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DOUBLE MANNING OF LANDED OFFICES,
“TITULAR”/“ILLEGAL” OFFICES IN POLAND IN THE 17TH–18TH CENTURIES
– A FEW INTRODUCTORY REMARKS

Key words: landed offices, noblemen, the political system of Poland in the 16th–18th centuries, the policy of appointing Polish kings, dietines

Zygmunt Gloger in his *Encyklopedia staropolska* [Old Polish encyclopaedia] wrote: “Urzędy rozdawał król, a obliczano, że miał ich do rozdania w Polsce do 40 000 urzędów. Był to też przeważny jego środek do jednania sobie umysłów i wywierania wpływu w narodzie, przynoszący jednak nieraz bardzo wiele przykrości od ludzi ambitnych, którzy nie otrzymali upragnionych dostojęstw [“The king was the one who gave out offices, and it was estimated that there were 40 000 vacant offices in Poland to fill. This was his method to win supporters and influence the nation, which brought about quite a few inconveniences for ambitious people who failed to obtain desired posts” – trans. by Agnieszka Chabros]”.¹ Let us add now that the distribution of offices also brought some benefits both to the sovereign and to his closest officials, who were often asked to help people in their attempts to obtain a given post. Several years ago Maria Czeppe underlined the “enigmatic titular landed offices”, the appointments for which were included in the list of documents from the years 1752–1763 given for royal signature by the court crown marshal Jerzy August Mniszczek and the sub-chancellor of the crown priest Michał Wodzicki.² With the exception of a few cases they were not included in the book of Crown Records (*Metrica Regni Poloniae*), Sigillata or the records of the Chancellor’s office. What is more, from the very beginning they were assumed to be “titular” (*le titre*) as opposed to the actual ones (*le charge*). Reading the article one

¹ Zygmunt GLOGER, *Encyklopedia staropolska*, vol. 4, Warszawa 1996 (7th ed.), p. 413.

² Maria CZEPE, *Tytułomania? Zagadkowe tytułowe urzędy ziemskie*, [in:] *Między Barokiem a Oświeceniem. Obyczaje czasów saskich*, ed. Krystyna STASIEWICZ, Stanisław ACHREM-CZYK, Olsztyn 2000, pp. 132–143.

concludes that during the reign of August III, noblemen were satisfied with “titular” offices signed by the king, but without having the countersignature of the chancellor or sub-chancellor, or at least not recorded in the *Metrica Regni Poloniae*. Maria Czepe found 175 such appointments, the greatest number of which concerned expatriates [exsulantis] provinces (Livonia, Wenden, Pernau, Smolensk, Chernihiv and Novhorod-Siverskyi – in total 83 provinces, which constituted 47,2% of the total number of provinces). Only seven appointments concerned Lithuanian provinces. It should not be surprising as officials who recommended candidates for the posts came from the Kingdom of Poland. Offices from the borderland provinces (Kiev, Bratslav, Volhynia, Podolia) constituted a group of 31 appointments (17,7%), while there were 25 appointments from the remaining provinces of Lesser Poland (14,3%) and 29 appointments (16,6%) for titular offices in Greater Poland.

In case of the expatriate provinces, the appointments referred to all landed offices including sub-chamberlains. Of particular interest are appointments for the offices connected with Royal Prussia. As the number of landed offices there was limited – in the 18th century among officials appointed by the king there operated only three voivodes, three castellans, a sub-treasurer of the Prussian lands, three sub-chamberlains, four standard-bearers, nine landed courts, one sword-bearer of the Prussian lands – numerous lower-rank landed offices in Chełmno Land, Marienburg and Pomerania were titular (pantlers, deputy cup-bearers, deputy pantlers, cup-bearers, masters of the hunt, sword-bearers, wojskis and treasurers), which was totally uncommon and not recognized in Royal Prussia.³ This example makes us think about the status of “titular” officials. In case of the Prussian province such offices might be regarded as illegal since they did not belong to the local customs and law. Never were those illegal offices granted to indigenous Prussians residing in Royal Prussia. The holders of the offices lived in the Ruthenian, Podolian, Kiev provinces. One may put forward a hypothesis that the further it was from the territory with which a given office was formally connected, the more “titular” or “illegal” appointments could be encountered.

What is worth considering is the “success” of titular offices in the expatriate provinces. This resulted mainly from the fact that there was nobody to control their legitimacy. In the case of the formally liquidated Livonian provinces (Wenden, Pernau and Dorpat), the dietines of noblemen had been dissolved a long time ago. What is unusual is the fact that the landed offices connected with the part of Livonia belonging to the Kingdom of Poland and formally

³ *Urzednicy Prus Królewskich XV–XVIII wieku. Spisy*, ed. Krzysztof MIKULSKI (Urzednicy dawnej Rzeczypospolitej XII–XVIII wieku. Spisy, vol. 5, no. 2, ed. Antoni GAŚTOROWSKI), Wrocław 1990, pp. 18–21.

created in 1677 quickly became regarded as “expatriate” offices. Noblemen in the Kingdom of Poland considered Livonia, situated on the north-east borderlands, to be so remote and unfamiliar that the “old” Livonian titles were quickly identified with the new ones and granted willingly. The only reservation was that those “titular” officials of Livonia were not allowed to show off their position in Livonia as the Livonian dietine tried to control the legitimization of landed offices in the Duchy of Livonia.

At this point one should pose a question whether this title-seeking tendency was common in the whole of the Rzeczpospolita without any restrictions and protests from the representatives of noblemen, who bore their “legal” titles. Another question is what the legitimization of a landed office meant in the Rzeczpospolita.

It must be underlined that the issue of the functioning of landed offices or noblemen’s offices in the Rzeczpospolita is not, with the exception of a few cases, represented in Polish historiography. Works about the origin of Polish landed offices written by Stanisław Kutrzeba remain the only scientific study of the problem for scholars nowadays.⁴ The study of Zdzisław Kaczmarczyk addresses the origin of the offices of the masters of the horse – the so-called “konarski castellans”.⁵ The study by Zbigniew Góralski deals with noblemen’s offices in the subsequent periods of time⁶. Some information about the authority of court officials may be found in the synthesis of the history of the political system of the Rzeczpospolita.⁷ The double manning of landed offices and titular offices are touched upon in the above-mentioned article by Maria Czeppe and in the contribution by Waław Urban.⁸

This is a fairly perplexing phenomenon given that lists of landed officials of the 13th–18th centuries in the whole Kingdom of Poland except Masovia and the province of Bratslav have been published.⁹ It is true that the lists contains

⁴ Stanisław KUTRZEBA, *Sądy ziemskie i grodzkie w wiekach średnich*, Kraków 1901–1902; idem, *Starostowie, ich początki i rozwój do końca XIV w.*, Kraków 1903; idem, *Urzędy koronne i nadworne w Polsce, ich początek i rozwój do roku 1504* (Przewodnik Naukowy i Literacki, vol. 31), Lwów 1903.

⁵ Zdzisław KACZMARCZYK, *Kasztelanowie konarscy. Studium z historii urzędów ziemskich i nadwornych*, Czasopismo Prawno-Historyczne, vol. 2: 1949, pp. 1–23, 26–27.

⁶ Zbigniew GÓRALSKI, *Urzędy i godności w dawnej Polsce*, Warszawa 1983.

⁷ Stanisław KUTRZEBA, *Historia ustroju Polski w zarysie*, part 1: *Korona*, Lwów 1917; *Historia państwa i prawa Polski*, ed. Juliusz BARDACH, vol. 1–2, Warszawa 1964–1966.

⁸ Waław URBAN, *Podwójne obsadzanie urzędów w staropolskim województwie lubelskim*, Przegląd Historyczny, vol. 77: 1986, no. 1, pp. 61–69.

⁹ *Urzędnicy wielkopolscy XVI–XVIII wieku. Spisy*, ed. Adam BIENIASZEWSKI (Urzędnicy dawnej Rzeczypospolitej XII–XVIII wieku. Spisy, vol. 1, no. 2, ed. Antoni GAŚSIOROWSKI), Wrocław 1987; *Urzędnicy województw łęczyckiego i sieradzkiego XVI–XVIII wieku. Spisy*, ed. Edmund OPALIŃSKI, Hanka ŻEREK-KLESZCZ (Urzędnicy dawnej Rzeczypospolitej XII–XVIII

errors – apart from Royal Prussia they fail to include lists of the city's officials, but they allow us to trace at least landed officials appointed or considered to have been appointed by the king. Subsequent volumes of Lithuanian officials continue to be published. Having access to such sources and following the practice of the dietine's life, one may draw preliminary conclusions concerning the functioning of landed offices in the old Rzeczpospolita.

The first conclusion is that not all landed offices were appointed by the king. The freedom of nominations on the part of the sovereign was visibly reduced in the case of offices connected with the noblemen's judicial system. In the Kingdom of Poland it was the king who appointed sub-chamberlains, landed judges, deputy judges and landed notary from among four candidates selected previously by the noblemen at the election dietines. There also existed numerous offices the appointment for which was decided by noblemen at elec-

wieku. Spisy, vol. 2, no. 2, ed. Antoni GAŚSIOROWSKI), Kórnik 1993; *Urządnicy województwa ruskiego XIV–XVIII wieku (ziemia halicka, lwowska, przemyska, sanocka)*. Spisy, ed. Kazimierz PRZYBOŚ (Urządnicy dawnej Rzeczypospolitej XII–XVIII wieku. Spisy, vol. 3, no. 1, ed. Antoni GAŚSIOROWSKI), Wrocław 1987; *Urządnicy województwa bełskiego i ziemi chełmskiej XIV–XVIII wieku*. Spisy, ed. Henryk GMITEREK, Ryszard SZCZYGIEL (Urządnicy dawnej Rzeczypospolitej XII–XVIII wieku. Spisy, vol. 3, no. 2, ed. Antoni GAŚSIOROWSKI), Kórnik 1992; *Urządnicy podolscy XIV–XVIII wieku*, ed. Eugeniusz JANAS, Witold KŁACZEWSKI, Janusz KURTYKA, Anna SOCHACKA (Urządnicy dawnej Rzeczypospolitej XII–XVIII wieku. Spisy, vol. 3, no. 3, ed. Antoni GAŚSIOROWSKI), Kórnik 1998; *Urządnicy województw kijowskiego i czernihowskiego XV–XVIII wieku*. Spisy, ed. Eugeniusz JANAS, Witold KŁACZEWSKI (Urządnicy dawnej Rzeczypospolitej XII–XVIII wieku. Spisy, vol. 3, no. 4, ed. Antoni GAŚSIOROWSKI), Kórnik 2002; *Urządnicy wołyńscy XIV–XVIII wieku*. Spisy, ed. Marian WOLSKI (Urządnicy dawnej Rzeczypospolitej XII–XVIII wieku. Spisy, vol. 3, no. 5, ed. Antoni GAŚSIOROWSKI), Kórnik 2007; *Urządnicy województwa krakowskiego XVI–XVIII wieku*. Spisy, ed. Stanisław CYNARSKI, Alicja FALNIOWSKA-GRADOWSKA (Urządnicy dawnej Rzeczypospolitej XII–XVIII wieku. Spisy, vol. 4, no. 2, ed. Antoni GAŚSIOROWSKI), Kórnik 1990; *Urządnicy województwa sandomierskiego XVI–XVIII wieku*. Spisy, ed. Krzysztof CHŁAPOWSKI, Alicja FALNIOWSKA-GRADOWSKA (Urządnicy dawnej Rzeczypospolitej XII–XVIII wieku. Spisy, vol. 4, no. 3, ed. Antoni GAŚSIOROWSKI), Kórnik 1993; *Urządnicy województwa lubelskiego XVI–XVIII wieku*. Spisy, ed. Witold KŁACZEWSKI, Waclaw URBAN (Urządnicy dawnej Rzeczypospolitej XII–XVIII wieku. Spisy, vol. 4, no. 4, ed. Antoni GAŚSIOROWSKI), Kórnik 1991; *Urządnicy Prus Królewskich XV–XVIII wieku*. Spisy; *Urządnicy kujawscy i dobrzyńscy XVI–XVIII wieku*. Spisy, ed. Krzysztof MIKULSKI, Wojciech STANEK, complicity: Zbigniew GÓRSKI, Ryszard KABACIŃSKI (Urządnicy dawnej Rzeczypospolitej XII–XVIII wieku. Spisy, vol. 6, no. 2, ed. Antoni GAŚSIOROWSKI), Kórnik 1990; *Urządnicy podlascy XIV–XVIII wieku*. Spisy, ed. Ewa DUBAS-URWANOWICZ [et al.] (Urządnicy dawnej Rzeczypospolitej XII–XVIII wieku. Spisy, vol. 8, ed. Antoni GAŚSIOROWSKI), Kórnik 1994; *Urządnicy inflanccy XVI–XVIII wieku*. Spisy, ed. Krzysztof MIKULSKI, Andrzej RACHUBA (Urządnicy dawnej Rzeczypospolitej XII–XVIII wieku. Spisy, vol. 9, ed. Antoni GAŚSIOROWSKI), Kórnik 1994. The registers of officials of Bratslau (vol. 3, no. 6) and Masovia (vol. 7) have not been published yet. The work on the preparation of the latter is continued by the author of this article, who takes into account the earlier works of Jolanta Choińska-Mika (years 1587–1632) and Michał Kulecki (years 1632–1697).

tion dietines or court sessions [the so called *rocunki sądowe*]. They included lower-rank officials such as landed notaries [*regent ziemski*], deputy landed notaries and instigators, who were elected without the king’s approval. Noblemen of Royal Prussia enjoyed the greatest freedom in appointing landed officials. Prussians could freely choose landed copyists, lifetime landed assessors in courts and all lower-rank officials in offices and courts (notaries, deputy notaries and instigators).¹⁰ It is hard to establish the manner in which lower-rank court officials were elected in the Masovian province. The chanceries of the province and the city in this province were practically combined. If landed and city copyists were appointed from among four candidates selected by noblemen at election dietines, then it still remains unknown who appointed or chose lower-rank officials – notaries and deputy notaries – the starost or noblemen.

What appears from the above conclusions is the fact that the noblemen of a given territory played a major role in electing their officials. The place where landed offices played an important role were noblemen’s dietines. Naturally. In one dietine there could not be two bearers of the same title. There are quite a few sources which indicate that dietines decided about the legitimacy of the titles held by citizens. Conflicts concerning the legitimacy of the titles when two people were appointed by the king to the same office took place both in the royal court and in the dietines. Let us look at a few examples of such conflicts and how they were resolved. In Royal Prussia the double manning of a landed office took place only in the case of Marienburg’s Standard-Bearer; in the Rzeczpospolita such conflicts were more frequent (except Greater Poland). The conflict lasted for a long time. It commenced in 1660 when Jan Komorski was expected to become Standard-Bearer (appointed during the lifetime of his predecessor). After the death of his predecessor – Jan Zakrzewski in 1662 it was Fabian Pieczewski, and after his resignation Marcin Kazimierz Grabowski in 1663 who was appointed Standard-Bearer. Grabowski resigned giving priority to Komorowski, who was then appointed again. However, in 1669 it was Jan Zawadzki who was appointed Standard-Bearer of Marienburg despite the fact that Komorski continued to be alive until 1679. There was a fierce conflict between both officials in the years 1669–1679 concerning the legitimacy of the title and was dealt with by the town court in Dzierżgoń [Christburg]. After Komorski’s death Aleksander Czapski was granted the office although Zawadzki was still alive. The next conflict concerning the office broke out in 1717 when Ignacy Czapski and Fabian Pawłowski were appointed to the same office at the same time. Eventually, the dietine recognized the legitimacy of the

¹⁰ *Urzędnicy Prus Królewskich XV–XVIII wieku. Spisy*, pp. 25–26.

office held by Pawłowski, while Czapski was appointed Sword-Bearer of Prussia by the king.¹¹

In Masovia there were many more examples of the double-manning of offices and conflicts arising as a result. On 27 November 1658 Rusiecki (his first name was probably Stefan) was appointed to take over the office of Standard-Bearer of Lithuania after Kazimierz Młodziejowski was sentenced to infamy.¹² Yet, Młodziejowski held the position until 28 May 1660 when he renounced it for the benefit of Kazimierz Cieciszewski.¹³ However, on 12 April 1660 Paweł [Jan] Cieciszewski was appointed Lithuanian Standard-Bearer after [Kazimierz] Młodziejowski was referred to as “civiliter mortuum” (still infamous).¹⁴ It was probably Paweł Cieciszewski who was re-appointed Standard-Bearer on 29 October 1660 after the death of Kazimierz Cieciszewski (but not Młodziejowski!).¹⁵ The record was crossed out in the sigillata book since the error had been revealed. Kazimierz Cieciszewski used the title of Lithuanian Standard-Bearer until 29 January 1668¹⁶ despite the fact that since 4 April he had held the office of the starost of Mielnik.¹⁷ Paweł Jan Cieciszewski held the office for the longest period of time – he did not appear as the only holder of the title of Lithuanian Standard-Bearer until the dietine of 2 April 1669.¹⁸

Another interesting case is a conflict concerning the office of deputy pantler [*podstoli*]. On 27 June 1654, a royal document was issued which declared Jan Wilcki to be deputy pantler in Liw Land after [Władysław?] Zaliwski had been sentenced to infamy by the seym court after another nomination issued by the royal chancery had been cancelled (the name of the nominee was not provided). Despite this declaration, Zaliwski still appeared as the pantler of Liw, like Wilcki.¹⁹

Another illuminating case in point is the conflict concerning the office of the Sword-Bearer of Nur Land in 1702. On 20 January 1702, Jan Tański was appointed Sword-Bearer of Nur Land after Jan Kazimierz Brzeziński had been

¹¹ Ibid., pp. 31–32.

¹² Archiwum Główne Akt Dawnych w Warszawie [The Central Archives of Historical Records in Warsaw] (further cit. AGAD), Księgi sigillat (further cit. Sig.) 1, p. 106.

¹³ Ibid., Sig. 2, fol. 72. Cieciszewski was appointed to this office earlier – on 21 May 1660 after the alleged death of Młodziejowski, see: *ibid.*, fol. 69v; Sig. 3, fol. 51v.

¹⁴ Ibid., Sig. 3, fol. 38.

¹⁵ Ibid., Sig. 4, fol. 56.

¹⁶ Ibid., Księgi grodzkie drohickie, S. II, no. 43, fol. 773v.

¹⁷ *Urządnicy podlascy XIV–XVIII wieku. Spisy*, no. 1048.

¹⁸ Biblioteka PAN w Krakowie [The Library of Polish Academy of Science in Cracow], manuscript 8322, fol. 136.

¹⁹ The latter died before 23 June 1660 (AGAD, Sig. 2, fol. 83), when the nomination for his successor was issued.

promoted to the office of *wojski*.²⁰ At the same time (approximately) Stanisław Ugniewski, the judge of Ostrów, was appointed to the same office. On 3 February 1702 the royal chancery issued a document confirming the legitimization of the office held by Tański and depriving Ugniewski of the right to hold it.²¹ However, it was not Tański who kept the office, but Ugniewski, after whose death in 1712 subsequent “legal” sword-bearers of Nur were appointed.²² A question arises why Ugniewski, and not Tański, kept the office. Did he win the support of the dietine, which in this case was more significant than the document issued by the royal chancery?

Other reasons also determined the triple manning of the office of Master of the Hunt [*łowczy*] of Wizna after 1646. The holder of the office – Kazimierz Siostrzanek Brzostowski received his nomination before 14 December 1646 (probably in September 1646) after Jan Wojciech Opacki had been appointed deputy chamberlain of Wizna. However, he was defeated by Paweł Jedwabiński who, having been sentenced for infamy, received the office in Opatów.²³ Eventually, Jedwabiński’s honour was restored and he kept the office of Standard-Bearer. On 13 September 1646 Marcin Glinka Janczewski, Deputy Voivode of Wizna²⁴, used the title of the Master of the Hunt of Wizna. On 14 December 1646 Władysław Kossakowski²⁵ received the nomination for the office after Brzostowski’s promotion. After being defeated in the conflict for the title of Standard-Bearer, Władysław Brzostowski also continued to hold the title of the Master of the Hunt; it was not until 1655 that he was promoted to the office of Deputy Judge [*podśędek*] of Wizna. Probably in the same year the conflict concerning the office between the remaining two holders finished. Kossakowski became the Master of the Hunt [*łowczy*], while Glinka Janczewski returned to a more modest title of Deputy Voivode of Wizna after 18 April 1655.²⁶

Another reason for the double manning of the office may be illustrated by the example of the conflict for the title of Standard-Bearer of Płock in the years 1667–1669. From 1664 the office was held by Stefan Gembicki (from

²⁰ AGAD, Metryka Koronna [Metrica Regni Poloniae] (further cit. MK) 220, fol. 262v–263v.

²¹ Ibid., fol. 263v–264v.

²² Ibid., Sig. 17, p. 264 – the nomination for Stanisław Gąsiorowski after the death of Stanisław Ugniewski.

²³ Ibid., MK 189, fol. 135–135v – it was stressed in the nomination document that he had received the office after the death of Mikołaj Rakowski and Jedwabiński’s being sentenced for infamy, at the same time saying that Jedwabiński got the office after the resignation (!) of Rakowski.

²⁴ Biblioteka PAN w Krakowie, manuscript 8350, fol. 164.

²⁵ AGAD, MK 189, fol. 509–509v.

²⁶ Biblioteka PAN w Krakowie, manuscript 8350, fol. 192 – the last record about Marcin Glinka Janczewski as the Master of the Hunt.

Greater Poland). It was not until 1669 that he was promoted to the position of Castellan of Rogoźno (the Poznań province).²⁷ The noblemen of Płock could not have approved of the nomination and they must have forced the king to appoint somebody else to the position as in 1667 Mikołaj Jakub Narzyski²⁸ appeared to hold the title. Paweł Szydłowski, Cup-Bearer of Płock, put forward his claims to the office of Standard-Bearer of Płock (after the promotion of Gembicki). On 30 October 1669 in the city file his claim to the royal court was recorded against Narzyski to urge him to show the privilege to bear the title of Standard-Bearer of Płock.²⁹ Narzyski won the conflict and on 7 December 1669 the sentence of the court was recorded in the city files which allowed him to keep the title of Standard-Bearer of Płock.³⁰

There are further examples from Masovia of the dietine's interference in the distribution of landed offices. The most characteristic example comes from the beginning of the 17th century and it indicates the authority of the Płock dietine at that time. On 19 August 1599 Andrzej Kretkowski³¹ was appointed the Voivode of Płock, but he failed to take the office owing to the protests of noblemen at the dietine of Raciąż on 12 January 1600 who expressed their dissatisfaction at this nomination ("ta osoba posesycji między nami nie ma").³² Finally, on 1 February 1600 Stanisław Krasieński, the former Castellan of Płock, was appointed voivode³³.

Another interesting case in point is an example of the noblemen's interference in manning the post of the Senator of Dobrzyń Land. On 9 October 1697 Michał Mełdzyński, a nobleman from the Chełmno province was appointed the Castellan of Rypin.³⁴ The noblemen of Dobrzyń did not recognize this nomination and forced the king to appoint Andrzej Dziewanowski as the Castellan of Dobrzyń (6 July 1699).³⁵ This time, Mełdzyński did not resign from the office and held it until the end of his life. What is more, after his death

²⁷ *Urządnicy wielkopolscy XVI–XVIII wieku. Spisy*, no. 1099.

²⁸ Biblioteka PAN w Krakowie, manuscript 8336, fol. 209.

²⁹ AGAD, Księgi grodzkie płockie wieczyste, vol. 142, p. 450.

³⁰ *Ibid.*, p. 476.

³¹ AGAD, MK 143, fol. 185.

³² Tomasz Sławiński in his monograph of the Kretkowski family explains that the nomination was given away from Kretkowski owing to the erroneous information about the death of Zieliński. The decision of the dietine of Raciąż does not indicate the protest of noblemen as the cause of the situation. Kretkowski owned extensive estates in Płock Masovia, but – as it may be inferred from the protest of noblemen – he was not accepted by them. Comp. Tomasz SŁAWIŃSKI, *Kretkowscy i ich dzieje od połowy XIV wieku*, Warszawa–Skrzeszew 2011, pp. 144–145.

³³ AGAD, MK 145, fol. 9v–10.

³⁴ *Urządnicy kujawscy i dobrzyńscy XVI–XVIII wieku. Spisy*, no. 1754.

³⁵ *Ibid.*, no. 1755.

Władysław Łoś³⁶ was appointed the Castellan of Dobrzyń in 1710 despite the fact that in 1704 after Dzięwanowski's promotion it was Stefan Łochocki who received this title from King August II.³⁷ The conflict finished after premature death of Łoś in 1711.

Noblemen of Masovia many time asked the king to intervene as far as nominations for landed offices were concerned. The office of the Deputy Pantler of Warsaw was lost by Franciszek Dziboni in 1667.³⁸ In 1636 at the dietine of Wizna, Paweł Zakrzewski showed his appointment to as standard-bearer, but the dietine undermined its legitimacy as the title was already held by Mikołaj Rakowski from Wizna.³⁹

What caused the double manning of an office were very often the erroneous information about the death of the predecessor and the refusal of the illegally appointed person to recognize the illegitimacy of the nomination, as it happened in the case of the appointment of Wojciech Zakrzewski for the office of the Deputy Cup-Bearer of Różan in 1660 after the alleged death of Kasper Wessel.⁴⁰ According to the sources Wessel continued to be alive in the subsequent year, and after his death in 1663 as many as two nominations for his office were issued – on 3 February 1663 for Adam Przeradowski⁴¹, and on 14 June 1663 for Jacek Bianki, the notary of the royal treasury.⁴² The latter was lucky enough to get promoted to the post of the Deputy Cup-Bearer of Warsaw in the following year, while Zakrzewski continued to use the title of the Deputy Cup-Bearer of Różan in 1671.⁴³

All those examples are the evidence that apart from the king it was the dietine and noblemen gathered at it that played an important role in the legitimization of royal appointment. The examples from Masovia rebut the exaggerated myth of the struggle to maintain the monopoly in the appointment for landed offices by indigenous inhabitants of Royal Prussia. As it turns out, despite the lack of the ideological motives, it was Masovian noblemen who made efforts to bet appointed for offices normally manned by indigenous Prussians. Probably, one may indicate more similar examples in other provinces of the Crown.

³⁶ Adam BONIECKI, *Herbarz polski*, vol. 16, Warszawa 1913, p. 20, indicates that he received the nomination after the death of Michał Meldzyński. The official was not recorded in the lists of officials of Kuyavia and Dobrzyń Land.

³⁷ *Urzednicy kujawscy i dobrzyńscy XVI–XVIII wieku. Spisy*, no. 1756.

³⁸ The information about it is included in the nomination document for his successor Jan Kazimierz Szymanowski AGAD, MK 206, fol. 245–245v; Sig. 10, fol. 30v.

³⁹ Biblioteka PAN w Krakowie, manuscript 8350, fol. 123.

⁴⁰ AGAD, Sig. 3, fol. 149v; Sig. 4, fol. 65v.

⁴¹ *Ibid.*, Księgi grodzkie różańskie wieczyste 27, fol. 426.

⁴² *Ibid.*, sign. 7, fol. 60.

⁴³ *Ibid.*, Księgi grodzkie plockie wieczyste 141, p. 227.

The origin of granting numerous double appointments in the royal chancery still is yet to be explained. After the death of such an “illegal” official, the king appointed (legally – making the entry in Crown Records *Metrica Regni Poloniae*, or illegally – omitting to record it in the Crown Records) the successors of such an “illegal” official. The simplest way to create the chronological succession were the two above-mentioned cases – the appointment of a non-indigenous person for the office and the appointment for the successor after the predecessor had been sentenced for infamy. Still, such cases were very rare. They do not explain the massive appearance of “illegal” offices.

An important question is when this massive phenomenon commenced. The analysis of the appointments for landed offices in the Masovian province has revealed that undoubtedly “illegal” offices occurred during the Swedish Deluge and immediately after the Polish-Swedish war had finished. The cause of the phenomenon was John Casimir willingness to reward representatives of noblemen who had supported him in the war. The king also strove to build a faction of noblemen supporting his election “vivent rege”, which must have been an important factor, too. “Illegal” nominations became particularly frequent during the second half of the reign of King Jan Sobieski and the reigns of both Saxon kings. Particularly during the first half of the reign of August II it is hard to determine which nominations were legal and which were illegitimate. The failure of the dietines’ role to legitimize titles must have been connected with their operational crisis at that time.

The appearance of such “illegal” officials in the Masovian province also brings about interesting conclusions. In the years 1654–1795 in ten regions of this province there were (the numbers are not complete) five hundred “illegal” nominations, including 29 appointments for standard-bearer, 86 for cup-bearers, 55 for masters of the hunt, 29 for sword-bearers, 65 for deputy cup-bearers, 56 for deputy pantlers, 67 for treasurers, 80 for pantlers and 33 for *wojskis*. Such “illegal” nominations, apart from the appointment of Stanisław Leszczyński, which were recognized as illegal after the defeat of the Swedes did not refer to the offices of senators or judges as they remained under the scrutiny of the noblemen’s dietines. What is characteristic is the relatively lower number of “illegal” nominations for the highest office – the standard-bearer.

The operational crisis of the dietines also affected the courts, which was in turn reflected by long-term vacancies. This was caused by a number of factors: the failure to summon election dietines by voivodes or the highest officials of a given territory; the king’s reluctance to appoint officials as it was with Michał Stanisław Zakrzewski elected the judge of the landed court of Płock probably during the interregnum after the death of King Jan III Sobieski, who did not get his nomination until 1710 from the hands of King August II. I devoted

a study to this issue which will appear in the commemorative book published on the occasion of the 60th birthday of Prof. Zbigniew Anusik⁴⁴.

Another interesting aspect is the geographical layout of “illegal” nominations. In Czersk Land, which was at the top of the territorial hierarchy, there were recorded 14 illegal nominations; in Warsaw Land – 20, in Wisna Land – 64; in Wyszogród Land – 32, Zakroczym Land – 71, Ciechanów Land – 79, Łomża Land – 43, Różan Land – 52, Liw Land – 46; Nur Land – 79. The conclusion is that “illegal” nominations were more common among offices connected with territories that were lower in the territorial hierarchy. In Czersk or Warsaw the cases of illegal titles were less common, which was also the case in Cracow and Poznań, which were lower in hierarchy in relation to Dobrzyń Land, Stężyca Land and Braclaw [Bratslau] Land.

It was King August II who started to fight the phenomenon of title-seeking. For this reason he set up several new legal landed or county power structures. In 1726 in Masovia almost the complete power structure of officials in Zakrzevo in the Płock province (apart from the deputy chamberlain and starost) was appointed as well as the county power structure of Kruszwica and Kowal in the province of Brest-Kuyavia, the Bydgoszcz power structure in the Inowrocław province, the Radom and Stężyca power structures in the Sandomierz province, the Piotrków power structure in the Sieradz voivodeship and in the Lublin voivodeship. In 1736 new landed offices were created in the county of Opoczno in the Sandomierz voivodeship. After 1765 new power structures of county offices continued to be established in the Kingdom of Poland. During the reign of the House of Wettin there were attempts to control the legitimacy of noblemen’s offices by issuing political certificates which legalized the bearers of the titles whose names were recorded in official files. However, there also happened to be cases of a few holders of the same landed office, particularly in the case of the power structures in the expatriate [exsulantis] provinces. The distribution of illegal offices was finally reduced when the king had been deprived of the freedom to appoint officials by the Permanent Council.

* * *

To recapitulate, in the old Rzeczpospolita it was the king who played the major role in distributing nominations until the Permanent Council was set up. From the reign of John Casimir Polish kings treated landed estates as the means to win supporters for their dynastic policy or home policy. Titles be-

⁴⁴ Krzysztof MIKULSKI, *Kryzys sądownictwa ziemskiego i podkomorskiego w Koronie w XVII–XVIII wieku – analiza topograficzna i chronologiczna*, [in:] *Sic erat in votis. Studia i szkice ofiarowane Profesorowi Zbigniewowi Anusikowi w sześćdziesiątą rocznicę urodzin*, ed. Małgorzata KARKOCHA, Piotr ROBAK, Łódź 2017 [in print].

came the subject of purchase-sale transactions carried out by the king and his ministers.

The noblemen's dietine guaranteed the legitimacy of landed offices quite effectively until the mid-reign of Jan Sobieski. At the end of his reign and the during the reign of August II, particularly in the years preceding the outbreak of the Northern War and during the war, the scrutiny of the dietines was significantly reduced, or even done away with. After the situation in the country normalized after the Northern War, subsequent kings seemed to support the idea of sorting out the power structure of landed offices. New "legal" power structures of landed offices were created and described; they were later recorded and published in annual official political brochures. Still, this did not stop the distribution of "titular" offices, conferred upon without being recorded in the Crown Records (*Metrica Regni Poloniae*), which made it much easier to differentiate between "legal" and "illegal" offices. It may be concluded that it is necessary to prepare a monograph revealing the whole process of creating and functioning of landed offices in the old Rzeczpospolita.

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DOUBLE MANNING OF LANDED OFFICES,

"TITULAR" / "ILLEGAL" OFFICES IN POLAND IN THE 17TH–18TH CENTURIES – A FEW INTRODUCTORY REMARKS

Summary

Key words: landed offices, noblemen, the political system of Poland in the 16th–18th centuries, the policy of appointing Polish kings, dietines

In the literature of the subject matter the king was presented as the only administrator of landed offices in Poland. Thanks to it, he could win the support of people, conciliate enemies and truly rule the country. Noblemen strove to get the titles since they raised the prestige and somehow substituted aristocratic titles, reserved for the small group of princes of the blood (descendants of the Rurik dynasty and Gediminas dynasty) and the Radziwiłłs [Radvilas] family. From the 16th century onwards more

and more often there took place cases of double appointments for the same office. Usually such appointments occurred when the former bearer of the office had been sentenced to infamy or when noblemen at the dietine had recognized him not to be indigenous. The latter case shows the scrutinizing role of dietines in relation to landed offices. It was usually dietines that resolved the issue which appointee held the office “legally,” and which “illegally.” The collapse of the significance of dietines in the second half of the 17th century and the first half of the 18th century entailed numerous “illegal” and “titular” appointments. The latter were granted from the lands which permanently (Livonia, Chernihiv, Smolensk) or temporarily (Bratslav) had ceased to be part of Poland. However, it must be underlined once again that dietines were in a position to control the legality of holding the offices. In the second half of the 18th century official registers of people holding landed offices were published; they emphasized the “legitimizing” role of dietines.

DIE DOPPELTE BESETZUNG VON LANDÄMTERN UND DIE „TITULAR-“
BZW. „ILLEGALEN“ ÄMTER IN DER POLNISCHEN REPUBLIK
IM 17. UND 18. JAHRHUNDERT – EINIGE EINLEITENDE BEMERKUNGEN

Zusammenfassung

Schlüsselwörter: Landämter, polnischer Adel, polnische Verfassung im 16.–18. Jh., Nominierungspolitik der polnischen Könige, Landtage

In der bisherigen Literatur zum Thema wird der König als der Einzige dargestellt, der über die Landämter in der Adelsrepublik verfügte. Auf diese Weise konnte er Anhänger für seine Politik gewinnen, Feinde für sich zurückgewinnen und tatsächliche Regierung im Land ausüben. Der Adel strebte nach diesen Ämtern, weil ihre Ausübung das Prestige steigerte und in gewisser Weise aristokratische Titel ersetzte, die einer kleinen Gruppe von Fürsten von Geblüt (den Nachkommen der Rurikiden und Gediminden) sowie den Radziwiłł vorbehalten waren. Ab dem 16. Jahrhundert kam es immer häufiger zu Fällen von „doppelten“ Nominationen zu Ämtern. Normalerweise erfolgten solche Nominationen, wenn der vorherige Amtsträger für ehrlos erklärt worden war oder der Adel bei einem Landtag ihn für nicht einheimisch erklärt hatte. Vor allem der letztere Fall verweist auf die Kontrollfunktion der Landtage im Hinblick auf königliche Nominationen. Normalerweise entschieden die Landtage, welcher der vom König Nominierten ein Amt „legal“ und welcher es „illegal“ ausübte. Der Bedeutungsverfall der Landtage in der zweiten Hälfte des 17. und in der ersten Hälfte des 18. Jahrhunderts führte zu zahlreichen „illegalen“ und „Titular-“ Ernennungen. Die letzteren wurden für Gebiete vollzogen, die dauerhaft (Livland, Czernihów, Smolensk) oder auch nur zeitweise (Braclaw) von der Republik abgefallen waren. Doch sollte noch einmal betont werden, dass die funktionierenden Landtage in der Lage waren, die Legalität der Ausübung von Ämtern zu kontrollieren. In der zweiten Hälfte des 18. Jahrhunderts begann auch die Publikation von offiziellen Verzeichnissen der Inhaber von Landämtern, die diese „legalisierende“ Rolle der Landtage wesentlich stärkten.

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