

Krzysztof Broński

ORCID: 0000-0003-1736-7151

(Uniwersytet Ekonomiczny w Krakowie, Polska)

The policy of national and state authorities in the scope of counteracting vagrancy in Galicia in the period of autonomy – an outline of issues

The phenomenon of vagrancy in Galicia constituted a serious social and economic problem, which is now neglected in historiography. The aim of the article is to start a discussion about the issues related to counteracting this phenomenon in Galicia in the era of autonomy. The subject is the analysis of legal regulations and the organisational and financial activity to reduce vagrancy undertaken by the authorities at that time. The study presents an outline of the regulations of the National Parliament in the scope of compulsory deportation of vagrants as well as the a scale of compulsory deportation of vagrants to gminas where they had the right of belonging and the expenses of the national budget. Institutional and organisational solutions were also discussed, starting from those reducing vagrancy and ending with those preventing it. In particular, the study addresses the issue of creation of houses of compulsory labour and reform centers, stations supplying in kind and employment agencies.

Key words: Galicia, vagrancy, right of belonging, compulsory deportation, houses of compulsory labour

Social-economic changes occurring in Galicia in the second half of the 19th century, when the feudal socio-economic system ended, being replaced by the capitalist one, apart from many positive effects, led to the intensification of various negative phenomena, e.g. increase in poverty, unemployment and other social pathologies. The scale of these phenomena triggered the necessary reaction from the public authorities which created a proper social policy, decreasing the negative effects of political transformation.

The aim of the study is to open a discussion about issues related to counteracting vagrancy in Galicia in the period of autonomy. The subject of research will be the analysis of the policy assumed by national and state authorities in

the scope of solving this social issue. Attention will be paid to legal regulations and organisational-financial activities undertaken by the then authorities in the scope of counteracting and reducing the phenomenon of vagrancy.

Vagabondage has been a part of human everyday existence since time immemorial. People who lived in this way were called vagrants, vagabonds, tramps, drifters, rovers and hobos (in the Polish language: *waganci, waga-bundzi, ludzie luźni, hultaje, bandosi, włóczędzy*).¹ Vagrancy was identified as a problem where people and institutions caring for social order could intervene, which was manifested in the repression policy directed at vagrants. Vagabonds as a social group, relatively atomised, broke the rules of social order and evoked fear mixed with interest.

Among vagrants in the pre-partition Poland, Jan Bystron mentions first of all the beggar, who not always was an old person not necessarily living on the brink of abject poverty. It happened that this type of person evoked respect and curiosity among people whom he paid a visit. He was a newcomer, he knew more than others and it was always worth listening to his stories.² When a lonely woman decided to start wandering, more often than not she was forced to sell her own body and most often she also became a mendicant.³ Fears and aversion to beggars usually stemmed from the difficulty in understanding their attitude to life. On the other hand, in times when the possibility of travelling was limited in Polish villages, news from the world was brought by vagrants.⁴

Contrary to people wandering in search for work which could offer them a form of stability, vagrants skipped work sometimes for trivial reasons.⁵ They also resorted to petty theft and robbery; they earned their livelihood by begging, which was frowned upon by the general public. It has to be mentioned that it was a very thin line between those who wandered in search for labour and professional vagrants. People who wanted to receive alms wandered in the streets of cities and towns. They were particularly attracted by church festivals, fairs and fetes but avoided main public spaces as they were threatened by fines, forced labour and expulsion as they might be penalised with for the offence of vagrancy. A vagrant was perceived as the one who undermines the social order. Vagabondage, cultur-

¹ M. Nózka, *Włóczęgostwo: zjawisko społeczne i interwencja socjalna*, Kraków 2006, s. 11.

² J.S. Bystron, *Dzieje obyczajów w dawnej Polsce, wiek XVI–XVIII*, 1.1, Warszawa 1994, s. 270–271.

³ B. Baranowski, *Ludzie gościńca w XVII–XVIII w.*, Łódź 1986, s. 226.

⁴ Tamże, s. 7.

⁵ Józef Buzek pays attention to the important issue of people forced to become vagrants who due to old age or sickness became unable to undertake professional work. He focuses on the social injustice of the fact that “labourers provided wealth for their company and if during their service they lost their health and strength, those companies do nothing to sustain them as they do not need them anymore.” See idem, *Nowa ustawa o swojszczyźnie*, Cieszyń 1901, s. 5–6.

ally and economically degrading, was related to poverty, homelessness and other various negative aspects such as unknown origin or lack of attachment to well-established values e.g. home, family and work. Counteracting vagrancy constituted one of the weapons in the armoury of the policy of mercantilism.

The vicissitudes of vagrants' lives and work could be characterised by high social mobility.⁶ In the 18th century most vagrants came from villages. Usually they were forced to leave their homes by abject poverty. With time, the structure of this social environment changed and more members had urban origins.⁷ The lowest level of vagrant hierarchy was occupied by beggars, including many healthy people, capable of labour, both men and women. Men combined hired work with alms, while women worked on and off as prostitutes.⁸

A separate group was constituted by gypsies who wandered across the country in trains of caravans. These "people of the road" made stops in places they went through and in which they stayed, often stealing anything of any value for them.⁹ Unlike the local population they did not treat this kind of behaviour as morally wrong. In Galician censuses, such travellers were often categorised as foreigners of Hungarian origin. In 1785 the Lviv Province published a bulletin about penalising and expelling under escort gypsies who crossed the border with Galicia. Dominions were ordered not to offer them.¹⁰ Because of the growing number of gypsy trains, a considerable number of thefts and night burglaries, especially into barns and abductions of farm animals, Austrian authorities, concerned with the scale of the phenomenon, reintroduced regulations prohibiting travelling gypsies from other countries, mainly from Hungary, from entering to Galicia. However, in practice, such prohibitions were rarely followed.¹¹ In the 19th century the Polish term "ludzie luźni" (literally in English: "loose people") came out of use, being replaced by the terms "bandos" and "włóczęga". The very phenomenon still existed in an unchanged form.

The question of vagrancy constituted a serious social and economic problem in Galicia.¹² This region was perceived as the most backward province in the Habsburg Monarchy. In 869 Galicia was inhabited by 5.4 million people from which only 1.117 million lived in urban municipalities, which means that

⁶ M. Francić, *Ludzie luźni w osiemnastowiecznym Krakowie*, Wrocław 1967, s. 10.

⁷ M. Nózka, dz. cyt., s. 11.

⁸ S. Grodziski, *Ludzie luźni. Studium z historii państwa i prawa*, Kraków 1961, s. 49.

⁹ M.J. Adamczyk, *Karpaty polskie. Przyroda, człowiek – karty z przeszłości*, Nowy Targ 2017, s. 73. Gypsies who have a nomadic lifestyle are dependent on settled communities and, if they were unable to obtain means of support through work, fortune-telling or charity, they were forced to steal.

¹⁰ Tamże.

¹¹ Tamże.

¹² Cf. B. Łoziński, *Opieka publiczna nad ubogimi we Lwowie*, Lwów 1890, s. 48.

one out of five inhabitants came from one of 330 cities and towns located in this territory.¹³ In the next decades the population in the country grew and in 1910, despite growing emigration, it exceeded 8 million from which city-dwellers constituted about 24%. Agriculture provided the basic means of support for about $\frac{3}{4}$ population. The overpopulated Galician villages were particularly influenced by the phenomenon of poverty. The weakness of agriculture resulted mainly from the structure of ownership. Galicia was a land of small households, not offering full employment and maintenance for a peasant family.¹⁴ The eastern part of the country was fragmented to a lesser extent than the western one. Agricultural reforms introduced in 1848, marking the end of feudalism and the inception of capitalism, basically did not change the material situation of the Galician society. Moreover, pecuniary usury and usury in kind constituted a severe economic and social problem.¹⁵ The phenomenon was aggravated by the plague of alcoholism.¹⁶

Galicia was a multi-ethnic region inhabited by four main national groups: Poles, Ruthenians who at the end of the 19th century started to call themselves Ukrainians (particularly numerous in the eastern part of the country), Jews and Germans. The last ethnic group increased in number already in the first years after the partition.¹⁷ These German immigrants came mainly from Austrian countries.

The basic unit of territorial organisation in Galicia was *gmina*.¹⁸ Its members were persons having the right to belong to it. Persons without such a right but holders of titles to real estate or paying taxes for income or running a business enterprise obtained the status of a *gmina* participant. Both belonging persons and participants constituted members of a *gmina*. Issues related to the question of belonging were regulated by the act of the 3rd December 1893 on the right of belonging¹⁹ (amended in 1896²⁰), according to which each citizen of the state

¹³ T. Gąsowski, *Urbanizacja Galicji w dobie autonomicznej*, „Studia Historyczne”, R. XXVIII, z. 2, s. 223.

¹⁴ Z. Ludkiewicz, *Kwestia rolna w Galicji*, Lwów 1912, s. 42.

¹⁵ L. Twarecki, *Rola Kas Stefczyka w walce z lichwą na wsi*, Lwów 1928, s. 6.

¹⁶ Cf. T.J. Kotliński, *Galicyjska ustawa przeciwko opilstwu jako przyczynek do dziejów ustawodawstwa przeciwdziałającemu alkoholizmowi*, „Przegląd Prawno-Ekonomiczny”, nr 40 (3/217).

¹⁷ T. Zöckler, *Das Deutschtum in Galizien*, Drezno 1917, s. 37.

¹⁸ Państwowa ustawa gminna z dnia 5 marca 1862, Dz. u. p. nr 18.

¹⁹ Ustawa z 3 grudnia 1863, Dz. u. p. nr 105 o uregulowaniu stosunków prawa przynależności. The category of people who were designated as wanderers for the first time appeared in this act. A wanderer was considered to be a person whose right of belonging cannot be proven at a given time despite any attempts made to do so. Cf. *Zbiór ustaw i rozporządzeń administracyjnych*, oprac. J. Piwocki, wyd. drugie, t. III, Lwów 1911, s. 34–37.

²⁰ Ustawa z dnia 5 grudnia 1896, Dz. u. p. nr 222, o zmianie niektórych postanowień ustawy z dnia 3 grudnia 1863, Dz. u. p. nr 105, w sprawie urządzenia stosunków przynależności. This act

had to belong to a gmina. Belonging to a particular gmina was created by force of law, inherited from one's father or unwed mother. The only way to change one's status of belonging accepted by the law was to become admitted into a gmina which was possible upon the sole discretion of the gmina council.

In the pre-autonomy period gminas did not permit poor people to settle in their territory and expelled such unwanted newcomers. By means of the Emperor's Patent of the 17th March 1849 a provisional act concerning gminas was passed for all Austrian countries.²¹ This act considerably limited the possibility of any outsiders settling in a gmina as it distinguished between members of a gmina and outsiders. According to the act, a gmina could expel almost any unwanted newcomer from its territory.²² After industrial freedom was introduced in Austria in 1859,²³ almost all restrictions concerning settling down were lifted.²⁴ However, gminas did not resign from the right of granting its membership.²⁵ Pursuant to the gmina statutes in force during the period of state autonomies, the participant of a gmina i.e. a person who does not belong to it but possesses real property in it or pays direct tax, local authorities could send away only when such a person became a burden for public charity. According to the act of 1863 on the right of belonging (also called the right of domicile, right to residence or homeland law; Pl. "swojszczyzna")²⁶ as well as the national gmina statutes, a gmina had the obligation to cover the cost of taking care for the poor.²⁷ Gminas, attempting not to bear such costs, removed outsiders without the right of belonging from their territories.²⁸ Protection for the poor in Galicia until the

came into force on the 1st of January 1901. During 1901 and 1902 the city Cracow had to grant the right of belonging to 1983 people, while 30 Galician towns which were subject to the gmina statutes of 1889 – to 3966 people, cf. J. Buzek, *Administracja gospodarstwa społecznego*, Lwów 1913, s. 868.

²¹ Patent cesarski z 17 marca 1849, Dz. p. p. nr 170, by means of which a provisional gmina act was passed.

²² J. Buzek, *Administracja...*, s. 866.

²³ Ustawa Przemysłowa według patentu ces. z dnia 20 grudnia 1859, Dz. u. p. nr 227.

²⁴ J. Buzek, *Administracja...*, s. 893.

²⁵ K. Grzybowski, *Galicja 1848–1914. Historia ustroju politycznego na tle historii ustroju Austrii*, Wrocław 1959, s. 242.

²⁶ Ustawa z 3 grudnia 1863, Dz. p. p. nr 103, o uregulowaniu stosunków prawa przynależności.

²⁷ K. Broński, *Kwestia opieki publicznej nad ubogimi w Galicji w dobie autonomicznej (wybrane problemy)*, „Zeszyty Naukowe Uniwersytetu Ekonomicznego w Krakowie 2008, nr 779, s. 12–13.

²⁸ According to the act of the 3rd December 1863 the right of belonging was assumed by birth, marriage, obtaining a public office, being admitted into a gmina i.e. by being given the right of belonging. Cf. J. Buzek, *Nowa ustawa...*, s. 7–9. The right of belonging could only be possessed by an Austrian citizen. A woman getting married to a Hungarian, German or Russian citizen lost Austrian citizenship.

beginning of 1870s was provided mainly by the church or private persons.²⁹ Some gminas undertook actions to develop the gmina's philanthropist activities as was the case with Cracow where such actions were undertaken by Walery Wielogłowski, a publicist and a political activist.³⁰

The fate of vagrants transferred from one gmina to another was particularly difficult, which was emphasised by an MP and the president of Lviv, Godzimir Małachowski: "especially in villages, what a plague those poor souls are, being driven out from one village to another with a stick by voyts, utterly convinced that they serve their duty to defend the interest of their own gmina".³¹

The act regulating expulsion by the police and sending back under guard included a list of persons whom these procedures might concern. In all gminas it was possible to send back an outsider (i.e. an alien not belonging to the gmina, nor being its participant) in the following circumstances:

- if the person or other family members residing together did not lead "an impeccable life",
- if the person became a burden for public charity, i.e. they begged in public places or houses, sent begging letters or received support from the gmina.

As a result, the gmina council was entitled to send an outsider back only because of violating moral rules and the duty to provide support for the poor. For other reasons gmina could not prohibit an outsider to stay in its territory. A person expelled by a gmina was entitled to the right of appeal to starosty.³²

It has to be mentioned with reference to the right of belonging that in the 19th century in Austria some actions were undertaken which hampered protection for the poor, especially that it was a time of inception of a strong migration movement, leading to the situation in which in many gminas the non-belonging population constituted the majority of its population.³³ Gminas were unwilling to admit such people especially when they were supposed to be offered support. Consequently, according to the law in force, gminas expelled people who did not belong to them.

²⁹ A. Haratyk, *Rozwój opieki nad dziećmi i młodzieżą w Galicji doby autonomicznej*, Wrocław 2002, s. 84; M. Piotrowska-Marchewa, *Nędzarze i filantropi. Problem ubóstwa w polskiej opinii publicznej w latach 1815–1863*, Toruń 2004, s. 59–60.

³⁰ J. Kuzicki, *Oreżem i pracą. Życie i działalność Walerego Wielogłowskiego (1805–1865)*, Rzeszów 2005, s. 238.

³¹ G. Małachowski, *Uwagi o studiach rządowych do reformy administracji wypowiedziane przez dr Godzimira Małachowskiego na zebraniu członków Towarzystwa Prawniczego we Lwowie 20-go stycznia 1905*, „Przegląd Prawa i Administracji”, Lwów 1905, s. 216.

³² K. Gorzycki, *Szupaśnictwo w Galicji na podstawie materiałów urzędowych*, „Wiadomości Statystyczne o Stosunkach Krajowych”, t. XVIII, z. 2, Lwów 1901, s. 33.

³³ For instance in Lviv with the population of 206 113 in 1910, people belonging to this city were only 95 307, while 100 542 had the right of belonging in other Galician gminas, 5 316 in Austrian gminas outside Galicia and the remaining ones, i.e. 4948 people came from other countries. Cf. J. Buzek, *Administracja...* s. 867.

The act of 1863 stipulated that the right of belonging could be inherited, which considerably discouraged gminas from granting this type of right. The amended act of the 5th of December 1896 on the right of belonging³⁴ supplemented the previous one by changing the rules of compulsory and voluntary admission to a gmina. The act came into force on the 1st of January 1901. A gmina could not refuse to grant the right of belonging to an Austrian citizen who after coming of age resided there for 10 years and was not a burden for the public support for the poor.³⁵

The gmina authorities applied a very flexible policy concerning the admission fee for joining a gmina. In this respect gmina councils determined the amount of the fee upon their sole discretion, in many cases not charging it at all.³⁶

The relevant legislation concerning the right of belonging in Austria was the state law, while the law on compulsory deportation (a practice called *szupasowanie*³⁷ i.e. deporting a poor person to the gmina of their origin under escort) from a given gmina was a national law, separate for particular countries in the monarchy.³⁸ Deportation from a gmina by sending back proceeded on the basis of a compulsory passport, the so-called road letter, under guard, on foot as a rule, except for sick or dangerous individuals who were transported on wagons. In the period of autonomy in Galicia the issue of compulsory deportation along with other questions of public safety were regulated but limited only to provisions determining costs of such procedures. The national budget within which compulsory deportation took place was supposed to be reimbursed by the deported persons (if they were able to pay; if not – the budget of those countries where the gmina to which a deported person belonged was located). National legislation had the right to decide whether and under what conditions the costs of compulsory deportation borne by a national budget should be reimbursed by the gmina which the deported person belongs to. With respect to non-Austrian citizens, the legislation stipulated that with regard to cost reimbursement the previous provisions and international agreements remained in force. However,

³⁴ Ustawa z dnia 5 grudnia 1896, Dz. u. p. nr 222, o zmianie niektórych postanowień ustawy z dnia 3 grudnia 1863.

³⁵ J. Buzek, *Nowa ustawa...*, s. 10–12. Pursuant to this act, Cracow in the years 1901–1902 had to grant the right of belonging to 1 893 people, while 30 major Galician towns, subject to gmina statutes of 1889 – to 3996 people.

³⁶ G. Kądziałowski, *Prawo swojszczyzny („Heimathrecht”) jako wyraz przynależności do gminy*, „Studia z Dziejów Państwa i Prawa Polskiego” 2014, 17, s. 172.

³⁷ This term derived from the German word “abschieben” is understood as sending back with a compulsory passport or sending under escort vagrants, beggars etc. to the gminas they belong to. Cf. T. Pilat, *Pogląd na gospodarstwo funduszu krajowego galicyjskiego w latach 1876–1880 na podstawie zatwierdzonych przez Sejm zamknięć rachunkowych i innych aktów urzędowych*, „Wiadomości Statystyczne o Stosunkach Krajowych”, R. VIII, z. II, Lwów 1883, s. 57–58.

³⁸ K. Gorzycki, dz. cyt., s. 31.

if there was a case of free-of-charge deportation beyond the border of a country or if it was impossible to determine where a deported person belongs to, all costs had to be covered by the national budget.³⁹

The state act of the 27th of July 1871⁴⁰ on compulsory deportation constituted a basic norm for national regulations in this respect. It allowed the possibility of deporting a person from a given place of stay to the gmina they belong to. However, the permission for deporting a person from a territory to which they did not belong was limited by strictly determined conditions – deportation from a given place or a district to the gmina which a particular person belongs to could be ordered for policing reasons with respect to the following persons:

- persons who have a vagrant lifestyle, are unwilling to work but seek public charity,
- persons without any purpose for staying in a given location, who could not prove to have a lawful source of income,
- women who work as prostitutes and who do not observe the order to leave,
- persons leaving prisons or homes of compulsory work, if they endanger the security of other people or property.

An outsider expelled by a gmina was entitled to appeal to political authorities.⁴¹

A serious problem for the village population in the Habsburg monarchy was the wandering gypsies and gypsy gangs. According to the regulation of the ministry of internal affairs⁴² by force of the act of the 24th of May 1885 all wandering gypsies should be taken to court as vagrants.⁴³

Apart from vagrants, the act of 1871 also included beggars.⁴⁴ It included a category of persons without any purpose of their stay and who could not prove to have a lawful source of income. This category could also include persons looking for work, temporarily without any occupation, whose number was quite high due to freedom of migration⁴⁵ and the volatile economic situ-

³⁹ Tamże, s. 31–32.

⁴⁰ Ustawa państwowa z 27 lipca 1871, Dz. p. p. nr 88, o uregulowaniu policyjnego wydalenia i szupaństwa.

⁴¹ J. Buzek, *Administracja...*, s. 867.

⁴² Reskrypt ministerstwa spraw wewnętrznych z 14 września 1888 l. 14015 z r. 1887.

⁴³ Ustawa z 24 maja 1885, Dz. p. p. nr 89.

⁴⁴ Aleksander Męciński writes: “vagrancy is a stepbrother to beggary, from one mother, ‘indigence’, in days of yore boasting a particular hospitality and protection in foreign lands”. Cf. tenże, *O żebractwie i włóczęgostwie ze stanowiska historycznego, socjalno-ekonomicznego i prawnego*, Lwów 1893, s. 6.

⁴⁵ Freedom of migration was stipulated in art. 4. państwowej ustawy zasadniczej z 21 grudnia 1867, Dz. u. p. nr 142, o powszechnych prawach obywateli, dla królestw i krajów reprezentowanych w radzie państwa.

ation. The State Tribunal dealt with matters regarding the correctness of enforcement of the provisions of the act of 1871 by administrative authorities.⁴⁶ One of its rulings provided that it was impossible to deport a worker having a labourer's ID, who notified the proper authorities of the commencement of their paid work. Another ruling specified that a worker who had means of support, a labourer's ID and a travelling document and who declared before proper authorities that they would leave a given place soon, could not be compulsorily expelled as a person without any purpose of their stay. Another ruling stipulated that a labourer who worked in their profession but due to redundancy they were temporarily without occupation, could not be treated as having no purpose of their stay. Workers, according to those interpretations, who had a labourer's ID guaranteed by the statute, were not subject to compulsory deportation.⁴⁷ Taking into consideration the construal included in the State Tribunal ruling, the category of vagrants specified in the act of 1871 was considerably limited. In practice, all persons leaving prisons or homes of compulsory work were considered to be included in the vagrant category, if they pose a threat to people or property.

A certain number of cases submitted to the State Tribunal considered the expulsion of persons due to their staying in a given territory without any reason for their permanent stay and being unable to prove to have a lawful source of income. This case concerned mainly Jews who were accused of dealing with usury, which was against the law. In those situations the Tribunal analysed the circumstances of a given case and sometimes ruled that the decision to deport a given individual did not have legal grounds.⁴⁸

Regulations concerning compulsory deportation were severely sharpened in the act of 1871 by the provisions allowing the police to deport a given person from one or more locations with an indefinite or temporary prohibition of return. Such expulsion could proceed only if the public interest was in danger especially in the place from which a given person was supposed to be deported. The Directorate of Police and its bodies were appointed to make decisions about compulsory deportations. If they were not present in some locations, this duty was performed by governmental or gmina authorities which were appointed to

⁴⁶ A. Dziadzio, *Monarchia konstytucyjna w Austrii 1867–1914. Władza – obywatel – prawo*, Kraków 2001, s. 93.

⁴⁷ With respect to classifying white-collar workers as eligible for being obligatorily expelled, the act refers to the ruling of the State Tribunal of the 27th October 1892, which stipulated that a person who works as a journalist, earns a living by giving lessons and receiving support from parents and relatives residing in the same location, cannot be deemed not to have a purpose for their stay according to the act of the 27th July 1871. Cf. K. Gorzycki, dz. cyt., s. 33.

⁴⁸ A. Dziadzio, dz. cyt., s. 93–94.

perform political administration duties in the first instance.⁴⁹ The above mentioned gmina authorities could be ordered to make rulings about deportations also in locations with a Directorate of Police. Gminas who were the so-called deportation stations (*szupasowe stacje*) were supposed to perform the procedure of compulsory expulsion.⁵⁰

The act of 1871 stipulates that the costs of compulsory deportation should be covered by the local police since a given person was detained till the performance of a deportation ruling as well as the costs of maintenance of persons for whom a deportation ruling had not been made. Any additional costs, namely expenses related to medical examinations, food, garment of a deported person, their transportation, if they concerned particular countries of the Monarchy, should be covered by the budgets of those countries. The act of 1871 stipulated that the determination of the amount of cost reimbursement was specified by national legislation.

The national act of the 28th of January 1873 regulated matters related to compulsory deportation in Galicia.⁵¹ It stipulated that the costs of deportation stations borne by relevant gminas was reimbursed by the national budget. These provisions preceded in Galicia the very institution of deportation stations which were not created till 1875. The act of 1873 transferred the costs of compulsory expulsion of "repeat offenders" to the gminas they belong to. Reimbursement for stations and costs borne by gminas had to be paid according to lump sum evaluations, determined yearly by the National Department. Any disputes regarding financial issues were resolved by the starost who also collected any resultant amounts due. This first national act in Galicia was superseded by the act of the 15th November 1874,⁵² which stipulated that costs borne by stations should be reimbursed from the national budget in a lump sum calculated for each deported person, no matter how long they stayed at the deportation station. In case when a compulsorily deported person had to wait at the collection station for special transportation for the deported, the lump sum was calculated on the basis of each day spent at the station. The costs borne by the above mentioned stations were supposed to be reimbursed by the national budget.

Both national acts of 1873 and 1874 were normative acts which followed the provisions of the national act of 1871 and regulated only the costs of depor-

⁴⁹ Ustawa państwowa z 27 lipca 1871, Dz. p. p. nr 88, o uregulowaniu policyjnego wydalenia i szupaśnictwa.

⁵⁰ Wydawanie orzeczeń o przymusowym wydaleniu ustawodawstwo krajowe mogło przekazać także innym gminom, oprócz stacji szupasowych.

⁵¹ Ustawa z 28 stycznia 1873, Dz. u. k. nr 21.

⁵² Ustawa z 15 listopada 1874, Dz. u. k. nr 65, względem zwrotu kosztów szupasowych, wzmiankowanych w §§. 14 i 15 ustawy państwowej z dnia 27 lipca 1871, Dz. u.p. nr 88.

tation in Galicia. The act of 1874 was valid in the whole period of autonomy. The national legislature was not capable of undertaking any further actions as the regulation concerning the organisation of transport, deportation stations and guard was introduced by the Governorate in cooperation with the National Department. The result of such cooperation was the regulation by the Governorate of the 21st of August in 1875.⁵³ Before this regulation finally standardised the issues of compulsory deportation in Galicia, the national act was amended and supplemented by an additional act of the 10th of May in 1873,⁵⁴ which specified the question of vagrancy. A vagrant was defined as a person without permanent residence, wandered around without work and could not prove that they had means of support or they attempted to earn their living in a legal way. Such a person was punished as a vagrant by being remanded in custody from 8 days to one month. In case of repeat offence, the punishment was three-month custody. This supplementation which made the 1871 act more severe concerned people without any purpose for their stay who could not prove any income or legal earnings. The new act was more precise in defining the nature of vagrancy and punished vagrants more severely.

The above mentioned act included also a number of regulations regarding the basic legal norms for houses of compulsory labour and reformatory centers. According to its provisions a criminal court could make a ruling according to which persons, unwilling to work, who violated its provisions or who were prostitutes by profession or beggars, could be detained in a house of compulsory labour. With regard to determining the nature of obligation according to the decree of the 12 of October in 1839 the act introduced considerable changes. In the previous act the guilty person was any vagrant, i.e. a person unwilling to undertake work or a beggar; in the subsequent act only a person unwilling to work, violating its provisions or a criminal act was perceived as an offender. Simultaneously, the act of 1873 made the detention of such a person in a house of compulsory labour dependent on a ruling of a criminal court, while previously apart from courts also administrative authorities could make this decision. The act of 1873 defined the initial conditions of compulsion as equal to police supervision. Moreover, it stipulated that detention in a house of compulsory labour could not last longer than 3 years. If the reform of a particular person took place earlier, the offender had to be released before the end of this period. Juvenile delinquents below 18, according to the act, had to be held in reform schools where they could stay only until they were 20.⁵⁵

⁵³ Rozporządzenie c.k. namiestnictwa z dnia 21 sierpnia 1875, l. 4.287 pr., Dz. u. k. Nr 57.

⁵⁴ Ustawa z 10 maja 1873, Dz. p. p. nr 108.

⁵⁵ According to the regulation made by the Ministry of Internal Affairs and Justice of the 30th of May in 1873, criminal courts could make rulings on transferring offenders to houses of

The provisions of the act of 1873 on houses of compulsory labour generated a reaction in Galicia. In 1874, 1875 and 1877 poviats and urban representatives petitioned in the Parliament and in the National Department for organising houses of compulsory labour and reform schools as an efficient means which could prevent the spread of idleness and vagrancy. At the end of the 19th century there was only one foundation of Labour House in Nowy Sącz. This foundation was dedicated for the inhabitants of the former Sądecki district and aimed at hiring vagrants or persons shunning work.

The activities of the Parliament and the National Department in this respect generated impact later; meanwhile, deportation within the national act of 1871 was regulated with the consideration of some provisions of the act of 1873 by means of the regulation of the Governorate of the 21st of August in 1875. The regulation standardised the issue of making rulings regarding deportation and the involved stations. The starosty and police directorates in Lviv and Cracow were established as deportation authorities in order to make rulings about deportation in the first instance. The execution of the rulings was the responsibility of the heads of municipalities in which the deportation stations were located. At that time 257 stations of this kind were established.

In Galicia rulings of compulsory deportation did not become the responsibility of gminas, according to the national act, but remained in the scope of duties of state authorities. The national legislation was restricted only to regulation of the question of costs of compulsory deportation, which occurred in Galicia by the announcement made by the National Department on the 26th of November in 1875, which applied to all poviats departments, deportation stations and all gmina authorities. According to this announcement, the costs of organising and maintaining such stations were reimbursed to the gmina being a deportation station from the national budget in the lumpsum of 15 cents per each deported person, regardless of the length of their stay at the station. The national budget provided proper advance payment for each deportation station in order to cover the cost of compulsory deportation, i.e. expenses related to medical supervision, food and clothes for the deported, their transportation and escort as well as to the support for those who received compulsory passports. After the lumpsum was determined in 1875, compulsory deportation in Galicia took the form in which it existed until the end of the 19th century. The expenses from the national budget for the purpose of compulsory deportation in the years 1876–1886 were diversified: in 1876 they were equal to 11 800 zlotys, which comprised slightly less than 0.5% of the total expenses of the national

compulsory labour and reform schools, e.g. in Bohemia (the Czech Kingdom), Austria, Carinthia, Moravia, Silesia, Tyrol, Vorarlberg, Istria and Trieste. Only three Countries belonging to the Monarchy were excluded: Dalmatia, Bukovina and Galicia.

budget.⁵⁶ In 1886 the national budget provided 36 000 zlotys for the purpose of compulsory deportation; in the next several years this amount went down to 24 500 zlotys.

In the years 1876–1890 115 800 people⁵⁷ were compulsorily expelled in Galicia and their total number in the last two decades of the 19th century was almost 141 000 (in particular periods the number was diversified). The lowest number of people compulsorily deported was between 1878–1879 and 1893–1897. In the period of autonomy the number of deported people fluctuated, however, with a marked downward tendency. In 1896 almost 400 people were compulsorily deported from Galicia in 1896, the biggest number of whom, i.e. 158, to Russia, 62 to other Austrian countries, 49 to Hungary, 42 to Bukovina, and 38 to Austrian Silesia. The main reasons of compulsory deportation were vagrancy and lack of employment. With respect to age the biggest percentage of deported individuals were people between 18–50 years old, only several cases concerned people below 14 years old. With respect to the sex of the deported, men constituted the majority (e.g. deportees to Russia – 126 people). In case of deportees to Galicia in 1896, 607 people were brought from other countries belonging to the Monarchy, 91 from Hungary, 85 from other countries. Undoubtedly, the biggest number, i.e. 4615 people were compulsory deportees transferred within the territory of Galicia. Relatively, the most common reason for deportation was vagrancy and lack of sources of income.

Expenses borne by the national budget for the purpose of compulsory deportation were perceived as wasted resources since they did not eliminate the problem but only diminished the negative consequences of vagrancy for the society.⁵⁸

In 1907 the Parliament ordered the National Department to perform the cost analysis of compulsory deportation and to replace the procedure by means of houses of labour. The source data show that the expenses amounted yearly to about 50 000 koronas.⁵⁹ What is more, it was very common for the deported people to return after their deportation. The reform of the statutory definition of vagrancy in relation to the provisions of national acts of 1871 and 1873 was also

⁵⁶ T. Pilat, dz. cyt., s. 54.

⁵⁷ S. Komornicki, *Pogląd na gospodarstwo funduszu krajowego galicyjskiego w latach 1886–1890 na podstawie zatwierdzonych przez Sejm zamknięć rachunkowych i innych aktów urzędowych*, „Wiadomości Statystyczne o Stosunkach Krajowych”, R. XIV, z. I, Lwów 1893, s. 11.

⁵⁸ Tamże, s. 10–11.

⁵⁹ In 1893 korona/Krone was introduced in the Habsburg Monarchy as the unit of currency. Legally, still the old system of state accounts and other public-legal relations was preserved, i.e. the one which used Austro-Hungarian gulden/Rhenish zloty (1 zloty = 2 koronas). Since January 1900 all accounts had to be kept in koronas. Cf. J. Buzek, *Administracja...*, s. 557.

referred to by the relevant stipulations of the act of 1885.⁶⁰ According to this act a person could be punished as a vagrant if they wandered aimlessly and without work and could not prove that they disposed of means of support or that they attempted to legally earn a living. The provision in the national act of 1873 made the penalty of vagrancy dependent upon a person's lack of permanent residence or having left such; the provision of the national act of 1885 superseding the repealed provision of the act of 1873 referred also to vagrants who could possibly prove their permanent place of living but were completely unable to prove their source of income. The length of custody for vagrants remained unchanged in the national act of 1885 and amounted to 1–3 months. It was only possible to punish for vagrancy people whose source of income remained unknown. Furthermore, possible compulsory deportation involved people looking for work, subject to the definition of vagrancy specified in the act of 1871. Beggary, partly tolerated by the national act of 1871, according to the act of 1885 was a reprehensible way of earning a living. Who begged in public places or houses or, unwilling to work, resorted to public charity, induced minors to beg or ordered others to beg, had to be punished by custody from 8 days to 1 month. However, because the punishability of vagrancy, stipulated in the national act of 1885, involved other provisions of this act and the act on houses of compulsory labour and reform centers,⁶¹ no wonder that in Galicia where such institutions until the end of the 19th century were non-existent, the authorities could introduce such stipulations neither into criminal practice nor into deportation procedures to such an extent as in other Austrian countries. However, just for the above mentioned reasons, apart from the general reasons of economic nature, beggary and vagrancy became an excessively common social phenomenon. The authorities could and wanted to tolerate it and the lack of act on care for the poor, houses of compulsory labour, reform centers and supplying stations, made beggary almost the only means of support for the poor and the unemployed, replacing in an insufficient and statutorily forbidden way, social reforms, introduced in other Austrian countries. The national act of the 24th of May in 1885⁶² clarified the definition of punishable prostitution, which included women who prostituted themselves by profession despite being penalised by the police, having a venereal disease or evoking public outrage or seducing minors. Since the act of 1885 introduced the punishability of vagrancy and, indirectly, the aversion to work into the defini-

⁶⁰ Ustawa z 24 maja 1885, Dz. p. p. nr 89. Cf. *Zbiór ustaw i rozporządzeń administracyjnych*, oprac. J. Piwocki, wyd. drugie, t. III, Lwów 1911, s. 358–360.

⁶¹ Ustawa z 24 maja 1885, Dz. p. p. nr 89.

⁶² The provisions of this act were only modifications and supplementations of the provisions concerning the punishability of vagrancy according to the act of 1873. Cf. *Zbiór ustaw i rozporządzeń administracyjnych*, oprac. J. Piwocki, wyd. drugie, t. III, Lwów 1911, s. 361–364.

tion of vagrancy, it had to provide the basic criteria to evaluate whether a given vagrant truly showed unwillingness to work or they might be still looking for it. Such a criterion existed before, according to the act on the right domicile of 1863, in the authority of the gmina of belonging to designate a person suspected of being unwilling to work to perform compulsory labour for the benefit of the gmina, with remuneration in kind or with pecuniary means. The act of the 24th of May in 1885⁶³ extended the provisions of the act on the right of domicile of 1863 stipulating that not only the gmina of belonging but any gmina where a person capable of working, without means of support, not having a legal source of income, stays or is encountered, is entitled to designate such a person to perform work corresponding to their qualifications in exchange for remuneration or food. For evading such designated work, the person had to be punished by custody from 8 days to 1 month. However, such a criterion of determining aversion to work was insufficient. First of all, in both acts the designation of proper work by a given gmina was its right but not responsibility regarding a man suspected of aversion to work. In practice, only such gminas could exercise this right which had the financial resources to organise compulsory labour. The penalty of custody for procrastinators from the designated work was a social means as negative and insufficient as compulsory deportation. In Galicia the two means were usually combined. The number of imposed penalties in this respect was considerable. In the Habsburg Monarchy in 1886 there were almost 1 million of such cases in total, the biggest number of which in Eastern Galicia (288 800), then in Western Galicia (147 000). The number of penalised cases of vagrancy in 1886 in Galicia equalled 141 700 people. As mentioned by an MP, Aleksander Męciński, this high number of cases pertaining to vagrancy resulted from the fact that the state did not regulate the issue of the poor through administrative measures and held "wandering indigence"⁶⁴ criminally and judicially responsible. In practice, it did not solve the issue of vagrancy as the sentence for a temporarily unemployed person without a source of income did not stimulate them to seek occupation.

In the act of the 24th of May in 1885⁶⁵ the provisions of the national act of 1873 were sharpened by stipulations referring to people under police supervision. The provision of the act of 1885 specified that all types of vagrants according to the previous provisions, had to be punished by courts and only courts could decide about the permissibility of detaining a person in a house of compulsory labour, or in a reform center. The stipulation of the act expressed its above mentioned proper aim that all persons subject not only to the provisions

⁶³ Ustawa z 24 maja 1885, Dz. p. p. nr 89.

⁶⁴ A. Męciński, dz. cyt., s. 270–271.

⁶⁵ Ustawa z 24 maja 1885, Dz. p. p. nr 89.

of the act on vagrancy of 1871 but also punishable subject to acts of 1873 and 1885, could be transferred to houses of compulsory labour and reform centers. The act of the 24th of May in 1885⁶⁶ on houses of compulsory labour and reform centers stipulated that in Austria a number of houses of compulsory labour would be created in order to correspond to the needs of public safety. Particular countries of the Monarchy could apply for this opportunity; several countries could establish houses of compulsory labour together. National legislation could determine whether this type of houses should be organised also by poviats or gminas. A given country had to participate in the costs of establishing such.⁶⁷ The remaining expenses and the costs of functioning of such houses, if the national legislature did not transfer them to poviats or gminas, were borne by the national budget, which could, however, demand the reimbursement of costs of support of the convicted from the country to which they belonged. If particular persons were obliged to support the offender pursuant to the civil law, the national budget could demand the reimbursement of costs from such persons. The national act could demand the reimbursement of such costs from the gmina of belonging, or poviats. It has to be mentioned that the Austrian authorities, by imposing the burden of maintaining house of compulsory labour and reform centers on countries, ensured that they have a considerable influence on the management of such institutions. For instance, the national authorities were entitled to authorize their articles of association and rules of functioning, or to authorise the appointment of the heads of a given institution.⁶⁸

The houses of compulsory labour partially had the function of enterprises, the aim of which was not profit so they could not cover their own expenses. Apart from the financial aspect, it was important for such institutions to satisfy social needs of counteracting vagrancy, as stipulated by the act of 1885. The act prohibited admission of those who could not be hired even for light labour, mentally ill, people who suffered from contagious diseases, pregnant women and nursing mothers so that the institutions, the main aim of which was labour, did not turn themselves into institutions for the poor or for those unable to work. The main purpose of staying in a house of compulsory labour was the rehabilitation of an individual. Whether or not a minor could be admitted into this institution, or to a reform school, was stipulated in relevant provisions of this national act. Stipulations regulating the management of the institutions were governmental and autonomous at the same time. The managing authority was a commission created by the national administration with the cooperation of at least one representative of the National Department. The final provision of the

⁶⁶ Ustawa z 24 maja 1885, Dz. p. p. nr 90.

⁶⁷ Tamże.

⁶⁸ J. Buzek, *Administracja...*, s. 882.

act of 1885, instructing that its execution should be performed by ministers of internal affairs and justice, mentioned that also for Galicia they were supposed to pass required executive regulations, which would determine the period within which criminal courts have to make rulings on the admissibility of establishing of such institutions.⁶⁹

Several times in the 1870s cities and poviat departments petitioned to the National Parliament for the organisation of houses of compulsory labour and reform centers in Galicia. The National Department recognised the need for establishing such institutions but lacked sufficient funds.⁷⁰ The National Parliament passed the act of the 17th of October in 1888, in which this matter was transferred for consideration to the National Department, and on the 28th of October ordered the department to examine the way in which these institutions operate in other Austrian countries and the reformatory farmer-craftsman settlement in Studzieniec in the Kingdom of Poland. Subsequently, the department was obliged to prepare cost estimates, the choice of locations eligible for the establishment of institutions and making agreements with relevant gminas in the matter of possible cost sharing, particularly in the provision of land. The National Department reporting to the Parliament about the preparatory studies and actions, declared that first of all houses of compulsory labour had to be created separately for men and women. It transpired that two houses were needed by men, one in the western part, the other in the eastern part. In the west, Nowy Sącz seemed to be a fitting location for this purpose, in the east – the vicinity of Lviv.⁷¹ People kept in such institutions had to be employed to work as farmers, which is why every house had to have a proper area of land. The organisation of institutions for women was temporarily suspended since they could be put in monasteries and other church locations. The National Department postulated that the reformatory farming colony for boys under age, organised in a similar way to the one in Studzieniec in the Kingdom of Poland, dedicated for 150 people, was established in one of the middle poviats in Galicia.⁷² Moreover, on the 9th of April in 1890, the National Department organised a meeting attended by e.g. representatives of the Governorate of Galicia, the Higher National Court in Lviv, Supreme Public Prosecution in Lviv, the Magistrate of the City Lviv, the Chamber of Commerce and Industry in Lviv, the Galician

⁶⁹ However, such a period was not specified until the end of the 19th century. Nevertheless, the act of 1885 revived public discussion on the organisation of houses of compulsory labour and reform centers.

⁷⁰ M. Wasung, *Opieka nad ubogimi. Rys opieki nad ubogimi otwartej (pozaprzytulkowej)*, Lwów 1908, s. 96.

⁷¹ Sprawozdanie Wydziału Krajowego w przedmiocie urządzenia w kraju zakładów pracy przymusowej i poprawczych tudzież kolonii rolniczej poprawczej dla nieletnich chłopców, Alegat 52 do Sprawozdań Stenograficznych Sejmu Krajowego z roku 1890.

⁷² Tamże.

Farming Association in Lviv and a few representatives of the Department. The meeting confirmed the need to organise two houses of compulsory labour in the eastern and western part of the country, excluding, however, Lviv and Cracow.⁷³ In 1890 the Parliament ordered the National Department that in the matter of houses of compulsory labour and reform centres it should introduce the system of reformatory farming colonies, indicated by means of the act of the 6th of September in 1884 passed by the Parliament. Moreover, another act introduced the establishment of a reformatory colony for boys under age. The National Department was supposed to find a proper area for this purpose in the middle of Galicia and to prepare a plan and cost estimate along with the articles of association for these institutions.

With respect to the creation of houses of compulsory labour and reform centers, the Parliament ordered the National Department to find proper areas and started talks with the foundation in Nowy Sącz, while in relation to the eastern part of the country, it implemented talks with the government in order to obtain land (a part of the royal estate) necessary to establish such institutions e.g. in the vicinity of Drohobycz. During the negotiation, it commissioned the preparation of plans of buildings and cost estimates along with the articles of association and internal rules. Moreover, the National Department was commanded to continue negotiations with the management of the Saint Teresa institute in Lviv and Sisters of Mercy institute in Cracow.⁷⁴

As a result of the actions instigated by the National Department, the Austrian government and private owners offered 41 real estates in Galicia for possible sale for the purpose of establishing houses of compulsory labour, or farming and reformatory colonies.⁷⁵ Having received the order from the Parliament to continue talks, the National Department prepared a report in 1883 in which it indicated that the Tuligłowy Grange in the Mościska Powiat was a fitting location for a reformatory farming settlement, while the granges in Tyniec, Kielanowice near Tuchów and Bar near Gródek – for houses of compulsory work and reform centers. The estimated costs of organising a reformatory farming colony were 300 000 zlotys in total. The national police fund was dedicated to cover one part of the amount, while the other – governmental subsidies and a mortgage. Although the establishment of such a settlement, reform centers and houses of compulsory labour, reached the stage of implementation, the issue was not completely resolved. The question resurfaced at the beginning of the 20th century. It

⁷³ M. Wasung, dz. cyt., s. 98.

⁷⁴ Tamże, s. 99.

⁷⁵ Sprawozdanie Wydziału Krajowego o czynnościach przygotowawczych mających na celu urządzenie kolonii rolniczych i poprawczych w naszym kraju. Alegat 187 do Sprawozdań Stenograficznych Sejmu Krajowego z roku 1892.

was only until the 12th of October 1907 when the Galician Parliament dedicated the amount of 1.5 million koronas for the establishment of a national reformatory settlement for boys and girls in order to celebrate the sixtieth anniversary of Franz Joseph's rule. It also ordered the National Department to take necessary steps to put this initiative into practice.⁷⁶ In 1908 the National Department acquired the Przedzielnica real estate (in the Przemyśl Powiat) to establish the national reformatory settlement there. The costs of its creation were supposed to be covered from the fund designated for this purpose by the National Parliament as well as from the allowance from the state treasury.⁷⁷

Another form of counteracting vagrancy were stations supplying in kind. They were a relatively efficient tool of the policy implemented by the authorities by restricting vagrancy and beggary. There were various models of such institutions. According to the legislature from Lower Austria such stations admitted travellers without any means of support and source of income, however, capable of undertaking work, regardless of their right of domicile and faith. Persons admitted into the supplying stations had the duty to undertake the work offered by the stations which also received profit for the offered occupation. The idea for creation of such institutions in the Habsburg Monarchy was touched upon for the first time in the resolution of the 2nd of March 1885 of the State Council to the government.⁷⁸ The purpose of the supplying stations was to prevent vagrants from begging by offering support and finding suitable gainful employment; they were, therefore, providing support for the poor, coordinated with offices acting as intermediaries in looking for work. Admission into a station depended on the travelling documents (labourer's ID, official documents, passports), while the applicant had to prove that three months earlier they earned their living through gainful employment. Stay at the station could not exceed 18 hours, during which any admitted person was obliged to perform work designated to them by the management. The travellers did not obtain any earnings for the work; however, all the time at the station they were provided with remuneration "in kind". When they were about to leave, the station management issued the confirmation of stay at the station to them along with the indication of another station where they could obtain further assistance.

Supplying stations effectively counteracted beggary and, simultaneously, had an ethical influence on the indigent, distinguishing between those unwilling to work from those who could not or were unable to find sufficient occupa-

⁷⁶ Sprawozdanie Wydziału Krajowego o założeniu w Przedzielnicy Krajowej Osady poprawczej dla nieletnich chłopców i dziewcząt. Alegat nr 507 do Sprawozdań Stenograficznych Sejmowi Krajowemu z 1909 roku.

⁷⁷ Tamże.

⁷⁸ K. Gorzycki, dz. cyt., s. 48.

tion. Such criteria were inevitable since they were not created by the previous state and national legal regulations. Courts were unable to make rulings whether a given person is a punishable vagrant due to aversion to work or perhaps due to the lack of proper occupation. That is why in Galicia in the first place the tendency was to establish supplying stations in kind and only later – the institutions stipulated by the acts of 1873 and 1885.

To sum up, the autonomous authorities in Galicia noticed that prevention and elimination of vagrancy in the country requires taking comprehensive action. The very institution of compulsory deportation turned out to be insufficient. This type of activity was costly, it constituted a heavy burden for the national budget and did not eliminate the problem. An important question was also the limitation of beggary. The advocates of extending the activity of state and self-government administration pointed out the need to introduce the duty to work based on houses of compulsory labour or stations supplying in kind. A network of such institutions was supposed to be the antidote to the plague of vagrancy and beggary which was a social phenomenon with which the local authorities were unable to cope.⁷⁹ The National Department undertook numerous attempts to establish houses of compulsory labour and reform centers; however, in the whole period of autonomy, it was not possible to establish them, which is why courts did not apply the penal regulations concerning vagrancy with proper rigour.⁸⁰ In Galicia such institutions were established out of private initiative. In Lviv the most famous house, i.e. House of Labour under the aegis of Providence was organised by the Society of Mercy.⁸¹ In Cracow at the beginning of 1860s there was House of Shelter and Labour, dedicated for beggars, vagrants and persons temporality out of work.⁸² Adam Chmielowski (brother Albert) organised help for the “lowest proletariat”. Lodging houses also served this purpose and offered “voluntary gainful employment”. The first houses were established in 1892; a factory of bent furniture and a series of minor craft workshops were organised next to them.⁸³ Another example is the activity of the priest Bronisław Markiewicz, who in the Eastern Galicia started the association “Restraint and Labour” (“Powściągliwość i Praca”) and opened craft workshops for his

⁷⁹ R. Tomczyk, *Dyskusja nad reformą administracji publicznej w Austrii na początku XX wieku*, „Historia Slavorum Occidentis” 2014, 1(6), s. 122–123.

⁸⁰ J. Buzek, *Administracja...*, s. 864.

⁸¹ M. Małecki, *Wydział Krajowy Sejmu Galicyjskiego. Geneza, struktura i zakres kompetencji, następstwo prawne*, Kraków 2014, s. 576–577. The scope of operation of the Society of Mercy, established about 1880, included support for old men and the disabled, while for those able to work – maintenance of work chambers and shelters. Cf. *Sprawozdanie Krajowej Rady Zdrowia o stosunkach zdrowotnych w Galicji w roku 1905*, Lwów 1908, s. 157.

⁸² M. Piotrowska-Marchewa, dz. cyt., s. 219–220.

⁸³ E. Chomrański, *Brat Albert ojciec bezdomnych*, „Caritas” 1946, nr 9, s. 20.

wards.⁸⁴ Private reform schools operated in the first decade of the 20th century, e.g. in Oświęcim and Pawlikowice in the Wieliczka Poviát. In the latter one in 1908, 135 boys were kept at the expense of almost 32 000 koronas.⁸⁵ In the policy of the state and national authorities it was also vital to regulate the issue of care for the poor and the development of employment agencies.⁸⁶ In 1904 the act in the national and poviát employment agencies in Galicia came into force. The National office was created in 1905, while in the following years employment agencies started to function in 22 poviáts.⁸⁷ Through help in looking for work, they created opportunities for the limitation and prevention of vagrancy.

References

- Adamczyk M.J., *Karpaty polskie. Przyroda, człowiek – karty z przeszłości*, Nowy Targ 2017.
- Baranowski B., *Ludzie gościńca w XVII–XVIII w.*, Łódź 1986.
- Broński K., *Biura pośrednictwa pracy w Galicji na przełomie XIX i XX w.*, „Zeszyty Naukowe Akademii Ekonomicznej w Krakowie”, nr 692, Kraków 2005.
- Broński K., *Kwestia opieki publicznej nad ubogimi w Galicji w dobie autonomicznej (wybrane problemy)*, „Zeszyty Naukowe Uniwersytetu Ekonomicznego w Krakowie”, nr 779, Kraków 2008.
- Buzek J., *Administracja gospodarstwa społecznego*, Lwów 1913.
- Buzek J., *Nowa ustawa o swojszczyźnie*, Cieszyn 1901.
- Bystron J.S., *Dzieje obyczajów w dawnej Polsce, wiek XVI–XVIII*, t. 1, Warszawa 1994.
- Chomrański E., *Brat Albert ojciec bezdomnych*, „Caritas” 1946, nr 9.
- Dziadzio A., *Monarchia konstytucyjna w Austrii 1867–1914. Władza – obywatel – prawo*, Kraków 2001.
- Francić M., *Ludzie luźni w osiemnastowiecznym Krakowie*, Wrocław 1967.
- Gąsowski T., *Urbanizacja Galicji w dobie autonomicznej*, „Studia Historyczne”, R. XXVIII, z. 2.
- Głowacki M.A., *Ksiądz Bronisław Markiewicz wychowawca ubogiej młodzieży*, „Caritas” 1946, nr 11.
- Gorzycki K., *Szupaśnictwo w Galicji na podstawie materiałów urzędowych*, „Wiadomości Statystyczne o Stosunkach Krajowych”, t. XVIII, z. 2, Lwów 1901.
- Grodziski S., *Ludzie luźni. Studium z historii państwa i prawa*, Kraków 1961.
- Grzybowski K., *Galicja 1848–1914. Historia ustroju politycznego na tle historii ustroju Austrii*, Wrocław 1959.
- Haratyk A., *Rozwój opieki nad dziećmi i młodzieżą w Galicji doby autonomicznej*, Wrocław 2002.

⁸⁴ M.A. Głowacki, *Ksiądz Bronisław Markiewicz wychowawca ubogiej młodzieży*, „Caritas” 1946, nr 11, s. 18.

⁸⁵ *Sprawozdanie Krajowej Rady Zdrowia o stosunkach zdrowotnych w Galicji w latach 1908–1909*, Lwów 1911, s. 176.

⁸⁶ *Sprawozdanie z czynności Departamentu VI Wydziału Krajowego za czas od 1 września 1906 do 30 kwietnia 1908, Alegaty do Sprawozdań Stenograficznych Sejmu Krajowego z 1908 roku*, s. 11.

⁸⁷ K. Broński, *Biura pośrednictwa pracy w Galicji na przełomie XIX i XX w.*, Zeszyty Naukowe Akademii Ekonomicznej w Krakowie” nr 692, Kraków 2005, s. 5–20.

- Kądziałowski G., *Prawo swojszczyzny („Heimathrecht”) jako wyraz przynależności do gminy*, „Studia z Dziejów Państwa i Prawa Polskiego” 2014, 17.
- Komornicki S., *Pogląd na gospodarstwo funduszu krajowego galicyjskiego w latach 1886–1890 na podstawie zatwierdzonych przez Sejm zamknięć rachunkowych i innych aktów urzędowych*, „Wiadomości Statystyczne o Stosunkach Krajowych”, R. XIV, z. I, Lwów 1893.
- Kotliński T.J., *Galicyjska ustawa przeciwko opilstwu jako przyczynek do dziejów ustawodawstwa przeciwdziałającego alkoholizmowi*, „Przegląd Prawno-Ekonomiczny”, nr 40 (3/217).
- Kuzicki J., *Orężem i pracą. Życie i działalność Walerego Wielogłowskiego (1805–1865)*, Rzeszów 2005.
- Ludkiewicz Z., *Kwestia rolna w Galicji*, Lwów 1912.
- Łoziński B., *Opieka publiczna nad ubogimi we Lwowie*, Lwów 1890.
- Małachowski G., *Uwagi o studiach rządowych do reformy administracji wypowiedziane przez dr Godzimira Małachowskiego na zebraniu członków Towarzystwa Prawniczego we Lwowie 20-go stycznia 1905*, „Przegląd Prawa i Administracji”, Lwów 1905.
- Małecki M., *Wydział Krajowy Sejmu Galicyjskiego. Geneza, struktura i zakres kompetencji, następstwo prawne*, Kraków 2014.
- Męciński A., *O żebractwie i włóczęgostwie ze stanowiska historycznego, socjalno-ekonomicznego i prawnego*, Lwów 1893.
- Nózka M., *Włóczęgostwo: zjawisko społeczne i interwencja socjalna*, Kraków 2006.
- Pilat T., *Pogląd na gospodarstwo funduszu krajowego galicyjskiego w latach 1876–1880 na podstawie zatwierdzonych przez Sejm zamknięć rachunkowych i innych aktów urzędowych*, „Wiadomości Statystyczne o Stosunkach Krajowych”, R. VIII, z. II, Lwów 1883.
- Piotrowska-Marchewa M., *Nędzarze i filantropi. Problem ubóstwa w polskiej opinii publicznej w latach 1815–1863*, Toruń 2004.
- Tomczyk R., *Dyskusja nad reformą administracji publicznej w Austrii na początku XX wieku*, „Historia Slavorum Occidentis” 2014, 1(6).
- Twarecki L., *Rola Kas Stefczyka w walce z lichwą na wsi*, Lwów 1928.
- Wasung M., *Opieka nad ubogimi. Rys opieki nad ubogimi otwartej (pozaprzytułkowej)*, Lwów 1908.
- Zöckler T., *Das Deutschtum in Galizien*, Drezno 1917.

Polityka władz państwowych i krajowych w zakresie przeciwdziałania włóczęgostwu w Galicji w okresie autonomii – zarys problematyki

Streszczenie

Zjawisko włóczęgostwa stanowiło w Galicji poważny problem społeczny i ekonomiczny, obecnie pomijany w historiografii. Celem artykułu jest otwarcie dyskusji nad problematyką przeciwdziałania temu zjawisku w Galicji w dobie autonomicznej. Przedmiotem jest analiza regulacji prawnych i działalności organizacyjno-finansowej podejmowanej przez ówczesne władze. Przybliżone zostały ustawy państwowe stanowiące normy dla krajowych aktów prawnych. Zarysowano regulacje Sejmu Krajowego w zakresie kosztów przymusowego wydalania włóczęgów. Przedstawiona została skala przymusowego wydalania włóczęgów do gmin, w których posiadali prawo przynależności, oraz wydatki budżetu krajowego. Omówiono rozwiązania instytucjonalne i organizacyjne, poczynając od tych, które ograniczały włóczęgostwo, po te, które miały zapobiegać jego powstawaniu. W szczególności zasygnalizowany został problem dotyczący tworzenia domów pracy przymusowej i poprawczych, stacji zaopatrzenia w naturze oraz biur pośrednictwa pracy.

Słowa kluczowe: Galicja, włóczęgostwo, prawo swojszczyzny, przymusowe wydalanie, domy pracy przymusowej