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## PEASANT FUNERALS IN EARLY MODERN POLAND<sup>1</sup>

The question of dying and the posthumous existence of an individual is central to any set of religious concepts. The way of conceiving of death and the after-life is an element of group mentality and finds its expression in codified forms of religious tradition peculiar to the given society. On the other hand the conceptions held by individuals within each group may differ depending on their experience, sensitivity and many other factors. These differences, however, are either too insignificant to change the basic framework of the conceptions, or are so opposed to it that they also transmit the foundations of the established mental pattern.

Thus there are two basic types of sources for the matter under discussion: doctrines and individual reflections. In the case of the rural population in pre-partition Poland the latter — the testimonies of personal deliberations — practically do not exist be-

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<sup>1</sup> Abbreviations used in the text below:

*AGAD* — Archiwum Główne Akt Dawnych w Warszawie (Central Archives of Historical Records in Warsaw),

*AP Kielce* — Archiwum Państwowe w Kielcach (State Archives in Kielce),

*AP Kraków* — Archiwum Państwowe w Krakowie (State Archives in Cracow),

*AP Przemyśl* — Archiwum Państwowe w Przemyślu (State Archives in Przemyśl),

*AP Rzeszów* — Archiwum Państwowe w Rzeszowie (State Archives in Rzeszów),

*AP Toruń* — Archiwum Państwowe w Toruniu (State Archives in Toruń),

*BCz* — Biblioteka Czartoryskich w Krakowie (Czartoryski Library in Cracow),

*BJ* — Biblioteka Jagiellońska w Krakowie (Jagellonian Library in Cracow),

*BOss* — Biblioteka Zakładu Narodowego im. Ossolińskich we Wrocławiu (Ossoliński National Institute Library in Wrocław),

*CAHU* — Central State Historical Archives of Ukraine in L'viv,

*PAN Kraków* — Biblioteka Polskiej Akademii Nauk w Krakowie (Polish Academy of Sciences Library in Cracow),

*SPPP* — Starodawne Prawa Polskiego Pomniki (Ancient Monuments of Polish Law) [the title of a series of source editions].

cause of the peasants' illiteracy. (Anyway, literacy itself would not suffice either). One can try and trace some individual peasants' thoughts and feelings about eschatological problems in their wills, but it would be risky and practically impossible to select them from underneath the figures of speech and the intellectual contributions of the editors of those documents. Also the first type of source — i.e. the doctrine — has to be approached with much caution, since it is not the product of rural communities but is transferred from another cultural circle with incomparably higher intellectual standards. Its teaching certainly produced considerable effects, but it came up against the existing conceptions which it ousted, but at the same time assimilated and modified. The bulk of conceptions that arose as a result of this process were definitely Christian, but the degree of their orthodoxy differed depending on the period, area, and even the social status of their recipients. Nevertheless one can attempt a synthesis, or rather a common definition of the set of the most common mental patterns connected with dying among the rural population in 16th–18th c. Poland. The official doctrine — even in its most elementary version, adapted to the level of the country folk — would not be, however, a sufficient basis for constructing this picture. What we would achieve, would be only an idealized wished-for model, the degree of whose practical realisation would be hard to establish.

In the case where we haven't got at our disposal any authorial records by the representatives of the social group under analysis, the only way to study their mentality is to observe their behaviour. An analysis of the peasants' behaviour in face of death and the reconstruction of its accompanying rituals carry a lot of information on the actual conceptions of this social group. Therefore the basic sources for the present deliberations are about 550 peasant wills and also testamentary legacies, inheritance proceedings and other legal sources. On their basis one can reconstruct the behaviour of the dying person and his nearest-and-dearest, the community's attitude to the death of one of their members, or finally their attitude to the question of the after-life and salvation.

Source research has embraced over a hundred 16th–18th c. rural courts' registers and sets of loose records concerning the rural population. Because of the state of preservation of this type of source the villages from Little Poland, above all those situated

in the present Sub-Carpathian and Little-Polish voivodeships, are represented most profusely. There are only a few rural courts' registers representing other regions of Poland — Silesia, Great Poland, Mazovia, the Kielce and Lublin regions, as well as court records from the Starogród estate, which embraces large areas of the Chełmno region (these, however, concern only the 18th c.). Thus over four fifths of records I have used come from the territory of broadly-understood Little Poland<sup>2</sup>.

Not only the territorial but also chronological scope of rural books is not complete. There are few villages whose records encompass three centuries without break. Also the form and volume of records as well as their language changed (at the end of the 16th c. Latin was almost completely ousted by Polish, which gave the writers more freedom of expression). Moreover, there were big differences between the methods of register-keeping in various villages at the same time. Therefore the chronological distribution of the records I used is not even: merely 6% come from the 16th c., 15% from the first half of the 17th c., 18% from the second half of the 17th c., 34% from the first half of the 18th c., and 27% from the second half of the 18th c.

The sources I based myself on were only records concerning the Roman-Catholic and — as far as I could ascertain — Polish speaking population. Only civil-law cases involve references to the courts' registers of Greek Catholic villages.

The earliest testamentary legacies I used — those of the 16th c. — carry relatively little information. These are in fact short, one- or two-sentence notes, prepared most exactly according to the form in Latin. They deal almost exclusively with bequests of immovables, sometimes also with the amounts of legacies to the Church. Not until the end of the 16th c., when Polish started to be used in records, did testamentary legacies gain freedom and

<sup>2</sup> The causes of the uneven preservation of rural courts' registers are discussed by S. Grodziski, *Księgi sądowe wiejskie (zasieg terytorialny i geneza) (Rural Courts' Registers, Territorial Scope and Genesis)*, "Czasopismo Prawno-Historyczne", vol. 12, 1960, fasc. 1, pp. 85-140; by the same author, *Jeszcze o księgach sądowych (More About Courts' Registers)*, *ibid.*, vol. 15, 1963, fasc. 1, pp. 287-292, and by L. Łysiak, *W sprawie genezy ksiąg sądowych wiejskich (On the Genesis of Rural Courts' Registers)*, *ibid.*, vol. 14, 1962, fasc. 2, pp. 175-194. Both authors also deal with the problems of criticism of this type of sources, see also: A. Vetulani, *Wartość badawcza ksiąg sądowych wiejskich (Research Value of Rural Courts' Registers)*, in: *VIII Powszechny Zjazd Historyków Polskich w Krakowie 14-17 IX 1958*, vol. 7, Warszawa 1959, pp. 99-114.

scope. However, in the 17th and 18th c. too, the content of peasant wills was highly formalized. Every rural scribe generally duplicated the pattern he learnt or espied, convergent with the form of a nobleman's or burgher's will. However, in the 17th c. less skilful (or less-paid) scribes frequently shortened the legacy to the indispensable minimum. Only at the end of the 17th c. did most wills achieve their mature, developed form.

However, the subject of this study is not the formal development of peasant wills. Their main value to the researcher is the information contained in them, the registration of human actions, while all devotional or reflective contents must be approached critically, as elements of the form. However, with the development of the form, information was added about previously unregistered behaviour. Hence some phenomena may be confirmed only by the documents coming from the end of the 17th or from the 18th c. This does not mean, however, that such behaviour did not exist earlier. For this reason, one may only hypothetically outline the transformation of funeral customs in time.

Another serious limitation is the fact that most sources concern the peasant élite. Its members were the main users of rural courts' registers and all written documents. Information concerning the poorer rural population is dispersed and hard to systematize. However, the stratification of the countryside was not so strong as to hinder the transmission of models of behaviour from one level to another. Hence, probably the peasant élite created the standards, at the same time surrendering to the mental patterns common to the whole rural population. Probably rich peasants were first to adopt the model of post-Trent religiousness propagated by Catholic clergymen, and became models for the lower strata. However, it would be a simplification to imagine that the model of religiousness postulated by the Church was gradually spread down the social ladder.

It is because of the character of the sources that most of the information concerns an "expected" death, preceded by illness, that permitted the family to take ritual action connected with the fact of termination of life. This kind of death was regarded as "good", and although no peasant read the manuals of dying, plentiful in the 17th and 18th c., yet peasants' views of the subject show much similarity to the ideas current among the gentry.

Certainly, the main influence on the peasants' attitude to death was exerted by the Church. The parish clergy, regardless of the standard of their education, played a dominant role in shaping popular religiousness. The specific attitude to death propagated via the rural church pulpit by popular devotional publications at that time was assimilated also by peasants, who adjusted it to the conditions of their social group. Some elements of this phenomenon were the result of the Christianization of rural population that had been progressing for several centuries and they can be interpreted as the product of new forms of religiousness, such as confraternities, pilgrimages to local miraculous images, participation in folk missions, etc. The post-Trent homilies concentrated on arousing reflections on the vanity of life, the inevitability of death and the posthumous punishment for sins, and in homilies directed to country folk these subjects were probably especially and frequently accentuated for moralistic reasons and because of the facility of presenting them without resorting to abstract ideas.

Peasant conceptions of the after-life were dominated as early as the Middle Ages by the vulgarized Christian vision of punishment and reward. The idea of purgatory had been fixed in believers' minds since the 15th c., although until the counter-reformation it did not play a very important role<sup>3</sup>. Only in the post-Trent era did all the three elements of the other world achieve equal importance. The triple road of the soul after death depicted by preachers, given the special counter-reformational stress on purgatory, in practice changed into the alternative: hell or purgatory. Direct ascension into Heaven was possible exclusively for persons who had stood out in their lives for their special spiritual values, unattainable for an ordinary mortal. Moreover — the very certainty of salvation, being a sin of pride, directed the sinner to purgatory at best. However, when compared to Western countries, in Poland the fear of hell seems much more limited. Because of the belief in Lord's goodness and Mary's motherly intercession only the most obdurate sinners were thought to enter the Leviathan's mouth directly. An ordinary Christian rather expected to atone for his sins in Purgatory. This penance, though identical with torture in hell, had its end, which

<sup>3</sup> S. Bylina, *Człowiek i zaświaty (Man and the Other World)*, Warszawa 1992, pp. 120–121.

could be speeded up by the deceased person's suitable behaviour, both during his life and his kinsfolk's after his death.

The question of salvation or condemnation was a matter of eternity, in face of which a believer should feel that human life is insignificant and evanescent and direct his thoughts towards death. Preparation to it throughout one's life was the ideal. This model was propagated by numerous devotional publications and probably also — in a simplified form — from the pulpit. Unfortunately we know very little about the private devotion of peasants. However, the fact that there were religious confraternities in the countryside may indicate that devotional reflection was not foreign to some individuals. Individual piety was certainly directed by priests in line with popular manuals where so much space was devoted to the issues of death and salvation.

In preparations for death a large role was played by religious confraternities, which since the 17th c. started to be organized in country parishes<sup>4</sup>. They stimulated the believers' religionism, attaching most importance to the question of salvation of their members. But even where there were no confraternities, the peasants came in contact with this issue on the occasion of all religious ceremonies and practices — not only at weekly Holy Mass and a sermon, but also at confession, post-Christmas visits of priests to the believers' homes, Sunday teachings, etc.

Unfortunately, we cannot estimate what influence on the peasants had appeals from the pulpit to reflect on death and to prepare for it continually. There is more information on the religious behaviour of peasants in direct danger of death. As we have said, death in old age, in one's own bed, an expected death, was considered "good" in the countryside as well as in other

<sup>4</sup> B. Rok, *Zagadnienie śmierci w kulturze Rzeczypospolitej czasów saskich (The Problem of Death in the Polish Commonwealth Culture under the Saxon Kings)*, Wrocław 1991, pp. 61–62. Throughout the whole period under discussion the number of confraternities grew. In the 18th c. in some regions they were already active at the majority of rural parishes. Moreover, in many parish churches without confraternities one can trace religious behaviour similar to them: see J. Flaga, *Bractwa i przejawy ich życia religijnego w drugiej połowie XVIII wieku na przykładzie diecezji płockiej (Confraternities and the Symptoms of Their Religious Life in the Second Half of the 18th c. as Exemplified by the Płock Diocese)*, "Roczniki Humanistyczne", vol. 24, 1976, fasc. 2, pp. 35–67, by the same author, *Bractwa religijne w archidiecezji lubelskiej do końca XVIII w. Chronologia i terytorialne rozmieszczenie (Religious Confraternities in the Lublin Archdeaconry till the End of the 18th c. Chronology and Territorial Distribution)*, "Archiwa Biblioteki i Muzea Kościelne", vol. 42, 1981, pp. 293–344, as well as other works of this author.

environments, as a reverse of sudden death identified to a certain extent with God's punishment. This "good", expected death gave the dying person time to take action that would sum up his life on earth and give him a pass to eternity.

The canon of this behaviour indispensable for a pious termination of life included in the first place the reception of the last sacraments. The presence of a priest at a death-bed was a norm not only postulated by synodal constitutions but also — it seems — realized in practice. Particular cases of neglecting this norm by vicars were condemned by church visitors, even when they could be explained by the vicar's illness or delay because of bad weather<sup>5</sup>. A vicar's neglect of the dying could moreover arouse a counteraction from the parishioners themselves who feared for the fate of their nearest-and-dearest's souls. For example in 1693 the community of Zajączki village near Wieluń succeeded in winning the support of the gentry and sued a negligent vicar in the court of first instance. The record says that they earlier informed the church visitor against him<sup>6</sup>.

Naturally, the presence of a priest at the death-bed depended above all on the state of the network of parishes. In the 16th c. when many churches were taken over by the Protestants and many others became desolate, many a Catholic in the countryside departed this life without a clergyman's assistance. Also later, after Catholicism gained firmer ground, the parish network was not too dense<sup>7</sup>. There was probably negligence in too vast parishes and those where the priest did not reside. In denominationally mixed territories the situation of the spiritual protection of the population could be twofold. There were either difficulties connected with the vastness of the parish or — on the contrary — the efforts of the clergy were greater because of the atmosphere of religious confrontation. Under such circumstances each case of a Catholic's death without the last sacraments could be treated

<sup>5</sup> T. Długosz, *Sprawy liturgiczne w XVI w. w diecezji krakowskiej (Liturgical Matters in the 16th c. in the Cracow Diocese)*, "Ruch Biblijny i Liturgiczny", vol. 4, 1951, p. 305.

<sup>6</sup> AGAD, *Księgi Grodzkie Wieluńskie, Relacje (Wieluń Court of First Instance Register, Relations)*, 49B, fol. 17v–18v.

<sup>7</sup> The question of the density of parish network in Poland has been comprehensively discussed by S. Litak, *Zagadnienie parafii w XVI–XVII wieku (The Question of Parishes in the 16th–18th c.)*, "Znak", 1965, № 137–138, pp. 1528–1562.

as Protestant subversion, or — even worse — a hidden conversion<sup>8</sup>.

Usually the dying person himself made a sign to send for a priest<sup>9</sup>. The fulfilment of his wish was the task of his family. In more devotional peasant wills from the 18th c. one can encounter from time to time thanks to the nearest—and—dearest due to whose endeavours the testator could receive the sacraments<sup>10</sup>. The point was, of course, not only to summon a vicar, but mainly to entertain him and bestow a gift on him. Although the church authorities repeatedly reminded their officers to bestow the sacraments free of charge, yet there were many departures from this principle. At any rate it was not forbidden to accept customary gifts after the bestowal of sacraments. The value of this gift depended naturally on the financial situation and social status of the dying person. The priest was also invited to a meal — as it seems, quite sumptuous — since the Church visitors bade the priests to avoid it because it frequently continued late into the night<sup>11</sup>.

At any rate, the priest's role at the death-bed was not only religious. If the village did not have its own scribe, the priest was probably the only man able to write down the dying person's will. If there was a scribe, or the relatives relied solely on an oral will, the priest fulfilled the role of a respected and desirable witness.

<sup>8</sup> Cf. *AP Toruń, Akta Sądów Dominialnych Dóbr Biskupstwa Chełmińskiego (Chełmno Bishopric Estates Domanial Court Records)* (cited later: ASD), 2, p. 25 [1741] — the instigator accuses Krol from Rożnów of not having called a priest for his dying servant — a Catholic woman.

<sup>9</sup> Wojciech Szległo in his illness "sent for the vicar, intent to justify himself before God and received the Holy Sacrament", *Księgi sądowe wiejskie (Rural Courts' Registers)*, ed. B. Ulanowski, *SPPP*, vol. XI–XII, Kraków 1921 (cited later: B. Ulanowski), № 7103 [1606]; similar: *Księga sądowa wsi Iwkowej 1581–1809 (Iwkowa Village Court's Register 1581–1809)*, ed. S. Piąza, *SPPP*, series II, section II, vol. 6, Wrocław 1969 (cited later: *Iwkowa*), № 136 [1588]; *Księga sądowa wsi Łukawiec 1691–1807 (Łukawiec Village Court's Register 1691–1807)*, *AP Kraków*, MS deposit 236 (cited later: *Łukawiec*), p. 96 [1735]; *Acta albo Xięgi Wuytowskie y Ławnicze Klucza Jabłonskiego 1639–1747 (Jabłonna Estate Advocati's and Aldermen's Records or Registers 1639–1747)*, *AGAD, Archiwum Ekonomiczno-Gospodarcze Ks. Prymasa Michała Poniatowskiego (Primate Michał Poniatowski's Economic Archives)*, 122 (cited later: *Jabłonna*), fol. 4v [1636].

<sup>10</sup> E.g. *AP Przemyśl, Akta wsi Albigojowej (Records of Albigojowa Village)* (cited later: *Albigojowa*), vol. 3, p. 9 [1734]; similar *Acta Iudicii Scabinalls et Advocatialis Novae Regiae Villae*, *AP Kraków, Gminy Przyłączone IV–4* (cited later: *Nowa Wieś*), p. 51 [1740].

<sup>11</sup> F. Machay, *Działalność duszpasterska kardynała Jerzego Radziwiłła (The Ministrative Activities of Cardinal Jerzy Radziwiłł)*, Kraków 1936, p. 71.



Before the will was written down one should "clear one's conscience before God", i.e. make a confession and receive the viaticum. The unction was given only occasionally. In the 16th c. this sacrament practically went out of use. Only the insistent propaganda restored it in some measure. One of the causes of its unpopularity was the common belief that after receiving it there was no chance of recuperation<sup>12</sup>. Similar fears, though to a smaller extent, concerned the viaticum, thus frequently the priest was summoned with as much delay as possible, sometimes against the will of the dying person. A characteristic clash between those two attitudes to the reception of the last sacraments was recorded at Rajbrot in 1791. Tomasz, a brother to the dying Piotr Manusiak, together with his son wanted to summon a priest, while Manusiak's wife and children opposed it, making a dramatic attempt to magically prolong his life. Manusiak died without being fortified by the sacraments, which was regarded by the village community as obvious negligence on the part of his family<sup>13</sup>. To justify those who delayed the reception of the last sacraments one should add that given the then level of medical science the prognosis could be mistaken. Even painful and annoying ailments, such as e.g. toothache, though they did not threaten one's life, could arouse a sense of approaching death<sup>14</sup>.

Towards the close of the 17th c. the religious elements of a peasant will were enriched by the profession of faith by the dying person, a so-called "spiritual testament" — a kind of prayer that emphasized the will to die in Catholic faith. This record was either copied from some pattern or might have been a written counterpart of an admonishing conversation of a priest with the dying person. This conversation, it is true, disappeared from the rituals after 1631, nevertheless it continued to be in use, and the Synod of the Łuck diocese in 1694 outright imposed it as an obligation<sup>15</sup>.

<sup>12</sup> M. Mikołajczyk, *Dzieje liturgii sakramentu chorych w Polsce do Rytuatu Piotrkowskiego (1631) (The History of the Liturgy of Sacrament to the Sick in Poland until the Piotrków Ritual, 1631)*, in: *Studia z dziejów liturgii w Polsce*, vol. 2, Lublin 1976, p. 284.

<sup>13</sup> *Księga sądowa wiejska Rajbrotu 1728–1800 (Rural Court Register of Rajbrot 1728–1800)*, AP Kraków, MS deposit 268 (cited later: *Rajbrot — księga*), p. 121 [1791].

<sup>14</sup> *Księga sądowa ekonomii szawelskiej z lat 1636–1738 (Court Register of Szawle Economy from the Years 1636–1738)*, PAN Kraków, MS 2457, fol. 521 [1738].

<sup>15</sup> *Synodus Diocesisana Chelmenstis per... Stanislaum Hyacinthum Śwłęcicki... celebrata A.D. MDCXCIV, Varsaviae 1696*, fol. A4v-B1; cf. S. Hołdórk, *Komunia*

The professions of faith recorded in the wills generally follow a pattern. Their contents are probably the works of priests who assisted their preparation. However, they include a recapitulation of the basic principles of faith that were transmitted to the believers and whose knowledge was checked on the occasion of major religious events in their lives. This knowledge was also exacted from those who prepared themselves to depart this life, naturally in so far as circumstances allowed<sup>16</sup>. A fragment from Franciszek Mierniczak's will from 1695 may serve as an example of such a profession of faith: "First I thank My Lord for all His blessings, that He let me be born in the Roman Christian faith and live in it up to now, that He bestowed His Providence on me, that He saved me from sudden death, and did not let me depart this world without my preparation and reception of the Holy Sacraments, that He rescued me with His Blood, though I have offended Him with my grave sins since the day that I acquired discrimination, which I now heartily regret, and in the Catholic faith I want to die and surrender my life and death to God's Will and have strong hope in His immeasurable Mercy, in Christ's wounds and blood, that He will wash all my sins off me with this blood, that He will cuddle me to His crucified side, defending me from all Temptation"<sup>17</sup>. Franciszek Mierniczak certainly did not articulate in this way his religious feelings, but this testament shows what feelings the priest attempted to arouse in a dying man and to what religious ideas he resorted for this purpose. It is characteristic that requests for the assistance of the Holy Virgin seldom appear in the religious invocations of peasant wills<sup>18</sup>, and

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św. chorych w diecezji wileńskiej w XVI–XVIII w. (*The Holy Communion to the Sick in the Wilno Diocese in the 16th–18th c.*), in: *Studia liturgiczne*, vol. 5, Lublin 1988, p. 240.

<sup>16</sup> Hence it was sometimes emphasized in the testaments that the dying person "professes all the articles of the holy Catholic faith", e.g. *Księga sądowa wsi Pleskowa Skala z lat 1597–1791* (*Court Register of Pleskowa Skala Village from the Years 1597–1791*), PAN Kraków, MS 1875 (cited later: *Pleskowa Skala*), p. 711 [1702]; B. Ulanowski, № 4540 [1733]; *Księga zapsów wsi Czarnej (1626–1808)* (*Register of Bequests of Czarna Village, 1626–1808*), CAHU, fond 136, descr. 1, call number 2 (cited later: *Czarnej*), p. 470 [1751] et al.

<sup>17</sup> *Acta tam advocatialis quam Scabinalis in villa Olszówka...* a. 1664–1745, BJ, MS 909 (cited later: *Olszówka*), fol. 20v–21 [1695].

<sup>18</sup> Several cases: *Księga wójtowska wsi Tryńczy 1659–1747* (*Advocatus' Book of Tryńczy Village 1659–1747*), BCz, MS 2979, p. 235 [1702]; *Księga sądowa wsi Markowej 1591–1777* (*Court Register of Markowa Village 1591–1777*), CAHU, fond 85, descr. 1, call number 1 (cited later: *Markowa*), p. 810 [1724]; B. Ulanowski, № 4540 [1733]; *Albigowa*, vol. 3, p. 9 [1734], et al.

still less frequently there are any requests for the intercession of the Saints<sup>19</sup>. Such invocations, at any rate, appear only in the 18th c., although the custom of inserting long devotional passages in peasants' wills appeared several score years earlier.

Apart from religious rites the person who was departing this world had to fulfil certain rituals of social life. It was required from the dying person to sum up his life in the family and his community. First one had to dispose of one's property, even the most modest. A written testament was the ideal; it should be prepared in the presence of members of the village council who appeared as its witnesses. Frequently a testament was also confirmed by the vicar present at its preparation (and sometimes performing the role of a scribe)<sup>20</sup>. In 1629 at Siary the aldermen went even to the beggar living on the bread of charity at the local church (however, he was relatively rich)<sup>21</sup>. In cases that aroused no controversy an oral statement in the presence of witnesses was enough. They did not need to be members of the village council, they could be merely neighbours or other acquaintances<sup>22</sup>. In case of controversy witnesses could testify to the truth

<sup>19</sup> Above all they are the Holy Guardians — "name-sakes" of the dying person, e.g. *Księga gromadzka wsi Bielcza z lat 1484–1785* (Court Register of the Bielcza Community from the Years 1484–1785), PAN Kraków, MS 1946 (cited later: *Bielcza*), fol. 220 [1721] and fol. 221 [1723]; *Albigowa* vol. 3, p. 9 [1734]; *Księga sądowa Wysokiej (1665–1792)* (Court Register of Wysoka, 1665–1792), CAHU, fond 53, descr. 1, call number 1 (cited later: *Wysoka*), pp. 263–265 [1777]; *Księga zapsów Hłomczy (1799–1846)* (The Book of Bequests of Hłomcza, 1799–1846), CAHU, fond 28, descr. 1, call number 2 (cited later: *Hłomcza II*), fol. 15v–16v [1799]; sometimes generally "all the Saints", e.g. *Bielcza*, fol. 137v [1709], *Protokoły sądu Benedyktyniek Jarostawskich z lat 1729–1774* (Jarosław Benedictines Court Minutes from the Years 1729–1774), PAN Kraków, MS 873, pp. 111–112 [1761]. In several cases the dying person called the patron saint of his village for intercession, e.g. *Markowa*, p. 810 [174], p. 845 [1752]; *Czarna*, p. 315 [1737].

<sup>20</sup> E.g. at Rogi, *Księga sądowa wsi Rogi 1531–1778* (Rogi Village Court Register, 1531–1778), AGAD, *Księgi wiejskie*, without a call number (cited later: *Rogi*), fol. 352 [1619], in the roles of witnesses appear: the vicar, the *advocatus* and seven aldermen; cf. *Księga gromadzka wsi Skotniki Górne z lat 1670–1847* (Court Register of the Skotniki Górne Community from the Years 1670–1847), PAN Kraków, MS 1873 (cited later: *Skotniki*), pp. 67–68 [1715] and *Księga sądowa wsi Świątyniki 1518–1810* (Court Register of Świątyniki Village 1518–1810), AP Kielce, *Sąd Wiejski Wsi Świątyniki* (cited later: *Świątyniki*), fol. 53v [1694].

<sup>21</sup> B. Ulanowski, № 7119 [1629].

<sup>22</sup> *Termini iudicii Theutonici Iawornicensis ab an. 1472 ad an. 1784*, AP Kraków, MS deposit 93 (cited later: *Jawornik*), p. 647 [1622]; *Księga sądowa wsi Rudna Wielka 1710–1796* (Court Register of Rudna Wielka Village 1710–1796), AP Kraków, *Hipoteka Gallcji Zachodniej*, 136 (cited later: *Rudna Wielka*), fol. 6–6v [1719]; *Czarna*, p. 451 [1771].

of the will before the court of justice under oath, as they did at Tuszów Narodowy where a dying mother right before her death orally disinherited her son, bequeathing everything to her daughter in the presence of two neighbours<sup>23</sup>. Nevertheless the realization of an oral testament in doubtful cases could end in a complicated judicial investigation<sup>24</sup>.

If the testament was not prepared in any form, the deceased man's closest family were found in a difficult position, since even distant relatives could make claims to inheritance. Hence a sudden death could lead to lawsuits between inheritors. Thus the testament was the expression of the testator's responsibility for his family after his death. Hand in hand with the development of its form and growth of volume, a testament started to encompass not only the safeguarding of the property rights of the main inheritors, but also regulated some other problems of the further life of the dying person's relatives, such as the protection of dependants — old or disabled people<sup>25</sup>, the organisation of the spouse's funeral<sup>26</sup>, the height of sums assigned for children's weddings<sup>27</sup>, and even the main directives of the family's matrimonial policy<sup>28</sup>.

A deceased person's last will should be realized without any deviation, but of course, cases of quarrels over testaments and their questioning were also known. The only means of pressure

<sup>23</sup> *Księga sądowa wsi Tuszów Narodowy 1661–1779 (Court Register of Tuszów Narodowy Village 1661–1779)*, AP Kraków, MS deposit 200 (cited later: *Tuszów Narodowy*), p. 60 [1689]; similar: *Księgi sądowe wiejskie klucza łąckiego (Rural Court Registers of the Łącko Estate)*, ed. Adam Ve t u l a n i, SPPP, series II, section II, fasc. 2–3, Wrocław 1962–1963 (cited later: *Klucz Łącki*), № 341 [1599].

<sup>24</sup> E.g. the case of Katarzyna Flakowa, B. U l a n o w s k i, № 5036 [1729]; also the lower described Matyjasz Kolek's inheritance proceedings ended in an investigation started by the administrator of the village who did not believe Kolek's oral testament and summoned the witnesses to confirm it, *Łukawiec*, pp. 96–97 [1735].

<sup>25</sup> *Księga sądowa wsi Czeremo z lat 1600–1810 (Court Register of Czeremo Village from the Years 1600–1810)*, PAN Kraków, MS 1943 (cited later: *Czeremo*), fol. 136v–137 [1633]; *Pleskowa Skąta*, p. 674 [1754].

<sup>26</sup> K. Dobrowolski, *Włościańskie rozporządzenia ostatniej woli na Podhalu w XVII i XVIII w. Studia i Materiały (Peasant Testamentary Dispositions in Podhale in the 17th and 18th c. Studies and Materials)*, Kraków 1933 (cited later: K. Dobrowolski), № 29 [1748].

<sup>27</sup> *Księga sądowa Limanowej 1552–1654 (Court Register of Limanowa 1552–1654)*, AP Kraków, *Inwentarz Tymczasowy*, 230 (cited later: *Limanowa*), p. 96 [1622].

<sup>28</sup> E.g. B. U l a n o w s k i, № 7043–7044 [1616–1618]; *Świątynki*, fol. 50 [1692]; cf. *Księga wiejska wsi Palikówka 1730–1865 (Rural Book of Palikówka Village 1730–1865)*, AP Kraków, MS deposit 238, p. 51 [1740], where Wojciech Łach demands his wife's faithfulness after his death.

available to the dying person was a curse. Thus many testators invoke "God's Judgement" in the case of breach of the will. However, ensuring harmony between inheritors was not only a moral duty of the dying person towards his family. Indeed, misunderstandings about the inheritance bore on the situation of the deceased person's soul. Thus many testaments called on the offspring not to "burden" the deceased man's soul with their quarrels<sup>29</sup>, or "not to wish hell to our souls instead of heavenly peace"<sup>30</sup>. The dying people induced the inheritors to respect their decisions not only by frightening them with God's judgement but also by promising such immaterial advantages as God's blessing<sup>31</sup>. Walenty Szpunar from Albigowa in return for keeping his soul in memory even promised his children and wife to "beg Lord's Highest Sublimity" for their sakes<sup>32</sup>.

The settling of financial matters in face of death encompassed also a clarification of the matter of debts. Loan-givers prepared lists of their debtors specifying the sums, the form of repayment and the destination of the money<sup>33</sup>. Debtors obliged their successors in a will to repay the money they borrowed, sometimes they also reserved an additional sum for the repayment of their debts to the creditors who would appear after their death. An unrepaid debt, just as the successors' quarrels, was a burden on the deceased man's soul. Zofia, Wawrzyniec Skarbek of Mordarka's widow, in 1621 gave all she had (it wasn't much, just two heifers), to repay her late husband's debts with the intention that his soul be "clear before Our Lord". As for the payment for her own funeral she surrendered herself to the charity of the village<sup>34</sup>.

<sup>29</sup> *Olszówka*, fol. 21v [1695], see also: *Księga sądowa Uszwia dla wsi Zawady 1619–1788 (Court Register of Uszwia for Zawada Village 1619–1788)*, ed. Adam Vetulani, SPPP, series II, section II, fasc. 1, Wrocław 1957 (cited later: *Zawada*), N° 22 [1625]; *Czarna*, p. 314 [1736].

<sup>30</sup> *Klucz Łącki*, N° 936 [1786].

<sup>31</sup> E.g. *Księga sądowa wsi Piątkowej 1627–1798 (Court Register of Piątkowa Village 1627–1798)*, AP Rzeszów, Akta Gminy Błazowej, 98, p. 60 [1766]; *Klucz Łącki*, N° 849 [1744].

<sup>32</sup> *Albigowa*, vol. 3, p. 9 [1734].

<sup>33</sup> E.g. *Księga sądowa wsi Brzozowej pod Brzostkiem z lat 1393–1632 (Court Register of Brzozowa Village near Brzostek from the Years 1393–1632)*, PAN Kraków, MS 1548 (cited later: *Brzozowa*), fol. 109v–110 [1616].

<sup>34</sup> *Limanowa*, p. 93 [1621]; similar *Świątyniki*, fol. 139 [1650] and *Olszówka*, fol. 66 [1763] — where the manor pays off Jan Nawara's debts "preventing not only the ruin of his land, but also with the intention to relieve the soul of the late Jan Nawara, so that through the payment of his debts in this world it would sooner receive Lord's mercy..."

Scrupulous enumeration of debt amounts was not only the question of the dying person's conscience, but also of the presence of creditors at his death-bed. A death of a farmer was indeed a kind of a "social" event, and its eschatological character did not overshadow the problems connected with departing this world. In 1735 at Łukawiec Piotr Gunia on learning about the terminal disease of his godfather Matyjasz Kołek immediately went to join him. He found him still alive and greeting him, said: "How are you, godfather, supposedly you are going to die?" Kołek replied, "One must die, the time has come and the hour". Gunia retorted: "Godfather, and my loan to you of several metres of corn, who will repay it to me?" Kołek replied that this was the duty of the person who would succeed him in the farmstead. The dying man's daughter who listened to this conversation burst in tears, how would she repay, since her father and her brother wasted the farm. Then Kołek bequeathed to his daughter half a farm and ordered to repay the debt from the rest<sup>35</sup>.

One should die in harmony with God — this was secured by sacraments, and with the family — here a will was necessary; one should not be at odds with the community, either. Since the second half of the 17th c. the peasant wills include formulas that confirm agreement within the given community. E.g. in 1668 Maria Klepaczowa seeing that death was approaching, "begs pardon of all her relatives and neighbours if she offended them with some word, and begs them to ... forgive her, and to pray to God Our Lord for her soul"<sup>36</sup>. That type of apology and reconciliation with the community may be interpreted as a ritual form of social behaviour. However, some bequests show that some neighbourhood quarrels found amicable composition only at the death-bed of one of the adversaries. The dying people, indeed, were more prone to express a will of reconciliation. This attitude was to a large extent a result of the duty to clear one's conscience before receiving the last sacraments, but awareness that bad

<sup>35</sup> Łukawiec, pp. 96–97 [1735]; on the death-bed also old family conflicts over inheritance were solved, e.g. *ibid.* pp. 22–23 [1684], *Księga wójtowska miasta Andrychów 1624–1829 (Advocatus' Book of Andrychów Town 1624–1829)*, AP Kraków, *Inwentarz Tymczasowy*, 210–211 (cited later: *Andrychów*) vol. 1, p. 111 [1624].

<sup>36</sup> *Księga gromadzka wsi Torki z lat 1569–1695 (Court Register of the Torki Community from the Years 1569–1695)*, PAN Kraków, MS 1874, p. 385 [1668]; similar: K. Dobrowolski, N<sup>o</sup> 9 [1709] *et al.*

memories left by the deceased might do harm to his soul was probably also of some significance<sup>37</sup>.

The death of a member of the village affected the whole community. The dying person not only gave a public account of his property, debts and relations with his neighbours. Also the religious rites themselves were performed in the presence of witnesses, e.g. aldermen<sup>38</sup>. No wonder then that the priest hurrying to the death-bed with viaticum was followed by members of the village council.

The dying rites had their complement in the funeral and ceremonies that accompanied it. The dying attached to them great importance, which found its reflection in their wills which frequently described in detail their requirements concerning funeral rites. A proper and rich execution of a funeral fulfilled a double role. First it placed a post-mortem emphasis on the social role of the deceased. The relative sumptuousness of rites and the height of legacies was proportional to his position in the social hierarchy. On the other hand the same rites ensured him access to eternal life. Although theoretically all the deceased fortified with the Holy Sacraments were equal before God, yet the number of Masses, prayers and alms determined the shortening of their stay in Purgatory; thus economic inequality on earth found its reflection in the after-life.

The body should be buried in the blessed earth. Many wills cite this condition, but this is rather a rhetorical emphasis. Mentions of rustics who buried their dead in forests because of exorbitant payments for funerals in cemeteries<sup>39</sup> reveal the pathology which the church hierarchy fought against, reminding parish priests of their duty to serve the believers regardless of their financial status, and finally issuing tables of payments in some dioceses<sup>40</sup>. An issue of greater weight was the interdict on

<sup>37</sup> E.g. Wojciech Iuchno on his death-bed tried to be reconciled with Katarzyna Flakowa, who justifiably laid claims to his land, B. Ulanowski, № 5036 [1729].

<sup>38</sup> Wojciech Sziglo "received the Holy Sacrament in the presence of some representatives of the law", B. Ulanowski, № 7103 [1606].

<sup>39</sup> E.g. *Constitutiones Synodi Dioecesis Luceortensis ab... D. Andrea Gembicki... A.D. 1641... celebratae*, Cracoviae [after 1641], fol. D3v. In ethnically Polish territories in case of such behaviour only economic reasons could be at play. The possible recurrence of paganism revealed in such behaviour could occur only in the recently Christianized Samogitia, or Lithuania.

<sup>40</sup> E.g. *Constitutiones synodales dioecesis Luceortensis et Brestensis ab... Stephano Boguslao... Rupniewski... celebratae et promulgatae anno... 1726*, Varsaviae

some cemeteries because of their profanation (usually the point in question was bloodshed; at the turn of the 16th c. there were also some religious disturbances). A refusal to bury the deceased in a profaned cemetery caused on the one hand an insoluble problem for his family, on the other encountered the believers' incomprehension<sup>41</sup>.

The best place to bury the dead was the church itself. Of course, this was accessible only to the village élite — *advocati*, inn-keepers etc., and then rather in those churches where there was not too much competition on the part of the gentry or burghers. Nevertheless these were not exceptional cases<sup>42</sup>. E.g. Jakub Polit, the *advocatus* of Łącko, in his will of 1629 precisely defined the place of his burial: "as close as possible to St. Anna's altar, and if there was no room, then in the big choir under the pulpit, near the pew of Pan Kiczeński, or under the pulpit where school-boys sing"<sup>43</sup>.

In the cemetery, too, there was a division into "better" and "worse" places. Stanisław Kołodziejczyk from Trześniów dictated

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[1726], fol. L2; *Constitutiones et Decreta Synodi dioeceseanae Plocensis sub... D. Andrea Stanislao Koska... Zaluski... A.D. 1733... celebratae, Varsaviae 1735*, pp. 145–146; *Synodus dioeceseana Posnaniensis sub... Stanislao de Bezdán Hosio... A.D. 1738, [s.l., 1738]*, pp. 199–200.

<sup>41</sup> In 1599 at Ligowo the visitors discovered that there had been an interdict on the local cemetery for seven years and that the parishioners had to bury their dead in ditches, and they found this situation horrendous. This visitation in the Dobrzyń archdeaconry found cemeteries in two other parishes under interdict, see: A. Rojewski, *Stan obiektów kultowych i ich adaptacja do wymogów reformy trydenckiej w archidiecezji dobrzyńskiej w latach 1597–1609 (The State of the Places of Worship and Their Adaptation to the Demands of the Trent Reform in the Dobrzyń Archdeaconry in the Years 1597–1609)*, "Studia Płockie", vol. 8, 1980, p. 210.

<sup>42</sup> The right to be buried in a church belonged to the collators, heirs of estates and their family, but also to the church wardens who died at their posts as well as major benefactors of that church. Thus the richer (and more generous) peasants had a possibility of deserving a tomb in the church. In 1699 a legacy of 100 zlotys enabled Szymon Woyt to be buried in the church of Janowiec town: A. Szymonek, *Mieszkańcy parafii Janowieckiej u schyłku XVII wieku w świetle starych metryk kościoła parafialnego (The Inhabitants of the Janowiec Parish at the end of the 17th c. in the Light of the Old Population Register of the Parish Church)*, "Notatnik Janowiecki", № 1, 1996, p. 36.

<sup>43</sup> *Klucz Łącki*, № 480 [1629]; others e.g.: *Brzozowa*, fol. 109v [1616] and fol. 126v [1622]; *Acta iudicii banniti Jadownicensis 1562–1613*, BOss, MS 4294/1, fol. 78–79 [1588]; *Księga sądowa wsi należących do klucza uszewskiego z lat 1601–1767 (Court Register of the Villages Belonging to the Uszew Estate from the Years 1601–1767)*, PAN Kraków, MS 3911, fol. 53 [1667]; *Księga sądowa Starostwa Krzeczowskiego z lat 1701–1807 (Court Register of the Krzeczów Estate from the Years 1701–1807)*, AP Kraków, Oddział w Bochni, *Starostwo Krzeczowskie*, 1 (cited later: *Krzeczów*), p. 17 [1751].



the following direction in his will: "for my sinful body, which should be buried properly according to the Christian rite, I choose a place and here I want it to be laid, that is under the belfry in front of the big door [of the parish church]"<sup>44</sup>.

The plots outside the cemetery were assigned only to unchristened children, or those "imperfectly" christened (i.e. by the midwife) as well as strangers and unknown people who died without the sacraments. However, their bodies were also laid in the vicinity of the unquestioned *sacrum*, i.e. a wayside shrine<sup>45</sup>.

However, the attitude to the dead body changed during the plagues. Although in the countryside their influence was much smaller than in towns, yet the rural community was not organizationally prepared to liquidate their results. At the beginning of the 18th c. Jan Owsński, the parish priest from Jazowsko, recorded in his notes information about the plague in this village in 1710. Only one victim was buried in the cemetery ("because of ignorance" — as Owsński wrote). Some of the other bodies were buried in an orchard, and some were given over for prey to animals. The fear of terminal disease clearly got the upper hand of respect for the bodies of the dead, even members of the family or neighbours<sup>46</sup>.

In many wills — especially the earlier — from the 16th and the first half of the 17th c., the description of funeral rites is limited to the statement that the body should be buried "according to Christian custom". The more detailed the wills became, the ampler were the instructions as to the funeral. Their main subject, apart from the ceremony itself, was the Mass for the soul of the deceased. Many testators enumerated sums assigned for this purpose, ordering at the same time Masses for their parents and other dead kinsmen<sup>47</sup>. Some did not confine themselves to

<sup>44</sup> *Księga sądowa Trześniowa (1686–1791) (Court Register of Trześniów, 1686–1791)*, CAHU, fond 48, descr. 1, call number 3 (cited later: *Trześniów*), fol. 87v [1771].

<sup>45</sup> Cf. *Księgi sądowe Klucza Jazowskiego 1663–1808 (Court Registers of the Jazowsko Estate 1663–1808)*, ed. S. Grodziski, SPPP, series II, section II, fasc. 5, Wrocław 1967 (cited later: *Klucz Jazowski*), № 95 [1732].

<sup>46</sup> J. Jerzmanowski, *Roczniki do dziejów Podtatrza i Spitzą z lat 1680–1748 (Annals for the History of Podtatrze and Spitz from the Years 1680–1748)*, Kraków 1858, pp. 12–13.

<sup>47</sup> B. Ulanowski, № 7402 [1671]; *Andrychów*, vol. 2, p. 26. [1752]; *Akta i zapisy u Prawa Obelnego wsi Jedlni 1572–1835 (Records and Bequests in the Forest Apiarists' Special Law of Jedlnia Village 1572–1835)*, PAN Kraków, MS 1554 (cited later: *Jedlnia*), fol. 54 [1766].

their own parish church and ordered Masses also in the churches of a nearby township or in local pilgrimage centres<sup>48</sup>.

Those who were richer established small foundations for the sake of the Church in return for the “eternal” mentioning of their names at Mass and recommending their souls for the believers prayers. The object of such a foundation could be either a renovation of the church or school<sup>49</sup>, a restoration of the altar, the financing of a banner or other utensils<sup>50</sup>, or the purchase of church cows<sup>51</sup>. Dying women used to hand over to the church their jewellery and clothes, and in the first place their linen kerchiefs used to pad altar cloths<sup>52</sup>.

In parishes where there were confraternities — above all the Rosary ones — the dying were ensured a post-mortem protection of their souls by their brethren. In return they customarily bequeathed certain sums for the needs of the confraternity<sup>53</sup>.

<sup>48</sup> E.g. *Andrychów*, vol. 1, p. 165 [1683]; *Księga ławnicza osad wiejskich Krzyżownik i Proszowa w dawnym Księstwie Oleśnickiem z l. 1558–1583 (Aldermen's Book of Country Settlements Krzyżowniki and Proszów in the Former Oleśnica Duchy from the Years 1558–1583)*, ed. W. Klementowski, Kępno 1917, p. 11 [1564], pp. 41–42 [1573]; also *Albigowa*, vol. 1, p. 33 [1689] and p. 168 [1757]; *Czarna*, p. 483 [1774].

<sup>49</sup> *Księga sądowa wsi Gać 1509–1721 (Court Register of Gać Village 1509–1721)*, AP Kraków, MS deposits 329–330 (cited later: *Gać*), vol. 1, p. 322 [1593]; *Księga sądowa Staszkówki 1579–1839 (Court Register of Staszkówka 1579–1839)*, BJ, MS 274 (cited later: *Staszkówka*), fol. 8–9 (from the end) [1703]; cf. also: *Hłomcza II*, fol. 15v [1799].

<sup>50</sup> *Czermino*, fol. 184 [1690]; ASD, 1, pp. 100–104 [1722]; K. Dobrowolski, № 21 [1730]; *Rajbrot — księga*, p. 114 [1768].

<sup>51</sup> *Księga sądowa wsi Świniarsko 1584–1782 (Court Register of Świniarsko Village 1584–1782)*, AP Kraków, MS deposit 199 (cited later: *Świniarsko*), p. 230 [1653]; *Jawornik*, pp. 711–712 [1779]; *Księga do indukowania praw, zakupieństw, przedaży, testamentów (A Book for Inducing Rights, Purchases, Sales, Testaments from the years 1720–1801 concerning the Bestwina estate)*, PAN Kraków, MS 1888, p. 55 [1781]; *Trześniów*, fol. 127v [1783–1784].

<sup>52</sup> F. Kotula, *Rańtuchy. Elementy kultury ludowej w wyposażeniu kościołów (Kerchiefs. Elements of Folk Culture in Church Furnishings)*, “*Nasza Przeszłość*”, vol. 10, 1959, pp. 377–390; cf. *Acta officii advocatialis et scabinalis v. Trześniów ab a. 1606 ad a. 1689*, CAHU, fond 48, descr. 1, call number 2, fol. 52v [1624]; *Staszkówka*, fol. 105 [1714] and fol. 131 [1766]; *Księga sądowa kresu muszyńskiego II (1761–1793) (Court Register of the Muszyna Borderland II, 1761–1793)*, AP Kraków, MS deposit 101, pp. 71 and 87 [1762].

<sup>53</sup> K. Dobrowolski, № 21 [1730]; *Księga sądowa wsi Trzebownitko 1730–1841 (Court Register of Trzebownitko Village 1730–1841)*, AP Kraków, *Hipoteka Galicji Zachodniej*, 134, pp. 10–11 [1738]. There were also practical reasons for belonging to a scapular confraternity — the souls of its members were to be freed from Purgatory by Our Lady on the first Saturday after death: B. Pańk, *Dzieje Bractwa Szkaplerza Świętego przy kościele oo. karmelitów w Krakowie na Plasku do końca XVII w. (The History of the Holy Scapular Brotherhood at the Church of the Carmelite Fathers in Kraków on Plasek Until the End of the 17th c.)*, “*Roczniki Teologiczno-Kanoniczne*”, vol. 10, 1963, fasc. 3, pp. 54–55.

However the duty to remember the soul of the deceased and to support it periodically with Holy Masses fell in the first place to his inheritors. This happened as if automatically — together with taking over the inheritance. If somebody for some reason did not have offspring or relatives who could take over his farm together with religious duties towards his soul, he could buy his posthumous memory with a legacy of part of the farm. E.g. in 1666 Rev. Jan Żabka, curate from Czermno, bequeathed some birch wood to Wojciech Sikora and his offspring in return for saving his soul with Holy Masses<sup>54</sup>.

Apart from liturgical rites, another way to relieve the soul of the deceased was to give alms. The dying bequeathed for this purpose certain sums or articles in their wills. Such charity could take various forms, frequently at the same time. In the first place money, corn or cattle were bequeathed for the needs of hospitals<sup>55</sup>. After the funeral ceremony money and food were distributed additionally to the poor — a cow could be slaughtered, e.g. “and distributed in pieces to the poor”<sup>56</sup>. Most often, however, this boiled down to a dinner organized and financed for the poor<sup>57</sup>.

There were also quite sumptuous funeral banquets, to which the priest was invited<sup>58</sup>. Here and there there was also the custom to give a similar dinner on the first anniversary of the funeral<sup>59</sup>. Other funeral expenses included the purchase of linen for the deceased man's new underwear<sup>60</sup> (sometimes ornament-

<sup>54</sup> Czermno, fol. 174 [1666]; this gift was not by chance an immovable. There is a close link between ownership of land and religious duties towards its previous owners, see below.

<sup>55</sup> *Księga urzędu gromadzkiego wsi Spytkowice pod Jordanowem z lat 1599–1740* (Spytkowice Village [near Jordanów] Council Book from the Years 1599–1740), BJ, MS 5316, p. 30, [1633]; Olszówka, fol. 22 [1695]; B. Ulanowski, N 7459 [1715].

<sup>56</sup> *Andrychów*, vol. 2, p. 26 [1752]; similar B. Ulanowski, N° 7119 [1629]: “whatever food is left in my box, let the farmer give it away to the poor for my soul”.

<sup>57</sup> E.g. *Pleskowa Skąta*, p. 237 [1687]; *Czarna*, p. 315 [1737]; *Krzeczów*, p. 30 [1737] *et al.*

<sup>58</sup> K. Dobrowolski, N° 4 [1692]; ASD, call number 2, p. 17 [1721], p. 25 [1741]; B. Ulanowski, N° 3831 [1754] *et al.*

<sup>59</sup> *Akta bartne Nowogrodzkie [1702–1730]* (Records of Nowogród Forest Apiarists, 1702–1730), ed. R. Żukowski, *Bartnictwo w zagajnicy łomżyńskiej w okresie od XVI do poł. XIX w.* (Apiculture in Łomża Woods from the 16th till the Middle of the 19th c.), Białystok 1965, pp. 85–99, N° 10 [1732].

<sup>60</sup> *Andrychów*, vol. 1, p. 165 [1683] and p. 249 [1695]; *Pleskowa Skąta*, p. 292 [1692]; *Skotniki*, p. 188 [1751].

ed<sup>61</sup>), the payment for the coffin and some decoration of the catafalque<sup>62</sup>. Also candles and decoration for the church should be bought<sup>63</sup>. A special payment was required for the place for a grave in the cemetery or church (the latter was, of course, much higher)<sup>64</sup>. Also the grave-diggers<sup>65</sup>, the organist<sup>66</sup> and the bell-ringer<sup>67</sup> had to be paid. Apart from the payment for the Holy Mass, there was also a payment for the cortege, the procession and canonical hours<sup>68</sup>. Finally one had to buy vodka and beer for the participants in the funeral<sup>69</sup>.

All in all these were quite sizeable sums in relation to the peasants' financial possibilities. E.g. in 1559 Zofia Iaskowna spent a whole marc on her late husband's funeral, while he left to her only 7 marcs and 24 groschen<sup>70</sup>. In 1744 a deceased woman's nephew had to give his cousin a quarter of his ploughland in return for burying his aunt<sup>71</sup>. These were, however, very modest proportions — for the funeral frequently absorbed half the deceased person's legacy<sup>72</sup>. One also encounters cases where the dying person assigns all his property for the funeral and legacies to the Church, depriving potential inheritors of their share. Sometimes the reason may be the testator's particular

<sup>61</sup> *Andrychów*, vol. 2, p. 264 [1792].

<sup>62</sup> B. Ulanowski, № 7119 [1629]; *Pieskowa Skala*, p. 292 [1692]; *Skotniki*, p. 188 [1751]; ASD, 9, fol. 266v–268v [1761].

<sup>63</sup> *Andrychów*, vol. 1, p. 249 [1695], vol. 2, p. 264 [1792]; B. Ulanowski, № 3831 [1754]; *Akta luźne wsi Rajbrot [1652–1891] (Unbound Records of Rajbrot Village, 1652–1891)*, AP Kraków, MS deposit 270 (cited later: *Akta Rajbrotu*), folder a, № 3 [1787].

<sup>64</sup> B. Ulanowski, № 7119 [1629], № 7472 [1737].

<sup>65</sup> *Ibid.*, № 7119 [1629]; *Andrychów*, vol. 1, p. 249 [1695], vol. 2, p. 264 [1792]; *Wysoka*, pp. 70–71 [1708]; *Skotniki*, p. 188 [1751].

<sup>66</sup> *Albigowa*, vol. 1, p. 168 [1757]; ASD, 9, fol. 266v–268v [1761]; *Andrychów*, vol. 2, p. 264 [1792].

<sup>67</sup> B. Ulanowski, № 7119 [1629]; ASD, 9, fol. 266v–268v [1761]; cf. also: *Księga wójtowska wsi Hłomczy z lat 1664–1803 (Hłomcza Village Advocatus' Book from the Years 1664–1803)*, CAHU, fond 28, descr. 1, call number 1 (cited later: *Hłomcza I*), fol. 126 [1777].

<sup>68</sup> B. Ulanowski, № 7472 [1737]; ASD, 9, fol. 266v–268v [1761].

<sup>69</sup> *Pieskowa Skala*, p. 292 [1692]; *Andrychów*, vol. 1, p. 249 [1695], vol. 2, p. 264 [1792]; *Rogi*, fol. 450 [1697]; *Skotniki*, p. 188 [1751], cf. also: *Hłomcza I*, fol. 92 [1769] and fol. 127 [1778?].

<sup>70</sup> B. Ulanowski, № 2727 [1559].

<sup>71</sup> *Księga sądowa wsi Krasna 1654–1866 (Krasna Village Court Register 1654–1866)*, AP Kraków, *Inwentarz Tymczasowy*, 229m, p. 144 [1744].

<sup>72</sup> *Tuszów Narodowy*, p. 88 [1696]; *Iwkowa*, № 542 [1713]; *Łukawiec*, p. 95 [1735] et al.

devotion, or some personal considerations<sup>73</sup>, but sometimes this was the result of the shortage of money to pay for the rites<sup>74</sup>. The richer peasants bought another farm or some immovables beforehand, destined to cover their funeral expenses<sup>75</sup>.

It seems characteristic that peasant funerals were relatively sumptuous as a rule. The organization of a funeral in the framework suitable for the deceased person's social status could almost ruin his inheritors, hence from time to time there was an interdiction to arrange luxurious and prolonged funeral banquets<sup>76</sup>. The relative sumptuousness of such feasts, especially in the case of richer peasants, is testified by a list of funeral expenses concerning Giepus, deceased in 1721, where we find a pound of pepper, a pound of raisins, saffron, a cow, a hog, nine hens, a number (not specified) of geese, about 8 bushels of rye and about 4 bushels of wheat. The cow itself cost about 20 zlotys at that time. For comparison, the place of Giepus's burial cost 2 zlotys, while the organist and the bell-ringer were paid 24 groschen together (i.e. as much as the pepper itself for the funeral banquet cost)<sup>77</sup>. However, generally there were balanced proportions between payments for religious services and expenditures on prestige. The latter should not surpass half the sum spent on the funeral in all<sup>78</sup>.

However, although the top limit of funeral expenses was determined only by the financial possibilities of the deceased and his family, the lower one was determined by the cost of the place of burial, religious ceremonies, and even the sacraments. Theoretically, the priests should "distribute free what they got free"<sup>79</sup>, satisfying themselves merely with the voluntary offerings of believers made after the rite. In practice the cost of liturgical

<sup>73</sup> E.g. Rogt, fol. 238 [1570].

<sup>74</sup> E.g. Pieskowa Skala, p. 241 [1688], cf. also Hłomcza I, fol. 115v [1775].

<sup>75</sup> B. Ulanowski, № 7402 [1671]; Andrychów, vol. 2, p. 72 [1758].

<sup>76</sup> E.g. the statutes of the Synod of the Poznań Diocese in 1738 mention that at these feasts the simple folk indulge in shocking drinking, and the rustics waste their property on these feasts. *Synodus dioecisana Posnantiensis*, p. 200.

<sup>77</sup> ASD, 2, p. 17 [1721], p. 25 [1741].

<sup>78</sup> Pieskowa Skala, p. 292 [1692]; Krzeczów, p. 30 [1737]; ASD, 1, p. 779 [1737]; 8, fol. 9v-13 [1757], et al.

<sup>79</sup> H. Karbownik, *Sprawa pobierania ofiar za posługi religijne przez duchownych w diecezji płockiej w czasach przedrozbiorowych (The Problem of Accepting Offerings for Religious Services by Clergymen in the Plock Diocese in Pre-partition Times)*, "Studia Plockie", vol. 15, 1987, p. 249.

services was regulated by custom and individual settlements, which often aroused conflicts. Many synods forbade haggling over offerings and funeral payments<sup>80</sup>, and the synod of the Płock diocese in 1643 stigmatized those clergymen who delayed the performance of religious services if they did not receive money in advance, justifying themselves by external circumstances. This synod also touched upon the question of the shocking, peevish behaviour of priests during funerals of persons who could not afford the exorbitant payments expected by the vicars<sup>81</sup>. The above mentioned vicar of Zajączki "had the body of one youth, for whose funeral his relatives could not pay, carried out of the church three times"<sup>82</sup>.

In fact, the problem of exorbitance on the part of parish priests might be serious, for since the end of the 17th c. most of the Polish dioceses issued tariffs of payment for religious services, thus contradicting the declared voluntariness of payments. The regulation of the problem of payments above all aimed to prevent the shocking practices of the parish clergy and the believers' complaints. In the Płock diocese, according to the tariff from 1698, the complete funeral of a peasant was to cost 15 zlotys<sup>83</sup>. This sum included among other things a shortened procession and cortege. In 1733 bishop Andrzej Stanisław Załuski lowered this rate to 10 zlotys. More modest funerals were also envisaged, including probably a minimum of indispensable ceremonies, at the cost of 2 zlotys. Emphasis was made on burying the poorest free of charge. The last sacraments were to be remunerated on an absolutely voluntary basis, and it was forbidden to accept any

<sup>80</sup> E.g. the synods of the Włocławek diocese in 1568 and 1641: *Statuta synodalia Dioecesis Wladislavensis et Pomeranae*, ed. Z. Chodyński, Varsaviae 1890, p. 78, 231, as well as the synod of the Chełm diocese 1624, ed. J. Sawicki, *Concilia Poloniae. Źródła i studia krytyczne (Concilia Poloniae. Sources and Critical Studies)*, vol. 9, Wrocław 1957, p. 169; also *Constitutiones Synodi Luceorensis 1641*, fol. D3v-D4 et al.

<sup>81</sup> H. Karbownik, *Sprawa pobierania ofiar za posługi religijne*, p. 250.

<sup>82</sup> AGAD, *Księgi Grodzkie Wieluńskie, Relacje*, loc. cit.

<sup>83</sup> In Warsaw at that time it was the equivalent of about half an ox (according to W. Adamczyk, *Ceny w Warszawie w XVI i XVII wieku (Prices in Warsaw in the 16th and 17th c.)*, Lwów 1938, p. 115), but in the Mazovian countryside one could buy an ox even for 10 zlotys. The comparison of the costs of a funeral to the price of cattle is pertinent because many dying people, having no cash for funeral expenses, assigned for this purpose precisely a cow. Perhaps the value of one cow was a customarily approved price of a funeral ceremony? (e.g. *Świniarsko*, p. 230 [1653]; *Pleskowa Skala*, p. 320 [1693]; cf. also B. Ulanowski, N° 5033 [1728]).

fee for the unction<sup>84</sup>. A more detailed tariff was issued in 1737 (and probably before 1721) in the Cracow diocese. The funeral procession was to cost 10 or 20 groschen, the office for the dead and cortege 1 zloty each, each candle at the funeral 6 groschen, the place in the graveyard 2 zlotys, and in church 10 zlotys. Here also mention was made that the poor should be buried free. The parish priests were also warned against cupidity in "arranging funerals"<sup>85</sup>.

Despite such detailed recommendations much depended on the person of the clergyman and the quality of his contacts with the parishioners. It is hard to establish the extent of abuses in accepting payments for religious services, since we do not possess any reliable source traditions. Moreover, the concept of "abuse" itself is hard to define in this case. The point in question may be both demanding charges that surpassed diocesan tariffs and neglecting the customary height of offerings or the financial possibilities of the donor. However, among the payments connected with the liturgical services of the Church, the cost of funerals aroused most conflicts. This was probably because the amounts involved were the highest. No wonder then that the problem of the height of funeral payments figured prominently in an interesting document of 1787 — a kind of *pacta conventa* between the Rajbrot village and the priest who took over the parish<sup>86</sup>.

Such a considerable expenditure and personal and social event should thus be prepared long in advance, so as not to find oneself in a troublesome situation, especially considering the fact that one does not know the hour of one's death. Although the majority of wills were prepared on the death-bed, those who were more foresighted wrote them much earlier, when they were still

<sup>84</sup> H. Karbownik, *Sprawa poblerania ofiar za poslugi religijne*, pp. 253–254.

<sup>85</sup> By the same author, *Ofiary tura stolae na ziemiach polskich w latach 1285–1918 (tura Stolae Offerings in the Polish Territories in 1285–1918)*, Lublin 1995, pp. 86–90; B. Ulanowski, № 7472 [1737]; this tariff does not actually show how much a peasant funeral cost in the Cracow diocese. A cursory analysis of testament bequests shows, however, that in the first half of the 18th c. this was an expenditure of about 10 or 20 zlotys, i.e. comparable to the situation in Mazovia. For detailed survey of pre-partition tariffs for religious services see H. Karbownik, *Ofiary tura stolae na ziemiach polskich*, p. 57–112.

<sup>86</sup> *Akta Rajbrotu*, folder a, № 3 [1787]: "Marriages and funerals according to the issued proclamations... should be paid. For the light during a funeral for each candle three groschen should be due according to the old custom..."

in good health<sup>87</sup>. There might be different reasons for writing a testament so early. On the one hand this was connected with directing the author's thought towards higher things, caused e.g. by the death of a spouse<sup>88</sup>. On the other hand this could be aimed at immediately ensuring the inheritors' rights in the case of an expected quarrel over the inheritance. So it was in the case of Kazimierz Muroń from Rogi, who prepared his first testament in 1745 "without waiting till the last term of his life" and repeated it in 1746, 1748 and 1751, each time trying by threats and entreaties to make his sons by his first wife be reconciled with the daughter of his second wife. The mentions in those bequests allow us to surmise that by preparing subsequent testaments Muroń attempted a psychological threat against his children who were at odds with and hated one another<sup>89</sup>. Testaments were prepared beforehand also in cases of a heightened risk of death, e.g. during the plagues<sup>90</sup>, or before setting out to serve in the recruited royal infantry<sup>91</sup>.

Of similar character were legacies usually prepared between parents and children in situations where the farmer no longer felt able to manage his farm on his own. Then he handed over his rights to his offspring (frequently in return for money), demanding to be supported till death and to have a funeral arranged. Sometimes he also reserved for himself other privileges, e.g. of using part of the plough-land or an orchard. If the contract included a payment for the sake of the person resigning from his farm, its amount was, interestingly, close to the price of a funeral at that time. At any rate, such a purpose of this payment was sometimes written *explicitte* in the legacy<sup>92</sup>. Also marriage contracts, especially when the couple were not economically matched (a widower, and a much younger woman, or a bachelor and a widow who had her own children-inheritors) had sometimes the character of a legacy written in case of death.

<sup>87</sup> Rogi, fol. 606–607 [1745], fol. 611–615 [1751]; similar B. Ulanowski, № 3801 [1730].

<sup>88</sup> E.g. Rudna Wielka, fol. 6–6v [1719].

<sup>89</sup> Rogi, fol. 606–607 [1745], fol. 617 [1746], fol. 618v [1748], fol. 611–615 [1751].

<sup>90</sup> *Księga wójtowska wsi Świetechów z lat 1608–1755 (Świetechów Village Advocatus' Book From the Years 1608–1755)*, PAN Kraków, MS 2014, fol. 23 [630]; B. Ulanowski, № 4908 [1650]; Czermno, fol. 184 [1690].

<sup>91</sup> Jedlnta, fol. 26v [1618], fol. 29 [1619].

<sup>92</sup> E.g. Bielcza, fol. 134v [1709].



If the testament was not written on the death-bed, but in good health, sometimes it was changed, e.g. under the influence of a quarrel between the testator and his future inheritors. E.g. Agnieszka and Błażej Surma from Szczytniki recalled their legacy to their daughter and son-in-law in 1759, because of quarrels, beating and disturbance<sup>93</sup>, while in 1680 Paweł Goraj withdrew his legacy to his wife, who was unfaithful<sup>94</sup>.

The duty to finance the funeral fell on the inheritors, but some testators preferred not to count on them, or perhaps knowing the value of the inheritance, not to burden their offspring with so much expenditure. In fact, the grief after the loss of one of the nearest-and-dearest was soon aggravated by ruinous funeral expenditures and legacies he had made. If the family of the deceased had no cash, they had to give up cows, oxen or horses, which in the long run made it difficult to recover the previous economic condition of the farm. Thus the death of a member of the family might become not only a personal tragedy but also a severe economic blow, after which one could hardly resist pauperization. Therefore some people, driven by responsibility towards their offspring, started saving up money for their own funeral at a relatively young age. If one assigned a suitable, already collected sum, for this purpose, instead of surrendering oneself to the mercy of his offspring, one could make sure that suitable religious and social rites would be performed aimed at his posthumous salvation and stressing his own prestige.

However, preserving cash was not very safe. This was usually done by unwealthy people who possessed no immovables, e.g. by women-servants<sup>95</sup>. Richer peasants who wanted to enhance their funeral through generous alms, legacies to churches and numerous Masses, did not risk storing large sums of cash assigned for this purpose. It was more convenient to buy additional land and to bequest it for the purpose of financing a funeral<sup>96</sup>. One could

<sup>93</sup> B. Ulanowski, № 7214 [1759]; similar: *Pleskowa Skala*, p. 241 [1688]; K. Dobrowolski, № 18 [1729]; *Zawada*, № 94 [1647].

<sup>94</sup> *Pleskowa Skala*, p. 208 [1680].

<sup>95</sup> In 1574 Agnieszka Saina saved up 60 groschen which she gave for safe keeping to Dorota Rdestowa. Out of this money Rdestowa paid for Agnieszka's funeral, and divided the rest between the children of the deceased: B. Ulanowski, № 928 [1574]; similar № 7121 [1636] — Barbara Piękosina, who had served in Hungary with her brother — a priest, after whose death she returned home to Poland with the money saved up, immediately assigned this money for her funeral; also *ibid.*, № 5010 [1714] — a woman gave her money to the priest for safe keeping.

also secure money for one's funeral by bequeathing plough-land to one's offspring in return for maintenance until death and money for burial (this solution, already mentioned above, differed from a testament above all in so far as the bequeathing person received cash to his hand and in this way made the payment for his funeral independent of the good will or solvency of his inheritor)<sup>97</sup>. Another possibility was to give many legacies to the Church during one's life, so as to deserve being buried free of charge<sup>98</sup>.

Apart from securing money for one's funeral it was also important to establish the executor of the will, whose task was also to organize funeral rites. This was most of the time the main inheritor, or his guardian in case if he was a child. Sometimes the testator requested the owner of the village or the vicar to supervise the execution of the will<sup>99</sup>.

The bond between assuming a succession to property — above all land — and religious duties towards the deceased was very strong. This relation was bilateral, i.e. the assuming of the succession obliged one to take care of the funeral and the soul of the testator, but on the other hand the person who took care of the rites in a natural way assumed the property right after the deceased. This was quite obvious in the case when a son, son-in-law or a spouse became the inheritor. Significant are bequests where the dying person ordered only one of his children to organize and pay for the funeral ceremony, releasing from this burden others — those who did not inherit<sup>100</sup>. In Jakub Woydan from Tuszów's testament (1704) this principle is the most legible. Woydan bequeathed his plough-land not to the concrete offspring, but to that of his three children who "will have mercy on

<sup>96</sup> E.g. B. Ulanowski, N<sup>o</sup> 7402 [1671]; *Pleskowa Skala*, p. 239 [1687]; *Iwkowa*, N<sup>o</sup> 587 [1726].

<sup>97</sup> E.g. *Czarna*, pp. 224–225 [1713].

<sup>98</sup> *Jawornik*, pp. 711–712 [1779] — legacies did not need to be too big. Tomasz Jamroziewicz thought that "the vicar should bury me free because in my life-time I bequeathed 4 cows to the church".

<sup>99</sup> E.g. *Pleskowa Skala*, p. 40 [1612]; *Księga sądowa wsi Wary 1449–1623 (Wara Village Court Register 1449–1623)*, ed. L. Łysiak, SPPP, series II, section II, fasc. 8, Wrocław 1971, N<sup>o</sup> 382 [1622].

<sup>100</sup> E.g. B. Ulanowski, N<sup>o</sup> 4993 [1685]; *Wysoka*, p. 234 [1766]; *Księga gruntuwa wsi Stara Wieś Górna 1767–1807 (Land and Mortgage Register of Stara Wieś Górna Village 1767–1807)*, AP Kraków, MS deposit 305 (cited later: *Stara Wieś Górna*), p. 81 [1797].

his body" and would bury him<sup>101</sup>. This way of thinking also led to disinheriting on the death-bed those would-be heirs who did not exhibit the expected interest in the state of the dying person and his posthumous fate. In 1689 Szymon Dzida's wife "stricken with a paroxysm of illness" had her children (son — Wojciech, and daughter — Marianna) called to her bed and since "the said son did not stand at the last step of his mother, but only the said Marianna... the said mother (Szymon Dzida's wife)... with tears renounced her son, who was not present at her death, nor wanted to bury her" and bequeathed the farm to her daughter<sup>102</sup>.

Sometimes the dying person, having legal offspring, made a complete stranger his heir. Indeed, if none of his nearest-and-dearest took care of the dying person or declared readiness to pay for his funeral, they had to reckon with being deprived of their rights to the inheritance. E.g. in 1717 Grzegorz Saydak bequeathed half his inheritance to Krzysztof Winiarz, who over nine weeks "rendered [him] great services in his illness... and suffered discomfort... and enormous stench together with his whole house, when none of my children came to see me in my illness"<sup>103</sup>. Of course, strangers had to be addressed for help in illness and burial also by those dying who had no family or offspring or whose children moved out of the native village<sup>104</sup>. Such people, however, in most cases sold their plough-land beforehand, securing for themselves in the contract maintenance till death and burial by the purchaser.

Also village courts in litigious cases directed themselves by the principle of the new owner's religious duties towards the body and soul of the previous owner. In 1726 the verdict of the court of the Strzeszyce estate excluded from inheritance the son of the old Dzinia, Bartłomiej, and constituted as his heir his brother-in-law, Maciej Zelek, who won the favours of the aldermen by paying for the costs of the funeral<sup>105</sup>. In Skotniki, Błażej Dziedzic got the upper hand in the controversy over the plough-land after

<sup>101</sup> *Tuszów Narodowy*, p. 108 [1704].

<sup>102</sup> *Ibid.*, p. 69 [1689]; similar: *Gać*, vol. 2, p. 53 [1717]; *Księga wiejska wsi Perliczki 1730–1848 (Rural Book of Perliczka Village 1730–1848)*, AP Kraków, MS deposit 237, p. 23 [1757].

<sup>103</sup> *Gać*, vol. 2, p. 53 [1717]; similar B. Ulanowski, № 7119 1629; *Zawada*, № 94 [1647].

<sup>104</sup> *Tuszów Narodowy*, p. 88 [1696]; B. Ulanowski, № 7328 [1820].

<sup>105</sup> B. Ulanowski, № 3948 [1726].

Mikołaj Smutek, “queer in the head”, because he financed his funeral<sup>106</sup>. A similar formula can be observed in the case of 1782, between Jędrzej Kędziera and his son Antoni, who drove him out of the farm when the old man could no longer work. The court effected a reconciliation, which accepted this state of affairs on condition that Antoni Kędziera would give his father 12 zlotys for his funeral<sup>107</sup>. In 1779 in Zawada, Katarzyna Kuzerka, a widow who had nobody near “had to die under a neighbour’s fence, and was thrown into the rye”. But there was a peasant — Piotr Golec — who ventured to pay for her funeral and the Mass for the souls of Katarzyna and her husband. In return he took possession of their plough-land<sup>108</sup>.

In all the above cases claims to inheritance could be explained both on the grounds of a moral entitlement to the rights of inheritor because of having fulfilled religious duties towards the deceased, and on an economic plane: the organizer of the funeral and Mass bore considerable expenses, which should be recompensed from the property of the deceased. However, the economic motive did not dominate the religious. This is shown by frequent cases which revealed a very strong bond between taking over the land and taking up religious duties towards its previous, dead owners. E.g. Piotr from Czermino who in 1725 took over a plough-land deserted for a dozen-odd years, whose owners died during the plague, of his own free will bore great expenses of Masses for their souls, alms and dinners for the poor<sup>109</sup>. Also Rojek sisters from Jedlnia while receiving a meadow as inheritance from their parents, declared to give up 20 zlotys — half the value of this meadow — for Masses for their souls although the main heirs were the Rojeks’ sons, and it was them who financed the religious ceremonies<sup>110</sup>. Significant is also the verdict of the Tuszów court, which ordered Jakub Woydan to pay for the Mass for the soul of his younger brother Piotr, who left the village and nobody knew whether he was still alive. The reason underlying this decision was the fact that Jakub Woydan made use of the

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<sup>106</sup> *Ibid.*, N<sup>o</sup> 7490 [1755].

<sup>107</sup> *Ibid.*, N<sup>o</sup> 7260 [1782].

<sup>108</sup> *Zawada*, N<sup>o</sup> 214 [1779].

<sup>109</sup> *Czermino*, fol. 185 [1725].

<sup>110</sup> *Jedlnia*, fol. 54 [1766].

part of his dead parents' plough-land bequeathed precisely to Piotr, which obliged him to take care of his soul<sup>111</sup>.

Thus one can say that a *sul generts* "soul feudalism" reigned in the Polish countryside, i.e. there was a strong bond between a concrete plough-land and the souls of its dead users, above all ex-owners. As a result, hand in hand with the rights to the land one took over the obligations towards the souls that "belonged" to this land. A similar formula can be discovered in the stories about souls doing penance on earth in places most connected with their lives.

An element characteristic of relationships in the countryside is also a strong sense of community and family ties, the result of which was a striking communal responsibility for the fate of the dying person and his soul. The above-mentioned case of Katarzyna Kuzerka, who having no-one to turn to for help had to die under the fence "and be thrown into the rye", is rather an outrageous exception. Generally somebody was found — even a perfect stranger — who helped the dying person and took care of his burial, probably counting sometimes on a financial profit on this ground<sup>112</sup>. However, usually the closer or more distant family, above all children, felt obliged to help the dying person. Single persons could count on their brothers or sisters or cousins<sup>113</sup>. As the last resort the funeral could be paid from the village's contributions towards the maintenance of the church<sup>114</sup>. Sometimes also the owner of the village felt obliged to help in the dead man's burial by paying his debts or outright financing the ceremony and Mass for his soul<sup>115</sup>.

The custom also regulated the question of care for persons disabled or handicapped to the extent that they could not be independent. The financing of their funeral is usually mentioned among the major services rendered to them. Obligations towards them were taken over by the inheritors of their parents on the same basis as in the case of inheriting a plough-land. One can

<sup>111</sup> *Tuszów Narodowy*, p. 56 [1684].

<sup>112</sup> Cf. B. Ulanowski, № 3473 [1695]; *Gać*, vol. 2, p. 53 [1717]; at Hłomcza even the local Jew — an inn-keeper, wanted to take care of the funeral of a peasant who left no heirs; however, the village court prevented it by forcing one of the relatives of the deceased to do this task, *Hłomcza I*, fol. 127 [1778?].

<sup>113</sup> E.g. *Bielcza*, fol. 208 [1707].

<sup>114</sup> *Litmanowa*, p. 93 [1621].

<sup>115</sup> B. Ulanowski, № 3473 [1695]; *Olszówka*, fol. 66 [1763].

speak about a distinct ascription of the disabled person to the concrete field whose current owner fulfilled automatically the function of his or her guardian, and in the case of their death had to pay for their funeral and not forget about their souls<sup>116</sup>.

The sources show a strong sense of responsibility of community members and above all relatives for carrying out funeral ceremonies. In 1690 Wawrzyniec Gryszka on his death-bed asked his sister-in-law Anna for a loan to make a legacy to the Church for the sake of his soul. Anna did not have enough money, so to satisfy her brother-in-law's request she had to sell the birchwood she owned<sup>117</sup>. The tenant of Zofia Chudzikowa, Wojciech Wróbel, came to her assistance when she was dying and not only called for the priest but also paid part of the funeral expenses, since her son did not have enough money<sup>118</sup>. This type of behaviour was positively appraised by the rural system of social morality. On the other hand, the community could bring pressure to bear on the persons who shunned any responsibility for the body and soul of their nearest-and-dearest dead. Rural courts required in some cases part of the inheritance to be assigned for Masses and alms for the sake of the dead man's soul<sup>119</sup>, sometimes even constrained the children to take care of their ageing parents or at least to pay for their funeral if the family conflicts could not be assuaged<sup>120</sup>. On the other hand the community also saw to it that the death of a member of the family did not ruin his offspring. The courts intervened in cases where funeral expenses envisaged in testaments, especially legacies to the churches, drastically surpassed the inheritors' financial possibilities<sup>121</sup>. Sometimes they effected the distribution of those sums

<sup>116</sup> E.g. *Klucz Jazowski*, № 63 [1709]; *ASD*, 1, pp. 619–620 [1736].

<sup>117</sup> *Czermno*, fol. 184 [1690]; similar case: *Iwkowa*, № 587 [1726].

<sup>118</sup> *Nowa Wieś*, p. 51 [1740].

<sup>119</sup> *Acta iudicii banniti villae Barycz 1525–1782*, *BOss*, MS 3598, vol. 2, fol. 2–2v [1643]; *ASD*, 1, pp. 21–22 [1721].

<sup>120</sup> *Albigowa*, vol. 4, p. 43 [1746]; *ASD*, 9, k.28 [1758]; B. Ulanowski, № 7260 [1782].

<sup>121</sup> E.g. *Rogł*, fol. 238 [1570], when the tenant of the village investigated the matter of a testament that bequeathed all the property to the church; also: *Stara Wieś Górna*, p. 24 [1801], where Teresa Nyczowa bequeathed to the church more than her whole property was worth and the priest demanded from her son the payment of these obligations. The court deemed the priest's demand lawless and even issued a general disposition "when there is not enough property, such legacies are annulled".

into long-term instalments, sometimes they annulled the sum in part or in total<sup>122</sup>.

To sum up, one must state that the funeral loomed as the most important religious event on the horizon of peasant conceptions. Of major significance here was especially the assimilation of Catholic teachings about posthumous punishment and reward that made salvation or condemnation of the soul dependent on the actions of the deceased and admitted the possibility of the posthumous relief of the dead man's soul by carrying out suitable religious ceremonies. The dying person prepared himself to overcome death as a threshold leading to eternal life in keeping with the principles of faith and by fulfilling the rites recommended by the Church. At the same time he had to fulfil the rituals of social life dictated by rural customs. Thus he faced the following problems:

1. Securing for himself eternal life through receiving the sacraments, professing the faith, giving legacies to the Church, ensuring himself a burial in consecrated earth in keeping with the Christian custom, and ordering Masses to be said and alms given for the sake of his soul.

2. Securing financial means for this purpose: in the case of not having collected a suitable sum one should oblige one's inheritor to these expenses beforehand, eventually one could count on the mercy of the community or some neighbour interested in taking over the land of the deceased, in keeping with the principle of permanent link between a concrete plough-land and religious duties to its ex-owners.

3. Securing order between the inheritors through testament bequests and curses and blessings frequently attached to them.

4. Reconciling himself with the community, which accepted the expression of mutual pardoning of sins between the dying person and the neighbours present at his death-bed. On the other hand the community guaranteed the supervision of the fulfilment of his last will and protection of his bereaved family.

The Christian attitude to death as a moment that sums up the life of an individual in its religious dimension was reflected in social rituals that the person departing this world should fulfil. In this way the above-mentioned social and economic duties of

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<sup>122</sup> E.g. *Gač*, vol. 1, p. 322 [1594].

the dying person underwent a sacralization. E.g. the transfer of inheritance was at the same time setting an obligation to fulfil religious duties to the body and soul of the deceased, while reconciling oneself with one's neighbours was an indispensable condition for clearing one's soul before the confession and reception of the viaticum. On the same principle, by ensuring harmony between the offspring one could expect the posthumous peace of one's soul. Thus the religious perspective marked all the aspects of a peasant's death, making the process of dying, the funeral and its attendant rites the most important individual religious event, for which one prepared with extreme care.

*(Translated by Agnieszka Kreczmar)*