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TESTAMENTS OF THE BURGHERS FROM SIERADZ 1500–1538

I. Introduction

Undoubtedly, the diverse significance of the testaments that is, the notarized acts of a last will, often inclines historians to reach for this type of source material. As a testimony of the behaviour of man in the face of such ultimate events as death, eternal salvation or the threat of infinite condemnation, it also constitutes a final account with temporal life, the setting into order of all things which are to be left behind on Earth in order to cross the threshold of Eternity as best as possible. A testament, expanded in this way and full of data concerning the mundane issues of the testator, becomes universal from the thirteenth century in the European Late Middle Ages, an era of economic transformations connected with the development of towns, trade, the strengthening of monetary circulation etc. At the same time, this was a period of alternations of mentality, to a considerable degree influenced by intensifying plagues, which produced a feeling of the uncertainty of earthly existence and stimulated a willingness to guarantee salvation. It is precisely the description of those acts in the testaments which is the reason why they are valuable sources for the examination not only of mentality but also numerous social and economic relations; alongside piety we recognize family, estate and neighbour ties. By treating the testament as a *sui generis* inventory we study the components of the property of the testator mentioned in it, and conclude about his occupations and financial status. In other words, we examine his life as he saw it on his death bed¹.

¹ For the testaments as general picture of life and death see: H. Boockmann, *Leben und Sterben im mittelalterlichen Göttingen, Über ein Testament des 15. Jahrhunderts*, "Göttingen Jahrbuch", 31, 1983, p. 73–94. On medieval testaments, i.a. in: M. Zerner, *Taux de croissance démographique d'après les testaments à Valreas (Vaucluse)*. *Le*

The above remarks concerning the contents of a testament and pertaining to the late medieval period in Poland also refer to its burgher version. A detailed testament of the property of its part was made predominantly for the sake of determining the legatees; the Polish common law did not foresee any departures from the binding *ius propinquitatis*. Hence testaments of the gentry in the Middle Ages were very rare. In towns, which were governed by German law, testaments existed alongside rules of inheriting *ab intestato*, a tangible evidence of a departure from them. Burghers' testaments in large Polish boroughs have already been the topic of investigations². On the other hand, acts of the last will of the residents of small Polish towns remain unexamined. A group of such urban centres, middle and small, with 500 to 5 000 inhabitants, dominated not only in Poland but in Central European medieval municipal network³. The extant source material foundation reveals the existence of brief testaments, usually legacies, at least in the course of the entire fifteenth century⁴. In Polish lands the testament appears in the small towns in an expanded, rather uniform shape at the end of that century⁵.

This article is particularly interested in twenty six testaments made

démographie médiévale, Sources et méthodes, in: *Actes du congrès de l'Association des Historiens Médiévistes de l'Enseignement Supérieur public (Nice, 15-mai 1970)*, Nice 1972, p. 17–19 (a presentation of a series of 31 testaments from the plague raging in the years 1419–1920); M. de la Soudière, *Les testaments et actes de dernière volonté à la fin du Moyen Âge*, "Ethnologie française" 1975, p. 57–80 (a semantic analysis of French testaments from the twelfth to the fifteenth century); J. Chiffolleau, *La comptabilité de l'au-delà, les hommes, la mort et la religion dans la région Avignon à la fin du Moyen Âge*, Rome 1980; M. T. Lorcín, *Vivre et mourir en Lyonnais à la fin du Moyen Âge*, Paris 1981 (i.a. the question of testaments and economy in the years 1343–1420); M. Włodarski, *Ars moriendi w literaturze polskiej XV i XVI w. (Ars Moriendi in Polish Literature of the Fifteenth and Sixteenth Century)*, Kraków 1987, p. 157 sqq. (on the testament as an indispensable, sacralized component of the "art of dying", the necessity of making it in order to dispose of one's property and secure the wellbeing of relatives). On modern testaments i.a.: R. Devos, *Les testaments (Morfologie du testament d'après le droit savoyard). La pratique des documents anciens*, Annency 1978, p. 55–88, including an appendix of testaments beginning with 1568, mainly from the seventeenth century; on eighteenth-century testaments cf.: *Les actes notariés. Source de l'histoire sociale XVI-XIX siècles*, Strasbourg 1979, p. 117 sqq; K. Zielińska, *Więzi społeczne na Mazowszu w połowie XVII w. w świetle testamentów konsystorza pultuskiego (Social Ties in Mazovia in the Middle of the Seventeenth Century in the Light of Testaments of the Pultusk Consistory)*, "Przegląd Historyczny", vol. LXXVII, 1986, fol. 1, p. 45–59.

² H. Samsonowicz, *Badania nad kapitałem mieszczańskim Gdańsk w II połowie XV wieku (Research into Burgher Capital of Gdańsk during the Second Half of the Fifteenth Century)*, Warszawa 1960, p. 92 sqq.; and H. Zaremska, unpublished research on fifteenth-century Cracow testaments. Cf. also A. Karpiński, *Zapisy "pobożne"*

by the inhabitants of the middle-sized town of Sieradz, noted down in the municipal records in the years 1500–1538⁶.

II. Testators

The place of residence of 18 among the twenty five testators (see table in appendix) is known at the time of writing the testaments. Eight persons possessed houses in the marketplace, nine lived on the streets leading from it to the town gates: *Lutuosa*, *Monachorum*, *Omnium Sanctorum* (next to the parish church) and *platea Castrensis* (which connected the castle and town). One person came from *platea Textorum* which linked the two last thoroughways. Nine of the male testators fulfilled public functions: three were benchers (of whom two successively held the post of mayor), four were concillors (one of them was also the elder of his guild, and the other leased profitable municipal facilities) and two men were elders of corporations (a religious guild and fraternity). Furthermore, six of the twelve women and one man were close relatives of representatives of the town authorities. Among the eight owners of marketplace houses, the professions, functions and family ties of seven can be connected directly

i postawy religijne mieszczanek polskich w świetle testamentów z drugiej połowy XVI i XVII w. ("Pious" Consignments and Religious Attitudes of Polish Town Women in the Light of Testaments from the Second Half of the Sixteenth and the Seventeenth Century), in: *Tryumfy i porażki. Studia z dziejów kultury polskiej XVI-XVIII w.* (*Triumphs and Failures. Studies from the History of Polish Culture in the Sixteenth-Eighteenth Century*), ed. M. Bogucka, Warszawa 1989, p. 203–233 (testaments from Poznań, Cracow, Lublin and Warsaw).

³ T. Laik, *La genèse du réseau urbain en Pologne médiévale*, "Acta Poloniae Historica", vol. XXXIV, 1976, p. 97–120.

⁴ Cf. i.a. P. Beina, *Organizace chudinské péče v předhusiteském Hradci Králové* (s edici "Knihy zádušních odkazu mestské obce kralovhradecké" z roku 1411), "Folia Historica Bohemica" no 3, 1981, p. 77–99, which contains testament consignments for the local hospital and parish church.

⁵ Cf. testaments of Plock townspeople from the years 1492–1495, in: *Zbiór dokumentów i listów miasta Płocka* (*Collected Documents and Letters from Plock*) ed. S.M. Szacherska, vol. I, Warszawa 1975, p. 352 sqq.

⁶ Sieradz, the seat of the voivodship, was not mentioned in the poll tax of 1520 among the *civitates et oppida secundi ordinis*; according to the classification of that source it would have belonged to towns of the third category: *oppida habentia fora annua et septimanalia*, *Corpus iuris Polonici*, ed. O. Balzer, vol. III, Cracoviae 1906, no 241, p. 591–602. In an analysis of the testaments use was made of the following juridical books of the tribunals from Sieradz: *Sieradiensia Civilia Consularia* (further on as SCC. II) from 1465–1539, *Sieradiensia Civilia Advocatitalia* (further on as SCA. III) from 1506–1532, and *Sieradiensia Civilia Advocatitalia* (SCA. IV) from 1532–1542. All are to be found in the Central Archives of Historical Records in Warsaw.

with the influence of the marketplace (councillors, mayors) and contacts with trade (tailors, merchant, cooper, furrier).

The overwhelming majority of the testators can be included into the socio-professional elite of Sieradz at the end of the Middle Ages. All of them made a greater or lesser imprint on the economic life of the town. Yet another premise for the importance of these people is, last but not least, the immortalization of their last wills in the municipal court registers, written down ceremoniously, according to a pattern well known to all medieval jurists. Hence the uniformity of Sieradz burgher testaments, identical to those in other urban centers.

The testaments were recorded in Latin, a language which, as a rule, was foreign to the testators. This is why we should expect that the whole procedure involved not only the persons formulating their last will but also an unknown notary (possibly a councillor or a member of the clergy).

The contents of the testaments were composed of the title, which distinctly separated it from other notes, the invocation and the precise date, hour and place. This fragment was usually followed by a list of witnesses in whose presence the document was written, a statement made about the state of mind and body of the testators, and a presentation of the reasons which inclined him to decide to prepare his last will. In the part concerning detailed dispositions, the testator in the first place expressed his concern for his soul and body after his death. Only then did he dictate instructions pertaining to the way in which the whole property or its part were to be disposed. These instructions took up most space but also provide the most extensive information.

The testament ended by mentioning the executors of the last instructions.

III. Introductory formulae of the testament

1. Title

In the twenty six examined cases, the word testament was used upon twenty occasions and the expression: *testamentum et ultima voluntas* was used twice; in other instances the terms were: *testamentum seu ultima voluntas*, *ultima voluntas*, *acta testamenti*. Only once was the testament not given a title.

The briefest title was the variety which included the word: *testamentum* and the name and surname of the testators: *Testamentum Dorothee Kolypianthkowa* (Kolipiątkowa), *Stanislai Lusyna* (Luśnia), *Agnietis*

Kostrzyńska, Mathie Gladis (Gładysz). Slightly more information was offered by other titles. They applied adjectives characteristic for the burghers: *honestus* and *providus* sometimes additionally stressing the importance of certain persons, for example, by using the word: *domina* for an owner of a house in the marketplace and for a bencher's widow (a furrier). Membership in the burgher estate was indicated by the term: *civis*, which testified to the civic status of the burgher and appeared in eight titles. One title used the word: *oppidanus*, close to *civis* but signifying a resident of a small town (*oppidum*). Only seven titles disclosed the profession of the testators (cf. table). In the case of Piotr Bednarz the profession, written in capital letters and in Polish (*bednarz-cooper*) fulfilled the role of a surname. The title of the testament of Piotr the mayor and tailor, only noted down his post (*testamentum domini Petri proconsulis*). Obviously, social prestige was valued higher than professional activity. This was the case from a certain level — the mayor was the most important person in town; the titles of testaments of aldermen and even more so of councillors lack information about the public functions fulfilled by them.

Data about the place of residence of the testators are offered by only two titles: *testamentum Nicolai sartoris manentis in platea Textorum*, and *testamentum Alberti sutoris morantis in platea Lutuosa*.

The last part of the information contained in the titles of Sieradz testaments was the word: *olim*, used twice for describing both testators, and emphasizing the fact that at the moment of inscribing the testaments into the register they were no longer alive (*Acta testamenti olim Urbani pelfificis civis Siradiensis* written in 1502 and registered in 1505, and: *Testamentum olim Margarethe Kulaska*, registered in 1533).

2. Invocation

This element of the testament appears in eleven instances. In ten testaments the act was performed *in nomine Domini amen*, and only once *in nomine sancte Trinitatis et individue unitatis Patris et Filii et Spiritus sancti Amen*⁷. Just as in other acts (e.g. in documents) so in testaments

⁷ M. de la Soudière (*op. cit.*, p. 60) wrote about both of those invocations that originally, i.e. in the twelfth-thirteenth century, the French testaments contained the first version, and the second appeared later on; in 1390–1420 the invocation to the Holy Trinity appeared 33 times in 60 Parisian testaments, and 27 times — to the Name of God. J. Chiffolleau mentioned, while examining testaments from the Avignon region (1320–1480) that the most frequent invocation was: *in nomine Domini* and only upon

the invocation was inserted for the purpose of underlining the special merit of the words contained therein. In acts of last will it was also intended to bear witness to the religious character of the testament, which comprised a prayer and an account with one's conscience⁸. One can only wonder why it was totally forgotten in over a half of the testaments from Sieradz.

3. Date, hour and place of writing the testament

The year of the testament was usually given verbally, and only in few instances in figures. In one case it was omitted and replaced by an indiction (*anno Domini feria sexta hora sexta indictione quarta*). This was the Roman indiction (*Romana, pontificia*) which was used to count the year from 25 December or 1 January (*a Nativitate, a Circumcisione Domini*). It appeared in Poland in the twelfth century and became rather frequent in the fifteenth and partially sixteenth century⁹. The indiction, however, does not appear in the Sieradz town records from that period, similarly to the records of Old Warsaw, from the years 1447–1527¹⁰. In the testaments written down in the Sieradz town register in the 1500–1538 period the indiction was employed only thrice; in 1507, 1515 and 1516; in the least case elements of the date were accompanied by another note, unique in the source material from this town: it announced that the testament was written *in vigilia Omnium Sanctorum... pontificatus sanctissimi in Christo patris domini et domini Leonis divina providencia pape decimi*¹¹.

The indiction or the formula referring to the rule of the bishops of

infrequent occasions (especially in the fifteenth century) the more extensive form was used: *Signaculo Sancte Crucis me muniendo, factoque signo Sancte Crucis (+) sic, dicendo in Nomine Patris et Filii et Spiritus Sancti*, J. Chiffolleau, *op. cit.*, p. 77.

⁸ For the testaments as an account with the conscience cf. M. Włodarski, *op. cit.*, p. 157.

⁹ *Indicatio* — an element of chronology which included 15 year long periods of time, and additionally indicated the place in which the given year was to be found in those periods. *Chronologia polska (Polish Chronology)* ed. B. Włodarski, Warszawa 1957, p. 116. Upon the basis of the method of calculating indications proposed in this book it was ascertained that the year of the notes, among which the testament of Duszakowa was inserted — 1516, was also the year in which this last will was written ($1516 + 3 = 1519:15 = 101 + 4$, the latter being the number of the indication).

¹⁰ *Księga radziecka miasta Starej Warszawy 1447–1527 (The Council Book of Old Warsaw 1447–1527)*, vol. I, ed. A. Wolff, Wrocław 1963.

¹¹ Naturally, the person in question was Giovanni Medici, pope Leo X from 1513.

Rome can be found at almost the same time (1492–1495) in some of the testaments by the burghers of Płock, a centre comparable in size with Sieradz. Such an expanded version of the date was suitable for the formulary of a specific document which was the act of last will. It could appear that the use of this part of the formulary only in certain statements, in both towns, was a coincidence. A comparison of five Płock testaments written down by the same notary, Jan of Proszowice, a cleric of the Cracow diocese, inclines, however, towards another explanation. The expanded version of the date was applied in one testament. In the remaining shorter ones it was reduced to indispensable elements. It appears, therefore, that the number of elements of the date was one of the components which endowed the testament with a particularly ceremonious form; the latter was probably intended to emphasize the significance of the testator in the municipal community (longer testaments were certainly more expensive).

Dates in acts of cases registered in the Sieradz town records were decidedly dominated by Christian calculations: Church designations of days (*dies dominica, feria secunda, tertia, sabbatum*) and dating according to holidays of particular saints or the blessed were employed¹². This form of dates is the most frequent in the Sieradz testaments. Nonetheless, in five testaments written in 1507 and a single one from 1519 we deal with the modern way of dating or with the names of planets (for example, *die Mercurii XXV Augusti*). In the testament of Mikołaj the tailor, or the last will of Elżbieta Gorazdowa, written twelve years later, this form of dating is combined with the traditional Christian model; in the case of Mikołaj the tailor with an error: *die Lune in festo sanctorum Felicis et Austi (sic!) penultima mensis ipsius Iulii*¹³ and upon another occasion correctly: *die Jovis decima die mensis Marcii proxima post festum sancti Gregorii*. We can see how the new system of dating still required the support of the traditional method, well enrooted in

¹² According to B. Włodarski (*Chronologia*, p. 83) a conservative retention of the Christian calculation in the royal chancery up to the middle of the sixteenth century delayed the introduction and dissemination of the simpler and more convenient modern way of dating according to days and months, applied in Poland sporadically in the thirteenth century, and more often from the middle of the fourteenth century; it dominated from the turn of the sixteenth century.

¹³ In 1507 Monday (*dies Lunae*) was not on 30 July (which was a Friday — *dies Veneris*) but on 30 August; this was the day of St. Felix and Adauctus; cf. *Chronologia*, p. 139 and 375.

chancery praxis and possibly in social consciousness. As regards the planetary names of days, widely applied in fifteenth — and sixteenth-century notary sources, one should agree with B. Włodarski that their employment is “connected with a striving towards a more sophisticated Latin and humanism”¹⁴. In Sieradz, they would appear to have been one of the foretastes of the Renaissance at least amongst the spiritual elite of the town (the town scribe and his environment).

The hour was included in fourteen testaments, of which seven come from 1507. In all cases, the applied system was that of the full Italian clock, the dominating way of counting the passage of time within 24 hours beginning from the sunset. This testified to the existence of a town clock (for example, on the tower of the town hall), however the expressions accompanying the hours such as: *vel citra*, *fare(fere)*, *vel ultra* and *ferme* reflected the application of the so-called uneven (approximate) hours¹⁵.

As a rule, the residents of Sieradz wrote their testaments in the daytime, a fact which was additionally mentioned (*hora die* — in six documents). Upon eight occasions this procedure took place between 8.30 and 10 a.m. when it was noted that it occurred before noon (*hora fere tredecim ante meridiem* — 31 May at about 8.00 a.m. in 1532). Once the last will was written at noon (*hora meridie ferme* — 28 February 1533), twice about 1 p.m. (*hora decima septima vel citra diei* — 17 August 1507) and 6 August — (*hora decima octava vel citra in 1507*); and twice — on the same day i.e. 15 August 1507 at about 5 p.m. (*hora diei quasi vigesima secunda vel citra*). Only upon a single occasion the testament was made very late — about 10 p.m. (31 October 1516).

Eighteen testaments give the place of their origin. Usually (thirteen cases) the testators proclaimed their last will in their own homes, and once the latter was described as made of wood (*in domo sua ligneae*); twice it was noted that the procedure took place in the ceremonious “white chamber”, used only for festive occasions¹⁶. Piotr the mayor wrote his

¹⁴ *Chronologia*, p. 77.

¹⁵ *Ibid.*, p. 100 — about the Italian clock; p. 96–97 on uneven hours.

¹⁶ A. Rutkowska-Płachcińska, *Mieszkanie, higiena (Accommodation, Hygiene)* in: *Historia kultury materialnej w zarysie, (The History of Material Culture. An Outline)*, vol. II: *from the Thirteenth to the Fifteenth Century*, ed. A. Rutkowska-Płachcińska, Wrocław 1978, p. 315, where mention is made about other residential facilities.

testament in the townhall (*in pretorio*) in 1507, and the last will of Małgorzata Duszakowa was made in 1516 in the house of the *vice-advocatus*, the merchant Mikołaj Czeszek who in 1520 and probably earlier too, lived in the western row of houses in the marketplace¹⁷. Three testaments from 1507 — Jan Martyczka's, Stanisław Warchol's and Mikołaj the tailor's — were made in the homes of other Sieradz burghers, Jan Płuczywłos, the furrier, Maciej Stawiany and Marcin the tailor of *platea Textorum*. Only in the last case do we know with all certainty that the event took place in the home of a neighbour of the testator.

4. List of witnesses

This was the successive part of the questionnaire discernible in the analysed testaments. We shall bypass it for the time being, since many of the witnesses were also the executors of the last will. Both those groups, albeit placed in different fragments (the witnesses in the introduction, and the executors — at the end) constituted a whole, and should be discussed jointly as a symptom of the social ties of the person who disposed of his temporal goods.

5. The ascertainment of the mental and bodily state of health of the testator

The testators appeared in person before the witnesses and persons who wrote their decisions (*constitutus, constituta personaliter*). All those present ascertained their sanity (*sanus mente, sana mente et recte rationis existens*). This procedure could have resembled a routine act and the observance of the binding formula (other notes in court registers also abound with such declarations), nonetheless, it was an important element since it left no doubt that the final decisions were made completely consciously and as such could not be questioned. Such a declaration was necessary considering that usually the testator was ill, a fact which he also proclaimed in front of witnesses (*sanus mente licet infirmus corpore, licet aliquantulum languens corpore, licet languidus*

¹⁷ SCA.III, p. 61v-1516, and p. 127v-1520.

corpore, licet egra corpore timens, licet languens corpore mente tamen sana). Twelve testators made a statement about the sickness from which they suffered, and they included seven of the nine persons who made testaments in the course of the two summer months of 1507. An acquaintanceship with the Sieradz testators indicates that never before or later was such a large number of testaments prepared in such a brief span of time; other documents of this type were registered individually in particular years. The explanation could be sought in the plague which spread at that time in many towns of Poland, Silesia and Ruthenia¹⁸. Sieradz too was probably the site of an epidemic¹⁹. The feasibility of such an assumption increases, and becomes a certainty if we take into account two testaments made by Dorota Kolipiątkowa. In the first one of July 3, 1507, later nullified by her, she bequeathed 40 marks to three of her children, dividing the money between a son and two daughters for their subsistence, clothes and dowries. She made the reservation that in case of the death of the children, the money was to be granted to the town churches. Six weeks later, when the second testament was made on 18 August 1507, no one of her children was alive.

Fear of the raging fatal illness also encouraged Piotr the mayor and Mikołaj the tailor to write their last wills. The latter, as one of the testators of 1507, declared that he was in good health. Piotr the mayor, on the other hand, handed over part of his property (the house and furnishing) to his wife Barbara on the very same day when he wrote his testament (in which he is described as healthy: *sanus mente et corpore*). He died however, very soon afterwards and on 13 August his widow granted part of the property to his siblings: Jakub Gniwilk the tailor and Anna Mrzygłodowa. A quarter of a century later, two other Sieradz burghers stated that while making their last testaments they enjoyed good health. These were Jan Zakrzewski, who despite the fact that he was *corpore sanus* did not appear in the Sieradz sources later on, and Klemens, the merchant, who still lived in 1540.

¹⁸ A. Waławender, *Kronika klęsk elementarnych w Polsce i w krajach sąsiednich w latach 1450–1586* (*A Chronicle of elementary Disasters in Poland and the Neighbouring Countries in the Years 1450–1586*), Lwów 1932, p. 80*–81*, and no 1073–1081, p. 197–198.

¹⁹ On the Sieradz plague in March 1508 see; Central Archives of Historical Records in Warsaw, *Metryka Koronna* (*Crown Chronicle*), vol. 22, p. 143: “*in magna parte deserta tempore febras*”.

6. *The reasons for the testament*

This problem was described in the briefest way by Jan Zakrzewski in 1532 — he simply wished to regulate all his matters before the onset of death. Only from a further part of the testament can one discover that he was concerned above all with questions of property. The willingness to settle questions of property is the most frequently mentioned reason for writing a testament. The purpose of this undertakings was to prevent discord among the heirs of the testator and not to permit a wastage of the property. Concern that *ne de suis bonis oriatur quedam dissensio seu indebita dilapidatio* was the only declared reason for as many as six of the nine testaments dating from the plague of 1507. Much later on, it was mentioned only by Klemens the merchant who added that his work and property should not be squandered.

The Sieradz testators from the beginning of the sixteenth century had still another goal apart from the temporal one: *volens ergo salubri premeditatione diem vite sue extremum prevenire terrenaque pro celestibus et transitoria pro eternis cambio felici commutare omnibus meliorem (melioribus); volens (occupiens) providere anime sue salutem; nolens de hoc seculo intestata recedere*²⁰. We can see that the dispositions, as has been mentioned at the beginning, were to become an indispensable element of preparations for crossing the line between life and death, and were supposed to contribute to the salvation of the soul. These views were supplemented by reflections concerning the frailty of the human condition and the belief that nothing is more certain than death and less certain than its hour — *considerans que nihil certius morte et nihil incertius nisi hora mortis*. This uncertainty was a feeling which must have inseparably accompanied people threatened with the plague, a possibility especially frequent in the Late Middle Ages. This fact also is the reason why such a motive became part of the testament formulary in the fourteenth and fifteenth century²¹. The conviction about perishable human nature, according to J. Chiffolleau²² did not necessarily have to express man's anxiety caused by the illnesses raging at that time. It was frequently voiced in the Early Middle Ages, borrowed by the Fathers of the Church from the stoics, and repeated in testaments from the

²⁰ On the peril of eternal condemnation as punishment for dying without an earlier testament see: Ph. Aries, *L'homme devant la mort*, Paris 1977, p. 213.

²¹ M. de la Soudière, *op. cit.*, p. 58, and J. Chiffolleau, *op. cit.*, p. 116.

²² J. Chiffolleau, *op. cit.*, p. 110–111.

beginning of the fourteenth century. Man was weak only in the face of God, and not of death, which was merely the consequence of primal sin, and, thus, a distinct sign of the imperfection of human nature.

IV. Dispositions

1. The consignment of body and soul

Wishes concerning the soul and dispositions pertaining to the body of the testator after his death inaugurated the second, more detailed and essential part of the testament. Their superiority was described with the words: *in primis et ante omnia, primo, in primis, in primis et principaliter*. Only three of the testators immediately went on to discuss their property. Concern for the soul and body in this part of the formulary was absent also in six other acts of last will. The remaining testaments usually consigned the soul to God: *animam meam (peccatricem) Deo omnipotenti creatori suo, Deo creatori et redemptori suo, Deo optimo maximo*. Dorota Gniwilkowa commended her spirit to all the saints: *Deo omnipotenti et toti celesti curie commendat*. The most expanded recommendation of the soul occurred in six testaments of 1507: *animam suam peccatricem Deo omnipotenti et eius matri gloriosissime virgine Marie (intemerati matri virgine Marie) totique milicie celesti*. This fact was probably not a mere coincidence; testators from the period of the plague committed themselves to the special care of God, Mary and all the saints. Everyone consigned their souls to God, the Omnipotent Creator, Redeemer and Judge who will pass a sentence on our sins. Persons who found themselves in special need invoked Mary, the Comforter, the Mother of Mercy and the Intercessor before God. The formula of the consignment of the soul in the testament expressed the Marian cult which spread throughout the Late Middle Ages; the saints constituted a uniform heavenly court. The late medieval Christ, on the other hand, is absent; He appeared in the Sieradz testaments from the beginning of the sixteenth century only as God-the Judge and God-the Redeemer, and thus in images more characteristic for the earlier Middle Ages²³.

²³ The same *commendatio* as the one in the Sieradz testaments appears also in last wills from Płock from the end of the fifteenth century; in the French ones it was present at the beginning of the fourteenth century, see: J. Chiffolleau, *op. cit.*, p. 374. *Ibidem*, on God as the suzerain in twelfth — and thirteenth century commendations and the dissemination of the cult of the Son of God and *Corpus Domini* after the establishment of

The dispositions concerning the future fate of the body usually include those which consigned it to the Earth; *corpus autem terram commendavit* (nine testaments). Those words probably signified burial in the parish cemetery of the church of All Souls. Eight testators gave different dispositions: five wished to be buried in the Dominican cemetery, in *ecclesia sancti Stanislai fratrum ordinis Predicatorum Siradiensium*, in *Syradia apud monachos in templo sancti Stanislai* and in *ecclesia sancti Stanislai apud monachos*. Elżbieta Gorazdowa recommended that she be buried in *monasterio ecclesie sancti Stanislai*, and Anna Węgierczanka — *circa ecclesiam s. Stanislai cenobii Siradiensis*, that is probably in the cloistered cemetery. Three testators expressed a wish to find eternal rest in the parish church of All Souls with which they were territorially connected due to the location of their house. Among the testators who wanted to be buried in the monastic cemetery, territorial ties with the monastery occurred in the case of Elżbieta Gorazdowa (a house on *platea Monachorum*) and Maciej Gładysz (*platea Lutuosa*, on which he lived, was situated in the same part of town as the monastery).

2. Dispositions concerning property

As has been noted in the introduction, this was the most extensive part of the testament, which provides the most numerous data. Upon many occasions it comprises an inventory of sorts, upon whose basis it was possible to reconstruct a part or even the whole property of the testator. The dispositions were usually composed of bequests for relatives or other heirs, donations *ad pia opera*, and, at times, dispositions pertaining to funeral and commemorative ceremonies; all these elements were placed in different order. They were accompanied by a list of claims and/or debts as well as dispositions as regards the future destination of the former (usually also *ad pia opera*).

The testament was prepared *disponere et condere tale testamentum* either *de suis bonis* or *de omnibus suis bonis mobilibus et immobilibus*. This second expression did not have to signify that the testator had presented

the feast day of the Eucharist in 1264 (p.360); on the fourteenth- and fifteenth-century of the Virgin Mary the Comforter, *Notre Dame de Misericordie*, and the fraternities devoted to Her, p. 367–374; on the saints (*Cour Celeste*) p. 374 sqq. On the subject of Mary presented as above see also: B. Włodarski, *op. cit.*, 130 sqq.

his whole property; Mikołaj the tailor in detail disposed of both his immobile and mobile property but already Jan Martyczka nad Dorota Gniwilkowa made no mention of the fate of their immobile property at all. Apparently, this difference was the outcome of the diverse mechanisms of inheritance: the only heir in the case of Martyczka was his wife, and all the immobile property consigned in the testament, including the house on *platea Omnium Sanctorum* was hers by law; Dorota's heir was her second husband, the *vice-advocatus* Tuszyński and two minors from the first marriage with Jakub Gniwilk who were entitled to a half of her house in the marketplace in the form of a matrimonium. The case of Mikołaj the tailor already differed: his heirs were his brother and mother, especially considering that Mikołaj and his wife had no children. This situation could have been the reason why he listed the property due to his wife in such great detail. It seems worthwhile to add that two other testators in a similar family situation (childless marriages) i.e. Piotr the mayor and Piotr Bednarz safeguarded their wives by combining the testament with consignments in their favour.

Let us now examine the property belonging to the Sieradz burghers and listed in testaments.

The first group includes immobile property. Of the nineteen persons who disposed of their houses nine mentioned suburban gardens (*orti*) and four — gardens with outbuildings (*orti cum allodiis*). Dorota Kilipiatkowa bequeathed a *predium* (farm) and a slaughterhouse with a stall (*macellum*). A cobbler's stall is mentioned in the testament of Maciej Gładysz. All those objects appeared individually, and comprised basic components of the immobile property belonging to a burgher from a medium-sized town. The latter usually also included fields on town land, which, however, were not listed in the dispositions²⁴.

Mobile property which was bequeathed together with the house was described usually as *omnia supellectillia domus*. In the first place it included facilities for the brewing, storage and sale of beer. Urban the furrier granted his younger daughter a marketplace house with *calidaria minora et unum maius, in quo braxatur cerevisie* as well as *tres cantaros staneos, unum mensura unius anfore et duos mensura manualis*. Beer cauldrons were mentioned in the testaments of Dorota Kolipiatkowa

²⁴ On the testament consignment of fields cf. in one of the Płock testaments of 1495, Zbiór dokumentów, p. 365.

(*calidaria: unum magnum pro cerevisiae braxandum*) and Małgorzata Duszakowa (*calidar minus*) while pewter jugs were listed by Jan Martyczka (*duos cantharos alias konwye*), Barbara Brudzowa (*duos cantores, cantharos*), Stanisław Luśnia (*cantarus magnus et parvus*) and Agnieszka Kostrzyńska (*cantarum staneum*). *Dimidium omnium vasorum ad cerevisiam braxandam* was bequeathed by Anna Węgierczanka to her husband. Dorota Kolipiátkowa confessed on her death bed that she owned nine beer barrels (*tunnas pro cerevisia*), two of which were leased.

The Sierdz testaments also include raw and semi-raw material used for the production of beer. Dorota Kolipiátkowa, and Piotr Bednarz as well as Małgorzata Duszakowa mentioned malt (*due, quattour, sex brasea resp.*). Barbara Brudzowa declared that she owned “*unum braseum paratum and undecim choros tritici*” Agnieszka Kostrzyńska admitted that she owed sixty pennies for wheat and recommended to pay it back *ex cervisia tritici*.

A detailed list of objects connected with brewing beer, and treated as parts of property, bears witness to the special importance held by this occupation in the town community. Brewing beer, performed as part of the universal right due to owners of municipal real estate, required considerable financial means (primarily, for the purchase of tools) but also was a source of profitable income — beer was one of the fundamental components of the diet of the period. This is why it is worth-while to examine more closely the lists of brewery equipment written down not only in testaments but also in many other acts of the consignment of property (sale-purchase) which serve as source material for research into the property of the townspeople.

Household equipment mentioned right after implements used for brewing beer were usually pewter vessels. *Stannum* — pewter was, next to gold, silver and money, a particularly valuable part of mobile property (*omnia aut aurum, argenutm, stannum, pecunia et omnia* — in the testament of Klemens the merchant). In the Sieradz town registers pewter appeared very late, not until 1536²⁵. Presumably, the high value of pewter vessels among mobile property was the result of the fact that they were usually imported. The most frequently bequeathed vessels, apart from the above-mentioned were *scutellae stanneae*, probably small

²⁵ SCA.IV, p. 105, 1536 — *Martinus conqyszar*.

bowls²⁶. Urban the furrier, Dorota Kolipiątkowa and Barbara Brudzowa owned eight and Agnieszka Kostrzyńska and Anna Węgierczanka — six such vessels. Other persons were the owners of one to three or an unknown number. All told, ten testators had at least 41 “*scutellae*”. Other metal vessels: “*pelves, patellae*” and “*sartagines*” are much rarer in the testaments. “*Pelviium*” (chalice, cup, deep vessel)²⁷ was mentioned in the property of Barbara Brudzowa, Dorota Gniwilkowa and Agnieszka Kostrzyńska; “*una patella*” was noted as belonging to Dorota Kolipiątkowa. Kitchen equipment undoubtedly included “*sartagines*” i.e. pans (“*sartaginella*” in the testament of Jan Martyczka, “*quinque sartagines*” in that of Barbara Brudzowa and “*una sartago*” in the last will of Anna Węgierczanka)²⁸. The latter, probably a large vessel, was bequeathed to the heirs individually, among other permanent goods worthy of being included in the testament.

Following the various types of vessels, used for equally diverse purposes, the testators mentioned “*res domesticas*” (“*supellectillia domus*”) which included almost exclusively beds (“*lectisternia*”), chests (“*cista*”, “*scrinia*”) and bedding (“*plumaticae et cussini*”). There is no information at all about tables, chairs and benches, usually present in burgher houses, as well as the increasingly frequently encountered wardrobes²⁹. The latter, universal in modern times, had not yet replaced chests. “*Cista magna fabricata et ferre munita, cista magna*” and “*scrinia*” were the only pieces of furniture mentioned in the testaments of Jakub Duszaczek the furrier, Wojciech the shoemaker and Anna Węgierczanka. They were probably used, as elsewhere, for storing clothes, linen, vessels etc. The chest with metal fitting belonging to Duszaczek could have stored valuables (although his testament does not mention them), or particularly costly clothes, furs or money (to whose possession Jakub’s wife also did not confess). Nine years later the same chest, probably bequeathed by Jakub to his wife together with other

²⁶ *Słownik łacińsko-polski Bartłomieja z Bydgoszczy. Podług rękopisu z r. 1532 (The Latin-Polish Dictionary of Bartłomiej from Bydgoszcz. According to a Manuscript of 1532)* ed. B. Erzepki, Poznań 1900, p. 93; A. Rutkowska-Płachcińska, *Pożywienie, napoje (Food, Beverages)* in: *Historia kultury materialnej*, vol. II, p. 277, translates them as bowls, but also as small chalices used for drinking.

²⁷ *Glossarium mediae et infirmo Latinitatis conditum a Carolo du Fresne domino Du Cange...*, vol. VI, Paris 1937, p. 254.

²⁸ *Słownik... Bartłomieja z Bydgoszczy*, p. 91: *sartago, frizorium vel patella in qua caro aut pinguedo vel aliud frigitur*.

²⁹ A. Rutkowska-Płachcińska, *Mieszkanie*, p. 334.

goods was listed in her testaments and, finally, became the property of a niece, Dorota Duszakowa. Undoubtedly, Anna Węgierczanka kept "*in scrinia*" her relatively numerous garments and fabrics. At the moment of the owner's death, two loose fillets ("*duae vittae*") were kept "*in minori cisticula*" belonging to Barbara Brudzowa. Also Dorota Kolipiątkowa mentioned a chest ("*cista*") together with only one bed. The latter found itself among the mobile property of Małgorzata Duszakowa and Małgorzata Kulaska. Such a small number of furniture, of course, does not have to testify to the poor furnishing of the houses belonging to the Sieradz testators, who, after all, were regarded as members of a group of the wealthier burghers. It could have been the result of the selective nature of the testament.

Only five testaments mention bedding. Pillows and quilts (*plumatica hoc est pyerzinie*) were listed by the childless Barbara Brudzowa, Barbara Gorazdowa and Małgorzata Kulaska (resp. 4,2 and 3 pillows, one quilt each and 2 quilts). The testament of Małgorzata Duszakowa includes pillowcases (*cooperimentum alias poszwa*) and that of Małgorzata Duszakowa, Elżbieta Gorazdowa and Anna Węgierczanka — linen bedding (*lintea*), possibly a bed sheet. Duszakowa was the only testator to also list towels (*duae manuteria*).

The testators bequeathed many more clothes than equipment or fabrics used for outfitting their houses. As many as sixteen of seventeen testaments listed garments of different kinds. Only Małgorzata Duszakowa disposed of *omnia vestimenta* which, similarly to the chest, were to be inherited by her niece. Others usually listed tunics, coats and furs. The *tunicae* were the most numerous and totalled at least sixteen.

Let us refer to the research conducted by D. Poppe and K. Turska³⁰ on clothes in the fifteenth- and sixteenth-century Poland, and propose several remarks concerning clothes from the region of Sieradz at the beginning of the sixteenth century. The large number of tunics reflects the universal use of this element of costume. Sieradz sources do not provide any information about the fabric, and one should assume that this was, as was the custom, cloth. The tunics were sewn in colours which can be encountered in the Late Middle Ages most frequently: dark blue

³⁰ D. Poppe, *Odzież, obuwie, ozdoby (Clothes, Shoes, Ornaments)*, in: *Historia kultury materialnej*, vol. II, p. 280–311; K. Turska, *Ubiór dworski w Polsce w dobie pierwszych Jagiellonów. (Courtly Dress in Poland during the Reigns of the First Jagiellons)*, Wrocław 1987.

(*flaveus* — sky blue in this case), light blue (*novi coloris*), red, black, grey, brown and green.

The second basic component of the clothes was the coat - *pallium* — which appeared in eight testaments: six testators bequeathed one coat each, Dorota Gniwilkowa — two: a black one for holidays and a blue one for everyday wear. Both were sewn of Amsterdam cloth, regarded in Poland at the time as the more expensive fabric³¹. A black coat, also probably intended for special occasions, was among the belongings of Dorota Kolipiątkowa and Agnieszka Kostrzyńska. The *pallia* of other testators, not described in more detail by the sources, were of the same value. Black colour occurs once again in the testament of Małgorzata Kulaska, who was the owner of a furlined coat of black cloth. This brief and, of necessity, fragmentary review shows that in Sieradz the most fashionable colour was black, which dominated in the Late Middle Ages³².

The above mentioned furlined coat of Małgorzata Kulaska was one of seven such garments bequeathed by the Sieradz testators. Red cloth was used for sewing a furlined coat for Mikołaj the tailor. Gniwilkowa had a coat made of the thin so-called Arras cloth, cheaper than the above mentioned Amsterdam variety. This fabric, imported from Northern France, dominated in clothes worn by the burghers³³. The *subducta* of Anna Węgiarczanka was sewn of medium quality cloth, brought from the Saxon town of Zwickau, and lined with rabbit fur. A costly coat lined with fox fur belonged to Jan Zakrzewski. The number of fur coats was much smaller than of the furlined coats. *Pelliceae* occurred only in the testaments of three persons: Dorota Kolipiątkowa, Stanisław Warchoł and Barbara Brudzowa. We know that the first one was made of rabbit fur and that their owners did not have any furlined coats.

Three testaments mention undergarments — the *jopula* (which Elżbieta Gorazdowa bequeathed to the nephews of her husband) as well

³¹ D. Poppé, *op. cit.*, p. 289.

³² M. Pastoreau, *De bleu et noir: éthiques et pratiques de la couleur à la fin du Moyen Âge*, "Medievales, Langue, Textes, Histoire", no 12. Printemps 1988, p. 9–21. The domination in Sieradz of the colour black even over blue can testify to the absence of provincial features in the fashion observed in smaller Polish towns, as well the case in Płock at the beginning of the sixteenth century, where it was suspected that blue was the favorite colour, cf. D. Poppé, *op. cit.*, p. 303.

³³ D. Poppé, *op. cit.*, p. 289, and J. Wyrozumski, *Tkactwo małopolskie w późnym średniowieczu (Weaving in the Little Poland during the Late Middle Ages)*, Warszawa 1972, p. 136.

as two summer dresses which appeared in Poland during the 1470s under the influence of Western fashion³⁴. Nothing is known about the summer dress of Dorota Kolipiątkowa but the *estivale* of Anna Węgiarczanka was made of light coloured textile called “harras” and had 12 silver buttons. Her testament also contains information about a felt hat and a toque. The first was a head covering frequently used at the time, while the latter was primarily a decoration³⁵.

Head covering also included two caps from the testament of Dorota Gniwilkowa (including a felt one) while ornaments included two linen fillets belonging to Barbara Brudzowa, and Dorota Gniwilkowa’s valuable pearl diadem which she pawned for the much lowered sum of 12 pennies. She also pawned other ornaments i.e. three collars: *coliria alias kolnyzerze, unum aureum, secundum rubeum de axamente cum abslag, tercium parvum nigrum de axamente, que habet apud Iudea Jozephowa in tribus grossis*. The first one could have been a necklace. The Sieradz testaments did not contain much information about jewelry. From this point of view, the most extensive is the last will of Dorota Gniwilkowa which lists *duo monilia... et signetum argenteum (...)* which were also pawned for the sum of 24 pennies, as well as beads, pawned for 14 pennies. Gniwilkowa seemed to recall at the last possible moment (already after having chosen the witnesses and executors of the testament) that she had also pawned 14 gold plated buttons, and a silver gold plated pectoral (*quattuordecim alias knaphlow pozloczonich et pectorale argenteum pozloczony*). The only others to mention ornaments were Stanisław Luśnia and Anna Węgiarczanka. He bequeathed 13 small pins (*monilia tredecim parva*) and she — a silver belt (*cingulum argenteum*) which she recommended to sell for 5 marcs (240 pennies) and to spend the money for funeral ceremonies (see below).

As regards clothes and ornaments, one must admit that the Sieradz testaments from the beginning of the sixteenth century, although devoid of particularly precise data, do offer information about colours and fabrics.

The household mobile property was supplemented by weapons as well as everything which was connected with the occupations pursued by the burghers, male and female.

³⁴ K. Turska, *op. cit.*, p. 136.

³⁵ *Ibidem*, p. 101, 105 and 233.

Only two testators listed weapons: Stanisław Warchoł the carpenter and Mikołaj the tailor in 1507. These were crossbows with levers (*balistae cum eqar, owar*). At the moment of writing the testament Stanisław Warchoł was repairing his in the foundry belonging to Martyczyna, the blacksmith's wife. A similar crossbow was among the belongings of Piotr the mayor. *Balistae* of Mikołaj the tailor and Piotr the mayor were inherited by their brothers who also received two swords (the testament of Mikołaj the tailor stressed that this was done *ratione propinquitatis*). Those are the only two remarks concerning arms in the property of the Sieradz burghers from the beginning of the sixteenth century.

Those fragments of the testaments which deal with the household and professional occupations are much more extensive. Thirteen testators in thirteen testaments mentioned animals raised by them. Some were used as beasts of burden, a fact which was marked distinctly; they included not only oxen but also cows, for example those from the testament of Anna Węgierczanka (*pro laboribus*). Animal husbandry alongside the cultivation of land constituted an important factor in the household of a resident of a small town; it is not surprising, therefore, that Piotr Bednarz mentioned a suburban garden with a barn *excipiendo fenum de allodio pro victu pecorum eorum*. Horses, more valuable than cows, oxen or pigs appeared much less frequently in the testaments, probably since not many burghers possessed them. Those belonging to Mikołaj the tailor and Piotr the mayor should be connected with the swords found in the property of those two men (Mikołaj also owned a saddle with stirrups). This could be a trace of the trade in which they were engaged: merchants set out on a dangerous route well armed.

Worthy of interest is the only information about beekeeping — Piotr Bednarz *legat testamentaliter appes, quas habet, et commodum et utilitatem pauperum et egenorum* of the local hospital.

Six of the testators listed various forms of food as legates. Salt was consigned by Jan Gawel (*plaustrum salis alias crussecz* — for his nephews) and Mikołaj the tailor (to his wife); meat and lard were listed by Wojciech the shoemaker (*quindecim arvinas* — to his brothers, and *pernam carnis alias stronya* — to the hospital), Barbara Brudzowa (*duas pernas lardi* — to the parish church), Elżbieta Gorazdowa (*duas pernas lardi* — to the hospital and monastery) and Małgorzata Kulaska (*duas pernas lardi, una cum sumine hoc est sadlo* — for the hospital and church

of the Holy Spirit). The last person also mentioned in her testament a barrel of herring worth 120 pennies, onions, 14 cheeses and half a bushel of millet — all for the poor. The hospital received *omnia pulmentaria in camera* from Barbara Brudzowa i.e. possibly food served with melted fat.

The testaments also mention wax (Małgorzata Duszakowa: *una massa cere valoris quindecim grossis*) and soap, probably made at home (Małgorzata Kulaska: *smigme lapis cum medio*). The products of home occupations pursued by the Sieradz women was linen and cloth. Dorota Gniwilkowa admitted on her death bed that she owned: *centum ulnas lini alias przyendze, viginti ulnas zgrzebney, pro quibus Mathias eius maritus contradicit volendo habere partem*, while Katarzyna Maliankowa left behind *portio una tele linei... undecim cum media ulnas. Item portio alia tele stupe alias paczesne novem ulnas*. Kulaska bequeathed some type of cloth to the Sieradz poor. The fact that at least the first two testators were capable of engaging in weaving at home universal at that time, proves that they possessed raw material needed for the further production of cloth: yarn, obtained from the first combing of the raw material, and the more perfect yarn produced by the second combing³⁶.

The testaments also retained information thanks to which it is possible to recreate the technology and course of artisan production. This hold true for the testaments of two furriers — Urban and Jakub Duszaczek — and three shoemakers — Wojciech, Stanisław Luśnia and Maciej Gładysz — as well as the testament of the blacksmith, Jan Martyczek and Mikołaj the tailor.

The first of the three last wills of the shoemakers dictated in 1507 by Wojciech mentions hide (*omnes cuttes*) and leather (*corrigium*) as well as *instrumenta artificii*. Similar genral information is offered by the last testament of 1537 made by Maciej Gładysz. Undoubtedly, the most extensive is the last will of Stanisław Luśnia (1533) which lists 34 large pieces of hide, 45 small ones, and 18 flaps of the same material. The latter, at the moment of writing the testament, were kept in tanning pits lined with oak bark (*in querce 18 cutes alias plathow*). The 10 large hides were stored in similar conditions (*in quercu 10 magnas cutes*). About thirty of the 45 small hides were subjected to another treatment — ash mixed with water (*in cineribus hoc est w zolyech media sexagena*

³⁶ J. Wyrozumski, *op. cit.*, p. 25.

parvarum cutum). The dying Luśnia also left half-finished and ready products: *cutes viginti rubeas at sex paria alias cholyew* as well as 33 *paria calceorum omnium*. As ornaments for his leather goods he could have used silver lamina.

The above-mentioned *magna cutes* were probably oxen hides and the small ones- sheep or calf. The latter were noted down as *vitellines pelles* in the testament of Maciej Gładysz. As in the case of other shoemakers, also those from Sieradz used animal as basic raw material; relatively easily obtained thanks to the well-developed animal husbandry in the environs of the town. The above cited source material demonstrates that the Sieradz autores were engaged in the whole production process, beginning with tanning the raw hides, purchased from the producer (butcher or farmer)), up to the ready articles, basically shoes. This fact could prove the total absence of tanners in late medieval Sieradz³⁷.

A similar situation to that of the shoemakers was the one of the furriers. The testament of Jakub Duszaczek of 1507 mentions hides tanned by means of fermentation and ones which were still not ready — probably intended for the production of furs (*centum pelles lyathphalowye et decem nondum elaboratas et expeditas*) as well as ready hides (*centum pelles cum viginti iam expeditas et elaboratas, quinque centum pelles tennes alias byalky iam expeditas*) and unfinished fur coats (*quinque pelliceae nondum terminatas et finitas*). The last will of Urban lists only ready clothes: 21 *pelliceae agnellinae* (lamb) and three *regulinae* (rabbit). On the sidelines, the testament also notes the claims of the testator (who sold for credit) and several fur coats made by him for which the nobleman Wincenty Charlupski, the *subcamerarius* of Sieradz, owed him one marc.

Both a brief review of the clothes worn by the Sieradz testators, the raw materials and products belonging to the craftsmen Urban and Jakub Duszaczek as well as the fact that the latter bequeathed his wife *pelliceam regulinam nondum totaliter perfectam* testify to a decisive domination of cheap, predominantly local hides and furs. Squirrel fur imported from Russia also did not cost much.

The testaments say little about the professional activity of two other testators, Jan Martyczka and Mikołaj the tailor. Mikołaj certainly

³⁷ U. Sowina, *Sieradz. Układ przestrzenny i społeczeństwo miasta w XV-XVI w. (Sieradz. The Spatial Lay-out and the Society of the Town in the 15th and 16th Centuries)*, Warszawa-Sieradz 1991, *passim*.

sewed tunics; he requested his wife to sell *omnes tunicas paratas in valore quinque marcarum*. Jan Martyczka produced nails; in his last will he spoke about the sale for credit of *27 tornorum alias claworum* for the Sieradz Castle. The production of nails (and probably of horseshoes) required only low quality iron obtained from one of the enterprises dealing with the exploitation of ore in the environs of the town³⁸.

The testaments of Jan Martyczka also informed about his tools. He recommended the executors of his last will to sell *omnia instrumenta artis fabrice videlicet tria mendia alias nakowalnye omnes maleos*. The money gained from the sale of hammers and tongs was to be used *pro piis operibus hoc est pro trecessimis*. Such a sale of equipment from a workshop signified the absence of heirs. Urban the furrier (who requested that *instrumentae artificialiae alias stathki rzemyesnye* be sold), Jakub Duszaczek (*omnia instrumenta que pertinent et concernunt artificium pellificiae et pecuniam dare pro piis operibus*) and Stanisław Warchoł the carpenter (*omnia artis carpentiare instrumenta... vendere... ad tricessimas*) found themselves in the same situation.

The last part of the property which is still to be discussed was money: cash, debts and claims as well as those sums which could be obtained for the sale of the property after the testator's death. Ready cash was both money shown at the moment of writing the testament (*pecuniam in paratis demonstravit*) as well as that offered as legates to the heirs for „pious works”. Also the majority of the claims to be regained by the executors were intended *pro piis operibus*. The executors, as a rule, had to regulate all the debts of the deceased.

Ready cash³⁹ was shown by a small group of testators: Dorota Kolipiátkowa — 40 marcs, Wojciech the shoemaker — 18 marcs and two florins, and Mikołaj the tailor — 10 marcs and Małogrzata Kulaska — 4 marcs (without 18 pennies). The other testators revealed ready cash only upon the occasion of consigning money legates, whose joint value

³⁸ U. Sowina, *op. cit.*, p. 16.

³⁹ The Polish marc (*marca ponderis et numeri polonialis*) was used as currency, calculated into 48 pennies, 4 *fertones* and 24 *scoti*. More rarely, accounts were made in threescores of pennies (*sexagenae*). Sums in marcs and sexagenae were paid in *denarii* (1 mark = 864 *denarii*) and half-pennies (1 marc = 96 half-pennies). Red gulden in other words, Hungarian florins were also employed (*florus ponderis ungaricalis auri rubei*) worth 32 pennies. At the beginning of the sixteenth century, the half-penny contained 0,386 g silver (0,772 g per one penny). Z. Zabiński, *Systemy pieniężne na ziemiach polskich* (*Monetary Systems in Polish Lands*), Wrocław 1981, p. 53, 88.

usually wavered between 1 and 5 marcs. The only exception in this group was Piotr the mayor who all told bequeathed 10 florins and 3 marcs (almost 10 marcs). Sums of this size or larger were disposed in their testaments only by those persons who kept their money in claims e.g. Stanisław Warchoł, Jan Zakrzewski and Klemens the merchants. Stanisław lent 7 marcs to two Sieradz burghers (5 and 2 marcs), and 10.5 marcs to Prędota Piotrowski from the region of Radomsko. The last sum was supposed to have been intended for pious funds, with the reservation that if *Prandotha has pecunias mediam undecimam marcam ipsi Stanislao Warchol negaverit*, then only the first two claims were to be granted for those purposes. Jan Zakrzewski had a sum of 30 marcs owed to him by the Sieradz Alderman, Andrzej Twarożek. He admitted that this was his only money, and the dispositions concerning it took up the better part of the testament. The greatest claims, not proportionate to the sums mentioned by the Sieradz burghers, was that belonging to Klemens the merchant. It amounted to 3000 florins, all of which were in Silesia, possibly as a deposit in one of the local counting-houses and composed of profit from trade. It is exactly thanks to this source that we can make with a great dose of certainty an assumption about Klemens' commercial profession. This enormous sum was to be kept by the town councillor in case of the testator's death for his children *ad eorum etatem legitimam*. The example of Klemens was exceptional. As a rule, the claims did not exceed several marcs, similarly to the debts of the Sieradz burghers, which were listed by nine persons in their last wills. The smallest sum — 10 pennies — was owed by Jan Martyczka *pro tunna cerevisie*. Jakub Duszaczek borrowed 2 florins from the guild of furriers, a debt which already as 3 florins was mentioned in 1516 in her testament by his wife; 2 marcs were owed by Agnieszka Kostrzyńska to a clergymen fraternity, while the debts of Stanisław Luśnia amounted to about 5 marcs, and were regulated partially in hides (*in cutem ei dedit pro fertone*). Maciej Gładysz owed about 100 pennies, including 64 *pro panno*. The most indebted was Urban the furrier who had borrowed 10 florins from the merchants' fraternity, and owed 4 to a minor, the son of his dead colleague. Those debts, secured on the house, could have been brought about by the necessity of providing the older daughter with a dowry worth 50 florins.

One of the most important purposes of the testaments were bequests *ad pias causas*. They included the costs of the funeral and other

ceremonies, mass funds and legacies for churches and the poor. Decisions concerning funeral ceremonies were made by only a few of the testators. The majority did not mention them, and silently entrusted their organization to closest relatives and heirs — *secundum exigentiam*. Detailed instructions were issued either by those persons who died without any relatives, or those who knew they had to assign money for the funeral if it was to be performed properly. As was usually the case, the money was needed for bearing the body of the deceased (*corpus, funus*) and all the accompanying rites. For this part of the ceremonies Barbara Brudzowa, Jan Zakrzewski and Anna Węgierczanka assigned 5 marcs each, Mikołaj the tailor — 3 marcs and only Barbara Krzysztofowa offered 1 marc. In the last case, judging by the social position held by Barbara, this could have been only part of a sum which was to be obtained from the sale of the house. An additional splendour to the funeral was provided by the singing of psalms by the clergy: for this purpose, Anna Węgierczanka provided 1 marc, and Anna Ziółkowa an unknown sum. The body of the deceased was to be surrounded with burning wax candles, for which Urban the furrier left 30 pennies. A wake followed the funeral (*prandium funerale*). Anna Kuśnierska the furrier gave to her guild corporation, which was to organize her funeral, a tablecloth to be placed on the catafalque on which she was to lie.

An inseparable part of the funeral expenses were holy mass funds. It follows from the testament of Piotr Bednarz (a fact already stressed by J. Wiesiołowski⁴⁰) as well as from the testament of Anna, the furrier's wife, that the so-called *tricesima* (thirty masses), most frequently ordered, cost half a marc. The request was usually made for several such series (two — Małgorzata Duszakowa, three — Anna Ziółkowa and Barbara Brudzowa four — Urban the furrier etc). The testators also asked for vigils and individual holy masses. Dorota Kolipiątkowa instructed that funeral holy masses be said upon the anniversaries of her death and provided as much as 10 marcs for this purpose. Her case, however, was exceptional. The costs of the funerals and holy mass funds of the more important (and wealthier) Sieradz burghers such as Jan Zakrzewski and Anna Węgierczanka totalled 6–7 marcs (the financial resources of

⁴⁰ J. Wiesiołowski, *Dominikanie w miastach wielkopolskich w okresie średnio-wieczna* (*The Dominicans in the Towns of Great Poland during the Middle Ages*), in: *Studia nad historią dominikanów w Polsce* (*Studies on the History of the Dominicans in Poland*), vol. I, Warszawa 1975, p. 235.

Zakrzewski reached to almost 10 marcs, if we assume that the *pia opera* in his testament signified *tricesima* as in the case of others). This fact could provide some food for thought when we recall that H. Bockmann estimated the cost of the funeral ceremonies of a councillor from Göttingen in 1491 at 10 marcs (including the reading of psalms, funeral mass and vigils).⁴¹.

Another part of the expenses *ad pias causas* both in the Sieradz testaments and in others (e.g. in above mentioned Göttingen) included donations for Church institutions, mainly the local churches and rarely, for those outside the town. The largest sum of over 37 marcs and 4.5 florins as well as a pewter chalice were bequeathed to the parish church of All Souls by the members of its congregation. Slightly less, but with all certainty over 25 marcs and 2 florins was received by the Dominicans, the only Church institution located *intra muros*. The Holy Spirit hospital and church inherited 13 marcs and a florin, but the total value of legates was much higher considering that the bequests in the form of various goods, *pro victu* for the sick and poor. The overall inheritance could have been even identical with the one received by the Dominicans. Much less was offered to two other suburban churches. The chapel of the Holy Trinity which fulfilled the function of the main collegiate church was granted 6.5 marcs and 2.5 florins, while the church of St. Nicholas was remembered by only two testators who bequeathed to it one and a quarter marcs. Certain testaments mention also legates for churches in other towns: three persons gave all told 3.5 marcs and 1 florin to the Bernardines in nearby Warta (Piotr the mayor — 1 florin Brudzowa *super ter tricesimas* — 1.5 marcs, Jan Zakrzewski — 2 marcs) and three other testators bequeathed money to the parish church in Grabno (Wojciech the shoemaker — 6 marcs), Uniejów (Duszaczek — a quarter of a marc) and Kamionacz (Gorazdowa — 4 marcs).

Large legacies for Grabno and Kamionacz make it possible to detect certain territorial ties between those localities and the testators. If one examines the registers of access to urban law, contained in the court records, then this assumption becomes a certainty. Wojciech the

⁴¹ S. Zajączkowski, S. M. Zajączkowski, *Materiały do słownika geograficzno-historycznego dawnych ziem łęczyckiej i sieradzkiej do 1400 r.* (*Materials for a Geographical-Historical Dictionary of the Former Łęczyca and Sieradz Regions up to 1400*), vol. I, Łódź 1966, p. 97.

shoemaker could be identified thanks to his testament for Grabno with the “industrious and provident” Wojciech, the son of Maciej, known as Prządko and Barbara, who in 1502 came to Sieradz from the village of Grabica in the district of Łask. Grabno was the parish for Grabica.

The circumstances surrounding the legacy made by Elżbieta Gorazdowa for the church in Kamionacz were similar. Her husband, Wojciech Gorazd, came to Sieradz in 1488 from the village of Osowa, located in the county of Sieradz, and belonging to the parish of Kamionacz⁴². One should expect that the same bonds existed in the case of Jakub Duszaczek, who arrived in 1496 from Uniejów.

The observation made by J. Wiesiołowski about the large part played by the legacies of the Sieradz burghers for churches in other localities, caused supposedly by the number of Church institutions insufficient for the needs of the town, appears to be mistaken⁴³.

The division of “pious” legates indicates the considerable role played by bequests for the poor and sick. The question of alms (a word used only once by Jakub Duszaczek who granted money from the sale of hides *pro piis operibus et elemosina*) in the Sieradz testaments comes down to offers for the local hospital although one cannot exclude the possibility that the elemosina of Duszaczek was intended also for the poor of the town who had their own fraternity⁴⁴.

The topic of the donations for the churches and the poor on one hand, and the rest of the property bequeathed in the testament still remains to be discussed. As has been noticed in the case of other, predominantly large centres, it is impossible to assess the entire property upon the basis of testaments⁴⁵. This finding holds true also for the Sieradz testaments. Nonetheless, one can guess the degree of prosperity and financial possibilities of a testator from data concerning the mobile and immobile components of his property, as well as from information about his occupation and activities in the town, registered on the pages of court records. The same method was applied with good results by H.

⁴² SCC.II, p. 24; S. Zajączkowski, S.M. Zajączkowski, *op.cit.*, vol. II, Łódź 1970, p. 19.

⁴³ J. Wiesiołowski, *Dominikanie*, p. 227.

⁴⁴ U. Sowina, *Sieradz...*

⁴⁵ H. Samsonowicz, *Mieszczañska dobroczynność prywatna w Polsce późnego średniowiecza (Private Charity of Burghers in Late Medieval Poland)* in: *Cultus et cognitio. Studia z dziejów średniowiecznej kultury (Cultus et cognitio. Studies from the History of Medieval Culture)*, Warszawa 1976, p. 509.

Boockmann who not only examined the testament of a councillor from Göttingen but also traced all remarks about him in the local municipal sources⁴⁶.

The source material from Sieradz makes it possible to notice a certain proportion between prosperity and the value of the legates, observed in other towns by H. Samsonowicz and H. Boockmann (Oldendorp the councillor bequeathed 115 guildens to various churches in Göttingen): the relatively valuable legates by the wealthy burghers: Piotr the mayor, Jan Zakrzewski and Anna Węgierczanka as well as the smaller but fairly distributed ones by the poorer townspeople: Wojciech and Maciej Gładysz the shoemakers. This phenomenon was by no means a rule since there are too many exceptions. Six persons did not grant any money to churches: Urban, Gniwilkowa, Kaliankowa, Kostrzyńska, Krzysztofowa and Kuśnierka. It would be difficult to explain this fact by the lack of ready cash. After all, other testators who also did not enjoy an excess of cash, bequeathed their cash claims, recommended that their immobile property be sold for this purpose, offered various gifts. Without a satisfactory confirmation in sources, one can only assume that the pious burghers made some legacies already during their lives (e.g. Gniwilkowa had offered money to the parish church, where she was to be buried). One should not, however, exclude parsimony and lack of piousness which grew only in moments of distress.

V. Witnesses and executors of testaments

The witnesses and executors of the Sieradz testaments were primarily members of the town authorities — of the bench and of the council. As witnesses they usually appeared in a group; as executors they acted individually, not necessarily as representatives of the authorities, but nonetheless the people who enjoyed considerable social prestige and trust. The testator endowed them usually with unlimited power, as was done e.g. by Urban the furrier: *constituo meis veros et legitimos executores quibus totalem facultatem comitto... ut meam voluntatem ultimam in effectu deducant, defendant et in manus fraterniter accipiant, exerceanť usque ad plenarium mee voluntate deductionem*. Although the

⁴⁶ H. Boockmann, *op. cit.*

function of an executor was above all of a prestigious nature, it sometimes could be a profitable one as in the instance of the testament of Anna Kuśnierka who paid 1 marc to her executors. The executor was obliged to fulfill all the instructions of the testator under the threat of eternal condemnation as a perjurer⁴⁷. We do not come across any such threats in the sources from Sieradz, probably because the matter was obvious. In some testaments it is possible to encounter another, “direct” way in which the testator safeguarded himself against the unfulfillment of their duties by the executors: sometimes the executors of the last will were nominated heirs or persons, who were to profit from the inheritance in one way or another. The only legates granted in the testament of Warchoł for lay persons were to be inherited by the executors Piotr, the brother of Stanisław (1 marc and a tunic) and the son of Klemens the carpenter (a crossbow). According to the same principles, among the executors of the testament of Stanisław Luśnia and Anna Węgiarczanka was Luśnia’s brother, representing the interests of Luśnia’s children from the first marriage, as well as Węgiarczanka’s uncle. In their capacity as *sui generis* creditors, this group of executors must have been interested in the most precise fulfillment of the last will of the deceased. Debtors, however, were also chosen as executors; this was done by Wojciech the shoemaker in the case of Wojciech Szybidej (Sobiedaj?) and Stanisław Piszczek, as well as by Jan Zakrzewski in the case of the councillor Twarożek. Nonetheless, the shortness of information makes it difficult to say whether those were debtors *sensu stricto* or rather the persons to whom the money was entrusted (Twarożek kept 30 marcs belonging to Zakrzewski, Szybidej — 6 marcs received from Wojciech).

Alongside the financial connections between the testators and executors, another criterion of selecting the latter were bonds existing within neighbourhood or professional communities. Dorota Gniwilk entrusted the difficult task of putting her affairs into order (numerous pledges, a probable conflict with the second husband concerning property) to her neighbours in the market, while Urban the furrier nominated three brethren from his guild, whom he also described as *Cives Siradienses, vicinos meos*. Piotr Bednarz named as his executor

⁴⁷ J. L e G o f f, *La bourse et la vie. Économie et religion au Moyen Âge*, Paris 1968, p. 48.

Jakub the cooper, Warchoł the carpenter chose Klemens the carpenter, Luśnia the shoemaker — Jan the shoemaker. To the very end, therefore, these people remained within the framework of the three strongly linked communities — family, neighbourhood and professional group.

A group which distinguished itself among the witnesses and executors were members of the clergy⁴⁸. Their presence among the witnesses could be explained by referring to the religious nature of a testament, but in the case of Sieradz this is not a convincing argument. The clergymen were called upon to witness only those testaments which were written during the 1507 year's plague, and thus at a time of particular danger and a special eagerness to exploit everything which could increase chances for salvation. Later on, churchmen completely disappeared from the lists of witnesses. They were also rarely present among the executors, and if so — either as members of families (e.g. the brother of Małgorzata Duszakowa), representatives of an institution which obtained a legate (a priest from the parish church in the case of Barbara Brudzowa) or as persons enjoying special esteem and regarded as trustworthy (Jan Wisła in the case of Katarzyna Maliankowa). This group was clearly dominated throughout the whole period by the lower clergy, especially priests from the local parish church who were entrusted with *cura animarum* and thus also with the last rites.

VI. Summary

The analysis of the testaments of burghers from Sieradz (1500–1538) demonstrates that they were written upon the basis of a uniform formulary used throughout late medieval Europe. This fact bears witness to a good acquaintanceship with law on the part of the unknown scribe who could have been a member of the bench and thus also a burgher. An examination of particular parts of the formulary produced several pieces of information, both as regards the testators and the significance of the testament for the inhabitants of medium-sized Polish towns at the beginning of the sixteenth century. The testament served above all as the disposition of the property. The components of the latter which were regarded as worthy of bequeathing rarely reflect the prosperity of the testator which could have inclined him to make the

⁴⁸ J. Chiffolleau, *op. cit.*, p. 78.

testament many years earlier. These people, engaged in the everyday affairs of a medium-sized town, industriously saving money, pawning their valuables for a few pennies needed for current expenses or leasing and borrowing small sums of money, thought about writing down their last will usually already on their death beds. Once their busy life came to a halt there appeared the necessity of putting all affairs into final order so as not to waste anything. Fatal illness caught unaware Jakub Duszczyk, in the middle of fermenting hides, as well as Stanisław Luśnia, who was just busy impregnating raw materials in tanning pits. Barbara Brudzowa before her death had just finished to prepare malt, cooked some food with melted fat, and was going to make more malt. Małgorzata Kulaska at her last hour had made some soap, and Dorota Gniwilkowa and Katarzyna Maliankowa did not finish weaving their cloth. All debts, however, had to be set right and all claims exacted. This was the time when “business contacts” between the burghers and sometimes between various social groups were revealed. For example, the Sieradz *subcamerarius* appeared to borrow money from Urban the furrier and a nobleman Prędota was discovered to owe some money to Stanisław Warchoł. In the latter case one could seek with a great probability the traces of the legal dependence of Warchoł, who came to Sieradz from the belonging to Prędota village of Dobrzyszyce (in the district of Radomsko); Prędota, probably the former lord of Stanisław, used this opportunity to borrow money from his old serf.

Against the background of greatly expanded daily affairs, the pious legates took up little space in the testaments. One has the impression that often they were regarded only as a duty to be fulfilled, especially in the hour of a particular danger.

(Translated by Aleksandra Rodzińska-Chojnowska)

Appendix

Sieradz testators in the years 1500-1538

Source town records Sieradz	Date of writing	Person	Municipal function and occupations
II, 47-47v	25 IV 1500	<i>provida</i> Anna Ziółkowska	<i>civis</i>
II, 67-67v	13 VIII 1502	<i>providus</i> Urban	<i>civis</i> , furrier, councillor, mayor
III, 14-14v	3 VII 1507	<i>honesta</i> Dorota Kolipiátkowa	
III, 15-15v	6 VII 1507	<i>providus</i> Jakub Duszaczek	furrier, bēncher, elder of the guild of furriers
III, 16	17 VII 1507	<i>providus</i> Jan Gawel	<i>civis</i> , councillor
III, 16v-17v	18 VIII 1507	<i>provida</i> Dorota Kolipiátkowa	
III, 18-18v	15 VIII 1507	<i>providus</i> Wojciech (Albert)	<i>civis</i> , shoemaker
III, 19-19v	15 VIII 1507	<i>providus</i> Jan Martyczka	<i>civis</i> , blacksmith, elder of the guild of blacksmiths
III, 19v-20	25 VIII 1507	<i>laboriosus</i> Stanisław Warchoł	carpenter
III, 20-21	30 VIII 1507	<i>providus</i> Mikołaj	tailor
III, 24	6 VIII 1507	<i>providus dominus</i> Piotr	mayor (earlier councillor), tailor
III, 46v-47	29 I 1515	<i>honesta domina</i> Barbara Brudzowa	
III, 66	31 X 1516	<i>honesta domina</i> Małgorzata Duszakowa	<i>civis</i>
III, 104-105	10 III 1519	<i>honesta</i> Elżbieta Gorazdowa	
III, 118v-120	19 XI 1519	<i>providus</i> Piotr Bednarz	<i>oppidanus in Siradia</i> cooper, bēncher
III, 137-138	31 V 1520	<i>honesta</i> Dorota Gniwilkowa	
III, 172v-173v	12 VI 1521	<i>honesta</i> Katarzyna Maliankowa	
IV, 16v	31 V 1532	<i>providus</i> Jan Zakrzewski	<i>civis</i> , bēncher, leaseholder of the bridge and storage tax, town steward
IV, 18v	X-XI 1532	<i>providus</i> Klemens	<i>civis</i> , merchant
IV, 33-34v	28 II 1533	<i>honesta</i> Małgorzata Kulaska	
IV, 40v-41 ca	11 VII 1533	<i>providus</i> Stanisław Luśnia	shoemaker, elder of the Holy Virgin Mary fraternity
IV, 66v-67	13 VII 1534	<i>honesta</i> Angnieszka Kostrzyńska	
IV, 94	24 XI 1535	<i>honesta</i> Barbara Krzysztofowa	
IV, 274 v-276	13 X 1536	<i>honesta</i> Anna Węgiarczanka	
IV, 147v-148v	24 VIII 1537	<i>providus</i> Maciej Gładysz	shoemaker, bēncher
IV, 163	3 V 1538	<i>honesta</i> Anna Kotowa	furrier