewskiego, 1680-1720”), 35-95.

\textsuperscript{86} Contractors also complained about nobles and religious orders maintaining distilling operations within town limits despite their supposed monopoly, as in Wyszogród and Piaseczno (Mazovia palatinate) in 1777, Przyrów and Ryczwoł in 1778. AGAD, ML VII 78, 308-309; ML VII 83, 180-190, 245-246; ML VII 84, 17-20.

\textsuperscript{87} The latter accusation was made by Przedecz in 1777. Other complaints were forwarded by Babimost (Poznań palatinate), Przyrów and Zwoleń in 1777. AGAD, ML VII 78, 425-428; ML VII 79, 122-127, 264-265, 365-366.

\textsuperscript{88} These complaints appear in 1777 in petitions from Janów and Szydlów, and in 1778 from Zgierz and Łódowa (Łęczyca palatinate). AGAD, ML VII 78, 310-311; ML VII 79, 288-294; ML VII 83, 35-37; ML VII 84, 128-131.
the last two years, the Department of Police has begun to dig it up, to exhume the
propinacja fund, which can be use for the beautification and improvement of the
towns.\textsuperscript{89}

The government had to uncover this money due to the burghers’ presumed “simplicity”, a label
acting chairman Adam Szydłowski employed in 1782 to explain the townsmen’s indifference
towards efficiently exploiting their resources. He noted that the propinacja income was the one
certain source of funding for towns, others being “questionable, lost, or neglected.”\textsuperscript{90} As a
remedy, Szydłowski proposed a royal decree to compel the town councils to auction not only
propinacja, but all town revenue sources, such as bridge tolls, market fees, and rent payments
from peasant villages belonging to the towns. As with propinacja, expenditure of these revenues
would require the Department of Police’s authorization. Not coincidentally, Szydłowski’s
proposal would later become the norm in Napoleonic Poland.\textsuperscript{91}

If the auctions revealed the burghers to be simple-minded and incompetent
administrators, the process also highlighted the unreliability of starostas as intermediary
supervisors. As the chart above indicates, when the Department did reach a decision with regard
to a disputed auction, the winner was twice as likely to represent the burgher party as the
starosta. This seems to suggest that the government found individual town communities more
reliable than their starosta supervisors. Indeed, the Department had evidence to underscore their
preference for towns. A separate decree, issued conterminously with the propinacja instructions,
instructed both town magistracies and their starostas to submit reports detailing the income
sources, expenses, and debts of the town. According to the Department’s records, 67% of towns

\textsuperscript{89} “Ma Rzeczpospolita pod Naywyższym Zwierzchnictwem W(aszej)K(rólewskiej)M(ości) fundusz znaczny w
miastach ukryty, y prawie skarb w ziemie zachowany. Zaczął go Departament Policji przez czas dwuletnięg pracy
swojej odkopywać, wygrzebał fundusz propinacyiny, na ozdobę y pożytek miast użyć się mogący.” AGAD ML VII
84, 263.
\textsuperscript{90} AGAD, ML VII 90 (PRN, June – Sept, 1782), 401-402.
\textsuperscript{91} AGAD, ML VII 84, 263; ML VII 90, 389-390. On auctioning revenues in Napoleonic Poland, see: AGAD,
Komisja Rządowa Spraw Wewnętrznych (KRSW) 3634 (“Lublin, 1811”), 7-15.
provided the requested information, but only 51% of starostas did likewise.\textsuperscript{92} Moreover, the Department responded to a number of burgher petitions by reprimanding the starosta for violating the law, sometimes seeking a formal letter of rebuke from the crown chancellor. In one extreme case, the Department instructed the burgher-petitioners to appeal to the Military Department for protection against the starosta.\textsuperscript{93}

Nonetheless, the Department’s trust of burghers was only relative, and officials began preparing plans for more direct central control over the towns almost from the outset. Szydłowski’s 1782 report unsuccessfully proposed that the parliament create centrally-controlled “intendants” (\textit{intendentów}) to make circuit inspections and ensure that government decrees were faithfully executed.\textsuperscript{94} Later reports dropped the French term, but not the proposal to give the Department direct, supervisory power over a more subordinate and rationally-conceived hierarchy of officials. In fact, the Department’s final report in 1788 justified a request to divide the country into police circuits staffed by centrally-controlled officers with the ironic claim that the \textit{propinacja} law had increased hostility and mistrust between burghers and starostas:

With the change in times, government, and circumstances, the obligation of starostas has made them unsuitable to fulfilling their duties . . . The continuous legal battles between towns and starostas have lead to a mutual dislike, due to which many peaceful starosta territories have become exhausted, and [locals] demanded and continuously demand that the Department of Police dispatch its own officers.\textsuperscript{95}

\textsuperscript{92} According to a chart prepared by the Department in 1778, 140 towns submitted financial reports, while 67 did not. Meanwhile, 107 Starostas submitted their corresponding reports, while 102 did not. AGAD, ML VII 84, 277.

\textsuperscript{93} As in the case of Stawiszyn in 1778. AGAD, ML VII 82, 48-52.

\textsuperscript{94} AGAD, ML VII 90, 389-390.

\textsuperscript{95} “Z odmianą czasów, rządu i okoliczności ten obowiązek Starostów stał się im niepodobnym do dźwignia ciężarami . . . ustawiczne do tego miast z starostami procesa, sprawiają wzajemną jednych ku drugim niechęć, dla których wielu spokojnych starostów tak sobie sprzykrzyło ten rząd . . . że sami żądali i żądają ustawicznie, aby Departament Policji zsyłał raczey z ramienia swego Subalternów.” Dziennik Handlowy i Ekonomiczny 1788 (October, 1788), 697.
The fact that this limited intervention unleashed a wave of legal battles and social conflict paradoxically proved to the members that additional and more penetrating intervention, with more effective oversight, was the only means of bringing towns in line with their standards.\textsuperscript{96}

**Stage Two: “Arbitrariness” vs. Central Control**

By 1778, the majority of towns had successfully awarded a *propinacja* contract, and requests to allocate the new fund began arriving at the Department’s headquarters in Warsaw. The correspondence relating to funding requests reveals a further disconnect between the assumptions and priorities of the center and the townspeople. Town magistracies, accustomed to wide discretion in spending matters, presumed that the money in the *propinacja* coffers belonged to their town. The Department, meanwhile, viewed this revenue as a state fund under its protection. This divergence created a game in which town leaders played dumb, ignored rules, and exaggerated expenses in order to obtain permission to employ the maximum amount of money, often on priorities to which the Department would not have consented. For its part, the government tried to approve the minimum amount necessary for completing a particular project, maintaining vigilance against “misuse” and “theft” whenever possible.

As with all other initiatives, the Department of Police established a rational, uniform set of regulations to govern the towns’ requests to spend the *propinacja* money. In the first place, no town could obtain approval for its funding petitions until the Department had received a complete report of that town’s sources of income, debts, and ordinary expenditures as required by the decree issued coterminously with the *propinacja* regulations.\textsuperscript{97} In addition, the government required that the starosta present an attestation confirming that the needs listed by

\textsuperscript{96} This fact seems to prove J. Toulmin Smith’s axiom that, “Every proof of the failure of the [police] system, as a social and moral instrument, has been only made an excuse for extending it.” Smith, *Local Self-Government and Centralisation*, 204.

\textsuperscript{97} On at least one occasion, the Department explicitly rejected a petition due to a town’s failure to submit its financial report. For this regulation, see: AGAD, ML VII 19, 256-257; ML VII 79, 156-158.
the town magistracy were both genuine and urgent. Finally, upon receiving permission to activate the funds, town councils were expected to submit reports detailing and justifying each expenditure.\textsuperscript{98} This entire process, in the words of the Department’s 1788 report, was to prevent the towns from allocating this funding “on froth” (\textit{na pieni\'\j}) or “arbitrarily” (\textit{domy\'\slash{}lenie}), i.e. on projects not considered worthy by the central government.\textsuperscript{99}

From the outset, the Department sought to emphasize its undisputed control over the town’s \textit{propinacja} funds by amending or modifying spending requests. Since towns continued to view the money as “theirs,” magistracies frequently presented non-specific requests to “spend the fund” or to use “the previous year’s intake,” enumerating a list of projects to which the money would be applied. In order to impress upon the towns that, on the contrary, the money belonged to the state, the Department of Police consistently approved only half of the amount requested, regardless of the petitioner’s goals or the available money.\textsuperscript{100} Even when the towns requested an explicit amount, the Department chose to make a demonstration of its authority by approving half the proposed sum. In fact, the Department authorized half the amount requested in twenty out of the twenty-one petitions.\textsuperscript{101} In addition to demanding that towns implement their chosen projects with only half the funding, the Department often added additional spending

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\textsuperscript{98} The decree of March, 1777 did not make these conditions explicit, but they were applied in practice. Some of the first requests, in the spring of 1778, come from Zambrow (Mazovia palatinate), Wyszogród, Zakroczym, and Podgórze (palatinate unknown) AGAD ML VII 83, 90-91, 187-188, 215-216, 280-281.

\textsuperscript{99} Dziennik Handlowy i Ekonomiczny (October, 1788), 693; AGAD, ML VII 95 (PRN, May – Aug, 1784), 31.

\textsuperscript{100} Examples of such wording can be found in Podgorze, Łomża (Mazovia palatinate), Kazimierz Dolny, Dobrzyń (Brześć-Kujawski palatinate), Szulmierzycy (Mazovia palatinate), Brzezinica (Sieradź palatinate), and Płock, among others. AGAD, ML VII 83, 280-282; ML VII 84, 25, 112-113, 132-135, 146-147.

\textsuperscript{101} The following towns, among others, presented requests for specific amounts in zlotys, only to be told they could use half: Drohicznyn (Podlasie palatinate), Płońsk (Płock palatinate), Warka, Kolno, and Ryczwol. AGAD, ML VII 83, 296, 298-299, 369-370, 375; ML VII 84, 17-20.
\end{flushright}
demands, such as requiring the purchase of fire-fighting tools, the better to establish the center’s superior position.\footnote{This happened with the requests of Urzędów in 1779, Bielsk in 1780, and Łęczyca in 1781, AGAD, ML VII 86, 87-88; ML VII 87, 81-82; ML VII 88 (PRN, Nov, 1780 – March, 1781), 525-526.}

Town governments responded to the Department’s paternalism with a number of counter-plays. Since the Department would only approve half the amount requested, towns would propose more than required or return to the Department with additional petitions, claiming the original amount insufficient. If the starosta supported the town, then the Department had little choice but to approve the petition.\footnote{Warka’s request to rebuild the town hall had to be followed with additional requests for money, as did Bielsk’s project to build a parish church. In these cases, the cooperation of the starosta was a key element in obtaining further money. AGAD, ML VII 87, 198-200; ML VII 85 (PRN, Oct, 1785 - Feb, 1786), 245.} Notably, starostas consistently backed the requests of the towns, despite the recent and bitter conflicts over to the \textit{propinacja} contracts. This was largely due, in my view, to the fact that the rivalry between starostas and towns was primarily an economic and political contest, not the manifestation of some type of class or estate hostility. For example, the town of Warka had witnessed an especially acrimonious battle for the contract. After the dispute concluded, however, the burghers not only obtained money for repairing their town hall with the assistance of the starosta, but requested that the he oversee the construction. Of the twelve selected towns, only Urzędów and Krzemieniec experienced conflict with the starosta over spending requests. Both towns remained in dispute with their starostas over \textit{propinacja} auctions, and in both cases the Department overruled the starosta and accepted the validity of the towns’ requests.\footnote{AGAD, ML VII 79, 21-23; ML VII 84, 9-10; ML VII 86, 155-156; ML VII 86, 81-82; ML VII 87, 144-147.}

Temporary government commissions, such as the Good Order Commission or boundary-dispute commissions dispatched by the Assessor Court, provided ideal cover for magistracices seeking to tap the \textit{propinacja} fund. Since the king and the Permanent Council felt obliged to
support their agents, who typically received compensation from locals rather than from Warsaw, the Department did not initially question the sums requested for this purpose.\textsuperscript{105} Lublin, Kazimierz Dolny, Płock, Piotrków, and Urzędów made liberal use of this policy and presented numerous requests to support the Commissions operating on their territory.\textsuperscript{106} This naïveté on the government’s part soon ended, and the Department of Police issued new regulations in 1784 to counter this abuse, stating:

\begin{quote}
Examples of arbitrariness and spendthrift are multiplying more and more in the spending of town incomes . . . The largest number of towns violating the regulation against disbursing the \textit{propinacja} fund without permission typically conceal their actions as expenses for supporting Good Order Commissions . . .\textsuperscript{107}
\end{quote}

As a solution, the decree issued by the king and Permanent Council pledged to find funding for the Commissions independent of the \textit{propinacja} fund, while the Commissioners themselves, in conjunction with the starostas, were to submit requests for using this funding for any additional expenses, by-passing the input of the magistracies entirely. The regulation represented the first time that the Department completely excluded town magistracies from determining the allocation of the \textit{propinacja} fund, but future proposals to increase the Department’s authority presumed the state’s ability to allocate this money without reference to the town magistracies.\textsuperscript{108}

The most obvious way of avoiding the government’s control was to dispense with the Department’s burdensome procedures altogether. Audits conducted by the government revealed

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\textsuperscript{105} Until the end of its existence, the Commonwealth functioned on a kind of “pay-to-play” system of justice. Commissions dispatched by the Royal Assessor Court, as well as the Commissions of Good Order, operated on funds provided by the towns in which they worked. Lublin, Kazimierz Dolny, Płock, Piotrków and Urzędów all readily exploited this fact when requesting money from the Department. AGAD, ML VII 88, 316-317; ML VII 95, 324-325; ML VII 89 (PRN, Feb – April, 1782), 516-517; ML VII 92 (PRN, Dec, 1784 – April, 1785), 288; ML VII 96 (PRN, May – Aug, 1785), 265-267.
\textsuperscript{106} AGAD, ML VII 88, 316-317; ML VII 89, 516-517; ML VII 92, 288. ML VII 95, 324-325; ML VII 96, 265-267.
\textsuperscript{107} “Coraz liczniejsze mnożą się przykłady domyślu y i nieoszczędności w szafovanii dochodów miast y miasteczek Naszych . . . Naywiększa część miast przestępujących zakaz ruszania domyślnie prowentów propinacyinych, zasłaniać się zwykła rachunkami expens łożonych na sprawdzenie y utrzymywanie komissarzów boni ordinis.” AGAD, ML VII 95, 30-31.
\textsuperscript{108} AGAD, ML VII 95, 31; \textit{Dziennik Handlowy i Ekonomiczny} (October, 1788), 697-699
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that at least two towns, Chełm and Piotrków, had allocated the fund “according to their own caprice” (*własnym domyślem*). In Chełm, the most egregious case, the burghers, in conjunction with the Jewish community, requested ex post facto approval of their decision to expend the entire remnant of the town’s *propinacja* fund from 1777 to 1786 on a court battle with the starosta for the monopoly contract. The amount represented several years worth of ordinary income, and an exasperated Chairman Michał Mniszech – titular head of the Department after 1783 – ordered the burghers and Jews to replace at least half of the squandered money within three years. Mniszech further demanded that the starosta prevent such expenditures in the future.\(^\text{109}\) The case of Chełm encapsulates the complete disconnect between the center and the towns. The burghers and Jewish community of Chełm understood possession of *propinacja* rights as a priority that not only trumped material improvement, but one that even superseded obedience to the center’s enlightened regulations.

Towards the end of its existence, the Department obtained authorization to dispatch its own ad-hoc commissioners, backed by military force, to unresponsive and disobedient towns. In 1787, one of these inspectors arrived in the troublesome town of Łęczyca, and subsequently ordered the magistracy to auction off all revenue sources – not simply *propinacja* -- for public benefit, i.e. placed under the government’s control.\(^\text{110}\) In 1788, the Department indicated to parliament that its officials had conducted similar inspections in thirty-five towns.\(^\text{111}\) In 1788, a delegate from the Department arrived in the town of Solec with a military contingent to compel the town council to obey its regulations. Solec had failed to present a report on its use of the *propinacja* fund for the law’s entire fourteen-year existence. According to the delegate, a certain

\(^{109}\) AGAD, ML VII 85, 342-344; ML VII 93 (PRN, Feb – April, 1784), 357-362.
\(^{110}\) AGAD, ML VII 101, (PRN, Sept, 1787 – Feb, 1788), 55-56.
\(^{111}\) In the hand-written version of the report, the number is thirty-three. *Dziennik Handlowy i Ekonomiczny* (October, 1788), 694; AGAD, ML VII 155 (PRN, March – Sept, 1788), 166.
Tański, the town had expended the entire fund on court cases, and "it wasted the remainder on disorder." In its final report, the Department of Police complained that it had employed military power to subdue "only" four such towns. Thus, the government discovered that its enlightened goals of furthering the common good were incompatible enough with the priorities of self-governing townsmen and local officials as to require a violent assertion of central power to effect change.

If the initial stage of the law’s implementation revealed a gulf in the basic priorities of the local players and the Enlightened government, the second stage exposed yet another divide. Towns were accustomed to broad leeway in managing their affairs, and the traditional check on the magistracy’s powers was the community. Now the government was attempting to insert itself into this role by regulating and overseeing the magistracy’s financial decisions. The law did indeed provide a convenient excuse for town governments to raise revenue without incurring local opposition – we may note that even “disobedient towns” such as Solec collected the money – but the government’s demand of financial control proved a frustrating novelty that most towns sought to skirt, and some to ignore outright.

For the Department of Police, the propinacja fund was always a state revenue of which it was the principal steward. A good example of the government’s attitude towards the propinacja fund can be found in Szydłowski’s 1782 plan to create intendants, in which the author specifically called for these new officials to be compensated from a small percentage of the propinacja fund of each town. Four years into the law, central officials already viewed the propinacja fund as a source of revenue for projects unrelated to the original goals of urban

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112 AGAD, ML VII 101, 381-383.
113 Dziennik Handlowy i Ekonomiczny (October, 1788), 694.
114 Crozier, The Bureaucratic Phenomenon, 189-190.
115 AGAD, ML VII 90 (PRN, June – Sept, 1782), 389-390.
improvement and economic stimulus. Since the state fund rested in local hands, the Department’s leaders became increasingly suspicious of the magistracies’ requests. Chairman Mniszech even hired an architect to design a generalized town hall plan, for which the construction costs would be known in advance, depriving town magistracies of the possibility of overstating the construction costs. When reporting this fact to the Sejm in 1786, Mniszech noted that the architect had created two plans, one wooden and one of stone, to accommodate various town budgets, and two towns had already begun construction according to these plans.\textsuperscript{116}

Evidently, the government intended to enforce this plan, for when Łęczyca requested permission to use its funds to build a new town hall in 1787, the Department required that the town employ the standardized design.\textsuperscript{117}

**Insufficient Coercive Power or Violation of Natural Law**

Overall, the Department’s members assessed the *propinacja* law as a failure, blaming the insufficient coercive power granted to the organization as well as inability to townsmen to comprehend their own interests. Chairman Szydłowski summarized this assessment in his 1782 report:

> In 1776 the Commonwealth indeed broadened the power of our Department . . . to encompass collecting information on and expending the incomes of the royal towns, but since no power of enforcement was given, the Department’s authority over the towns has been limited to those that wish to be obedient.\textsuperscript{118}

Since the towns frequently disobeyed orders and starostas were proving unreliable agents, Chairman Mniszech wondered rhetorically in 1786, whether “the *propinacja* sums recorded in our registers [are] actually located in the town treasuries? Have the sums approved for the

\textsuperscript{116} AGAD, ML VII 156 (PRN, April – Sept, 1786), 387.
\textsuperscript{117} One only needs to visit the suburbs of former communist countries, and often the towns themselves, to appreciate the direction where this line of thinking ultimately leads. AGAD, ML VII 101, 55-62.
\textsuperscript{118} “W roku 1776 rozszerzyła wprawdzie Rzeczpospolita władzę tego Departamentu do zawiadywania, y dyspozywania dochodami miasta królewskich, ale mocy do exekucyi żadnej niedawsys, przeto zwierzchność jego nad temi tylko miastami, które chęcę być posłusznemi, ograniczyła.” AGAD, ML VII 90, 400.
various town needs been faithfully and effectively used?” For this reason, the final report of the Department of Police to the parliament called for the establishment of fifteen police commissars for the Polish Crown “to assist” the starostas in overseeing and regulating towns. The commissars would be compensated, as in Szydłowski’s 1782 plan, from the propinacja funds of the towns in their circuit.

In particular, government officials frequently expressed displeasure with the lack of compliance on the part of the Ukrainian provinces. In his 1778 report, Ostrowski observed that the propinacja fund had unearthed tens of thousands of zlotys in income, but he notes, “this fund would be even more significant had several towns, particularly Ukrainian, been obedient to the regulations of this law.” A 1779 decree, intended to clarify the auctioning procedure, further complained that a significant number of towns “specifically in Kiev, Volhynia, Podolia, and Braclaw palatinates” had not sent reports regarding their auctions, and thereby “prejudice the incomes, which have been placed under the Department of Police’s supervision.” For government officials such as Szydłowski, isolation from the government was a sign of ignorance and decay:

The Lithuanian and Ukrainian towns could say that they have no Department of Police, since the greater part of the first category, having lost their incomes and Magdeburg Law due to the law of 1776, have no income to be managed. The second, destroyed by the Civil War [1768-1772], having been settled largely by Jews and Cossacks, are without law, without offices, and without privileges . . . [and] hardly know that they are royal towns.

119 AGAD, ML VII 156, 390.
120 Dziennik Handlowy i Ekonomiczny (October, 1788), 697-699.
121 „Byłby ieszcze ten Fundusz znaczeniezszy gdyby wiele Miast osobliwie Ruskich temu Prawa rozrządzeniu posłuszczy bydź chciały.” AGAD, ML VII 84, 263.
122 „W dochodach swoich Prawem 1776, pod dozor Departamentu Policyi oddanych . . . uszczerbek ponosi.” AGAD, ML VII 142 (PRN, Nov, 1778 – March, 1779), 335.
123 „Miasta Litewskie y Ruskie mogłyby powiedzieć, że na nasz dla nich Departamentu Policyi; bo pierwszych większa część utraciwszy przez Prawo 1776 dochody y Magdeburgie, nie miąają z czegó rachować; drugie po upadku przez rewolucyce, osadzone po większy części żydami y kozakami bez prawa, bez urzędów y bez przywileiów . . . ledwie że znają iż formużą miasta królewskie.” AGAD, ML VII 90, 400-401.
In 1786, Mniszech noted that the Ukrainian territories remained disobedient as always, while even the more compliant provinces had recently required warnings from royal prosecutors for their lack of respect for the rules.\textsuperscript{124} Indeed, between 1777 and 1788, Włodzimierz, Krzemieniec, Łuck, Kamieniec-Podolski, and Żytomierz appear to have been the only “Ukrainian” towns to have corresponded with the Department out of a population of fifty-one royal towns.\textsuperscript{125}

Meanwhile, the \textit{propinacja} law spurred the burghers of the Commonwealth towards their first countrywide political action in Poland-Lithuania’s history. While burghers in the provinces fought to hold onto their rights and conspired to escape the center’s oversight, the town magistracy of Warsaw was preparing a comprehensive reform program for the Commonwealth’s burghers. In 1778 the magistracy of Warsaw had already assaulted the center’s assumption that townsmen were unable to govern themselves. Writing to protest a Department of Police plan to manage town property, Warsaw’s government wrote that the city’s financial difficulties were the result of numerous civil wars and the diminished tax base created by the \textit{jurydyki}. Rather than micromanaging the municipalities, the council wrote, the government should assist the towns with enforcing their writ over all inhabitants and defending the country’s borders.\textsuperscript{126} In 1789, the magistracy of Warsaw, under Jan Dekert, invited urban delegates from across the Commonwealth to attend a convention for improving burgher rights. Members drew up a list of demands for greater civil rights, the abolition of \textit{jurydyki}, and an end to starosta supervision, which were presented to a parliament debating wholesale structural reform.\textsuperscript{127}

\textsuperscript{124} AGAD, ML VII 156, 390-391.
\textsuperscript{125} In the Ukrainian palatinates specifically, private towns vastly outnumbered royal or ecclesiastical towns, so the total number of towns was much higher. BC, ms. 1093, 589-627.
\textsuperscript{126} AGAD, MLVII 83, 101-102.
\textsuperscript{127} For the petitions of the burghers, see: Mędrzecki, \textit{Zbiór praw, dowodów y uwag}, vol. 1. See also: Zienkowska, \textit{Sławetni i urodzoni}, 34-90.
Among the most radical proposals, burghers requested the right to participate in making laws which would affect them, and the *propinacj a* law served as a perfect illustration of burghers’ grievance with the current system. Michał Swinarski, one of the voices of the movement, argued that the laws of 1768 and 1776 had fundamentally changed the constitution of towns by revoking long-held privileges without consultation. In particular, Swinarski observed that *propinacja* was as an individual right, and:

Burghers expected that they would not lose the right [to their property] without summons, convocation, or decree, because the entirety of privileges, secured by laws and sealed by public trust, were requirements as fundamental for burghers as natural law.\(^\text{128}\)

Further, Swinarski observed that town privileges provided income to the towns for the purpose of maintaining order, “and if these are not sufficient, the magistracy has the right to impose additional taxes on all the town citizens, which all, without exclusion, are obligated to pay.”\(^\text{129}\) Not only was the *propinacja* law an unjust intrusion on private property and collective rights, Swinarski explained, but the current system of urban self-government had the capacity to meet the challenges of material improvement without any oversight from the center.

The reports of the Department of Police and the burgher-rights movement converged in a series of laws affected the towns passed by Four-Years parliament. In 1788, while Russia was momentarily distracted by war with the Ottoman Empire, a confederated parliament voted to strengthen the army and cast off foreign domination, and the most blatant symbol of Russian control, the Permanent Council, became one of the first casualties of the Commonwealth’s new assertiveness. The parliament abolished the Council, along with the Department of Police, in

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\(^\text{128}\) "Mieszczanie spodziewali się, iż nie utracą tego prawa, bez zapozwania, konwikacyi, i dekretu, bo przywileiów całość okryta wiarą publiczną, i konstytucyjmi zabespieczona, była tak mocnem dla mieszczan warunkami iak prawo narodu.” Swinarski, *Wiadomość o pierwiastkowej miast zasadzie*, 29-30.

\(^\text{129}\) Ibid.
January, 1789. Within a year of this decision, however, the parliament had approved new Civil-Military Commissions for each palatinate, which had extensive powers of supervision and control, especially regarding construction and sanitation. These Commissions, unlike the Department, extended the reach of the government into the Ukrainian territories, and by 1791, no region of the Crown was excluded from their oversight. In particular, each Commission could order town magistracies to repair roads and implement sanitation measures, using fines and court sanctions to enforce their decisions.

At the nexus of the twin impulses for greater burgher rights and more state control was Hugo Kołłątaj, the co-author of the Constitution of the Third of May. Kołłątaj both supported greater civil rights for burghers and interpreted the Department of Police’s shortcomings as the result of insufficient coercive power. Kołłątaj’s synthesis of these positions helps explain two pieces of legislation passed by the Four-Year Parliament, rarely connected by historians.

Firstly, the Urban Reform Law of April, 1791 did grant a number of civil rights to burghers, including habeas corpus and the right to purchase landed property. In addition, the legislation freed burghers from supervision from the starosta, abolished jurydyki, and granted townsmen the right to participate on executive commissions. Two months later, however, the parliament

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130 VL, vol. 9, 64.
131 VL, vol. 9, 146. The Lublin Commission was particularly active in overseeing road repair and fire prevention. Archiwum Państwowe w Lublinie (APL), Księgi Komisji Cywilno-Wojskowej Lubelskiej (KCW) 3 (“Protokoł, 1790-1792”), 14-95. Kermisz describes some additional duties of the Lublin Commission, which included inspecting town finances and overseeing doctors’ qualifications. Kermisz, Lublin i lubelskie, 75-80. The Commissions for the Ukrainian palatinates of Kiev, Podolia, and Volhynia were also strongly active, though they had the additional task of dealing with Russian provocation and peasant revolts. See: BC, ms. 953 (“Papiery Komisji Cywilno-Wojkowych w Województwach Kijowskich, Podolskich, i Wołyńskich, 1789”), 45-281.
132 Kołłątaj, Listy anonima, 80-81, 280-281
133 Neither Zienkowska nor Korzon mention this connection. Zienkowska, Slawetni i urodzeni, 196-269; Zienkowska, “Reforms Relating to the Third Estate,” 330-351; Korzon, Wewnętrzne dzieje Polski, vol. II, 380-405. Only Kermisz acknowledges that this new Commission deprived towns of their previous autonomy, such as the right to legislate and decree taxes. Kermisz, Lublin i lubelskie, 63, 80.
134 After 1791, towns often began letters to the government with indications of gratefulness, as with Lublin and Smotryca (Podolia palatinate) in 1792. APL, Księgi miejskie Lubina (KML) 253, 2; AGAD. ML VII 192 (“Straż praw, 1792”), 183. See also: Korzon, Wewnętrzne dzieje, vol. II, 405; Zienkowska, Slawetni i urodzeni, 198.
authorized the creation of the Police Commission of Poland-Lithuania. Unlike the Department of Police, the Commission did not need to rely on starostas, having an extensive network of commissars reaching deep into the countryside, with the strength to compel obedience to the center. The final parliament of 1793, though undoing many of the 1791 reforms under Russian pressure, retained the essential features of the Police Commission.

The establishment of the Police Commission indicated that the parliament had accepted the Department of Police’s interpretation of the propinacja law, positing that irresponsible and ignorant local agents had sabotaged worthy and necessary goals. The broad fiscal and political autonomy of the towns, rather than the incompatibility of the law with the locals’ interests, had undermined the Department’s beneficent efforts. Under the new legislation, the so-called “free towns,” as they were named after 1791, were stripped of this inconvenient autonomy, losing the power to initiate financial or legislative decisions without central approval. The magistracy of Lublin reported in 1792 that it would not allocate money or fix the price of victuals without the Commission’s acquiescence. The Town of Warka was more subservient, writing in 1791, that “The town never [takes] the least step without the knowledge and permission of the [Police] Commission.” The intrusive nature of this new body has passed unnoticed due to its short duration and, more importantly, to the fact that the burghers gained not only civil rights, but also a voice on the very body in charge of enforcing usefulness in all the towns collectively. Indeed, the burgher publicist Adam Mędrzecki became a member of the Police Commission.

Conclusion

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135 VL, vol. 9, 277-281.
136 On the 1793 law, see: APL, KML 261 (1794-1796), 27-28; Zahorski, Centralne instytucje policyjne, 228-231.
137 As with the propinacja law, towns sought to use the Police Commission for their own ends. In a 1791 petition from Łęczyca, the town citizens sought to use the Commission against the magistracy. AGAD, Archiwum Królestwa Polskiego 86, vol. 1, 31, 52.
138 AGAD, ML VII 173 (“Straż praw, 1792”), 216.
Unbeknownst to the townsmen of the Commonwealth, the 1776 propinacija law would usher in an era of alcohol monopolies managed by the central state, which would endure throughout much of the nineteenth century. For the “disobedient” Ukrainian towns, annexed by the Russian Empire in 1793 and 1795, the individual right to distill never returned. The Russian state had long demanded exclusive control of the alcohol trade, and towns which joined the Russian partition found that propinacija in their new country belonged not to the individualburghers or even the town, but to the tsar. As a small concession, Russian rulers paid the former Commonwealth towns a premium in exchange for forfeiture of their propinacija rights, recognizing the value of these revenue for the town coffers. This arrangement would persist until the abolition of tax farming in 1863 temporarily instituted the freedom to produce and sell intoxicants for all subjects of the empire.\textsuperscript{139}

In the territories of Poland that joined the Napoleonic Duchy of Warsaw, individual freedom to distill temporarily returned, and the keg tax became a component of town revenue. In 1821, however, Alexander I appointed Franciszek Drucki-Lubecki as Finance Minister of the Duchy’s successor, the Congress Kingdom of Poland, at the time in dire financial straights.\textsuperscript{140} Lubecki, a former governor of Grodno guberniia, instituted a number of drastic measures to salvage the state coffers, including a reintroduction of the former propinacija monopoly, leased to a single individual. As with the 1776 law, this move abrogated burghers’ individual right to

\textsuperscript{139} This was a generous concession compared to Russia proper, where the Charter to the Towns allowed urban communities only one percent of the return from the alcohol monopoly. See: Munro, “The Charter to the Towns,” 32; Hittle, The Service City, 231-232; Kizevetter, Gorodskoe polozhenie, 319-322; David Christian, “A Neglected Great Reform: The Abolition of Tax Farming in Russia,” in: Russia’s Great Reforms, 1855-1881, ed. Ben Eklof, John Bushnell, and Larissa Zakhrova (Bloomington, Ind., 1994), 102-112.

\textsuperscript{140} According to Smolka, Alexander had decided that money transferred to the Congress Kingdom to pay for the new army between 1815 and 1817 had constituted a loan rather than a grant. In addition, the former finance minister, Wegliński had manipulated the country’s records to show far greater revenue streams than was in fact the case.. Smolka, Polityka Lubeckiego, 108-112; Pienkos, Imperfect Autocrat, 44.
distill, provoking complaints and resistance, but the circumstances were now vastly different.\textsuperscript{141}

Some town representatives sought an audience with Grand Prince Konstantin Pavlovich, the head of the Polish army and the man most contemporaries considered the de facto ruler of Congress Poland. Accounts vary as to the consequences of this meeting. According to Lubecki, Konstantin explained to the beer-makers that “the government knows what it is doing” and reminded them of the need for obedience.\textsuperscript{142} Kajetan Koźmian’s version presents a more dramatic picture of the Grand Prince’s response:

Grand Prince Konstantin read this behavior as an unacceptable obstinacy and arrogance on the part of the brewery owners, and ordered the head of the police [in Warsaw] to imprison those complaining and force them to carry waste from Saxon Square and sweep trash before a parade of soldiers.\textsuperscript{143}

Whichever version is correct, Lubecki’s tax increases remained, and the individual right to \textit{propinacja} in the Congress Kingdom’s towns transformed into a state monopoly.

More important than the abrogation of individual \textit{propinacja} rights, the new rulers of the Commonwealth continued the pattern of controlling the expenditure of town revenues. Not only were all revenue sources auctioned to the highest bidder, but governors and town inspectors scrutinized and approved town budgets, in many cases simply dictating the expenses. Thus, the Commonwealth’s experiment with alcohol tax farming in the towns, in hindsight, appears more significant for the changes the reform foreshadowed than for its immediate effects. Whether the reforms of 1776 to 1791, had they taken root, could have saved Poland-Lithuania from partition seems highly doubtful, but they certainly began a pattern of bureaucratic centralism and

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\item According to Kajetan Koźmian, himself generally a supporter of the state, these new taxes meant the destruction not only of ancient and sacred town privileges, but the abrogation of private property, an almost verbatim reiteration of Swinarski’s argument. Kozmian, \textit{Pamiętniki}, vol. III, 230-243; Smolka, \textit{Polityka Lubeckiego}, 125-126; Smitt, \textit{Istoriia pol’skago vozstania}, 36.
\item Wybór tekstów źródłowych z historii Polski w latach 1795 – 1864, ed. Stefan Kieniewicz, Taduesz Mencel and Władysław Rostocki (Warsaw, 1956), 364.
\item “Wielki książę Konstanty poczynił ten krok właścicieli za gorszy upór i zuchwałstwo, kaŜał prezidentowi policji uwięzić skarżących się i przed parådą wojskową wywozić z placu Saskiego taczkami błoto i zamiatać śmiecie.”Kozmian, \textit{Pamiętniki}, vol. III, 243.
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hierarchical control that would become the norm in Russia and Napoleonic Poland. In seeking to raise money for urban improvement and economic development without concern for the opinions of townsmen or their peers, the rulers of the Commonwealth only succeeded in taking the first step towards the destruction of local self-government in their urban communities.
Chapter 2:
Where Cameralism and Liberalism Meet: Order, Finance, and Good Police in Lublin, 1780-1832

Alexander I’s liberal constitution for the Kingdom of Poland, promulgated in 1815, provoked a spectrum of reactions in both Russia and Poland. Polish citizens of the former Duchy of Warsaw, Napoleon’s satellite and the launching pad for his invasion of Russia in 1812, initially greeted the constitution with enthusiasm. Within ten years, this feeling had giving way to widespread disappointment in the tsar’s repeated violation of his own code, a consensus that fed into the 1830 November Insurrection. Russians, such as Nikolai Karamzin, reacted to the constitution with horror that the emperor would embrace liberal ideas, much less enact them on the territory of Russia’s historical enemy. Others were angry that Alexander had chosen to grant a constitution to Poland and not to Russia, and one nineteenth-century historian charged that the Poles simply did not appreciate Alexander’s generosity. All authorities are agreed, though, that the constitution was based on liberal principles unprecedented in Russia’s history. Viewed from the towns’ perspective, however, Alexander’s Kingdom of Poland only confirmed and reinforced the centralization of decision-making power and hierarchical control that had been building for the previous half century. Indeed, in many ways Alexander’s system of local government in Poland represents the logical culmination of reform policies first enacted under Stanislaw August.

This chapter will examine the process of centralization in Lublin during the many upheavals and regime changes which rocked the towns of Poland-Lithuania at the turn of the nineteenth century. One of the largest towns of the Commonwealth, Lublin serves as a useful

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case study to demonstrate the similarity of enlightened centralism and its affect on local
government across diverse countries. Due to circumstances of geography, the townsfolk
of Lublin found themselves a major target for the centralizing reforms of four different regimes
between the ascension of Stanisław August and the promulgation of Alexander’s constitution:
Polish, Austrian, Napoleonic, and Russian. The policies of each subsequent government differed
in matters of degree and effectiveness rather than intent and goals. For Lublin, each transfer to a
new state meant the repetition of the same pattern: the town’s government was reorganized
according to increasingly hierarchical principles; the number of paid officials increased; central
authorities appropriated ever more authority over town financial and budgetary decisions; and
magistracies were instructed to enforce a growing list of regulations concerning sanitation and
fire-prevention. By 1832, Alexander’s regime had so completely suppressed local government
that Nicholas I’s revocation of the Polish constitution in the same year had essentially no impact
on Lublin’s political structure.

Polish historiography has, at times, viewed this transformation in towns such as Lublin as
a kind of political and economic modernization, contrasted to the backwardness and chaos of the
Commonwealth. Consistent with the “Enlightenment narrative,” historians of the pre-partition
often describe the centralizing reforms of Stanisław August’s government in Lublin and other
major towns as devices urgently necessary to save the towns of the Commonwealth from
material and economic collapse.² Napoleon’s Duchy of Warsaw occupies a special place in this
vision as the beginning of a “modern” administrative structure.³ Moreover, historians of the post-

² Baranowski also suggested that town reform was motivated by the nobility’s fear that, if the towns did not
improve, the szlachta would have to bear a greater tax burden. Baranowski, Komisye porządkowe, 9-10, 16-18. On
towns in a state of ruin, see: Korzon, Wewnętrzne dzieje Polski, vol. II, 340-341; Józef Mazurkiewicz, "Lublin w
okresie reform (1764-1795),” in Dzieje Lublina, 170-172.
³ Much of Polish historiography focuses on the Duchy as a “reborn” Polish state and emphasizes Napoleon’s
hesitancy to grant a state to the anarchic Poles, a conceit that contemporaries also used. See: Kallas, “Koncepcje
organizacji nowoczesnej administracji,” 189-210; Goclone, Polska na królu pruskim zdobyta, 33-40; Czubaty, “The
partition period, Anglophiles in particular, have concentrated on the affairs of the central
government, as well as the relationship of individuals to the parliament and the ministries during
the period of Alexander I’s liberal constitutional experiment.4

Much like the propinacja reform, the policies of each successive regime were in fact the
practical application of new ideas on the proper relationship between the center and the
localities. Authorities from the period of Stanisław August forward saw the existing system of
local self government as the principal culprit for the problems of the country and envisioned a
rational chain of command and the promulgation of universal rules and policies as the solution.
This was not modernization, but merely the replacement of one form of government with
another, exchanging central control for a complex balance between monarchical power, local
government, and popular participation. Further, centralization imposed enormous costs,
particularly in the form of higher taxes and reduced political rights, and was unable to achieve
many of the goals which had been used to justify its imposition.

Overview: Lublin to 1832

Prior to the eighteenth century, the position of Lublin in the Commonwealth followed the
principles of delegated republicanism, in which the municipal government was balanced against
the town citizenry and the authority of the king. As elsewhere in the Commonwealth, the rights
and privileges of burghers in Lublin emanated from Magdeburg Law, granted by kings
Władysław I and Kazimierz the Great. These provisions allowed burghers to build defensive
walls and participate in their own courts. In addition, burghers could appeal cases directly to the

4 On local government see: Mencel, Galicja Zachodnia, 136-155; Mencel, "Organizacja i działalności administracji
miejskiej w Lublinie w latach 1809-1866,” Rocznik lubelski 4 (1962), 45-112; Kallas, Organy administracji
terytorialnej. On the relation of individuals to the state, see: Pienkos, The Imperfect Autocrat; Skowronek,
"Eksperyment liberalizmu parlamentarnego,” 1-14; Thackeray, Antecedents of Revolution; Smitt, Istoriia pol’skago
vozstania, 13-38.
king, by-passing the noble-dominated municipal and land courts (*sądy gródzkie i ziemskie*). The town magistracy was further allowed to levy taxes, in addition to the toll-collecting rights granted by the king, and make laws binding on all citizens.\(^5\) The community elected the aldermen (*ławnicy*) and the reeve (*wójt*) who presided over the lowest, criminal court, as well as the councilors (*rajcy*) for the greater and smaller town councils. In accordance with the preference of classical republicans from Aristotle through Machiavelli, town officials served pro bono, a fact which was thought to guarantee their independence from outside influence, though transaction fees and fines did supply certain honoraria to councilors. Indeed, other than compensation for the town secretary and a few other menial positions, the town required remarkably little funding to function on a day-to-day basis.\(^6\)

The smaller council, known as the magistracy, oversaw town property, made financial decisions, and served as a court of appeal from the reeve’s court. The town’s chief officer, known as the president, served for one-quarter of a year, and was chosen from the council according to the specific quarter: first by the starosta, then by the palatine, and, in the final two quarters, by the community. As elsewhere in Europe, particularly the Holy Roman Empire, the natural tendency of town councilors to form a closed oligarchy was checked by citizen activism and the king’s judicial oversight. In particular, a series of conflicts between the citizenry and the council in the seventeenth century about the powers and revenues of the latter compelled the king to dispatch commissioners to resolve the dispute, ultimately resulting in a court battle between the two sides at the royal Assessor Court in 1691. Notably, once the king had played his

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\(^5\) For an example of urban legislation, see: APL, KML 55 (“Akta luźne miasta Lublina, 1771-1791”), 4.
\(^6\) Pocock notes that the basis of one’s right to participate in a political community according to Machiavelli and his contemporaries was personal independence, i.e. the possession of property. A salary meant dependence and thus corruption. Pocock, *The Machiavellian Moment*, 466-467. See also: Mazurkiewicz, “Lublin w okresie reform,” 177-178; Riabinin, *Rada miejska lubelska*, 7-11, 15-25.
role in resolving the conflicts, the royal power retreated to Warsaw, leaving the town to run its own affairs.\textsuperscript{7}

Lublin actually housed a constellation of several different, interlocking, self-governing corporations. In addition to the burgher corporation, membership in which granted full civic rights in the town, burghers also belonged to guilds. As elsewhere in Europe, these organizations provided rights and benefits to members and performed judicial and administrative functions independent of the magistracy. In addition, a large Jewish corporation, over half the population of the “town,” inhabited the town. Originally, confined to the area outside the town walls, known as “Podzamcze,” Jews by the eighteenth century had become a prominent part of Lublin. Finally, the town’s territory hosted numerous jurydyki, autonomous enclaves on town property owned by nobles, monasteries, and bishops. In effect, mini private towns (See Chapter Four), jurydyki were independent of the magistracy and their patron usually ensured their exemption from town taxation. Although townsmen and publicists condemned jurydyki as parasites, the division of the town into multiple organizations with their own functions and autonomy was in general the presumed arrangement of society before the Enlightenment.\textsuperscript{8}

During the Renaissance, Lublin was a major commercial and artistic center of the Commonwealth, a nexus of trade between the Polish Crown and the Grand Duchy of Lithuania. As a result of numerous royal privileges and grants, the town corporation was able to collect significant sums from residents, foreign traders, and local villages, allowing for the construction


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of a number of churches, townhouses, and even sewer canals. In the seventeenth century, Lublin’s economic and material position suffered due to numerous wars, which brought destruction, numerous military extractions, and disease to the town. In the chaos between 1648 and 1719, many of the town’s sources of revenue were lost, abandoned, sold, or appropriated by nobles, often the town’s starosta. Meanwhile, the town magistracy proved unable to prevent the spread of tax-exempt jurydyki on territory owned by the town. After a brief respite under August III, the town experienced another wave of destruction and military occupation during the 1768-1776 civil war between the Russian-backed king and the Confederacy of the Bar, when Russian soldiers used Lublin as a base against the confederates. By the last quarter of the eighteenth century, Kajetan Koźmian and Adam Naruszewicz – both supporters of enlightened centralism – would present a picture of Lublin as full of empty houses and trash-covered streets, lacking trade, lighting, and police.

As already discussed, the conclusions drawn by king Stanisław Augustus was that Lublin, along with other towns, required the methods of enlightened centralization to prosper once again. Lublin escaped the propinacja reform due to its size, but the Department of Police did impose an alcohol tax on individual distillers after 1776. More significantly, the king dispatched a Good Order Commission to Lublin in 1780 for the purpose of improving and reorganizing the town to encourage greater economic productivity. These bodies, composed of nobles from the region, had extensive power to reorganize the town’s government, issue regulations, and establish town taxation and expenditure levels. Lublin’s Good Order Commission, chaired by

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9 A list of funding rights compiled by the Good Order Commission of Lublin reveals an extensive array of over forty grants from the fifteenth to eighteenth centuries. APL, Akta Komisji Boni Ordinis w Lublinie (KBO) 5 (“Akta, 1780-1790”), 11-18. See also: Stanisław Tworek, “Rozkwit miasta. Renesans,” in Dzieje Lublina, 80-88.
11 Mazurkiewicz, Jurydyki lubelskie, 98-111.
12 This viewpoint was shared by members of the Good Order Commissions. Baranowski, Komisje porządkowe, 31; Korzon, Wewnętrzne dzieje Polski, 340-341.
Kajetan Hryniewiecki, the palatine of Lublin and a supporter of the king, proved one of the most active and aggressive of these bodies. A Civil-Military Commission, established by the parliament in 1788, continued the work of the Good Order Commission until the final partition of Poland in 1795. In addition, the parliament created a central Police Commission in 1791, which had the authority and the power to control the financial and material decisions of the town council. Altogether, these measures succeeded in establishing central control over the composition and decisions of the town magistracy, and they were not without a legacy in terms of material improvements. Whether the Good Order Commissions and their successors produced economic improvement remains much more doubtful.13

After 1795, Lublin was incorporated into Austria’s new province of Western Galicia and subject to Habsburg absolutism. The Habsburgs initially allowed local self-government to a limited degree, but abolished all municipal elections in favor of centrally-appointed officials in 1805. In 1809, Lublin joined the Napoleonic Duchy of Warsaw. The Duchy reflected the French Emperor’s peculiar blend of enlightened absolutism and liberal individualism, emphasizing legal equality enforced by strong central control of the localities. The Napoleonic system substituted centrally-appointed officials and regulations for elected officers, but allowed limited power to locally-elected councils. Prefects, however, wielded the preponderance of local power. After the Congress of Vienna truncated the Duchy and transferred it to Russia, Lublin became the second largest city in the autonomous Congress Kingdom of Poland. From 1815 to 1832, the Kingdom enjoyed the “liberal” constitution granted by Emperor Alexander I, guaranteeing freedom of speech and the press while erecting a bicameral legislature. At the same time, Alexander’s

13 The Department of Police even worried in 1788 that town revenues were on the decline, despite the general economic improvement in the country. *Dziennik Handlowy y Ekonomiczny* (October, 1788), 688. Stanisław Staszic further mocked the idea that “internal order, the decoration of homes, and removal of filth” would populate the towns and improve the economy. Staszic, “Przestrogi dla Polski,” 106
constitution continued the Napoleonic system and new municipal regulations issued in 1818 abolished Napoleon’s councils, ending the last vestige of local control in Lublin.  

Each regime espoused slightly different principles, despite the similarity of their actions. The Good Order Commission and the Austrian government more-or-less accepted the Cameralist conceit that centrally-imposed control and precise regulations could promote greater productivity and more efficient tax collection. The Napoleonic government, on the other hand, grounded itself more in the presupposition that a powerful center could unleash productivity by removing the barriers of archaic tradition and local self-interest. Alexander’s constitution appeared to reflect the eighteenth-century liberal view of freedom as representation in the center and autonomy from local oligarchies. Nonetheless, with regard to Lublin, each government followed broadly similar policies and projected a remarkably stable disdain for the competency of local government. In each case, one can witness a similar reorganization of local government based on supposedly rational principles, a reliance on paid officials subordinate to the center, a large increase in taxation, and the promulgation of apparently ineffective regulations with regard to health, sanitation, fire-prevention, and mores.

One further continuity can be found in the names of those officials in Lublin charged with implementing the center’s reforms. In 1809, the president of Lublin, Benjamin Finke, compiled a list of officials serving in the Duchy and their administrative experience. The names

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15 Baranowski and Korzon have both noted that the Good Order Commissions, in their economic policies, favored a protectionist rather than liberal or Physiocratic position. Baranowski, Komisje porządkowe, 30-33; Korzon, Wewnętrzne dzieje Polski, vol. 2, 200-210. On Cameralism in the Holy Roman Empire, see: Wakefield, Disordered Police State, 16-25; Irmgard Platter, “Josephinismus und Bürokratie,” in Josephinismus als Aufgeklärter Absolutismus, ed. Helmut Reinalter (Vienna, 2008), 53-69.

16 On Napoleon’s policies, see: Woolf, Napoleon’s Integration of Europe, 96-97, 133-137. See Also: Smith, Wealth of Nations, 121-129.
of all the holders of the most important positions – Finke, Teodor Gretz-Gruel, Jakub Lewandowski, Jakub Świderski (who became town president in 1829) – had all been officials since at least the Constitution of the Third of May. Finke, who was president of Lublin from 1809 to 1817, had served as a councilor in 1793, a commissioner on the Civil-Military Commission, and president of the town under Austria from 1803 - 1805 (Though he neglected to mention this latter duty on the official list). Gretz-Gruel was also a councilor and former president, as was Lewandowski, who had been on the town council since 1786 and had represented the town during the burgher-rights procession in 1789 while serving as president. Another former president and councilor, Michał Lamprecht, together with Lewandowski, served on the municipal council after 1812. The exception was Marcin Poplewski, who served as president from 1817 to 1829, a name which does not appear in the 1809 list of officials or any other records.  

The salutary effects of centralization cannot be found in the demographic data from the period. As the table below indicates, the population of Lublin grew only at a slow rate until 1860, when the effects of the Industrial Revolution and the nineteenth-century population boom became evident. Naturally, much of the blame for Lublin’s demographic stagnation can be attributed to the frequent military occupations and wartime extractions, especially during the Napoleonic period. Nonetheless, the fact that Lublin in 1819 only contained two thousand more residents than in 1787 should be kept in mind when considering that taxation and expenditure policies of each government. In addition, the number of Christians and Jews remained roughly equal throughout the period, meaning that the number of town citizens with full rights was always a small part of the town. As opposed to the Russian Empire, where Jews in the former

Commonwealth towns were admitted to town councils, Jews in the Duchy and the Congress Kingdom remained second-class citizens.\textsuperscript{18}

Table 1: Population of Lublin, 1787 to 1827, 1860-1880\textsuperscript{19}

<table>
<thead>
<tr>
<th>Year</th>
<th>Christians</th>
<th>Jews</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1787</td>
<td>4,319</td>
<td>4,231</td>
<td>8,550</td>
</tr>
<tr>
<td>1797</td>
<td>Not available</td>
<td>Not available</td>
<td>9,433</td>
</tr>
<tr>
<td>1807</td>
<td>Not available</td>
<td>Not available</td>
<td>7,082</td>
</tr>
<tr>
<td>1819</td>
<td>5,650</td>
<td>4,953</td>
<td>10,603</td>
</tr>
<tr>
<td>1827</td>
<td>6,510</td>
<td>6,649</td>
<td>13,159</td>
</tr>
<tr>
<td>1860</td>
<td>8,445</td>
<td>11,300</td>
<td>19,745</td>
</tr>
<tr>
<td>1880</td>
<td>15,123</td>
<td>14,648</td>
<td>29,771</td>
</tr>
</tbody>
</table>

**Good Order Comes to Lublin**

The parliament of 1767-1768 is primarily remembered for Catherine the Great’s demand that a law on religious toleration be enacted, enforced by the arrest and exile of noncompliant Polish deputies. Enraged by Russia’s naked assertion of power, several confederacies formed to challenge the overly-compliant king and his supporters, ultimately resulting in the first partition of Poland in 1773.\textsuperscript{20} One laconic line inserted into the final legislation passed in 1768, however, also established a new form of central control over major towns:

\begin{quote}
And concerning the ancient alienations [of town property], we order our commissioners, whom we will name to our Good Order Commissions, in conjunction with the appropriate local authorities, to examine the funding of all charitable institutions in towns, cities and villages, and determine whether they are fulfilling their duties.\textsuperscript{21}
\end{quote}


\textsuperscript{20} See: Kitowicz, _Pamiętniki_, 160-174; Lubomirski, _Pamiętniki_, 29-32, 143-150; Rostworowski, _Ostani król Rzeczypospolitej_, 54-80.

\textsuperscript{21} “A względem dawniejszych alienyci, kommissarzom naszym, których na Kommissione boni ordinis wyznaczę będziemy, pomiarowanie cum ordinarius locorum zaleciemy żeby wraz cum ordinarius locorum w fundacyj szpitalów wszelkich po miastach, miasteczkach y wsiach weyrzeli, czyli im się zadoszyć dzieje?” VL, vol. 7, 352.
From these few lines, the king was able to charter commissions granted the power to establish courts for examining complaints about appropriated town property, re-organize magistracies, and issue regulations.

At first, the only commission was in Warsaw, but after the first partition, chartering these bodies became one of the few powers of the king not tied to the newly-created Permanent Council.22 Between 1778 and 1788, Stanisław August established more than a dozen such commissions for all the principal towns of the Commonwealth, including Kraków, Poznań, Wschowa, Lublin, Sandomierz, Wilno, Brześć-Litewski, and Łuck, though the commissions varied in their accomplishments and some never actually convened.23 In many cases, town residents or magistrates wrote to the king via the Department of Police and requested the appointment of a commission for their town, openly expressing hope that the court of the commission would award territories and income rights lost to nobles and officials.24 Indeed, a number of towns, including Lublin, regained lands, toll rights, and rents thanks to the work of the commissions and their surveyors, though the initial efforts of the commissioners had to be supported by the town treasury, usually through the propinacja monopoly.25

The Commissions had broad leeway to reshape towns according to their members’ own convictions, though many of their decisions were shaped by the lengthy, preexisting regulations.

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22 The partition Sejm of 1773-1775, acting under Russian pressure, reduced the king into basically the chairman of the Permanent Council, transferring many royal prerogatives into collegial powers. Most royal charters from this period use the phrase, “My, Stanisław Augustus, król polski . . . za zdaniem Rady Nieustającej” The charters for the Good Order Commissions, however are issued in the name of the king alone. For examples of the charters see: AGAD, Księgi kanclerskie 58, 129-134; Księgi kanclerskie 60, 40-11.

23 The commission for Volyhnia palatinate, despite repeated pleas from the town of Włodzimierz and its starosta, never seems to have convened. AGAD, ML VII 88, 398-401; ML VII 91, 223-225; See also: Baranowski, Komisje porządkowe, 11-14. Zienkowska argues that these ad hoc commissions actually increased decentralization, Zienkowska, Sławetni i urodzeni, 23-27.

24 See no. 23 above. In other instances, as in Brześć-Litewski (Brest-Litovsk), local nobles requested the commissions with regard with the resident burghers. ML VII 155, 14-15.

25 Towns with Good Order Commissions invariably wrote to the Department of Police to request the use of their propinacja fund for underwriting commission expenses. AGAD, ML VII 96, 265-267; ML VII 92, 288; ML VII 99 (PRN, Apr - Sept, 1781), 311.
of the Poznań Good Order Commission. Charted in 1780, the Lublin Commission took the attitude that its responsibility was to radically reform the town government and its finances. In the first five years of its activity, the Good Order Commission in Lublin reorganized the town government, created special accounts for road repair and billeting, compiled a list of the town’s revenue sources, levied new taxes, issued a plethora of regulations, and settled a number of disputes over land-ownership in its own court. At the same time, the Commission encountered resistance from the magistracy, the population, and the jurydyki at every step. As with the Department of Police, the Good Order Commissions had more authority than power, which necessitated using cooperation and good will in order to impose centralizing policies.

One of the Lublin Commission’s first reforms was perhaps its most radical. In 1782, Hryniewiecki issued an ordinance abolishing the Magdeburg Law tradition of electing four town presidents a year. The ordinance argued that the old tradition had lead to the election of “unqualified” officials who had alienated town property and neglected their duties, foremost among them revenue collection. To solidify this claim, Hrynwiecki’s commission compiled a list of forty sources of revenue, such as toll rights, ownership of village estates, and rents, that kings dating back to Kazimierz the Great in the fourteenth century had bestowed upon the town of Lublin. In 1782, the town imported revenue from ten of these sources, partially obtained money from six, and had completely lost or neglected to collect the revenue from the remaining twenty-four. To correct this problem, the commission decreed the annual election of a president and vice-president, with precisely defined duties. The president would be charge of overall administration and the town courts, while the vice-president would take charge of sanitation,

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26 These regulations were published by order of the king in 1780 and have been reprinted in: Tyszkiewicz, *Komisja Dobrego Porządku w Poznaniu*, 108-186.
27 APL, KBO 5 ("Akta, 1780-1790"), 11-18.
fire-prevention, building regulations, and other matter relating to the eighteenth-century concept of police.\(^{28}\)

Significantly, the Good Order Commission’s ordinance established salaries for the new officials, replacing the older system of pro bono service. This, again, represented a radical departure from tradition and the assumptions that underlied the town constitution. Magdeburg Law presumed that mayors and councilors would agree to serve for free out of civic virtue, as well as financial independence. For this reason, terms of service were short, but the powers vested in town officials were significant. Councilors had traditionally received certain compensations, from fines and transaction fees, but most were financially independent merchants.\(^{29}\) For Enlightenment thinkers, self-interest represented a much more important motive.\(^{30}\) Indeed, the commissioners explained the establishment of salaries as a means of preventing councilors from relying on fees and the sale of property (sometimes town property) for their livelihood. Ironically, the commissioners themselves served for free, taking money only for their secretary and chancellery expenses. The king even praised the patriotic virtue of the Wschowa Good Order Commission for serving without compensation, though expressing a desire to pay them.\(^{31}\)

Town magistrates did not seem to mind the requirement to collect salaries, and evidence indicates that the president and councilors of Lublin had only one complaint after 1782: their salaries were too low.\(^{32}\) In fact, the ordinance of the Good Order Commission ushered in a era of salaried officials in Lublin, the number of which would continually expand. In 1783, the Good

\(^{28}\) APL, KML 145 (“Kopie wyroków i rozporządzeń Lubelskiej Komisji Dobrego Porządku, 1782-1787”), 108-117.

\(^{29}\) Mazurkiewicz, “Lublin w okresie reform,” 177-178; Riabinin, \textit{Rada miejska}, 14-15; See also: Surdacki, \textit{Urzędnów}, 82-84.


\(^{31}\) APL, KML 145, 108-117; AGAD, ML VII 85, 170, 173-192

\(^{32}\) Jan Makarewicz, president of Lublin in the 1780s, made this complaint in correspondence with the newspaper, \textit{Dziennik Handlowy i Ekonomiczny}. Baranowski, \textit{Komisje porządkowe}, 44.
Order Commission approved a town budget with a little over twenty people receiving some form of compensation, of which seventeen appeared to be permanent town employees (as opposed to those hired for one-time jobs, see Appendix Two). In 1810, by contrast, Lublin budgeted for thirty-five permanent employees, including ten policemen and five chancellery officials, though the population of the town had actually shrunk since 1787 (See Appendix Four). By 1828, the budget allowed for thirty-nine employees, an increase partially due to the replacement of two alderman with four councilors, and salaries, compensation, and even retirement benefits consumed over one-half of the town’s revenue.³³

To pay for these new officials, the Good Order Commission took the initiative of raising taxes and fees on behalf of the magistracy. Before the eighteenth century, town funds, except in extraordinary times, were typically raised in large part via indirect taxes primarily falling on outsiders, such as storage fees, market, bridge and road tolls, as well as ownership of peasant villages and abandoned buildings in the town.³⁴ In 1782, Hryniewiecki complained that the town government of Lublin collected only 4,444 zlotys in revenue per annum, with an annual expenditure of over 5,502 zlotys. The Commission immediately decreed massive new taxes, including a levy (składka) on merchants and artisans, which netted over 5,000 zlotys in new revenue. In addition, the Commission demanded that the town citizens empty their pockets for two new, dedicated treasuries: the paving treasury and the quartering treasury, each collecting 3,000 zlotys per annum in direct taxes from town residents. These fines were in addition to the new tax on beer-makers and vodka-distillers instituted by the parliament and enforced by the Department of Police after 1776 (See Appendix Three).³⁵

³⁴ APL, KBO 5, 11-18.
³⁵ ML IX 105, 112, 159, 334.
To give some perspective, Tadeusz Korzon explains that one could rent a room in Lublin for 30 zlotys a year in the late eighteenth century, while 280 zlotys would provide for an absolutely minimal existence.\footnote{Korzon, \textit{Wewn\'{e}trzne dzieje Polski}, vol. 2, 92, 103.} The levies of the Good Order Commission and the Department of Police, 5,000 zlotys of direct contribution, 6,000 in taxes for two dedicated coffers, and over 9,000 zlotys on alcohol excise taxes, imposed 20,000 zlotys per annum, with the majority of these burdens falling on the relatively small merchant and artisan community. Not surprisingly, the Commission immediately encountered resistance. Indeed, in the first year of the levy, the Departments of Police, War, and Justice in the Permanent Council held a joint conference in response to pleas by Hryniewiecki for military assistance in collecting the new taxes, as sign that not all was going according to plan. The conference concluded that the Good Order Commission should rely on local authorities, meaning the magistracy and the starosta, to enforce its decisions. Though the commission managed to collect much, though not all, the money desired, in 1783 Hryniewiecki again requested military personnel to assist with extracting the levy. This time the Department suggested that Lublin employ its own militia.\footnote{AGAD, ML VII 89, 351-352; ML VII 91, 413-416.} Hryniewiecki summarized his problems to the king by complaining that the citizens of Lublin had become accustomed to disobedience due to their town government’s neglect and long-standing anarchy.\footnote{AGAD, ML IX 105, 334.}

The merchant community, for their part, sought assistance from central authorities in suspending the collection of the levy. Writing to Crown Chancellor Młodziejowski in 1783, the merchants requested that the government curb the ambitions of the Commission:

\begin{quote}
The Good Order Commission in Lublin has not finished even one part of [its work] and has already imposed [a tax of] twenty-thousand zlotys. From this money, one can expect that only a few debts will be settled, and the secretary of the Commission has profited to the amount of three hundred red zlotys. Most of these taxes are paid by merchants, who do not amount to more than two hundred,
\end{quote}
and the previous year’s significant tax has been raised to seven thousand zlotys. . . The merchants of Lublin therefore request of the His Excellency the Chancellor that he orders the suspension of the taxes for this year imposed by the Commission of Good Order. 39

The merchants continued by pleading with the chancellor that, if the taxes imposed for 1783 were collected, then they at least be cancelled after 1784. The Chancellor does not seem to have responded one way or the other, but after four years of diminishing returns, the Commission finally relented on the levies. In their place, the Commission rented out shops in the Municipal Gate, which was repaired using propinacja funds. 40

39 “Komissya Boni Ordinis w mieście Lublinie ieszcze y części jedney swoiego nieskonczyła, a już do dwudziestu tysięcy złotych polskich podatku nałożyła z tego funduszu dług tylko dawne niektore coby poczekać mogły zaspokoione, a pioro tey Komissyy do trzechset czerwonych złotych profitowało. Naywięcey podatku tego kładaębą kupcy ktorych niebędzie nad dwudziestu, y przeszłego roku, taż Komissiya, dość znany podatek nałożywszy tego roku niemal ad alterum tantum co do siedm tysięcy złotych Polskich, podwyszyła . . . Prozbą zatym iest kupców Lubelskich do JW Kancelerza Wiekiego Koronnégo, ażeby rozkazal wstrzymać exekucyę ułożonych na ten rok przez Komissyyą Boni Ordinis podatków.” AGAD, ML IX 105, 99

40 APL, KBO 5, 155-158; KML 145, 132-133; KML 197e (“Regestr percepty i expensy, 1796-1798”), 2-16.
Notably, a significant percentage of the new revenue was allocated to compensate the officials of the magistracy, who had previously served for free. Prior to the Commission’s arrival in Lublin, the town typically paid a salary only to support personnel, such as the secretary, the beadle, the treasurer, the executioner, and the night watchmen.\footnote{Riabinin, \textit{Rada miejska}, 14.} As can be seen from Appendix One, compensation of town workers in 1783 amounted to 6,508 zlotys, over half the projected expenses. If we deduct from this total the compensation for the treasurer, the beadles and guards, the executioner, the trumpeter, and the choirmaster, who received some income from the town prior to 1782, the commission nonetheless added 4,000 zlotys of expenses, or double the amount collected in 1781 by the town on its own, in order to pay for salaries. Whatever the justification, this fact cannot but have been apprehended by the community, who in the mind of Hryniewiecki, tried by all means to avoid paying their due. Like the members of the Department of Police, Hryniewiecki attributed this attitude to “disorder” and that fact that, “[the town citizens] see that the Commission has the power to order but no power to compel obedience.”\footnote{AGAD, ML IX 105, 90-92, 334.}

The Good Order Commission took issue not only with the amount of money the magistracy of Lublin collected, but the haphazard and disorganized means by which town officials kept track of their finances. Hryniewiecki explained to the king in 1782 that his commission was trying to impress upon the town citizens that, “they cannot be happy without government, and they cannot be governed without orderly financial records.”\footnote{“Bez rządu bydź szczęśliwemi a bez porządknych Regestrów bydź rządłemi nie mogą.” AGAD, ML IX 105, 334.} The Good Order Commission demanded that the town compose rational accounting records, but the records drawn up by Hryniewiecki’s commissioners indicated that the new system often overestimated

\footnote{Riabinin, \textit{Rada miejska}, 14.} \footnote{AGAD, ML IX 105, 90-92, 334.} \footnote{“Bez rządu bydź szczęśliwemi a bez porządknych Regestrów bydź rządłemi nie mogą.” AGAD, ML IX 105, 334.}
the capacity of the town’s potential, failed to account for extraordinary expenses, and even employed disingenuous accounting practices to plug the holes they had created.\footnote{The Good Order Commission’s list of funding sources presumes that the town could collect money from each of these items, which was evidently not the case. APL, KBO 5, 11-18.}

Perusing the income sources for 1783 from Appendix One, two suspicious items become apparent. First, the Good Order Commission calculated as income a contribution of 1,500 zlotys from merchants and distillers on the condition that Jews be expelled from the main buildings on the most important street outside the town walls. This sum, always listed under the category of “conditional income” appears as revenue in every budget from 1782 to 1787, though it is by no means clear that Lublin ever collected this money. The Commission did manage to resettle many Jews to the “Jewish town” outside the town walls, but whether this permitted the town to collect this money is unknown. However, given the resistance of the merchants and artisans to the levies ordered by the Commission, it seems doubtful that the same town citizens would voluntarily contribute 1,500 zlotys per annum for six years. Further, the 6,000 zlotys attributed to a wine tax was a pure chimera. Even the wording “could import” indicates the tentativeness of this item. Hryniewiecki himself admitted that he had no success in collecting these monies, and indeed income from wine never appears on any of the subsequent eighteenth-century budgets, for which reason, as shown in Appendix Four, income figures for 1783 were projected as much higher than any subsequent year.\footnote{AGAD ML IX 105, 9, 49-51, 90-92, 159-162, 311-313; APL, KML 145, 131-133.}

More common than income sources of questionable validity was the simple inability of the town government to collect the sums their superiors projected. In addition to the merchant and artisan levies falling short, the dedicated treasuries established by the Good Order Commission, such as the paving and quartering funds, never produced the expected results. In a 1783 letter to Sub-Chancellor Jacek Malachowski, Hryniewiecki requested additional money
from Warsaw, noting that the town had only collected 3,000 out of its 4,000 zloty target, and that with great difficulty. The Permanent Council did indeed grant funds to relieve the townsmen’s tax burden in 1784, but in subsequent years, the fund was replenished in the original way, from the pockets of Lubliners. The tax farmers for the towns propinacja fund similarly complained to the Department of Police in 1782 that many of the distillers refused to pay their tax, accusing Lublin’s magistrate of indifference as to whether they reached their targets. The “orderly registers” demanded by Hryniewiecki did not reflect the reality that the townsmen did not want to pay the exorbitant new sums demanded.

A final effort of the Good Order Commission involved reforms in the sphere of “police” in its eighteenth-century meaning of precise regulation and behavior-improving legislation. Since the local citizens, as Hryniewiecki phrased it, had become accustomed to their previous disorder, higher authorities would have to ensure that towns provided the conditions for prosperity and economically useful behavior. In this respect, the Good Order Commission and its successors followed the example of the German princes described by Marc Raeff, issuing specific, technical rules – as opposed to general guidelines – grouped into rational categories, such as public health, order, and fire prevention. Many of the regulations for Lublin were based on those devised by the Poznań commission and published in 1780. In fact, the number of rules and policies the central government deemed necessary were so overwhelming and, often, petty, that many, perhaps the majority, served more as a kind of bureaucratic “wish list” than a reality.

46 AGAD, ML IX 105, 112, 90-92, 159-162, 311-313.
47 AGAD, ML VII 91, 117-118.
48 de la Mare, Traité de la Police, i-x. Hegel shared La Mare’s idea that police entailed “the securing of every individual’s livelihood and welfare.” Hegel, Outlines of the Philosophy of Right, 215. 
49 AGAD, ML IX 105 (“Dokumenty dotyczące Lublina, 1780-1785”), 334.
50 Raeff, Well-Ordered Police State, 40-60, 125-136.
51 For the published regulations, see: Tyszkiewicz, Komisja Dobrego Porządku w Poznaniu, 108-186.
From the regulations issued by the Good Order Commission in May, 1784, one might well conclude that Lublin was in desperate need of good police. The twenty-three points under the rubric of public health required, among other things, that residents build canals for removing waste and refrain from throwing rotten food, feces, or dead animals on the streets. The dead animal issue must have been a major problem in the eyes of the commission, as a subsequent rule in the same document threatens a fine for throwing animal corpses on the street, which in turn was followed by an additional clarification of the subject:

If therefore some kind of animal corpse turns up in front of someone’s property, the owner of that property, or those living there, should immediately investigate and determine from where the corpse was dragged or thrown. Having determined the culprit, this person should report him to the sanitation inspector or the town prosecutor. If, however, the owner of this animal corpse is not found, the town master should be called immediately to remove it. If, due to neglect on the part of this person to inform the town master, a foul stench from the corpse arises . . . this person will have to pay him double for the removal of the animal corpse.\(^{52}\)

Further rules enjoined the citizens of Lublin not to throw broken glass, spoiled beer, or house water on the street. Residents were additionally instructed to sweep snow and ash from their front entrances and not to construct buildings near town sewer canals without prior permission. Finally, perhaps sensing a potential backlash against these new provisions, the commission strictly forbid Lubliners from scolding, chiding or beating any of the sanitation workers.

The police and fire-prevention regulations of the Good Order Commission also ranged from the obvious to the bizarre. These sets of rules contained provisions against releasing galloping horses, rabid dogs, or pigs onto town streets. No one could build any more wooden houses within town walls, nor could residents stockpile wood outside their doors. Owners of

\(^{52}\) The term *mistrz* used here, which frequently denotes “master craftsman” is that same term applied to the town executioner. “Gdyby zaś przed czyją posessyją jakowa zdechlna pokazała się, własciciel tyleż posessyi lub w niej mieszkańcy natychmiast dochodzić y śledzić powinien, zkądz taž zdechlna wywleczone, lub wyrzucona została, a doszedszy wyrzucającego, onegož dozorcy ochędostwa lub instygatowi doniesć, jeżeliby zaś włascicila tey zdechlny nie doszedał, mistrza o wywleczenie niezwłocznie rekwirować powinien, gdyby przez zaniedbane doniesienie mistrzowi fetor z zdechlny zrzadził, takowy . . . od wywozu zdechlny należytość mistrzowi w dwóynasob zapłacić będzie powinien.” APL, KBO 5, 61-62.
wooden homes could no longer keep stores of vodka or oil in their domiciles, and every homeowner now had to keep a tub of water and other fire-fighting supplies in his or her house. Tavern owners were ordered to light the entrances to their business at night, the town government had to regulate weights and measures, and the town and all its jurydyki were required to hire night watchmen. In addition to these more practical measure, the commission stipulated that anyone who wanted to display monkeys, dogs, or bears or put on a comedy show in town must obtain permission from the magistracy. Betting games in public places were forbidden under threat of participants being forced to return all winnings. The president was instructed to ensure that printers did not offend the Catholic Church, darken someone’s name, or promote violence. Finally, in an indication that the Commission had compiled its regulations from those used in larger, more prosperous towns, a rule stipulated that if the profession of carriage-drivers should ever come to the town, those carriage drivers needed to keep the carriages and horses well maintained, cleaning up after the horses and numbering the carriages in a visible way.53

The effectiveness of these regulations seems highly doubtful especially given the fact, as will be discussed below, that subsequent regimes issued the same regulations over the next forty years. The Good Order Commission in the town of Piortków, for example, complained that its regulations were abandoned as soon as the commissioners left town. In addition, the Department of Police in Warsaw received a litany of requests for military enforcement from the Commissions’ chairmen in order to compel obedience.54 The Lublin Commission also encountered resistance and “disobedience” to its writ. Much of the initial resistance to authority resulted from the long tradition of de facto if not de jure autonomy of Lublin’s jurydyki. The

53 This fact was also observed by Mazurkiewicz, “Lublin w okresie reform.” 171-172. APL, KBO 5, 64-69, 72-74.
54 AGAD, ML VII 93, 357-362, ML VII 91, 413-416, ML VII 155, 202-203.
magistracy had wanted to subordinate the jurydyki since the seventeenth century, in order to collect taxes from them. Despite laws passed by the Sejm abolishing jurydyki in 1656 and 1764, these enclaves retained their autonomy, often backed by powerful noble owners. In attempting to bring a uniform order to Lublin, the Good Order Commission had to confront citizens completely unaccustomed and unwilling to answering to the Lublin magistrate. Hryniewiecki’s repeated requests for military assistance often referred to the jurydyki specifically for refusing to pay the levies imposed on the rest of the town. The town magistracy also wrote the Department of Police complaining that the jurydyki did not pay the propinacja tax, which, president Makarewicz estimated, diminished potential revenue by up to 16,000 zlotys per annum.

In some cases, the Good Order Commission attempted to meddle in long-established practices, a fact often met by disobedience. The most intransigent character faced by the Good Order Commission was the Lublin town executioner (mistrz), who refused to execute anyone without special compensation. The court prosecutor for the Good Order Commission filed the following complaint in October, 1789:

The local executioner is paid by the town, has a free apartment, and collects incidental benefits. However, he refuses to execute criminals who have been imprisoned by writ of the prosecutor and sentenced to death without an additional payment. Since the prosecutor, not having money for this, has to bring greater harm to society by letting these criminals free, the court orders the reeve’s office to force the executioner to carry out [the court’s] orders without any additional compensation. In addition, the reeve’s office should assist with the execution in similar cases without claiming any payment for itself.

55 Mazurkiewicz, Jurydyki lubelskie, 56, 99-100, 111.
57 “Ponieważ mistrz tuteyszy jest od miasta płatnym, mieszkanie ma darmo, y accydensa wybiera, a Ŝe złoczynców . . . na instancją instygatora osadzonych, y na śmierć osadzonych, bez osobnej zapłaty exekwować niechce, y zatym idzie Ŝe instygator niemający na to expensy złoczynców na większe wpowszechności pokrzywdzenie wolno wypuszczać. Przeto sąd nakazuje się, aby urząd woytowski tegoż miasta w przypadku wyż wyrażonym rozkazem swoim do exekucyi przyzumiał, bez wszelkiej osobnej nadgrody. Jako też y sam tenże urząd woytowski exekucyi assistować w podobnym przypadku Ŝadnej nadgrody nie pretendiu. APL, KBO 4 (“Dalsza kontynuacja protokołu dekretowego sądu Komissyi Dobrego Porządku, 1788”), 121.
Here, the commission seems to have imagined that the work of the executioner was much like any other job, rather than one which few people would have been willing to perform. Also telling is the phrase “having been imprisoned by writ of the prosecutor,” which suggests that the executioner was perfectly willing to carry out his duties if the reeve’s criminal court made a pronouncement based on a complaint from another citizen, but demanded additional money when the prosecutor of the Good Order Commission decided to pursue a case on his own. In any case, the commission was unsuccessful in compelling the town’s punishment officer to follow its instructions. In fact, the commission ordered by a new round of levies in August, 1790, justified in part by the assertion that the executioner still refused to execute those criminals condemned due to the prosecutor’s efforts, which frequently lead to disturbances and crimes once those sentenced were released from prison.58

In 1788, the parliament established Civil-Military Commissions (komisje porządkowe cywilno-wojskowe) for each of the palatinates in order to oversee the conscription, payment, and quartering of the soldiers in a massively expanded army.59 These commissions became successors to the Good Order Commissions, only with a more uniform character and a larger range. As part of their military duties, the Commissions enforced a new system of internal passports designed, among other things, to prevent desertion, and required towns to man checkpoints and register visitors. In addition, Civil-Military Commissions established courts to hear complaints against soldiers and between parties who divvied up quartering duties in a given town. Finally, these Commissions assumed some of the police functions of their predecessors,

58 APL, KBO 4, 121, 125.
59 VL, vol. 9, 146-147.
issuing regulations on weights, road-repair, sanitation, and trade. These Commissions lasted until the final partition of 1795.

Notably, neither the Good Order Commission or the Civil-Military Commission in Lublin undermined the traditional watchdog role of town citizens. Indeed, citizens of Lublin used the courts of the new Commissions as a means to pressure the magistracy. In April, 1788, for example, the reeve, alderman, and the community of the citizenry summoned the president, Lewandowski, to court for making spending decisions without regard for the town council’s opinion.61 In 1790, Krzysztof Korn, the future president of the town, accused the magistracy of neglecting to repair roads to the Civil-Military Commission.62 The Civil-Military Commission also served as a forum for disagreements between he Jewish community and the magistracy over quartering duties. According to a certain pact, the Jewish community promised pay the town 1,000 zlotys per annum in lieu of finding quarters for seventy soldiers out of their one-hundred-eighty soldier allotment. Apparently, the magistracy, despite receiving the money, had sent one hundred seventy soldiers to the Jewish jurydyka of Podzamcze. The court ruled in favor of the Jews and ordered the magistracy to find immediate quarters for seventy-two soldiers, but the magistrate obviously did not consider the court’s decision pressing. Further complaints from the Jewish community indicate that the magistracy routinely sought to violate this agreement.63

In assessing the Good Order Commission of Lublin, historians such as Ignacy Baranowski and Józef Mazurkiewicz frequently discuss the material improvements enacted by

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60 Unlike the Good Order Commissions, which the king authorized individually, the Civil-Military Commissions convened in all parts of the Commonwealth. APL, KCW 1 (“Dziennik, 1790-1791”), 4-27; Księgi Komisji Cywilno-Wojskowej ziemi chełmskiej 1 (“Protokoł memoryałów 1790”), 1-65; TsDIAK, f. 41, o. 1, d. 2 (“Uniwersały Komisji porządkowej powiatu krzemienieckiego, 1790”), 12-23; f. 8, o. 1, d. 21 (“Raport do Komisji Cywilno-Wojskowej województwa i powiatu kijowskiego”), 2-4. See also: Kermisz, Lublin i lubelskie, 30-68.
61 APL, KML 145, 104.
62 The town government, for its part, claimed that the paving treasury had been depleted. APL, KCW 3, 24.
63 APL, KCW 3, 15, 21, 91
Hryniewiecki and his fellow commissars. Indeed, Hryniewiecki prevented the magistracy from tearing down the Kraków Gate, the main entrance to the town. The Commission found the funds to repair the gate, as well as the Municipal Gate leading to the starosta’s castle, using the latter space as real estate in which to lease stalls for merchants. Both of these structures continue to stand today. The population also grew during the Good Order Commission’s tenure, generally a sign of economic improvement. At the same time, whether the improvement projects of the Commission supported economic growth must be doubted. According to Korzon, the entire country experienced an economic expansion in the period of peace and relative stability between the first and second partitions, a fact observed by contemporaries. This growth could just as easily have come in spite of the increased taxation and cumbersome regulations of the Commissions. Certainly, however, Hryniewiecki’s Commissions helped accustom the townsmen of Lublin to the practices of centralization that would increase in subsequent years.

The Austrian Interlude

After the final partition of 1795 erased Poland-Lithuania from the map, the lands between Lublin and Kraków fell to Habsburg rule and were incorporated into the new province of Western Galicia. At first, the Austrian government, following a policy adopted after the first partition in 1772, allowed town magistracies to function as under the Commonwealth, only with extensive supervision and control by the district authorities (Kreisämter). Later, the Austrian government further modified this system by dividing the magistracy into judicial and administrative bodies. Habsburg officials shared the Good Order Commission’s suspicion

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65 AGAD, ML VII 88, 19-20.
66 Korzon, Wewnętrzne dzieje Polski, vol. 2, 201-210; Dziennik Handlowy i Ekonomiczny (October, 1788), 688.
67 Wacław Tokarz, Galicja w początkach ery józefińskiej w świetle ankiety urzędowej z roku 1783 (Kraków, 1909), 17-37; Mencel, Galicja Zachodnia, 21-53.
about the competency of local government. The *Kreisamt* authority in Lublin issued new regulations on a daily basis, including provisions concerning fire prevention, public health, bread prices, etc.\(^{69}\) One particularly specific regulation ordered the magistracy to forbid women to wear a certain kind of make-up. The *Kreisamt* in Lublin frequently scolded the magistracy for negligence in collecting taxes.\(^{70}\) Vienna also blamed town authorities for the fact that the population of Lublin had shrunk by 2,000 people between 1797 and 1807.\(^{71}\)

Under Austria, the number of officials does not seem to have dramatically increased, though the provincial authorities had thoroughly audited the town’s possible revenue sources and expenditures. A month-by-month budget from 1796 to 1798 shows regular outlays for beadles, watchmen, a chimneysweep, a stable-boy, a trumpeter, and an executioner. However, Lublin’s revenue, still calculated in zlotys, had fallen from a height of 10,455 zlotys in 1789 to 6,388. Nonetheless, Lublin paid a yearly salary to the president, reeve, the reeve’s secretary, the receiver (*syndyk*), a judicial officer, the police investigator, the quartermaster, the judicial prosecutor, and a church organist. Further, the magistracy regularly compensated various contract workers, such as smiths, for work around the town. The budget also indicates that the town paid to house, feed and clothe prisoners. Finally, in contrast to previous budgets, the cost of paper and stamped stationary had become a standard, monthly budget line, an indication of the number of regulations issued by the *Kreisamt*, as well as the amount of paperwork the Austrian government deemed necessary.\(^{72}\)

The Austrian government’s regulations do not allude to those issued by the Good Order Commission, though many of the provisions repeat the injunctions of the former commission. A

\(^{69}\) *APL*, KML 320 ("Rezolutje Magistratu, 1796-1798"), 82, 106, 113, 135; Akta miasta Chelma 18 ("Księgi różnych ustaw i rozporządzeń 1789-1801"), 33-36, 39.
\(^{70}\) *APL*, KML 320, 38-39, 43, 106, 113, 162.
\(^{71}\) Mencel, *Galicya Zachodnia*, 146-147.
\(^{72}\) *APL*, KML 197e, 2-16.
September 1797 regulation from the Austrian *Kreisamt*, for example, ordered the Lublin government to set prices for food, regulate the town’s weights and measures, repair the well, clear the animal corpses from the street, and prevent cattle from wandering freely around the town. The *Kreisamt’s* instruction to the magistracy to ensure that food not be sold “arbitrarily” appears to have provoked the most resistance. The magistracy dutifully issued periodic precise tables detailing the cost of coarse-ground, rye, and wheat bread according to weight. The *Kreisamt* itself directly set the price of wine, beer, and coffee.\(^73\) Price-fixing by provincial authorities had been standard practice in the Commonwealth, at least in theory, but the new provisions were met with passive resistance by the bakers. Between July, 1796 and May, 1797, the magistracy received three complaints from police officials that the bakers were under-weighing their bread and ignoring the price tables. In the first instance, the magistrate fined the bakers, in the second, all were sent to prison for three hours, in the third, one baker was expelled from the profession and others fined. The magistrate also had to reprimand butchers for including cartilage and bone when weighing their meat.\(^74\)

By the beginning of the nineteenth century, the Austrian government had resolved to reorganize the government of large towns, such as Kraków and Lublin, so their administration would not depend on the “caprice” of the population. In 1805, the Habsburgs abolished town elections in all the former royal towns of the Commonwealth. In their place, *Kreisamt* officials would appoint councilors and magistracy employees.\(^75\) Before further restructuring could take place, however, Austria found itself at war with Napoleon. In 1809, the army of prince Józef Poniatowski based in the neighboring Duchy of Warsaw, invaded and captured the main towns

\(^73\) APL, KML 320, 113.  
\(^74\) APL, KML 320, 32, 43, 61, 86, 162.  
\(^75\) Mencel, *Galicja Zachonia*, 145-147.
of Western Galicia, territories which, after Napoleon’s victory at Wagram and the subsequent treaty of Schönbrunn, joined the Duchy of Warsaw in the same year.\textsuperscript{76}

**Poland Reborn, Lublin Reorganized**

The Duchy of Warsaw was a Napoleonic satellite state established after the French army’s victory at Jena and the Treaty of Tilsit in 1806 and consisting of territory that Prussia had obtained from the second and third partitions of Poland.\textsuperscript{77} In 1809, the Duchy further absorbed Western Galicia and half of Eastern Galicia from the Austrian partition. After acceding to requests to revive a Polish “state,” Napoleon dictated a constitution that imposed a governmental system modeled on France, as well as the *Code Napoléon*. As with all the territories he reorganized, Napoleon instituted a strictly hierarchal system starting with the king, in this case the Saxon king Frederick August, and descending down to ministers, prefects, sub-prefects, and town magistracies as the bottom link in the chain.\textsuperscript{78} Town officials were appointed at the central level and subordinate to prefects and sub-prefects, who ensured that towns prepared budgets for central approval, announced government instructions, and fulfilled orders and regulations.\textsuperscript{79} At the local level, Napoleon made two concessions to civic participation: noble and town assemblies to elect deputies for the revived, but largely impotent, parliament, and municipal councils for the largest towns, including Lublin. The town community elected these latter councils for the purpose of assembling the annual budget and distributing the tax burden. Napoleon saw local participation as an enterprise that should operate within strict confines, as the law on noble and

\textsuperscript{76} Ignacy Lubowiecki, *Pamiętniki*, ed. Norbert Kasparek (Lublin, 1997), 79-96
\textsuperscript{77} Goclon, *Polska na królu pruskim zdobyta*, 20-39
\textsuperscript{78} On the Napoleonic system, see: Woolf, *Napoleon's Integration of Europe*, 96-102; Andreas Fahrmeir, “Centralisation versus Particularism in the 'Third Germany',” in *Collaboration and Resistance in Napoleonic Europe*, 107-120; For the Napoleonic Constitution, see: *DzienNIK Praw Księstwa Warszawskiego* (DPKW) I (1810), 2-4, 29-32; Kallas, *Organy administracji terytorialnej*, 10-18, 128-145.
town assemblies makes clear: “[At these assemblies] there will be neither place for agitation of any nature, nor voting on petitions or suggestions.”

The Constitution of the Duchy was the epitome of eighteenth-century liberal thinking, which promoted individual freedom from the tyranny of local government. Hugo Kołłątaj lavished praise on the Napoleonic system for its strict chain of command and uniformity of organization, which, he claimed, would abolish the old spirit of Polish provincialism. The co-author of the Constitution of the Third of May even declared that the Napoleon’s Constitution surpassed “the great good” done by his own creation. The president of Warsaw, Stanisław Węgrzecki, also praised the idea of local government as a cog in the great machine of the state:

Administration as it is – prefects, sub-prefects, municipal presidents, mayors and reeves – does not need to operate collegially, for the officials do not judge, nor do they do anything with their heads; they simply carry out the unequivocal regulations handed down to them, which even those governing must obey.

Stanisław Staszic, the famous publicist of burgher origin, also preferred the hierarchical system of Napoleon to the “arbitrary rule” of the nobility which had preceded it. In 1818, Minister of the Interior, Tadeusz Mostowski, voiced a similar theme in his historical account of the previous five years. He praised the action of the prefects and provincial authorities after the government of the Duchy fled to Kraków in 1813, but observed that they could not act in a coordinated or effective manner without the presence of the central government.

The Napoleonic Constitution of 1807 established the parameters of local government in Lublin from its annexation into the Duchy in 1809 until Alexander I issued new municipal

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80 „Żadne roztrząsanie, iakieykolwiek bądź natury, żadne uchwalanie prośb lub przelożeń nie będzie miało miejsca na Seymikach i Zgromadzeniach gminnych.” DPKW, vol. 1, 29-32. In addition, municipal councils were elected by the community choosing double the number of deputies, of which the king approved half. Kallas, Organy administracji terytorialnej, 142-145.
81 Kołłątaj, Uwagi nad teraźniejszym położeniem, 166, 182, 200.
83 Dyaryusz Seymu Królestwa Polskiego r. 1818, (Warsaw, 1818), 12-13.
regulations in 1818. The new laws ensured that local tyranny would not interfere with the state’s goals. The king had the authority to name all prefects, sub-prefects, town presidents, and mayors at his pleasure, meaning citizens had no opportunity to present possible candidates. Lublin, which was large enough to be classified as a municipality, had the right to elect a municipal council by presenting a list of sixty candidates from which the king would choose thirty.\footnote{The size of each town’s municipal council was established by the Constitution according to its population. DPKW, vol. 1, 35-36, 187.} According to the new organization, the municipal president was responsible for publicizing government decrees, keeping order, and managing town property. Aldermen, numbered in proportion to the size of the town – Lublin had two – would assist the president with his duties, the preponderance of which consisted of implementing regulations ordered by the prefect, whose office was housed in Lublin. All official town positions in the Duchy were paid, and Lublin had, in addition to the president and two aldermen, five chancellery officers, an archivist, a treasurer, a police chief and numerous others (See Table 3 in the Appendix for a complete list). The only unsalaried officials working in Lublin were the members of the municipal council, who according to the law, were expected to form the municipal budget, divvy up the tax burden, and present opinions on local administration to the prefect.\footnote{See: APL, AML 2740, 236-241; Kallas, \textit{Organy administracji terytorialnej}, 15-108.}

The Napoleonic system assigned more responsibility than authority to local officials. The town president, for example, was in charge of all officials working in the municipality, but had no power to fire or discipline any of them. In 1816, after the chaos from Napoleon’s invasion of Russia had cleared, the provincial authorities demanded that Lublin submit its budgets from 1811 and reprimanded President Finke for the delay of several years in compiling this information. Finke replied that the municipal council, and not he, was responsible for producing budgets. Indeed, the council had already informed Finke a year earlier that assembling the budget would
require more time and patience. Piotr Domański, head of the Provincial Commission, which succeeded the prefects after 1815, replied:

It is true that neither the Honorable President, nor the treasurer, but the municipal council, prepares budgets. However, the Honorable President was ordered to supervise and assist the municipal council in preparing the budgets for the deadline established by the prefect. Since he has not fulfilled this duty, the entire culpability will fall on him.86

Domański even levied an administrative fine against Finke of 8 zlotys, which was only retracted when the council presented its budget.87 The fact that Finke could not compel the council, or any municipal authorities, to act – having neither the power to fire or control over salaries – did not justify his lack of success to the provincial authorities.

Like the Good Order Commission and the Department of Police, officials in the Duchy of Warsaw assumed that unsupervised local authorities, even appointed ones, could not be trusted to manage the town’s finances. Maciej Jabłonowski, the prefect of Lublin, ordered the town to pay for elementary school teachers in 1811, without consideration of the fact, as the magistracy complained in 1817, that the town did not have funding for such an expense. The magistracy even observed that Lublin already possessed two former Jesuit academies supported by endowments and community contributions, but the prefect assumed that the town was underreporting its revenue.88 In demanding the 1811 budget, Domański worried to his supervisors that, “The town coffers, remaining without a budget for eight years and depending on an arbitrary distribution of the town’s property, have been exposed to the greatest possible damage.” He further added, “I do not want to be responsible for the arbitrary expenditure of the

86 “Prawda jest że ani sami W Prezydent, ani kassyer nieukłada etató w tylko rada municypalna, lecz skoro W Prezydentowi zalecono było dopilnować rady municypaney i oddać iey pomocy, aby w terminie przez prefekta oznaczonym ułożył etaty, należało tego dopelnić, gdy zaś niedopelnili, cała wina na niego samego spada . . .” APL, AML 2739 (“Etaty Kassy Miejskiej, 1809-1817”), 6-9.
87 Ibid, 27, 40.
88 APL, AML 2740, 236-241.
town coffers, and the disorder which must arise in the records from this.”  

Given this level of distrust, one can only marvel at the Minister of Finance, Franciszek Lubecki’s remark in 1822, that “Unfortunately, the situation of the government in a country as undeveloped as ours is that the government must take the initiative in everything and in every field.”

At the same time the Duchy of Warsaw was notorious for its legions of paid cadres, a fact even supporters admitted. A spectrum of citizens from everyday nobles, to Domnik Krysinski, a leader of the anti-state opposition, to Joachim Owidzki, himself an official in the transitional government, remarked on the proliferation of administrators at all levels. Indeed, Lublin’s budget for 1810 showed salaries consuming 39,165 zlotys out of an overall projected intake of 62,062 zlotys (63 percent). One should recall from the population figures presented above that Lublin in 1810 had no more, and probably less people than in 1787, yet now its administration required a chancellery with five paid secretarial officials to manage the paperwork. In addition, the Duchy instituted a much more intensive police structure, with a commissar, two inspectors, and ten patrolmen. As already mentioned, Jabłonowski also ordered the town to hire and pay a school teacher at its own expense. Further, the chancellery, as well as the jail, required stationary and heating fuel to operate year round, necessitating further expenses. Indeed, beyond expenses...

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89 “Kassa Ekonomiczna Miasta Lublina zostając bez etatów od lat ośmiu i zależąc od arbitralności w szafowaniu własnością Miasta, wystawione jest na naywiększy uszczerbek . . . Niechcąc się stać odpowiedzialną na szafunek arbitralnej Kassy Miejskiej, y nieporządek który z powodu upoważnionego podania koniecznie nastąpić w rachunkach musi.” APL, AML 2739, 98, 110. Regarding to the nomination of officials, Finke spent several months attempting to have Alexander Fiedorowicz selected as councilor, a process which required testimony from officials at every layer of government. AGAD, KRSW 3634, 2-4, 12.

90 Quoted in: Stanisław Smolka, Polityka Lubeckiego przed powstaniem listopadowem, vol. 1 (Kraków, 1907), 185-186.

for salaries, state taxes on property, and legal fees, Lublin only budgeted 4,156 out of 62,062 zlotys (6 percent) in 1810 for repairs, improvements, and cleaning.\textsuperscript{92}

In order to compensate these new officials, the Duchy of Warsaw required that Lublin collect every possible revenue to which it was entitled. As can be seen from the table in Appendix Three, many of the income sources in 1810 were identical to those recorded by the Good Order Commission in 1783. Indeed, just as officials of the Department of Police had once desired, the magistracy of Lublin was now required to farm out all sources of income to the highest bidder at open auctions.\textsuperscript{93} As can be observed from Appendix Four, the largest source of revenue by far was produced by the excise tax on alcohol, followed by rent from the six shops in the Municipal Gate, both of which were established under Stanisław August. The magistracy also received considerable income, at least on paper, from the two village estates owned by the town and leased to stewards.

In practice, the “approved” budgets of the Lublin magistracy reflected wildly optimistic projections of revenue, much like the rationalized budgets of the Good Order Commission. As can be observed from the budget commentary contained in Appendix Four, virtually all the salaries allocated for 1810 had to be diminished in 1816, due to the rosy projections on the part of the municipal council, as well as to the enormous outlays caused by Napoleon’s invasion of Russia and the subsequent occupation of Russian troops. In addition, the council had not foreseen the need for repairing and cleaning the town or the requirement to hire a school teacher.\textsuperscript{94} Further, magistracy officials were consistently unable to collect the sums projected. An audit of Lublin by the town inspector, Kazimierz Brandys, in 1820 revealed that the magistrate

\textsuperscript{92} APL, AML 2040, 178-184.
\textsuperscript{93} To appreciate the many steps involved in this process, see: AGAD, KRSW 3634, 7-8, 16. See also: APL, AML 2740, 236-241.
\textsuperscript{94} Ibid.
was owed 900,000 zlotys in back-due taxes and fees for the years 1809 to 1818. Brandys’s superiors expressed optimism that perhaps some of this money could still be collected, admitting, thought, that the likelihood of success was low. The state itself was one of the problems causing Lublin’s budget projections to flounder. A notation on town income for 1815 to 1816 explained that the sum of 16,808 zlotys which previously had been calculated into the budget could not be considered income, “because this amount includes rent from the town hall, which the state coffers regularly fail to pay.” In addition, the town treasurer explained, Lublin had to pay taxes to the government on behalf of its citizens, even when it could not collect them in full due to deaths and transfers.

The short duration of the Warsaw Duchy precludes a clear judgment of its effect on the townspeople of Lublin. One of the main functions of Napoleon’s satellites was to provide supplies and goods for the Grande Armée. In this respect the Duchy fulfilled its role, serving as both a launching pad and a source of money and food for Napoleon’s eventual march to Moscow. In the midst of military preparations and occupations, the Duchy established an administrative hierarchy for its own needs, which produced the appearance of a smoothly-functioning local government. In fact, the operation of this structure proved much more cumbersome and time-consuming than the new state’s apologists imagined. The system of mindless officials who carried out the will of the sovereign proved difficult to enact in practice.

**Alexander I’s Liberal Constitutional Experiment**

The final phase in our story begins in 1814 when Alexander I arrived in Warsaw at the head of a victorious Russian army, then in pursuit of Napoleon’s retreating forces, which at one point...
time had included 100,000 Poles. As a means of retaining the greatest amount of the Duchy’s
territory for himself in the face of Prussian and Austrian opposition, as well as winning over his
new subjects and promoting himself as a “liberal,” Alexander decided to grant the Kingdom of
Poland – the Duchy minus Poznań, Thorn, and Kraków – a constitution with liberal freedoms
and an elected legislature. In an act unimaginable to previous Russian tsars, Alexander even
swore on the Gospels to uphold and guard this new constitution.98

Many Poles were initially impressed with this document that ostensibly guaranteed
freedom of speech, the press, and habeas corpus, as well as provided for a two-chamber
legislature modeled on the ancient constitution of the Commonwealth. Kajetan Koźmian, who
served in the government, even complained:

Emperor Alexander’s Constitution was too liberal in its principles, less
appropriate and able to make this country happy than the Constitution of the
Duchy of Warsaw. It was less constricted and lacked brakes on our anarchical
nature, our long-windedness, and our addiction to fractious quarrelling with the
government.99

Though liberal on paper, all the levers of power belonged to Alexander and his viceroy, General
Józef Zajączek. In addition, Alexander kept watch on his new territory by placing his deputy,
Nikolai Novosil’stev, and his decidedly illiberal brother, Konstantin Pavlovich, in key positions
in the Kingdom. Freedoms guaranteed by the constitution were routinely skirted or ignored by
Alexander, Konstantin, and the Polish officials in charge of the day-to-day government.100

98 “Przyziam i przyrzekam przed Bogiem i na Ewangelią, iż Ustawę Konstytucyjnę zachowywać i zachowania iey
wszelkimi siłami przestrzegać będę.” Dziennik Praw Królestwa Polskiego (DPKP) 1, no. 1, 26. Previous tsars had
rejected any notion of a contractual monarchy. In a well-documented episode, the 1654 Pereslav’ negotiations
between the Cossacks and representatives of Aleksei Mikhailovich almost broke down over the tsar’s refusal to
swear an oath to uphold the agreement. See: Vossoedienie Ukrainy s Rossiei: Dokumenty i materialy v 3-kh tomakh
100 The Constitution also provoked a reaction from conservative elements in Russian society, such as Karamzin, who
believed that Alexander had betrayed Russian interests by not annexing Poland outright. Thackeray, Antecedents of
Revolution, 17-31, 110; Pienkos, Imperfect Autocrat, 30-31, 54. For a view of the Constitution as too liberal, see:
Smit, Istoriaia pol'skago vozstaniaia, 13-14, 17.
Whether by habit or design, the government and the Polish public, as represented by the parliament, increasing grew to distrust one another, and by 1822 Ignacy Lubowiecki, an official in the government, complained that “the spirit of autocracy” had crept into Alexander. 101

The liberality of the Kingdom’s central institutions was not reflected in the administrative structure, which remained largely unchanged. The central and provincial authorities became collegial rather than unitary. The Ministry of the Interior became the Governing Commission of Internal Affairs and Police (Komisja Rządowa Spraw Wewnętrznych i Policji - KRSW), headed by a Minister-Chairman. Prefects were abolished in favor of Provincial Commissions (Komisje wojewódzkie), while town inspectors who worked in circuits performed much of the supervisory functions of sub-prefects. 102 In 1818, Zajączek promulgated a new configuration of town organization, but the structure of top-down appointment and accountability remained in place. In fact, large towns such as Lublin lost their one remaining attribute of local expression, the Municipal Councils. After 1818, appointed city councils prepared the budget and tax burden in conjunction with the town president. 103 The November Uprising of 1830 and the subsequent Organic Statute of 1832, which revoked the Polish Constitution, did not alter the organization of the towns. The system essentially established by Napoleon remained in place, despite a minor interlude of self-government from 1861 to 1863, until Alexander II ordered a new restructuring in 1867, in response to the uprising of 1863. This final reorganization did not return any elements of self-government that had been undermined and abolished since 1780. 104

101 Lubowiecki, Pamiętniki, 169.
103 DPKP, vol. 6, no. 22 (May, 1818), 25-32; Mencel, "Organizacja i działalność administracji miejskiej," 68-69, 78.
The Constitution of 1815 presumed that the town structure would be changed, but only vaguely referred to municipal government as “the final link in the administrative chain.” The viceroy and the Minister of the Interior, Mostowski, supplemented these provisions with more specific regulations in 1816 and 1818, eventually issuing a charter for Lublin in 1819. Although the constitution had indicated that citizens might be able to express their voice in choosing municipal councilors, the 1819 charter flatly stated that the president and all councilors would be selected by the KRSW. Meanwhile, the Lublin Provincial Commission chose the remainder of the salaried officials. The patent allowed the magistracy to select for itself any officials that would work pro bono, none of whom had any major authority or responsibilities.\(^{105}\)

The KRSW under Mostowski assigned precise functions to the president and the four councilors in 1819, but in 1836 the Provincial Commission rearranged the duties after, it claimed, an internal audit had shown that official functions had not been precisely assigned or executed and that non-authorized personnel were working in the office. A comparison of the two systems can be found in the table below. Apart for a rearranging to the councilor’s duties, one can see an increased emphasis in the 1836 version on tax collection and police. Some of the loftier goals of Enlightenment rulers, such as statistics-collecting and education, have less prominence in the second version. Perhaps the second regulation had merely abandoned the compulsion for enumerating duties characteristic of the previous regulations. Another possibility is that the government had comprehended the limits of local government and settled on the questions of security and taxation as most important. In any case, the two lists seem to indicate an evolution of the state’s goals. Whereas the first schema presumes a more active and multifaceted government, one of the promises of centralization, the second has reverted to viewing local government as an element of the state’s security and taxation policies. In other

words, there is little that the 1836 regulation demands of the magistracy that officers operating under Magdeburg Law would not already have been doing.

Table 2: Duties and Responsibilities of Lublin Municipal Government, 1819 and 1836

<table>
<thead>
<tr>
<th>Officer</th>
<th>1819</th>
<th>1836</th>
</tr>
</thead>
<tbody>
<tr>
<td>President</td>
<td>Implements all regulations and decrees, directs the chancellery, presides over all council meetings, ensures collection of taxes, oversees auctions of town property. Cannot fire any councilors or town officers appointed by superiors.</td>
<td>President</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Responsible for internal order (chancellery work) along with councilors, and external order (police) along with police inspectors. Must preside over council sessions twice a week; also in charge of collecting back taxes.</td>
</tr>
<tr>
<td>Councilor 1</td>
<td>In charge of town property, statistics, guilds, elementary schools, building maintenance in private homes.</td>
<td>Councilor 1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Treasurer. Collects all town taxes.</td>
</tr>
<tr>
<td>Councilor 2</td>
<td>In charge of police, i.e. public safety, fire prevention, public health, inspection of weights, spirits; preventing begging and vagrancy; in charge of conscription and quartering.</td>
<td>Councilor 2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>In charger of quartering, together with quartermaster, and matters of military service.</td>
</tr>
<tr>
<td>Councilor 3</td>
<td>Treasurer – answers for the integrity of the coffers.</td>
<td>Councilor 3</td>
</tr>
<tr>
<td></td>
<td></td>
<td>In charge of police matters, including fire prevention and intestate wills.</td>
</tr>
<tr>
<td>Councilor 4</td>
<td>Secretary. Keeps protocols of meetings, helps other councilors with duties.</td>
<td>Councilor 4</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Secretary and Assistant to the president.</td>
</tr>
<tr>
<td>General</td>
<td>Councilors should meet with the president as a college to discuss matters involving the town. No one may leave the town without permission of the higher authorities.</td>
<td>General</td>
</tr>
<tr>
<td></td>
<td></td>
<td>No one can work in the magistracy without approval of the higher authorities. The archives need to be organized. The president and treasurer should not waste paper corresponding with one another.</td>
</tr>
</tbody>
</table>

Like the prefects in the Duchy of Warsaw, the provincial authorities in the Congress Kingdom employed a system of strict discipline on their lower-level cadres. In March of 1817

106 APL, AML 6, 12-19, 21-26.
Domański’s commission fined the town council eight ducats for failing to include explanatory notes in their budgets, and in May, 1817, the provincial commission threatened the president with a fine if he did not promptly collect the previous, eight ducat fine. The KRSW had other means of ensuring obedience. After 1816, all newly appointed mayors and town presidents were required to present a deposit (*kaucja*) to the central government of one quarter of their yearly salary. Held by the KRSW, these funds would ensure that town magistrates did not behave irresponsibly with the town’s money. Finally, in April of 1829, one year before the uprising and subsequent repression, the KRSW issued an order forbidding towns to make any spending decisions without the provincial commissions’ approval. In September, the order was re-issued, apparently due to instances of improper spending.

Lublin’s budgets following the municipal reorganization of 1819 reflect a further saturation of officialdom. The 1828 and 1829 projections assumed revenue streams of 109,978 and 110,093 zlotys, respectively. From the receipts, the magistracy paid salaries to an even greater number of officials, including four councilors, a surgeon, and a chimneysweep. Lublin now projected outlays of 42,177 (38 percent) and 44,192 zlotys (40 percent), respectively in compensation. That latter figure had risen on the assumption that increased revenue would allow the salary raises for the president (from 4,500 to 6,000 zlotys), the fourth councilor-secretary (from 2,400 to 2,600), and the two lower-level chancellery officials (from a total of 1,125 to 1,440). Under the reorganized administration, the municipal government was also responsible for compensating officials who assisted the inspector of towns (*dozorca miast*) for Lublin province, an official appointed by the central government to ensure order and regularity in town budgets.

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107 APL, AML 2739, 66, 83, 110-111.
108 AGAD, KRSW 36, 41-44; KRSW 7033 (“Zdawania rapportów komisji wojewódzkich, 1826”), 170-171.
109 AGAD, KRSW 41 (Raporty o miastach, 1829-1833”), 245.
With the increase in officials, the government had to find new sources of revenue to compensate them. Not long after the introduction of the new municipal organization, Kazimierz Brandys, the town inspector, argued that Lublin could collect 25,000 zlotys more per annum that it did, prompting him to establish obligatory expenses to encourage greater revenue collection. The zlotys in circulation during the Duchy and Congress Kingdom period, as can be seen by comparing the budgets in Appendices Two and Four, seem to have become significantly devalued since the time of the Commonwealth. Nonetheless, even in the inflated currency of the 1810s, we can observe a large spike in revenue after 1820. This large jump in revenue was not caused by inflation, as individual revenue sources and salaries remained the same. The alcohol excise tax, for example, brought in roughly the same amount of money in 1828 as in 1816.

Rather, the government added two massive new tax burdens: a tax on entrepreneurs (podatek konsensowy) and a newly re-established tax on traders entering markets and fairs (called variously konsumpcyjny or kopypkowy). Together, these two items netted 35,641 zlotys in 1828.

At the same time, salaries for most officials did not change, and the ten policemen working for the magistrate continued to receive their annual salary of 360 zlotys per person. Even when the magistracy raised more money than necessary to meet its basic obligations, the town had to transfer any projected surplus, which in 1828 was estimated at 3,266 zlotys, into the hands of the KRSW, which could spend these monies according to its estimation of the requirements of the town and its surroundings.111

Under the Kingdom of Poland, the central and provincial authorities continued to compose and dispatch regulations for the magistracy to enforce, many of which mimicked those originally issued by the Good Order Commission and the Austrian authorities. The first omnibus

111 APL, AML 2741, 7-9.
set of regulations were transmitted in 1817, but due to the apparent lack of observance, the provincial commission felt the need to reiterate the same provisions in 1824 and 1828. Many of the safety and fire-prevention rules were direct copies from the 1780s: no leaving one’s cellar doors open onto the street, no building without permission, no galloping horses in town, etc. Again, the government repeated – this time threatening a six zloty fine for violators – that it was not acceptable to thrown trash, feces, or animal corpses onto the street, adding:

And because this type of disorder has crept into many of the residents of Lublin, the president should specifically pay attention to it, and a place outside the town should be designated for carrying trash and waste.112

The provincial commission also added rules for commerce on holidays, playing music at taverns (only twice a week), and writing numbers on houses. Renewing the rules in 1824, the commission reprimanded property owners for piling feces in their internal courtyards, which caused terrible disorder during rain. Townsmen were also reminded not to feed pigs in their homes or even at taverns. The 1824 version came with a threat to fine the president and magistracy for lax law enforcement, while the 1828 renewal reissued these threats and demanded a report for the magistrate as to how these regulations were to be implemented.113

Perhaps, as Raeff has suggested, the repetition of these regulations eventually improved the habits of the town citizens.114 Another explanation of these repeated rules would propose that the virtually untrammeled powers of the central government with theoretically complete control over the provinces was unable to solve problems that the town magistracy had overcome in the Renaissance. Rulers from the Good Order Commission forward massively overestimated their ability to impose new mores and blamed the “negligence” and “incompetence” of local

authorities for their failures. The question, to which we will never know the answer, is whether the magistracy of Lublin, given time, peace, and autonomy, could have more effectively improved the habits of its citizens in accordance with contemporary scientific advances. All that can be stated is that the regulations of the four successive governments, over a period of sixty years, seem to have passed almost without notice.

Conclusion

If the post-partition powers were ineffective in changing habits and behaviors, they succeeded in the goal of imposing centralism. Absent from the documentary record of the Duchy and the Congress Kingdom period is any echo of the complaint made by Hryniewiecki in 1782: “[The commission] would consider itself happy and could make the royal town of Lublin ordered, clean, and, eventually, attractive, if only the town were subordinate to [it] exclusively.” 115 The lack of repressive power is the primary difference between the Commonwealth’s early reform efforts and the Congress Kingdom under Nicholas I. Each layer in the bureaucracy established by the Duchy had the power to punish subordinates through fines and fees. The magistracy, through the town police, could fine citizens, while the provincial commission and the KRSW could discipline members of the magistracy for tardiness and disobedience. As can be seen from Appendix Three, police fines became a regular line the municipal budget, increasing to a projected 500 zlotys in 1828. In 1828 and 1829, the town turned these fees over to the city inspector’s coffers and set targets as to how much would be collected each year. 116 As already shown in previous sections, the provincial commission levied fines on the Lublin magistrate for various offenses, including failure to pay previous fines. 117

115 “Szczęśliwą by się uznala Komissya Boni Ordinis, gdyby od niewy samey dependowalo Miasto WKM Lublin jako nasytny rzadnym y ochydznym, a potym ozdobnym uczynić.” AGAD, ML IX 105, 334.
116 APL, AML 2740, APL 2741, 7-9.
117 APL, AML 1013 (“Kary admistracyjny, 1820-1843”) 2; AML 1014 (“Kary adminstracyjny, 1830-1860”), 1-6.
Who could imagine, in such circumstances, the town executioner refusing to do the government’s bidding or certain parts of the town exempting themselves entirely from tax collection?

One could also argue that enlightened centralism brought badly needed material improvement to Lublin. Unlike virtually every other town nearby, Lublin was large enough to merit the interest of higher authorities. King Stanisław August donated money for the construction of buildings in Lublin, in addition to funds provided by the Permanent Council to compensate for budget shortfalls.\(^\text{118}\) Austria, too, identified Lublin as one of the towns which the Kreisämter were encouraged to support and rebuild, though little was done between 1795 and 1809.\(^\text{119}\) After Lublin’s incorporation into the Kingdom of Poland, the successive chairmen of the Lublin Provincial Commission, Domański and Ignacy Lubowiecki, concentrated much of their efforts on rebuilding and improving Lublin. In fact, the chairmen were required to file reports with the KRSW every year, which included detailed charts of the material improvements in the province. Reports from 1823 and 1827 indicate that Lublin received the lion’s share of the government’s attention. In 1823, for example, Lublin received 25,971 out of 53,121 zlotys (48 percent) earmarked for improvement projects in the province.\(^\text{120}\) Indeed, any visitor to Lublin today can appreciate the Kraków and Municipal Gates, the town hall, and the castle (used as a prison in the nineteenth century), which were all restored or rebuilt in the period covered in this chapter.

Lubowiecki, who was chairman of the Lublin Provincial Commission from 1822 to 1831 took special pride in his achievements in Lublin, boasting that more was built in Lublin during his nine-year tenure than anywhere else in the Kingdom. Unfortunately for some of his efforts,

\(^{119}\) Mencel, Galicja Zachodnia, 141-153.
\(^{120}\) AGAD, KRSW 39 (“Raporty o miastach, 1824-1826”), 7-13.
such as a proposal to establish a cloth factory in Lublin, the central government did not always share his priorities. As Lubowiecki complains in his memoirs:

The Prince Viceroy in the Kingdom of Poland, that is rather the Russian Grand Prince Konstantin, who through the Viceroy was really ruling in this country, granted the greater part of the funds for distribution to Warsaw, as though this one city were the entire country.\textsuperscript{121}

This comment encapsulates the cost of these centrally directed material achievements, which is precisely their dependence on the center. Between 1780 and 1832, decision-making power over even the most minute budgetary considerations was transferred from the elected Lublin magistracy to the central government. The magistracy could not spend money on improvement projects without Lubowiecki, and he could not obtain the money without Zajączek and the grand duke.

The transfer of political power from the town magistracy to the center produced other problems as well. Central officials, such as Hryniewiecki, Jabłonowski, Domański, and Brandys established goals, deadlines, and tax-collecting targets based on presumptions and information not connected with local realities. In fact, the presumption that local officials were lazy, greedy, and negligent fed the tendency to establish unrealistic expectations of the town’s capacity. At the same time, the rational impulse to categorize jobs fueled an explosion of officialdom in a town that had largely functioned for centuries on a skeletal administration. Finally, the assumption that lists of precise regulations on fire-prevention, sanitation, and police would alter behavior and produce more responsible and productive citizens did not prove realistic.

If, in the eyes of reformers such as Hryniewiecki, Magdeburg Law had ceased to provide a framework conducive to solving the problems of the age, the presumptions of enlightened

\textsuperscript{121} "Książę namiestnik w Królestwie Polskim, czyli bardziej wielki książę rosyjski Konstantin istotnie przez namiestnika w tem kraju rządzacy, większą część funduszów rozrządonych oddawali Warszawie, jakby jedne miasto całym było krajem." Lubowiecki, Pamiętniki 171-173.
centralism fared little better. True, authorities backed by coercive force could raise significant
sums of money and enact material improvements more effectively than town officials worried
about arousing the ire of their fellow citizens. At the same time, such improvements then depend
on the continued interest and solvency of the center. Further, the costs in terms of significantly
increased taxation, incessant rules and sharply curtailed political rights must be weighed. Indeed,
Alexander I’s constitution perfectly illustrates the danger of such enlightened centralism. The
political power of intermediary institutions having been abolished between 1780 and 1818, the
civil rights of individuals came to depend solely on the grace of a sovereign who could proclaim
a liberal constitution one day and nullify it the next.
Chapter 3:
Supervised Self-Government: Ukrainian Royal Towns under Tsarist Administration

Self-Government as Centralization

If the town of Lublin experienced a continuum of centralization leading to the complete abrogation of self-government, a different fate awaited the Commonwealth’s Ukrainian towns. Incorporated into the Russian Empire in the partitions of 1793 and 1795, the major towns of Poland-Lithuania’s eastern borders were compelled to accept a model of provincial organization that employed self-government and elections as tools of centralization and administrative integration. Catherine the Great’s provincial reorganization of 1775 and the 1785 Charter to the Towns established to basic parameters of Russian control in the former Commonwealth, replacing Magdeburg Law with a system of supervised self-government.\(^1\) Unlike the Napoleonic system, the Russian administrative model accepted the validity of local elections in principle. At the same time, Russian emperors modified specific provisions of their own legislation to accommodate perceived local peculiarities. For example, Russian state officials hesitated to allow elective town dumas in Ukraine, citing the region’s demographic and historical differences with the Russian heartland, in particular the large Jewish and Polish populations. Catherine’s cosmopolitan regulations – which encountered their own difficulties in the core provinces – served in Ukraine as an instrument of a conscious nationality policy, predating the November Insurrection of 1830, that equated competence and loyalty with Russianness.\(^2\)

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\(^2\) On nationality policy in the Western provinces prior to 1830, particularly with regard to the question of religion as a marker of loyalty to the Empire, see: Mikhail Dobilov, *Russkii krai, chuzhaia vera: Etnokonfessional'naia politika imperii v Litve i Belorussii pri Aleksandre II* (Moscow, 2010), 68-108.
This chapter will examine the integration of certain royal towns in Poland-Lithuania's Ukrainian provinces into the Russian Empire, with a particular focus on the specific changes in the rights and privileges of self-government in Ukraine, as well as the meaning of these transformations for understanding Russian institutions of local self-government. Six towns, originally located in the Commonwealth’s southeastern palatinates, form the basis of this study. The towns, which were integrated into the two guberniia of Volhynia and Podolia under Russian rule, are listed below. Chronologically, this chapter parallels the previous discussion of Lublin, beginning in last decade of the Commonwealth and continuing through the first decade of the nineteenth century, to conclude in the first decade of tsar Nicholas I’s reign. Due to archival limitations, certain gaps in the record are unavoidable. The broad overview nonetheless has the benefit of presenting snapshots of this transformation over a long period, with a particular focus on the pre-partition and post-partition periods, as well as the era immediately following the November Uprising of 1830.

Table One: Towns Discussed in this Chapter

<table>
<thead>
<tr>
<th>Polish Name</th>
<th>Status in the Commonwealth</th>
<th>Russian Name</th>
<th>Status in the Russian Empire</th>
</tr>
</thead>
<tbody>
<tr>
<td>Żytomierz</td>
<td>Capital, Kiev palatinate</td>
<td>Zhitomir</td>
<td>Capital, Volhynia guberniia</td>
</tr>
<tr>
<td>Łuck</td>
<td>Capital, Volhynia Palatinate</td>
<td>Lutsk</td>
<td>District town, Volhynia guberniia</td>
</tr>
<tr>
<td>Krzemieniec</td>
<td>Royal town, Volhynia palatinate</td>
<td>Kremenets</td>
<td>District town, Volhynia guberniia</td>
</tr>
<tr>
<td>Włodzimierz</td>
<td>Royal town, Volhynia palatinate</td>
<td>Vladimir (Volynskii)</td>
<td>District town, Volhynia guberniia</td>
</tr>
<tr>
<td>Kamieniec-Podolski</td>
<td>Capital, Podolia palatinate</td>
<td>Kamenets-Podol'skii</td>
<td>Capital, Podolia guberniia</td>
</tr>
<tr>
<td>Mohylów</td>
<td>Private town, Podolia palatinate</td>
<td>Mogilev</td>
<td>District town, Podolia guberniia</td>
</tr>
</tbody>
</table>

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3 I use the Polish term when referring to the Commonwealth period or referencing a Polish-language document, and the Russian name for the imperial period or when referencing a Russian-language document. The exception is Kiev, where I use the commonly known Russian name rather than the Polish Kijów or the Ukrainian Kyiv.

4 A district town was the capital of a district (uezd), the territorial subdivision below guberniia.
In promulgating the provincial and town reforms, the Catherine the Great declared her intention to establish autonomous town corporations and cultivate an estate of entrepreneurial townsmen across the empire. For the Magdeburg Law towns of Volhynia and Podolia, however, the model of self-government established by the Charter primarily entailed a significant loss of financial and political autonomy. Corporate self-government in the Russian Empire was an element of centralization and control, promulgated and designed by Enlightenment-era rulers to serve the state’s interest. Like their counterparts in Napoleonic Poland, Ukrainian towns now faced direct subordination to centrally-appointed institutions of auditing and control. The right to elect members of the town magistracy did not alter the reality that Russian provincial authorities – the governor, the treasury chamber and the gorodnichii – controlled the resources and approved the most minute decisions of local government. For self-governing towns with a history of active citizen involvement and continuous internal conflict, adjusting to life in the Russian Empire meant accepting the transfer of authority from town citizens and patriarchs to impersonal and distant authorities, whose interest in a given town’s affairs could be capriciously irregular or rigidly demanding.

At the same time, the exact configuration of the institutions introduced into Ukraine became embroiled in the nationality politics of the empire, particularly the bureaucratic assumption that laws designed for Russians could not apply to foreign populations. Nineteenth-century governors and administrators altered Catherine’s universalist reforms in Ukraine to reflect the large Jewish population of Ukrainian towns, as well as the different financial powers of Ukrainian towns. Further, the state decided to withhold the full range of self-governing institutions in Ukraine, even before the 1830 November Uprising. In this respect, Russian

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5 Polnoe sobranie zakonov Rossiiskoi Imperii (PSZRI), ser. 1, vol. 22, no. 16187, 358-359.
6 Dobilov, Russkii krai, chuzhai vera, 75-81; W. Bruce Lincoln, Nicholas I: Emperor and Autocrat of all the Russias (Bloomington, Ind., 1978), 239-252.
centralization differed widely from the Napoleonic model employed in the Duchy of Warsaw and the Congress Kingdom of Poland, based on the precise replication of institutions and forms designed in France. For whatever reason, the Russian government could not employ a similar hierarchical structure as the Congress Kingdom in the empire proper, but the state’s behavior in the peripheral territories of Volhynia and Podolia suggests that many administrators would have preferred the Napoleonic system to their own model of supervised local elections.

**Ukrainian Towns in the Commonwealth**

The region of Volhynia and Podolia, part of “Right Bank” Ukraine, shared the tradition of corporate self-government with other towns in the Commonwealth and Central Europe. Originally part of Rus’, the towns of Ukraine were incorporated into the Grand Duchy of Lithuania in the fourteenth century. In 1396, the dynastic union of Poland with Lithuania brought Volhynia and Podolia into the sphere of East Central Europe, and the grand dukes began replacing the more centralized Ruthenian organization of the towns with Magdeburg Law. Grand Duke Alexander’s 1497 privilege of the town of Łuck, for example, affirmed that the town thereby be exempted from supervision and taxation by territorial officials and that the burgers be granted freedom of profession. Successive royal endowments in the ensuing years increased the rights and privileges of the townsmen, and the Łuck townsmen reminded royal officials in 1789

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7 For the institutions of the Napoleonic Duchy of Warsaw and the Congress Kingdom of Poland, discussed in Chapters Two and Five, see: Kallas, *Organy administracji terytorialnej*; Mencel, “Organizacja i działalność administracji miejskiej,” 45-112; Senkowska-Gluck, “Les institutions napoléoniennes,” 541-547; Thackery, *Antecedents of Revolution*.


9 AGAD, Archiwum Skarbu Koronnego (ASK) XLIX 18 (“Lustracja starostów w województwie wołyńskim, powiecie luckim i wlodzimierskim leżących, 1765”), 6-8. On the Magdeburg model, see: Groicki, *Porządek sądów miejskich*. For the earliest dates of Magdeburg Law privileges, see: SG, vol. 3, 748 (Kamieniec Podolski); vol. 4, 776 (Krzemieniec); vol. 14, 169 (Włodzimierz), 901 (Żytomierz). On the Union of Lublin and the transfer of Ukrainian territories, see: Dembowski, *The Union of Lublin*, 148-163; See also: Bogucka and Samsonowicz, *Dzieje miast*, 58-76.
that their town had the same rights as those of Lublin, Kraków and Vilnius, including locally-elected courts and officials, freedom of trade, and the right of *propinacja*.

The palatinates of Ukraine did differ from the more central regions of the Polish Crown by virtue of certain geographical and political realities. Always a borderland of the Commonwealth, the towns of Volhynia and Podolia could more easily escape such regulations as the Department of Police’s *propinacja* law due to their distance from Warsaw. Recall Chairman Adam Szydłowski’s 1782 complaint that, “the towns of Ukraine and Lithuania could well say that no Department of Police exists.” In addition, Ukraine was a territory in which vast tracts of land were concentrated in the hands of a few, powerful elites, who often occupied positions as starostas of the major towns. When, in accordance with the 1776 *propinacja* regulations, the burghers of Krzemieniec presented a request to spend their fund to the Department of Police, the government in Warsaw was unable to obtain the required supporting testimony of the starosta. Lithuanian Grand Marshall Karol Sanguszko, the starosta, one of the most powerful men in the country, ignored four separate letters from the Department, aware that his indifference would have no repercussions. The starosta of Łuck in the 1780s, Prince Józef Czartoryski, was no less a formidable political force, though he stood on the side of the king and enlightened reform.

Indeed, both Czartoryski and Franciszek Ledóchowski, the starosta of Włodzimierz, lobbied the king repeatedly to charter a Good Order Commission for the towns of Volhynia. For reasons not entirely clear, the Good Order Commissions demanded by some of the most prominent members of the Commonwealth and supported by the towns themselves never materialized in much of Ukraine. Only the Good Order Commission for Żytomierz actually

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10 AGAD, ASK XLVI 20 (“Lustracja powiatu luckiego 1789”), 34.
11 AGAD, ML VII 90, 400.
12 AGAD, ML VII 87, 144-147; AGAD, ASK XLVI 20, 23-30.
convened, beginning its work in 1783. Żytomierz, the capital of Kiev palatinate since the annexation of Kiev, was a tiny settlement in comparison to Lublin. The chairman of the Good Order Commission for Kiev palatinate, Stępkowski, even claimed that, before his arrival, the town of Żytomierz “[had] more closely resembled a village for several decades . . . and the residents did not know their own rights and freedoms.” Since the propinacja rights of the Żytomierz burghers had been suspended pending a lengthy, costly, and ongoing court battle with the starosta, the Good Order Commission had few funds to leverage for improvement projects. The only accomplishment of the Commission was to secure approval from the Department of Police for the town to float a loan of 30,000 zlotys to rebuild the town hall.14

The Polish-Lithuanian government only became a permanent presence in all the towns of Ukraine after 1789, following the establishment of Civil-Military Commissions by the parliament. As in Lublin, the Commissions required that town magistracies issue and inspect new, internal passports designed to capture deserters, and the new institutions took responsibility for matters of police and sanitation. In Żytomierz and Krzemieniec, the Civil-Military Commissions ordered towns to pave roads, as well as to records the births, marriages, and deaths of non-Christian residents. Further, the Commissions attempted to take charge of public health in the towns, requiring doctors to present their qualifications for verification.15

As in Lublin, institutions of central control like the Civil-Military Commissions found their efforts frustrated by communities that were unaccustomed to following orders from above. The Civil-Military Commission of Żytomierz was unsuccessful in compelling towns to enforce

14 AGAD, ML VII 91 (Protocol, 1782-1783), 453; TsDIAK, f. 13, o. 1, s. 1 (“Zhitomir, aktovaia kniga, 1782-1787”), 188-211.
15 TsDIAK, f. 8, o. 1, s. 15 (“Zhitomir, aktovnaia kniga, 1791”), 436, 455; f. 13, o. 2, s. 6 (“Tsirkularnye rasporiazheniia Grazhdansko-Voennoi Komissii, 1790”), 13-15; f. 41, o. 1, s. 2 (“Uniwersal Kommissyi Cywilno-woyskowej powiatu krzemienieckiego”), 12; f. 8, o. 1, s. 21, 1.
the passport regime or even to post watchmen to guard against runaway conscripts. In addition, magistracies and citizens ignored regulations with regard to road improvement and public sanitation. A certain Wilczkiewicz complained in 1791 that, as he was riding through Żytomierz with the personal effects of a local military commander, his three-horse carriage overturned when it hit a giant pot-hole, causing the valuables in his care to fall into the mud. Many of the artifacts, including a Turkish pistol, were lost, and he complained to the Civil-Military Commission that “all these damages resulted from the disorder of the town.” Wilczkiewicz requested that the Commission impose some form of punishment on the town magistracy for negligence, but the magistracy blamed the irresponsible citizenry. Claiming to have ordered the citizenry to repair and shore up the roads in front of their possessions, the magistracy excused itself with the claim that would have been familiar to Hryniewiecki: “no one obeys.”

In addition to their internal constitution, the towns of Volhynia and Podolia also mirrored their counterparts in the Commonwealth in their broader social composition. Ukrainian burgers also coexisted with large Jewish communities and jurydyki. As with other Polish-Lithuanian towns, the burghers of Ukraine lived in a state of continuous competition and occasional cooperation with those latter groupings. The complex relations of the various town parties tended to absorb the attention and focus of town residents. Townsmen evinced a tendency to view officials of the central government as essentially interchangeable sounding-boards for their own problems. As the Department of Police, the Good Order Commissions, and royal auditors discovered, the arrival of central agents in a towns was immediately met with complaints, counter-complaints, and testimonials from local residents.

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16 TsDIAK, f. 13, o. 2, s. 6, 15. On similar frustrations in the Lublin Civil-Military Commission, see: APL, KCW 3, 14, 17, 24-25.
17 TsDIAK, f. 8, o. 1, s, 15, 454-455.
18 TsDIAK, f. 13, o. 1, s. 1, 210-211; AGAD, ML VII 79, 738-742; ASK XLVI 20, 23-39
In one telling episode, the burghers and Jews of Krzemieniec petitioned the central
government with complaints about the others’ violation of an agreement on burden-sharing and
*propinacjaa*, without regard to the fact that the Commonwealth had fallen and a Russian general
was now responding to their correspondence. Between 1794 and 1796, the magistracy of
Krzemieniec complained to the central authorities in Warsaw that the Jews in town were failing
to pay the taxes mandated by a 1786 decision of the Assessor Court. Although the letters were
originally addressed to the magistracy in Warsaw and the Crown Chancellor, the Russian
commander in Warsaw, General Bukshedyn, replied to the complaints with promises to
investigate. Unperturbed, both the Jewish community and the magistracy now addressed to the
Russian general their same complaints, with the same wording and the same expectation that the
laws, rights, and court decrees would be respected. Only in July, 1795, after responding to a
number of complaints from this town, did Bukshedyn suspend the case until new, Russian courts
could be established. By bombarding the new authorities with these appeals, the residents of
Krzemieniec were, in a sense, explaining to the new authorities how the old system worked and
voicing the assumption that the rights they enjoyed would continue.

**Urban Government in the Russian Empire**

The Russian Empire did not have the history of local self-government, to which the
residents of Krzemieniec were accustomed. As historians such as J. Michael Hittle and Boris
Mironov have observed, the concept of a town as a legal corporation with rights specific to its
citizens did not exist until 1775. Corporate self-government in Russian towns appeared not in
connection with Medieval European decentralization, but as part of the center’s efforts to

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19 TsDIAK, f. 20, o. 1, s. 44 (“Kremenetskii magistrat, 1794-1796”), 106-114, 179-181, 220, 301.
increase tax revenue and better control the provinces. Pre-Petrine towns in Muscovy were an amalgamation of unrelated communities under the rule of a military governor (voevoda), with rights and duties little different from peasant villages. The main population of the town, the *posadnye liudi*, paid direct taxes to the government in exchange for their right to share the communal grant of the *posad* (the area within the town walls). Other inhabitants of towns, such as government servitors, soldiers, monasteries, and wealthy merchants (*gosti*) received exemption from town obligations, as they performed different types of service for the tsar. Whereas *jurydyki* in Poland-Lithuania primarily damaged the revenue of the towns, tax-exempt enclaves and residences in Russian towns increased the communal tax burden of the *posadnye liudi* towards the state. In fact, the nineteenth-century urban historian A. Kizevetter argued that urban petitions to the Legislative Commission of 1767 were largely concerned with maintaining a broad tax base and forcing non-tax-paying residents to share in the burdens of the town community.

The urban legislation of Peter and Catherine intended to increase the tax-collecting potential and administrative efficiency of the empire through the use of urban corporations modeled on Central Europe. The 1699 *burmistr* reform created an elected mayor to govern the entire town in place of the military governor, but at the cost of doubling the towns’ tax obligations to the state. A further reform in 1721 established magistracies, or town councils, to exercise police, judicial and financial power in the towns. These magistracies never enjoyed the self-governing powers of their counterparts in Holland, Germany, and Poland-Lithuania, as they were immediately subordinated to higher authorities in St. Petersburg and charged with

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22 Hittle, *The Service City*, 77-83; Mironov, *Sotsial'naia istoriia Rossi*, 488-491
implementing orders from the central government. In Central Europe, urban self-government and centralization were dynamically opposed forces. Central control only triumphed after a protracted struggle, accompanied by resistance and sabotage at the local level. In contrast, Peter’s reforms actually established elections and other forms of local control for the purpose of imposing central power more effectively. As an indication of the state’s conception of town officials, members of the magistracies received positions in the table of ranks.23

Catherine’s 1775 provincial reform and the 1785 Charter to the Towns attempted to further Peter’s administrative changes by making the towns into financially-independent corporations. As emphasized by Isabel de Madriaga, Catherine’s towns were conceived as administrative centers for control of the provinces, and her legislation required the creation of numerous “towns” out of peasant villages.24 In accordance with Enlightenment practice, Catherine’s reforms delineated the precise role and organization of towns based on a unitary model meant to apply to all parts of the empire.25 The Charter enumerated a list of revenue sources available to towns, including the right to lease the local tavern and collect one percent of the return from the government’s alcohol monopoly. Further, posadskie liudi were freed from their communal tax obligation in favor of direct taxation. In addition, the reforms created a new town body on top of the existent magistracy, the duma, as well as a town president, the gorodskaiia golova. In theory, the duma was a council for disposing of the town’s financial resources, representing all components of the town - town citizens, merchant corporations, artisans, foreign merchants, notable citizens, and tax-payers. These six groupings would elect

23 In this way, the towns of Russia resembled their counterparts in eighteenth-century France, which were also subordinated to a variety of territorial officials, such as governors and intendants. Further, in towns such as Toulouse, membership on the city council conferred nobility. See: Nières, Les Villes de Bretagne, 411-439; Schneider, Public Life in Toulouse, 277-290. For a more specific comparison of Russian reforms with those of central Europe, see: Raeff, Well Ordered Police State, 190-240. Kupriianov, “Gorodskaiia demokratiia,” 31-33; Hittle, The Service City, 83.
24 de Madriaga, 287-290.
members for a general duma, which in turn would send one person from each cohort to a six-man duma, the actual decision-making body.\textsuperscript{26} The elected magistracy and mayors remained, primarily as a lower-level civil and criminal court, and Catherine’s reforms created new institutions for the towns, such as an orphan court.

In practice, Catherine’s reforms strictly circumscribed the competency of town governments. The 1775 provincial reform granted enormous supervisory power to the guberniia governor, partially by placing this official in charge of two institutions concerned with town business: the police and the department of social welfare (prikaz obshchestvennogo prizreniia). The police now answered to the governor, not the magistracy. Further, the new department of social welfare now had jurisdiction over schools, hospitals, workhouses and orphanages.\textsuperscript{27} In addition, the 1785 Charter limited town expenditures to three categories: salaries for town officials and police, the construction of schools approved by the department of general welfare, and town construction. Any expense beyond those stated would require approval of the governor, and towns had to submit their financial records for review by yet another state institution, the provincial treasury chamber (kazennaia palata).\textsuperscript{28} Further, Eroshkin observes that town revenues often funded typically state institutions, such as prisons, barracks, and customs barriers, indicating that the empire viewed the municipal coffers as state resources as much as sums for local administration.\textsuperscript{29}

Catherine’s reforms, then, attempted to create urban corporations based on Enlightenment-era conceptions about the proper role of towns. Enlightenment thinkers were

\textsuperscript{26} PSZRI, ser. 1, vol. 22, no. 16187, 382-383.
\textsuperscript{28} Again, the parallel with France is striking, as the intendant had the right to control all expenses after 1683. TsDIAK, f. KMF 11, o. 1, s. 94 (“Otechy podol’skogo grazhdanskogo gubernatora, 1804-1809”), 131. On the institution of the kazennaia palata, see: Moriaikova, Sistema mestnogo upravleniia, 133-140. On the case in France, see: Schnieder, Public Life in Toulouse, 278-280.
\textsuperscript{29} PSZRI, ser. 1, vol. 22, no.16187, 381-383; Eroshkin, Istoriia gosudarstvennykh uchrezhdienii, 141-143.
largely hostile to self-government and local autonomy, and the 1775 and 1785 reforms reflect an attempt to balance that hostility and desire for control with the goal of devolving power. As may be expected, the first impulse emerged victorious. In fact, Catherine’s reforms approach the ideal of Cameralist thinkers much more than the practice of other European monarchs, who would have to wait for the Napoleonic conquests to achieve comparable centralization in their countries.\(^{30}\) In essence, Catherine’s form of supervised self-government merely made town citizens responsible for choosing the officials who would enact the government’s commands, and the habit of auditing local elections and procedures could not instill in state officials any feeling other than disdain for the choices of the town residents. At the same time, Catherine’s reforms reflected the cosmopolitan idealism of the Enlightenment, and the empress intended her model to apply throughout the empire, serving as a means for integrating new territories into the fold.

In addition to tightening state supervisory power, the 1775 and 1785 laws engineered a legal separation that would become unique to Russia: the division between merchants (kuptsy) and townsmen (meshchane). Although the Charter referred to all inhabitants of towns as meshchane, the new law also established three merchant corporations (gil’dy) based on wealth. Enrollment in the corporations granted exemption from corporal punishment and the necessity of serving in the military, establishing a de facto separate estate.\(^{31}\) In time, members of the merchant corporations were excluded from the poll tax like noblemen, and the state began to envision this new soslovie as the natural leader of the town. According to Kupriianov, merchants could decline positions in the town government that they considered unworthy of their status.\(^{32}\)

\(^{30}\) On the relationship of Napoleonic era rulers to self-governing towns, see: Andreas Fahrmeir, “Centralisation versus Particularism, 107-120; Walker, German Home Towns, 145-215

\(^{31}\) PSZR, ser. 1, vol. 22, no. 16187, 366-370; Ryndziuski, Gorodskoe grazhdanstvo, 44-50; Hittle, the Service City, 216-224.

\(^{32}\) Kupriianov, “Gorodskaiia demokratiia,” 35-44; Ryndziuski, Gorodskoe grazhdanstvo, 44-51; Eroshkin, Istoriia gosudarstvennykh uchrezhdenii, 195-198; Mironov, Sotsial’naia istoriia Rossii, 494-495; Hittle, The Service City, 233-236.
In Russia, corporate self-government came to be based on a legal hierarchy not found elsewhere in Europe.

**Magdeburg Law vis-à-vis the Charter to the Towns**

Although the urban constitution established by Peter and Catherine differed in function, purpose, and design from Magdeburg Law, the Russian state was perfectly familiar with the mechanics of the latter. In fact, the incorporation of Volhynia and Podolia into the Russian Empire marked the tsar’s fourth annexation of towns governed by Magdeburg Law. On each occasion, the tsarist government pursued a different combination of accommodation and centralism. The first absorption of such towns occurred with the incorporation of Kiev and Left Bank Ukraine in 1686 (de facto under Russian control since 1654). Although Catherine extended elements of her provincial and urban charters to the towns of Left Bank Ukraine, Magdeburg Law remained the official administrative and judicial form in these towns until 1831 (1835 for Kiev). Peter the Great’s conquest of Riga and the Baltic provinces brought further Magdeburg towns into the Russian Empire. Then, the easternmost towns of Lithuania joined the empire in 1772. These towns also received confirmation of their rights and privileges, though the subsequent provincial and urban legislation were applied to the region. Ironically, four years after the partition, the Polish-Lithuanian parliament itself annulled Magdeburg Law in most towns of the Grand Duchy of Lithuania. Burghers from Lithuania now emigrated to Russia, seeking to settle in the only remaining Magdeburg Law towns in the region.34

Despite the practice of local elections in the Russian Empire, the self-government delineated in the Charter differed dramatically from Magdeburg Law, and the transition from the latter to the former produced a number of concrete changes. In the first place, Magdeburg Law

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presumed independent, local control of town finances, whereas the Russian model required that
state authorities audit and approve all non-routine expenditures. Indeed, one of the pretexts for
abolishing Magdeburg Law in Kiev was the complaint of tsarist officials that the town council
had misappropriated town funds and regularly failed to balance expenditures with revenues,
suggesting that Kiev did not answer to the dictates of the governor or the treasury chamber until
1835. In Ukraine, the late eighteenth-century reforms of the Poniatowski government had
reduced the fiscal autonomy of the self-governing towns, but, already discussed success in this
endeavor was narrow and short-lived, particularly in Ukraine.

In addition to questions of fiscal control, Ukrainian and Russian towns differed in terms
of the type of revenues which the magistracies could collect. One important source of funding for
larger towns in the Commonwealth was landed property inhabited by serfs. The Charter to the
Town did not list peasant lands as a possible sources of revenue for towns, and Catherine denied
the petitions of Left Bank Ukrainian towns to retain their serf lands after these territories were
incorporated into the guberniia system. Much more important in terms of total revenue
generated was the Magdeburg Law towns’ right of propinacja, discussed in Chapter One. In
Russia proper, the production and sale of alcohol belonged to the tsar, and the Charter allowed
towns a meager one percent of the revenue the state received from this monopoly. Ukrainian
towns, particularly after the 1776 propinacja law, received the lion’s share of their funding from
this locally-collected alcohol tax, though the central government demanded the right to control
its allocation. Further, town magistrates in Ukraine served pro bono, and there is no evidence that
the Żytomierz Good Order Commission instituted salaried officials as in Lublin. In Russia, town

35 Hamm, Kiev, 19-22.
36 Kohut, Russian Centralism, 211-213.
officers received salaries and, outside of the wealthy capitals, revenue sources were often meager, both factors contributing to chronic budget shortfalls.\(^{37}\)

The elected members of Russian towns also contended with much more extensive political supervision than their counterparts in the Commonwealth. In the Russian Empire, town citizens elected their local magistrates, including the duma and magistracy members, but the governors retained the authority to confirm or annul the townsmen’s choices. Kupriianov observes that governors frequently abused this power and overturned town elections with little pretext. Further, governors could also fire town officials and call for new elections.\(^{38}\) Finally, the governor’s responsibility for police officials meant that town magistracies had little ability to control or influence these officials. Rather, police authorities, in the guise of the officially-chartered ispravniki (constables) or provincial gorodnichii – the head of police in district towns – could become de facto town bosses. Nonetheless, one should remember that the degree of political control offered by the Russian Empire to its incoming Ukrainian towns was considerable when compared to the situation of towns in the Duchy of Warsaw and the Congress Kingdom of Poland, where a centralized hierarchy appointed officials at all levels throughout the nineteenth century.\(^{39}\)

In addition to the formal, political distinctions, Ukrainian towns differed from those in Russia proper by virtue of their social compositions. In the first place, all correspondence and official documents were recorded in Polish, reflecting the largely Polonized culture of the Commonwealth’s towns in the eighteenth century. Secondly, the legal division between merchants and townsmen codified in the 1785 Charter found no equivalent in Poland-Lithuania.


\(^{38}\) Kupriianov, Gorodskaja demokratija, 37-40; TsDIAK, f. 442, o. 1, s. 2324 (“Delo o otstavlenii prezidenta kremenetskogo magistrata, 1837”), 1-4.

\(^{39}\) APL, AML 6, 12-19.
True, merchants typically occupied the top positions on town councils in the Commonwealth, but no legal barriers prevented artisans and guild members from exercising power. Merchants may have contributed more money towards the town coffers when the magistracy ordered a levy, but all town citizens had to pay the Commonwealth’s hearth tax. Towns without significant merchant populations could and did govern themselves, despite the condescending assessment of members of the Good Order Commissions. Further, election to a town office brought no corresponding benefits from the central government such as enrollment in the table of ranks. Therefore, in opposition to Russian practice, office-holders in Magdeburg Law towns could move from more prestigious positions to less without detriment to their social standing.  

In addition, Ukrainian towns contained large Jewish populations, often comprising over half the town’s inhabitants. Organized around their own self-governing body, the kahal, Jews often lived in their own, segregated settlements on town property. Under the Commonwealth, Jews in royal towns did not participate in magistracy elections, and Jewish contributions to the town coffers and town quartering burdens were performed on the basis of private agreements with the Christian burghers, often the subject of acrimonious litigation. Russian officials had encountered Jewish populations before, after annexing Left Bank Ukraine, Kiev, and the territories from the first partition. As is well known, Jews in the Russian Empire were restricted to the so-called Pale of Settlement, meaning the lands seized from the Commonwealth and the Tatars. Despite some level of familiarity, Russian officials appeared surprised by the extent of Ukraine’s Jewish population, particularly by the fact the Jews carried out most of the trade in the small towns. As with “enlightened” publicists in the Commonwealth, the Russian administrators

40 As discussed in Chapter Two, the same names appear in various positions on the town council throughout the period in question. See: Riabinin, Rada miejska lubelska.
tended to view Jewish communities as deceitful and cunning, and accommodating Russian rule to the presence of this population would become one of the primary concerns of the Volhynian and Podolian governors.\(^{43}\)

**Administrative Integration**

In order to absorb territories with such vastly different institutions and practices, the Russian Empire had historically balanced its centralizing tendencies against accommodation to local practices. Catherine and her successors, though, showed far less flexibility towards the self-governing towns and corporations than her predecessors had with regard to Left Bank Ukraine. In 1792, the empress ordered that the towns of the newly annexed territories receive the Charter to the Towns. In addition, the four palatinates of Ukraine were reconstituted as *guberniia* with administrative institutions based on the 1775 statute. Initially, the territories from the second partition became part of the newly-created Minsk, Iziaslav, and Bratslav general-governorship, but after the third partition, the lands were again reorganized into Volhynia and Podolia *guberniia*.\(^{44}\) Zhitomir, the capital of Kiev palatinate under the Commonwealth, became the capital of the newly constituted Volhynia *guberniia* (Kiev *guberniia*, centered on Kiev, now included mostly Left Bank Ukraine) in 1804. Lutsk was downgraded to a district town, ostensibly because Zhitomir possessed better infrastructure. Kamenets-Podol’skii remained the capital of Podolia *guberniia*, which now included the territories of the former Bracław palatinate.\(^{45}\)


\(^{44}\) PSZRI, ser. 1, vol. 28, no. 21364, 403. At some point in the confusion of the partitions, Zhitomir became a private town. Before it could become the capital of Volhynia, the Russian government had to buy the town from Count Ilinskii. See: PSZRI, ser. 1, vol. 27, no. 20481, 328-329.
On the other hand, Catherine did allow towns to retain certain exemptions and privileges. For example, the royal towns of Right Bank Ukraine received confirmation of their right to raise money through the sale of alcohol. Further, a Senate decree of 1797 confirmed the rights and privileges of all the newly-annexed towns. As in Napoleonic Poland, this decision appears to have allowed towns to collect the same types of revenue as before, not to govern and judge themselves in accordance with Magdeburg Law. The Russian state also allowed the kahal to continue, despite the reservations of some officials that this institution represented a “state within a state.” Finally, the new regime allowed Jewish communities to participate in urban government for the first time. Indeed, up to one-third of the positions on the town magistracies were now reserved for Jews. This latter innovation resulted in part from a deliberate policy of resettling Jews in towns, which the empire made obligatory in 1823.

On balance, the Russian government was more interested in integrating these territories than accommodating itself to their peculiarities, and the townsmen of Volhynia and Podolia had to adapt to the mechanisms of control and inspection established by the 1775 provincial law. First and foremost, this meant that towns now had submit to the role of the civil governors. Initially subordinate to the Ministry of Internal Affairs, the governors of Podolia and Volhynia fell under the jurisdiction of the Kiev, Volhynia, and Podolia military general-governorship after 1832. As representatives of the tsar’s authority in the provinces, governors received wide latitude to enforce the law and oversee the state and self-governing institutions of the provinces. In addition to the governors’ political prerogatives to approve elections and discipline officials, the guberniia authority collected statistics and information from towns. Further highlighting their supervisory roles, the governors often personally conducted inspection tours of the towns to

evaluate the effectiveness of their governments.\textsuperscript{48} At the same time, the power and ability of the governors to effect change was severely curtailed by the short tenure of their posts. Rarely did governors serve longer than three-year terms in a given province, a practice replicated in Podolia and Volhynia.\textsuperscript{49}

As the reports to the MVD and the general-governors indicate, governors in Volhynia and Podolia wielded virtually all fiscal authority previously belonging to the towns. In their annual reports from the beginning of the nineteenth century, the governors demonstrated that the financial decisions of the magistracies rested in state hands. The early reports contain only information about population, revenue, and certain expenditures, including magistracy and police salaries, as well as certain mandatory expenses. As Vladimir Ivanovich Chevkin, governor of Podolia, wrote in 1807, certain commissions under the governor’s authority established each town’s obligations with regard to the latter category, which included heating and lighting officers’ quarters, as well as paying for postal services. The town had to collect money for these obligations through a direct contribution from merchants and artisans. Further, Chevkin explained that all town expenditures received approval from the governor, and magistracies submitted financial reports to the treasury chamber on an annual basis. The governor also apparently set the salaries for town magistrates and police officials. As Table Two indicates below, the amounts were roughly similar regardless of population size. The town of Vladimir,

\textsuperscript{48} Moriakova, \textit{Sistema mestnogo upravleniia}, 40-54.

\textsuperscript{49} In the 1830s, none of the governors of Volhynia and Podolia served longer than four years. Some of the governors discussed in this chapter include the Volhynian governors A. Rimskii-Korsakov (1831-1835) and Nikolai Vasil’evich Zhukovskii (1835-1837); as well as the Podolian governors Fedor Petrovich Lubianovskii (1831-1833) and Grigorii Sergeevich Lashkarev (1833-1834, 1835-1836). See: Fedor Petrovich Lubianovskii, \textit{Vospominания 1777 - 1834} (Moscow, 1872), 307-315; \textit{Russkii biograficheskii slovar’}, ed. A. A. Polovtsov, vol. 10 (St. Peters burg, 1914), 119; vol. 13 (St. Petersburg, 1902), 96.
for example, had to impose an additional contribution just to raise enough money to pay its officials their full salaries in 1806.\textsuperscript{50}

Table Two: Expenditures in Volhynia and Podolia as a Percentage of Revenue, 1806 and 1835\textsuperscript{51}

<table>
<thead>
<tr>
<th>Town</th>
<th>Year</th>
<th>Magistracy Salaries</th>
<th>Police and Fire Salaries</th>
<th>Total OrdinaryExpenses</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Rubles</td>
<td>Percent</td>
<td>Rubles</td>
</tr>
<tr>
<td>Zhitomir</td>
<td>1806</td>
<td>1,010</td>
<td>6.9%</td>
<td>5,935</td>
</tr>
<tr>
<td></td>
<td>1835</td>
<td>2,790</td>
<td>10.4%</td>
<td>10,770</td>
</tr>
<tr>
<td>Kremenets</td>
<td>1806</td>
<td>1,010</td>
<td>12.5%</td>
<td>994</td>
</tr>
<tr>
<td></td>
<td>1835</td>
<td>2,860</td>
<td>41.9%</td>
<td>3,400</td>
</tr>
<tr>
<td>Lutsk</td>
<td>1806</td>
<td>886</td>
<td>14.5%</td>
<td>150</td>
</tr>
<tr>
<td></td>
<td>1835</td>
<td>2,418</td>
<td>39.1%</td>
<td>2,510</td>
</tr>
<tr>
<td>Vladimir</td>
<td>1806</td>
<td>1,039</td>
<td>11.8%</td>
<td>873</td>
</tr>
<tr>
<td></td>
<td>1835</td>
<td>2,418</td>
<td>44.4%</td>
<td>1,950</td>
</tr>
<tr>
<td>Kamenets-Podol’skii</td>
<td>1806</td>
<td>2,896</td>
<td>19.6%</td>
<td>6,009</td>
</tr>
<tr>
<td></td>
<td>1835</td>
<td>5,840</td>
<td>11.2%</td>
<td>6,975</td>
</tr>
<tr>
<td>Mogilev</td>
<td>1806</td>
<td>2,226</td>
<td>73.8%</td>
<td>494</td>
</tr>
<tr>
<td></td>
<td>1835</td>
<td>2,360</td>
<td>15.4%</td>
<td>6,254</td>
</tr>
</tbody>
</table>

Over the course of the first half of the nineteenth century, the nature of town expenditures changed, but their mandatory, centrally-imposed nature did not. Table Two presents town spending on magistracy and police salaries in 1806 and 1836. Notice that the provincial capitals expended a comparable or smaller amount of their revenue on salaries in both periods, whereas the provincial towns witnessed a dramatic increase in their outlays. One reason is that inlays for the capitals rose significantly, while the district towns had to meet rising salary demands with a stagnant revenue stream. Kremenets, for example, went from spending 25 percent of its total intake on magistracy salaries to 50 percent, even though the amount of revenue did not increase. Indeed, the smaller towns of Volhynia had to commit all their resources just to meet the ordinary

\textsuperscript{50} TsDIAK, f. KMF 11, o. 1, s 94, 19, 131-132, f. KMF 11, o. 1, s. 91 (“Ochetchy volynskogo grazhdanskogo gubernatora, 1806-1811”), 81-84.

\textsuperscript{51} TsDIAK, f. KMF 11, o. 1, s. 91, 81-84; f. KMF 11, o. 1, s. 94, 17; f. 442, o. 66, s. 496 (“Smeta dokhodov po kazennym gorodam, 1835”), 13-69.
expenses of salaries, paper, heating, and lighting. In this environment, there could be little room for construction or improvement projects.

This shift appears more dramatic given that the remainder of ordinary expenses in 1806 fell entirely under the category of government-imposed expenses raised via citizen contributions. Though these expenses may have endured, they were not included as part of the 1835 budget. Indeed, the amount raised by direct taxation on the merchants and artisans decreased several fold. In Kremenets, for example, the town residents had to raise 3,110 rubles to meet these state-mandated expenses in 1806, but the figure dropped to 1,200 in 1835. Similar changes obtained in the other provincial towns. Table Two shows, however, that even with this onerous obligation, the ordinary expenses of the provincial towns in 1806 did not consume their entire budgets, whereas in 1835 Kremenets, Lutsk and Vladimir were struggling just to pay for their officials. By 1835, both guberniia appear to have demanded that magistrates and police officers receive similar salaries, regardless of location. Observe that the amount expended in Zhitomir on the magistracy in 1835 represents roughly the same outlay as in the other provincial towns of Volhynia, despite the fact that Zhitomir imported over four times as much revenue.

The primary cause of the spending increase can be found under the category of police salaries. Small provincial towns went from spending as little as two-and-a-half percent of their revenue on supporting the gorodnichii in 1806 to maintaining a full compliment of police inspectors, patrolmen, and firefighters in 1835. In the early part of the century, only larger towns, such as Zhitomir, Kremenets, and Kamenets-Podol’skii maintained a police force (shtat) established by the central government. Smaller towns paid a set amount towards the salary of the gorodnichii, who served as the police chief for the entire district.\(^{52}\) As many governors noted, district towns often fulfilled their “police obligations” with volunteers, who served as night

\(^{52}\) TsDIAK, f. KMF 11, o. 1, d. 91, 234-247; f. KMF 11, o. 1, s. 94, 18-19.
watchmen, guards, and police assistants. For residents, these duties would have represented a continuity with common practice during the Commonwealth, but Russian governors instinctively disliked this kind of volunteerism. As late as 1828, the governor of Podolia could complain that most police functions were fulfilled by town citizens, explaining that:

In general, it would be desirable to establish a police force composed of discharged soldiers, similar to the practice in Kamenets. Their aptitude for military discipline and strict implementation [of orders] corresponds better to this type of service.  

53

For towns, the advantage of the system was the cost, and, as Table Two shows, smaller towns did not initially have to expend a great deal of money on the police.

By 1835, however, the state had required all towns to maintain a fairly extensive police presence at their own cost, leading to severe strains on the budgets of the smaller and less well-endowed district towns. In addition, towns with established police forces were expected to rely on these state-appointed agents exclusively in handling police business. Governor Zhukovskii complained that town magistracies frequently usurped police functions in sending out members to collect back-taxes, even though he noted that tax arrears presented one of the province’s most pressing problems. 54 Ironically, once citizen militias came to be completely replaced by professional police forces, governors complained of corruption and poor training. As Rimskii-Korsakov wrote in 1832, “In general, one cannot expect intelligent and honest work from the majority of [police] employed in Volhynia guberniia.” 55

Table Three: Revenue Sources as a Percentage of Total Intake, 1835 56

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53 “Вообще желательно было бы подобно городу Каменцу, учредить полицейскую команду из отставков нижних служителей, коих навык к военной дисциплине и строгое исполнение наиболее соответствуют сего рода службе.” TsDIAK, f. KMF 11, o. 1, s. 96 (“Otchet podol’skogo grazhdanskogo gubernatora, 1828”), 9-10
54 TsDIAK, f. 442, o. 1, s. 1804 (“Delo ob obozrenii Grazhdanskimi Gubernatorami gubernii, 1835-1836”), 71.  
55 TsDIAK, f. 442, o. 1, s. 1196 (“Otechety o gorodskikh magistratakhi, 1832”), 20.  
56 TsDIAK, f. 442, o. 66, s. 496, 13-69.
<table>
<thead>
<tr>
<th></th>
<th>Zhitomir</th>
<th>Kremenets</th>
<th>Lutsk</th>
<th>Vladimir</th>
<th>Kamenets-Podolskii</th>
<th>Mogilev</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total revenue in rubles</td>
<td>26,761</td>
<td>6,833</td>
<td>6,178</td>
<td>5,447</td>
<td>52,157</td>
<td>15,303</td>
</tr>
<tr>
<td>1. State alcohol payment</td>
<td>49.8%</td>
<td>75.3%</td>
<td>70.4%</td>
<td>92.7%</td>
<td>64.2%</td>
<td>76.0%</td>
</tr>
<tr>
<td>2. Town tavern</td>
<td>2.1%</td>
<td>1.8%</td>
<td>2.9%</td>
<td>1.8%</td>
<td>3.9%</td>
<td>2.3%</td>
</tr>
<tr>
<td>3. Leasing of town property (buildings, shops, squares, mill)</td>
<td>11.8%</td>
<td>4.9%</td>
<td>13.1%</td>
<td></td>
<td>5.9%</td>
<td></td>
</tr>
<tr>
<td>4. Leasing of town land (pasture, forests)</td>
<td></td>
<td></td>
<td></td>
<td>5.2%</td>
<td>10.9%</td>
<td></td>
</tr>
<tr>
<td>5. Levy on merchants</td>
<td>32.3%</td>
<td>17.6%</td>
<td>9.8%</td>
<td>5.5%</td>
<td>2.7%</td>
<td>10.8%</td>
</tr>
<tr>
<td>6. Rent payments from Town serfs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10.4%</td>
<td></td>
</tr>
<tr>
<td>7. Fees and fines</td>
<td>4%</td>
<td>3.7%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Loan repayment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>7.7%</td>
<td></td>
</tr>
<tr>
<td>Reserve capital in rubles</td>
<td>11,924</td>
<td>5,061</td>
<td>3,301</td>
<td>618</td>
<td>21,389</td>
<td></td>
</tr>
<tr>
<td>Back-due taxes and debts owed to the town</td>
<td>7,338</td>
<td>9,058</td>
<td>2,289</td>
<td>42,498</td>
<td>3,648</td>
<td></td>
</tr>
</tbody>
</table>

Although the government had come to expect that each town should maintain a certain standard with regard to magistracy and police compensation, the resources allocated to each town varied in accordance with its position in the state hierarchy. Table Three shows the breakdown of town revenue sources for the major centers of Volhynia and Podolia in 1835. As one can easily discern, the majority of funding came from an alcohol redemption payment, by which the state compensated these towns in exchange for taking control of their propinacjja rights. As the amount provided was rather large, we may assume that this was more than the one-percent promised by the 1785 Charter. Observe that the provincial capitals, Zhitomir and Kamenets, possessed broader and more diverse funding sources, while the less important towns obtained almost all of their revenue from this alcohol payment. Significantly, Kamenets continued to receive money from its village serfs and landed properties, rights, which Kohut
claims were denied the Left Bank towns of Ukraine.\textsuperscript{57} Further, the fact that Zhitomir, a provincial backwater at the beginning of the nineteenth century, had come to receive such a large amount of money from town properties suggests deliberate state intervention, from which other towns did not benefit.

Governor Lubianovskii observed in 1833 that alcohol payments, the majority of revenue for most towns, often barely covered their necessary expenses.\textsuperscript{58} In fact, once the empire had ensured that each town had a government and police force, as well as the means to meet its centrally-allocated duties, the higher authorities essentially lost interest. Governor Chevkin, for example, observed in 1804 that many of the towns’ expenses were not recorded in his report, because the rubric provided by the state did not include such categories as construction or hospital maintenance. The governor admitted, however, that few towns had the resources, after fulfilling their primary duties, to consider further expenses.\textsuperscript{59} Similarly, in 1834, Podolia Governor Lashkarev observed that he would report on town cleanliness and construction separately, since no space on the prefabricated government form was allotted to this topic.\textsuperscript{60}

Consistent with the hierarchical conception of towns, the Russian government ensured adequate funding only for the provincial capitals but demanded that all towns in the region undertake similar expenses. Zhitomir and Kamenets retained a healthy surplus and large capital reserves, and their budgets list building, cleaning and repair as normal expenditures with money available for large projects. In the district towns of Volhynia, some extraordinary expenses were recorded, but salaries and chancellery expenses consumed the overwhelming majority of ordinary expenditures. Indeed, for Kremenets to meet its basic expenses for 1835, the town

\textsuperscript{57} Kohut, \textit{Russian Centralism}, 211-213.  
\textsuperscript{58} TsDIAK, f. 442, o. 1, s. 1196, 56.  
\textsuperscript{59} TsDIAK, f. KMF 11, o. 1, s. 94, 18-19.  
\textsuperscript{60} TsDIAK, f. 442, o. 1, s. 1519 (“Ochety kievskomu voennemu volynskomu i podol’skomu general-gubernatoru, 1834”), 42.
would have needed to draw upon its capital reserve fund or miraculously collect back-taxes and fees owed to the town from previous years. The presence of large back-due taxes in every town’s budget suggest that this latter option was tenuous at best.

Considering the state’s demands, one should not be surprised that complaints about the poor material conditions of the majority of towns surfaced repeatedly in the governors’ reports. Chevkin reported in 1807 that few towns in the region had the resources to implement beautification and improvement projects, an observation Lubianovskii confirmed in 1833. In 1832, Governor Rimskii-Korsakov complained that most administrative buildings in the towns of Volhynia were wooden and of poor condition, while the roads were both irregular and uneven. His successor, Zhukovskii, echoed this assessment in reports from 1835 and 1836, when his inspection tour revealed that no new government buildings had been erected in several years, cleanliness was lacking, and construction often deviated from official standards. At the same time and without irony, his 1836 report emphasized that authorities needed to ensure that magistracies did not implement new taxes or fees without state approval.61

In addition to financial control, governors in the Russian empire exercised direct political supervision, holding magistracy officials to bureaucratic standards of accountability. Governors viewed town magistrates as subordinates, and the reports from inspection tours of provincial towns resemble dispatches of the provincial commissioners in the completely hierarchical Congress Kingdom of Poland. The similarity is rather striking when one considers that town magistrates in the Congress Kingdom, as discussed in Chapter Three, were appointed officials, whereas town leaders in Russia were nominally elected. Moreover, the governors were almost exclusively concerned with deloproizvodstvo – record keeping – in the towns. Zhukovskii’s 1836

61 TsDIAK, f. KMF 11, o. 1, s. 94, 131; f. 442, o. 1, s. 1196, 20-25; f. 442, o. 1, s. 1520 (“Otchety kievskomu voennemu volynskomu i podol’skomu general-gubernatoru, 1835”), 50; f. 442, o. 1, s. 1804, 67-73.

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inspection tour of Volhynia, for example, focused on the number of unheard court cases in each
town, as well as the neatness of the financial records and speed of implementing government
decrees.

Not surprisingly, the guberniia capital scored the best, given the presence of the
governor’s administration on the magistracy’s territory. Other towns did not meet with such
approval, as excerpts from the report below indicate:

**Lutsk**: Although the activity of the town magistracy is relatively successful, I
noticed some incompetence and a slight sluggishness in composing court case
summaries . . . The financial books are not kept properly, nor are the sums
recorded on the page in the correct manner.

**Vladimir**: In town business one observes sluggishness; laws, directives, and
orders are not implemented successfully. Moreover, I found that although the
sums in the town treasury were intact, several expenditures had not been recorded
in the record books, and some inscriptions in the town journal were not signed, as
all members of the magistracy were personally instructed to do. In general, this
town magistracy requires improvement. 62

These remarks resemble the reports of the town inspectors and provincial commissions in the
Kingdom of Poland, in which appointed officials commented on the competency of their
appointees.63 The inspection of elected officials, particularly with regard to their bureaucratic
competence, suggests that corporate self-government in nineteenth-century Russia was in
practice a means of selecting chinovniki, rather than a devolution of responsibility.

The guberniia authorities not only inspected town governments, but periodically levied
administrative punishments on their magistrates as well. In fact, government supervision in the
Russian Empire seems to have been characterized by a kind of rigid and inflexible legalism, as

62 “Луцкого – Хотя вообще действия городского магистрата довольно успешно, но замечены неспособность,
мелькая медленность в сочинении экстрактов к делам . . . Денежные книги с неправностью и суммы по ним
значающиеся на лице. Владимирского – В делопроизводстве замечена медленность, исполнение по указам,
pредписаниям и требованиям не успешно. При том найдено, что хотя суммы в целости, но в денежных
книгах не было записаны в расход некоторых издержки, некоторыя статьи журнала неподписаны, тогда как
все члены показаны наличием. Вообще городовой Магистрат требует исправления.” TsDAIK, f. 442, o. 1, s.
1804, 67-73.

63 AGAD, KRSW 3277 (“Chełm, 1810-1816”), 67-69; KRSW 35 (“Rapporty o miastach, 1813-1819”), 159, 161,
198.
evinced by a correspondence between the town of Kremenets, Governor Rimskii-Korsakov, and General-Governor Levashov in 1834. In that year, the Kremenets magistracy wrote to Levashov to appeal a fine of 180 rubles levied by the treasury chamber on the members of the town government. The treasury chamber had issued this punishment because the magistracy had failed to submit its financial records for the year 1830 on time. According to the magistracy, the town could not present is documents for that year punctually, as they were located in the home of the secretary, Semetskii. As it happened, Semetskii, along with all his papers, and the mayor, had been imprisoned on military orders following the Polish November Uprising of 1830. Neither the secretary, nor the mayor were released until May, 1831, and the military authorities did not allow other members of the magistracy to receive Semetskii’s books from prison.64

In response to Levashov’s inquiry about this matter, Rimskii-Korsakov supported the treasury chamber. The governor justified his decision with reference to an obscure law from 1727, in which Emperor Peter II had required all provincial authorities to maintain their records in one, central location. On the basis of this law, Rimskii-Korsakov observed, the town’s records should have been located at the magistracy office, not with the secretary. Thus, the town government should have been able to comply with the law. Levashov apparently accepted the governor’s reasoning, as, one month later, Rimskii-Korsakov wrote to the town magistracy, explaining that he could not excuse them from their obligation to pay the treasury chamber’s fine.65 Again, this bureaucratic disciplining of low-ranking officials through fines and other administrative punishments represents another commonality with the superior-subordinate relations in the Congress Kingdom of Poland.66

64 TsDIAK, f. 442, o. 140, s. 503 (“Delo po raportu kremenetskogo magistrata o sluzhenii do nego strafa, polozhennogo za nepredstavlenie v srok na revizii otchetov za 1830 goda”), 1-5.
65 Ibid, 5, 10.
66 See: APL, AML 1013, 2-9.
Serving as elected members of the Russian state’s lowest level of administration apparently proved a tedious task, and an 1838 police inspector report charged that members of the Kremenets magistracy frequently played truant from their jobs. In a letter to the governor-general, the police inspector observed that several members of the town magistracy had arrived at their office late or not at all, creating an artificial backlog of court cases. Further, the inspector noted that he had issued several written and oral warnings to three particularly truant members, who nonetheless failed to appear for work during the three days of the said inspector’s most recent tour. In response, the vice-governor of Volhynia wrote that strict measures would be taken to avoid such irresponsibility and disorder, including not only the removal of these officials from office, but also possible summons to court.\(^{67}\) All state officials in the Russian Empire, including governors, could face court summons if higher authorities determined them to be delinquent in their duties, and the government held the elected town magistrates to similar standards.\(^{68}\)

Integration into the Russian Empire meant abrogation of the Magdeburg Law towns’ previous autonomy. More importantly, with the preponderance of decision-making power in the hands of the governors and appointed agencies, a natural hierarchy developed, which granted resources and powers in accordance with rank. The provincial capitals gained in wealth, population, and material comfort, while district towns received only enough resources to meet the basic requirements demanded by the state. The Russian state restricted the competency of local officials to an absolute minimum, while the frequently rotated governors had little time or ability to take up the slack. Unable to rely upon elected magistrates with such narrow powers to

\(^{67}\) TsDIAK, f. 442, o. 147, s. 747 (“Raport kremenetskogo striapchego, 1838”), 1-4.

\(^{68}\) Moriakova reports that governors themselves often failed to submit their own reports on time, leading the Ministry of Internal Affairs to threaten its subordinates repeatedly with removal and court prosecution. Moriakova, *Sistema mestnogo upravlenii*, 12-14.
perform the duties of state functionaries, the government turned to police surveillance and political control, while locals tried to escape the duties and obligations of the center.

The Nationality Question in the Ukrainian Towns

The imposition of Russian institutions on the Right Bank provinces could not alter the real cultural and political differences of Ukraine from the central provinces, a fact brought into focus by the November Uprising. Though initiated and concentrated in the Congress Kingdom of Poland, the uprising received active participation from the residents of Volhynia and Podolia. Lubianovskii, who began his tenure as governor of Podolia during the uprising, spent his first several months in Kamenets working feverishly to supply the local troops “or answer for their hunger with his head.”69 The uprising evidently represented a psychological blow to the empire, and subsequent governors of the Ukrainian guberniia saw the need to demonstrate their alertness. Rimskii-Korsakov prefaced his 1832 inspection-tour report by explaining that his primary goal was to “become better acquainted with the local situation and most of all to ensure that . . . there is no evidence of any temptation to destroy the general peace.”70 Two years later, Lashkarev wrote of Podolia that “although in this province, thank God, all is well, there is no doubt that minds still wander . . . and possibly . . . certain conditions feed an antagonistic spirit.”71

The November Uprising intensified but did not alter the dualistic pattern of Russian administrative policy towards Ukraine. On the one hand, St. Petersburg sought to rule the Commonwealth’s former territories through institutions and officials modeled on those in the heartland territory. On the other hand, the scope and autonomy of local government institutions remained limited by nationality politics. Even before the November insurrection, the tsars had acknowledged the separateness of the region by allowing towns to draw traditional sources of

69 Lubianovskii, Vospominaniia, 310-313.
70 TsDIAK, f. 442, o. 1, s. 1196, 20.
71 TsDIAK, f. 442, o. 1, s. 1519, 24.
income, and creating positions for Jews on the town councils. At the same time, the state hesitated to introduce the full range of corporate institutions, such as dumas, orphan courts, and guberniia appeals courts, to the region. After 1830, imperial authorities became convinced that the demographic, ethnic, and economic situation of the region did not favor the introduction of self-governing institutions. At a minimum, such institutions needed to be modified and carefully supervised. This inclination on the part of the state would last throughout the imperial period, reinforced by the 1863 January Uprising.\textsuperscript{72}

In the first place, the towns of Podolia and Volhynia had differed from Russia proper by virtue of the common use of Polish in administrative matters. Nicholas I responded to the November Uprising of 1830 in part by ordering the two provinces to switch to Russian as an official language in 1832.\textsuperscript{73} The use of Polish in official records became the pretext for at least one town mayor to lose his job, as revealed by the report of governor Zhukovskii in 1837. When conducting an inspection tour of Kremenets in 1836, Zhukovskii observed that the mayor recorded all town business in Polish. When asked about this, the mayor, Bogdiukevich, simply replied that he did not know how to write in Russian. After returning to Zhitomir, Zhukovskii fired Bogdiukevich and called for new elections, ordering that the town elect only members of society with knowledge of Russian.\textsuperscript{74} The fact that the town chose a Polish-speaking mayor in 1832 suggests that either a sizeable portion of the population continued to use Polish, or at least that the residents did not view Polish-speaking as an impediment to service. In fact, despite the

\textsuperscript{72} On Russification after the January Uprising of 1863, see: Theodore R. Weeks, \textit{Nation and State in Late Imperial Russia: Nationalism and Russification on the Western Frontier, 1863-1914} (Dekalb, Ill., 1996). 14-17, 42-43.
\textsuperscript{73} PSZRI, ser. 2, vol. 7, no. 5407, 346.
\textsuperscript{74} TsDIAK, f. 442, o. 1, s. 2324, 1-4.
new law, Kamenets-Podol’skii maintained a secretary for Polish-language business as late as
1835, indicating that the need remained.\(^75\)

Another major characteristic of the towns of Podolia and Volhynia were their large
Jewish populations and the participation of Jewish communities in town politics. Russian policy
had deliberately sought to resettle Jewish communities in the towns, which became a legal
requirement after 1823. The governors’ reports frequently note the large Jewish populations of
Ukrainian towns, which these officials obviously considered an unfortunate necessity. Rimskii-
Korsakov’s 1832 report notes that members of the magistracy include Jews, “and the
cunningness particular to them manifests itself in the course of [the magistracy’s court]
business.”\(^76\) Dispatches from the governors of both Podolia and Volhynia observed that trade in
small towns was often the exclusive province of Jewish communities. In particular, the governor
of Podolia complained in 1834 that Jews, due to their habit of low profit margins and willingness
to stock their stalls with substandard merchandise, frequently undersold their “Russian”
competitors. This lead, in the governor’s view, to anemic trade and forced the “Russians” to
practice agriculture in order to make a living.\(^77\)

Despite their apparent dislike of Jewish communities, state officials apparently had no
reservations about interfering in the Jews’ participation in town government. Indeed, one story
indicates that governors willingly exploited their prerogative to confirm candidates as a means of
rewarding certain Jewish populations at the expense of others. In 1832, Gershko Kril, a Jewish
resident of Zhitomir, wrote a petition to Governor-General Levashov, with a complaint about the
most recent election of Jewish councilors to the magistracy. Kril charged that, despite receiving

\(^75\) TsDIAK, f. 442, o. 66, s. 496, 57-61.
\(^76\) TsDIAK, f. 442, o. 1, s. 1196, 20-25.
\(^77\) TsDIAK, f. 442, o. 1, s. 1519, 30-31; Opisy podils’koj hubernii, 9.
more votes than two other candidates, Leib Berger and Gershko Nugor, the governor confirmed them as councilors instead of him. Further, Kril argued:

That he, Kril, knows Russian and Polish better than the other candidates elected as Jewish councilors, and especially better than Gershko Fishlang. However, Fishlang and not he was confirmed as a councilor. Moreover when Fishlang was serving as a deputy in the Zhitomir Quartering Commission, [certain] capital sums were lost.78

Kril also observed that one further confirmed councilor was currently under investigation, an automatic disqualification for town office.

In response to Levashov’s inquiry about the matter, governor Rimskii-Korsakov replied that his office had followed the proper procedure with regard to vetting candidates. The town mayor and councilors had forwarded six candidates chosen by the Jewish community, none of whom were in violation of the law. The guberniya administration also determined that all candidates were literate in Russian. The governor then had the prerogative to chose four of the six for positions on the council. Of the four candidates chosen, Rimskii-Korsakov admitted that the fourth, Nugor, had received fewer votes than Kril and one other. The governor had chosen to support Nugor for the following reason:

A petition came to me from the Jewish merchants and townsmen of Berdichev (a small, private town nearby), signed by 113 persons, in which they requested that, of all the candidates, this Gershko Nugor be confirmed as a councilor to represent their side, as a man both experienced and honest. Justice itself obliged me to support this wish . . . considering that the Berdichev Jewish community is much larger than the Zhitomir one. There are more than 300 Jewish merchants alone, and it seems right that they should have at least one member in the magistracy.79

78 “Что он Крил лучше знает по-российски и по-польски нежели прочие, избранные в ратманы Евреи, а в особенности нежели Гершка Фишланг, но не он, а Фишланг утвержден ратманом хоть сверх того за бытность сего последнего Депутатом в Житомирской Квартирной Комиссии растрачены [процентные деньги].” TsDIAK, f. 442, o. 1, s. 1269 (“Delo o vyborakh v Zhitomirskom gorodskom magistrate, 1832”), 2.
79 “Ко мне поступила просьба от Бердичевских купцов и мещан из Евреев, подписанная 113 человеками, в которой они ждали, чтобы хоть сей один из кандидатов Гершко Нугара мог быть утвержден Ратманом со стороны (того) общества, как человек честный и опытный, то самая справедливость поставляла меня в обязанность удовлетворить сему желанию . . . в уважение, что Бердичевское Еврейское общество, будучи неравное в числе душ значительнейшие, нежели Житомирское, ибо одних купцов считается до 300, в праве иметь изпереди сам хотя одного члена в Магистрате.” TsDIAK, f. 442, o.1, s.1269, 2-4.
Rimskii-Korsakov further justified his choice of Fishlang over another candidate, Taft, based on information that that latter was unreliable. The governor concluded his explanation of the affair with the insinuation that Kril’s “unjustified” complaint indicated that his motives for serving on the council were impure, and the matter was closed.80

Why the Jewish population of Berdichev, a private town with its own government, wanted a representative on the Zhitomir town council, and why the governor felt obliged to honor their request cannot adequately be answered by the record. Kril’s complaint does indicate, however, that Russian authorities had become comfortable interfering in the politics of Jewish elections, despite their stated misgivings about the community as a whole. This would suggest at least some familiarity with the various leaders, positions, and issues on the part of the governor or someone in his administration. In a way, the anti-Jewish rhetoric of the reports, when combined with an episode such as Kril’s, resembles the attitude of large-scale landowners under the Commonwealth, who relied on Jews for most of their business operations and freely interfered in kahal business while publicly disparaging the Jewish problem to their peers in the parliament.81 Anti-Semitic proclamations did not undermine the desire to control all subordinate institutions.

In fact, the primary problem Jewish communities posed for tsarist authorities was their preservation of an autonomous institution, the kahal, which the central government had excluded from external supervision and management. Plans for abolishing the kahal had circulated since the early 1800s, but the organization remained until 1844.82 On his 1835 inspection tour of Volhynian towns, governor Zhukovskii summarized the state’s objections to the institution.

80 Ibid.
81 Rosman, The Lords’ Jews, 56-69. On anti-Jewish polemics in the Commonwealth, see Chapter One.
82 Springer “Derzhavin’s Jewish Reform Project,” 4-16; Hamm, Kiev, 119.
Jewish kahals are too unconstrained in their expenditures and are not subject to any kind of accountability. They spend money according to their whim without any kind of principles or confirmed budgets. They exploit . . . the trust of society, which very often leads to abuse. From this complaints arise, the resolution of which causes serious difficulties for the authorities. 83

For Zhukovskii, the solution was to subject the kahal, “like every tax-paying society” to standard accounting practices, in particular the submission of revenue and expenditure records to the treasury chamber. In this way, the government could determine how much each kahal member contributed and ensure that each expense would be grounded in a legitimate need. 84 In other words, the state could blunt the proizvol (arbitrary will) of the kahal by substituting the proizvol of the governors, who would have the same powers over this institution as over the Jewish magistracy members.

If Russian officials had no objections to interfering in Jewish institutions, the large presence of Jewish communities drew attention to another problem, the lack of “Russian” merchants and tradesmen. 85 The land-surveyor Ekster wrote of Podolia in 1800 that the merchant soslovie consisted entirely of Jews, Armenians, and Greeks, and only a few dozen people in the entire province qualified for enrollment in the top merchant corporation. All industry and manufacturing, Ekster noted, occurred in the factories of private towns owned by noblemen. Nineteen years later, another land-surveyor, Rudlitskii, observed that Podolia guverniiia contained few Christian merchants and townsmen, and that the latter largely practiced agriculture

83 “Еврейские кагалы нисколько неограничены в своих расходах и не подвергаются никакой отчетности, но делают издержки по произволу без всякой определительности и неимей утвержденных смет, употребляют . . доверенность общества, [garbled] весьма часто на злоупотребление, по поводу сего возникают обоюдные жалобы, разбор коих составляет немаловажное затруднение для начальства.” TsDIAK, f. 442, o.1, s. 1804, 71.
84 Ibid, 71-73.
85 The reports alternate between the term “russkie” and “velikorusskie”, so it is unclear whether a greater number of Ruthenian-speaking Ukrainian merchants would have solved the state’s problem.
for a living. He wrote that “trade has hardly established its beginning,” and that landed nobles and Jews were involved in the most important trades, such as the cattle market.  

For Governor Lashkarev, the lack of Russian merchants posed a serious enough problem as to require state intervention. He proposed that the government offer certain inducements to attract “Great Russians” to his province in his 1834 report. The governor suggested that the state offer a seven-year exemption from merchant corporation payments and contributions in lieu of military service. According to Lashkarev, encouraging settlement of Russians to Podolia would produce the following benefits:

a. The Russian language, Russian customs, and morals will take root in the towns.
b. Cathedrals [will be constructed and maintained] with the proper respect.
c. Russian merchants will intermarry with the local population, which contains no small number of Catholics. This will bring the Orthodox faith to the population.
d. Industry will flourish, towns will improve, and the poor class of townsmen will obtain work and more reliable sources of income.
e. The Jews themselves will be invigorated by competition and will begin to practice more honest trade in better [quality goods].

The dearth of Russian merchants was not only an socio-economic problem, but a political one as well. Recall that, in practice, officials assumed that merchants would occupy the top positions in town government. Russian officials assumed that ordinary meshchane were less reliable officials. Rimskii-Korsakov complained in 1832 that the magistracy secretaries conducted town business in Volhynia, since most ordinary members were meshchane and Jews. Podolia governor Lubianovskii observed in 1833 that he could not find enough literate and capable people to fill the magistracy positions.

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86 Opysy podils’koi hubernii, 9, 33-39.
The social and political realities of Ukraine lead Russian officials to debate the practicality of extending the dumas established by the 1785 Charter to Volhynia and Podolia. In theory, all towns governed by the Charter had the right to establish dumas as a means of unburdening the magistracies from the duties of urban planning and finance. In fact, the provinces of Volhynia and Podolia only contained only one town duma until 1837. Novograd-Volynskii, the location of that one duma, had been established as a town only after the partitions and had no political roots in the Commonwealth. Indeed, a law from 1836 clarified that the establishment of town dumas in the Ukrainian territories depended on the approval of the governor, who would petition the Minister of Internal Affairs for approval. 

In place of dumas, magistracies handled the economic affairs of the Podolian and Volhynian towns, as well as the duties of the orphan courts. Lubianovskii and Lashkarev argued that there were simply not enough competent people available to serve on both the magistracies and the dumas. Podolia’s vice-governor, Gur’ev, explained the state’s hesitancy to open dumas in the region:

Besides the guberniia capital Kamenets and the district town Bashta, in all other towns of the province there are practically no Russian merchants. The best merchants here are only Jews, and although there are enough meshchane, the greater part are poor . . . Moreover, they are either completely illiterate or due to their low level of literacy are incapable of service. As a result of this lack of merchants and capable meshchane, elections to even the town magistracies occasionally present difficulties. The guberniia government is frequently forced to [annul and] redo the elections until at least a few capable people are found to occupy these posts.

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89 TsDIAK, f. 442, o. 1, s. 1196, 20; PSZRI, ser. 2, vol. 11, no. 9226, 609; vol. 12, no. 10574, 796.
90 “Исключая городов губернского Каменца Подольского и уездного Башти во всех прочих городах Подольской Губернии почти нигде нет русских купцов; что лучшие купцы здесь сами только Евреи, а мещан хоть есть достаточно, но все большее частью бедны . . . при том же или совершенно неграмотны или же по малограмотности, к службе не способны, что от того недостатка купцов и способных мещан даже при выборах членов в городские магистраты, представляются нередко затруднения и Губернское Начальство вынуждено бывает, несколько раз возобновляет выборы.” TsDIAK, f. 442, o. 1, s. 1519, 62.
Gur’ev further argued that the establishment of dumas would create an undue financial burden on the towns, which would then have to expend money on salaries and chancellery expenses for the new officials.\footnote{TsDIAK, f. 442, o. 1, s. 1519, 51-64.} The interest in dumas is rather peculiar, as Eroshkin and Kupriianov have observed that these institutions commanded little prestige or respect in towns where they did exist. Unlike service as a mayor, judge or magistracy council member, membership on the duma did not confer a place in the table of ranks. Further, Kupriianov argues that townsmen indicated the importance of a given position by the order in which they conducted elections, and members of the duma were often elected second-to-last, ahead of deputies to the Quartering Commission.\footnote{Kupriianov, “Gorodskaiia demokratiiia,” 33-35; Eroshkin, Istoriiia gosudarstvennykh uchrezhdeni, 198.}

Nonetheless, Russian administrators were sufficiently concerned about dumas that they improvised a solution for the large and relatively wealthy capital of Podolia. In Kamenets-Podol’skii, a so-called Economic Commission had existed since 1812. This differed from a duma primarily by the fact the chairman was appointed by the government, rather than elected. Gur’ev observed that the primary problem with this solution was that it hampered the administrative uniformity of the territories “returned from Poland” with those of the Great Russian provinces. He proposed that the Economic Council be renamed as a duma, but retain an appointed official at the top. For the remainder of towns in Podolia, lacking competent merchants and artisans, the governor suggested that one Economic Commission could manage all their properties and economic matters.\footnote{TsDIAK, f. 442, o. 1, s. 1519, 51-64.}

The provincial capitals, Zhitomir and Kamenets, received dumas in 1837, but the principle of separate solutions for the Ukrainian territories remained throughout the century. The same concerns played out when, in 1836, the state decided the establish civil and criminal
appeals courts for the western provinces on the model of the 1775 reform. The original design of the courts called for the nobility and the merchant corporations to elect two members a piece for each court. In the Western guberniia, where the “merchants are generally Jews,” the nobility continued to elect two representatives, but the state decided to appoint someone to represent the merchants on the court. Thus, by the late 1830s, the state’s model of administrative integration for the Ukrainian territories had come to rely on the same self-governing institutions as elsewhere, but with access to the posts more tightly controlled and supervised. Though the November insurrection may have confirmed this approach, this policy dated to the immediate post-partition period. Ukrainians did not have town dumas from the beginning, and the state’s mistrust of the different ethnic, religious, and social composition of the region appears to have been the culprit.

The principle of greater state supervision over local officials in Ukraine and the western provinces continued through the existence of the Russian Empire. The 1870 urban reform originally applied only to the guberniia of “European” Russia. Extended to the western provinces in 1875, the state made two important changes. First, the election of the town president (gorodskii golova), the top official in the town, had to be approved by the Minister of Internal Affairs for each town in the region. Secondly, the Minister reserved the right “if necessary” to nominate all officials in any given town. Only the counter-reform of 1892 brought the towns of Ukraine and Russia into administrative uniformity, primarily by reducing the prerogatives of the latter. An analogous process applied to the 1911 introduction of zemstvos in Ukraine, where

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94 PSZRI, ser. 2, vol. 11, no. 9226, 607.
the government chose to rely on appointed members in order to prevent the Polish nobility from exercising what the government considered to be disproportionate influence on these bodies.\textsuperscript{96}

**Conclusion**

In assessing Ukraine’s transition to Russian rule, one cannot deny that the Russian model of self-government established by the Charter represented an enormous loss of power and autonomy for the towns of the region. Indeed, Russian administrative supervision was so strict and limiting, particularly in Ukraine, that one wonders why the state bothered to rely on the principle of local elections at all. After all, in the tsar’s neighboring Congress Kingdom of Poland, Russian administrators had followed a model of complete centralization. Rather than unburdening the administrative apparatus, the requirement that the governor supervise and approve “urban democracy” seems to have added further duties to the provincial administration, especially when the governor took a personal interest in the outcome. It appears that Catherine’s intention for provincial administration to rely on some degree of local cooperation failed to account for the hostility of appointed, imperial officials towards elected subordinates, just as her uniform and cosmopolitan Charter did not anticipate real and perceived differences between regions.

Instead of imposing complete centralization on the Ukrainian partition, the Russian emperors extended the indigenous model of supervised self-government in a modified form. The further limitations on self-government in the towns of Volhynia and Podolia evince an attitude towards local government as an extremely risky endeavor, not to be employed except under the proper conditions. This hesitancy towards self-government triumphed over a parallel impulse in the Russian Empire, a preference for administrative uniformity. Perhaps state officials intended

to achieve complete integration at some future point, which events such as the November
Insurrection continually pushed backwards onto the distant horizon. In the absence of uniformity,
the Russian rulers seemed content to follow a policy tradition inherited from Muscovy. Ukraine’s
place in the Russian Empire became akin to one of the many servitor groups in a Muscovite
town. With a unique package of rights and duties, Ukrainian towns were subordinate to the tsar
in their own particular way.

That self-government became intertwined in nationality politics should not be surprising,
one the state became devoted to “Orthodoxy, Autocracy and Nationality” under Nicholas I. On
the other hand, the fact that Jewish communities maintained their kahals for several decades and
enjoyed representation on town councils meant that a greater proportion of town residents
participated in their own government in Russia than in Napoleonic and Congress Poland.
Ironically, the fact of Jewish participation played a role in state officials’ debates about the rules
for elective institutions in Ukrainian towns. For the Christian burghers, however, the debate over
which highly-supervised and state-controlled institutions of self-government to introduce into the
region must have seemed comically irrelevant. Receiving a Catherinian duma and the full range
of elective institutions of Russian provincial administration would have still been an exceedingly
poor substitute for their former autonomy under Magdeburg Law.
Chapter 4:
Competing for Free Citizens on the Free Market: Private Towns, Owners, and the State in the
Eighteenth Century

The Private Town

“Private towns are not free,” declared Hugo Kołłątaj in his draft for the Constitution of the Third of May. In this statement, Kołłątaj referenced sixty-five percent of urban settlements in Poland-Lithuania, which possessed royal privileges, yet were the property of private individuals. For Kołłątaj and the enlightened milieu preparing substantive reforms of the Commonwealth, towns could only be free if the owners would abdicate their political and economic authority in favor of the central government. This perspective encapsulates a long tradition of thinking about private towns, a phenomenon which historians have consistently interpreted as evidence the nobility’s excessive power and indigent rack-renting tendencies, as well as the weakness of the king and the central government. At the root of the negative evaluation of private towns is the Enlightenment narrative, which considers unification and centralization of the state to be positive, if not inevitable, features of the modern world.

Any evaluation of private towns must begin by acknowledging that three-fifths of burghers in the Commonwealth lived in these hybrid settlements and that some of the largest commercial centers in the Commonwealth were the property of private individuals. In many cases, private towns provided superior material and economic conditions as well as greater freedoms than many of the royal towns. I argue that the decentralized Polish-Lithuanian Commonwealth created a unique environment in which town owners were forced to compete

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with one another for citizens by granting rights and offering incentives often not found in towns subordinate to the king. Private towns only began to lose their privileges and prerogatives of self-government when certain owners, under the influence of eighteenth-century police theory and Cameralism, decided to “improve” their towns by taking a more direct and intrusive role in urban government, a policy carried to its logical conclusion by the centralizing monarchies which conquered the territories of Poland-Lithuania between 1772 and 1795.

This chapter will compare the towns of two large landowners in Poland-Lithuania, the Zamoyski and Radziwiłł families. Both families were wealthy and politically powerful, owning territories spanning multiple palatinates and towns of all sizes. In addition, both families enjoyed a unique privilege in the Commonwealth, the right of entail, which allowed the oldest son to inherit an entire block of land that was not subject to partible division. As a result, an enormous territory, bigger than some countries, passed undivided from generation to generation. To manage their properties, the families relied on an extensive bureaucracy, including legions of paid officials. I argue, however, that the Zamoyski and Radziwiłł families’ practices serve as an important corrective to the theory of the inevitable triumph of the state and, in particular, Max Weber’s assertion that Medieval and Early Modern rulers tolerated urban self-government simply because they lacked the trained officials to manage the localities themselves. Despite their potential to dominate their burghers, the Zamoyskis and Radziwiłłs encouraged and

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2 Jan Zamoyski, the founder of Zamość, obtained his Ordynacja in 1588. Szcygieł, “Zamość w czasach staropolskich,” 95-116. Zamość, famous even in the sixteenth century for its Renaissance design, was also the seat of the second most prestigious University in Poland-Lithuania, the Zamość Academy. In a 1673 division of towns for tax purposes, Zamość was listed in the top category among the largest towns in the Commonwealth, including Kraków, Lublin and Poznań. In addition, Zamość, unlike its royal counterparts, with the exception of Danzig and Częstochowa, withstood the Swedish-Russian “deluge” of the mid-seventeenth century. See: Bogucka and Samsonowicz, Dzieje miast, 354, 407; Orłowski, Między obowiązkiem obywatelskim a interesem własnym, 49-54, 196-206.

3 Weber, Economy and Society, 1351-1352. See also, Hegel, Outlines of the Philosophy of Right, 14-15, 47, 86, 228-235.
promoted self-government and local control in their towns as a conscious marketing ploy to attract and retain settlers.

The Radziwiłłs and Zamoyskis not only granted self-government to their burghers, but invested money in the upkeep of their principal towns, demanding comparatively few dues and burdens in return. Owners offered these concessions precisely because burghers were scarce, and townsmen expected certain rights and privileges. The king played a role by providing privileges and trading rights, but the burghers’ freedoms depended on the inability of the royal government to prevent nobles from establishing rights and duties that, in later times, would be seen as the province of the state. The ability of owners to offer the best possible conditions in free competition with one another would have been immediately recognizable to Adam Smith, whose treatise on free competition appeared just as Poland-Lithuania, following the trend of continental Europe, was embracing greater state control over the economy and society. Indeed, the benefit of private towns for burghers lessened in the late eighteenth century, when ideas of enlightened reform captured the imagination of numerous town owners, in particular Andrzej Zamoyski.

Polish historiography has emphasized the exploitative nature of owner-burgher relations in private towns. Tomasz Opas, the preeminent historian of private towns, has offered the most nuanced judgment of the rights and responsibilities of burghers. In a series of articles, Opas has attempted to establish the precise nature of the freedoms, duties, and limitations of burghers in private towns, and many of his observations inform this chapter. In the end, however, he describes the abolition of private towns as comparable to the emancipation of the serfs. For Opas, the most obvious symptom of the lord’s excessive power was the inability of most private towns burghers to appeal cases to the royal Assessor Court. At the same time, Opas, as well as authorities such as Trzebiński and Mencel, argue that the eighteenth century saw economic

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improvements in private towns, as cash rents increasingly replaced in-kind or labor payments to the owners, who undertook a thorough rebuilding of their properties. Both of these developments have been linked to the influx of Enlightenment ideas to Poland-Lithuania.⁵

Other historians, such as Moshe Rosman and Irena Grochowska, have emphasized the enormous undertaking involved in managing large estates with private towns. Grochowska’s study of Stanisław Szczuka and his town of Szczuczyn, founded at the end of the seventeenth century, presents a picture of the owner’s continuous involvement in constructing the town, attracting residents, managing crises such as fires, and resolving disputes between the citizenry and the magistracy.⁶ Historians of private towns outside of Poland-Lithuania, such as Balázs Szelényi and Lindsay Proudfoot have also produced some recent studies that support a view of private towns as complex hybrids mutually beneficial to both burghers and owners. Proudfoot’s analysis of private towns in Ireland argues that the wealthy and powerful Duke of Devonshire was unable to exercise significant influence in his towns, either by carrot or stick.⁷ Building on this foundation, my study will attempt to present private towns in terms of their benefits to the residents and owners without reference to any teleology or absolute ideal.

Private towns originated as an answer to a vexing problem which confronted Medieval landowners and rulers in Europe’s sparsely-populated northern territories. Peasants living in an


⁷ Proudfoot’s study of the Duke of Devonshire’s towns shows the enormous limitations placed upon owners of such settlements, as well as the need for negotiation with the tenants in order to accomplish any political or economic goal. Rosman’s study of the Jews on Czartoryski-Sieniecki family estates shows the enormous amount of planning, effort and trouble required to manage large clusters of land populated with villages and towns. Szelényi’s study argues that landlords and burghers had a large community of interests and often worked together when their interests aligned. Szelényi, “The Dynamics of Urban Development,” 361-376; Proudfoot, Urban Patronage and Social Authority, 110-117.
non-monetized economy could not supply their rulers with sufficient tax revenue in the form of coin.\(^8\) Cities and towns, these rulers realized, could dramatically increase the flow of currency by allowing peasants a market for their produce and attracting a population that lived by exchange rather than agriculture. Due to their own lack of capital, kings and princes permitted their noble subjects to construct towns on private property, an arrangement which allowed territorial rulers to obtain greater taxable income from town citizens and their peasant exchange partners. For their part, lords benefited from monopolies, tolls, and rents in their properties.\(^9\) Since prospective town owners were in direct competition with already existing towns both at home and abroad, they had to offer not only commercial privileges, but the personal freedom, self-government, and autonomy that the existing towns in Europe had successfully won from their territorial sovereigns in the Middle Ages.\(^10\)

Towns under the protection of the king but on private land emerged in numerous countries and regions, including Ireland, Scotland, Norway, Bohemia, Silesia, and Hungary.\(^11\) Poland-Lithuania proved an especially fertile ground for private towns due to its enormous size,  

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\(^9\) If, as Pomeranz asserts, one of the economic problems of the pre-modern world was the lack of outlets for capital, then private towns were one means of addressing it. Indeed, Weber claims that all towns founded in the Medieval period and beyond were motivated purely by the desire for economic gain rather than defensive or military purposes, as was the case in the ancient world. Adam Smith also noted that towns, by exchanging with peasants, enrich both themselves and the countryside. Weber, *Economy and Society*, 1332-1351; Kenneth Pomeranz, *The Great Divergence: China, Europe, and the Making of the Modern World Economy* (Princeton, N.J., 2000), 167, 193; Smith, *Wealth of Nations*, 432-438. 

\(^10\) According to Weber, town rights came either from an original usurpation of power on the part of a civic community or a grant from a lord. The latter case was in direct response to the results of the former. Weber, *Economy and Society*, 1250-1259. 

low population density, and decentralized form of government, factors which remained constant into the eighteenth century. In the interest of competition, town owners petitioned the king to issue charters of Magdeburg Law, as well as royal privileges permitting markets and fairs for their towns. In addition to instituting a system of locally-elected judges and officials, Magdeburg Law presumed urban property ownership, meaning that burghers settling in private, Polish towns, unlike their counterparts in countries such as Ireland and Scotland, enjoyed rights of inheritance and transferability for their possessions. Further, Magdeburg Law guaranteed that burghers in private towns, in opposition to peasants on private land, were legally free and had the right to move at will. In addition to their legal rights, burghers in private towns also benefited from their own scarcity, which meant that potential town-founders faced market pressures to keep direct taxes and rents low. Finally, evidence from town privileges, Magdeburg Law, and even a sixteenth-century guidebook for town owners, indicates that nobles largely refrained from direct interference in the economic and judicial life of their towns, apparently under the assumption that burghers would generate the most money if left to pursue their own interests.

14 In Ireland, for example, the lord owned each lot of land and leased it out to tenants, making property rights in towns and villages equal. Proudfoot, Urban Patronage, 11-117. In Poland-Lithuania, according to Opas, burghers in private towns had the right of dominus utile over their property, while the town owner was considered to be dominus directus, much like the king in relation to royal towns. Opas, “Własność w miastach szlacheckich,” 34-48.
16 Karol Stanisław Radziwiłł, for example, offered settlers in his town of Żółkiew tax freedom in 1771 to help the town recover from war damage. Similarly, Stanisław Szczuka offered lengthy tax holidays to potential settlers. AGAD: Archiwum Radziwiłów (AR) XXIX 12 (“Instrukcje ekonomiczne i gospodarcze [Instrukcje], 1769-1773”), 52-53; Grochowski, Stanisław Antoni Szczuka, 61.
17 Numerous privileges and exemptions, especially to Jewish communities, granted by the king after the destructive wars of the seventeenth century specifically carry the justification of improving economic conditions and encouraging growth. For examples of such privileges, see: AGAD, ML VII 78, 253-254, 375-376. See Also: Jewish Privileges, 119-120, 271. AGAD, AR XXIX 5 (“Instrukcje, 1745-1748”), 608-612; Groicki, Porządek sądów, 30-35; Anzelm Gostomski, Gospodarstwo, ed. Stefan Inglot (Wrocław, 1951), 99-105.
In the interest of competition, owners of private towns in Poland-Lithuania opened their doors to Jewish communities, often granting them significantly more rights and freedoms than citizens in royal towns came to enjoy.\(^\text{18}\) Private towns, according to Gerson Hundert, were less residentially segregated than royal towns, and Jews were often allowed to enter Christian guilds.\(^\text{19}\) In certain private towns in the Lublin region, such as Zamoyski’s Kraśnik and Branicki’s Łęczna, Jews participated in the election of town officials, with the synagogue of the latter selecting one of the four mayors each year.\(^\text{20}\) Moreover, as Moshe Rosman has shown, powerful owners of private towns, unlike the king and his starostas, could shelter Jews from violence and exploitation on the part of other nobles and burghers, a service known as protekcja.\(^\text{21}\) In addition to Jews, Armenians, Greeks, and even Tatars settled in Polish private towns and took advantage of the special privileges and protection proffered by wealthy noble families.

Nobles evidently found private towns to be a good investment, and burghers appeared willing to move to them as new ones continued to appear well into the eighteenth century.\(^\text{22}\) Indeed, the governments of Stanisław August and, later, Joseph II, complained that Polish nobles had erected too many towns too close to one another, oversaturating the market and taking resources from potentially more productive royal towns.\(^\text{23}\) Table One presents the number of

\(^{18}\) See, for example: *Jewish Privileges*, 300, 373.

\(^{19}\) For restrictions on Jews, see Groicki, *Porządek sądów miejskich*, 59-60; Bardach, "Zydzi w Birżach radziwiłłowskich,” 199-204; Hundert, *Jews in Poland-Lithuania*, 45-54.


\(^{21}\) In the Radziwill’s Żółkiew (Volhynia palatinate), Jews paid one-and-a-half the duties that Christians did, while in Nieśwież, there was a specific head tax on Jews in addition to the rents all property-owners paid. See: AGAD: AR XXV 2690/1 ("Inwentarz księstwo nieświeskiego, XVIII w (IKN)"); 26; AR XXIX 12, 23-25. On protekcja, see: Rossman, *Lord's Jews*, 62.

\(^{22}\) Again, Szczuczyn provides a good example of a town founded relatively late. Grochowska, *Stanislaw Antoni Szczuka*, 86-94.

\(^{23}\) The parliament of 1768 specifically forbid private owners from erecting new towns closer than two Polish miles (approximately 15 kilometers) from a royal town. VL, vol. 7, 352. The Austrian authorities believed there were too many small towns in the Polish territories and sought to abolish the majority of them. Mencel, *Galicja Zachodnia*,
private towns within the borders of the first partition, based on tax records from 1778. As always, the only measure of population is the hearth, which demographers typically estimate as equivalent to five people. In addition to royal and private towns, the table also lists so-called clerical or ecclesiastical towns, which belonged to monasteries. In the eighteenth century, clerical towns were subject to greater state regulation than private towns, and therefore I have not counted them as private.

Table 1: Total Towns in the Polish Crown 1778

<table>
<thead>
<tr>
<th></th>
<th>Royal</th>
<th>Private</th>
<th>Clerical</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Towns</td>
<td>214</td>
<td>561</td>
<td>85</td>
<td>860</td>
</tr>
<tr>
<td>Total Town Hearths</td>
<td>58,360</td>
<td>100,469</td>
<td>11,203</td>
<td>170,032</td>
</tr>
<tr>
<td>Approximate Total Population</td>
<td>291,800</td>
<td>502,345</td>
<td>56,015</td>
<td>800,160</td>
</tr>
<tr>
<td>Average Hearth Population</td>
<td>272.7</td>
<td>179.2</td>
<td>131.8</td>
<td>197.7</td>
</tr>
<tr>
<td>Approximate Average Total Population</td>
<td>1,363</td>
<td>896</td>
<td>659</td>
<td>989</td>
</tr>
</tbody>
</table>

Chart 1: Distribution of Town Types and Burgher Populations

As indicated by the table and chart, private towns made up the overwhelming majority of town types, and fifty-nine percent of all town residents lived in a private town. On average,

148-150. For land measurement conversions, see: Horace Doursther, *Dictionnaire universel des poids et mesures anciens et modernes, contenant des tables des monnaies de tous les pays* (Amsterdam, 1965), 585.

24 Note that this table does not include Danzig of Thorn, which, after the first partition of Poland, were effectively autonomous and separated from the Commonwealth by Prussia. BC, ms. 804, 621-647; Gieysztorowa, *Wstęp do demografii staropolskiej*, 112-114. This estimate seems largely analagous to Korzon’s determination that the urban population was around 900,000 in 1782, including 500,000 members of the burgher estate. Korzon, *Wewnętrzne dzieje Polski*, vol. 1, 312.
private towns were much smaller, though the figures are distorted somewhat due to the presence of Warsaw, which in the eighteenth century had exploded in population, ultimately reaching 150,000 people by the Four-Year Parliament. In 1778, Warsaw hosted 11,622 hearths, more than four times that of the second largest city, Kraków.\(^{25}\) If we exclude Warsaw from the count, then the average royal town would only have a population of 1092, only two hundred more people than the average private town. In addition, discounting Warsaw, sixty-three percent of burghers lived in a private town, compared to twenty-nine percent in a royal town.

In the eighteenth century, publicists worried about the fact that many burghers earned their living through agricultural pursuits, one of the reasons for the abolition of Magdeburg Law in Lithuania discussed in Chapter One. In fact, tax records from 1778 classify towns as “larger,” “smaller” and “agricultural” (rolne). In the palatinate of Lublin, for example, 305 towns were categorized as “private, agricultural towns” out of 315 total towns. Therefore, one could question whether private towns were towns in the economic sense at all or merely glorified villages. If private towns were on average less populous, and therefore less economically important than their royal counterparts, the most successful private towns in Poland-Lithuania rivaled their royal counterparts. As Table Two indicates, five of the ten most populous towns in the Polish Crown belonged to private owners.

Table 2: The Ten Largest Towns in the Polish Crown in 1778\(^ {26} \)

<table>
<thead>
<tr>
<th>Town</th>
<th>Palatinate</th>
<th>Type</th>
<th>1778 Hearths</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warsaw</td>
<td>Mazovia</td>
<td>Royal</td>
<td>11622</td>
<td>≈58,110</td>
</tr>
<tr>
<td>Kraków</td>
<td>Kraków</td>
<td>Royal</td>
<td>4004</td>
<td>11,634</td>
</tr>
<tr>
<td>Lublin</td>
<td>Lublin</td>
<td>Royal</td>
<td>1829</td>
<td>8,550</td>
</tr>
<tr>
<td>Ostrzezów</td>
<td>Wieluń Land</td>
<td>Royal</td>
<td>1651</td>
<td>≈8,255</td>
</tr>
<tr>
<td>Poznań</td>
<td>Poznań</td>
<td>Royal</td>
<td>1514</td>
<td>≈7,570</td>
</tr>
<tr>
<td>Leszno</td>
<td>Poznań</td>
<td>Private</td>
<td>1446</td>
<td>≈7,230</td>
</tr>
</tbody>
</table>

\(^{25}\) Compared to Kraków’s hearth count of 4,004. See: BC, ms. 804, 589-627.
\(^{26}\) Kleczyński, “Spis ludności,” 321-326; BC, ms. 1093, 589-627
<table>
<thead>
<tr>
<th>Mohylów</th>
<th>Podolia</th>
<th>Private</th>
<th>1167</th>
<th>≈5,835</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dubno</td>
<td>Volhynia</td>
<td>Private</td>
<td>1127</td>
<td>≈5,635</td>
</tr>
<tr>
<td>Szarogród</td>
<td>Podolia</td>
<td>Private</td>
<td>1124</td>
<td>≈5,620</td>
</tr>
<tr>
<td>Rawicz</td>
<td>Poznań</td>
<td>Private</td>
<td>1041</td>
<td>≈5,205</td>
</tr>
</tbody>
</table>

Notably, this chart presents data for the period after the first partition, which separated some of the largest private towns from the Commonwealth, including the Zamoyski family’s Zamość. Other large towns, including the Potocki family’s Rzeszów and Łańcut, as well as the royal town of Lwów had also been amputated. Further, neither Danzig nor Thorn were included in this count, as they were taxed separately. Nonetheless, we can still see that some of the most important commercial centers belonged to private noblemen. Dubno, for example, became the most important center of markets and fairs in Southeastern Poland following the loss of Lwów to Austria in 1772. Mohylów played a similar role in Podolia, a fact noted by Russian administrators after the town fell to the empire in the third partition. In sum, many private towns remained small and economically stagnant, but a number prospered and achieved populations comparable to the largest royal towns, a phenomenon that does not appear to have repeated in other countries. That a private town, with luck and support, had the possibility of achieving such success may be a more important criterion for assessing the role of the Commonwealth’s private towns than the number of small, relatively unsuccessful towns.

### The Radziwiłł and Zamoyski Families

The Radziwiłłs and the Zamoyskis were extremely wealthy clans whose members consistently occupied the highest senatorial and ministerial posts in the Commonwealth, the

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29 Opisy podiłskoho hubernii, 33-34.  
30 For example, Whyte explains that few privately founded Burghs in Scotland became larger than villages, and the Duke of Devonshire’s towns in Ireland were all of relatively small size. Whyte, “Function and Social Structure of Scottish Burghs,” 18-20; Proudfoot, Urban Patronage, 70-77.
Radzwiłłs on the Lithuanian side and the Zamoyskis on the Polish side. Both families had remained powerful due to their possession of entailed property that was exempt from the standard practice of partible inheritance. The Zamoyski Ordynacja, located in present-day Lublin province, and the “Principality of Nieśwież,” the Radziwiłł family entail in modern-day Belarus, covered miles of territory and contained numerous towns of all sizes. This study focuses on the Zamoyski’s famous Renaissance town of Zamość, as well as the smaller settlements of Kraśnik and Tomaszów. For comparison, I examine the Radziwiłł’s capital of Nieśwież, as well as the family’s Ukrainian towns, Ołyka and Żółkiew. To control against the possible exceptionality of these two families’ private towns, this chapter also draws examples from smaller towns in the Lublin region, such as Lubartów, Firlej, and Modliborzyce, owned by the Sanguszko, Branicki, and Czartoryski families, respectively. All these towns are listed in the table below.

Table 3: Population Figures for Selected Towns

<table>
<thead>
<tr>
<th>Town</th>
<th>1770 Estimated Population</th>
<th>1778 Hearth Population</th>
<th>1787 Total Population</th>
<th>1787 Total Catholics (Including Uniates)</th>
<th>1787 Total Protestant and Orthodox</th>
<th>1787 Total Jews</th>
</tr>
</thead>
<tbody>
<tr>
<td>Royal</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lublin</td>
<td>1,829</td>
<td>8,550</td>
<td>4,152</td>
<td>167</td>
<td>4,231</td>
<td></td>
</tr>
<tr>
<td>Urządów</td>
<td>289</td>
<td>500(^{34})</td>
<td>489</td>
<td></td>
<td></td>
<td>11</td>
</tr>
</tbody>
</table>

31 Since the 1569 Union of Lublin, Poland-Lithuania had parallel ministers for both its component parts, the Polish Crown and the Grand Duchy of Lithuania, including chancellor, hetman (military commander), marshal, and treasurer. Poland and Lithuania had separate treasuries and armies. Andrzej Zamoyski was crown chancellor under Poniatowski and his brother was the starosta of Lublin. Karol Stanisław Radziwiłł was the paltine of Vilnius and simultaneously the starosta of Lwów. Orłowski, Między obowiązkiem obywatelem a interesem własnym, 49-54, 196-206; “Radziwiłł, Karol Stanislaw,” Polski Słownik Biograficzny, vol. 7, 248-252.
32 Jan Zamoyski, the founder of Zamość, obtained his Ordynacja in 1588. The Radziwiłł family was granted three separate entailed properties for each of the three brothers in 1586, two of which were combined in 1614. SG, vol. 7, 118-122; Ryszard Szczygieł, "Zamość w czasach staropolskich," in Czterysta lat Zamościa, ed. Jerzy Kowalczuk (Wrocław, 1983), 95-116.
<table>
<thead>
<tr>
<th>Town</th>
<th>Population</th>
<th>Year</th>
<th>Tax</th>
<th>Curfew</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kazimierz</td>
<td>293</td>
<td>1,093</td>
<td>788</td>
<td>3</td>
<td>303</td>
</tr>
<tr>
<td>Zamoyski</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4,000</td>
</tr>
<tr>
<td>Zamość</td>
<td>4,000</td>
<td></td>
<td></td>
<td></td>
<td>≈1000</td>
</tr>
<tr>
<td>Kraśnik</td>
<td>357</td>
<td>3,781</td>
<td>1,365</td>
<td>2,416</td>
<td></td>
</tr>
<tr>
<td>Tomaszów</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>≈1350</td>
</tr>
<tr>
<td>Radziwiłł</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nieśwież</td>
<td>372</td>
<td></td>
<td></td>
<td></td>
<td>≈1860</td>
</tr>
<tr>
<td>Ołyka</td>
<td>594</td>
<td></td>
<td></td>
<td></td>
<td>≈2970</td>
</tr>
<tr>
<td>Other Private Towns</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lubartów</td>
<td>465</td>
<td>1,625</td>
<td>1,129</td>
<td>15</td>
<td>481</td>
</tr>
<tr>
<td>Firlej</td>
<td>67</td>
<td>425</td>
<td>409</td>
<td>16</td>
<td></td>
</tr>
<tr>
<td>Modliborzyce</td>
<td>625</td>
<td>455</td>
<td></td>
<td>170</td>
<td></td>
</tr>
</tbody>
</table>

More accurate population figures cannot be presented due to the difficulty of treating hearth courts, as well as a further peculiarity of the Zamoyski and Radziwiłł family properties.

As a result of the first partition of Poland in 1772, approximately half of the Zamoyski Ordynacja, including Zamość and the town of Tomaszów, found itself under Austrian rule. In effect, the Ordynacja became a state within two states, subordinate to two very different governments, yet simultaneously a single economic and political unit. The Radziwiłł town of Żółkiew fell to the Austrian partition, though this town was not a component of the Principality of Nieśwież. Despite the division of their property into different countries, both families continued to administer their towns as a single unit. Until the final partition, the Radziwiłł and Zamoyski families promoted self-government in their towns, invested in urban reconstruction, and – most remarkably – demanded precious little from their burghers in the form of taxation.

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34 From the information the population count provides on parishes, Surdacki claims that the population of Urzędów was 1704. Surdacki, Urzędów, 52.
35 Orłowski, Między obowiązkiem obywatelskim a interesem własnym, 220-226; Władysław Ćwik, "Zamość pod zaborami," in Czterysta lat Zamościa, 129-130.
36 I have been unable to find population counts for the private towns in the Austrian partition, so the information for Zamość is based on the estimate of Ryszard Szczygiel, while the figure for Tomaszów comes from an extrapolation of tax registers in comparison with Kraśnik. Żółkiew does not appear in the hearth count of 1777, as it was located in the Austrian partition. BC, ms. 1093, 589-627; Szczygiel, "Zamość w czasach staropolskich," 115.
The two families’ relationship to their private towns remained relatively constant, even in the eighteenth century, when the Zamoyskis and Radziwiłłs found themselves on opposite sides of the political battle surrounding Stanisław August’s centralizing reforms. Andrzej Zamoyski, who became de-facto owner of the Zamoyski *Ordynacja* in 1777, was a founding member of the reformist camp which engineered the election of Stanisław August in 1764. He even participated in the Czartoryski family’s plans for a coup d’etat in 1762. Zamoyski fully embraced the ideas of greater royal power and rational reform associated with the new king, who made him crown chancellor in 1764. In contrast, Karol Stanisław Radziwiłł, owner of the Principality of Nieśwież from 1764 to 1792, was a dedicated opponent of the new king. He was twice exiled for disloyalty, once for his participation in the Confederacy of the Bar. Further, Radziwiłł fervently opposed the reforms leading to the Third of May Constitution, though both he and Andrzej Zamoyski died before the second partition sealed the fate of Poland-Lithuania. At the same time, both families pursued remarkably similar approaches to managing their private towns.

The Zamoyski *Ordynacja* and the Radziwiłł family properties were perhaps atypical in their size and composition, but they are nonetheless instructive. Firstly, both families delegated the day-to-day supervision of their territories to a cadre of officials, who in turn produced volumes of records. Secondly, though the two capitals were impressive centerpieces for their domains, the Radziwiłł and Zamoyskis also owned many medium-sized and small towns, such as Kraśnik and Tomaszów for Zamoyski, Ołyka and Żółkiew for Radziwiłł. The show case value of these other towns was dramatically less important than that of the capitals, and such settlements thereby present a more “typical” picture of private towns. Finally, if these two families’ wealth and power distorts our view of private towns, they ultimately provide a measure of the

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possibilities private towns could generate for their residents. Zamość and Nieśwież provide a partial answer to the question of how some private towns were able to become the largest and most successful centers of trade in the Commonwealth.

The Prince’s Personal Protection: The Radziwiłł Family Towns

Though similar in approach, the Radziwiłł “Principality” and the Zamoyski Ordynacja employed different organizational structures for managing their properties in the eighteenth century, including the towns. As businesses, in effect, competing with one another for prosperous burghers who would add to their wealth, the two families offered different inducements and guarantees to attract and retain townsmen on their properties. The Radziwiłł family employed a more informal, personal system of administration with generalized responsibilities modeled on the royal pattern. Despite a number of trained judges, surveyors, tax-collectors and overseers, all final decisions rested with the owner, and officials continuously communicated with their boss on issues affecting the economic, political, and physical aspects of the Principality. The Zamoyskis, in contrast, employed a structure much more analogous to a modern corporation, with interlocking councils and well-defined jurisdictions leaving the day-to-day administration outside of the owners’ purview.

In the Radziwiłł properties, including the Principalities of Nieśwież and Ołyka, as well as the town of Żółkiew in Red Ruthenia, each territorial entity was overseen by a starosta nominated by Radziwiłł. The starosta supervised the entire unit of property, including the town and the adjacent peasant villages, and served as judge for disputes between Christian burghers and Jews. As in the royal towns, the Radziwiłłs established a reeve (wójt) in each of their urban

38 AGAD, AR V 11370 II (“Jerzy Paszkowski, wójt nieświeśieski to Radziwiłł, 1750-1755”), 3-4, 9-11; AR V 11370 IV (“Jerzy Paszkowski to Radziwiłł, 1765-1774”), 111.
communities. Elected by the community, but approved by the owner, the reeve served as a judge in the lowest court of appeals and represented the owner’s interests by overseeing town elections.\textsuperscript{40} The Radziwiłł family also relied on a large number of enumerators, surveyors, and clerks who forwarded information to the owner about the various properties’ burghers and peasants in a manner reminiscent of the royal audits periodically conducted on the king’s land.\textsuperscript{41} Radziwiłł himself, in a role analogous to that of the king, served as the highest court of appeal for all his citizens.\textsuperscript{42}

Despite having armies of administrators, the Radziwiłłs consciously refrained from interfering in their burghers’ sphere of competence, directly contradicting Weber’s theory that self-government arose from a lack of trained personnel at the center.\textsuperscript{43} In fact, the Radziwiłłs openly touted self-government as one of the benefits for potential settlers. The towns on Radziwiłł’s property elected officials, taxed themselves, spent money with relative freedom, and retained control of their courts throughout the eighteenth century and long after the parliament had abolished Magdeburg self-government for all the small royal towns of the Grand Duchy of Lithuania.\textsuperscript{44} Indeed, Michał Radziwiłł specifically instructed his starosta in 1747:

\begin{quote}
If a burgher should have court business with another burgher, this does not belong to the Lord Starosta’s competency and it should never be judged by the Lord Starosta, but in the town hall according to Magdeburg Law, from which appeal belongs exclusively to me.\textsuperscript{45}
\end{quote}

\textsuperscript{40} AGAD, AR XXIX 12, 23-25, 81.
\textsuperscript{41} The number of these inventories is enormous. Some representative ones include: AGAD: AR XXV 2666 ("IKN, 1628-1629"), 5-6; AR XXV 2648/2 ("Nieśwież, 1692"), 2-6; AR 2903/2 ("Nieświež XVIII w. (1778)"); 1-20.
\textsuperscript{42} AGAD, AR XXIX 5, 608-612; AR XXIX 12, 68.
\textsuperscript{43} Weber, \textit{Economy and Society}, 1351-1352.
\textsuperscript{44} Korzon reports that the citizens of Nieśwież bragged of their freedoms to the king when he visited in 1787. See: Korzon, \textit{Wewnętrzne dzieje Polski}, vol. II, 326. For the law, see: VL, vol. 8, 567.
\textsuperscript{45} “Jeżelioliby mieszczanin z mieszczaninem miał sprawę, takowe sprawy, i jako absolute do JP Starosty nie należą, tak nigdy u JP Starosty sądzić niemają, ale na natuszu w Magdeburgyj, od kotrej appellacya do mnie samego należeć ma.” AGAD, AR XXIX 5, 610.
Even during his absence from the country in exile, Karol Radziwiłł vowed not to violate the provisions of Magdeburg Law. Since he could not be present to approve the candidates for Ołyka’s reeve following the death of current officer in 1772, he chose one himself, but ordered the reeve to preside over a free election for members of the town council.\footnote{AGAD, AR XXIX 12, 81, 90.}

If the promise of self-government was insufficient to attract settlers, the Radziwiłł family also offered other inducements, including the promise of protekcja. Consistent with the personal rule of the prince, Radziwiłł offered to employ the family’s personal fortune, influence, and private army to shelter residents from competition, excessive burdens, and other demands of outsiders. Rosman has described protekcja as one of the services that powerful families provided to their Jewish settlers,\footnote{Rosman, *Lord’s Jews*, 62.} but the Radziwiłł family explicitly extended this offer to all residents, as Michał Radziwiłł informed his Nieśwież starosta in 1747:

> The Lord Starosta will provide every kind of protekcja, both to the Christian burghers and the Jews living in my towns, being aware of the debts, which they have in outside towns. If they themselves owe money, the Lord Starosta should ensure that they punctually pay and remit in order to maintain the best credit.\footnote{“Ma JMP Starosta tak mieszczanom, iako y żydom w miastach moich będącym wszelką dawać protekcją, upominać się o ich długi, które w miastach cudzych mają, ieżeliby zaś sami komu winni byli ma JMP Starosta potrzymać, aby puntualnie płacili y oddawali dla kredytu lepszego.” AGAD: AR XXIX 5, 611.}

The above statement may appear patronizing, but note that there is no indication of punishment or fines for disobedience, merely that the starosta should watch out for the burghers’ interests. If Radziwiłł were to intervene on behalf of his townsmen with outsiders, he would want to be certain that his burghers were not to blame.

The service of protekcja played a role in the Radziwiłł family’s effort to attract burghers to their towns, as indicated by Karol Radziwiłł’s instructions to the town of Żółkiew in 1771. The owner ordered the town to post an announcement at all markets and fairs, advertising that
new settlers would receive freedom from any taxes, while those returning would obtain: “Land allotments, as well as any help with construction, support for their needs, and, especially, strong protekcja from the starosta and myself.” He reminded his starosta of this obligation in December of the same year, informing him that the Christians and Jews, especially the leaseholders, should particularly be given protekcja, “So that they are not harmed by anyone, despite reason or justice.”

The Radziwiłłs allowed the burghers to provide justice for themselves with their own court, but the possibility of protekcja from one of the wealthiest and most powerful families in the country added a supplemental inducement for those thinking of changing towns.

As the correspondence between the burghers of Nieśwież and the Radziwiłłs reveals, protekcja was a service the family took seriously, and the owner would intervene personally in town affairs in extreme situations. All the eighteenth-century petitions from townsman to the owner before 1795, admittedly a small number, include Radziwiłł’s response. When the Jewish kahal wrote in 1729 to complain that several Jews had been imprisoned by the magistracy for committing an unnamed crime and their goods confiscated, Michał Radziwiłł ordered the starosta to release those Jews not under suspicion and to investigate. In 1732, when ownership of the kahal’s debts passed to a priest, Bendyktiewicz, who demanded all his money at once, the Jews wrote to the town owner, who ordered the starosta to provide protekcja for the kahal and

49 “Tym uniwersalem oświadczam, iż garnącym się y przybywającym na mieszkanie do Żółkwi wolność od wszelkich podatków y de novo osiadającym nadań, oraz wszelka pomoc do zabudowania się, wsparcie w potrzebach czynione, y mocna protekcya przez zwierzchność moją zamkową dana będzie, iako to osobliwą.” AGAD: AR XXIX 12, 52.

50 By lease-holder (arendarz), Radziwiłł means those people, usually Jews, leasing one of his monopoly rights, such as the production of alcohol or mills. He seems to be indicating that the starosta should favor their interests even if others bring a reasonable claim against them, which would be in keeping with his economic interests as owner. See: Rossman, Lord’s Jews, 110. “Będzie JMP Starosta . . . obywatelom tak chrześcianom, jako y żydom, mianowicie arendarzom, mocną dając protekcją, aby od nikogo mimo słuszność y sprawiedliwość krzywdzeni nie byli.” AGAD, AR XXIX 12, 68.
arrange for their debts to be paid in annual rates as before. A complaint by the Christian
butchers’ guild in 1748 that the Principality’s officials had failed to pay for the meat provided for
the funeral of Michał’s mother was met with a reply ordering the starosta to investigate. Only
after the Russian Empire seized Nieśwież in 1795 did the owner’s protection diminish, and
letters after this date contain no response from the owner.

In order for their offer of self-government to have meaning, private town owners such as
the Radziwiłłs were compelled not only to provide services, but also to forego the collection of
certain revenues. As with their royal counterparts, the magistracies in private towns required
some money with which to fulfill their basic functions. Among the Radziwiłł family’s properties,
the burghers of Nieśwież obtained fairly generous funding to maintain the town, and these
monies continued to flow into the town coffers even into the early nineteenth century. According
to privileges dating back to 1626, the town possessed two forms of property – urban residential
space and rural units of land – both of which were taxed for the benefit of the town treasury. In
addition, the brick and wooden merchant stalls surrounding the town hall had to pay the town
government a certain tax. The magistracy of Nieśwież further collected the equivalent of 200
zlotys per annum from the weekly market tolls. According to later budgetary records, the main
purpose of these revenues was to compensate night watchmen and the support staff for the
magistracy, as well as to provide capital for minor repairs, much as in royal towns.

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51 AGAD, AR V 10430 ("Nieświescy obywatele to Radziwiłł, 1702-1808"), 4-5, 7.
52 Ibid, 31-33.
53 The number of residential space units (place) varied with population, but was 348 and 2/3 in 1629, while the
landed property remained consistent at 100 włok, or 1680 hectares. Each plac paid the town treasury 30 Lithuanian
groszy and each włok paid 1Lithuanian kopa. The Grand Duchy of Lithuania had its own currency, the kopa, which
was equal to 2.5 zlotys, according to a calculation made by Radziwiłł in the early eighteenth century. Unlike the
zloty, which was divisible into thirty groszy, the kopa was divisible into sixty. See: AGAD, AR XXV 2690/1, 25-
26; AGAD, AR XXV 2666, 5-6.
54 AGAD, AR XXV 2666, 5-6.
At the beginning of the eighteenth century, Nieśwież imported 1,374 zlotys in revenue, from which the town received 482 zlotys and the Radziwiłł family 892. According to later records, during the years 1776 through 1778 the town received 4,284 zlotys, of which the magistracy retained 1,392. By comparison, Lublin’s regular income in the 1770s was about 4,444 zlotys according to the Good Order Commission, which produced about 2.4 zlotys in expenditure per hearth. The small royal town of Urzędów near Lublin brought in 1,000 zlotys, or 3.5 zlotys per hearth. Nieśwież’s 1,392 zlotys over two years was equal to 3.69 zlotys per hearth. In other words, the magistracy of Nieśwież collected more money relative to the size of the population than larger royal towns, at least before the propinacja reform and the Good Order Commissions altered the dynamics in the latter.

Private owners also contributed money towards the upkeep of their towns, especially the capitals designed to showcase the lords’ wealth and power. Contemporaries observed that the defenses of Nieśwież and Zamość, as well as other capitals, such as the Lubomirski’s Dubno in Ukraine, were more sound and reliable than their royal counterparts. Radziwiłł ensured that his capital, in particular, received sufficient infrastructural investment, and that the family had endowed the town with considerable amenities. Nieśwież, in addition to its formidable castle, possessed a school and a hospital for the benefit of the burghers, funded by a dedicated tax revenue established by the family in the sixteenth century. Inventories from the early eighteenth century indicate that the Radziwiłłs made sure the town hall remained in good

56 AGAD, AR XXV 2690/1, 25-26.
57 AGAD, ML IX 105, 112.
58 AGAD, ML VII 84, 25; ML VII 86, 87-88.
59 Travelling in Poland-Lithuania in the late seventeenth century, de Beaujeu observed that Zamość was the only city in the country that could truly be called a fortress. Cudzoziemcy o Polsce: Relacje i opinie, ed. Jan Gintel, vol. I (Kraków, 1971), 345-347. In addition, the Civil-Military Commission of Volhynia complained that General Lubomirski, who was in charge of military forces there, preferred to keep his soldiers garrisoned in his personal town of Dubno since it was much better fortified than the palatinate capital of Łuck. BC, ms. 953, 157-158. See also: Bogucka and Samsonowicz, Dzieje miasta, 407; Wyrobić, “Rola miast prywatnych,” 36.
60 AGAD, AR XXV 2658/1 (“Nieśwież, XVII w.”), 11.
condition, noting repairs that had been undertaken to restore it at the end of the seventeenth century.\(^{61}\) Further, correspondence between Michał and Karol Radziwiłł with their officials in Nieśwież presents a picture of more or less continuous repairs of the mill, the gates, and the town hall.\(^{62}\)

Despite reserving funds for the town and contributing additional monies for construction and maintenance, private town owners demanded comparatively little in direct taxation from their residents. In Nieśwież, burghers living in the old and new towns, the area within the town walls and just outside of it, paid their rent and property taxes to the town treasury, not the owner’s pockets. An early seventeenth century inventory declared, “And by the privileges of the prince [Radziwiłł] no other duties or taxes shall be made or given until the expiration of [the town’s] freedoms.”\(^{63}\) Townsmen were liable for other indirect dues, such as market fees, and the town produced further income for Radziwiłł in the eighteenth century from the three gristmills, three mead producers, eleven vodka distilleries, and eleven taverns. In addition, Jewish butchers paid a certain tax to the family, and Jews themselves were subject to a capitation tax.\(^{64}\) Finally, peasants occupying town land for agricultural purposes had to pay rent in kind or via corvée labor. Fishermen, for example, had to provide a certain quantity of fish for the family.\(^{65}\)

Despite these and other taxes, the town was not a significant source of income for the Radziwiłł family. A 1673 Inventory of Nieśwież calculated that the town provided the family the equivalent of 1,303 zlotys out of a total income for the Principality of 335,000 zlotys.\(^{66}\)

\(^{61}\) AGAD, AR XXV 2690/2 (“Nieśwież, XVIII w.”), 1.
\(^{62}\) AGAD, AR V 11370 II, 3-4, 9-11, 111.
\(^{63}\) “A inszey powinnoś ci podatków żadnych za przywileiami XJM do Expirowania wolności czynić y dawać niepowinni.” AGAD: AR XXV 2666, 6.
\(^{64}\) In Żółkiew, the custom was that Jews paid one-and-half times whatever duties Christians had. AGAD: AR XXIX 12, 23-25; AGAD: AR XXV 2690/1, 25-26.
\(^{65}\) AGAD, AR XXV 2658/1, 13-26.
\(^{66}\) AGAD, AR XXV 2669/1, 16-17.
revenue from the taverns, mills, and Jewish butchers. Between 1776 and 1778, rents and tolls from the town only netted the family 1,284 zlotys. ⁶⁷ Given the devaluation of the zloty in the eighteenth century, thus sums seem miniscule, especially in comparison with the amount obtained for the Principality from peasant villages. ⁶⁸ Calculated in terms of tangible financial benefits, the Radziwiłł capital was a poor investment.

**A State within Two States: The Zamoyski Ordynacja**

The Zamoyski properties were organized according to a slightly more bureaucratic structure, but the relationship of the owner to the burghers paralleled that of the Radziwiłls in many respects. At the same time, the Zamoyski Ordynacja faced the peculiar situation of belonging to two states. As a result of the first partition of Poland in 1772, approximately half of the Zamoyski Ordynacja, including Zamość and the town of Tomaszów, found itself under Austrian rule. Emperor Joseph II finally confirmed the family’s right to maintain the property intact in 1786, which permitted customs exemptions between the Polish and Austrian border within the Ordynacja. In effect, the Ordynacja became a state within two states, subordinate to two very different governments, yet simultaneously a single economic and political unit.⁶⁹ The Austrians initially allowed Jan Jakub and Andrzej Zamoyski a wide berth in managing their towns and lands, but the centralizing and unifying tendencies of the Habsburg monarchy could not leave these territories wholly to the management of their owner. Thus, as much as they

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⁶⁷ AGAD, AR XXV 2690/1, 36; AR XXV 2690/3, 14-27.
⁶⁸ On the devaluation of the zloty, see: Opas, “Powinności,” 121-125.
⁶⁹ Ironically, the confirmation, which was sought by both Andrzej as acting owner (Ordynat) and his older brother, the *de iure* Ordynat, resulted in a fierce family feud and numerous court battles. Orlowski, *Między obowiązkiem obywatelskim a interesem własnym*, 220-226; Ćwik, “Zamość pod zaborami,” 129-130.
intended to maintain the attractiveness of their towns to the residents, the Zamoyskis increasingly had to serve as spokesmen and enforcers for Austrian interests.\(^70\)

The Zamoyski *Ordynacja*, as stated, operated more like a corporation which functioned without the owner’s regular involvement. The Economic Council constituted the apex of the Zamoyski “corporation,” and oversaw day-to-day operations, composed precise budgets for each fiscal year, leased out monopoly rights, and supervised the collection of rents and tolls.\(^71\) The chairman of the Economic Council, the burgrave, served as the liaison between the owner and the burghers. Appointed by Zamoyski, the burgrave periodically conducted inspection tours of all the towns, reviewing their finances, issuing the owner’s instructions, and presiding over town elections. In addition, the burgrave also served as the chief justice on the highest court of appeals for the *Ordynacja*’s burghers, the Zamoyski Tribunal. All the towns of the *Ordynacja* had the right to elect judges for the Tribunal, pending confirmation by the burgrave, and they were required to jointly provide financial support for the Tribunal’s secretarial staff.\(^72\) Remarkably, the Zamoyski *Ordynacja* continued to operate as a juridical unit even after the partition split it in two, with the Economic Council, the burgrave, and the Tribunal functioning in the Austrian partition alongside the Habsburg administrative apparatus.\(^73\)

Similar to the Radziwiłł model, the Zamoyski structure actually served to reinforce the existence of self-government. One of the duties of Zamoyski’s burgrave, for example, was to ensure that the townsmen of the *Ordynacja* conducted regular elections for judges, council

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\(^70\) Zamoyski’s economic and political instructions to Tomaszów after 1772 increasingly refer to Austrian priorities, such as implementing imperial decree, following Austrian judicial procedure and apprehend deserters from the army. APL, Tomaszów 11, 43-55, 84-87; Ćwik, “Zamość,” 129-130.


\(^72\) AGAD, AZ 2494a (“Uniwerealy Andrzeja Zamoyskiego do Miasta Ordynacji (hereafter Uniwersaly”), 1-2; APL, Kraśnik 40, 2-4, 22-25, 44-47.

\(^73\) AGAD, AZ 2494a, 1-2.
members and deputies to the Tribunal. On at least one occasion, the burgrave chastised the town
council of Kraśnik for neglecting to hold regular elections.\footnote{APL, Kraśnik 40, 2.} Further, the Tribunal served as a
common forum for the burgrave and town officials on all levels to conclude agreements and
answer for potential misdeeds. Indeed, a suit between the burgrave, Franciszek Dzierżanowski,
and the mayor of Zamość, Jakub Łenawski, in 1772 indicates that no official could escape
accountability.\footnote{APL, ATZ 14, 260-263.} When petitioned, the Zamoyskis also proved willing to intervene personally on
behalf of their individual residents. Consistent with its formalistic structure, the Ordynacja
Administration kept an official record of all private supplications and recorded the owner’s
resolutions. In one instance, Andrzej Zamoyski dictated point-by-point instructions to the
burgrave in response to a series of requests for back-payments and tax relief from a burger in
Kraśnik.\footnote{Rosman, The Lords’ Jews, 62-64. Supplications to owners usually involved requests for tax relief or payment for
services, which some official had failed to render. APL, AOZ 1586 (“Księgi suppliki i rezolucji, 1770-1774”), 18-19, 22, 24-25.}

Like the Radziwiłłs, the Zamoyskis allocated funds for the towns of the Zamoyski
Ordynacja to support the business of the magistracies. As an important source of prestige and
display, the owner’s capital, Zamość, received the most generous funding allotments. According
to a 1696 inventory, the Zamoyski family allowed the town magistrate to lease commercial space
in the town hall, as well as the brewery, netting 4,405 zlotys for the town (19.6 zlotys per hearth
at the time). In addition, all Magdeburg Law towns, royal and private, could assess direct
taxation on their citizens. Zamość collected almost twice as much money from its leases as from
personal taxes in 1696, but for other towns in the Ordynacja, such as Kraśnik and Tomaszów,
regular citizen levies were the primary source of income. In fact, burgrave Antoni Kochowski
reprimanded the citizens of Kraśnik in 1775 for failing to exercise their legal right to lease the

\footnote{APL, Kraśnik 40, 2.}
town hall and rent out sellers’ stalls in the market square. Unlike Zamość, the operational budget of a small town like Kraśnik was extremely small, since between forty-five and sixty-five percent of the total revenue raised was employed to meet the town community’s tax obligations to the Commonwealth government. Tomaszów, which was under Austrian suzerainty after 1772, spent less town money on taxation, but had to pay for a number of officials and chancellery expenses mandated by Vienna. The remnant for both towns, as in Nieśwież, compensated the support staff of the magistracy and financed minor repairs.

In addition to the sums a town might collect, the Zamoyskis were ultimately responsible for major investments and repairs. The town of Zamość provides perhaps the most famous example of an owner’s urban patronage in the Commonwealth. Jan Zamoyski, the sixteenth-century founder, had the town built according to Renaissance models of geometry, and endowed it with a full-fledged Academy, which became the second most prestigious in the country and was heavily subsidized by the family. According to the memoirs of Ulrich Werdum, Zamoyski funded the education of poor students, many of whom came from the Ukrainian territories of the Commonwealth. In addition, Jan Zamoyski ensured that his capital would have first-rate defenses, a cadre of trained medical doctors, and merchants from Armenia, Greece, and the Middle East.

The budgets for the Ordynacja administration in the eighteenth century showed that the Zamoyski capital continued to receive substantial support from the owners. Equipping and compensating the garrison which defended the town consumed the largest line item under

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Zamość-related expenses. In the late eighteenth century, this provision absorbed between four and six percent of the Ordynacja’s total revenue. In addition, Zamoyski paid the operating costs of the town hall and supported a veritable army of carpenters, stone-masons, painters and smiths for maintaining the castle, the town, and the properties of his entail.\textsuperscript{81} For the fiscal year of 1773-1774, the Zamoyski “corporation” expended 10,212 zlotys on various projects, repairs and maintenance costs in Zamość. This included repairing the town gates, several mills, the brewery, and a number of the stone townhouses, as well as supporting the town hospital. This was in addition to the 3,649 zlotys for provisioning the family residence. Together, this represented twenty-two percent of the 62,862 zlotys the town produced for the family in direct income. Subsequent years did not see such generous spending, but Zamość continued to be a sizeable item on the Economic Council’s budget.\textsuperscript{82}

With regard to other towns of the Ordynacja, the Zamoyski family was significantly less generous. Kraśnik only appears in the budget line once from 1767-1782, listed under expenses for chopping wood in 1773-1774. For Tomaszów, the only reference to repairs appears in 1782, when the Zamoyskis funded an administrative building for the Austrian authorities, in addition to a tiny expenditure for repairing the town brewery.\textsuperscript{83} On the other hand, the Zamoyskis did not entirely neglect their small towns, as demonstrated by the successful request of a resident of Kraśnik who petitioned for material support and financial aid in establishing a Brazier workshop in 1773.\textsuperscript{84} Further, one must remember that the Ordynacja took on significant new expenses after 1772, especially in the first few years after the partition when the family had to support the

\textsuperscript{81} APL, AOZ 1547, 3-33, 130-190.
\textsuperscript{82} APL, AOZ 1550, 198-311; AOZ 1553, 1-84.
\textsuperscript{83} APL, AOZ 1550, 154; AOZ 1553, 74.
\textsuperscript{84} APL, AOZ 1586, 24-25.
occupying Austrian soldiers, as well as pay the customs tolls for moving goods between the two borders until Joseph II exempted the property in 1786.85

Zamość and the towns of the Ordynacja, like Nieśwież, produced comparatively little money for the owner, though the Zamoyski family gradually increased their town revenues through greater reliance on their alcohol monopoly. In 1629, out of a total income for the Ordynacja of 104,507 zlotys, the entire contribution of Zamość was 77 zlotys, paid by the butcher’s guild to the owner. The previous year, the town paid the slightly higher amount of 147 zlotys in direct taxation. Although the rents of the burghers rose to 2,000 zlotys in 1685, out of a total income of 169,800, in general Zamość continued to resemble Nieśwież, with the majority of income for the owner’s family produced by indirect taxation on tolls, mills and monopoly rights. In 1659, for example, when the town produced 216 zlotys for the family, the mill brought in 12,000.86 As with the Radziwiłł properties, Jewish populations were more heavily taxed; the Jewish merchants of Zamość paid a special tax totaling 3,000 zlotys in the late eighteenth century. In addition, the Ordynacja received a significantly greater proportion of income in the eighteenth century from its alcohol monopoly. Zamoyski’s propinacja income from Zamość alone in the fiscal year 1771 was 18,201 zlotys, rising in 1774 to 51,988. Together, the alcohol income of all the Ordynacja’s towns contributed 82,515 zlotys to the 1,303,606 zlotys total intake (6 percent).87 Finally, all Zamoyski’s towns also contributed a set amount to a dedicated fund called the “gunpowder” tax, which supported the garrison in Zamość. The capital town

85 APL, AOZ 1550, 300-311.
86 AGAD, AZ 2521 (“Akta dotyczące generalnych pożyczcy, przychodu, i rozchodu oraz stanu kasy Zamoyskich, 1601-1840”), 15, 45, 53, 72.
87 The income for fiscal year 1773-1774 excludes the revenue received from leasing the position of Lublin starosta, which the family sold the same year for a profit of 500,000 zlotys. APL, AOZ 1547, 130-190; AOZ 1550), 198-311.
itself supplied 700 zlotys to this fund of 3,648 in 1772, and Tomaszów and Kraśnik coughed up 440 and 220 respectively, paid out of their general levy.\textsuperscript{88}

As the above numbers indicate, private towns provided only a modest income to their owners, and the majority of their value was generated by indirect tariffs and tolls, especially the mill and the alcohol monopoly. These revenues would flow as much, if not more, from the surrounding peasants who wanted to grind grain, buy beer, and sell their produce at the market. For this reason, Gostomski advised his town-owning readers to concern themselves above all with the quality of the local beer and the honesty of the town toll collectors.\textsuperscript{89} We may say that some of the value of a private town, especially a show piece such as Zamość or Nieśwież consisted in the prestige and image of power which it brought the owner. Nonetheless, the fact remains that large landowners who wanted a monetary income needed centers where their peasants to exchange their goods for coin. Once exchanged, peasants might immediately spend their cash on services, such as those offered by the tavern or mill, which funneled income directly to the owner.

For this system to work, owners had to offer not only self-governing rights, protection, financial autonomy, and infrastructural investment, but also low direct taxes. The contrast between the owners’ calculated interest in the welfare of their towns and the royal starostas’ incentive to drain as many funds from the towns did not escape reformers and publicists in the eighteenth century. At the 1776 parliament, Adam Bukar, a deputy from Kiev palatinate, even suggested that all the royal lands should be sold to private owners and royal towns converted into private towns. Bukar suggested that this exchange would not only raise money for the country, but also improve the material and economic conditions of the towns. The new, hereditary owners

\textsuperscript{88} APL, AOZ 1586, 21.
\textsuperscript{89} Gostomski, \textit{Gospodarstwo}, 99-100.
would invest in their property and offer protekcja to their new subjects. Incidentally, Stanisław Staszic floated a similar proposal in his 1790 “Warnings for Poland.”\textsuperscript{90} In any case, demand for burghers in the mid-to-late eighteenth century continued to be high enough, at least on the Zamoyski and Radziwiłł estates, that the two owners were willing to provide the kind of conditions that reformers wanted to see in the royal towns.

A New, Enlightened Approach to Town Management

Beginning in the late eighteenth century, the Zamoyski and Radziwiłł families began to diverge in their approach to managing their private towns. Jan Jakub and Andrzej Zamoyski, who managed the Ordynacja between 1767 and 1792, came to favor the proposition that a ruler should become more directly involved in promoting good order, efficient tax collection and greater commercial productivity. The Zamoyski brothers thus implemented reforms in their towns that mirrored the Cameralist policies of Stanisław August’s government and the Habsburg state in which the Ordynacja was located.\textsuperscript{91} Ironically, this move towards greater intervention and control occurred just as Adam Smith, like the Physiocrats before him, was preparing his massive treatise in defense of unrestricted trade.\textsuperscript{92}

In the early eighteenth century, owners’ instructions to the towns appeared overwhelmingly concerned with justice, security and traditions. Michał Radziwiłł’s 1747 instructions to the Nieśwież starosta, for example, emphasized the need to encourage merchants to come to town fairs by preventing violence and ensuring that no one was denied access to the courts. The owner explicitly instructed the starosta to restrain tempers and to prevent the town’s

\textsuperscript{90} Dyaryusz seymu ordynarnyiego, 265; Staszic, “Przestrogi dla Polski,” 71-72.
\textsuperscript{91} Zamoyski’s economic and political instructions to Tomaszów after 1772 increasingly refer to Austrian priorities, such as implementing imperial decree, following Austrian judicial procedure and apprehending deserters from the army. APL, Tomaszów 11, 43-55, 84-87; Ćwik, “Zamość,” 129-130. Mack Walker has written specifically on the influence of Cameralism with regard to towns, with a much less positive view of the rulers’ intentions than appears in Marc Raeff’s study. See: Raeff, Well Ordered Police State, 37-57; Walker, German Home Towns, 147-166; Tribe, “Cameralism,” 263-284.
\textsuperscript{92} On the ideas of the Physiocrats in Poland-Lithuania, see: Jobert, Magnats polonais, 13-21.
merchants and artisans from engaging in a cycle of continuous litigation. With regard to matters of order and cleanliness, owners tended to issue general guidelines that lacked the specificity of the Good Order Commissions. Radziwiłł specifically instructed his starosta to ensure the implementation of police matters, such as road repair, fire prevention, and cleanliness, but emphasized that those tasks belonged to the magistracy. Karol Radziwiłł repeated these general guidelines to his Żółkiew starosta in 1771.93

The instructions of the Zamoyski family to their smaller, less important towns provide a particularly useful window for gauging the owners’ changing attitude, as these centers were historically of little concern to the family. Klemens Zamoyski’s instructions to Tomaszów in 1762 characterize the older approach in emphasizing the importance of tradition and general guidelines, rather than specific rules:

[My] instructions will not describe the customs of this town as they are quite extensively recorded in the election record-books, a further it is better to observe old customs and ensure they are implemented than to forget newly written ones.94

Indeed, eight out of twelve points in the burgrave’s instructions to Kraśnik in 1768 are concerned with holding court, including such injunctions as to fear God and to hang a cross in the courtroom to remind the councilors of their oaths.95 These instructions, in turn, largely reiterate the advice provided in Bartolemej Groicki’s sixteenth-century manual on Magdeburg Law.96 Karol Radziwiłł, as well, instructed his starostas to apprise themselves of the privileges and traditions of his towns that had already been recorded. He ordered the starosta of Żółkiew to

93 AGAD, AR XXIX 5, 608-612; AR XXIX 12, 68.
94 Klemens was the owner of the Ordynacja until 1767. “Zwyczaiów dyspozycyi Miasta tuteyszego nieopisuią bo te dosyć obszenie w Xięgach Elekcyonalnych są uznaczone, zaczym lepiej stare obserwować y te do Exekucyi przyprowadzać niżeli nowonapisanych zapominać.” APL, Tomaszów 11, 6; Orłowski, Między obowiązkiem obywatelskim a interesem własnym, 192-193.
95 APL, Kraśnik 40, 22-23.
96 Reading Groicki’s description of officers under Magdeburg Law reveals an immediate divide between his cosmos and that of the contemporary world. When Groicki mentions a position in the town government, rather than defining the duties and competency of that official, he describes the kind of person who should do the job and the wording of the oath of office. Groicki, Porządek sądów miejskich, 28-30.
carry out his responsibilities according to the instructions of Michał, his father, and the earlier provisions of the family. In instructions to the starosta of Nieśwież in 1772, Radziwiłł directed his subordinate to judge in accordance with the ancient custom and earlier instructions. When Radziwiłł’s prolonged absence from the country lead him to appoint a new reeve for Ołyka, he assured the town that this was a temporary measure, not meant to harm the tradition of free elections, and ordered the reeve to judge in accordance with tradition.97

In the 1760s, the Zamoyski family, along with a number of other private town owners, moved away from this emphasis on tradition and began issuing more specific regulations to their towns, which precisely outlined tasks and goals. In many cases, the regulations demanded of royal towns by the Department of Police and the Good Order Commissions followed the example of private towns, not vice versa. For example, the requirement that royal towns keep precise records of their financial dealings and present them to the starosta for inspection, as mandated by the 1768 parliament, had long been practiced in the towns of both the Radziwiłł and Zamoyski families.98 Regulations imposed by the Good Order Commission of Lublin, for example, which instituted specific fire-prevention measures, including chimney inspection, and routine cleaning, appear in Radziwiłł’s 1747 instructions and the budgets for Tomaszów and Kraśnik in the 1760s, years before the Commissions began operating outside of Warsaw.99

Unlike the royal government, however, private town owners felt the need to convince and negotiate, rather than merely to command, in order to effect change. In 1768, Jan Jakub Zamoyski decided that small towns such as Kraśnik should hire a schoolmaster, assuming that better educated burghers with more skills would earn themselves (and thus the family) more

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97 AGAD, AR XXIX 12, 68, 73-74, 81.
98 VL, vol. 7, 351. Michał Radziwiłł presented this requirement to his starosta in 1747, indicating that it was an old tradition, and Tomaszów and Kraśnik showed their accounts to the burgrave prior to each election. AGAD, AR XXIX 5, 608-612; APL, Kraśnik 40, 2-4; Tomaszów 11, 5-6.
99 APL, KML 55, 173; Tomaszów 11, 44-49; Kraśnik 40, 8-10; AGAD, AR XXIX 5, 608-612.
money. Unlike royal edicts, which simply demanded compliance, private town owners understood that any novelty, especially one producing addition outlays, would require persuasion. Burgrave Dzierżanowski, visiting Kraśnik in 1768 with the purpose of persuading the citizens to appoint and pay for a school director, used every rhetorical trick available, beginning with threats:

In practically all the towns of the Zamoyski Ordynacja, the burghers have sold all their houses to the Jews and have become suburbanites, and further they do not teach their sons skills, or if their sons do receive education, they do not apply themselves to commerce and trade . . . and burghers, having rights from the kings and owners in hand and not being aware of them, and not having houses in the town, should not be honored with such rights or called burghers, but serfs more apt to perform corvée labor.100

He followed this by explaining the benefits of the school to the residents themselves:

You should hire an intelligent school director who would educate the children well, and if children become educated, then . . . this knowledge will be available for good and in the future will contribute to the happiness of the town.101

Dzierżanowski ended with a combination of coaxing and pleading, urging the burghers to pay for the school director, as well as the salary of the clerk and tax collector:

If the burghers want and desire to have happy successors honored with uncompromised rights, let them from now on create good order, with regard to a good school director, clerk, as well as a tax collector, let them not regret the cost, and carrying out these instructions of mine, they can expect for themselves better times and my esteem.102

100 “W miastach prawie wszystkich Ordynacyi Zamoyskiej mieszczanie domy swoie żydow poprzedawali y place a sami przedmieszczanami zostali, do tego Synów swoich do nauki niedają, albo dawszy y wyedukowawszy nie applikują do gospodarstwa . . . y mieszczanie mąąc Prawo od Krołow y Fundatorow w ręku a nieznając się na nim, y w mieście niemając domow swoich niepowinni się zaszczycać prawami y zwać mieszczanami, ale poddany do robienia powszechny sposobniejszemi.” APL, Kraśnik 40, 23-34.

101 “Trzeba przyjąć Dyrektora rozumnego któryby dzieci doskonale edukował, a gdyby dzieci edukowały się . . . a ta nauka wyszliby na dobre y w przyszły czas na uszczęśliwienie Miasta.” Ibid.

102 „Jeżeli chcą mieszczanie zyczą sobie suksesorow swoich mieć uszczęśliwionych, y prawem niekazytelnym zaszczyconych, niechże od tych czas zaczną im dobry porządek czynić, tak względem Dyrektora dobrego, pisarza iako tey y Exakta, niech dla nich nie żalują kosztu, a wykonawszy tę obligację moię, jeszcze mogą sami doczekać szczęśliwnej pory y Estymacji.” Ibid.
These passages indicate the degree to which the owner required the cooperation of the residents to accomplish even a comparatively moderate change.\textsuperscript{103} Subsequent reminders to the townsmen to pay the director his salary on a regular basis and to ensure that their children actually attended school serve as evidence that even with all these threats and exhortations, Zamoyski could not effortlessly enforce compliance.\textsuperscript{104}

In addition to the schoolmaster, the Zamoyskis had other plans for their small towns, all of which would require money that could only come from the townsmen’s pockets. In 1762, Kochowski asked the magistrate of Tomaszów to repair the town jail, and in 1767, his successor, Dzierżanowski pleaded with the town to erect a safe building to house the town’s records, noting that many poorer towns in the \textit{Ordynacja} had found the means to construct such a depository.\textsuperscript{105} Dzierżanowski similarly beseeched the residents of Kraśnik in 1768 to repair one of the rooms in the main gate tower to house council meetings and store records. The burgrave explained that the magistracy should stop holding official meetings in the town tavern, “because neither courts nor councils should take place where people drink, eat, and prepare food, while visitors continuously come and go.” Again, the owner’s instructions tried to convince the burghers that erecting a separate meeting room or jail was the reasonable and foresighted choice. These efforts appear more successful than the business with the schoolmaster, as similar reprimands to carry out the previous orders do not appear in subsequent instructions.\textsuperscript{106}

Andrzej Zamoyski had more grandiose reform plans than his predecessors. Even before he took over managing the \textit{Ordynacja} from his older brother in 1772, Andrzej experimented with

\textsuperscript{103} Similarly, the Duke of Devonshire was compelled to employ persuasion to achieve his ends in his Irish towns. Proudfoot, \textit{Urban Patronage}, 5, 190-220.
\textsuperscript{104} In 1772, the burgrave had to remind the burghers to send their children to school, while in 1786, Burgrave Wyszynski informed the town to pay the director his back-pay and reprimanded them because only five children were attending the school, which, in addition, was still not properly heated. Ibid, 38, 109-114.
\textsuperscript{105} APL, Tomaszów 11, 5-6, 10-13.
\textsuperscript{106} APL, Kraśnik 40, 22-25.
a number of reform projects, including the rebuilding and redesigning of town space and the conversion of all dues to cash rents in his personal towns of Kutno and Magnuszew.\footnote{Orłowski, Między obowiązkiem obywatelskim a interesem własnym, 41-44, 49-54, 68, 155; Trzebiński, Działność urbanistyczna, 54.} Much like the leaders of the Good Order Commissions, Andrzej Zamoyski intended for town magistracies follow rationalized administrative procedures and enforce precisely delineated regulations. After 1772, the \textit{Ordynacja}'s burgraves began emphasizing the necessity both of keeping precise records and having multiple officials sign off on all expenses. Antoni Kochowski explained to the newly elected magistracy of Kraśnik in 1775 that keeping records of spending decisions, which both the mayor and the treasurer had to authorize, would create greater trust within the community. Therefore, the council, he emphasized, should not regret the money needed for the extra paper and copying work.\footnote{APL, Krasnik 40, 45-46.}

Zamoyski issued further regulations that mirrored the efforts of the Good Order Commission. In 1778, the burgrave informed the Kraśnik magistracy that officials such as the clerk, the tax collectors, the town servant, and the school director would receive an annual salary. The town would now have to expend significant sums on previously pro-bono officials. In addition, the administration of the \textit{Ordynacja} compiled a table of administrative fees for the town officials to follow, which included surcharges for recording official protests and decrees, making transactions, and hearing complaints.\footnote{APL, Krasnik 40, 45-46, 72-74.} Zamoyski also turned the mayor and the reeve of Tomaszów into salaried officials in 1771, anticipating changes that the Good Order Commission would introduce to Lublin and other royal towns in the 1780s.\footnote{APL, Tomaszów 11, 24-28; AGAD, ML IX 105, 90-92.} Specifically, alluding to the practices of royal towns, Zamoyski required the burghers of Zamość in 1783 to draft the suburban residents for labor duties such as repairing roads and bridges. In addition, he ordered
the town council to forbid the construction of wooden buildings within the town.\textsuperscript{111} That these changes would be funded by the town citizens themselves was not lost on the community, a fact which may explain the continual need of the burgrave to remind the residents of these new practices.

The Radziwiłł family does not seem to have altered its basic approach to town management, but the Zamoyskis were not alone in their acceptance of the need for greater intervention. A number of other owners in the Lublin region emphasized more rational organization of records and clear-cut procedures in their instructions. The Sanguszko family, which owned the tiny town of Firlej, ordered the town magistracy in 1790 to keep separate books for different kinds of business – judicial, financial, and commercial.\textsuperscript{112} The owners of Modliborzyce and Żółkiewka, two other small towns in the Lublin region, also instructed their burghers to ensure that no expenses be made without the joint approval of the mayor and treasurer.\textsuperscript{113} In Żółkiewka, however, the owner, Stamirowski, was still nagging the burghers to record their finances properly in 1798, at least one indication of the limitations on the success of these policies.\textsuperscript{114}

Private towns faced new regulations and duties in the later half of the eighteenth century, but these new burdens paled in comparison to the assault on the privileges of the royal towns. Enlightenment rule in private towns appeared in a more gradual manner, requiring repetition and cajoling to have any affect. Even when Jan Jakub Zamoyski implied to the burghers of Kraśnik that he would turn them into serfs if they did not change their ways, the fact that subsequent

\textsuperscript{111} APL, Zamość 18, 204-205.
\textsuperscript{112} The Radziwiłł family also showed an interest in promoting orderly record-keeping, though this appears to have been a long-established tradition rather than a novelty. AGAD, AR XXIX 5, 611; APL, Akta miasta Firleja 3 (“1789-1809”), 3-4.
\textsuperscript{113} APL, Akta miasta Modliborzyce 4 (“1788-1799”), 6, 23; Akta miasta Żółkiewki (Żółkiewka) 1, (“1775-1810”), 1, 25.
\textsuperscript{114} APL, Żółkiewka 1, 1, 25.
burgraves returned with the same instructions and reprimands shows that the burghers did not take this veiled threat too seriously. Indeed, anecdotal evidence indicates that burghers and Jews were increasingly moving to private towns in the eighteenth century.\footnote{Korzon, Wewnętrzne dzieje Polski, vol. II, 286-287; Hundert, Jews in Poland-Lithuania, 103.} If private town burghers lost some of their agency, their position remained superior to that of their counterparts in the royal towns.\footnote{Karin Friedrich has similarly noted that the towns of Royal Prussia, despite the increasingly unattractive conditions within the Commonwealth after the mid-seventeenth century, continued to have rights and freedoms far superior to their neighbors in Ducal Prussia, especially after the Hohenzollerns gained full sovereignty in 1657. Friedrich, The Other Prussia, 147-160.} Residents of private towns, so long as they retained their individual freedom, could always seek a new life in a different town with a different owner, but moving from one royal town to another under Stanisław August meant accepting the same conditions as before.

**Inroads of the State**

Although private towns were officially under the legal and political control of their lords, as Tomasz Opas writes, “the state was never entirely absent.” Prior to King Stanisław August’s reign, the king’s role in the private towns largely consisted of providing the charters, privileges, and trading concessions that allowed these entities to be economically and politically viable. In exchange, the government obtained the same taxes from private towns as from their royal counterparts.\footnote{Opas, “Miasta prywatne a Rzeczpospolita,” 28-29.} Under Stanisław August, the central government pursued a number of policies to incorporate private towns more tightly into the “national” administration. The Treasury Commission, a product of the 1764 parliament, possessed judicial powers for examining tax delinquents, to which burghers in private towns were subordinate. In addition, a number of private town owners who supported the king’s vision of enlightened reform, including Andrzej Zamoyski, voluntarily granted their towns the right to appeal cases to the Assessor Court. This
had the effect of augmenting the power of the king and the central government vis-à-vis town owners.\textsuperscript{118}

Further reforms from the period of the Permanent Council broadened Warsaw’s influence in private towns. In 1775, the Department of Police ordered the implementation of a standardized set of weights and measures for the entire Commonwealth, demanding that private town owners enforce compliance.\textsuperscript{119} Further, to improve its financial footing, the government implemented a law on stamped paper in 1776, which required all towns to record transactions and official documents on paper purchased from the central government. A decree ordering the execution of the law in 1777 specifically stated:

[This law] hereby annuls the older rights belonging to private towns, which now fall under the general law on paying for stamped paper.\textsuperscript{120}

As elsewhere, private town residents tried to evade the center’s decrees whenever possible. For instance, the town of Żółkiewka in the Lublin region was reprimanded two weeks after the law’s introduction for using one piece of stamped paper for multiple transactions. The town was also injunctioned to cease the practice of beginning an official letter with one piece of government paper and continuing with regular paper.\textsuperscript{121}

The creation of Civil-Military Commissions in 1789 increased the central government’s power over private towns.\textsuperscript{122} As a means of controlling recruits for the army, the Civil-Military Commission of the Lublin palatinate ordered all towns, including private ones, to issue passports and to establish check-points for inspecting all arrivals.\textsuperscript{123} Further, these Commissions embraced the police functions of the Good Order Commissions and issued regulations to both royal and

\textsuperscript{118} Opas, “Z badań nad przywracaniem,” 154-164.
\textsuperscript{119} AGAD, ML VII 75, 209-212.
\textsuperscript{120} “Uchyla zatem prawa dawniejsze Miastom dziedzicznym służące, a podpadające pod Generalną ustawę o płatę papieru stęplownego.” APL, Żółkiewka 1, 2.
\textsuperscript{121} Ibid.
\textsuperscript{122} VL, vol. 9, 146-150.
\textsuperscript{123} APL, KCW 1, 4-6.
private towns, mandating the regular improvement of roads and bridges, the exclusive 
employment of government-approved weights and measures, and the continuous provision of 
information on the price of goods and the number of residents.¹²⁴ Private towns often disobeyed 
regulations, an example being Kraśnik’s apparent failure to post checkpoints and the 
magistracy’s willingness to sell a passport to a runaway serf. The Commissions were less patient 
than the Zamoyski family, and imposed penalties and enforce their writ, as the town learned 
when forced to fork over a 200 zloty fine.¹²⁵ Nonetheless, before the final partition of Poland-
Lithuania, the center had made precious few inroads into the rights of private town owners and 
burghers.

Austria took a more proactive approach to the private towns in its domain, including 
those in the Zamoyski Ordynacja. The organ of local administration, the Kreisamt, made yearly 
inspections of each town and collected information on finances and judicial procedure. The 
Austrian government was primarily interested in those towns possessing dedicated revenue 
streams (as opposed to relying on irregular levies), which could support a Habsburg-style 
administration. In some cases, the Austrians encouraged private towns to initiate court battles 
with their owners over the right to certain tolls or fees. Those towns well-endowed enough to 
interest the Habsburgs soon found themselves the subjects of government “care,” which entailed 
an administrative reorganization designed to eliminate “the population’s caprice” when selecting 
officials.¹²⁶ Large towns such as Zamość received regular decrees from the government which 
had to be read aloud to the population and enforced by the magistracy.¹²⁷ The Austrian

¹²⁴ TsDIAK, f. 13, o. 2, s. 2, 13-15; APL, KCW 1, 1, 149; z. 17, KCW 3, 40, 65.
¹²⁵ APL, KCW 3, 37-39, 81.
¹²⁶ Mencel, Galicja zachodnia, 139-145.
¹²⁷ APL, Zamość 18, 20, 35, 72.
government also took an interest in the kinds of dues an owner could demand, between 1772 and 1848 abolishing the labor dues town upon which town owners often depended.\textsuperscript{128}

The impotence of owners in the face of the military-bureaucratic administration of Austria lead to a tightening of control in the spheres left to them, primarily with respect to monetary extraction. This new state of affairs can already be observed in an exchange between Zamość and Andrzej Zamoyski in 1783. The town composed a series of desiderata for the owner, complaining that the Austrian governor in Lemberg had appropriated a town fund earmarked for the education of poor children. In addition, the town requested additional monies for repairs and compensation for officers, beseeching their owner to intercede with the Austrian authorities. Andrzej Zamoyski replied with a lengthy invective about how the town had wasted its own monies and failed to follow previous regulations, noting that the magistracy had plenty of funds for maintenance. After issuing fresh new instructions, Zamoyski admitted that his power to help the burghers was now limited, but added, “The owner will not forget to provide help and assistance to his burghers.”\textsuperscript{129}

Other owners followed the model of their new absolutist rulers and increasingly interfered in their towns’ affairs. In the Sanguszko family’s Lubartów, a town in the Lublin region, records from 1771 to 1798 make scant reference to the owner’s activities in the town. Only in 1798, when Janusz Sanguszko issued a confirmation for the newly elected reeve, did the owner present a complaint that the burghers had refused to accept this new officer. In his statement, Sanguszko ordered the town to obey all his commands and magistracy to “report to the Seigniorial administration in all circumstances.”\textsuperscript{130} Similarly, in 1800 an official in

\textsuperscript{128} Opas, “Der Emanzipationsprozess,” 361-364.
\textsuperscript{129} “Nie jednak nieopuści . . . w czyby mieszczanom pomocy y wsparcią nie uczynił.” APL, Zamość 18, 182, 202-206.
\textsuperscript{130} APL, Akta miasta Lubartowa (Lubartów) 6 (“1762-1808”), 142.
Zółkiewka ordered the townsmen to make no new taxes or levies without permission of the owner. On the other hand, the same owners allowed their towns to continue holding elections even after the Austrians annulled elected self-government for royal towns in 1805. Despite the increased restrictions, private towns were the only institutions from the Austrian partition to enter to Duchy of Warsaw with an uninterrupted tradition of self-government.

The fate of private towns in the Russian partition will be discussed in the next chapter, but for now it seems appropriate to observe that the state followed the pattern above, allowing the owners to collect dues and fees while prohibiting them from offering the kind of services such as self-government and protection that had made private towns attractive to settlers. The Radziwiłł family’s answers to town petitions disappear after 1795, a possible indication of both the indifference and impotence that now characterized the relationship of owners to towns. For the townsmen of Nieśwież, the loss of protekcja from their formerly powerful owner came as an apparently shocking and painful surprise. The displeasure at this realization can be ascertained from a series of points that the Christian citizens and Jewish community of Nieśwież jointly presented to Domnik Radziwiłł in the early nineteenth century, “for the lord’s serious reflection and consideration.” Among complaints of excessive market fees and taxation was the following:

And what most greatly pains and hurts us is that we have not the least protekcja, due to which we have already come to a state of affairs in which only those who live here do not harm us. When we had a starosta, then we had someone to appeal to in our troubles and he would stand up for us, but now we have no protector. Thus, we beg that we could have some kind of protekcja from his lordship.

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131 APL, Zółkiewka 1, 25.
132 APL, Lubartów 6, 161; Zółkiewka 1, 72-73; Mencel, Galicja zachodnia, 147-148.
133 “Y to nas wielce dolega y boli, że żadny dla nas najmniejiejszy nie mamy protekcyi, przez co na ten przyszłiszy już koniec, że ten tylko nas nie krzywdzi, kto sam mieszka, albowiem kiedyśmy mieli starostę, mieliszy (wtedy) w krzywdach naszych do kogo sie uciec, y ten za nas obstawal, lecz teraz żadnego protektora nie mamy, więc żebrazmy, aby JegoMość jaką kolwiek mogli miec protekcją.” AGAD, AR V 10430, 42-43.
Without the power to offer protection from outsiders, including the state, private towns held little attraction for potential settlers. One can ascertain the result of absolutist rule for a town such as Nieśwież from the *Polish Geographical Dictionary*, published in 1876, which describes Nieśwież in the following manner: “At one time a magnificent city, now increasingly in decline and ruin.”

Ironically, the stereotype of the rack-renting, indigent owner is much more appropriate for the post-partition period, when nobles lost their ability to offer positive benefits and retained only their tax-and-rent collecting rights. Burghers in private towns had enjoyed the right to elect officials, individual freedom, and the owner’s protection due to the free competition for money-generating townsmen, which could only exist thanks to the royal government’s circumscribed role. After the partitions, all owners were equally forbidden to offer the incentives and rights that attracted settlers, leading wealthy families to concentrate on earning money, which was perfectly acceptable since all other owners did likewise.

One may fault the greed of owners for the downfall of private towns, but these towns thrived only in the unique environment that the Commonwealth offered to nobles and burghers. In very few places in eighteenth century Europe could a nouveau-riche nobleman build a new town and guarantee that settlers would receive rights, privileges, and autonomy that the central government could not negate. A wealthy merchant or a skilled artisan could choose between numerous and varied prospects offered by different owners and the royal government. After the partitions, the uniformity of the absolutist states demanded that no such choice be possible. Even the Zamoyskis would eventually recede from involvement and abandon their towns to the fate advocated by Kołłątaj, as objects of state control and private profiteering.

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Chapter 5:

“All District Towns Should Belong to the State:” The Integration of Private Towns into State Systems under Napoleon and the Tsars, 1809-1832

Introduction

The first decade after the final partition of Poland coincided with the rise of Napoleon and the consequent European wars and border realignments. As a result, many towns of the vanquished Commonwealth passed through a dizzying gamut of new sovereigns, each pursuing broadly similar policies of administrative integration and centralization. The lion’s share of Poland-Lithuania’s territory eventually fell to the Russian Empire, though a significant portion, the Congress Kingdom of Poland, first experienced the enduring influence of Napoleonic institutions and laws as the Duchy of Warsaw from 1807-1815.¹ These rulers naturally sought to integrate their recent acquisitions into social and political models abstracted from their home territories, and among the most inscrutable obstacles to this process were the privately owned towns.

The nature of private towns, which had divided property rights, local self-government, and dual subjugation to the owner and the state, defied the fundamental, political conceptions of both Napoleonic and Russian administrators. On the one hand, both Napoleon in the Duchy and the tsars in Russia anchored their legitimacy on a professed respect for the property rights of the nobility. On the other hand, the rulers of France and Russia, leaders of unitary, centralized states, presumed that urban settlements should inherently be subordinate to and dependent upon the

¹ On the fate of the Polish-Lithuanian territories after the partitions, see: Woolf, Napoleon’s Integration of Europe, 125-148; Goclon, Polska na królu pruskim zdobyta, 1-30; Mencel, Galicja Zachodnia; Thackeray, Antecedents of Revolution; Mościcki, Dzieje porozbiorowe Litwy i Rusi, vol. 1.
central government. In reconciling these two impulses, the Russian government preferred to uphold noble property rights at the expense of town autonomy. Napoleonic legislators and administrators, on the other hand, actively pursued an agenda of separating town governments from their owners’ influence, favoring complete central control over any settlement, which they could remotely classify as urban. In both cases, attempts to incorporate diversely constituted and managed private towns into a uniform model produced a hodgepodge of outcomes, which necessitated continual readjustments and new responses. The net impact was that both the Duchy of Warsaw and the Russian Empire faced a “private-town question” in the first years of the nineteenth century. At the same time, the diverging solutions devised by these two states would ultimately generate two distinct urban landscapes and serve as one of the many factors differentiating Congress Poland from Russia proper, even after the 1830 insurrection ended the Kingdom’s autonomy and ushered in a policy of integration.

This chapter will compare two territories of the former Commonwealth during the Napoleonic era: the Lublin region, Lubelszczyzna, which entered the Duchy of Warsaw in 1809; and the Ukrainian provinces of Volhynia and Podolia, which fell to the Russian Empire after 1795. For the historian, Lubelszczyzna has the advantage of hosting one of the highest concentrations of private towns in the historically Polish provinces of the Commonwealth (see Appendix Five). In addition, this region possessed a wide variety of towns, from the comparatively large and wealthy centers of the Zamoyski Ordynacja discussed in Chapter Four, to the tiny settlements of Bychawa and Firlej, which differed from peasant villages only by their possession of rights and privileges. Between 1800 and 1830, these towns experienced high

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regime turn-over, finding themselves first the subjects of Austria, then the Duchy of Warsaw, and, finally, the Congress Kingdom. Unlike their Russian counterparts, these territories were never officially incorporated into Russia proper. Instead, after the Congress of Vienna, Alexander I transferred them to his “liberal, constitutional experiment,” the Congress Kingdom of Poland. The emperor granted these lands certain, constitutionally-guaranteed freedoms, including a bicameral, elected legislature, as well as a separate treasury, army, and administration. *Lubelszczyzna*, like the remainder of the Kingdom, retained Napoleonic administrative organization as well as its civil law, the *Code Napoléon*, throughout the nineteenth century.³

The Ukrainian towns of Podolia and Volhynia were, like the Lublin region, part of the Polish Crown lands (as opposed to the Grand Duchy of Lithuania). Under the Commonwealth, private towns attained considerable size in Ukraine, and, as can be seen by the appendix, constituted the largest towns in the region. The Lubomirski family’s town of Dubno, in particular, rose to prominence as a trading center after the first partition amputated Lwów from the Commonwealth. Volhynia and Podolia fell to the Russian Empire proper between 1793 and 1795, and were organized into *guberniia* under Paul I. The tsarist government moved quickly to integrate these new territories into its administrative framework.⁴ Comparing these regions highlights the continued influence of Napoleonic priorities in Congress Poland, as well as the distinction between the enlightened centralism of the Napoleonic apparatus in opposition to the more hierarchical and limited model of the Russian Empire. While the Russian government allowed town governments to exist only on a case-by-case basis, leaving the majority under the

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owner’s control, officials in the Duchy and the Congress Kingdom worked to create independent municipal administrations in even the smallest private towns. In so doing, they acted with considerable hostility towards town owners and often incited burghers to initiate legal battles against their landlords.

Many localized studies of particular private towns or regions have been written. For the Lublin territory, this chapter draws on the work of historians Tomasz Opas and Józef Mazurkiewicz, who made dedicated efforts to understand the precise relationship between owners and burghers in the pre and post-partition periods, in terms of property rights, legal dependency, and mutual obligations. In addition, I have employed targeted studies of towns such as Zamość and Bychawa by Ryszard Szczygieł and Władysław Ćwik, as well as broader investigations of the influence of Napoleonic reforms on the Duchy and Congress Kingdom.

With regard to the Ukrainian territories, there has been considerably less investigation by historians. In Russian historiography, many works have been devoted to towns, but only P. Ryndziunskii specifically draws comparisons between the regions of the former Commonwealth and the historically Russian territories. Ryndziunskii notes that the high proportion of towns in the Southeastern provinces was due to the possession of urban privileges, rather than industrialization, and that the residents consisted primarily of Jewish townspeople and serfs.

Ukrainian historiography has largely preferred to view private towns as further proof of the


7 Ryndziunskii, Gorodskoe grazhdanstvo, 290-310. For other studies on towns, see: Kizevettter, Gorodovoe położenie; Mironov, Sotsial'naia istoriia Rossii, vols. 1-2; L. Koshman, Gorod i gorodskaiia zhizn’ vRossii XIX stoletiiia: sotsial’nye i kulturnye aspekty (Moscow, 2008).
Polish nobility’s domination, though a recent article by Oksana Karlina has escaped that mentality and provided much useful contextual information for this chapter.\(^8\) I have made use of several Anglophone authors on towns in Ukraine and Russia for contextual information, but the phenomenon of private towns has not attracted much interest in the English-speaking world.\(^9\)

No one, to my knowledge, has undertaken a comparison of private towns across the partitioning powers or examined how various governments sought to address this unique feature of the pre-Revolutionary world. Private towns form particularly useful objects for studying a regime’s priorities due to the baroque complexities of their legal and social structures, which rendered them impossible to unravel according to the neat, abstract notions of absolute property rights and unitary government favored by nineteenth-century rulers. In the first place, private towns enjoyed self-government based on Magdeburg Law, which was often jointly guaranteed by royal decrees and the private privileges of the owner. The king could tax the burghers of a private town and issue trading concessions, such as mandatory storage fees for travelers, but the owner usually served as the supreme appellate judge for court cases between townsmen.

Burghers in private towns were legally free and classified as townsmen equal to their counterparts in royal towns, but they owed cash rents and, occasionally, labor duties to the owner. A private town burgher could buy and sell property in town and leave it to his or her descendents, but the town as a whole belonged to the owner, and intestate items reverted to the lord.\(^10\)

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\(^8\) For a Soviet-era account of private towns in Ukrainian, see: Mikhailyna, “Z istorii sotsial’no-ekonomichnogo zhittia,” 66-72. See also: Oksana Karlina, “Konflikt mizh tradishchiami mis’koho samovriadubannia i sistemoiu mistsevoho upravlinnia,” 280-289.


\(^10\) Mazurkiewicz and Ćwik, "Własność w miastach prywatnych Lubelszczyzny," in Przegląd Historyczny 61 (1970), 609-627; Opas, "Własność w miastach szlacheckich," 21-54
As argued in the previous chapter, burghers and town owners in the Commonwealth existed in a kind of equilibrium which balanced the monetary requirements of the lord with the burghers’ demands for autonomy and low taxation. Nobles needed towns as exchange points for their peasants to obtain money, but burghers were scarce enough that private towns had to offer attractive conditions to attract and retain urban settlers. This system functioned because the king had the power to offer charters guaranteeing the rights, exemptions, and trading privileges of the burghers, but was too weak to interfere in the internal affairs of the towns or prevent owners from establishing their own courts of appeal. As long as owners such as the Zamoyski and Radziwiłł families had the power to devise the parameters of their towns’ constitutions, they practically fell over themselves to offer the most competitive rights, taxation, and benefits for their townsmen. As can be seen from the conditions the same owners set for their peasants, these concessions were not out of magnanimity, but stemmed from economic interest.11 As a result, though the majority of private towns remained small and insignificant, the most successful grew large and wealthy, and many private towns, including Zamość, Kraśnik, Dubno, and Mohylów (Mogilev) became the predominant exchange centers in their regions.12

For the Napoleonic and Russian governments, however, private towns contradicted their a priori expectations about property and political authority. The Polish agents in the Duchy and the Congress Kingdom tried to accommodate private towns to the French model of absolute property rights, legal equality under the law, and unitary government, one tier of which was the municipality.13 In Russia, tsarist rulers were concerned primarily with assimilating the nobility, which entailed respecting their former property rights, including the ownership of private towns.

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11 For examples of the duties imposed on Radziwiłł family’s peasants versus those for their towns, see: AGAD, AR XXV, 2669, 5-33.
12 BC, ms. 1093, 589-627; Szczygieł, “Zamość w czasach staropolskich,” 115.
At the same time, the Russian system of political control over the provinces demanded a network of provincial and district towns. Private towns, as the largest urban centers in Ukraine, were logical candidates for district towns. Russian control over these territories also required that urban residents had to be integrated into the existing *soslovie* system. A type of estate division, *soslovie* included peasants, townspeople (*meshchane*), and merchants, clergy, and the nobility. One’s position in this rubric depended to a large degree on the type of function (often monetary) one performed for the state, as well as the location where one was registered. The effects of the policies adopted by the two regimes can partially be measured with statistical data, as presented below.

**Population Measures**

The chapter draws on information for nine towns in the Lublin regions and nine towns in the Ukrainian territories of Volhynia and Podolia. The towns surveyed and their population data can be found in Appendix One. In addition to private towns, I have also included statistical information for state – formerly royal – towns in the region, such as Lublin, Zhitomir and Kamenets Podol’skii to provide a frame of reference. The primary form of taxation under the Commonwealth was the hearth tax (*podymny*), for which reason population counts, such as the one cited from 1777, were based on the number of chimneys. Fortunately, we also possess a full population survey for the Lublin region from 1787. Though of questionable reliability, this survey provides the best available data on population figures, and provides a basis for making rough estimates for the population of the Ukrainian towns. The Napoleonic and Russian

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14 de Madriaga, *Russia in the Age of Catherine the Great*, 277-290. Catherine Evtuhov observes that the connection between trade and administration often did not exist in the Russian Empire. Official district towns might consist only of a few buildings while trade centered around nearby “villages,” which were often more populous and possessed better infrastructure. See: Catherine Evtuhov, *Portrait of a Russian Province: Economy, Society, and Civilization in Nineteenth-Century Nizhnii Novgorod* (Pittsburg, Penn., 2011), 53-56.
governments performed periodic census counts, but the years do not correspond, so we have data for only 1819 for the Congress Kingdom, but for 1809 and 1810 for Podolia and Volhynia, respectively.\textsuperscript{17}

We cannot access the success or failure of a given government’s polices on the basis of raw population data alone. As with the rest of Europe, the nineteenth century produced an enormous population boom in the Lublin region and Ukraine. The primary beneficiaries of these were the provincial capitals, Lublin, Zhitomir, and Kamenets-Podol’skii, but every town experienced substantial population growth. Appendix Two presents the earlier population figures with the results of census figures from the end of the nineteenth century. The figures for Ukraine are compiled from the 1897 all-Russian census, but since many of the Polish towns surveyed had been downgraded to villages, their information was not included in the census. As a substitute, I made use of information culled from the Geographical Dictionary of the Polish Kingdom, which was published between 1880 and 1892.\textsuperscript{18}

As a means of assessing the impact of certain reforms and policies, I ranked the towns studied according to their population size relative to one another. Observe, for example, that Lublin, the capital of a palatinate under the Commonwealth, remained the largest town in the region throughout the nineteenth century. Zhitomir, on the other hand, a provincial backwater in the eighteenth century and the second-smallest town considered, grew by six times to become the largest town in the region after Alexander I named it the capital of Volynskaia guberniia in 1804.\textsuperscript{19} These population statistics indicate that in both the Congress Kingdom and Russia proper, private towns lost ground to their royal counterparts. The situation is most pronounced in

\textsuperscript{17} AGAD, KRSW 36, 223-229; TsDIAK, f. KMF 11, o. 1, s. 91, 257; f. KMF 11, o. 1, s. 94, 192.
\textsuperscript{18} Pervaia Vseobschaia perepis’ naselenii Rossisskoi Imperii 1897 goda, ed. N.A. Troitskii, vol. 2 (St. Petersburg, 1899), 7-25; SG, vols. 1-12.
\textsuperscript{19} PSZRI, ser. 1, vol. 28, no. 21364, 403-404.
Ukraine, where Dubno, the second largest town in the region under the Commonwealth, fell the seventh place by the end of the nineteenth century. Similarly, Zaslavl, which was four times the size of Zhitomir at the end of the eighteenth century, lost ground to all the state towns in the region. In the Lublin region, such dramatic change is absent, but note that the smaller, private towns, Bełżyce and Bychawa, lost their position in relation to their royal counterparts, Kazimierz Dolny and Urzędów. None of these four gained enough people to be considered a town by the Russian government after 1867, when the state converted small towns in Congress Poland into village settlements en masse in connection with a complete reorganization of the territory following the 1863 January Insurrection.\textsuperscript{20}

In both the Congress Kingdom and Ukraine, I argue, private towns declined in relation to their state counterparts due to government efforts to impose unitary control based on abstract models. Both governments purposely disrupted the equilibrium of interests and needs between private town burghers and owners, which had developed over the centuries. Neither state could tolerate the judicial and political power of owners or the wide autonomy of their towns, nor could either accept juridical entities without a state presence. State interference abolished the owner’s power to offer competitive benefits, as well as the townsman’s’ tradition of self-rule, often in the name of benefiting the residents of these towns themselves. How this dynamic played out specifically in each case will be discussed below, beginning with the Napoleonic experience and then moving to the Ukrainian territories.

**Protection from the Powerful? The Napoleonic Legacy of the Duchy of Warsaw**

As a result of the 1807 Treaty of Tilsit, Prussia ceded territories taken in the second and third partition of Poland to a new country, the Duchy of Warsaw. This Napoleonic satellite,

nominally under the Saxon king, Frederick Augustus III, was expanded in 1809 by incorporating the Austrian possessions of West Galicia and part of East Galicia, including \textit{Lubelszczyzna}.\footnote{Goclon, \textit{Polska na królu pruskim zdobyta}, 20-25.} The newly integrated province of Lublin in the Duchy of Warsaw contained the old palatinate of Lublin, as well as the so-called “Chełm land” (\textit{ziemia chełmska}) of the Ruthenian palatinate, part of which had belonged to Austria since the first partition of 1772. Among other consequences, this new territorial settlement transferred the entire Zamoyski \textit{Ordynacja} (which had been divided between Austria and the Commonwealth until 1795) to the new Polish state.\footnote{On the division of the \textit{Ordynacja} between Austria and Poland-Lithuania, see the previous chapter.}

With the exception of Zamość, in which the Habsburgs took a particular interest, the Austrian government did not seek to dramatically alter noble prerogatives or town self-government. Town citizens continued to elect their own officials, whom the owner confirmed, though Austria established its own appellate courts. The Austrians preferred to whittle away at the political power of the owners through a constant stream of procedural and police regulations issued by the governor in Lemberg (L’viv) and the local organ of territorial control, the \textit{Kreisamt}. Individual \textit{Kreisamt} exercised considerable influence over the daily lives of private town residents, particularly since many private towns served as the seat of a given \textit{Kreisamt}. Nonetheless, because of the presumption of seigniorial control, private towns were not affected by the 1805 decision annulling town elections in former royal towns.\footnote{Galicia Zachodnia 1795-1809, 145-147.} In other words, private towns, unlike their royal counterparts, entered the Duchy of Warsaw with their tradition of self-government relatively intact.

The Duchy of Warsaw would be the graveyard of this tradition. As discussed in Chapter Two, the Duchy operated on the principals of strict centralization and uniformity. The provisional Governing Commission, established in 1806, initially allowed private town owners
to serve as mayors, but the state ultimately decided that town officials must be independent of owners and subordinate to Warsaw. According to the Constitution of 1807 and subsequent laws from 1809, King Frederick August enjoyed the legal right to name all provincial officials, including prefects and town mayors. This applied to all towns, regardless of size, holding a royal charter or other documented history of town government. As frequently noted by historians, the number of legally chartered towns in the Commonwealth was exceedingly large. In fact, the government of King Stanisław Augustus determined that the country was oversaturated with towns, and sought to prevent new ones from being founded. \(^{24}\) Napoleonic legislation did not foresee the proliferation of towns as a problem, so long as each town had a legal foundation.

For the Duchy’s rulers, much more important than size was a given town’s ability to pay the costs of a municipal administration, primarily the salaries of officials. Since towns in the Commonwealth had historically been governed by a rotating elite of wealthy residents who served pro bono, many owners had never thought to grant their towns independent sources of funding. Under the Napoleonic system, all towns had to be administered by professional, salaried officials. Here again, legal documentation from the Commonwealth era played a decisive role. Those towns with some ancient privilege or royal grant entitling the magistrate to collect bridge tolls or to tax certain professions would now have the opportunity to pay for their new administrations and keep their urban status. Towns without such funding, the overwhelming majority, had to either collect the necessary monies from the residents via an annual contribution (składka) or lose their urban status. In the latter case, the commune mayor (wójt gminny), often the town’s owner, could serve as a “temporary” government. \(^{25}\)

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\(^{24}\) According to a law from 1768, no new private towns could be erected closer than one Polish mile from the nearest royal town. See: VL, vol. 7, 352.

The new structure appears to have reflected a sincere conviction, at least on the part of administrators, that a salaried hierarchy, in which town magistracies answered to their provincial and central superiors, rather than the town owner, served everyone’s best interests and protectedburghers from injustice. The early years of the Duchy were a bountiful period for the idea that the wealthy, land-owning nobility had brought about the destruction of the Commonwealth through their anarchic lawlessness and exploitation of the towns and peasantry. The mayor of Warsaw, Stanisław Węgrzecki, highlighted this theme in his 1807 inaugural address. Węgrzecki later explained that the hierarchy of government assured that all those in power would have to follow the written laws of the land.26 Hugo Kołłątaj, who claimed that Napoleon’s Constitution for the Duchy surpassed that of the Third of May, which he co-authored, also expressed the idea that peasants were under “legal slavery” and that the townspeople were exploited in the old regime.27 Maciej Jabłonowski, the prefect of Lublin province, even allowed himself a diatribe on how the greed of town owners had destroyed Poland in an official report to the Minister of the Interior, Jan Łuszczewski, in 1812. Łuszczewski responded with a sympathetic declaration that towns should always be independent of owners, whereever possible.28

This conviction did not recede into history even after the Duchy was transformed into the Congress Kingdom of Poland, as public reception towards Alexander I’s choice of viceroy evinces. According to memoirist Kajetan Koźmian, the tsar’s decision to bypass his longtime friend, Prince Adam Czartoryski, in favor of the invalid former Jacobin, Józef Zajączek, was greeted with enthusiasm by the towns and the new estate of officialdom, both of whom saw the prince as a representative of feudal domination.29 Kazimierz Brandys, the inspector of towns for

26 BC, ms. 2620, 43-44; Wybór tekstów źródłowych, 188.
27 Kołłątaj, Uwagi nad teraźniejszym położeniem, 168-169, 182, 200.
28 AGAD, KRSW 33 (“O miastach, 1809-1812”), 183-191, 199.
Lublin province after 1818, subscribed to the belief that state-controlled town administrations would protect burghers. Brandys frequently clashed with Lublin’s nobility due to his willingness to overrule tradition and owners’ privileges in order to establish state-controlled administrations in the smallest of settlements.  

So zealous were Brandys and his compatriots that some townspeople appeared to believe that their town no longer had an owner. In fact, the Kingdom’s Governing Commission on Internal Affairs (Komisja Rządowa Spraw Wewnętrznych - KRSW) issued a warning to the various provincial commissions (komisje wojewódzkie) in 1818 that “some town inspectors” were illegally inciting town residents against their owners and declaring the former’s freedom from duties to the latter.

The impulse to limit the political power of town owners in both the Duchy and the Kingdom was curbed by another principle of Napoleonic government: liberalism with regard to property rights. Recall from Chapter Four that private town burghers enjoyed rights of transferability and inheritance for their individual properties, even though the owner was dominus directus of the town as a whole. The Code Napoléon, which was the civil law in the territories of the Duchy throughout the nineteenth century, officially abolished feudal property relations in favor of absolute rights.

The new situation created extreme confusion in the relationship between town owners and burghers. According to two studies of the Lublin region, Napoleonic universalism played out very differently in various towns, depending on their owners. For example, Karol de Campo Scipio, the owner of Bychawa, claimed that the new law had turned his town into a serf village and demanded corvée labor from his burghers. In other

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30 AGAD, KRSW 3581 (“Kraśnik, 1809-1820”), 33, 89, 98, 103; APL, Akta miasta Bychawy (Bychawa) 4 (“Opis przez dozorcę Brandysa, 1820”), 1-9.
31 APL, Akta miasta Bełżyc (Bełżyce) 15 (“Akta organizacji miasta, 1815-1860”), 12.
33 Napoleon’s Constitution declared that serfdom was abolished. Since no law granted land to peasants, this proved more beneficial to owners, who could now expel unproductive serfs from their lands. See: Senkowska-Gluck, “Les institutions napoléoniennes,” 541-547; Kołodziejczyk, "Zamiana miast na osady,” 191-200.
towns, record books indicate that burghers retained their basic property status until the “emancipation” of 1867 decidedly ended town ownership in the Congress Kingdom.³⁴

As a consequence of the state’s respect for property rights and legal formalities, owners were allowed to collect whatever duties and tolls were originally described in the privileges granted to the town. Since the government had abolished the political role of owners in providing towns with privileges and protection, nobles now had no official relationship with their towns other than as rent collectors. In addition, for townsmen to maintain their autonomy and markets, the residents had to find the money to pay for a municipal administration, leading to two potentially unpleasant consequences for owners. Either burghers prioritized the expenses for town administration and neglected their rents and dues or they initiated legal battles with the owner in order to obtain the title to collect a particular type of indirect income, most notably, the alcohol tax, *propinacja.*³⁵ While the case of Bychawa’s owner demanding corvée labor appears to be an extreme situation not repeated elsewhere, court battles were not. In fact, the government often encouraged private towns to begin costly litigation with their owners in order to obtain income rights and thereby to fund town administrations.³⁶

Towns could pay for the administration demanded by the Duchy government in one of three ways. A few larger private towns, and particularly those from the Zamoyski *Ordynacja*, possessed privileges from their owners granting them the right to collect certain funds to support town needs. Another possibility was that the government could entice the owner to pay for a town mayor and chancellery – the minimum required by the state – from the income collected in the town. The prefects of the Duchy and the town inspectors of the Kingdom made every effort

to convince owners to contribute to the cost of municipal administration. In some cases, as initially in the towns of the *Ordynacja* and Bełżyce, owners did agree to pay for their towns’ governments. More commonly, however, owners refused to contribute funds and openly declared their preference that the towns in question be converted into villages, as prefect Radzmiński complained in 1815. The most common means of financing a town government was simply to demand that the townsmen contributed directly to a general levy. As mentioned in Chapter Two, Magdeburg Law provided for town councils to impose direct burdens on their citizens to fund community needs, and private town residents often paid direct taxes to the town coffers. Especially after 1815, however, the state determined how much needed to be collected and for what reason.

It is worth remembering that even if a town managed to find the resources to fund a magistracy, the townsmen themselves remained officially deprived of any voice in selecting the members of that local government. For private towns in the Duchy, the realization that the new, supposedly liberating Polish state had no intention of preserving the electability of officials came as a bitter shock. The best expression of this unpleasant realization comes from the tiny private town of Solec in the Radom department. In 1811, the town community, under the leadership of a local land-owner, Fabian Pogorski, wrote the following complaint to the State Council:

The town of Solec . . . which has always maintained a magistracy elected by the community and confirmed by the state, has learned of a change threatening to its prerogatives. Józef Kozarski, formerly the secretary for the treasury of the Solec estate, has been named as the mayor of the town, against all law and reason. This despite the fact that he was not presented by the town, has never served the town,

37 AGAD, KRSW 3581, 9-10; APL, Bełżyce 15, 18-22; Mazurkiewicz, Reder, and Markiewicz, “Miasta prywatne powiatu lubelskiego a ich dziedzice w XIX w.” 148-149.
38 AGAD, KRSW 35, 208-211.
39 DPKP, vol. 6, 27-28; AGAD, KRSW 3418, 80.
is unqualified, and cannot be trusted since he does not possess any collateral with which [we can] hold him accountable.\textsuperscript{40}

Pogorski accused Kozarski of being an agent of the town’s owner. Further, he argued that, given Solec’s possession of the funds necessary for maintaining a mayor, the person chosen should combine ability with knowledge of the terrain, and at least be presented to the town beforehand.

The Minister of Internal Affairs curtly responded that the new regime had annulled the right of towns to nominate mayors. Since the king had personally selected Kozarski, the minister continued, the new mayor could not be removed, unless the town could prove that he was incompetent, in which case, the community could complain to the sub-prefect.\textsuperscript{41}

Towns with officially recognized administrations did enjoy one element of local control: municipal councils. Residents presented two times as many candidates as existed slots and the prefect chose the council from this pool. The council served without compensation and played an important role in assembling the town budget, as well as reporting mayoral abuses to the government.\textsuperscript{42} The Congress Kingdom abolished municipal councils in 1818, but the influence of collective decision-making continued to linger. In fact, when Brandys visited Firlej and Bełżyce in 1818 for the purposing of assessing these town’s prospects for retaining their urban status, he summoned “the former town council” as representatives of the community with whom to negotiate the monetary commitments of the citizens.\textsuperscript{43} So ingrained was this tradition that in

\textsuperscript{40} “Miasto powiatower Solec . . . mątce zawsze swoj utrzymania Magistrat wybranie członków gdy jedynie od Miasta, a potwierdzenie od woli Rządu zależe . . . z uszczerebków swych Perogatyw odmiany – Widzieć . . . Jozega Kozarskiego Pisarza dotychczasowego Prowentów Generalnej Ekonomie Państwa Solca pomaszone zostaie, z mocy nadesłanej mu Nominacyi, który ani przez Gminę Miasta Solca przedstawionym, ani zasług naliczy zdatności nieposiada, ufność sobie, z przyczyny, że żadnego funduszu do odpowiedzialności nie ma, ziednać od Gminy niemożem, aby nie że przez Państwo Solec, bez wiedzy i zezwolenia Gminu Całego Miasta przeciw Praw i wszelkiej słuszności, proponowany na Burmistrza do Solca został.” AGAD, KRSW 3010 (“Solec, 1811-1818”), 11-12.

\textsuperscript{41} AGAD, KRSW 3010, 11-12, 14.


\textsuperscript{43} AGAD, KRSW 3418, 5-6; APL, Bełżyce 15, 9-10.
1821 the KRSW sent a memorandum to the provincial commission warning that some private citizens, taking the false title of “town representatives” had been holding meetings on town finances without reference to the official, municipal administration, in addition to corresponding with the provincial commissions in the name of the town. The KRSW ordered that provincial officials prevent this practice, which lead both to an increase in paperwork and “disorder.”

Despite the fact that the possession of a town administration did not entail local control, and more often than not imposed heavy burdens on townsmen, even the tiniest settlements evinced willingness to support a state-appointed magistracy. Lubartów’s unsuccessful offer to pay 383 zlotys out of its citizens’ pockets has already been mentioned. Such proposals became even more difficult after 1818, when the Congress Kingdom unveiled its new law on towns, mandating that any settlement wishing to maintain its urban status had to produce a minimum of 600 zlotys per annum towards a municipal government. In spite of this restriction, small settlements continued to declare themselves willing to fund town administrations. Firlej, a town of only 625 people, told Brandys in 1818 of its willingness to pay for a mayor, as long as that official would at least reside in the town. Despite the protests of the owner, Karol Sanguszko, that the burghers could not afford to pay 650 zlotys a year, the government approved Firlej’s conversion to a town. Bychawa, which fought numerous legal battles with its owner in the Congress Kingdom period, similarly declared its desire for a municipal administration, despite the high dues demanded by the owner.

Towns that could not contribute the minimum requirements devised by the center found themselves converted into so-called “free settlements” under the administration of the only pro-

42 AGAD, KRSW 38 (“Raporty o miastach, 1821-1824”), 83-85.
46 AGAD, KRSW 3418, 5-6, 80, 142; APL, Bychawa 4, 1-9.
bono official in both the Duchy and Congress Poland, the wójt of the gmina. The gmina, equivalent to the French commune, was an administrative unit between county and town, usually embracing several villages. Landlords, who often owned all the villages and settlements in a given gmina, typically served as wójt or appointed one, meaning that conversion to a settlement resulted in a return to administration by the owner. The KRSW observed in 1829 that the town of Rejowiec in Lublin province had refused to pay for a municipal administration, preferring to remain a free settlement, but this appears to have been an unusual circumstance.

In general, town communities feared losing their urban status for a variety of reasons. In a study of town conversion, Mazurkiewicz argued that towns facing this prospect feared a change in their property rights, as well as the loss of their burgher freedoms. In addition, the citizens of Firlej complained of the inconvenience of relying on the wójt’s jurisdiction, when that official was often based in another part of the gmina.

Some towns lost not only their long-standing privilege of choosing officials, but even found themselves downgraded into village communities. The Sanguszko family’s town of Lubartów, one of the largest private towns in the Lublin region, was initially placed under the wójt’s jurisdiction due to insufficient means to fund an administration. In 1815, the town declared itself willing to contribute 383 zlotys towards an urban government, with the proviso that the prefect present candidates to the town for confirmation. Forwarding this request to the KRSW, prefect Radzmiński presented his opinion that allowing the town to choose a mayor for itself would break regulations, which stipulated that only professional, qualified officials could run towns. The prefect indicated his preference that the town remain under the jurisdiction of the wójt, an official appointed by the owner. In 1816, the KRSW approved this decision, but, in the

47 AGAD, KRSW 7033, 169-172.
same opinion, the commission stated that in general the state preferred that towns have
administrations independent from town owners. Otherwise, the KRSW complained, owners
became de facto rulers and the sub-prefects never bothered to obtain information about them.49

For their part, owners typically refused to contribute money towards the maintenance of a
town administration and, in some cases, actively lobbied the government to convert their towns
into “free settlements.” When asked in 1821 for his opinion on converting Firlej into a town, the
owner, Karol Sanguszko replied:

The owner has the same income from Firlej, as from a village, collecting only
rents and propinacja, and the title of town would be an inconvenience both for the
owner, as well as for the residents – due to the associated expenses. The current
levy on the residents for maintaining a municipal administration has become too
burdensome, and due to it many of them have not paid their rents to the owner.
Therefore, the owner would happily see this little town converted into a village
settlement.50

For town owners, conversion into a settlement meant greater leverage over the officials.
Stanisław Kossowski informed Brandys that he preferred to pay 600 zlotys to the wójt’s deputy
(read: the town mayor), whom he chose, than spend money on an official over whom he would
have no control.51 The owner of Bychawa, Scipio, similarly informed Brandys that he would not
agree to pay for a mayor without the right to choose him. Prefect Radzmiński had already
acknowledged in 1815 that most owners preferred having their small towns classified as villages
for the simple reason that their influence over the settlements remained greater.52

49 AGAD, KRSW 35, 208-211.
50 “Kiedy z Miasteczka Firleja Dziedzica niema większych dochodów, iakby miał ze wsi, bo pobiera tylko czynsze i
propinycą . . . Kiedy noszenie tytułu Miasta byłoby ciężarem tak dla Dziedzica, iako i Mieszkańców z przyczyny
przywiązanych do Miast wydatków – kiedy dotychczasowa składka Mieszkańców na utrzymanie urzędu
Municipalnego okazała się bydź uciążliwą, bo wielu z nich przez to winnych Dziedzicowi czynszów nie poplacali;
chętnie więc Dziedzic przechyla się do tego, aby Miasteczka Firlej na osadę Wieyską było przemienione.” AGAD,
KRSW 3418, 80.
51 APL, Bełżyce 15, 9-10.
52 APL, Bychawa 4, 1-9; AGAD, KRSW 35, 208-211.
If owners preferred their possessions to remain village settlements, while burghers sought to maintain their status as towns, the provincial and central governments of the Duchy and the Kingdom unequivocally sided with the latter. The record books for Firlej show that the town continued to conduct levies and pay the mayor’s salary for several years after Sanguszko’s declaration of opposition. On his visit to Bychawa, Brandys also determined that Scipio’s town could maintain its own administration and unilaterally composed a 2,577 zloty annual budget in 1820 based on projected market fees (konsensowe) and bridge tolls.53 The government was so determined to erect and maintain independent towns wherever possible that the state even chose to form municipal administrations in places where the residents had not requested it. The citizens of Belżyce specifically requested to Brandys in 1818 that they remain under the administration of the wójt for at least two more years, citing their lack of funds. Nonetheless, the record books show that the town collected 1,030 zlotys in 1819 to fund the administration, partially underwritten by the profits of the owner, Kossowski, in an agreement devised by Brandys.54

Under the Congress Kingdom, the state’s interest in the government of private towns became increasingly monetary. In 1822, the Minister of Finances, Franciszek Lubecki-Drucki introduced a new consumption tax on alcohol, effectively converting spirit production into a state monopoly. Since the Middle Ages, Magdeburg Towns enjoyed the right to produce alcoholic beverages denied to peasant villages. In reviewing the town of Rejowiec’s 1829 request to remain under the administration of the owner, the KRSW flatly stated that the government would determine some means to pay for an administration so as not to lose the consumption income. Since a town’s preservation of its status was valuable both to the residents and the state, the government encouraged private town corporations to sue their owners in order to obtain the

53 AGAD, KRSW 3418, 142-152; APL, Bychawa 4, 1-9.
54 APL, Belżyce 15, 18-22.
income necessary to fund magistrates. According to a list prepared by the KRSW in 1829, virtually every private town in Lublin province was engaged in some form of litigation against its owner. As documentation was often missing or ambiguous, the results of these court battles were not always beneficial to towns. In the case of Bychawa, the owner managed to win the right to collect even more rents from the residents. Nonetheless, the logic driving the KRSW compelled state officials to encourage legal battles that might result in a state-controlled town with its own dedicated funding, no matter how remote the chances of success.55

One paradox in this triangular dynamic is the complete reversal in the attitude of town owners from earlier periods. From the sixteenth through the eighteenth centuries, wealthy nobles fiercely competed with one other to obtain privileges and self-governing rights for their private towns. As mentioned in Chapter Four, the Zamoyski and Radziwill families saw self-government as one of the principal inducements for attracting settlers and instructed subordinate officials not to interfere in matters under burgher jurisdiction. Now, owners fought against the formation of municipal administrations with the same intensity. Just as the noble owners of trading centers in Russia proper understood that the formation of a town administration on their territory would impose unwanted oversight and legal requirements, private town owners in the Congress Kingdom realized that a state-sanctioned municipal government undermined rather than reinforced their powers.56 The case of Kraśnik, a town in the Zamoyski Ordynacja, indicates the problems that awaited owners who sought to cooperate with the state in supporting municipal administrations.

According to the official budgets approved for Kraśnik’s municipal government from 1811 to 1816, the Zamoyski Ordynacja contributed 500 zlotys per annum to the town’s coffers,

55 AGAD, KRSW 7033, 169-179; Smolka, Polityka Lubeckiego, 122-128.
56 Evtuhov, Portrait of a Russian Province, 51-56.
which was earmarked by the KRSW for the town mayor’s salary. The burghers themselves paid 1,259 zlotys in direct, municipal taxes on top of this sum. With this money, Kraśnik maintained not only a mayor, but two policemen, a quartermaster, and a night watchman. In 1816, however, the *Ordynacja* administration sent word to the Lublin provincial commission that the organization would no longer provide funds to support the mayor. Piotr Domański, then head of the provincial commission, observed that the Zamoyskis had alerted the government of their decision after state authorities had decided to remove the current mayor, a certain Zienkowski. Domański reported this fact without comment, though we may assume that the Zamoyski family was unhappy with this decision. Instead, the head of the provincial commission laconically explained to the KRSW that the citizens themselves would have to support the entire municipal administration. Domański’s biggest concern was that the mayor would have to take a large pay cut (from 700 to 400 zlotys per annum), a problem remedied by increasing the residents’ annual contribution in the following year.  

The government had apparently called the Zamoyskis’ bluff effectively, for the 1819 budget composed by Brandys once again presumes that the *Ordynacja* would contribute 1,088 zlotys towards the town government. Further, when Brandys arrived in Kraśnik in December, 1818 to compose the budget for the following year, he introduced market, fair, and bridge tolls, as well as a tax on playing music in taverns. The KRSW had some doubts about the legality of these new income sources, since regulations forbade towns from collecting funds not specially warranted in royal or noble privileges. Nonetheless, the KRSW allowed Brandys to proceed, and all these tolls were publicly auctioned to tax farmers.

Soon enough, in February, 1819, Zamoyski’s lawyer contacted Brandys’s direct supervisor, the circular commission of Zamość, protesting the new tolls in Kraśnik. The advocate

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57 AGAD, KRSW 3581, 9-17, 25.
explained to Brandys that Krański’s possession of a privilege enabling these duties was highly
doubtful. Further, even if such a document existed, the fact that the town had ceased to collect
these tolls, argued for them doing more harm than good. If, on the other hand, the town did not
possess these privileges:

The owner cannot allow the inspector of towns to institute such incomes in the
former’s private town, to the detriment of the rights belonging exclusively to him.
These tolls are currently not employed by the town, bring no benefit, harm trade,
and raise the price of products, and thus are harmful both to the residents and the
owner.\footnote{\text{\cyr\textbf{Nie mo\u{\d{e}} Dziedzic tego dopuszcza\c{c}, aby w mie\c{\a}cie jego dziedzicznym z uszcz\c{e}rbkiem praw jemu tylko
s\c{a}\l\c{e}zych przez Dozorstwo Miast takie dochody zaprowadzane by\c{y}, w których u\c{y}waniu Miasto nieznajdowa\c{o} si\c{e}, i które miasta \c{z}adnego nie przynoszą pozytku, handel łama\c{i} produkt\k{\k{a}} cenę podnoszą, a zatem tak
mieszk\c{a}com i\k{a} dziedziciowi s\k{a} w ka\y{d}ym wzgl\k{e}dzie szkodliwami." AGAD, KRSW 3581, 89-90.}}

In response, the Lublin provincial commission ordered the mayor of Krański to search the town
archives for evidence of such privileges. The mayor reported in April that the town had collected
some tolls in 1813, as well as duties for use of the town’s weights and measures. The town
treasurer seconded that Krański possessed a private grant from the owner to collect market and
fair tolls, but that it had been annulled in 1792. In addition, no right to bridge tolls existed. In
June, 1820, the provincial commission finally determined that Krański could not legally collect
this money. The Commission allowed the tax on music, as well as the weights and measures fee.
Meanwhile, Zamoyski consented to continue paying a contribution of 600 zlotys to support the
mayor’s salary.\footnote{AGAD, KRSW 3581, 33-40, 84-107, 150-154.}

In April, 1821, Stanisław Zamoyski once again declared his unwillingness to pay the
salaries of the mayors, now for all of the \textit{Ordynacja} towns. The KRSW had apparently informed
him a few days earlier of the government’s decision to reintroduce bridge and market tolls, as
well as to impose higher direct levies on the citizens, if he should ever refuse to make his
contribution to the town budgets. Zamoyski explained his decision in detail, arguing that he had
offered to supplement the budgets of his town out of consideration for the poverty of the residents, in order to prevent them from having to pay costly taxes themselves. Further, he added, his offer was contingent on the government keeping the income and expenses of the town moderate and in proportion to the needs of the residents. Finally, Zamoyski had requested that the provincial commission confer with the administration of the Ordynacja on the construction of the town’s budgets, as the organization “having the closest and most complete knowledge about the status and wealth of the residents.” The KRSW apparently did not consider this request valid, as Zamoyski complained:

Despite such reasonable and, for the towns, beneficial requests, the town budgets were unilaterally composed according to the inspector of town’s opinion alone. In addition, the inspector established direct levies on the residents - in direct contradiction to the declaration of the owner. Therefore, the undersigned has no other choice but to refuse to make the contribution promised, as it is bringing no relief to the town residents.60

In conclusion, Zamoyski declared that his offer was void, as the conditions had not been met, and offered to support any of his towns, so long as the budgets were made in collaboration with him, reserving the right to forego payment if the town in question could manage without the money. Finally, Zamoyski informed the KRSW of his opinion that market and fair tolls could not be imposed without the appropriate privileges, and that Kraśnik specifically now had sufficient funds to do without either his contribution or a mandatory contribution from the residents.61

In a May, 1821 response, the KRSW essentially told Zamoyski that he could assist the town budgets or not, but that his points did not merit consideration. The Commission explained that levies from residents of private towns could be decreased only insomuch as the owner would

60 “Gdy przecieź mimo tak słuszne i dla miast zbawienne żądanie, Etaty jednostronnie tylko, według zdań Dozorcy Miast uformowane, y składki od mieszczan Deklaracyi Dziedzica wyraznie przeciwne potwierdzone zostały, niepozostało podpisane, iak tylko składkę przez siebie ofiarowaną, iako żadney ulgi miastom nieprzynoszącą, odwołać.” AGAD, KRSW 38, 15-16.
61 AGAD, KRSW 38, 16-17.
contribute. If Zamoyski refused to make a contribution, the KRSW explained, the government might have to convert his poorer towns into free settlements. Once again, the government called Zamoyski’s bluff. At the same time, conscious that the Zamoyski family might make good on its threat, the KRSW encouraged the towns of the Zamoyski *Ordynacja* to initiate court proceedings against the owner. In the 1829 list of towns engaged in lawsuits, two *Ordynacja* centers, Kraśnik and Turobin, are indicated as pursuing legal actions against the Zamoyskis over the right to *propinacja*, the most lucrative source of income available to any town. As reported by the KRSW, the town of Turobin even concluded an agreement with the *Ordynacja*, but the state rejected it as not beneficial to the town. The same document did not elaborate on what conditions the KRSW would consider sufficiently beneficial.

The story of Zamoyski’s towns highlights how the policies of the Duchy and Congress Kingdom effectively, if not intentionally, broke the old equilibrium and divided the interests of the townsmen from those of their owners. In the official municipal system established by the Duchy, the owners had “no power to do good,” in the words of Theodore Faber, only the right to collect incomes. Once a town was a government-dependent municipality, the owner had no input as to how the town spent its money. Only an extremely magnanimous or naïve owner would contribute money to fund a state-controlled administration, which was, at best, unconnected to him and, at worst, hostile. Unlike other noblemen, who understood that their property rights would receive the most protection with their towns as village settlements, the Zamoyskis tried to use the promise of monetary cooperation as a bargaining point to retain influence. In return, they found state officials acting unilaterally and elbowing them out of the process at every turn. Whether or not the owner contributed, the government presumed itself to

62 AGAD, KRSW 38, 19-21.
63 AGAD, KRSW 7033, 175-176.
64 von Faber, *Sketches of the Internal State of France*, 34.
have the best interests of the private towns at heart and to best know the needs and capacities of the community.

The state’s insertion into private towns necessarily turned private town burghers against their owners. Under the Commonwealth, royal and private privileges, rather than monetary expenditures, established the rights for town government and individual freedoms. Owners did not need to provide dedicated funding sources to towns, since officials served pro bono and economic interest dictated owners’ commitment to repairing and maintaining the infrastructure. Once the state demanded that towns possess salaried officials and minimum expenditure levels, burghers who feared losing their traditional rights had to scramble to find this money. Suddenly, tolls, fees, and alcohol taxes achieved new importance – especially since these indirect taxes would be borne in equal measure by the surrounding peasants and traveling merchants. In order to obtain the title to collect these dues, burghers found themselves suing their owners and searching for long-forgotten endowments. These lawsuits only added an additional layer of hostility, already present given the state’s unwillingness to consider town owners’ input. The only remaining benefit of a private town was now its income, of which owners now had every motivation to drain as much as possible. The state’s protection of private towns from the assumed rapaciousness of their owners did not come without a price.

**Protection for the Powerful: Private Towns in the Russian Empire’s Ukrainian Territories**

The Russian state harbored none of the pretensions to social leveling that influenced Napoleon and his satellites, but the tsars nonetheless presumed the necessity of a unitary state with direct control over a network of provincial and district towns. Rather than conceiving of private towns as an anachronistic remnant of feudal inequality and state weakness, Russian administrators viewed them as unpleasant curiosities, which hindered the establishment of a
uniform state presence in the countryside. As a result of the different priorities and inclinations of the Russian government, as well as the regional peculiarities of Ukraine under the Commonwealth, a relatively harmonious relationship between owners and the state would develop. At the same time, the Russian state appeared relatively indifferent as to whether a given town possessed its own, chartered administration. Thus, many private towns much larger than their Polish counterparts would lose their official, municipal government.

Under the Polish-Lithuanian Commonwealth, the four Ukrainian palatinates of Volhynia, Podolia, Kiev, and Braclaw, were characterized by the lowest urban density relative to the rest of the Polish Crown. The number and size of towns was, however, much higher than in Russia proper, and, according to historian P. Ryndziunskii, 35% of all Russian merchants townsmen lived in the Southwest provinces by 1850. More importantly, unlike in the Lublin region, the largest towns in the Ukrainian palatinates were privately owned. According to the 1777 hearth-tax (podynny) register, Mohyłów (Rus: Mogilev), a town in Podolia owned by the Potocki family, was the single largest town in the region. Dubno, which belonged to the Lubomirski family, was the second most populous in the region and the largest settlement in Volhynia. In addition, the private towns of Ukraine were often the best fortified. For example, the Civil-Military Commission for Volhynia was compelled to employ the fortress in Dubno, rather than the palatinate capital, Łuck, for housing prisoners and deserters, since the latter was in such a state of disrepair. Further, the largest Ukrainian private towns were the regional leaders in commerce and industry. In 1800, the Russian government’s surveyor described Mogilev as the

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65 BC, ms. 1175, 263; Ryndziunskii, Gorodskoe grazhdanstvo, 296-298. In general, the distance between towns in the Polish Crown was comparable to the rest of central Europe, containing a dense network of medium and small towns rather than a few large ones. See: Bogucka and Samsonowicz, Dzieje miast, 370-380.
primary trading center in Podolia, housing wealthy Armenian and Greek merchants with ties to Moldavia, Prussia, Austria, and the Holy Roman Empire.\textsuperscript{66}

By entering the Russian empire, the towns of Podolia and Volhynia joined a constellation of urban settlements that had travelled an entirely different historical path than their counterparts in East Central Europe. Prior to the eighteenth century, towns in Russia were not juridical units, but collections of communities (obshchiny), each with specific rights derived from their duties and obligations towards the state. The concept of a town as a legal corporation granting equal rights and privileges to all registered citizens did not definitively appear until Catherine II’s provincial reform of 1775, followed by the Charter to the Towns of 1785. Even after the Charter, towns remained divided into two separate soslovie, merchants and townsmen (meshchane), rather than belonging to a uniform town corporation, wherein each member enjoyed theoretically equal rights. According to Boris Mironov, towns and villages remained largely undifferentiated throughout the empire, even after the Charter went into effect.\textsuperscript{67} Further, Ryndziunskii asserts that the meshchane, in terms of their obligations and restrictions, resembled state peasants more than merchants. The exception was that the meshchane, if they acquired enough money, could more easily join the merchant soslovie, which enjoyed greater freedom of mobility and exemption from recruitment into the army.\textsuperscript{68}

The Russian government moved quickly to assimilate the Ukrainian territories captured in the wake of the partitions. In 1792 and 1795, Catherine ordered the new territories to be attached temporarily to existing gubernii, directing governors to extend the Charter to the Towns

\textsuperscript{66} BC, ms. 953, 207, 275; Opisy podil’s’koi hubernii, 33-34.
\textsuperscript{67} Hittle, “The Service City,” 54-66; Mironov, Sotsial’naia istoriia Rossii, vol. 1, 282-293, 487-494.
\textsuperscript{68} Ryndziunskii, Gorodskoe grazhdanstvo, 40-50.
to all capitals of newly demarcated districts (*uezdy*). As was the case in Left Bank Ukraine after 1667, the tsarist government allowed the former Polish towns to maintain Magdeburg Law as the unwritten civil code, but with the Charter’s administrative organization. With regard to private towns, the situation was even more complex. The empress declared in 1795 that private towns should be respected as private property, insofar as their owners had not participated in the Kościuszko uprising. At the same time, the state would need to employ many of these private towns as administrative centers, given their superior economic and infrastructural conditions. For this reason, Catherine ordered the construction of administrative buildings, customs houses, and quarantines in towns such as Zaslavl and Ostrog. As for self-government, large towns with traditions of Magdeburg Law, such as Dubno and Mogilev, were allowed to maintain a municipal magistracy, modeled on the 1785 law. Unlike their counterparts in the Duchy, these lucky few preserved a modicum of self-government with locally-elected officials. On the other hand, smaller private towns appear to have lost their self-government altogether and fell under the jurisdiction of the county gorodnichii, a position analogous to the Warsaw Duchy’s *wójt*.

The Russian government also grappled to accommodate the twin principle of state control and private property with respect to private towns. However, whereas officials in the Duchy and the Congress Kingdom tried to circumscribe the nobility’s power in their towns based on an anti-feudal agenda of social leveling, Russian governors and inspectors saw private towns primarily

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69 PSZRI, ser. 1, vol. 23, 17090, 388-391; 17327, 694-695. In 1796, Paul ordered a reorganization of the provinces, which created *Volynskaia guberniia* and *Podolskaia guberniia*. PSZRI, vol. 24, 17634, 229-230. According the Henryk Mościcki, the new provincial administrations swelled with cadres in an effort to speed assimilation. Whereas an internal *guberniia* administration had an average of 37 chancellery officials, the Western provinces had an average of 247. See: Mościcki, *Dzieje porozbiorowe Litwy i Rusi*. 24-25.

70 Magdeburg Law was both an administrative model and a civil code governing property transfers, inheritance, and contracts. Broad outlines of the law had been compiled in Latin and Polish, but much of the specific practices remained oral tradition. In a similar fashion, the Russian state allowed the former territories of the Grand Duchy of Lithuania to employ the Lithuanian Statute of 1588 as their civil code. Kohut, *Russian Centralism*, 236, 285-289; Karlina, “Konflikt mizh tradishchiami mis’koho samovriadubannia i systemoiu,” 280-281.

71 PSZRI, ser. 1, vol. 23, 17327, 694-695; 17354, 728.

72 TsDIAK, f. KMF 11, o. 1, s. 94, 17; Karlina, “Konflikt mizh tradishchiami mis’koho samovriadubannia i systemoiu,” 281-284; de Madriaga, *Russia in the Age of Catherine the Great*, 284-187.
as a nuisance that hampered administrative integration. In order to maintain the facilities and functions deemed necessary by the state in all district (uezd) capitals, the government was compelled to rent buildings and space from certain private town owners. In a report from the Minister of Finance and the Minister of Internal Affairs in 1806 to the Senate, the ministers expressed their discomfort with this arrangement, stating: “As a general rule, uezd towns should belong to the state.”

Further, the tsarist government encountered difficulties in integrating private towns into the soslovie system. Catherine had ordered that Jews, who often comprised the majority of the population, be registered as meshchane. The law even stated that, where possible, Jews living in villages should be resettled in towns. At the same time, Christian subjects of the lord often found themselves categorized as serfs, possibly because they often performed duties in kind for the owner. This latter fact lead to numerous legal battles as former townspeople fought to prove their status and obtain meshchanstvo rights. As with the lawsuits in the Congress Kingdom, success in this endeavor often depended upon the possession of written privileges, a fortuitous occurrence in a region of mostly wooden towns that was frequently at the center of armed conflict.

Whereas voluminous paperwork was generated in the Congress Kingdom on the subject of confirming the urban status of relatively tiny and economically unimportant settlements, the Russian Empire appeared content as long as every uezd had a capital town. This fact has led at least one traveler to nineteenth-century Russia to observe that many so-called uezd towns were villages with administrative buildings.

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73 TsDIA, f. KMF 11, o. 1, s. 91, 39-40; PSZRI, vol. 29, no. 21988, 19-20.
74 According to Karlina, the results of these cases varied wildly, with some former burghers, such as those in the town of Lubomil, winning the right to enter the meshchanstvo, and others not. In addition, Olgopol in Podolia gained meshchanstvo status for all residents as the result of a Senate decree in 1825. PSZRI, vol. 40, no. 30557, 569; Karlina, “Konflikt mizh tradishchiami mis’koho samovriadubannia i systemoiu,” 283-284.
75 Mironov, Sotsial’naia istoriia Rossii, vol. 1, 284.
government on the model of the 1785 Charter was apparently unimportant in St. Petersburg’s calculations. Zaslavl and Ostrog had no official, paid administration until the 1860s. While Brandys and Domański were debating the best way to establish official governments in towns such as Firlej and Bychawa, both with populations under 1,000 people in 1819, the Russian Empire proper had no such compunction about Zaslavl and Ostrog, both of which could claim around 4,000 residents by 1810.

Those towns which did retain official magistracies had to pay for them exclusively through citizen contributions, and the amount required was determined by government-appointed commissions. In 1806, for example, the citizens of Dubno collected 1,900 rubles in order to compensate the town magistracy and the local police staff. Dubno, as the largest town in Volynskaia guberniia after the capital, Zhitomir, was one of only three towns in the entire province with its own, officially-chartered police force. The remainder of the towns, state and private, fell under the jurisdiction of the uezd police commander, the gorodnichii. Towns without a police force had to contribute a certain sum to pay the overall salary of this official and his staff. The private town, Ostrog, contributed 230 rubles in 1806 to police protection, a sum split between the owner and the residents. Volhynia Governor Komburlei noted that the amount established for police protection varied since “in certain towns police duties are carried out by the residents themselves.” Private towns also had to provide additional money for heating and lighting, military quarters, and subsidies for postal operations. In some cases, as the governor observed, townsmen simply provided the raw materials in return for set prices, once again established by commission.

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77 See Appendices Five and Six.
78 TsDIAK, f. KMF 11, o. 1, s. 91, 31-32, 145; f. 2227, o. 1, s. 177 (“Instrukcje o samorządzie miejskim”), 255-256.
One particularly puzzling aspect of the Russian regime concerns the fate of those large private towns which lost their administrations. On the one hand, their situation seems analogous to that of those private towns in the Duchy and the Congress Kingdom, which found themselves under the wójt, since the gorodnichii served as a kind of general, executive official with powers of punishment and arrest. In some cases, the gorodnichii even conducted inspection tours and submitted reports to the Governor, as an 1832 dispatch from Zaslavl indicates. On the other hand, some evidence suggests that the former town council continued to function in some capacity. In report after report, the governors of Volhynia and Podolia concentrated their remarks almost exclusively on two aspects: funding for police, and the efficiency of town courts. Under the latter rubric, the governor’s reports show that Zaslavl, Ostrog, and Ogolpol were measured on the quantity of resolved and unresolved court cases in their town court. In 1804, 29 cases appeared for the “town government” (gorodskoe pravlenie) in Zaslavl, all of which were resolved, while in Ostrog, 32 cases appeared, of which the town court managed to adjudicate 31. We know from the governors’ reports that in both cases no money was allotted to fund a magistrate, which would normally have presided over such business. The presence of a pro bono town court suggests that at least some, small remnant of the former town government survived, despite the towns’ loss of an official magistrate.

In fact, the Russian state viewed town administrations, and particularly those belonging to private towns, primarily as a component of the empire’s judicial infrastructure. In 1806, the Radziwiłł family’s fortress-town of Nieśwież received instructions from the governor of Minsk guberniía. The unusual letter, written in Russian, but employing the Latin alphabet with Polish orthography, instructed the magistrate of Nieśwież, “that besides holding court, it should not

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79 TsDIAK, f. 442, o.1, s. 1196, 13-15.
80 TsDIAK f. KMF 11, op. 1, s. 91, 26; KMF 11, o. 1, s. 94, 25.
interfere in police matters subordinate to the territorial authorities nor in economic regulations which are the provenance of the owner.” The letter further reminded the residents to obey the instructions of the owner, follow police orders, and not judge cases between the Radziwiłłs’ peasants. In other words, insofar as a private town could have its own administration in the Russian Empire, this consisted primarily of adjudicating the disputes of the residents themselves.

If the Russian government was not particularly concerned about whether private towns supported their own magistrates, a more pressing concern was the inconvenience these entities posed for uniform rule. According to Komburlei, private towns presented a number of problems to the government. First, none of the officials in the Governor’s office could determine the person responsible for paying the minimum contribution towards the **uezd** police: the owner, the Christian peasants, or the Jews, who were typically the only meshchane registered in these towns. Second, the ability of the state to maintain a police presence in private towns depended largely on the owner’s willingness to support this effort. If the owner did not “appreciate” the value of paying for the **uezd** police:

> [Then] the town police chief encounters difficulties at every stage, both in establishing the amount of the contribution, and in collecting it. Equally [difficult] is hiring and supplying needed police servants, or even maintaining fire-fighting equipment in working order.

Finally, the government had trouble constructing or renting state buildings in private towns, since all the property ultimately belonged to the owner. As Komburlei explained,

> If good will on the part of the owner is lacking, he could demand that property allotted for a particular government building be returned to him for his own

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81 AGAD, AR XXIX, 175, 1.
82 “В противном же случае градской начальник полиции на всяком шагу встречает затруднения, и в определении сбора и в исполнении его равно в наеме или в поставке нужных для полиции служителей и даже в содержании в исправности пожарных инструментов.” TsDIAK, f. KMF 11, op. 1, s. 91, 31.
enterprises, and since such property provides him income, the government cannot
naturally deprive him of his rights in this case.83

As we see from the above, the state made a much more dedicated effort to accommodate its
model to the post-1762 rights of the nobility than the Congress Kingdom’s government, though
this flexibility did not extend to the traditions and rights of the burghers.

A gorodnichii, sub-lieutenant Vol’ianskii, inspected Zaslavl in 1832 and registered the
same complaints as his superiors had a quarter-century earlier: state buildings, with the exception
of the treasury, were housed in private homes rented by the state; the residents’ contributions
subsidized the gorodnichii and the quartering commission’s expenses exclusively; the town
hospital was in a poor location, but the owner refused to relocate it; and the police had to store
their fire-fighting equipment outside, in the open air. Vol’ianskii did briefly consider the
possibility of finding an independent source of income for the town, though he did not indicate
how such monies would be employed. On the other hand, the gorodnichii devoted considerably
more space in his report to explaining how the less-populated of the two local Catholic
monasteries could be seized and converted into a state building for housing administrative
offices, courts, and even a prison. As a result, the government would no longer have to rent
private homes from the owner. The lack of a municipal administration did not appear to disturb
Vol’ianskii remotely, at least not nearly as much as the need to wean the government from
renting the owner’s buildings.84

Rather than taking administrative control of private towns, the Russian state ultimately
devised the solution of simply purchasing these entities from their owners. Catherine II had
indicated this preference in her 1795 reorganization of the territories from the second partition.

83 “Если нет на то доброй воли помещика назначаемое правительством для сего здания место помещик
может требовать для своих хозяйственных заведений, да и же таковое место приносит ему доход и
правительство конечно не может лишить его в сем случае права.” Ibid.
84 TsDIAK, f. 442, op. 1, s. 1196, 13-16.
In ordering that private towns should be respected as the property of their owners, the empress also observed that every effort should be made to convert them into state property, by purchase or as repayment for loans. Komburlei made an impassioned case for the purchase of Dubno in his 1806 report to the Ministry of the Interior. He argued, without irony, that the town citizens, once freed from having to pay rents and tolls to the owner, would then have the money to support the construction of soldiers’ barracks and provide better salaries for the state police force. Further, the governor noted, that the town’s earnings from trade and the amount of income it generated for the owner indicated that the residents were capable of returning the money employed by the state for the purchase in the course of a few years. For Komburlei, the burghers’ primary problem consisted not in the amount they contributed, but that the sums went to the wrong master.

Komburlei was not granted his wish with regard to Dubno, but the principles he outlined had already been applied to the purchase of Mogilev in neighboring Podolia. Mogilev, like Dubno, was a comparatively wealthy town, as well as the home to Armenian and Greek merchants with international ties. In 1806, when the province’s capital, Kamenets Podol’skii, imported 22,311 rubles from its tolls and taxes, Mogilev generated 41,870 rubles for the owner, count Felix Potocki. The income consisted entirely of rents for houses and shops, as well as taxes on wine, which was both imported and produced in the town. Like Dubno, Mogilev’s townsmen paid for a magistrate and a police force from a direct levy on the merchants and artisans, and unlike the majority of private towns, Mogilev possessed Christians registered as meshchane and merchants. Due to its location of the frontier of the Empire, the regime maintained a quarantine and a customs house in Mogilev, which necessitated large outlays to lease these properties from

86 TsDIAK, KMF 11, o. 1, s. 91, 41-42.
the owner. For this reason, as well as the general principle that all *uezd* capitals should belong to the state, the Minister of the Interior and the Minister of Finances recommended the town’s purchase. They cautioned, however, that the state should review the income and capacities of each town prior to proposing such a transaction.\(^7\)

Interestingly, the acquisition of Mogilev was structured in a remarkably similar fashion to the emancipation of the serfs in 1861, in which peasant communities had to obtain their new land allotments by continuing to fulfill their obligations to the landlord for upwards of twenty years.\(^8\)

In this case, the government negotiated a purchase price of 580,760 rubles, or thirteen years of income plus seven-percent interest. The town itself would finance this cost over the course of twenty-six years. With the town community now holding the right to an estimated 24,912 rubles per annum from alcohol farming, 4,912 rubles could be earmarked for administration and police, while the remainder would be diverted towards Mogilev’s “emancipation” over the course of twenty years. In addition, the residents would have to pay the Potocki family an additional 6,387 rubles a year out of pocket over a twenty-six year period. This additional cost would cover the family’s income from house rents and other dues, which state towns did not have the right to collect. Of particular note, the purchase agreement specifically stated that all registered peasants living in the town would be converted to *meshchane*. This latter provision, in all likelihood, represented a return to burgher status, which many of the town’s Christian residents lost immediately after their incorporation into the Russian regime.\(^9\)

The complexity and cost of such purchases apparently made the Russian state hesitant to embark upon them. Dubno and Zaslawl remained nominally private towns throughout the

\(^7\) *Opysy podihilskoho hubernii*, 33-34; PSZRI, ser. 1, vol. 29, no. 21988, 20-22; TsDIAK, KMF 11, o. 1, s. 94, 92.

\(^8\) On the emancipation of the serfs, see: PSZRI, ser. 2, vol. 39, no. 36650, 129-134; Petr Zaionchkovskii, *Provedenie v zhizn' krest'ianskoi reformy 1861 g.* (Moscow, 1958).

nineteenth century. Ogolpol, which had been a village prior to the partitions, obtained a conversion of its townspeople to *meshchane*, but continued to remain in private hands.\(^{90}\) The Urban Reform of 1870, and its 1875 analogue for the Western provinces specifically excluded private towns from the legislation, establishing a pared-down administration in lieu of the new city dumas.\(^{91}\) The problem of purchasing private towns was not unique to Russia. The Austrian Empire also sought to obtain the most important private towns in Galicia, such as Rzeszów and Brody. Again, the state was primarily concerned with the unitary jurisdiction of the state, rather than alleviating the residents’ financial burdens.\(^{92}\) In the Russian Empire, the state’s paramount goal appears to have been to achieve a unitary structure down to the level of *uezd* capital, while treading extremely lightly on the prerogatives of the nobility. While respecting the private property of its base, the empire was willing to make monetary agreements on behalf of town citizens, determining the size and type of town duties, and even deciding which town residents could belong to the urban estates.

A parallel between the Russian Empire proper and the Congress Kingdom does exist with regard to the purchase of Zamoyski’s well-fortified and prosperous capital, Zamość, which, like Mogilev, was also strategically located on the border. King Frederick August III had expressed a desire to purchase the town in 1811, but due to the Napoleonic wars and the Russian occupation, Zamość was only acquired in 1821, though a census from 1819 described the town as a “national fortress” rather than a private town.\(^{93}\) Unlike the Mogilev transaction, Stanisław Zamoyski agreed to cede his principal town, along with territory outside the walls for farmland and pasture, a property Władysław Ćwik estimates to have been valued at 3.4 million zlotys (568,561 rubles),

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\(^{90}\) PSZRI, ser. 1, vol. 40, no. 30557, 569.


\(^{92}\) Opas, “Der Emanzipationsprozess,” 362-364.

\(^{93}\) AGAD, KRSW 36, 223; Ćwik, “Zamość pod zaborami,” 134-137.
in exchange for government land in other parts of the Kingdom.\textsuperscript{94} Apparently, the deal was not particularly beneficial to the Zamoyski family. In an 1825 letter to Nicholas I, Stanisław Zamoyski complained that the government had established colonies around the fortress of Zamość on property still belonging to him. Interestingly, this letter also shows that the former owner continued to maintain a presence in his old town as the propinacja tax farmer. In fact, Zamoyski claimed that his title as a tax farmer was in danger of being underbid in an apparently unfair competition by an unnamed neighbor who was in better favor with the Financial Commission.\textsuperscript{95} Again, the Russian government’s concern for the satisfaction of the nobility in the empire proper was not paralleled in the Congress Kingdom, where the state impinged on Zamoyski’s property rights and sought to block any attempts for the family to maintain its former, paternalistic role.

**Conclusion**

The Russian Empire and the Congress Kingdom only negotiated the purchase of strategically important, private towns. The remainder of private towns continued to exist in their semi-dependent limbo for several decades. Apparently, this mixed status was not inconvenient enough for the state to consider additional purchases.\textsuperscript{96} The situation only changed after the emancipations of 1861 and 1864, which abolished seigniorial property relations. Zaslavl and Ostrog received magistrates as part of the new urban legislation and remained the capitals of their respective uezdy. On the other hand, the determined efforts to maintain municipal governments in the small, private towns of the Congress Kingdom, were decidedly reversed in 1867, when the Russian state authorized an en masse conversion of small towns into village

\textsuperscript{94} DPKP, vol. 7, 111; Ćwik, “Zamość pod zaborami,” 136-137.
\textsuperscript{95} AGAD, AZ 1996 (“Listy Stanisława Zamoyskiego do Cesarza Mikołaja I”), 1.
\textsuperscript{96} No transactions for Dubno, Zaslavl, or Ogolpol were recorded in either of the two series of the PSZRI leading up to 1881.
settlements. Bełżyce, Firlej, and Bychawa were among the towns almost simultaneously emancipated from their owners and transformed into villages. Kraśnik and Lubartów, as capitals of county districts, retained their urban status. Ironically, in the climate prevailing after the January Insurrection of 1863, those towns converted into settlements received community assemblies and an elected wójt, the only self-government now allowed in the Kingdom. On the other hand, after 1867, district capitals like Kraśnik and Lubartów, would remain governed by appointed state officials, and they would lose the right to conduct official business in Polish, one of the few remaining markers of the Kingdom’s autonomy.97

In assessing the impact of the policies pursued by both the Russian government and the Congress Kingdom, let us return to the statistical information in the appendices. The first conclusion we can surmise from the available information is that private towns which remained in private hands suffered the greatest relative decline, particularly in Ukraine. Between the early nineteenth century and the 1897 census, Zaslavl, Ostrog, and Dubno experienced the weakest population growth. Mogilev, which passed into state ownership in 1806, dropped from the largest town in the region to sixth place between 1778 and 1809, but grew to third place by 1897.

In the Lublin region, town ownership was completely abolished as part of the 1864 emancipation of the peasantry, which liquidated all forms of seigniorial ownership in the Congress Kingdom. Nonetheless, one can observe the impact of private town ownership. The largest private towns, Kraśnik and Lubartów, did retain their positions, since they were district capitals, but only Lublin experienced truly impressive growth. The small private towns of Bełżyce and Bychawa lost ground to Urzędów and Kazimierz Dolny, while Firlej retained its place as the smallest. At the same time, these five were all too tiny to retain their urban status

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97 See: Henryk Konic, Samorząd gminny w Królestwie Polskim w porównaniu z innemi krajami europejskimi, 2nd ed. (Warsaw, 1906); Włodzimierz Spasowicz, “O gminach i sądach gminnych w Królestwie Polskim,” in Pisma (St. Petersburg, 1892).
after 1867, and were not included in the 1897 census. Thus, a second conclusion seems to be that, in the Congress Kingdom, towns lived or died by the state’s decision of whether or not to designate them with an administrative function.

Both the Napoleonic and Russian governments valued towns as political centers for projecting state power into the countryside, an inclination that private towns contradicted by their very nature. At the same time, the legitimacy of both regimes rested on the respective legislators’ respect for the private property of nobles, the owners of both private towns and large swaths of the countryside in these two regions. Facing these twin pressures, the Russian government decisively sided with the latter, choosing to inconvenience itself by renting property in these towns or, in the case of Mogilev, negotiating a purchase favorable to the owner. The interests of the two urban soslovie was of so little concern for Russian officials, that representatives of the tsar happily abolished urban governments, transformed burghers into serfs, and negotiated agreements on behalf of town residents. So long as the empire could maintain the minimum presence, a town’s possession of a magistracy or the funding to pay for improvements was of secondary importance.

Officials in the Duchy of Warsaw favored the opposite impulse: erecting a state administration with tentacles down to the lowest level where residents could support representatives of the government. In the first two decades of the nineteenth century, state officials and publicists supported and justified this process in the name of counterbalancing the nobility’s political power, abolishing feudal inequalities, and protecting burghers from oppression. In pursuit of a unitary state, officials undermined any attempt of owners to retain their former influence, setting townsmen against owners by creating an environment, in which one’s loss was the other’s gain. Napoleon’s influence in the Duchy outlived the Congress of
Vienna by several decades. The Congress Kingdom, even after the November Insurrection, would be defined not only by the *Code Napoléon*, but by the thorough penetration of the state into remote, tiny settlements with town rights and private owners.
If you want to revive [the towns of the Commonwealth], the most effective means . . . would be to return the rights, privileges and endowments of all towns . . . to their ancient vigor, power, and enforcement. Liberty and rights enrich free, industrious people to an incomparably greater degree than the sprinkling of millions [of zlotys] on grants and adornments for towns.
- From the United Burgher Petition, 1789

Conclusion:

Enlightened Centralism and Federalism

Enlightened Centralism in Practice

The adoption of enlightened centralism as a policy towards the royal towns of the Polish-Lithuanian Commonwealth began in 1764 and continued throughout the chaos of the post-partition period until local self-government had ceased to exist. Private towns only experienced the full effects of centralization after the Napoleonic “liberation,” the efforts of enlightened owners such as Andrzej Zamoyski notwithstanding. Centralization in private towns almost unquestionably produced negative consequences, at least in terms of economic growth and population expansion. For royal towns, the story remains more nuanced. Lublin, Zhitomir, and Kamenets-Podol’skii eventually experienced population booms, and imperial supervision ensured that infrastructure improved, even if habits did not. In exchange for such benefits, the citizens of these towns had only to renounce almost all their former political rights and accept the principle that central and provincial officials would control and monitor the most important decisions affecting the community. Enlightened centralism, once enacted, has proved exceptionally tenacious, and urban self-government in the Republic of Poland today has

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1 “Chcąc [miasta] podźwignąć, nayskięszym byłoby szrodkiem . . . ażeby prawa, przywileie i nadanie wszystkich miast w ogolność . . . do dawnego wigoru, mocy i exekucyi powrociły. Swoboda i Prawa nierównie bardziej ubogacają ludzi wolnych, pracą i przemyślem zajętych, niż wysypane miliony na zapomogi i ozdoby miast.” Mędrzecki, Zbiór praw, dowodów i uwag, II, 6.
extremely limited competency when compared with the tradition of Magdeburg Law or even with that of towns in other countries.2

Enlightened Centralism, though broadly similar in effect, retained certain “national” peculiarities in application. Most obviously, Russian legislation allowed some degree of citizen participation for both Christians and Jews in the town councils. After 1805, a citizen of Lublin, Christian or Jew, enjoyed no voice in the affairs of the community, unless appointed to the magistracy by the central government. At the same time, this concession to participation at the local level unleashed concerns of “minority” domination among Russian administrators, particularly with regard to the area’s extensive Jewish population. Concern with “Russianness,” which antedated the 1830 November Insurrection, compelled administrators at the highest levels to modify the state’s own policies to reflect “local conditions.” This obsession with nationality in the non-Russian provinces cannot be attributed to the forces of centralization, but to the bizarre psychological complexes of the Russian imperial elite. The cosmopolitan decision of Catherine the Great to extend a singular model to diverse peoples overestimated the tolerance and self-restraint of the governors, senators and later emperors, who, as Theodore Weeks has argued, could not entirely reconcile themselves to ruling a multiethnic empire.3

No such nationality question haunted the Congress Kingdom, where the administrative culture focused its energies on subordinating all political entities to the state. Whereas Russian governors composed memos on the dearth of “Russian” merchants, officials in the Congress Kingdom, such as Kazimierz Brandys, expended enormous energy in regulating the relations

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2 Jennifer A. Yoder, “Decentralization and Regionalism after Communism: Administrative and Territorial Reform in Poland and the Czech Republic,” Europe-Asia Studies 55, no. 2 (March, 2003), 263-286. Note that Yoder claims that Poland has a “historic tradition” of unitary government. In 2011, Poland was ranked in sixty-eighth place in terms of economic freedom, according to a Heritage Foundation/Wall Street Journal poll, up from seventy-one the year before.

3 Weeks, Nation and State, 194.
between private towns and their owners. Although the Napoleonic ethos of equality under the law played a role, Brandys’s actions primarily resulted from the perceived need to integrate private towns into the state’s superstructure, goals made apparent by the legislation of the Duchy and the Congress Kingdom. The concept of integration into the state as a good in itself had already manifested itself under the Commonwealth in Hugo Kołłątaj’s definition of “free towns” as those subordinated to state institutions. In Congress Poland, the primary difference from Russia proper was the existence of legions of administrators who could implement the state’s vision on private property. Russian governors shared the Napoleonic officials’ discomfort with private towns as impediments to unitary control, but the Russian state relied upon the support of landed nobles in the western provinces. Moreover, the complete imposition of a unitary state does not appear to have been a goal that Russian officials realistically shared.

In fact, when compared with the strictly hierarchical system of local government in the Congress Kingdom of Poland – under the rule of the Russian tsar – the system of local government in Russia proper becomes rather puzzling. Rulers since Peter the Great had allowed local elections, but Catherine and subsequent tsars subordinated all locally-elected officers to budgetary review and gubernatorial inspection. Officials, such as governors, town inspectors, and members of financial boards treated locally-elected officials like their subordinate appointees. The chief question for understanding local government in Russia prior to 1864, then, becomes not: Was there genuine local self-government; but instead: Why did the state bother to use elections at all? If devolution was intended to unburden the administration of supervising menial tasks, local elections in Ukrainian towns created even more work for the guberniia administration in vetting candidates, in monitoring elections, and, periodically, in annulling the results in favor of new elections. On the other hand, if the Russian government perceived local
elections to have some value, then why did Tsar Alexander I specifically annul the municipal councils established by Napoleon? Limited as they were, these councils had constituted the only forum for local participation in urban government during the Napoleonic period, and their abolition finalized the abrogation of local self-government in the former Duchy of Warsaw.

Unfortunately, the most compelling explanation may be inertia. Since magistracy elections did not produce the results desired by Russian administrators, the state erected institutions to supervise and manage town business rather than abolishing the system entirely. In the former Duchy of Warsaw, already rigidly hierarchical, the tsar merely removed a seemingly unnecessary vestige of local participation. Another possibility is that throughout the nineteenth century, even after the Great Reforms, the Russian Empire harbored two contradictory tendencies: the desire to devolve government and unburden the administration on the one hand, and a complete lack of trust in local initiative and competency on the other. A similar conflict between the expectations of the managerial state and the “disappointing” behavior of local government characterized the city dumas after 1870, as well as the institutions of peasant self-government in Congress Poland after the emancipation.

Against the Enlightenment Narrative

What did centralization in the towns of Poland-Lithuania ultimately achieve? In the Introduction, I asserted that historians often accept the claims of enlightened centralism’s apologists, particularly with regard to the critiques of delegated republicanism. In short, eighteenth-century authors charged that the complex plurality of jurisdictions in the ancien

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4 On conflicts between the Moscow duma and imperial authorities, see: B. N. Chicherin, Vospominaniia: Zemstvo i moskovskaiia duma (Moscow, 1934), 206-234. On peasant self-government, see: Konic, Samorzad gminny, 12-39, 41-67. Nineteenth-century Polish writers, such as Julian Łapicki, criticized peasant self-government in language identical to that of eighteenth-century proponents of centralism. Łapicki charged that the Russian government was not doing enough to compel peasants to fulfill their duties. Julian Łapicki, “Stosunki gminne w Królestwie Polskim i właściwy kierunek ich rozwoj” Ateneum 1880, no. 4, 268-310.
regime hampered the administration of justice and the functioning of the economy. Further, the different rights and privileges of corporations created administrative nightmares for rulers seeking the most efficient and equitable sources of revenue. The bird’s eye view of centralized rulers, managing a unitary bureaucracy, created the possibility for more rational planning and development than the local perspective of corporate elites, working at cross purposes. Finally, this view maintained that local self-government, as practiced in the towns, estates, and guilds, represented nothing more than the domination of oligarchic elites under the subterfuge of democratic control. Arguments in this vein have, collectively or individually, justified the triumph of the unitary state as necessary and essential to the modern world.

If the complex array of self-governing corporations in Europe were problematic, the solutions proffered by enlightened centralism seem equally dubious, when tested against the experience of the Polish and Ukrainian townsmen. Considering the arguments outlined above, the stories presented in this study offer a number of rebuttals. To the claim that the plurality of jurisdictions and privileges inherent to delegated republicanism hampered efficient and rational planning for the whole, I would reply that centralized, rational planning itself carries a number of highly problematic assumptions and aspirations. In the first place, top-down policies demand a complete abolition of local control in favor of an appointed hierarchy with access to means of repression. The most high-minded and well-intentioned policies require coercion and sanctions, since the demand on uniformity precludes centralized officials from negotiating with locals on an individual basis.

Officials in the Department of Police and the Good Order Commission immediately realized that their goals in the royal towns could not be achieved without the means to compel obedience. In particular, the demand for uniformity undermined the propinacja reform, as the
central government was unwilling to alter its preference for a monopoly despite the alternative of an alcohol tax suggested by various townsmen. Town magistracies did not object to raising the funds required by the Department of Police, but burghers wanted to retain their individual right of *propinacja*. In another example, the government of the Congress Kingdom poisoned the relationship between Stanisław Zamoyski and his townsmen and created financial difficulties for itself by refusing to concede to the Zamoyski family any right to consult with the state on town affairs.

Secondly, the hierarchy of officials necessary for centralized decision-making turned out to be extremely costly, substituting legions of clerks, administrators, surveyors, and accountants for time-limited, elected officials serving without compensation. Towns in both *Lubelszczyzna* and Ukraine were forced to support an ever-increasing corpus of officials, as well as to subsidize the legions of inspectors, prefects, governors, and other supervisory organs charged with ensuring the implementation of the center’s rational plans. The achievements of the Good Order Commission, Napoleonic prefects, Russian governors, and town inspectors in “uncovering” new sources of revenue for the towns were almost always offset by a continual augmentation in the number of officials, each of whom required compensation. Most egregiously, the small, private towns of *Lubelszczyzna* were required by the state to produce the funds necessary to pay officials, in order for the state to allow those towns to retain their municipal governments. Considering that members of the town councils had recently fulfilled their roles pro bono, this regulation had the effect of impoverishing the townsmen without any apparent benefit.

In demanding uniformity and equality, centralized control in East Central Europe found itself a victim of its own categories and assumptions. Again, private towns provide the most productive demonstration. Although Napoleonic and Russian administrators approached the
problem of private towns from different perspectives, both attempted to fit these unusual entities into rational categories of absolute property rights and central control. In both cases, these efforts operated to the detriment of private town citizens, whose rights and privileges were much stronger when private lords had the power to offer attractive terms for settlers. Indeed, after a half-century of rational planning, all the private towns included in this study had withered into villages or fallen under state control. Even state towns suffered from such centralized decision-making, since the priorities and plans of the center often determined the fate of a given town. Zhitomir, for example, went from provincial backwater to a populous and well-funded city thanks to the Russian state’s decision to turn it into the capital of Volhynia guberniia. The former capital, Lutsk, suffered commensurately in a system where resource allocation was determined by hierarchal ranking of towns from capital, to guberniia capital, to uezd capital, down to provincial town (zashtatniy gorod).

The operation and structure of private towns further serve to refute Hegel and Weber’s contention about the efficiency of the bureaucratic system over the delegated republicanism of pre-Enlightenment Europe. Private towns owners, such as the Zamoyski and the Radziwiłł families, possessed enormous cadres of surveyors, tax-collectors, judges, and administrators, yet they encouraged and promoted urban self-government in their towns as a conscious ploy for attracting settlers. In the conditions of the decentralized Commonwealth, where the king was powerful enough to grant privileges and exemptions, but too weak to interfere in the internal affairs of private towns, owners competed among themselves to grant the most attractive conditions and political rights to potential settlers. Unlike Russian governors in charge of local elections, these private towns owners rarely worried about whom the burghers elected as mayor or how cases between burghers were judged, as they understood the main function of townsmen.
to be economic. Ironically, evidence of owners micromanaging town elections and issuing new procedures appears in the small private towns of Lubelszczyzna only after the final partition of Poland-Lithuania.\textsuperscript{5}

The bureaucratic system established in East Central Europe was itself riddled with inefficiencies and limitations. Centralized control over officials in the Napoleonic Duchy of Warsaw meant that municipal mayors had no control over the selection or compensation of their subordinates. Distrust of appointed, not elected, local officials in the Duchy and the Congress Kingdom compelled provincial authorities to establish spending and revenue-collection targets for town governments that proved burdensome, if not untenable. At the same time, that state’s bureaucratic machinery proved far less effective than apologists of enlightened centralism imagined. Official reports in Poland-Lithuania, Austria, the Congress Kingdom, and the Russian Empire presented the same litany of complaints about sanitary conditions, budget inaccuracies, and infrastructural decline over the course of sixty years. Despite numerous inspection tours, legislative decrees, meetings, reprimands, and administrative punishments, the policies of Nicholas I in Lublin were no more effective at improving public hygiene or municipal practices than those of the Good Order Commission decades earlier. The promulgation of ordinances, even those backed by threats, do not seem to have changed behavior in Lublin, Kremenets, or Lutsk in the slightest.

Even if enlightened centralism did not achieve its material ends in East Central Europe, perhaps the removal of oligarchic, local elites provided some benefit for the town communities? One cannot deny that, as elsewhere in Europe, a small elite of families governed the towns of Poland-Lithuania. In Lublin, the same families dominated the town council throughout the eighteenth century, and some remained into the nineteenth century as the instruments of

\textsuperscript{5} APL, Lubartów 6, 142-143; Żółkiewka 1, 25-26.
Napoleonic centralization. At the same time, the papers of the Department of Police and the Good Order Commission provide ample evidence of ordinary townsmen defying or undercutting their magistracies and standing up to local and royal officials. The *propinacja* battles indicate that power in the towns remained contested and unconsolidated, with the various components, the town corporation, the kahal, the magistracy, guilds, *jurdyki*, and the starosta, unable to exercise absolute dominance.

The first achievement of enlightened centralism in Poland was to increase the power of the starosta in the towns, an unelected and unaccountable officer with a specific set of economic interests. Later, territorial powers replaced the oligarchy of the town council with unaccountable, centrally-appointed authorities: the Good Order Commission, the provincial commissions, the governors, the treasury chambers, and town inspectors. These bodies may have been disinterested, unlike town councilors, but locals could not reason with or escape their demands. Central authorities had the luxury of imposing greater taxation and requirements, having no fear of the possible violence resulting from an angry public. Again, records from the Department of Police indicate that townsmen, magistracies, and starostas beat and berated their antagonists, when the other party stepped over the line. After the partitions, mayors and councilors answered to their superiors and justified edicts and local taxation practices with reference to the demands of the center. Local officials and town owners had to worry about discontent; central administrators were far more insulated. As the examples of Russian officials in Ukraine demonstrate, the agents of central power in the towns had to worry more about fulfilling the regulations of the center than placating the townsmen.

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7 AGAD, ML VII 79, 263-262; ML VII 83, 363-368.
Finally, liberal proponents of centralization have argued that the destruction of autonomous corporations was necessary for the economic expansion of the nineteenth century, a view once touted by Adam Smith. This question, unfortunately, remains beyond the scope of this dissertation, but the concrete measures enacted by the Department of Police, the Good Order Commissions, or other central bodies do not seem to have produced any measurable economic growth. Even such an enthusiastic supporter of the state as Stanisław Staszic questioned the contribution of “internal order, beautification of homes, and removal of waste” towards improving the economic life in the towns, a view echoed by burghers and other government officials. The king and his supporters may have justified centralizing measures by alluding to the economic decline of the towns, but it is unclear how good order contributed to the real economic growth of the late eighteenth century. The economic impact of centralization before and after the partitions awaits further study.

A Missed Opportunity?

In assessing the transformation of the Commonwealth’s towns from institutions of delegated republicanism to wards of enlightened centralism, one must address the question of teleology. Was centralization inevitable? To answer this question, let me ask another: could the model of self-government and local control codified in Magdeburg Law have morphed into some kind of federalist constitution that reserved local power for the towns? In other words, under different circumstances could the towns of the Commonwealth have followed the path of Hamilton and Madison, rather than of Napoleon and Alexander? Obviously, this question can never be answered, but the demands of the burgher rights movement in the late eighteenth century.

8 Smith, Wealth of Nations, 121-129.
century suggest that some citizens of Poland-Lithuania imagined an alternative to enlightened centralism.

In 1789, burghers from across Poland-Lithuania convened in Warsaw to present a petition in the name “our towns and all towns in general” to the king and the parliament. The demands of the burghers, as recorded by Michał Swinarski and Adam Mędrzecki, expressed an entirely new political ideology, connecting the traditional concern of the townspeople for maintaining autonomy and privileges with an acknowledgment that collective action on the national level was now essential. Starting with the assertion that, “The public interest should henceforth be the interest of all towns, both Polish and Lithuanian,” the burghers demanded more than the traditional confirmation of the towns’ individual rights and privileges. Instead, burghers lobbied for representation in parliament and the right to participate in executive committees for the entire estate. As the petition explained, “True liberty, freedom, and individual security truly requires that no one levies any burdens or obligations on a person without his knowledge and consent.” Much like the Declaration of Independence, the burgher petition presented its rather radical demands, not in terms of universal rights or theoretical principles, but as ancient liberties that had been usurped by violence and historical circumstance. In support of the cause, Mędrzecki drafted a lengthy treatise demonstrating that burghers had possessed legislative powers on a national level in the sixteenth century. The same author produced historical justifications for all the other points, such as the demand for habeas corpus, freedom

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11 “Prawdziwa wolność, swoboda, i bezpieczeństwo osobiste na tym istonie zależą, ażeby na człowieka pod dobrodzieyszem praw zostającego, żadnych ciężarów y obowiązków nowych nikt nie wkładał, bez Jego wiadomości y zezwolenie.” Ibid.
from starosta supervision, and the right to purchase landed property. Notably, the burghers also declared themselves willing to join the army and fight in defense of the Commonwealth.\footnote{Mędrzecki, \textit{Zbiór praw, dowodów i uwag}, 1-30. Swinarski makes similar demands. Swinarski, \textit{Wiadomość od pierwiastkowy miast zasadzie}, 1-95.}

While grounding their claims in “ancient liberties,” the burgher publicists also tried to convince the parliament that participation in government by the third estate would prevent the passage of laws detrimental to town interests, and thus harmful to the economy. Swinarski, in particular, used the example of the 1768 and 1776 laws as proof of the fallacy of a government’s legislating without consulting those intended to benefit. Both Swinarski and Mędrzecki argued that altering the fundamental privileges of the urban estate, in particular the right to self-government, required the assent of the townspeople as a collective. Enumerated the rights of towns, which the authors considered under attack, the polemicists listed the powers of legislation, taxation, and expenditure; in other words, those powers of self-government which the Department of Police and Good Order Commissions had sought to diminish or abrogate.\footnote{Ibid.} The vision of the united burgher petition and its publicists, then, was entirely federalist: advocating participation by the burghers on the national level with regard to matters related to the whole, while demanding self-government at home and freedom from interference by royal officials or intrusive legislation.

The burgher rights movement failed, not because of the Russian-backed Targowice Confederacy or the final partitions of Poland, but because the burghers’ own supporters in parliament had embraced enlightened centralism. Hugo Kołłątaj accepted the burghers’ demands for the civil rights of personal freedom and property ownership, but he also favored the institution of a central Police Commission “which would have a view of the entire economy and . . . under the rule of [executives who] have the power of compulsion, would be able to"
implement its praiseworthy regulations.”\textsuperscript{14} The Police Commission, discussed in Chapter One, significantly abrogated the political and financial powers of the self-governing towns. In addition, due to the realities of parliamentary politics, the burghers failed to win representation in the parliament from the Urban Reform Law of 1791.\textsuperscript{15} Therefore, the reforms of the Four-Year Parliament rebuked the federalist proposals of the burghers at both the national and local levels. A subsequent call to return the original civic rights of townsmen, issued in an 1807 pamphlet by Ignacy Stawiarski, fell on completely deaf ears.\textsuperscript{16}

Today, the debate between centralization and local self-government remains an important touchstone for European and Russian politics. While the abrogation of elected mayors and governors played an important role in Vladimir Putin’s consolidation of power in Russia, the results of political decentralization have not always proved encouraging.\textsuperscript{17} As of this writing, the fall of 2011, the European Union is immersed in a debate over enhancing the centralized institutions in Brussels and Frankfurt, which many see as the only solution to prevent a complete disintegration of the Euro. Proponents of further centralization have marshaled their intellectual resources in defense of integration and centralized policy-making, and any of these arguments share a striking resemblance to the statements of the Good Order Commission and the Napoleonic prefects. The federalist vision of Mędrzecki and Swinarski, never achieved in their own homeland, seems as remote from contemporary reality as from the preferences of the powers that partitioned Poland-Lithuania in 17

\textsuperscript{14} Kollat\'aj, \textit{Listy anonima}, 80.
\textsuperscript{16} Stawiarski called for returning civic rights based on the Constitution of the Third of May, but not the particularistic privileges of individual towns. \textit{Korrespondencya w materyach}, 97-99.
\textsuperscript{17} At least for the elites monitoring the progress of decentralization. See: Robert Putnam, \textit{Making Democracy Work: Civic Traditions in Modern Italy} (Princeton, NJ, 1993).
Appendix 1:

Decree for Implementing the *Propinacja* Law, March 7, 1777

We, Stanisław August, by the grace of God, King of Poland, Grand Duke of Lithuania, Ruthenia, Prussia, Mazovia, Samogitia, Kiev, Volhynia, Podolia, Livonia, Smolensk, the Siewierian Principality and Chernihiv, by assent of the Permanent Council.

Conferring Our Royal mercy, We make known to all in general and each person in particular who has a need to know, and specifically, to you the Lordly and Well-born Starostas, leaseholders, and privileged possessors as well as the Noble Magistracies and Honorable town governments of Our royal towns. Implementing the law titled “A Regulation for Nowy Korczyn and Other Royal Towns of Ours in the Crown,” which reads:

“In order to prevent further ruin of our royal towns in the Crown, and desiring in general to guide them to a better epoch, we forbid all Jews who include themselves under burgher law, from any kind of *propinacja* rights under any pretext. We further command that vodka distilleries, which frequently cause town fires, be moved from the town limits. Although burghers have a right to *propinacja*, which we maintain here, we order, that henceforth, no burgher should produce intoxicants for his own profit, but that each year or every three years, the magistracy, in the name of the entire town, should award contracts for this *propinacja* to one of the most wealthy of the burghers, or someone, who has *pignus responsionis* (sufficient collateral), or to the starosta. If none of the burghers should take the contract, the starosta will be considered the winner. We declare that the income from this should be directed towards the general needs of the town, which we entrust to the starosta’s

My Stanisław Augustus, z Bożej łaski król polski, wielki książę litewski, ruski, pruski, mazowiecki, żmudzki, kijowski, wołyński, podolski, inflantski, smoleński, siewierski, y sziernichowski za zdaniem Rady Nieustającej

Wszem w obce y każdemu z osobna, komu o tym wiedzieć należy, a mianowicie Wam Wielmożnym y Urodzonym Starostowie, dzierżawcy y uprzywilejowani possessorowie tudzież Szlachetne Magistraty y Sławetne Urzędy Miejskie Miasteczek Naszych Koronnych, przypowiadając Laski Naszey Królewskiej wiadomo czyniemy. Iż exekwując prawo pod tytułem = Warunek Nowego Korczyna y innych Miasteczek Naszych Królewskich w Koronie w te słowa = „Zabiegając dalszy ruinie miasteczek naszych królewskich w Koronie, a chcąc ie owszem do lepszy przyprowadzić pory, zakazujemy wszelkiej pod żadnym pretextem żydom pod prawem mieszczaństwa służące podciągającym się propinacyi, przykazujemy oraz ażeby gorzelnie, które często do zgorzenia miasteczek przyczyną bywają z okręgu miasteczek wyniesione były, gdzie zaś mieszczanin maia prawo do propinacyi, przy tym ich zachowując, orsztergamy, ażeby odstąp nie każdy w szczególności na swoj profit propinował, lecz ażeby magistrat imieniem miasteczka co rok lub co trzy lata dawał kontrakty jedemu tylko z naymańniemieszczasnymi pomiędzy siebie, lub takemu, ktroby miał pignus responsionis, albo Possessorowi ktorey, ieżeliby się żaden z mieszczan niepodział, Possessor do zakontraktowania bliższym być ma; Prowent zaś ten, ażeby się na użytek ogulny miasteczek obracał stanowimi, y dozor tego Possessorom zlecamy. Nieuchylamy atoli zaszych o też propinacye z

1 Source: AGAD, ML VII 19, 258-259.
supervision. We do not thereby annul agreements reached with the starostas concerning this *propinacja*. We guarantee the income of the starostas according to the royal audit, and we allow future contracts with these starostas according to the statutes of 1768.”

For the purpose of administrating the income from *propinacja* with a view towards the most certain benefit for the towns, and seeking to forestall all deceptive or manipulative contracts, We establish the following regulations by decision of the Permanent Council:

1. In each town the magistracy or the town government will chose a certain time according to their convenience, but not latter than in April of this year, for the *propinacja* auction, and they will make a public notification to announce this date.

2. Two weeks prior to the auction, the town government will determine the proportion of net profit from *propinacja* and the pledged keg tax. From this amount, the town government will establish a number, lower than which no contract can be given.

3. The auction will take place in the presence of the starosta, or someone delegated by him, to which task We obligate the Lordly and Well-born Starostas and Possessors, whatever law regulates their title, to perform.

4. The contract should be granted *per plus offerentiam* (to the highest bidder), for which a burgher citizen of the town holding the auction having sufficient collateral should have priority of claim. In the case of insufficient collateral or non-participation by any of the burghers, the starosta should have priority before non-citizens, if he offers a sum. The highest bidder accepts the conditions of the contract. If the one who offered the highest bid decides he does not want to take it, but has sufficient collateral, then he should receive the contract for *propinacja*, and the magistracy or town government should not be hindered from drawing up and signing the contract.

5. The first contract should be granted stawstami komplanacyi, y prowent starostom służący podług lustracyi ubiespieczamy, y kompozycye z temiż possessorami podług konstytucyj 1768 mieszczanom in post zawierać dozwalamy.”

Końcem administrowania intraty z propinacji z iak naypewnieszym dla Miasteczek użytkiem, a zabiegać wszelkim podstępom y zmownym Kontraktem, za zdaniem Rady przy Boku Naszym Nieustającej, stanowimy rozrządzenie:

1. W każdym miasteczku magistrat lub urząd tegoż obrawszy podług łatwości czas pewny, niepożniey jednak iak w miesiącu Kwietniu publicznym obwieszczeniem ogłosi, że dnia przez tenże magistrat lub urząd miejski wyznaczonego dziać się będzie propinacyi licytacya.

2. Na dwie niedziele przez terminem urząd poweźmie proporcją czystego z Propinicy zysku z zaprzysiężonego czopowego, y z niey oznaczy kwotę, nad którą, taniey kontrakt nie będzie mógł bydź dany.

3. Licytacya odprawować się będzie w obecności Starosty, lub z jego ramienia przysłanego, do czego WW y UU Starostów, y bądź iakimkolwiek prawem Possessorów obowiązanych mieć chcemy.

4. Kontrakt per plus offerentiam dany będzie, do którego mieszczanin tegoż miasta obywatel zakład dostateczny mając i pierszeństwo mieć ma; w przypadku zaś niedostarczącego majątku, lub nie podičia się którego z mieszczan, uprzywilejowany Possessor przed obcemi bliższy będzie, jeżeli ofiarowaną. Przez kogożkołów wiek naywyzszą kwotę na siebie przyimie. Gdyby zaś przyjąć niechciał ten ktorżkołów wiek bądź, któryby ofiarował wyższą kwotę, aby tylko miał zakład dostateczny otrzymać kontrakt na tę propinacya powinien a tego wydać y podpisać magistrat lub urząd trudnić nie ma.

5. Pierwszy kontrakt na rok ieden tylko dany będzie, w następujących zaś latach, na trzy może bydź zawarty.

6. Po nastającej licytacyi urząd kopią
for only one year, in future years, a contract may be concluded for three years.

6. Following the auction, the town government will immediately send a copy of the contract to Us by address of the Department of Police.

7. The income from *propinacja* is reserved for the general use of the town, not for the private profit of individual burghers. The town will elect a person to be placed in charge of keeping this money, and this person should have sufficient collateral to secure it, to be confirmed by the starosta, and without permission from the Department of Police, this money cannot be touched.

In order to avoid difficulty in determining which towns are affected by this decree, We declare that those towns categorized as “small towns” and “townships” in the most recent Hearth-Tax rate will be subject to these regulations. From the power granted to Us and the Permanent Council at Our Side, we expect this regulation for the execution of the aforementioned law to be implemented. If, prior to the arrival of this decree, contracts have been concluded according to the previous legislation, even if via a contested auction, then the town may present this contract to demonstrate that it was concluded without prejudice to the town, or, if the town does not wish to maintain it, then it should hold a second auction. Otherwise towns will have to seek annulment of an injurious contract in Our Royal Court. We have signed this letter, our universal decree, and We have ordered it printed *per copias* (in copies) with the seal of the Permanent Council at our Side and with the signature of the Lordly Secretary of this Council and distributed to Our Royal castles and towns. Given in Warsaw, the Seventh of March, the year of our Lord MDCCLXXVII, the year XIII of Our rule.

King Stanisław August

Kontraktu do nas pod adresem Departamentu Policyi nieodwłocznie przesłe.

7. Intrata z propinacyi nie na prywatny mieszczan ale ogulny miasteczka uytek prawem będąc ostrzeżona, składana będzie ma w ręku osoby przez miasto wybranego zakład dostateczny na bezpieczeństwo iey przed uprzywiełjowanym miasteczka Naszego possessora okazać maiącego, y bez dołożenia się Departamentu Policyi, na wspomniony uytek tykana będzie nie powinna.

Ażeby zaś zadna niewynikała trudność, do ktorych to miasteczek ninieyszys ma się ściągać uniwesał, owiadczamy, iż te miasteczka exekucyi onego podlegać będa, które przez taryfę ostatnią podymnego w klassyfikacyi Miast mnieyszys y Miasteczek są umieszczone. Takowe, z władzy Nam y Radzie przy Boku Naszey Nieustającej daney, w exekucyi Prawa wspomnionego (dopełniac) rozrządzenie spodziwać się powinniśmy, że ieśli by gdzie, przed doyściem na miejsca tego uniwersała, postawiały po ostatnim prawie kontrakty, choćby te przez licytacyę, ale zaskarżoną, zawarte były, tedy mać kontrakt na propinacyą na okazanie, że go bez pokrzywdzenia miasteczka zawarte, utrymayać się przy nim nie zachce, ale powtoreny podda się licytacyi. Inaczey miasteczka w Sądzie Naszym Królewskim skassowania pokrzywdzającego kontraktu dochodzić powinne będą. List ten Nasz Uniwersał podpísaliśmy, y on wydrukowany per copias, pod pieczęcią Rady przy Boku Naszey Nieustającej, z podpisem Wielbeneho Sekretarza teyeży Rady, rozosłać do grodów y miast Naszych królwskich w Koronie rozkazaliśmy. Dan w Warszawie, dnia VII mieiaca marca Roku Pańskego MDCCLXXVII. panowania Naszego XIII roku.

Stanisław August Król
Appendix 2: Revenue, Expenditures and Debts of Lublin, 1783

<table>
<thead>
<tr>
<th>Revenue</th>
<th>Zlotys</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>I Traditional income</strong></td>
<td></td>
</tr>
<tr>
<td>1. Interest from a 15,000 zloty deposit</td>
<td>900</td>
</tr>
<tr>
<td>2. Bridge tariff</td>
<td>1,260</td>
</tr>
<tr>
<td>3. From Ponikwoda village</td>
<td>460</td>
</tr>
<tr>
<td>4. City scales approximately</td>
<td>100</td>
</tr>
<tr>
<td>5. Tax on petty sellers</td>
<td>100</td>
</tr>
<tr>
<td>6. Rents from houses, bakeries, and incidentals, including market fairs and bridge tolls for Jews</td>
<td>400</td>
</tr>
<tr>
<td><strong>Sum</strong></td>
<td>3,460</td>
</tr>
</tbody>
</table>

| II Income Established by the Good Order Commission | |
| 7. Levy on merchants ordered by the Good Order Commission, Jan, 1782 to Jan, 1783 | 2,736 |
| 8. Levy on artisanal guilds | 2,111 |
| **Sum Total** | 15,767 |

| III Conditional Income | |
| 9. Promised by merchants and distillers if Jews are expelled from the suburbs | 1,500 |
| 10. A levy on French and Hungarian wine could more or less import | 6,000 |
| **Sum Total** | 15,767 |

<table>
<thead>
<tr>
<th>Expenditures</th>
<th>Zlotys</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Salaries for the President, Vice-President, Two Secretaries, and Archivist</td>
<td>2,000</td>
</tr>
<tr>
<td>2. Salary for the Treasurer, Quartermaster, and Town Prosecutor at 200 each</td>
<td>600</td>
</tr>
<tr>
<td>3. Compensation for archive copyists</td>
<td>900</td>
</tr>
<tr>
<td>4. Approximate compensation for Book-binder to repair protocol documents</td>
<td>600</td>
</tr>
<tr>
<td>5. Assistant Prosecutor</td>
<td>100</td>
</tr>
<tr>
<td>6. Salary for 2 beadles and 4 guards</td>
<td>936</td>
</tr>
<tr>
<td>7. Equipment and Clothes for those in item 6</td>
<td>700</td>
</tr>
<tr>
<td>8. Approximate cost for maintaining bridges, roads, the well, and well-keeper</td>
<td>800</td>
</tr>
<tr>
<td>9. Removing filth and cleaning the streets</td>
<td>200</td>
</tr>
<tr>
<td>10. Executioner’s salary</td>
<td>72</td>
</tr>
<tr>
<td>11. Trumpeter’s salary</td>
<td>300</td>
</tr>
<tr>
<td>12. Compensation for the Choirmaster at the Collegiate Church</td>
<td>300</td>
</tr>
<tr>
<td>13. For extraordinary expenses, such as chancellery, postal paper, wagon, maintaining representatives in Warsaw, hearth tax, fire regulations</td>
<td>4,000</td>
</tr>
<tr>
<td><strong>Sum Total</strong></td>
<td>11,500</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Debts Lublin must pay</th>
<th>Zlotys</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Remnant owed to the surveyor hired by the Good Order Commission</td>
<td>1,548</td>
</tr>
<tr>
<td>2. The same, for measurement by the ell (79 cm)</td>
<td>540</td>
</tr>
<tr>
<td>3. Remnant owed the secretary of the Good Order Commission</td>
<td>2,340</td>
</tr>
<tr>
<td>4. Compensation for the Commission’s prosecutor</td>
<td>200</td>
</tr>
<tr>
<td>5. Debt owed to burgher Pacewicz by order of the Commission</td>
<td>2,240</td>
</tr>
<tr>
<td>6. Debt owed to Konopka by order of the same</td>
<td>1,400</td>
</tr>
<tr>
<td>7. Debt owed to Zieleniewska by order of the same</td>
<td>1,000</td>
</tr>
<tr>
<td>8. Debt of Borakowski owed to Kreps as above</td>
<td>500</td>
</tr>
<tr>
<td><strong>Sum of Expenses plus debts</strong></td>
<td>21,276</td>
</tr>
<tr>
<td><strong>Deficit in income</strong></td>
<td>5,509</td>
</tr>
</tbody>
</table>

Source: AGAD, ML IX, 90-92.
1. Quartering Tax prepared by Stanisław Trojański, Quartermaster

<table>
<thead>
<tr>
<th>Revenue</th>
<th>Zlotys</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Total according to the established tariff</td>
<td>3,419</td>
</tr>
</tbody>
</table>

**Expenditures**

<table>
<thead>
<tr>
<th>Description</th>
<th>Zlotys</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. General expenditure on the garrison</td>
<td>2,562</td>
</tr>
<tr>
<td>2. Deficit due to cash advances to the town council</td>
<td>122</td>
</tr>
<tr>
<td>3. Deficit due to removing quarters from the garrison</td>
<td>178</td>
</tr>
<tr>
<td>4. Remnant still uncollected</td>
<td>89</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td><strong>2,951</strong></td>
</tr>
<tr>
<td>Remnant</td>
<td>467</td>
</tr>
</tbody>
</table>

Source: AGAD, ML IX, 285-310.

2. Paving Tax prepared by Józef Niewieski, Treasurer of Lublin

<table>
<thead>
<tr>
<th>Revenue</th>
<th>Zlotys</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Remnant from 1783</td>
<td>155</td>
</tr>
<tr>
<td>2. Allotment from Warsaw received by the Lord Palatine of Lublin</td>
<td>3,000</td>
</tr>
</tbody>
</table>

**Expenditures**

<table>
<thead>
<tr>
<th>Description</th>
<th>Zlotys</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Stone</td>
<td>1,763</td>
</tr>
<tr>
<td>2. Sand and removal of land</td>
<td>790</td>
</tr>
<tr>
<td>3. Compensation for pavers and their assistants</td>
<td>973</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>3,526</strong></td>
</tr>
</tbody>
</table>

3. Excise Tax on Alcohol, Feb., 1784 to Feb., 1785 prepared by Jan Makarowicz, Cashier and Town President

<table>
<thead>
<tr>
<th>Revenue</th>
<th>Zlotys</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Remnant as of Feb 1, 1784</td>
<td>7,791</td>
</tr>
<tr>
<td>2. Leasor Pudłowski paid February installment</td>
<td>2250</td>
</tr>
<tr>
<td>3. May installment</td>
<td>2250</td>
</tr>
<tr>
<td>4. August installment</td>
<td>2250</td>
</tr>
<tr>
<td>5. November installment</td>
<td>2250</td>
</tr>
<tr>
<td><strong>Total with remnant</strong></td>
<td><strong>16,794</strong></td>
</tr>
</tbody>
</table>

**Expenditures**

<table>
<thead>
<tr>
<th>Description</th>
<th>Zlotys</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Paid to architect Heynka based on contract for work on the Municipal Gate (Brama Grodzka) with permission from the Department of Police</td>
<td>4,000</td>
</tr>
<tr>
<td>2. Paid to the same for further work</td>
<td>6,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>10,000</strong></td>
</tr>
<tr>
<td>Remnant for 1785</td>
<td>6,794</td>
</tr>
</tbody>
</table>
Appendix 4:

Revenue and Expenditures for Lublin, 1810-1811 and 1816-1818

<table>
<thead>
<tr>
<th>Confirmed Budget for 1810/1811</th>
<th>Revenue / Expenditure</th>
<th>Projected Budget for 1816 / 1818 with Differences from 1810/1811 in zlotys</th>
<th>Commentary and Explanation for Differences with 1810/1811</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zlotys</td>
<td>No.</td>
<td>Revenue</td>
<td>Zlotys</td>
</tr>
<tr>
<td><strong>I. Stable Revenue</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>134</td>
<td>1.</td>
<td>Rents</td>
<td>118</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>II. Varying Revenue</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36,120</td>
<td>1.</td>
<td>Keg tax (<em>czopowe</em>)</td>
<td>43,061</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1,880</td>
<td>2.</td>
<td>Excise tax on wine</td>
<td>707</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>137</td>
<td>3.</td>
<td>Market and Fair fees</td>
<td>1,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>306</td>
<td>4.</td>
<td>Town Weights and Measures</td>
<td>610</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4,913</td>
<td>5.</td>
<td>Bridge and Road tolls</td>
<td>3,400</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>0</td>
<td>6.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>0</td>
<td>7.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7,500</td>
<td>8.</td>
<td>Police tariffs</td>
<td>56</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>200</td>
<td>9.</td>
<td>Police fines</td>
<td>300</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>51,056</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>III. Renting of Town Property</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2,473</td>
<td>1.</td>
<td>Bronowice estate</td>
<td>2,700</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>746</td>
<td>2.</td>
<td>Ponikwody estate</td>
<td>832</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>136</td>
<td>3.</td>
<td>Land in the Kraków suburb</td>
<td>150</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>195</td>
<td>4.</td>
<td>Apartments over the Municipal Gate</td>
<td>290</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1 Source: APL, AML 2740, 236-241.
<table>
<thead>
<tr>
<th></th>
<th>5. Land around Wieniawa</th>
<th>14</th>
<th>Rented out according to an old agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>6. Land called Baki</td>
<td>8</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Three year agreement signed in 1815</td>
</tr>
<tr>
<td>2,741</td>
<td>7. 6 Shops in the Municipal Gate</td>
<td>10,777</td>
<td>8,035</td>
</tr>
<tr>
<td>64</td>
<td>8. Storehouse near the Municipal Gate</td>
<td>93</td>
<td>29</td>
</tr>
<tr>
<td>0</td>
<td>9. Office (Izdebka) near the Municipal Gate</td>
<td>104</td>
<td>Ibid.</td>
</tr>
<tr>
<td>3,400</td>
<td>10. Town Hall room used as a state courthouse</td>
<td>3,400</td>
<td>According to an old contract</td>
</tr>
<tr>
<td>600</td>
<td>11. Town Hall room for the Province Department’s cofferst</td>
<td>600</td>
<td>Ibid.</td>
</tr>
<tr>
<td>0</td>
<td>12. Customs Office in the Krakow Gate</td>
<td>25 (25)</td>
<td>Newly auctioned contract</td>
</tr>
<tr>
<td>0</td>
<td>13. Town home</td>
<td>852 (852)</td>
<td>Ibid.</td>
</tr>
<tr>
<td>10,369</td>
<td>Total for section III</td>
<td>19,246</td>
<td>8,486</td>
</tr>
</tbody>
</table>

### IV. Capital Interest

|   | 523 | Interest | 507 | 17 | 34 |

**Total Revenue** 69,170

<table>
<thead>
<tr>
<th>I. Salaries for Officials</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>President</td>
<td>3,000</td>
<td>2,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First Alderman</td>
<td>2,000</td>
<td>1,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Second Alderman</td>
<td>2,000</td>
<td>1,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Archivist</td>
<td>1,200</td>
<td>600</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Head Chancellery Secretary</td>
<td>1,000</td>
<td>800</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Second Chancellery Officer</td>
<td>1,000</td>
<td>200</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Third Chancellery Officer</td>
<td>1,000</td>
<td>200</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fourth Chancellery Officer</td>
<td>1,000</td>
<td>200</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fifth Chancellery Officer</td>
<td>1,000</td>
<td>200</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Town Treasurer</td>
<td>2,000</td>
<td>400</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Comptroller</td>
<td>1,800</td>
<td>200</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quartering Commissioner</td>
<td>1,000</td>
<td>800</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Police Chief</td>
<td>900</td>
<td>300</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Two Police Inspectors</td>
<td>1,600</td>
<td>400</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ten Policemen at 360 Zlotys per person</td>
<td>3,600</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Beadle</td>
<td>800</td>
<td>100</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Concerning the expenditures, the previous Municipal Council, which did not precisely know the abilities of the town and did not foresee the enormous outlays that would be required, established salaries for town officials in proportion to expected income, but due to the increase in debts, the cofferst have been unable even to pay the salaries budgeted for 1810/11. Thus, to avoid a further increase in debts and to introduce savings to allow the current debts to be liquidated, salaries for officials have been reduced so that they can be paid regularly and in full, which they have not been up to now.
<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Amount</th>
<th>Change</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>17</td>
<td>Town Property Manager</td>
<td>400</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Trumpeter plus lighting fuel</td>
<td>500</td>
<td>50</td>
<td>Increased due to necessary fuel costs</td>
</tr>
<tr>
<td>19</td>
<td>Chancellery Servant</td>
<td>480</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Two Night Watchmen</td>
<td>720</td>
<td>240</td>
<td>Reduced, like officers, to save money</td>
</tr>
<tr>
<td>21</td>
<td>Caretaker of the Town Clock</td>
<td>228</td>
<td>28</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>Custodian of Fire prevention materials</td>
<td>200</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>Chimneysweep</td>
<td>200</td>
<td></td>
<td>Town required to hire a chimneysweep after the 1810/1811 budget was confirmed</td>
</tr>
<tr>
<td>24</td>
<td>Assistant to the Executioner</td>
<td>312</td>
<td>88</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Clothing for the 10 Policemen</td>
<td>1,300</td>
<td>2,075</td>
<td>Varies based on the price of clothing</td>
</tr>
<tr>
<td></td>
<td>Sum for Title I</td>
<td>29,240</td>
<td>78</td>
<td>10,253</td>
</tr>
</tbody>
</table>

**II. Honoraria**

1. Elementary School Teachers 2,200
2. Reward for Service of citizen Lewandowski 500
3. Maintenance of the Town Council’s Chancellery 400
   - Total for Title II 3,100

**III. Taxes and Other Needs**

1. Hearth Tax on Municipal Buildings 141
2. Hearth Tax on Bronowice and Ponikwody Estates 114
3. Tenth of a Grosz Contribution from the Town 438
4. Tenth of a Grosz from Bronowice and Ponikwody 114
5. 17/24 of a Grosz for Lublin 310
6. 17/24 of a Grosz for Bronowice and Ponikwody 81
7. Chancellery needs for the President’s office 1,000 600 Decreased to save money
8. Lighting for the Chancellery and 1,400 180

The expense of the elementary school was specifically ordered by His Lordship the Prefect Prince Jablonkowski via decrees of 17 September and 28 October, 1811. This requirement was levied on the town without consideration for the fact that the town never made such payments and has no funding for them, and in fact there is plenty of funding in the former Jesuit schools, which our ancestors and fellow citizens supported.

Since taxes owed to the Treasury from all municipal buildings and property were confirmed by the 1810/1811 budget, are paid in full according to the established tariffs, despite the fact that many of the buildings included are empty and in ruins.
<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Amount</th>
<th>Reduction/Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>Fuel for the furnaces in the Chancellery and prison</td>
<td>1,000</td>
<td>448</td>
</tr>
<tr>
<td>10</td>
<td>Publishing and Compensation for the Bookbinder</td>
<td>400</td>
<td>150</td>
</tr>
<tr>
<td>11</td>
<td>Maintaining Official Periodicals</td>
<td>98</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Legal Expenses</td>
<td>800</td>
<td>503</td>
</tr>
<tr>
<td>13</td>
<td>Renting a space for the town weights and measures</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Repairing fire-fighting tools</td>
<td>150</td>
<td>281               Decreased to save money</td>
</tr>
<tr>
<td>15</td>
<td>Repairing the town wells</td>
<td>300</td>
<td>50                Increased due to need to repair chains and buckets</td>
</tr>
<tr>
<td>16</td>
<td>Lubricant for the above</td>
<td>60</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Repairing and Maintaining Municipal Buildings</td>
<td>2,000</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Repairing and Maintaining Estates and Village Huts</td>
<td>1,500</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Cleaning the Town</td>
<td>1,500</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Repairing Bridges and Canals</td>
<td>2,000</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Repairing Roads</td>
<td>6,000</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>Repairing Pavement</td>
<td>3,000</td>
<td>9,980             9,980 is the increase for items 18-22</td>
</tr>
<tr>
<td>23</td>
<td>Provisions for Prisoners</td>
<td>800</td>
<td>539</td>
</tr>
<tr>
<td>24</td>
<td>Harnesses</td>
<td>1,600</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Unforeseen Needs</td>
<td>400</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>Liquidating Town Debts</td>
<td>7,972</td>
<td></td>
</tr>
<tr>
<td>26.167</td>
<td>Total to Title III</td>
<td>36,830</td>
<td>11,694</td>
</tr>
<tr>
<td>62,332</td>
<td>Sum of Expenses</td>
<td><strong>69,170</strong></td>
<td></td>
</tr>
</tbody>
</table>
Appendix 5: Population Figures, 1777 - 1819

Population Figures for Selected Towns of the Lublin Region

<table>
<thead>
<tr>
<th>Town</th>
<th>1777 Hearth</th>
<th>1787 Population</th>
<th>1819 Population</th>
<th>Status / Owner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bełżyce</td>
<td>150</td>
<td>1,380</td>
<td>1,498</td>
<td>Private / Krosowski</td>
</tr>
<tr>
<td>Bichawa</td>
<td>101</td>
<td>606</td>
<td>805</td>
<td>Private / Scipio</td>
</tr>
<tr>
<td>Firlej</td>
<td>67</td>
<td>425</td>
<td>615</td>
<td>Private / Sanguszko</td>
</tr>
<tr>
<td>Kazimierz Dolny</td>
<td>293</td>
<td>1,093</td>
<td>2,157</td>
<td>State</td>
</tr>
<tr>
<td>Kraśnik</td>
<td>357</td>
<td>3,781</td>
<td>2,733</td>
<td>Private / Zamoyski</td>
</tr>
<tr>
<td>Lubartów</td>
<td>465</td>
<td>1,625</td>
<td>3,011</td>
<td>Private / Sanguszko</td>
</tr>
<tr>
<td>Lublin</td>
<td>1,829</td>
<td>8,550</td>
<td>10,603</td>
<td>State</td>
</tr>
<tr>
<td>Urzędów</td>
<td>289</td>
<td>500</td>
<td>1,049</td>
<td>State</td>
</tr>
<tr>
<td>Zamość</td>
<td>n/a</td>
<td>≈4,000</td>
<td>4,491</td>
<td>Private / Zamoyski until 1821</td>
</tr>
</tbody>
</table>

Population Figures for Selected Ukrainian Towns

<table>
<thead>
<tr>
<th>Town</th>
<th>1777 Hearth</th>
<th>Estimated Population 1777-1787</th>
<th>1809-1810 Population</th>
<th>Status / Owner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bratslav</td>
<td>53</td>
<td>265</td>
<td>711</td>
<td>State</td>
</tr>
<tr>
<td>Dubno</td>
<td>1,127</td>
<td>5,635</td>
<td>5,603</td>
<td>Private / Lubomirski</td>
</tr>
<tr>
<td>Kamenets-Podol’skii</td>
<td>943</td>
<td>4,715</td>
<td>1,723</td>
<td>State</td>
</tr>
<tr>
<td>Kremenets</td>
<td>607</td>
<td>3,035</td>
<td>3,915</td>
<td>State</td>
</tr>
<tr>
<td>Lutsk</td>
<td>597</td>
<td>2,985</td>
<td>2,650</td>
<td>State</td>
</tr>
<tr>
<td>Mogilev</td>
<td>1,167</td>
<td>5,835</td>
<td>3,222</td>
<td>Private / Potocki until 1806</td>
</tr>
<tr>
<td>Ostrog</td>
<td>675</td>
<td>3,825</td>
<td>3,852</td>
<td>Private / (Potocki)</td>
</tr>
<tr>
<td>Zaslavl</td>
<td>844</td>
<td>4,220</td>
<td>4,608</td>
<td>Private / Sanguszko</td>
</tr>
<tr>
<td>Zhitomir</td>
<td>303</td>
<td>1,515</td>
<td>6,472</td>
<td>State after 1802</td>
</tr>
</tbody>
</table>


2 Source: BC, ms. 1093, 589-627; TsDIAK, f. KMF 11, o. 1, s. 91, 257; f. KMF 11, o. 1, s. 94, 192.
Appendix 6: Population Figures by Rank

**Lubelszczyzna**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Bełżyce</td>
<td>1,380</td>
<td>5</td>
<td>1,498</td>
<td>6</td>
<td>2,496</td>
<td>7</td>
<td></td>
<td>66.62%</td>
</tr>
<tr>
<td>Bystawa</td>
<td>606</td>
<td>7</td>
<td>805</td>
<td>8</td>
<td>1,595</td>
<td>8</td>
<td></td>
<td>98.14%</td>
</tr>
<tr>
<td>Firlej</td>
<td>425</td>
<td>9</td>
<td>615</td>
<td>9</td>
<td>1,092</td>
<td>9</td>
<td></td>
<td>77.56%</td>
</tr>
<tr>
<td>Kazimierz Dolny</td>
<td>1,093</td>
<td>6</td>
<td>2,157</td>
<td>5</td>
<td>3,297</td>
<td>5</td>
<td></td>
<td>52.85%</td>
</tr>
<tr>
<td>Kraśnik</td>
<td>3,781</td>
<td>3</td>
<td>2,733</td>
<td>4</td>
<td>4,621</td>
<td>4</td>
<td>8,028</td>
<td>69.08%</td>
</tr>
<tr>
<td>Lubartów</td>
<td>1,625</td>
<td>4</td>
<td>3,011</td>
<td>3</td>
<td>4,869</td>
<td>3</td>
<td>4,294</td>
<td>61.71%</td>
</tr>
<tr>
<td>Lublin</td>
<td>8,550</td>
<td>1</td>
<td>10,603</td>
<td>1</td>
<td>29,771</td>
<td>1</td>
<td>50,152</td>
<td>180.78%</td>
</tr>
<tr>
<td>Urzędów</td>
<td>500</td>
<td>8</td>
<td>1,049</td>
<td>7</td>
<td>2,596</td>
<td>6</td>
<td></td>
<td>147.47%</td>
</tr>
<tr>
<td>Zamość</td>
<td>≈4,000</td>
<td>2</td>
<td>4,491</td>
<td>2</td>
<td>7,620</td>
<td>2</td>
<td>12,400</td>
<td>69.67%</td>
</tr>
</tbody>
</table>

**Ukraine**

<table>
<thead>
<tr>
<th>Town</th>
<th>1778 Population</th>
<th>1778 Rank</th>
<th>1809 Population</th>
<th>1809 Rank</th>
<th>1897 Population</th>
<th>1897 Rank</th>
<th>Percent Change 1809-1897</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bratslav</td>
<td>≈265</td>
<td>9</td>
<td>711</td>
<td>9</td>
<td>7,946</td>
<td>9</td>
<td>1017.58%</td>
</tr>
<tr>
<td>Dubno</td>
<td>≈5,635</td>
<td>2</td>
<td>5,603</td>
<td>2</td>
<td>13,785</td>
<td>7</td>
<td>146.03%</td>
</tr>
<tr>
<td>Kamenets-Podol’ski</td>
<td>≈4,715</td>
<td>3</td>
<td>1,723</td>
<td>8</td>
<td>34,483</td>
<td>2</td>
<td>1901.33%</td>
</tr>
<tr>
<td>Kremenets</td>
<td>≈3,035</td>
<td>6</td>
<td>3,915</td>
<td>4</td>
<td>17,618</td>
<td>5</td>
<td>350.01%</td>
</tr>
<tr>
<td>Lutsk</td>
<td>≈2,985</td>
<td>7</td>
<td>2,650</td>
<td>7</td>
<td>18,525</td>
<td>4</td>
<td>599.06%</td>
</tr>
<tr>
<td>Mogilev</td>
<td>≈5,835</td>
<td>1</td>
<td>3,222</td>
<td>6</td>
<td>22,093</td>
<td>3</td>
<td>585.69%</td>
</tr>
<tr>
<td>Ostrog</td>
<td>≈3,825</td>
<td>5</td>
<td>3,852</td>
<td>5</td>
<td>14,530</td>
<td>6</td>
<td>277.21%</td>
</tr>
<tr>
<td>Zaslavl</td>
<td>≈4,220</td>
<td>4</td>
<td>4,608</td>
<td>3</td>
<td>12,688</td>
<td>8</td>
<td>175.35%</td>
</tr>
<tr>
<td>Zhitomir</td>
<td>≈1,515</td>
<td>8</td>
<td>6,472</td>
<td>1</td>
<td>65,452</td>
<td>1</td>
<td>911.31%</td>
</tr>
</tbody>
</table>

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2 Source: BC, ms. 1093, 589-627; TsDIAK, f. KMF 11, o. 1, s. 91, 257; f. KMF 11, o. 1, s. 94, 192; Pervaia Vseobshchaia perepis’, vol. 2, 7-25.
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