



**Szczepan  
Kozak**

**THE WOMAN  
IN THE GALICIAN  
PROVINCES**

**IN THE LIGHT  
OF NOTARIAL  
RECORDS**

**(1871-1914)**

**Wydawnictwo Uniwersytetu Rzeszowskiego**

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*To my Wife*



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## List of important abbreviations used in the text

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- ABGB – Allgemeines Bürgerliches Gesetzbuch  
ANK – National Archives in Kraków (Archiwum Narodowe w Krakowie)  
APNS – National Archives in Kraków, branch in Nowy Sącz (Archiwum Narodowe w Krakowie, oddział w Nowym Sączu)  
APPm – State Archives in Przemyśl (Archiwum Państwowe w Przemyślu)  
APRz – State Archives in Rzeszów (Archiwum Państwowe w Rzeszowie)  
Art. – article  
cf. – comparison  
D.p.p. – Journal of State Laws  
D.u.p. – Journal of State Statutes  
KSKN – Quarterly Magazine of the Notary Candidates Association (Kwartalnik Stowarzyszenia Kandydatów Notarialnych)  
l.rep. – number of the repertory  
M – men  
W – women



## Introduction

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The 19<sup>th</sup> century was a century of changes shaping modern societies. These changes influenced also, or perhaps above all, the situation of women, exposing the incompatibility of the existing patterns with the new reality. The development of a market economy, the spread of technological achievements, mass communication and the resulting modernisation of social structures were conducive to the breakdown of old barriers, reinforced by centuries of patriarchy, which had determined a permanent and unchangeable place for women. After all, it was this era that also brought about the development of feminism, the struggle for voting rights, as well as access to education and the wider public space. It was, after all, a few years before 1914 that the first women became winners of the prestigious Nobel Prize.

The French medievalist Régine Pernoud used the metaphor of the Wheel of Fortune in one of her excellent books *Kobieta w czasach katedr* [Women in the Days of the Cathedrals]. Her words can be applied a little more broadly: “According to such a representation [...] the period of women’s dominance would fall during feudalism, that is, from the tenth to the end of the thirteenth century [...]. For during this period, women exercise unquestionable power, the kind of power that neither the charming female frondists of the seventeenth century nor the harsh anarchists of the nineteenth century possess [...]. This power, however, will shrink [...] given the shift in thinking, particularly in relation to women. And the Wheel of Fortune will not fail to push it inexorably downwards, and it will only rise from this fall in the twentieth century”.<sup>1</sup>

A woman living in the Galician provinces has not yet lived to see a historical monograph. Although the Polish women known from our historiography were often portrayed with a disregard for partition distinctions by exuding patriotic patterns, regional differences were already recognised by those of their time. Foreign observers reported in their travel impressions that the inhabitants of the former Galicia did not dress as attractively as in the central territories, were inconspicuous, one might say submissive, and devoted themselves more to

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<sup>1</sup> R. Pernoud, *Kobieta w czasach katedr*, Katowice 2009, p. 6.

domestic life.<sup>2</sup> Despite this, this sphere of women's life did not receive much interest for many years, rather prioritising their achievements in gaining public space.<sup>3</sup> Even the turning point of the 1990s, regarded in Poland as a watershed period in the development of interest in women's studies, did not expand our knowledge of private life in the Austrian partition considerably.

After the Second World War the image of the nineteenth-century Polish woman was shaped mainly by the works of Dionizja Wawrzykowska-Wierciochowa, who rarely focused on Galician themes, highlighting instead issues relevant to women's movements.<sup>4</sup> Even more rarely can we find similar themes in the publications of other authors of the period, mostly in the form of biographies. As in all Polish scientific literature written before 1990, women's activities beyond the sphere of national or revolutionary activity did not arouse the interest of wider circles of historians. When progress was made in this field in later years, the Austrian partition became its beneficiary only in exceptional cases.

The deeper popularisation of women's studies, observable in the last decade of the twentieth century, in the following years demonstrated the emerging gap in research.<sup>5</sup> Interest in the province itself, including women's issues in the Galician edition, lost its earlier momentum, while research into women's history from other areas of Poland continued to be popular. In the pages of the well-known publishing series beginning with the words *Kobieta i...* [Woman and...], only a few articles were devoted to Galicia.<sup>6</sup> We are still awaiting deeper

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<sup>2</sup> A. Döblin, *Reise in Polen*, Berlin 1926. *Cit. per.*: A. Will, *Kobieta polska w wyobraźni społeczeństw niemieckiego obszaru językowego od XIV w. do lat trzydziestych XX wieku*, Wrocław-Warszawa-Kraków-Gdańsk-Łódź 1983, p. 76.

<sup>3</sup> *Vide*: Sz. Kozak, *Kobieta w Galicji. Problemy metodologiczne badań, ich dotychczasowy dorobek i postulaty na przyszłość*, in *Galicja 1772–1918. Problemy metodologiczne, stan i potrzeby badań*, vol. 1, ed. A. Kawalec, W. Wierzbieniec, L. Zaskilniak, Rzeszów 2011, p. 241–257.

<sup>4</sup> D. Wawrzykowska-Wierciochowa, *Od prądki do astronautki. Z dziejów kobiety polskiej jej pracy i osiągnięcia*, Warszawa 1963, p. 6–7. The author exceptionally emphasised the issue of Galicia in books on women in the revolutionary movement or in the 19<sup>th</sup> century countryside. *Vide*: *eadem*, *Nie po kwiatach los je prowadził... Kobiety polskie w ruchu rewolucyjnym*, Warszawa 1987, p. 275–299; *eadem*, *Z dziejów kobiety wiejskiej. Szkice historyczne 1861–1945*, Warszawa 1961, p. 118–143.

<sup>5</sup> *Vide*: *Galicja 1772–1918. Problemy metodologiczne, stan i potrzeby badań*, vol. 1–3, ed. A. Kawalec, W. Wierzbieniec, L. Zaskilniak, Rzeszów 2011.

<sup>6</sup> A. Chwalba, *Kobiety w życiu politycznym Galicji na przełomie wieku XIX i XX*, in *Kobieta i świat polityki*, part 1, ed. A. Żarnowska and A. Szwarz, Warszawa 1994, p. 119–134; B. Czajeczka, *Wokół wykształcenia kobiet w Galicji. Towarzystwo Nauczycieli Szkół Wyższych we Lwowie i w Krakowie (1884–1914)*, in *Kobieta i edukacja na ziemiach polskich w XIX i XX wieku*, part 2, ed. A. Żarnowska and A. Szwarz, Warszawa 1992, p. 49–58; J. Hoff, *Czas wolny mieszkanki miasta galicyjskiego w XIX wieku*, in *Kobieta i kultura czasu wolnego*, ed.

syntheses as the canon of literature in this area is constituted by Bogusława Czajeczka's work, *Z domu w szeroki świat* [From Home into the Wide World],<sup>7</sup> dating from almost 30 years ago, and by Lidia A. Zyblikiewicz's demographic study, *Kobieta w Krakowie w 1880 roku* [Woman in Kraków in 1880].<sup>8</sup> It was only in the second decade of the 21st century that these works were supplemented by several books representing a more recent perspective, which will be discussed later.

To the greatest extent, the historiography of Galician women at this time was dominated by the theme of emancipation in education and schooling. The peculiarities of this region, especially during the era of autonomy, meant that women's struggle for access to various forms of education and, in the longer term, to economic independence overshadowed other areas of their activity in the eyes of historians. This was in part due to the interest in the liberalisation of social relations after 1867, but also to the source base.<sup>9</sup> This lively development of the study of educational opportunities<sup>10</sup> came to an abrupt halt with the general decline in the popularity of Galicia. The decade 2001–2010 accounted for only a dozen or so percent of all literature on educational issues, and much of it concerned the metropolitan environment, with the special position of Kraków as the seat of Jagiellonian University. Thanks to the research of Bogusława

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A. Żarnowska and A. Szwarc, Warszawa 2001, p. 87–103; M. Knothe, *Kobieta w społeczności wiejskiej na przełomie XIX i XX wieku (na przykładzie parafii Zaborów w Galicji)*, in *Kobieta i społeczeństwo na ziemiach polskich w XIX wieku*, ed. A. Żarnowska and A. Szwarc, Warszawa 1990, p. 109–129; N. Koestler, *Women in Jewish communities in the Habsburg monarchy: stages of emancipation*, in *Kobieta i świat polityki*, p. 135–148; W. Najdus, *O prawa obywatelskie kobiet w zaborze austriackim*, in *Kobieta i świat polityki*, p. 99–118; *eadem*, *Zmiany społeczno-ekonomicznej pozycji kobiety w galicyjskim środowisku drobnomieszczańskim*, in *Kobieta i edukacja*, p. 237–256; U. Perkowska, *Czas wolny w kulturze studenckiej na przełomie XIX i XX w. (w świetle pamiętników i korespondencji krakowskich studentek)*, in *Kobieta i kultura czasu wolnego*, p. 275–293; *eadem*, *Formacja zawodowa i intelektualna studentek Uniwersytetu Jagiellońskiego z lat 1894–1918*, in *Kobieta i edukacja*, p. 59–72; J. Snopko, *Dziewczęta w „Sokole” galicyjskim*, in *Kobieta i kultura czasu wolnego*, p. 383–391.

<sup>7</sup> B. Czajeczka, *Z domu w szeroki świat. Droga kobiet do niezależności w zaborze austriackim w latach 1890–1914*, Kraków 1990.

<sup>8</sup> L. A. Zyblikiewicz, *Kobieta w Krakowie z 1880 r. w świetle ankiet powszechnego spisu ludności. Studium demograficzne*, Kraków 1999.

<sup>9</sup> H. Madurowicz-Urbańska, *Perspektywy nowych badań nad społeczeństwem galicyjskim*, in *Pamiętnik XIII Powszechnego Zjazdu Historyków Polskich. Poznań 6–9 września 1984 roku. Część I: Referaty plenarne. Sekcje*, Wrocław–Warszawa–Kraków–Gdańsk–Łódź 1986, p. 144.

<sup>10</sup> Even before the Second World War, the question of higher education in Poland under the Partitions became the subject of detailed studies by Jan Hulewicz. *Vide*: J. Hulewicz, *Udział Galicji w walce o szkołę polską 1899–1914*, Warszawa 1934; *idem*, *Sprawa wyższego wykształcenia kobiet w Polsce w XIX w.*, Kraków 1939. *Vide*: K. Mrozowska, *Sto lat działalności kobiet polskich w oświacie i nauce*, Kraków 1971.

Czajeczka,<sup>11</sup> Jadwiga Suchmiel,<sup>12</sup> Katarzyna Sikora<sup>13</sup> or Urszula Perkowska,<sup>14</sup> the issue of women's higher education and scientific careers has today a very extensive body of work. Particularly noteworthy are monographic studies which, however, go beyond the Galician period (Perkowska – *Studentki Uniwersytetu Jagiellońskiego w latach 1894–1939* [*Students of the Jagiellonian University in the years 1894–1939*],<sup>15</sup> Suchmiel – *Udział kobiet w nauce do 1939 roku w Uniwersytecie Jagiellońskim* [Participation of women in science until 1939 at the Jagiellonian University] and *Działalność naukowa kobiet w Uniwersytecie we Lwowie do roku 1939* [Scientific activity of women at the University of Lviv until 1939]).<sup>16</sup>

Other levels of women's education have also attracted considerable interest among historians. Apart from the already cited Czajeczka,<sup>17</sup> Aleksandra

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<sup>11</sup> B. Czajeczka, *Z domu; eadem, Wokół wykształcenia*.

<sup>12</sup> J. Suchmiel, *Kariery zawodowe lekarek wykształconych w Uniwersytecie Jagiellońskim podlegających pod Krakowską Izbę Lekarską (w latach 1900–1918)*, in *Rola i miejsce kobiet w edukacji i kulturze polskiej. Konferencja naukowa, Zajączkowo 20–22 października 1997 (tezy i streszczenia referatów)*, ed. W. Jamrożek and D. Żołądź-Strzelczyk, Zajączkowo–Poznań 1997, p. 42–43; *eadem, Pozycja zawodowa i intelektualna kobiet ze stopniem doktora wykształconych na Uniwersytecie Jagiellońskim do roku 1918*, in *Partnerka, matka, opiekunka. Status kobiety w dziejach nowożytnych od XVI do XX wieku*, ed. K. Jakubiak, Bydgoszcz 2000, p. 362–370.

<sup>13</sup> K. Sikora, *Pierwsze kobiety na Uniwersytecie Jagiellońskim*, „*Annales Academiae Paedagogicae Cracoviensis*” 2007. *Studia Politologia*, no. 3, p. 248–268.

<sup>14</sup> U. Perkowska, *Czas wolny; eadem, Formacja zawodowa; eadem, Kariery naukowe kobiet na Uniwersytecie Jagiellońskim w latach 1904–1939*, in *Kobieta i kultura. Kobiety wśród twórców kultury intelektualnej i artystycznej w dobie rozbiorów i w niepodległym państwie polskim*, ed. A. Żarnowska and A. Szwarc, Warszawa 1996, p. 139–155; *eadem, Kształtowanie się etosu studentki polskiej w dwóch pierwszych pokoleniach studentek Uniwersytetu Jagiellońskiego z lat 1894–1939*, in *Kobieta i kultura życia codziennego*, ed. A. Żarnowska and A. Szwarc, Warszawa 1997, p. 387–403; *eadem, Pierwsze studentki Uniwersytetu Jagiellońskiego sprzed stu laty*, „*Alma Mater*” 1997, no. 6, p. 26–28; *eadem, Studentki geografii Uniwersytetu Jagiellońskiego w latach 1896–1939*, „*Czasopismo Geograficzne*” 1997, vol. 2, p. 131–146; *eadem, Studentki Uniwersytetu Jagiellońskiego w latach 1894–1939. W stulecie immatrykulacji pierwszych studentek*, Kraków 1994; *eadem, Studia kobiet na Uniwersytecie Jagiellońskim w latach 1894–1905*, „*Rocznik Komisji Nauk Pedagogicznych*” 1989, vol. 42, [printed in 1990], p. 13–27; *eadem, Udział kobiet w organizacjach akademickich (politycznych, społecznych i naukowych) Uniwersytetu Jagiellońskiego w latach 1894–1939*, „*Rocznik Krakowski*” 1993, vol. 59, p. 117–126.

<sup>15</sup> *Vide*: footnote 14.

<sup>16</sup> J. Suchmiel, *Udział kobiet w nauce do 1939 r. w Uniwersytecie Jagiellońskim*, Częstochowa 1994; *eadem, Działalność naukowa kobiet w Uniwersytecie we Lwowie do roku 1939*, Częstochowa 2000. A somewhat more modest publication was devoted by the author to women from the Jewish community and their fate at the University of Vienna. *Vide: eadem, Galicyjskie Żydówki ze stopni doktora w Uniwersytecie w Wiedniu do roku 1918*, „*Prace Naukowe Akademii im. Jana Długosza w Częstochowie*”. *Pedagogika* 2005, vol. 14, p. 145–162.

<sup>17</sup> B. Czajeczka, *Z domu. Vide: eadem, Szkoły klasztorne żeńskie w Galicji w latach 1867–1914*, „*Nasza Przeszłość*” 1984, vol. 61, p. 233–300.

Bilewicz's,<sup>18</sup> Andrzej Meissner's,<sup>19</sup> Barbara Stoczewska's,<sup>20</sup> Renata Dutkowska's,<sup>21</sup> partly Irena Kozimala's<sup>22</sup> research should be mentioned first. Within this trend it can be noted that alongside general works there are publications dedicated to selected educational institutions. This is evidenced by the historiography of education in Kraków as well as monographs on female schools in Przemyśl<sup>23</sup> and Nowy Sącz.<sup>24</sup> A related issue was the discourse on the directions of women's education in Galicia (developing in the periodicals of the time) and the related self-organisation of women's circles.<sup>25</sup> Works which conclude this thread deal with women's activation in certain areas of social life, including

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<sup>18</sup> A. Bilewicz, *Prywatne średnie, ogólnokształcące szkolnictwo żeńskie w Galicji 1867–1914*, Wrocław 1997. *Vide: eadem, Prywatne żeńskie szkolnictwo średnie w Galicji w latach 1867–1914*, in *Studia z dziejów oświaty i myśli pedagogicznej XVIII–XX wieku*, ed. P. Wałasek, Wrocław 1992, p. 109–127.

<sup>19</sup> A. Meissner, *Prywatne seminarium nauczycielskie żeńskie w Galicji doby autonomicznej 1896–1914. Powstanie, działalność i kadra nauczycielska*, in *Galicja i jej dziedzictwo*, vol. 6: *Nauczyciele galicyjscy. Udział polskich nauczycieli galicyjskich w rozwoju teorii pedagogicznej i badań naukowych 1860–1918*, ed. A. Meissner, Rzeszów 1996, p. 149–1914.

<sup>20</sup> B. Stoczewska, *Dążności edukacyjne kobiet w Krakowie na przełomie XIX i XX wieku w świetle programu i organizacji szkoły wydziałowej im. Św. Scholastyki*, „Rocznik Komisji Nauk Pedagogicznych” 2000, vol. 53, p. 5–17.

<sup>21</sup> R. Dutkowska, *Żeńskie gimnazja Krakowa w procesie emancypacji kobiet (1896–1918)*, Kraków 1995.

<sup>22</sup> I. Kozimala, *Średnie szkolnictwo żeńskie w Galicji Wschodniej na przełomie XIX i XX w., in Między nauką a oświatą. Na styku szkolnictwa wyższego i średniego w Galicji na przełomie XIX i XX w. Materiały konferencyjne*, ed. L. Fac, Przemyśl 2003, p. 77–89.

<sup>23</sup> M. Karp, A. Meissner, *Państwowe Seminarium Nauczycielskie Żeńskie w Przemyślu w latach 1871–1918*, „Rocznik Przemyński” 1990, vol. 27, p. 231–249.

<sup>24</sup> M. Kruczek, *Prywatne Seminarium Nauczycielskie Żeńskie im. M. Konopnickiej w Nowym Sączu (1902–1936)*, „Rocznik Sądecki” 1999, vol. 27, p. 177–191.

<sup>25</sup> Z. Sokół, *Walka kobiet o dostęp do nauki i oświaty na łamach czasopism kobiecych w Galicji*, in *Galicja i jej dziedzictwo*, vol. 8: *Myśl edukacyjna Galicji 1772–1918. Ciągłość i zmiana*, ed. Cz. Majorek and A. Meissner, Rzeszów 1996, p. 207–222. *Vide: eadem, Kobiecte czasopisma Krakowa i Lwowa w XIX w.*, in *Książki, czasopisma, biblioteki Krakowa i Lwowa XIX i XX wieku*, ed. J. Jarowiecki, Kraków 1993, p. 140–164; *eadem, Rola czasopism kobiecych w kształtowaniu modelu domu rodzinnego i wzoru osobowego matki (1860–1914)*, in *Partnerka, matka*, p. 127–145; K. Dormus, *Problematyka wychowawczo-oświatowa w prasie kobiecej zaboru austriackiego w latach 1826–1918*, Warszawa 2006; T. Gomuła, *Kwestia kształcenia kobiet w obradach galicyjskich kongresów pedagogicznych*, „Przegląd Historyczno-Oświatowy” 1996, R. 39, no. 3/4, p. 147–160; W. Jamrożek, *Miejsce i rola kobiet w edukacji i działalności społeczno-oświatowej w opinii działaczy i teoretyków galicyjskiej socjalnej demokracji*, in *Rola i miejsce kobiet*, p. 82–84. *Vide: idem, Status kobiety w świetle społeczno-wychowawczej myśli galicyjskiej socjalnej demokracji*, in *Partnerka, matka*, p. 255–262; *idem, Kobiety polskie w ruchu oświatowym Galicji na przełomie XIX i XX wieku*, in *Działalność kobiet polskich na polu oświaty i nauki*, ed. W. Jamrożek and D. Żołądź-Strzelczyk, Poznań 2003, p. 27–38.

educational societies.<sup>26</sup> Issues of women's participation in the professional group of teachers, on the other hand, were raised by Bilewicz,<sup>27</sup> Czajeczka<sup>28</sup> and Meissner,<sup>29</sup> already mentioned above.

In these studies there was also a noticeable interest in the broadly understood presence of women in the public space of Galicia, perceived as activity in women's, political or paramilitary movements.<sup>30</sup> On the one hand, these issues were not entirely new, as they referred to traditional women's historiography, which was still known thanks to Wierciochowa's research; on the other hand, their output was not particularly large either. Relatively early the issue of women's participation in Galician public life can be found in the works of Andrzej Chwalba<sup>31</sup> or Walentyna Najdus.<sup>32</sup> This thread seems to be supplemented by Zofia Sokół's article on the female popular movement, *de facto* concerning Maria Wysłouchowa.<sup>33</sup> Similar themes were also present in the works of Antoni Smołański,<sup>34</sup> Jarosław Cabaj,<sup>35</sup> Natalia Stegmann,<sup>36</sup> Katarzyna Dormus,<sup>37</sup> Monika Abram<sup>38</sup> or Joanna Dufurat, who, taking into account this province, in her

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<sup>26</sup> *Vide*: B. Czajeczka, *Oświatowe stowarzyszenia kobiece w Galicji*, in *Czy stowarzyszenia są dzisiaj potrzebne? Tradycja i teraźniejszość na przykładzie stowarzyszeń działających na terenie południowej Polski. Materiały z Sympozjum, Kraków 2–3 grudnia 1994*, ed. R. Majkowska, Kraków 2000, p. 113–122; *eadem*, *Wokół wykształcenia*.

<sup>27</sup> A. Bilewicz, *Nauczycielki prywatnych średnich szkół żeńskich w Galicji 1896–1914*, in *Galicja i jej dziedzictwo*, vol. 6, p. 129–148.

<sup>28</sup> B. Czajeczka, *Z domu*, p. 166–187.

<sup>29</sup> A. Meissner, *Wkład nauczycielek galicyjskich szkół pedagogicznych w rozwój teorii i praktyki edukacyjnej*, in *Rola i miejsce kobiet*, p. 14–15.

<sup>30</sup> *Vide*: G. Matuszek, *Kobiety a proces modernizacji – rekonosans galicyjskiej herstorii in Kraków i Galicja wobec przemian cywilizacyjnych (1866–1914)*. *Studia i szkice*, ed. K. Fiołek, M. Stala, Kraków 2011, p. 43–72.

<sup>31</sup> A. Chwalba, *op. cit.*

<sup>32</sup> W. Najdus, *O prawa obywatelskie*.

<sup>33</sup> Z. Sokół, *Powstanie i rozwój kobiecego ruchu ludowego w Galicji (1890–1918)*, in *Chłopi, naród, kultura*, vol. 5: *Chłopi a państwo*, ed. W. Bonusiak, Rzeszów 1997, p. 255–272.

<sup>34</sup> A. Smołański, *Kobiety jako działaczki socjalistyczne w Polsce*, in *Partnerka, matka*, p. 351–361.

<sup>35</sup> J. Cabaj, *Główne płaszczyzny aktywności kobiet w świetle ich trójzaborowych zjazdów w latach 1905–1918*, „*Dzieje Najnowsze*” 2008, R. 40, no. 4, p. 27–39.

<sup>36</sup> N. Stegmann, *Czynniki kształtujące ruchy kobiece w Galicji i na ziemiach czeskich na przełomie XIX i XX wieku. Próba porównania*, in *Działaczki społeczne, feministki, obywatelki... Samoorganizowanie się kobiet na ziemiach polskich do 1918 roku (na tle porównawczym)*, ed. A. Jasińska-Janiak, K. Sierakowska, A. Szwarz, Warszawa 2008, p. 211–220.

<sup>37</sup> K. Dormus, *Galicyjskie stowarzyszenia i organizacje kobiece doby autonomicznej jako wyraz kobiecych dążeń do samoorganizacji*, in *Działaczki społeczne*, p. 323–348.

<sup>38</sup> M. Abram, *Aktywizacja polityczna kobiet polskich na przełomie XIX i XX wieku*, in *Humanistyka i pleć. Publiczna przestrzeń kobiet: obrazy dawne i nowe*, vol. 3, ed. E. Pakszys and W. Heller, Poznań 1999, p. 79–97.

book *Kobiety w kręgu lewicy niepodległościowej* [Women in the Circle of the Independence Left] described, inter alia, the process of emancipation of Female Units of Polish Rifle Squads, Rifle Associations and similar phenomena.<sup>39</sup> Mention should also be made of the interest in the Galician women's movement in foreign literature e.g. Natali Stegmann (especially some chapters of her book *Die Töchter der geschlagenen Helden*),<sup>40</sup> Angélique Leszczawski-Schwerk,<sup>41</sup> as well as several minor works by other authors on feminist movements in the Ukrainian women's community.<sup>42</sup>

For many years other research areas were much less developed, e.g. the problem of women's professional activation in Galicia.<sup>43</sup> Reflections on prostitution, which already had a certain output in the historiography of the Kingdom of Poland<sup>44</sup> were present in a fragmentary way in the studies of

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<sup>39</sup> J. Dufurat, *Kobiety w kręgu lewicy niepodległościowej. Od Ligi Kobiet Pogotowia Wojennego do Ochotniczej Legii Kobiet (1908–1918/1919)*, Toruń 2001. Vide: M. Jarosińska, *Harcerstwo żeńskie i ruch zachowy w Rzeszowie (1912–1939)*, Rzeszów 2005; I. Kozimala, *Harcerstwo żeńskie w oczach społeczeństwa Galicji Wschodniej*, in *Historia zwyczajnych kobiet i zwyczajnych mężczyzn. Dzieje społeczne w perspektywie gender*, ed. D. Kałwa and T. Pudłocki, Przemysł (no publication date), p. 63–71; J. Snopko, *op. cit.*; A. Zawadzka, *Harcerstwo żeńskie na wschodnich ziemiach Rzeczypospolitej 1911–1945*, Warszawa 1999. Vide: H. Zahel, *Ciche bohaterki*, „Rocznik Historyczno-Archiwalny” 2003, vol. 17, p. 73–78; J. Kamińska-Kwak, *Galicjanki na rzecz powstania styczniowego*, in *Galicja a powstania styczniowe*, ed. M. Hoszowska, A. Kawalec, Warszawa 2013, p. 161–176.

<sup>40</sup> N. Stegmann, *Die Töchter der geschlagenen Helden. “Frauenfrage”, Feminismus und Frauenbewegung in Polen 1863–1919*, Wiesbaden 2000, p. 55–57, 84–90, 161–166. Vide: eadem, *Der Platz polnischer Feministinnen im galizischen Machtgefüge der 1890er Jahre bis 1914*, in *Frauenbilder, feministische Praxis und Nationales Bewusstsein in Österreich-Ungarn 1867–1918*, hrsg. W. Heindl, E. Király, A. Millner, Tübingen 2006, p. 241–255.

<sup>41</sup> A. Leszczawski-Schwerk, *Frauenbewegungen in Galizien um 1900 – Raum zwischen Kooperation und Konfrontation?*, in *Galizien – Fragmente eines diskursiven Raums*, Innsbruck 2009, p. 63–82.

<sup>42</sup> Vide: T. Zhurzhenko, *Ukrainian Women in Galicia: Origins of the Feminist Tradition and the Challenges of Nationalism*, in *Frauenbilder*, p. 257–268.

<sup>43</sup> This matter occurs fragmentarily in works with slightly broader themes or those devoted to particular occupational groups. Vide: B. Czajecka, *Z domu*, p. 151–207; A. Meissner, *Prywatne seminaria*; W. Najdus, *Zmiany*, p. 237–256; A. Burzyński, *Robotnicy w przemyśle ciężkim w Galicji w dobie autonomicznej. Struktura zatrudnienia*, Wrocław–Warszawa–Kraków–Gdańsk–Łódź 1985; Sz. Kozak, *Mieszkańcy Przeworska w latach 1867–1914. Zagadnienia społeczne i demograficzne*, Przeworsk 2010, p. 91–109 (chapter: *Kobieta i rodzina*); idem, *Aspekty aktywności ekonomicznej kobiet w Galicji w świetle akt notarialnych. Badania sondażowe*, „Studia Historyczne” 2008, R. 51, vol. 3–4, p. 279–298; idem, *Kobieta w Rzeszowie i okolicy w świetle akt notarialnych z okresu galicyjskiego*, in *Z przeszłości Europy Środkowowschodniej*, ed. J. Hoff, Rzeszów 2002, p. 146–201.

<sup>44</sup> Vide: J. Sikorska-Kulesza, *Zło tolerowane. Prostytycja w Królestwie Polskim w XIX wieku*, Warszawa 2004; eadem, *Tolerated Evil. Prostitution in the Kingdom of Poland in the Nineteenth Century* (Peter Lang, Berlin 2020).

Michał Baczkowski<sup>45</sup> or the somewhat later studies of Joanna Kordzikowska.<sup>46</sup> There was little literature taking into consideration national or ethnic criteria. Such considerations usually developed in parallel to demographic research, often remaining in close connection with family history studies. An example of this can be seen in some of Sabina Rejman's works on selected issues of rural community, based on metrical registers from the pre-autonomous period.<sup>47</sup> On the other hand, publications by Marianna Knothe,<sup>48</sup> or a much older work by Danuta Markowska,<sup>49</sup> presented a slightly different perspective. The urban communities of Galicia have been the subject of research by Jadwiga Hoff<sup>50</sup> and Krzysztof

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<sup>45</sup> M. Baczkowski, *Kobieta publiczna w napoleońskim Krakowie*, „Rocznik Krakowski” 2006, vol. 72, p. 153–160; *idem*, *Prostytucja w Krakowie na przełomie XIX i XX w.*, „Studia Historyczne” 2000, R. 43, vol. 4, p. 593–607.

<sup>46</sup> J. Kordzikowska, *Prostytucja w przestrzeni publicznej i prywatnej Rzeszowa na przełomie XIX i XX wieku. Zarys problematyki*, in *Kobieta w Galicji. Nowoczesność i tradycja*, ed. J. Kamińska-Kwak, Sz. Kozak, D. Opaliński, serial publication: *Galicja i jej dziedzictwo*, vol. 24, Rzeszów 2016, p. 90–99. *Vide*: K. Stauter-Halsted, *The Devil's Chain, Prostitution and Social Control in Partitioned Poland* (Ithaca and London Cornell University Press, 2015).

<sup>47</sup> S. Rejman, *Kim były XIX-wieczne „babki wiejskie” (Na przykładzie wsi Krasne pod Rzeszowem)*, in *Studia i materiały z dziejów społecznych Polski południowo-wschodniej*, ed. Z. Budzyński, Rzeszów 2003, p. 182–196; *eadem*, *Kobieta w rodzinie jako córka, żona i matka z punktu widzenia demografii historycznej regionu rzeszowskiego (na podstawie ksiąg metrykalnych z lat 1784–1867)*, in *Partnerka, matka*, p. 99–108; *eadem*, *Ludność podmiejska Rzeszowa w latach 1784–1880. Studium demograficzno-historyczne*, Rzeszów 2006; *eadem*, *Przemiany pokoleniowe w rodzinach wiejskich w końcu XVIII i w XIX wieku (na przykładzie zrekonstruowanych rodzin z Krasnego pod Rzeszowem)*, in *Rodzina i gospodarstwo domowe na ziemiach polskich w XV–XX wieku. Struktury demograficzne, społeczne i gospodarcze*, ed. C. Kuklo, Warszawa 2008, p. 391–408.

<sup>48</sup> M. Knothe, *op. cit.*

<sup>49</sup> D. Markowska, *Rodzina w środowisku wiejskim. Studium wsi podkrakowskiej*, Warszawa 1964. *Vide*: M. Trawińska-Kwaśniewska, *Sytuacja społeczna kobiety wiejskiej w ziemi krakowskiej na przełomie XIX i XX wieku*, „Prace i Materiały Etnograficzne”, vol. 10, issue 2, Wrocław 1957.

<sup>50</sup> J. Hoff, *Drobnomieszczaństwo rzeszowskie, i jego aktywność kulturalna w końcu XIX w. i na początku XX w.*, in *Drobnomieszczaństwo XIX i XX wieku*, ed. S. Kowalska-Glikman, vol. 3, Warszawa 1992, p. 131–165; *eadem*, *Mieszkańcy małych miast Galicji Wschodniej w okresie autonomicznym*, Rzeszów 2005; *eadem*, *Spółeczność małego miasta galicyjskiego w dobie autonomii*, Rzeszów 1992; *eadem*, *Stan badań nad kulturą i obyczajowością społeczności miast Galicji (1980–1990)*, in *Materiały do etnografii miasta*, ed. A. Stawarz, Żyrardów 1992, p. 70–74; *eadem*, *Stosunki wyznaniowe i struktura społeczno-zawodowa małego miasta galicyjskiego w dobie autonomii*, in *Miasteczka polskie w XIX i XX wieku. Z dziejów formowania się społeczności*, ed. R. Kołodziejczyk, Kielce 1992, p. 131–146; *eadem*, *Ustrój małych miast galicyjskich dobie autonomii (na przykładzie Galicji Zachodniej)*, in *Miscellanea Historico-Juridica Białostociensia*, ed. P. Fiedorczyk and A. Nowakowski, Białystok 1995, p. 105–120; *eadem*, *Wygląd małych miast galicyjskich w XIX i na początku XX wieku*, in *Rozwój przestrzenny miast galicyjskich położonych między Dunajcem a Sanem w okresie autonomii galicyjskiej*, ed. Z. Beiersdorf and A. Laskowski, Jasło 2001, p. 97–108; *eadem*, *Życie codzienne i obyczajowość*

Broński.<sup>51</sup> To date, however, apart from the work of Zyblikiewicz, there has been no separate study of women in the realities of urban life, although some themes are discernible in the works of the already mentioned authors.<sup>52</sup> Another positive development has been the gradual inclusion of women's history in a regional context, most often in connection with charity or the history of selected groups and social processes.<sup>53</sup> Research on the situation of women from the Jewish community<sup>54</sup> or the legal situation<sup>55</sup> has still been undertaken very sparingly.

The year 2010 can be regarded as a real breakthrough from the point of view of the historiography of Galician women, when a scientific conference in Czudec summarised the state of research into the history of Galicia. References

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*malego miasta galicyjskiego*, in *Miasto i kultura polska doby przemysłowej*, vol. 2: *Człowiek*, ed. H. Imbs, Wrocław 1993, p. 105–120; *eadem*, *Życie społeczne w małych miastach Galicji Zachodniej w dobie autonomii*, in *Galicja i jej dziedzictwo*, vol. 2: *Spółczeństwo i gospodarka*, ed. J. Chłopecki, H. Madurowicz-Urbańska, Rzeszów 1995, p. 223–233.

<sup>51</sup> K. Broński, *Rozwój gospodarczy większych miast galicyjskich w okresie autonomii*, Kraków 2003, *idem*, *Struktura społeczno-zawodowa oraz sytuacja ekonomiczna ludności większych miast galicyjskich w dobie autonomii 1867–1914*, „Zeszyty Naukowe Akademii Ekonomicznej w Krakowie” 2003, no. 638, p. 5–20.

<sup>52</sup> J. Hoff, *Kobieta w Rzeszowie w XIX i pierwszej połowie XX wieku*, in *Rzeszów – w 655. rocznicę lokacji. Studia z dziejów miasta i regionu*, ed. W. Bonusiak and W. Zawitkowska, Rzeszów 2010, p. 89–95; *eadem*, *Czas wolny mieszkanki miasta galicyjskiego*.

<sup>53</sup> A. Haratyk, *Tekla hr. Małachowska, Petronela hr. Wodzicka i Zofia hr. Potocka oraz ich wkład w działalność krakowskiego Towarzystwa Dobroczynności*, in *Partnerka, matka*, p. 328–334; *eadem*, *Udział społeczeństwa galicyjskiego w opiece nad dziećmi ubogimi i osieroconymi (1867–1914)*, Kraków 2007; K. Szmyd, *Ślužebniczki starowiejskie i spełniany model posłannictwa. (Z galicyjskiej tradycji opieki nad dzieckiem zaniedbanym i opuszczonym)*, in *Partnerka, matka*, p. 342–350; T. Pudłocki, *Iskra światła czy kopcząca pochodnia? Inteligencja w Przemysłu w latach 1867–1939*, Kraków 2009, p. 283–330 (chapter 7: *Proces emancypacji kobiet*); *Vide*: Sz. Kozak, *Mieszkańcy Przeworska*, p. 90–109 (chapter 4: *Kobieta i rodzina*); *idem*, *Kobieta w Rzeszowie*.

<sup>54</sup> M. Śliż, *Galicyjscy Żydzi na drodze do równouprawnienia 1848–1914. Aspekt prawny procesu emancypacji Żydów w Galicji*, Kraków 2006; Sz. Kozak, *Kobieta w Galicji w ramach austriackiego prawa cywilnego*, „Prace Historyczno-Archiwalne” 2006, vol. 17, p. 61–83 (hereinafter: *Kobieta w ramach prawa*).

<sup>55</sup> *Vide*: M. Nietyksza, *Ramy prawne zarobkowania kobiet w Królestwie Polskim w XIX i na początku XX w. na tle porównawczym*, in *Kobieta i praca. Wiek XIX i XX*, ed. A. Żarnowska and A. Szwarz, Warszawa 2000, p. 15–28; B. Czajeczka, *Z domu*; Sz. Kozak, *Kobieta w Galicji*, p. 61–83. *Vide* earlier works: M. Turzyna, *Kwestya kobieca*, in *Głos kobiet w kwestii kobiecej*, Kraków 1903, p. 1–16; M. Balsigerowa-Lipszyc, *Stanowisko kobiety wobec prawa cywilnego*, *ibidem*, p. 73–90; S. Warmski, *Prawo kobiet w państwie austriackim. Zbiór ustaw i rozporządzeń ustawodawstwa austriackiego, dotyczących kobiet w porównaniu z prawem francuskim i niemieckim*, Lwów 1910; F. Schwarz, *Mąż a żona w teorii i praktyce pod względem wszystkich wzajemnych praw i obowiązków i odpowiedzialności dla wszystkich krajów dziedzicznych monarchii austriackiej*, Drohobycz 1895.

to women's history were also made, and *Galicja 1772–1918* research team that was established inspired further research in this area as well.

The second decade of the 21<sup>st</sup> century saw the appearance of new publications of a monographic or even popularising nature (e.g. Jacek Kachel's popular science book, *Być kobietą. Sto lat temu na Śląsku Austriackim i w Galicji* [Being a Woman. One hundred years ago in Austrian Silesia and Galicia]).<sup>56</sup> The University of Rzeszów Publishing House (WUR) published the first edition of the present book in the Polish language (*Kobieta na prowincji galicyjskiej w świetle akt notarialnych* [The woman in the Galician provinces in the light of notarial records])<sup>57</sup> and in 2014 another conference in the Galician series was held, already devoted exclusively to women's issues. Its aftermath was a collection of studies entitled *Kobieta w Galicji. Nowoczesność i tradycja* [Woman in Galicia. Modernity and Tradition]<sup>58</sup> – published in 2016 and containing 32 articles. Independently of this initiative, further books were published, such as Urszula Górską's study *Drogi Wolności* [Ways of Freedom],<sup>59</sup> which treats women's emancipation movement in the Habsburg monarchy with threads on Galician issues, and in recent years, from foreign literature, Rachel Manekin's *The rebellion of the daughters: Jewish women runaways in Habsburg Galicia*.<sup>60</sup> In spite of this favourable atmosphere, there is still no monograph on Galician women in the strict sense of the word. On the other hand, a whole series of new articles have been published, which have broadened our knowledge in such research areas as: woman in the Ukrainian community and East Galicia, woman in the economic life of Galicia, or more broadly, in public life.<sup>61</sup>

After 2010, the women's question in Ukrainian society has been dealt with mostly by researchers from Ukraine – Iwanna Czerczowycz,<sup>62</sup> Mariana

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<sup>56</sup> J. Kachel, *Być kobietą. Sto lat temu na Śląsku Austriackim i w Galicji*, Żywiec 2012.

<sup>57</sup> Sz. Kozak, *Kobieta na prowincji galicyjskiej w świetle akt notarialnych 1871–1914. Studium historyczno-źródłoznawcze*, Rzeszów 2013.

<sup>58</sup> *Kobieta w Galicji. Nowoczesność i tradycja*, ed. J. Kamińska-Kwak, Sz. Kozak, D. Opałiński, serial publication: *Galicja i jej dziedzictwo*, vol. 24, Rzeszów 2016.

<sup>59</sup> U. Górską, *Ways of Freedom. Ruch emancypacyjny kobiet w monarchii habsburskiej na podstawie journalistyki i twórczości literackiej w latach 1867–1918*, Warszawa 2016.

<sup>60</sup> R. Manekin, *The rebellion of the daughters: Jewish women runaways in Habsburg Galicia*, Princeton 2020.

<sup>61</sup> *Vide*: Sz. Kozak, *Badania nad historią kobiet w Galicji prowadzone od 2010 roku*, in *Szkice z dziejów gospodarczych i społecznych Galicji*, ed. G. Zamojski, Rzeszów 2018, p. 165–178.

<sup>62</sup> I. Czerczowycz, *Realizacja zawodowa kobiet końca XIX – początku XX w. na przykładzie społeczeństwa ukraińskiego w Galicji*, „Przegląd Nauk Historycznych” 2014, R. 13, no. 2, p. 147–161; *eadem*, „Zdrowa, niemoralna, bez najmniejszego wykształcenia”: kobiety w sprawach karnych na podstawie dokumentów Sądu Krajowego we Lwowie (druga połowa XIX – początek XX wieku), in *Kobieta w Galicji. Nowoczesność i tradycja*, p. 100–109; *eadem*, *Spoleczna*

Baidak,<sup>63</sup> Iryna Orlevych,<sup>64</sup> Natalia Kolb,<sup>65</sup> Ołena Hanusyn<sup>66</sup> but also from Poland, such as Ryszard Tomczyk.<sup>67</sup> A characteristic feature of this research (in some cases with somewhat older roots<sup>68</sup>) is the recognition of the special role of the Orthodox and Greek Catholic rite clergy in the emancipation process.<sup>69</sup> It was their wives and daughters, often well educated, who were able to exert influence in rural communities, where they spread national views or even disseminated educational knowledge.<sup>70</sup> In the recent years, however, foreign historiography in particular has recognised the increasing role of women in the formation of the Ukrainian intelligentsia.<sup>71</sup>

The broadening of the research perspective to Eastern Galicia, on the other hand, has exposed its multiculturalism to a lesser extent.<sup>72</sup> Little mention of women in the Hutsul environment can be found in the text by the aforementioned

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wizja życia codziennej kobiety Ukrainki we Lwowie na przełomie XIX i XX wieku, in *Lwów miasto–społeczeństwo–kultura*, t. 9: *Życie codzienne miasta*, ed. K. Karolczak and Ł. T. Sroka, Kraków 2014, p. 244–254; eadem, *Miłość, obowiązek i zdrada w małżeństwach galicyjskich drugiej połowy XIX w.*, in *Emocje mieszkańców miast na przestrzenie dziejów. Zbiór studiów*, ed. A. Buczyła, J. Możdżeń, A. Mutrynowska, Toruń 2014, p. 27–42; eadem, *Ukrainki w Galicji Wschodniej w drugiej połowie XIX – na początku XX wieku: między tradycyjnymi wartościami rodzinnymi a wyzwaniem emancypacji*, in *Obrazy kobiecości. Zbiór studiów*, ed. M. Jabłoński, B. Koperski, J. Falla, W. Pilch, M. Hohenauer, Kraków 2014, p. 227–242.

<sup>63</sup> M. Baidak, *Between society and house: the history of the emancipation of the Ukrainian women of Eastern Galicia during the First World War*, „Res Gestae. Historical Magazine” 2016 (3), p. 194–235; eadem, *Жінка в Галичині в умовах першої світової війни у світлі порівняльних студій*, in *Kobieta w Galicji. Modernity and tradition*, p. 494–507.

<sup>64</sup> I. Орлевич, *Жіноче питання у трактуванні русофілів (за сторінками періодичного видання “Временникъ Ставропігійскаго Института”)*, in *Woman in Galicia. Modernity and tradition...*, p. 57–72.

<sup>65</sup> H. Колб, *Роль жінки (матері/дружини) в житті греко-католицького парафіяльного духовенства в Галичині наприкінці XIX – на початку XX століття (на прикладі о. Ісидора Глинського)*, in *Woman in Galicia. Modernity and tradition*, p. 195–209.

<sup>66</sup> O. Hanusyn, „*Inteligentna kobieta nasza czuła się jednocześnie Rusinką i mężczyzną*”: *wątki kobiece w kształtowaniu się ukraińskiej inteligencji w dziewiętnastowiecznej Galicji*, in *Kobieta w Galicji. Nowoczesność i tradycja...*, p. 110–120.

<sup>67</sup> R. Tomczyk, *Rusinki (Ukrainki) w austriackiej Galicji pomiędzy konserwatyzmem a radykalizmem*, „Przegląd Zachodniopomorski” 2012, vol. 27, issue 2, p. 89–111.

<sup>68</sup> Vide: T. Zhurzhenko, *Ukrainian Women in Galicia: Origins of the Feminist Tradition and the Challenges of Nationalism*, in *Frauenbilder, feministische Praxis und Nationales Bewusstsein in Österreich-Ungarn 1867–1918*, hrsg. W. Heindl, E. Király, A. Millner, Tübingen 2006, p. 257–268.

<sup>69</sup> H. Колб, *op. cit.*

<sup>70</sup> R. Tomczyk, *op. cit.*, p. 92–93.

<sup>71</sup> Vide: O. Hanusyn, *op. cit.*; I. Czerczowycz, *Spoleczna wizja*.

<sup>72</sup> Vide: *Understanding Multiculturalism. The Habsburg Central European Experience: Austrian and Habsburg Studies*, Volume 17, ed. J. Feichtinger, G. B. Cohen, New York–Oxford 2014.

Tomczyk on Ruthenian women in Austrian Galicia.<sup>73</sup> Slightly more prominence was given to women's issues by Franciszek Wasyl dealing with the Armenian family.<sup>74</sup> Postcolonial studies, on the other hand, have brought back the question of the Jewish woman. This is reflected in an article by Angelique Leszczawski-Schwerk, *Żydzi i Żydówki jako podmioty postkolonialne w świetle dążeń emancypacyjnych kobiet w Galicji (1890–1914)* [Jews and Jewish women as postcolonial subjects in the light of women's emancipation aspirations in Galicia (1890–1914)];<sup>75</sup> and in part in a second article entitled *Zacofanie, postęp i historia. Retoryka polityki kobiecej na przykładzie Galicji* [Backwardness, progress and history. The rhetoric of women's politics based on the example of Galicia] – by Dietlind Hüchtker.<sup>76</sup> They were at the same time one of the few manifestations of the application of postcolonial methodology to the study of Galician women's history.<sup>77</sup> A slightly different perspective can be found in Mirosław Łapot's reflections on "female teachers of the Mosaic religion".<sup>78</sup>

Another research area exposed the position of women in the economic life of Galicia. The return to this topic provided a pretext for redefining the hypothesis on the extent of the significance of the Great War of 1914–1918 for the mass occupational activation of women. Some studies have shown that this process started much earlier. Mention should be made here of Lidia Zyblikiewicz's article on the professional activity of women in Kraków<sup>79</sup> and my research on the professional structure of women in Galicia<sup>80</sup> or their economic activity in 1912.<sup>81</sup> The issue of the professional activity of Ukrainian

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<sup>73</sup> R. Tomczyk, *op. cit.*, p. 102–103.

<sup>74</sup> F. Wasyl, *Ormianie w przedautonomicznej Galicji. Studium demograficzno-historyczne*, Kraków 2015; *idem*, *Kobieta w ormiańskim kręgu rodzinnym w przedautonomicznej Galicji*, in *Kobieta w Galicji. Nowoczesność i tradycja*, p. 144–167.

<sup>75</sup> A. Leszczawski-Schwerk, *Żydzi i Żydówki jako podmioty postkolonialne w świetle dążeń emancypacyjnych kobiet w Galicji (1890–1914)*, „Historyka” 2012, vol. 42, p. 159–170.

<sup>76</sup> D. Hüchtker, *Zacofanie, postęp i historia. Retoryka polityki kobiecej na przykładzie Galicji*, „Historyka” 2012, vol. 42, p. 171–189.

<sup>77</sup> K. Kaps, J. Surman, *Galicja postkolonialna czy postkolonialnie? Postcolonial Theory pomiędzy przymiotnikiem a przysłówkiem*, „Historyka” 2012, vol. 42, p. 7–27; D. Sosnowska, *Ograniczenia i możliwości krytyki postkolonialnej*, „Historyka” 2012, vol. 42, p. 89–99. *Vide: eadem*, *Inna Galicja*, Warszawa 2008.

<sup>78</sup> M. Łapot, *Nauczycielki religii mojżeszowej w szkołach publicznych w Galicji w latach 1867–1939*, „Prace Naukowe Akademii im. Jana Długosza w Częstochowie”, serial publication: *Pedagogika* 2011, issue 20, p. 407–418.

<sup>79</sup> L. Zyblikiewicz, *Aktywność zawodowa kobiet w Krakowie w II połowie XIX wieku*, „Przeszłość Demograficzna Polski” 2015, vol. 37, no. 4, p. 83–103.

<sup>80</sup> Sz. Kozak, *Kierunki aktywizacji zawodowej kobiet w Galicji w koniec XIX i na początku XX wieku w świetle spisów ludności*, „Prace Historyczne” 2019, issue 1 (146), p. 101–128.

<sup>81</sup> *Idem*, *Aktywność gospodarcza kobiet w Galicji w świetle „Skorowidza przemysłowo-handlowego” z 1912 roku. Zarys problematyki*, „Studia z Historii Społeczno-Gospodarczej XIX i XX wieku” 2014, vol. 13, p. 81–95.

women was also raised in the article by Ryszard Tomczyk, cited above,<sup>82</sup> while Krzysztof Ślusarek dealt with a group of female owners of city properties.<sup>83</sup>

In addition, we find threads testifying to the professional activation of women in a number of small contributory articles. One can cite here the text by Mirosław Łapot on female teachers of the Mosaic religion in Galician public schools<sup>84</sup> or Martyna Nowicka on professional female photographers from Galicia.<sup>85</sup>

A research area with a long tradition is the question of the presence of women in public space. A series of case study works have appeared in scholarly circulation.<sup>86</sup> The feminist movement in the Ukrainian community has also found its place in historians' research.<sup>87</sup>

In spite of what appears to be a considerable body of literature in recent years, however, there have been noticeable trends indicating a decline in interest in women's issues in Galicia. It is hard to resist the impression of a kind of "its melting away" in the area of demographic research, family history studies, the connection with everyday life issues or a few other currents. We will not

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<sup>82</sup> R. Tomczyk, *op. cit.*, p. 107–109.

<sup>83</sup> K. Ślusarek, *Kobiety jako posiadaczki nieruchomości w miastach wschodniej części Galicji pod koniec XVIII wieku*, in *Studia i materiały z historii nowożytnej i najnowszej Europy Środkowo-Wschodniej*, vol. 1: *Na styku epok. Ziemie południowo-wschodniej Rzeczypospolitej od XVII do początku XIX wieku*, ed. T. Kargol, W. Michałowski, K. Ślusarek, Kraków–Kijów 2020, p. 133–152.

<sup>84</sup> M. Łapot, *op. cit.*, p. 407–418.

<sup>85</sup> M. Nowicka, *Profesjonalistki. O zawodowych fotografkach w Galicji*, „Przegląd Kulturoznawczy” 2014, no. 3 (21), p. 328–335.

<sup>86</sup> *Vide*: W. Bonusiak, *Honorata Łukasiewicz (1837–1897)*, in *Człowiek, społeczeństwo, źródło. Studia dedykowane profesor Jadwidze Hoff*, ed. Sz. Kozak, D. Opaliński, J. Polaczek, S. Wieczorek, W. Zawitkowska, Rzeszów 2014, p. 43–49; S. Pijaj, *Nie tylko Maria Dulębianka. Uwagi na temat praw wyborczych kobiet w monarchii habsburskiej i korzystania z nich*, in *Człowiek, społeczeństwo, źródło*, p. 88–98; B. Wałęciuk-Dejneka, *Galicyjskie portrety kobiet – Maria Dulębianka*, in *Kobieta w Galicji. Nowoczesność i tradycja*, p. 271–281; E. Barnaś-Baran, *Maria Turzyma (ok. 1860–1922) – w służbie rodzinie i narodowi*, in *Kobieta w Galicji. Nowoczesność i tradycja*, p. 282–295; I. Florczak, *Socjalistka na prowincji – społeczna i polityczna działalność Zofii Moraczewskiej w Galicji (do 1914 roku)*, in *Kobieta w Galicji. Nowoczesność i tradycja*, p. 296–310; A. Uliasz, *Aniela Aszpergerowa. Galicyjska artystka*, in *Kobieta w Galicji. Nowoczesność i tradycja*, p. 311–331; J. Wąsacz-Krztoń, *Klara Czop-Umlauf w kulturze muzycznej Krakowa na przełomie XIX i XX wieku*, in *Kobieta w Galicji. Nowoczesność i tradycja*, p. 332–341; A. Redzik, *Janina Makarewicz czy Juliuszowa Makarewiczowa – literatka i działaczka społeczna czy profesorowa?*, in *Kobieta w Galicji. Nowoczesność i tradycja*, p. 342–363; A. Pachowicz, *Zofia Jachimecka – szkic do portretu*, in *Kobieta w Galicji. Nowoczesność i tradycja*, p. 413–421.

<sup>87</sup> *Vide*: J. Kupidura, *Ukraińska prasa kobieca w Galicji Wschodniej w latach 1884–1939*, „Studia Ukrainica Posnaniensia” 2013, vol. 1, p. 265–270; H. Dietlind, *op. cit.*, *Vide supra*: Iwanna Czerczowycz.

find autonomous themes related to women in Michał Krajkowski's innovative book on Galicia,<sup>88</sup> or Danuta Sosnowska's slightly older book.<sup>89</sup> However, the approach to women's issues is becoming increasingly random.

As in the past, this may result, in part, from the specificity of the source base. Mass sources, significant from the perspective of social history, with some exceptions, have not enjoyed too much popularity in the studies of women's history so far, and this trend continues. Apart from the tools best-known from the workshop of historical demography of statistical and demographic sources, there is still a reluctance to turn to materials of judicial origin, which require painstaking and lengthy library searches. Some hopes can be associated with ego-documentary sources, but that is a separate issue.<sup>90</sup>

The present work is intended as a combination of these two strands. The issue of the presence of women in historical sources has long interested the scientific community. Suffice it to mention the concept of reclassifying the legacy of sources from this angle, promoted by Natalie Zemon Davies.<sup>91</sup> Notarial documents, by their very nature, provide an opportunity to directly access individuals, their actions and, in a way, the way they perceive and describe past reality. In Poland this source was noticed on a wider scale in the post-war period.<sup>92</sup> So far, interest in it has manifested itself in two waves. The culmination of the first, generated in the 1950s thanks to Józef Kazimierski,<sup>93</sup> Józef Śmiałowski, Halina Szymańska,<sup>94</sup>

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<sup>88</sup> M. Krajkowski, *Oblicza prowincji. Galicja w polskojęzycznej prozie pisarzy zaboru austriackiego II połowy XIX wieku*, Toruń 2016.

<sup>89</sup> D. Sosnowska, *Inna Galicja*.

<sup>90</sup> *Vide*: L. Michalska-Bracha, *Przestrzenie kobiecych wspomnień. Autobiograficzne narracje dziewiętnastowiecznych Polek jako źródło do historii kobiet – wybrane aspekty*, in *Historia kobiet. Źródła, metody, kierunki badawcze*, ed. M. Dajnowicz, A. Miodowski, Białystok 2022, p. 27–40; *eadem*, „Wedle ideału Klaudynek...” *Wizerunek dziewiętnastowiecznej Polki w piśmiennictwie historycznym Antoniny Machczyńskiej*, „Czasopismo Naukowe Instytutu Studiów Kobiety” 2023, no 1 (14), p. 29–52; L. Michalska-Bracha, M. Marczevska, *Lwowianki wobec równouprawnienia kobiet – trzy historie: studium historyczno-językoznawcze*, „Czasopismo Naukowe Instytutu Studiów Kobiety” 2019, [No] 1(6), p. 25–53.

<sup>91</sup> *Cit. per*: D. Kałwa, *Ze studiów nad historią kobiet w XIX wieku. Metodologia, stan badań*, „Historyka” 1997, vol. 27, *passim*.

<sup>92</sup> Sz. Kozak, *Dziewiętnastowieczne akta notarialne. Stan badań*, „Zeszyty Naukowe Wyższej Szkoły Pedagogicznej w Rzeszowie”, no. 28, H. 7, Rzeszów 1998, p. 193–207.

<sup>93</sup> J. Kazimierski, *Akty notarialne i ich znaczenie dla badań historycznych XIX wieku*, „Studia Źródłoznawcze” 1959, vol. 4, p. 109–123; *idem*, *Inwentarz działowy Księstwa Koreckiego klucza smolderowskiego i dóbr Wałowice z roku 1813*, „Teki Archiwalne” 1961, issue 7, p. 341–380; *idem*, *Inwentarz pozostałości po księciu Józefie Poniatowskim z 1814 roku*, „Teki Archiwalne” 1963, vol. 9, p. 169–247.

<sup>94</sup> H. Szymańska, J. Śmiałowski, *Akta notarialne z terenu Królestwa Polskiego i ich wartość naukowa*, „Archeion” 1959, vol. 30, p. 43–67; J. Śmiałowski, *Położenie tkaczy-sukienników*

Ryszard Kołodziejczyk,<sup>95</sup> later developed by Ireneusz Ichnatowicz<sup>96</sup> and similar historians, was the image of the bourgeoisie milieu in Warsaw. The immediate effect of those initiatives became apparent in the form of Joanna Hensel's book and the computer analysis method she developed.<sup>97</sup>

Attempts to integrate this source into the study of women's history only appeared with the advent of the second wave,<sup>98</sup> which developed in the 1990s.<sup>99</sup> Compared to the previous one, it was characterised by a broadening of both the thematic spectrum and the territorial coverage. To a slightly greater extent than before, the phenomenon covered the area of former Galicia. Notarial records were used more extensively in the study of women from petite bourgeois backgrounds by Walentyna Najdus<sup>100</sup> and, somewhat later, by the author of the reflections in the present book.<sup>101</sup>

I treat the concept of the Galician provinces in the title quite broadly. Contrary to what is often done in research, I want to deal with both urban and rural environments, which seems important in order to create a comprehensive

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w okręgu łódzkim, w świetle umów o nakład z lat 1826–1830, „Zeszyty Naukowe Uniwersytetu Łódzkiego. Nauki Humanistyczno-Społeczne” 1957, serial publication 1, issue 5, p. 111–121.

<sup>95</sup> R. Kołodziejczyk, *Akta notarialne warszawskie jako źródło do dziejów Warszawy*, in *Studia historyczne z okazji 70 rocznicy urodzin Stanisława Arnolda*, Warszawa 1965, p. 193–200; *idem*, *Burżuazja polska w XIX i XX wieku*, Warszawa 1979, p. 13–39.

<sup>96</sup> I. Ichnatowicz, *Obyczaj wielkiej burżuazji warszawskiej w XIX wieku*, Warszawa 1971; *idem*, *Burżuazja warszawska*, Warszawa 1972.

<sup>97</sup> J. Hensel, *Burżuazja warszawska drugiej połowy XIX wieku w świetle akt notarialnych*, Warszawa 1979; *eadem*, *Metoda opracowywania akt notarialnych jako źródło do dziejów burżuazji Warszawy*, in *Społeczeństwo Warszawy w rozwoju historycznym*, Warszawa 1977, p. 457–464; *eadem*, *Wybór i reprezentatywność próby losowej w zastosowaniu badawczym*, „Historyka” 1979, vol. 9, p. 151–159; *eadem*, *Możliwość zastosowania metody opracowania akt notarialnych do innych źródeł masowych*, in *Metody i wyniki z warsztatu historyka dziejów społeczeństwa polskiego*, Warszawa 1980, p. 130–146.

<sup>98</sup> T. Kozłowska, *Kobieta Żydówka na prowincji Królestwa Polskiego w świetle akt notarialnych*, „Między Wisłą a Pilicą” 2003, vol. 4, p. 69–87; *eadem*, *Rodzina żydowska w świetle akt notarialnych powiatu skalbmierskiego z lat 1817–1835*, „Kwartalnik Historii Żydów” 2002, no. 2, p. 227–232; A. Wiernicka, *Z okrucich rzeczy o zajęciach w czasie wolnym. Bogate mieszczaństwo żydowskie pierwszej połowy XIX w. (w świetle inwentarzy pośmiertnych)*, in *Kobieta i kultura czasu wolnego*, p. 135–149 (in her research the author used the records of 11 Warszawa notary's offices).

<sup>99</sup> Sz. Kozak, *Akta notarialne jako źródło historyczne. Metodologia i kierunki badań, postulaty badawcze*, „Studia Źródłoznawcze” 2009, vol. 46, p. 141–152.

<sup>100</sup> W. Najdus, *Zmiany*, p. 237–256 (the author used a set of notarial records of the law offices of Kraków, Chrzanów, in addition to the records of Wieliczka and Podgórze as well as court records).

<sup>101</sup> Sz. Kozak, *Aspekty aktywności ekonomicznej kobiet w Galicji w świetle akt notarialnych. Badania sondażowe*, „Studia Historyczne” 2008, R. 51, issue 3–4, p. 279–298; *idem*, *Kobieta w Rzeszowie*.

comparative platform. The metropolitan and capital city character of Kraków, however, provides the rationale for its exclusion from the research.<sup>102</sup> Also the slightly different specificity of the source produced in the notary's offices there could have distorted the obtained image of women, showing phenomena typical of a large city. It is worth noting at this point that this problem requires separate treatment. The environment in Kraków must have created completely different realities, shaping the content of the records drawn up there differently. As a result, the geographical scope of the present book was limited to Western Galicia, which was primarily due to the mass character of the collected material, the nature of the library queries and the distribution and completeness of the sources. Notarial records related to Eastern Galicia, apart from the collections in the State Archives in Przemyśl,<sup>103</sup> are located in archives in Ukraine. A considerable obstacle is not only access, but completeness of sources and the manner of storage.<sup>104</sup> Such limitation is also justified by the different cultural specificity of the area, with a significant dominance of the Ukrainian population, especially in rural areas. The issue of women from this community is therefore still awaiting its elaboration.

The chronological framework was imposed by the source. Although the notary public as an institution appeared in Galicia as early as 1859, it was only from 1871 onwards that it was provided with wider opportunities for development and thus laid the foundations for a stable process of creating records.<sup>105</sup> The outbreak of the First World War as the end of the research

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<sup>102</sup> *Vide: Studia z dziejów prowincji galicyjskiej*, ed. A. Galos, Wrocław 1993.

<sup>103</sup> Sz. Kozak, *Reprezentatywność galicyjskich akt notarialnych z zasobu Archiwum Państwowego w Przemyślu*, „Archeion” 1997, vol. 98, 1997, p. 45–65. *Vide: A. Dziedziuk, Akta notariuszy w zasobie Archiwum Państwowego w Przemyślu*, Przemyśl 1994.

<sup>104</sup> *Львівський Обласний Державний Архів. Пумівник*, Львів 1965, p. 82–87; *Пумівник по Державному Архіву Станіславської області*, Станіслав 1960, p. 17. *Vide: J. Hoff, M. E. Ożóg, Źródła do historii Galicji i Polski okresu międzywojennego w Archiwum Państwowym Obwodu Iwano-Frankowskiego*, „Prace Historyczno-Archiwalne” 2008, vol. 20, p. 147–155; Sz. Kozak, *Galicyjskie akta notarialne jako źródło do badań nad historią rodziny i gospodarstwa domowego w drugiej poł. XIX w.*, in *Rodzina i gospodarstwo domowe*, p. 489–500; *idem, Obszary aktywności gospodarczej ludności miasta i wsi galicyjskiej na podstawie akt notarialnych, in Miasteczko i okolica. Od średniowiecza do współczesności*, ed. J. Hoff, Kolbuszowa 2006, p. 195–217.

<sup>105</sup> *Allgemeines Reichs-Gesetz-und Regierungsblatt für das Kaiserthum Oesterreich*, 128 Stück, Wien 1850; *Dziennik Rządu Krajowego dla Okręgu Administracyjnego Krakowskiego*, year 1858, volume I, issue VI, Kraków 1859; *Dziennik Rządu Krajowego dla Okręgu Administracyjnego Krakowskiego*, year 1859, volume I, issue XXX, Kraków 1860; *Reichsgesetzblatt für die im Reichsrathe vertretenen Königreiche und Länder*, XXXII stück, 1871. *Vide: Sz. Kozak, Notariusze rzeszowscy i ich kancelarie w latach 1859–1918*, „Prace Historyczno-Archiwalne” 1999, vol. 8, p. 37–70; *idem, Obraz notariatu w Galicji w świetle austriackich ustawy notarialnych z 1855 i 1871 roku*, „Prace Historyczno-Archiwalne” 1997, vol. 5, p. 107–123; *idem, Notariat w Galicji*

resulted both from the limitations of this process under wartime conditions and from certain premises favouring the transformation of women's roles. In the political history of the Austrian partition, this time overlaps with the period of Galician autonomy (this time frame is frequently treated separately in historiography). On the other hand, the last quarter of the nineteenth century and the first years of the twentieth century were a time of important socio-economic and demographic changes, which did not leave the women's question unaffected.

The mass character of the source necessitated a representative method, which has almost become a rule in research using notarial records.<sup>106</sup> The analysed materials from the Galician period are held in the resources of two archives in south-eastern Poland – the National Archives in Kraków and the State Archives in Przemyśl.<sup>107</sup> Few records are held in the collections of the State Archives in Katowice and a small amount in the State Archives in Rzeszów.<sup>108</sup> However, there is a lack of records from such places as Andrychów, Biała, Oświęcim, Zator, Wadowice, Kęty, Żywiec, Milówka, Myślenice – in the western parts of the province, and from the area of the former Jasło court circuit (Biecz, Brzostek, Dukla, Frysztak, Gorlice, Jasło, Krosno, Żmigród). The materials comprising the archival groups are preserved in good condition, sometimes containing a set of law office records, while the files themselves are often enriched with appendices in the form of geodetic maps, powers of attorney and emancipations of minors. Last wills, sometimes included in special collections, require special attention. Some of these are still unsealed probably because they were revoked earlier.

The use of such a large number of files in the research required the creation of a representative sample. The key here was to select the towns from which the law offices were to be selected, and then to logically limit the file material. Of the 50 towns for which sets of notarial records survived, 10 were included in the study (Bochnia, Chrzanów, Dobczyce, Nowy Targ, Pilzno, Przeworsk,

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1859–1914 (*zarys statystyczny*), „Kresy Południowo-Wschodnie” 2005/2006, R. 3/4, issue 1, p. 227–258; I. Homola-Skapska, *Z dziejów krakowskiego notariatu w okresie autonomii galicyjskiej*, in *I Kongres Notariuszy Rzeczypospolitej Polskiej. Księga Pamiątkowa*, ed. A. Oleszko, Kluczbork 1994, p. 35–58. I write more extensively on the records-creating process in notarial offices in the book: Sz. Kozak, *Rzeszowskie akta notarialne 1871–1918. Studium historyczno-źródłoznawcze*, Rzeszów 2004.

<sup>106</sup> *Vide*: Sz. Kozak, *Rzeszowskie akta*; *idem*, *Komputerowa metoda opracowywania i inwentaryzacji galicyjskich dokumentów notarialne*, in *Studia i materiały z dziejów społecznych Polski południowo-wschodniej*, ed. Z. Budzyński, Rzeszów 2003, p. 306–326.

<sup>107</sup> *Vide*: Sz. Kozak, *Reprezentatywność*.

<sup>108</sup> Collectively known as the Mielec Powiat records from 1872 to 1939, the actual sets of Mielec notarial records are located in the State Archives in Przemyśl.

Tarnobrzeg, Ulanów and Rzeszów). Their selection was conditioned by several principles, such as an even geographical distribution, the absence of common borders or the nature and size of the cities. I endeavoured to include in the sample quite a variety of law offices, hence I included those from towns categorised as larger (Bochnia and Rzeszów), seats of powiat authorities (Chrzanów, Nowy Targ, Pilzno, Tarnobrzeg), and those whose only function was the location of a powiat court (Liszki, Dobczyce, until 1899 – Przeworsk, Ulanów).

I based the procedure on three pillars, two of which were to provide individual data. The first was research on wills<sup>109</sup> retrieved on the basis of *indexes* or, in their absence, *legal repertories*; the second one was to identify and analyse exceptionally narrative, voluminous documents containing data on private life, family life and material culture (dowry records, deeds of endowment, inventories of movables, marriage contracts, selected declarations and statements).<sup>110</sup> In both cases, I included in the research all the files from 1871 to 1914 produced by the law offices of the above-mentioned towns. The third pillar was formed by the computer database *Galiczyjskie akta notarialne* [Galician Notarial Files],<sup>111</sup>

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<sup>109</sup> *Vide*: the source edition of wills from the area of the Kingdom of Poland: *Wiedząc dobrze to z wyroków Boga Najwyższego, iż kto się rodzi, umierać musi...: testamenty z pierwszej połowie XIX wieku w świetle akt notariuszy częstochowskich*, ed. D. Złotkowski, part 1, Częstochowa 2005 (part 2, Częstochowa 2006, part 3. Częstochowa 2011).

<sup>110</sup> *Vide*: A. Pośpiech, *Pulapka oczywistości. Pośmiertne spisy ruchomości szlachty wielkopolskiej z XVII wieku*, Warszawa 1992.

<sup>111</sup> The database, which I will cite in the course of the work under the name *Galiczyjskie akta notarialne*, included documents with the following file reference numer (in Polish: sygn.): Archiwum Narodowe w Krakowie (National Archives in Kraków) (hereinafter: ANK), *Akta notarialne Antoniego Hanusza w Bochni 1899–1925* (hereinafter: *Bochnia, Hanusz*), sygn. 3; *ibidem*, *Akta notarialne Konstancy Ramulta w Bochni 1875–1898* (hereinafter: *Bochnia, Ramult*), sygn. 19–20; *ibidem*, *Akta notarialne Apolinarego Horwatha w Chrzanowie 1862–1891* (hereafter: *Chrzanów, Horwath*), sygn. 46; *ibidem*, *Akta notarialne Leona Romowicza w Chrzanowie 1892–1910* (hereafter: *Chrzanów, Romowicz*), sygn. 42; *ibidem*, *Akta notarialne Brunona Rogalskiego w Dobzyczach 1876–1909* (hereafter: *Dobczyce, Rogalski*), sygn. 5, 43; *ibidem*, *Akta notarialne Romana Gutowskiego w Liszkach 1896–1911* (hereafter: *Liszki, Gutowski*), sygn. 14–17; *ibidem*, *Akta notarialne Filipa Jendla w Liszkach 1876–1895* (hereafter: *Liszki, Jendl*), sygn. 6–7; ANK, branch in Nowy Sącz (hereafter APNS), *Akta notarialne Jana Trybulec w Nowym Targu 1880–1896* (hereafter: *Nowy Targ, Trybulec*), sygn. 2; *ibidem*, *Akta notarialne Artura Weigla w Nowym Targu 1897–1914* (hereafter: *Nowy Targ, Weigel*), sygn. 5; Archiwum Państwowe w Przemyślu (hereafter: APPm), *Akta notarialne Tytusa Bujnowskiego w Pilźnie 1886–1905* (hereafter: *Pilzno, Bujnowski*), sygn. 46–50; *ibidem*, *Akta notarialne Edwarda Skowrońskiego w Pilźnie 1870–1886* (hereafter: *Pilzno, Skowroński*), sygn. 12–13; *ibidem*, *Akta notarialne Jana Wodeckiego w Przeworsku 1877–1904* (hereafter: *Przeworsk, Wodecki*), sygn. 2–3, 35–36, 42–43; *ibidem*, *Akta notarialne Gustawa Hinzinger w Tarnobrzegu 1892–1903* (hereafter: *Tarnobrzeg, Hinzinger*), sygn. 31–36; *ibidem*, *Akta notarialne Konstancy Rogalski w Tarnobrzegu 1875–1885* (hereafter: *Tarnobrzeg, Rogalski*), sygn. 10–11; *ibidem*, *Akta notarialne Kazimierza Jaremy w Ulanowie 1877–1896* (hereafter:

consisting of three tables linked by relations.<sup>112</sup> The stage of its preparation was preceded by a selection on the basis of which files from the years 1881 and 1901 were included in the database forms. Such an arrangement of the sections was conditioned by the characteristics of the records creation process. During the period under study, it was characterised by an upward trend with some fluctuations. The probing process focused on the centre, rather than on the extreme points, making it possible, in my understanding, to eliminate possible distortions resulting from the dynamics of this growth. In total, the three tables grouping information on pages, subjects and the documents themselves contained over 25 000 records<sup>113</sup> from nearly 5000 files,<sup>114</sup> which were later used in this form for statistical calculations. For a similar purpose, I also used the previously created databases *Rzeszowskie akta notarialne* [Rzeszów Notarial Files]<sup>115</sup> and *Notariusze w Galicji* [Notaries in Galicia].<sup>116</sup> The former,

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*Ulanów, Jarema*), sygn. 3; *ibidem, Akta notarialne Ignacego Kosińskiego w Ulanowie 1896–1907* (hereafter: *Ulanów, Kosiński*), sygn. 12.

<sup>112</sup> More on the construction of databases: Sz. Kozak, *Możliwości wykorzystania metod komputerowych w badaniach nad notariatem galicyjskim*, in *Notariat i akta notarialne na ziemiach polskich w XIX–XX wieku*, ed. K. Skupiński, S. Piątkowski, Radom 2004, p. 37–53.

<sup>113</sup> In this context ‘a record’ means a single database entry that is part of a set of similar entries.

<sup>114</sup> Full annual cross-sections were examined for the localities: Liszki, Nowy Targ, Pilzno, Przeworsk, Tarnobrzeg. Partial cross-sections of 100 documents for the localities of Bochnia, Chrzanów, Dobczyce, Ulanów.

<sup>115</sup> The database, which I will cite in the course of this work under the name *Rzeszowskie akta notarialne*, included documents with the following file reference number: APPm, *Akta notarialne Kazimierza Goyskiego w Rzeszowie 1910–1916* (hereafter: *Rzeszów, Goyski*), sygn. 4–8; *ibidem, Akta notarialne Feliksa Holzera w Rzeszowie 1860–1873* (hereafter: *Rzeszów, Holzer*), sygn. 5–6; *ibidem, Akta notarialne Władysława Kaniewskiego w Rzeszowie 1875–1889* (hereafter: *Rzeszów, Kaniewski*), sygn. 29–35; *ibidem, Akta notarialne Mikołaja Machowskiego w Rzeszowie 1905–1934* (hereafter: *Rzeszów, Machowski*), sygn. 25–28; *ibidem, Akta notarialne Ludwika Midowicza w Rzeszowie 1890–1903* (hereafter: *Rzeszów, Midowicz*), sygn. 3–6, 65–68; *ibidem, Akta notarialne Jana Pogonowskiego w Rzeszowie 1859–1897* (hereafter: *Rzeszów, Pogonowski*), sygn. 5, 21–22, 48–49; *ibidem, Akta notarialne Karola Prochaska w Rzeszowie 1899–1907* (hereafter: *Rzeszów, Prochaska*), sygn. 6–8. Other sets of notarial records will be cited according to a similar scheme (*location of the office, notary, file reference number of the unit, designation of the document on the basis of the repertory*).

<sup>116</sup> Information on notary offices contained in the following publication was entered into the database: *Schematyzmy Królestwa Galicji i Lodomerii z Wielkim Księstwem Krakowskim, Lwów 1861–1914*. Also: *Handbuch des Statthaltereii-Gebietes in Galizien für das Jahr (...)*; *Galizisches Provinzial-Handbuch für das Jahr (...)*; *Schematyzm Królestwa Galicji i Lodomerii z Wielkim Księstwem Krakowskim, Lwów 1861–1914*. A single notary office was used as the basis for the construction of the record. The database form contained information such as: name, surname of the notary, degree, distinctions, town where the law office operated, year in which the law office was opened in that town, year in which the law office was closed in that

with a volume of more than 9,000 records, collected entries from the records of the Rzeszów law offices (years 1871–1911 in ten-year chronological intervals). However, this material constituted the basis for comparisons and did not enter into the overall calculations. The second database formed a list of law offices and notaries active in Galicia between 1859 and 1914.

Other sources used in this discussion were of a subsidiary nature: mostly illustrative or comparative. In the scope of archival sources, selected sets of court records should also be mentioned.<sup>117</sup> Printed sources are mainly collections and commentaries on civil law, especially successive editions of *Powszechnej Księgi Ustaw Cywilnych* [the General Book of Civil Law]<sup>118</sup> and legal acts related to, inter alia, matrimonial law,<sup>119</sup> industrial law,<sup>120</sup> commercial

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town, time of operation, country (Eastern or Western Galicia). *Vide*: Sz. Kozak, *Możliwości*, p. 37–53.

<sup>117</sup> *Vide*: Archiwum Państwowe w Rzeszowie (State Archives in Rzeszów) (hereinafter: APRz), *CK Sąd Obwodowy w Rzeszowie 1784–1918*, set of files (in Polish: *zespół akt*) 18; APPm, *CK Sąd Powiatowy w Dębicy 1894–1918*, set of files 1388; *ibidem*, *CK Sąd Powiatowy w Głogowie 1843, 1873–1918*, set of files 1545; *ibidem*, *CK Sąd Powiatowy w Mielcu 1899–1918*, set of files 1353.

<sup>118</sup> In the present research I have used the 1912 edition. *Vide*: J. W. Willaume, *Powszechna księga ustaw cywilnych z dodatkowymi rozporządzeniami i rozstrzygnięciami Najwyższego Trybunału Sądowego*, Lwów 1912 (hereafter: ABGB).

<sup>119</sup> Imperial patent of 23 March 1852, 1.79 Journal of State Laws (and instructions to the clerical courts as to matrimonial matters); Imperial Patent of 5 November 1855, 1.195 Journal of State Laws; Marriage Act of 8 October 1856, 1.185 Journal of State Laws; Marriage Act of 25 March 1868, 1.47 Journal of State Laws; Regulation of 1 July 1868, 1.80 Journal of State Laws (on the enforcement of the Marriage Act); Christian Rescript of the Minister of the Internal Affairs of 25 November 1868, 1.4681 (on the filing of metrical records as to persons married before a secular authority); Act of 31 December 1868, 1.4 Journal of State Laws of 1869 (on entering the state of matrimony between those belonging to various religious denominations); Act of 9 April 1870, 1.51 Journal of State Laws (on marriage, maintenance of birth, nuptial and death records for persons not belonging to any legally recognised church); Regulation of the Minister of the Interior of 20 October 1870, 1.128, Journal of State Laws (on the internal arrangement and maintenance of metrical records for persons not belonging to any legally recognised church). *Cit. per*: F. Schwarz, *op. cit.*, p. 62–63. *Vide*: *Prawo małżeńskie dla wszystkich niemiecko-dziedzicznych krajów monarchii austriackiej z Powszechnej księgi ustaw cywilnych dla użytku duchowieństwa staranie około dusz mających, pod publicznym dozorem osobno do druku podane*, Wiedeń 1812; *Prawo małżeńskie katolickie z uwzględnieniem prawa cywilnego obowiązującego w Austrii, w Prusach i w Królestwie Polskim*, ed. J. Pelczar, Kraków 1890; *Prawo małżeńskie kościelne z uwzględnieniem prawa austriackiego* (according to the lectures of B. Ulanowski), Kraków 1907; *Wykład prawa o małżeństwie katolików w państwie austriackim. Patent Ces. z d. 8 października 1856 ogłoszonego*, Kraków 1857; E. Till, *Prawo prywatne austriackie*, vol. 5, *Wykład prawa familijnego*, Lwów 1902.

<sup>120</sup> I. Suesser, *Ustawa przemysłowa wraz z wszystkimi uzupełniającymi ją ustawami i rozporządzeniami objaśniona orzeczeniami trybunału administracyjnego, reskryptami ministerialnymi i rozstrzygnięciami sądów przemysłowych z dodatkiem ustaw o inspektoracie przemysłowo-*

law<sup>121</sup> and others.<sup>122</sup> To a lesser extent, selected diary sources, fiction and specialist press, mainly in the field of notarial practice,<sup>123</sup> were of interest.

Previous experience in research using notarial records has linked their potential to economic activities and personal lives of the contracting parties hence I have chosen to present the picture of a woman living in the Galician provinces in the context of these two aspects. Given the considerable exposure of economic issues in the scholarly literature, it is worth considering whether its strong position will also be tenable when considering the part of the resource the creation of which was participated by women.

The design of the work is based on the concept of a study showing the image of women through the prism of an in-depth exploration of the content of sale and purchase contracts, donations, wills, debentures and other notarial documents. In this model, it is the information content of the source that dictates the shape of the individual chapters.

The present book therefore consists of two parts. The first part mostly devoted to women's place in marriage and the family. Such proportions were required by the content of the source, and it seems that this was not accidental: it is confirmed here that in the provincial community the basis of the social relations into which women entered was to the greatest extent derived from family relations. Therefore, in the remainder of this chapter we will see Galician women in their typical roles – daughters, wives and mothers, and to some extent also as single women, with their entire material and spiritual world, of course within the limits allowed by the historical source used here.

The second part concerning women's participation in the economic life of the provinces required a change in the research perspective. If the traditional convention had been followed, the picture would have turned out to be a very poor one, influenced not only by source limitations, but also by the fact that the female part of society was actually less active than the male part, as can be seen from other sources. I have devoted a considerable amount of space there to the analysis of phenomena which, on the one hand, are quite well illustrated by the source material (for they constitute its substance), and on the other hand, through their connection with the economic changes of the post-enfranchisement era, are a manifestation of modernity. Women's participation in the real estate trade

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*wym i sądach przemysłowych*, Kraków 1902; *idem, Prawa i obowiązki robotników według ustawy austriackich. Poradnik prawniczy dla robotników ułożył [...]*, Kraków (no publication date).

<sup>121</sup> J. Rosenblatt, S. Wróblewski, *Powszechny Kodeks handlowy wraz z ustawą wprowadzającą go w życie i wszelkimi postanowieniami się doń odnoszącymi lub wyjaśniającymi*, Lwów 1869.

<sup>122</sup> S. Warmcki, *op. cit.*

<sup>123</sup> The most information on Galician notaries public was contained in: *Kwartalnik Stowarzyszenia Kandydatów Notarialnych w Krakowie*, Kraków 1889–1913 (hereafter: KSKN).

and in various forms of capital acquisition, as these phenomena became the subject of the issues considered therein, indicated, through their mass character, the expansion of the traditional sphere of women's activity in confrontation with areas of economic life which were new to most of them – especially in the rural environment. The first part of the book deals with these issues, while the subsequent parts of the book deal with the typical issues of women's economic activation through both work and self-employment. The matters considered there are, of course, accompanied by the question of the extent to which the problems discussed are reflected in the source material and what it actually expresses. This book constitutes a modified version of the monograph published in 2013 under the same title.<sup>124</sup> In the English-language version, several updates have been made, and the source-related threads dedicated to the analysis of the records-creating process have been reduced.

In conclusion, I would like to express sincere thanks to everyone who contributed to the creation of this book, especially to prof. dr hab. Jadwiga Hoff, whose experience and valuable insights during the work on the first edition had an impact on its final shape. I also want to mention the directors and colleagues from the Institute of History at University of Rzeszów. I would like to direct words of gratitude towards prof. Jolanta Sikorska-Kulesza and prof. Lidia Michalska-Bracha for undertaking the effort of reviewing this publication.

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<sup>124</sup> Sz. Kozak, *Kobieta na prowincji*.

**PART I**

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**IN THE PROVINCIAL  
COMMUNITY  
AND PRIVATE LIFE**

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# The provinces on the path to modernisation

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## 1. Socio-economic changes

The second half of the 19<sup>th</sup> century and the period of Galician autonomy are seen as an important stage in political-administrative and socio-economic change. Galicia was then confronted with phenomena that Western European countries had already experienced. A slow reconstruction of its socio-occupational structure began, leading to the formation of a modern society. However, in the countryside this process was not completed before the outbreak of the First World War, in many respects showing considerable delay and disharmony, also in comparison with the other partitions.

Between 1857 and 1910 the population of Galicia doubled from nearly 4.6 million to over 8 million.<sup>125</sup> The nationality structure was dominated by Polish, Ukrainian (Ruthenian) and Jewish populations. Although official statistics did not allow a direct distinction between the different groups, research indicates that both the eastern and western parts of the country differed markedly in this respect. In Western Galicia, Poles predominated; in Eastern Galicia – Ruthenians. The Jewish population, more numerous in the east, formed a few enclaves in the western part.<sup>126</sup> Jews resided mainly in the cities, exceeding about 40% of the population there, although sometimes the rate was as high as 80% (Tarnobrzeg, Kańczuga). Relatively few, however, were found in the vicinity of Nowy Targ, Żywiec and Myślenice.

Thanks to improved sanitary conditions and the gradual spread of civilisational achievements, natural disasters and epidemics lost their significance as a driver

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<sup>125</sup> K. Zamorski, *Transformacja demograficzna w Galicji na tle przemian ludnościowych innych obszarów Europy środkowej w drugiej połowie XIX i na początku XX w.*, Kraków 1991, p. 19. *Vide: idem, Informator statystyczny do dziejów społeczno-gospodarczych Galicji. Ludność Galicji w latach 1857–1910*, Kraków–Warszawa 1989.

<sup>126</sup> T. Gąsowski, *Żydzi – obywatele ziemscy i ich miejsce w wiejskim krajobrazie autonomicznej Galicji*, in *Wieś a dwór na ziemiach polskich w XIX i XX wieku*, ed. W. Caban and M. B. Markowski, Kielce 1999, p. 194.

of demographic processes. The number of deaths was falling and society was on the brink of a demographic transition.<sup>127</sup> The population growth observed at the time was characterised by dynamics much greater than in previous periods, leading in 1880 to a break in the trend, describing the entire 19<sup>th</sup> century and, as a result, to a demographic explosion.<sup>128</sup> These were symptoms of modernisation in the field of population relations, which in the last quarter of the 19<sup>th</sup> century began to take on the features that already characterised modern societies. Transformations in other spheres, e.g. in the economic one, were slightly slower.

In the face of modernity, Galicia remained an agricultural country. Only ¼ of the working population had another source of livelihood.<sup>129</sup> Agriculture, the backbone of the economy, experienced a series of upheavals in the post-enfranchisement era associated with the transition to the capitalist reality. Farms deprived of labour were plagued by crises that often led to their collapse. Without financial support and with a poor agricultural culture, the countryside became pauperised, which was exacerbated by the fragmentation of farms and their public sale. Only in the last two decades of the 19<sup>th</sup> century did there occur a reevaluation in the manner of thought. Among other things, the need to popularise livestock breeding, to change agricultural culture and mechanisation, and to spread co-operatives or education was recognised.

Under such conditions, the development of factory industry, decisive for the pace of change, was limited on the one hand by the lack of demand on internal markets, and on the other by competition from foreign products, easily accessible thanks to the development of the railways.<sup>130</sup> No significant industrial districts therefore emerged in Galicia, but only small groupings of centres of a similar nature (with the mining industry at the forefront).

The economy of Galicia, apart from agriculture, was largely shaped by craftsmanship and the so-called *cottage industry*, which employed many unskilled residents of small towns and villages, requiring neither investment nor mechanization. For a long period, this semi-cottage production of clothing and footwear, small workshop or small-scale manufacturing of food products predominated over the metal and machinery industry.<sup>131</sup> It catered primarily to basic consumption, less frequently to the needs of the rural household.<sup>132</sup>

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<sup>127</sup> K. Zamorski, *Transformacja*, p. 19.

<sup>128</sup> *Ibidem*, p. 22.

<sup>129</sup> J. Kłapkowska, *Struktura zawodowa ludności Galicji w erze autonomicznej*, „Zeszyty Naukowe Uniwersytetu Jagiellońskiego” 1975, Prace Prawnicze, no. 70, p. 119, 125.

<sup>130</sup> K. Broński, *Rozwój gospodarczy*.

<sup>131</sup> W. Najdus, *Szkice z historii Galicji*, vol. 1: 1900–1904, Warszawa 1958, p. 173.

<sup>132</sup> K. Broński, *Rozwój gospodarczy*, p. 50.

Galicia was the partition with the lowest proportion of urban residents. This disparity widened considerably, especially from the 1880s onwards. The urban population here accounted for about one fifth of the total, with a slightly lower figure in the western part of the province, ranging from 17% in 1869 to 22% in 1910.<sup>133</sup> The people inhabited a dense network of over 300 cities and towns, whose population did not exceed a few thousand.<sup>134</sup> In the 19<sup>th</sup> century, however, it was not so much the number of cities as their size that determined the level of urbanisation, and in this respect Galicia was inferior to the other partitions. Only Kraków and Lwów had a metropolitan character. Throughout the period, the proportion of medium-sized towns (up to 45%) and large towns (up to 9% in 1910) increased slowly at the expense of small towns (down to 46%), whose population fell by more than ¼.<sup>135</sup>

The demographic processes in these towns were stimulated solely by natural increase, which, combined with high emigration, determined the slow rate of urbanisation. Urban population growth was faster in Western Galicia. For the most part, its rate in both rural and urban areas was similar throughout the period in question. However, the gap between the best and least developed regions was widening.<sup>136</sup> In 1910, residents of large cities already accounted for half of the urban population (at the beginning of the era of autonomy, only 25%).<sup>137</sup> These phenomena, as well as the development of self-government, local administration or the spread of education, influenced the transformation of society.

Research confirms the very slow differentiation of the occupational structure in the provinces. In many areas, the differences between Galicia and the other partitions were already apparent by the middle of the 19<sup>th</sup> century. This distance increased over time, indicating the enormous delay of this province in the field of social modernization.

In the 1870s, around 90% of the population of all Polish lands lived in the countryside. Even at the dawn of the second half of the 19<sup>th</sup> century there was no serious differentiation of the above proportions within the individual partitions, although already then there was visible, as Anna Żarnowska put it, “a lagging behind in Galicia” (in Polish: *nienadążanie Galicji*).<sup>138</sup> Only

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<sup>133</sup> T. Gąsowski, *Urbanizacja Galicji w dobie autonomicznej*, „Studia Historyczne” 1985, R. 28, issue 2, p. 232–233 (Table 5).

<sup>134</sup> *Ibidem*.

<sup>135</sup> *Ibidem*.

<sup>136</sup> *Ibidem*, p. 233.

<sup>137</sup> *Ibidem*.

<sup>138</sup> A. Żarnowska, *Kierunki ewolucji struktury społeczno-zawodowej na ziemiach polskich i jej odmiennosci dzielnicowe w koniec XIX i na początku XX w.*, in *Drogi integracji społe-*

in Silesia did this process at the end of the 19<sup>th</sup> century, bring occupational differentiation to a level comparable with industrial societies.<sup>139</sup> Meanwhile, in Galicia between 1900 and 1910, the significance of the population living from agriculture was 2–2.5 times greater.<sup>140</sup> At the beginning of the twentieth century, all regions surpassed it by almost double in terms of industrial-agricultural population (a proportion which characterises modern societies). The weakness of industrialization, alongside the significant importance of agriculture, led to a distortion of the occupational structure of those employed outside of the agricultural framework. The weakness was expressed by the number of public service, trade and transportation workers, in comparison to the representatives of industry and crafts. Additionally, domestic servants constituted a major group in the ranks of labourers (1/3), which paints an accurate picture of the backwardness of Galician society.<sup>141</sup> Even before the First World War this delay was not compensated for, although, characteristically unlike in other lands, in Galicia urbanisation was ahead of industrialization, one of the important catalysts for the transformation of the occupational structure.

The modernisation process proceeded somewhat faster in the larger cities where it could also be seen in infrastructure, transportation or health policy.<sup>142</sup> According to Tomasz Gąsowski, both the changes in the number of non-agricultural employees and groups such as workers or the intelligentsia point to the beginning of the 20<sup>th</sup> century as a turning point in this area.<sup>143</sup> The fact that “modernity was entering Galicia more and more widely” at that time<sup>144</sup> was evidenced by such phenomena as the penetration of new architectural and urban planning trends that paid attention to the convenience, hygiene and aesthetics of life (multi-storey buildings, urban greenery, lifts, gas, sewerage, water supply, etc.). In the socio-economic field, on the other hand, the socialisation of economic life, the development of interpersonal communication (including telephonisation and postal services), the professionalisation of self-government, the development of new forms of communal life, education policy (literacy),

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*cześćstwa w Polsce XIX–XX w.*, ed. H. Zieliński, Wrocław–Warszawa–Kraków–Gdańsk 1976, p. 140.

<sup>139</sup> *Ibidem*, p. 142.

<sup>140</sup> *Ibidem*.

<sup>141</sup> *Ibidem*, p. 148.

<sup>142</sup> K. Broński, *Galicja w dobie autonomii wobec wyzwań nowoczesności*, in *Między zacofaniem a modernizacją. Społeczno-gospodarcze problemy ziem polskich na przestrzeni wieków*, ed. E. Kościak and T. Głowiński, Wrocław 2009, p. 395–412.

<sup>143</sup> T. Gąsowski, *Struktura społeczno-zawodowa mieszkańców większych miast galicyjskich w okresie autonomicznym*, „Zeszyty Naukowe Uniwersytetu Jagiellońskiego” 1997, Prace Historyczne, issue 123, p. 113–135.

<sup>144</sup> K. Broński, *Galicja w dobie autonomii*, p. 396.

the development of the social and property insurance system, medical care and a number of others meant that in the last years before the First World War Galicia was known as “a modernising region”.<sup>145</sup>

Among researchers of this issue, there are prominent voices testifying to the catalytic role of Galicia’s political autonomy. They point to the evolution of economic relations (illustrated by the example of agriculture), progress in the organisation of social life (the development of education and the formation of new elites with a special role for the intelligentsia), or the democratisation of society in general.<sup>146</sup> The progressive emancipation of the Jewish population, shaping its own intellectual and economic elites, also appears to have been one of the important benchmarks for social change.<sup>147</sup> The women’s question played a similar role. For many smaller urban and rural centres, however, the times of Galician autonomy were merely a preparatory period for further transformations.<sup>148</sup>

## 2. The issue of women

The women’s movement in the Polish lands in the nineteenth century developed somewhat differently than in Western Europe, although, undoubtedly, it drew many inspirations. In Galicia it was characterised by a smaller range of feminist slogans and a new element of women’s activation in the form of the national factor.<sup>149</sup> One can get the impression that in the Galician reality most of them did not have the need to radically break the framework imposed by tradition. Such a position was determined, among other things, by economic conditions different from those in the other partitions.<sup>150</sup> Neither did strictly feminist organisations emerge here: e.g. no counterpart of the Polish Women’s Equal Rights Union (1907) from Warsaw. The activists from other partition regions staying in Lwów, Zakopane or Kraków<sup>151</sup> described this state of affairs with

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<sup>145</sup> *Ibidem*, p. 412.

<sup>146</sup> M. Kulczykowski, *Modernizacja społeczeństwa galicyjskiego w warunkach autonomii politycznej*, in *Samomodernizacja społeczeństw w XIX wieku. Irlandczycy, Czesi, Polacy*, ed. L. Trzeciakowski and K. Makowski, Poznań 1999, p. 107–129.

<sup>147</sup> T. Gąsowski, *Żydzi – obywatele. Vide: M. Sliż, op. cit.*; M. Soboń, *Polacy wobec Żydów w Galicji doby autonomicznej w latach 1868–1914*, Kraków 2011.

<sup>148</sup> J. Hoff, *Spoleczność*.

<sup>149</sup> N. Stegmann, *Czynniki kształtujące*, p. 211.

<sup>150</sup> J. Hulewicz, *Sprawa wyższego wykształcenia*, p. 226–266.

<sup>151</sup> J. Cabaj, *op. cit.*, p. 27–39; J. Sikorska-Kulesza, *Trójzaborowe zjazdy kobiet na ziemiach polskich na przełomie XIX i XX wieku*, in *Działaczki społeczne*, p. 81–95.

a somewhat hurtful comparison – “mould and mustiness”.<sup>152</sup> Nonetheless, other forms of activity were discernible.<sup>153</sup> After all, the first legal women’s congress took place in these areas; *Nowe Słowo* [New Word] promoting feminist slogans was published in Kraków, and it was here that e.g. Maria Dułębianka and Paulina Kuczalska-Reinschmitt, the founder of *Ster* [Helm], developed their activities. For most of the period of autonomy, however, their self-organization was *ad hoc*, dispersed, involving intellectual circles and partially bourgeois ones, and in programmatic issues combined various goals.<sup>154</sup> Urszula Górską, in her book *Drogi wolności* [Ways of Freedom], identified the clearly patriotic accents as the main feature of feminism in Galicia, on the one hand, and the fact that it appeared to be exceptionally ‘sluggish’ compared to the Austrian movement, on the other.<sup>155</sup>

A characteristic phenomenon of the 19<sup>th</sup> century was the *de facto* elimination of women from public life. In autonomous Galicia, this isolation was evident from the perspective of voting rights, the ban on participation in political associations, and the closure of access to higher education, among other things. The main demands of the women’s movement in Galicia were for equality in these areas. However, the problem of nationalisation, which was acute in the other partitions, was not present here, which slightly changed the conditions for action, for example in the sphere of education.<sup>156</sup>

Throughout time, their activities could be realised in philanthropic organisations and church confraternities (ladies’ circles, sodalities) which are probably the oldest forms of association available to women. A lively development of similar practices also characterised the Jewish community. Socio-educational activities met with a high degree of social acceptance. It was carried out by women of intellectual origin within the framework of the Society for People’s Education (1879), the Society for People’s School (1891) with its ladies’ circles, or the A. Mickiewicz People’s University. These were initiatives in line with their socially acceptable mission. The organisation of Ukrainian women’s associations<sup>157</sup> is worth emphasising at this point.

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<sup>152</sup> K. Bujwidowa, *O postępowym i niepostępowym ruchu kobiecym w Galicji*, Lwów 1913, p. 14. *Cit. per.*: B. Stoczewska, *op. cit.*, p. 5–6.

<sup>153</sup> K. Dormus, *Galicyjskie stowarzyszenia*, p. 335. *Vide.*: J. Petrażycka-Tomiccka, *Związek Równouprawnienia Kobiet we Lwowie. Przyczynek do historii równouprawnienia kobiet w Polsce*, Kraków 1931.

<sup>154</sup> K. Dormus, *Samoorganizacja kobiet*, p. 347.

<sup>155</sup> U. Górską, *Drogi wolności*, p. 75.

<sup>156</sup> M. Nietyksza, *Tradycyjne i nowe formy aktywności publicznej kobiet w warunkach zaborów*, in *Kobieta i świat polityki*, p. 97.

<sup>157</sup> „Gazeta Warszawska” 1885, R. 112, no. 2, p. 3. *Vide.*: T. Zhurzhenko, *op. cit.*

Similar activation in the economic and professional spheres came to fruition in the form of the Galician Women's Savings Society represented by the duchess Sapieżyna or Maria Wystouchowa at the turn of the 20<sup>th</sup> century, and the Women's Association of the Industrial Aid Society in Lwów, or several other initiatives. These phenomena were fostered by the feminisation of certain professional groups, particularly teachers, hence the observable influx of women into the Society of Teachers in People's Schools and the establishment of the Union of Female Teachers (Lwów – 1904). Some female clerks (Association of Women of the Postal and Telegraphic Profession), artists (Circle of Polish Stage Artists) and even, though only partially, craftswomen (Industrial Association of Tailors and Tailoresses in Kraków) also had their own organisation. Women appeared, albeit less frequently than men, in trade unions (Trade Union of Tobacco Factory Labourers and Labouresses).<sup>158</sup> In practice, they were rarely to be found in other organisations. The exclusivity of craft guilds and later industrial associations grew to the level of a symbol. At the turn of the nineteenth/twentieth century, they increasingly and widely joined the ranks of *Sokół* [Falcon] or its Ukrainian counterpart called *Sokil*,<sup>159</sup> and as late as the 1870s they can be seen in *the Tatra Society*.<sup>160</sup>

Until 1913, it was forbidden for women to belong to political groups that were an important component of public life under autonomy (democrats, the Galician political fraction *Stańczycy*).<sup>161</sup> Initially, women were involved in these activities remaining mostly in the background merely as companions.<sup>162</sup> From the 1890s, with the emergence of modern political parties – PPSD (Polish Socialist Democrat Party), ND (National Democracy), PSL (Polish People's Party) – an independent movement of socialist women began to develop.<sup>163</sup> As early as 1890–1892, two women's conferences were held in Lwów, with the participation of e.g. Felicja Nossig Próchnikowa, Jadwiga Czaykowska and Wanda Koszycka. These rallies brought together representatives of female private and postal clerks, teachers and workers. In spite of this, at least until the end of the century, neither consolidation nor the development of a network of women's associations had been achieved in Galicia, although in Cieszyn Silesia, for example, thanks to the activities of Jadwiga Kunicka or Dorota Kłuszyńska, the movement produced significant

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<sup>158</sup> W. Najdus, *O prawa*. Vide: A. Chwalba, *op. cit.*, p. 128.

<sup>159</sup> W. Najdus, *O prawa*.

<sup>160</sup> D. Opaliński, *Kobiety w Towarzystwie Tatrzańskim w latach 1875–1914*, in *Działaczki społeczne*, p. 349–359.

<sup>161</sup> W. Najdus, *O prawa*, p. 107

<sup>162</sup> A. Chwalba, *op. cit.*

<sup>163</sup> *Ibidem*, p. 120.

results.<sup>164</sup> The revival in the years 1904–1908 resulted in the establishment of independent women’s organisations of the PPSD and women’s committees in connection with the struggle for electoral rights. Serious influence was exerted here by post-partition contacts with PPS members.<sup>165</sup> In 1911, at the twelfth PPSD congress, the women’s organisations were merged with the men’s, but, as the future showed, for female members this merger did not bring the expected results. The overall participation of women in the socialist movement is estimated by historians at a maximum of a dozen or so percent.<sup>166</sup> They did not play a leading role (in 1908 Zofia Moraczewska from Stryj became a member of the board of the PPSD, in 1913 she was joined by Maria Konopacka from Kraków, Dorota Kłuszyńska from Cieszyn Silesia, Helena Landauowa from Lwów), nor did they belong to the editorial board of the most important party magazines (they edited women’s and children’s magazines instead).<sup>167</sup> Despite the openness of the social democratic parties, the demands of the women’s movement were not considered a priority there.

In the ranks of other groups, women played a lesser role. In the underground National League or the overt National Democracy they were visible as activists in cultural, educational and social institutions. Under such conditions, they also failed to create independent structures. Similar activism involved women within the people’s movement. Historic sources generally focus on two figures – Maria Wysłouchowa and Barbara Stapińska.<sup>168</sup> Regardless of the profile, however, everywhere equality was treated secondarily.

The leading popularisers of various factions of feminism in Galicia came from the Kingdom of Poland (Maria Wysłouchowa, Kazimiera Bujwidowa, Paulina Kuczalska-Reinschmitt, Dorota Kłuszyńska, Zofia Daszyńska).<sup>169</sup> The women’s question appeared here with a delay (the 1890s is very often assumed to be the beginning of the activity<sup>170</sup>) and included, as everywhere, aspirations to break traditional customs, which were a reflection of patriarchy supported by civil law. The transformation of social relations in the spirit of equality could only be guaranteed by economic independence. Freedoms conditioned access to education in the Polish language; as a result, it was important that it provided girls with an education parallel to their role within the modernising society, and,

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<sup>164</sup> *Ibidem*.

<sup>165</sup> *Ibidem*, p. 123.

<sup>166</sup> *Ibidem*, p. 129.

<sup>167</sup> W. Najdus, *O prawa*.

<sup>168</sup> A. Chwalba, *op. cit.*

<sup>169</sup> Z. Sokol, *Walka kobiet*, p. 211.

<sup>170</sup> N. Stegmann, *Der Platz*, p. 241–255.

in the longer term, equal pay without gender distinction.<sup>171</sup> The aspirations of the feminist movement thus oscillated around the familiar problems of opening up secondary and higher education, political rights (freedom of political association and the right to vote in elections), improving the position of female workers and, most diverse in its radicalism, the revision of the marriage law.<sup>172</sup>

The means of implementing these demands were to be rallies and memoranda, as well as journalism. The periodicals, in the pages of which there was a programmatic discussion from the 1890s onwards, include the aforementioned *Ster* (1895), founded and edited by Paulina Reinschmitt, née Kuczalska, *Nowe Słowo* (1902–1907) and its supplement *Robotnica* [Laboureress] (ed. M. Turzyna), *Przodownica* [Female Leader] (Kraków 1899–1910, ed. Maria Siedlecka), *Zorza* [Aurora] and, after the change of name, *Zorza Ojczyzna* [The Native Aurora] published in Lwów, *Głos Kobiet* [Women's Voice], *Przegląd Kobiety* [Women's Review], *Niewiasta Polska* [Polish Woman], *Niewiasta Katolicka* [Catholic Woman] and a number of others.<sup>173</sup> However, this rapid growth of women's magazines and organisations at the beginning of the 20<sup>th</sup> century did not find resonance or mass support among the majority of women.<sup>174</sup> Its insularity is particularly noteworthy. Women's associations were established and developed mainly in the larger cities (Kraków, Lwów), in the provinces only in a few ones (Przemyśl, Kołomyja, Stanisławów, Stryj).<sup>175</sup>

What results has the implementation of the most important demands had in practice? Access to secondary and higher education was regulated rather late and only partially (given that in Scandinavian countries, women were already to be found at universities in the 1870s). In 1896–1897, women were given the opportunity to pass the secondary school leaving exam (in 1896 the first female secondary school was established in Kraków) and access to some university courses (philosophy, medicine, agriculture) was opened up. Still unattainable, however, was law.<sup>176</sup> The situation was similar for electoral rights. The ministerial rescript of 31 July 1862 deprived women of the possibility to participate in elections in the rank of towns and rural municipalities. They only had such rights in the group of large landowners. The Local Government Act of 12 August 1866 granted suffrage to all tax-paying citizens who had lived in

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<sup>171</sup> N. Koestler, *Kobiety polskie między społeczeństwem tradycyjnym a nowoczesnym*, in *Kobieta i edukacja*, vol. 2, part 1, p. 39.

<sup>172</sup> D. Wawrzykowska-Wierciochowa, *Nie po kwiatach*, p. 276.

<sup>173</sup> W. Najdus, *O prawa*, p. 111–112. *Vide*: J. Franke, *Polska prasa kobieca w latach 1820–1918. W kręgu ofiary i poświęcenia*, Warszawa 1999.

<sup>174</sup> W. Najdus, *O prawa*.

<sup>175</sup> K. Dormus, *Samoorganizacja kobiet*, p. 347.

<sup>176</sup> Z. Sokol, *Walka kobiet*, p. 221–222.

the municipality for a year (1/3 was excluded by the fiscal threshold). Women, however, could only vote in the municipal council and national assembly elections through a male proxy. Only female owners of tabular estates were allowed to vote in parliamentary elections, with the possibility of appearing in person. For most of the autonomy period, women were effectively deprived of the passive right to vote.<sup>177</sup> An attempt to introduce Maria Dułębiana<sup>178</sup> to the National Sejm in Lwów (1908) ended in failure.<sup>179</sup>

No more serious results could be achieved with regard to the revision of the marriage law, which favoured patriarchal patterns and actually sanctioned the phenomenon of so-called double morality. This problem arose with varying degrees of intensity at the beginning of the 20<sup>th</sup> century in all Habsburg countries in connection with the planned reform of the ABGB (the Austrian Civil Code), which led to demonstrations in e.g. Prague and Vienna, but in Galicia, apart from the radical feminist movement, only social democratic circles showed interest in this issue. The majority of society remained at best passive or even reluctant towards the women's question thus understood.<sup>180</sup>

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<sup>177</sup> W. Najdus, *O prawa*, p. 102, 113.

<sup>178</sup> S. Pijaj, *op. cit.*; B. Wałęciuk-Dejneka, *op. cit.*

<sup>179</sup> N. Stegmann, *Galicyjskie i czeskie*, p. 216.

<sup>180</sup> B. Czajecka, *Z domu*, p. 35.

## The woman: a creator of sources?

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“The more common [women] left behind only a trace of their motherhood, evidence of monastic participation, or testimony of a miracle experienced. Less frequently, they were brought to the surface by actions contrary to the norm. Many women’s names were also preserved in foundational parchments, erection tablets of churches, or tombstone slabs. However, directly from them themselves, there is almost nothing, very few words written by them and those of a very late date. Everything we know about them previously is only indirect, conveyed by men”<sup>181</sup> – Łucja Charewiczowa, a pioneer of Polish women’s historiography, wrote years ago. In the study of women’s history, the question of sources rises to prominence. Many experts on the subject in Poland and abroad point out that this “ordinary, common ruck of the female public” was somehow deprived of a source identity. The carriers of information about their everyday life or aspects of social life were mostly sources treated in the classical workshop as auxiliary – iconography, diaries, epistolography, fiction – in addition mostly authored by men.<sup>182</sup> What Charewiczowa saw for the Old Polish period in the 19<sup>th</sup> century largely remained valid, only the nomenclature changed. The privilege of creating sources was held by female authors of memoirs, publicists, writers, representatives of the world of culture or, finally, activists of socio-political movements. This was still determined by their above-average position.

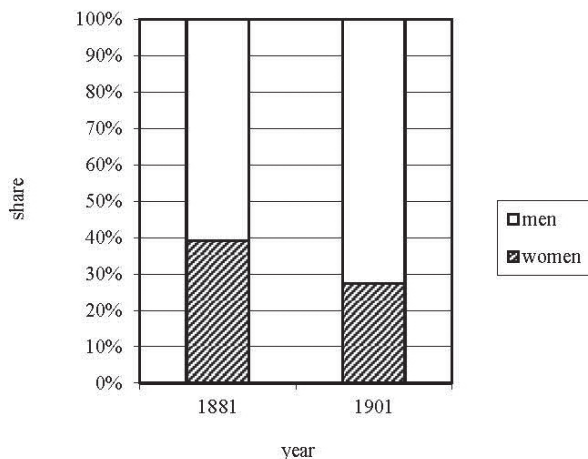
The development of administration and its bureaucratisation brought new opportunities in the form of increasingly common mass sources (e.g. population censuses, court records, notarial records, etc.). Through administrative coercion, these covered broad sections of the population, including women. However, even then, the direct involvement of women in the creation of a source was a fairly rare phenomenon. At that time, women on a wider scale appeared in the sources as anonymous characters, but not yet as significant contributors.

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<sup>181</sup> Ł. Charewiczowa, *Kobieta w dawnej Polsce. Do okresu rozbiorów*, Poznań 2002, p. 9.

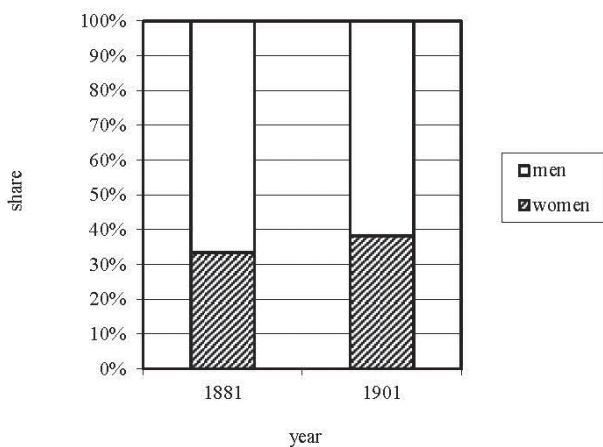
<sup>182</sup> *Quellen zur Geschichte der Frauen*, Band 3: *Neuzeit*, hrsg. A. Conrad und K. Michalik, Stuttgart 1999.

Among the participants in the source-creating process observed based on the example of notary's offices, women occupied a rather distant place (Charts 1.1–1.2). They did not create the source in a direct way (self-written wills and deposited with the notary were rare), and in the group of contracting parties their share fluctuated around 1/3. The question arises, why did these proportions arrange themselves in this way, if demographic relations indicated a relative balance of both sexes?



**Chart 1.1. Sex of urban contracting parties**

Source: own calculations based on Galician notarial records database.



**Chart 1.2. Sex of rural contracting parties**

Source: same as in Chart 1.1.

From a legal point of view, there were no obstacles directly discriminating against women in the preparation of notarial documents, which is the primary source for these considerations. Age restrictions and restrictions on the freedom to administer one's own property applied equally to men and women. This specific equality was sometimes distorted. The persons mentioned in the documents represented different, not only causal, provenances, appearing there as: contracting parties, testifying, declaring, etc., present and absent; accompanying persons joining the deed, tutors, guardians, legal curators or witnesses. These categories were not equally open to all.

The contracting parties present were restricted by age requirements. The notary could draw up the document with the participation of adults (i.e. over 24 years of age), or with minors. The latter meant an early exit from the so-called paternal authority and usually took place by means of a decree of completion.<sup>183</sup> This procedure was available to those who had already reached their twentieth birthday – with no gender distinction.<sup>184</sup> For the younger ones, a legal guardian was required, and in the case of loss of independence, a legal curator. Nor were women excluded from joining the deed, i.e. people who could be affected in some way by the provisions contained therein, either through their connection with the subject of the transaction or with the person of the contracting parties. In loan deeds there were two guarantors on similar terms, and in others there were also proxies.

The representatives of minors (and the disabled) were guardians and, in the case of those incapable of managing their property, legal curators. The ABGB excluded the participation of women here,<sup>185</sup> the same was true for witnesses to identity and wills. Here it was no longer only the ABGB<sup>186</sup> but also the notarial laws that expressly prohibited this.<sup>187</sup> For acts as a source, these limitations were not significant, because the participation of accompanying persons, regardless of gender, in their recording was negligible (Table 1.1) However, such circumstances attracted many biting comments. This prohibition, which was used by the feminist movement as an example of a peculiar curiosity that was out of step with the times, was also criticised by part of the legal

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<sup>183</sup> Other cases concerned granting minors the permission to conduct business activities; such minors were treated on par with those reaching the age of majority.

<sup>184</sup> *Vide*: S. Warmski, *op. cit.*, p. 12.

<sup>185</sup> *Ibidem*, p. 22–23 [ABGB, §§ 192, 197, 281.] However, this was not an absolute prohibition, for the mother was granted custody in situations where the father had not appointed a guardian and the grandfather on the father's side was incapable of doing so or was dead. In the absence of the mother, the duty was assigned to the grandmother. In both of these situations, however, a male co-guardian was 'added' to the woman. *Vide: ibidem*, p. 23 [ABGB §§ 198, 211].

<sup>186</sup> ABGB, §591.

<sup>187</sup> *Dziennik Rzqdu Krajowego*, 1858, p. 83–84; *Reichsgesetzblatt*, p. 173.

community “if only because it places women on the same level as madmen and only recognises an incident of pestilence as making it possible to take women as witnesses to the dispositions of the last will”.<sup>188</sup>

**Table 1.1. Characteristics of persons appearing in notarial acts**

The role in the prepared document	Year			
	1881	1901	1881	1901
	women		in proportion to men	
Parties	95.80%	97.45%	35.74%	38.37%
Accompanying persons	2.31%	1.71%	28.87%	38.31%
Proxies	0.58%	0.23%	18.92%	1.92%
Guardians of minors	1.32%	0.46%	31.37%	15.84%
Guarantors	0.00%	0.15%	–	19.23%
Legal curators	0.00%	0.00%	–	–
X	men		in proportion to women	
Parties	93.85%	89.83%	64.26%	61.63%
Accompanying persons	3.10%	1.58%	71.13%	61.69%
Proxies	1.35%	6.80%	81.08%	98.08%
Guardians of minors	1.57%	1.42%	68.63%	84.16%
Guarantors	0.13%	0.35%	100%	80.77%
Legal curators	0.00%	0.02%	–	100.00%

Source: own calculations based on Galician notarial records database.

**Table 1.2. Persons mentioned in the notarial document as parties but not present at the time it was written down (according to the most numerous nationalities)**

Sex	Year	
	1881	1901
total		
Women	12.19%	19.07%
Men	11.40%	18.23%
Jews		
Women	19.01%	<b>43.19%</b>
Men	20.00%	21.74%

<sup>188</sup> S. Warmski, *op. cit.*, p. 43.

Poles		
Women	10.81%	16.58%
Men	9.53%	17.75%

Source: same as in Table 1.1.

The most open group were those named in the narrative as parties but absent when the deed was written. Initially, the number of such persons slightly exceeded 10% and did not indicate any glaring disparity between both sexes. However, in the case of the Jewish population, the difference was twice as big (Table 1.2).

Women most often appeared before the notary in the role of contracting party (95–98%), rarely taking on other functions. A small number appeared as accompanying parties to the deed, even less frequently as proxies.<sup>189</sup> Overall, the proportion of women participating in the various notarised transactions varied slightly (from around 35% in 1881 to almost 36% in 1901). Greater disparities were caused by environmental factors. In this regard, the rural population was characterised by an upward trend, equalising the proportions, while an opposite tendency could be seen in the cities. The better position of rural women was expressed both by a proportional increase (from 33% to 38% in relation to men) but also by a real increase in numbers. While the number of urban women increased by 12% between 1881 and 1901, in the countryside it increased by more than 230%! Rural women were also the most numerous group, and the extent of this dominance was evident between 1881 and 1901 by rates ranging from 69% to 86% in relation to other women. The documents written with their participation did not differ from the others in many respects. Very subtle differences can only be seen when analysing the content and, more specifically, the legal action contained in them (Table 1.3). Although the same types of acts can be found for both sexes, the proportions between them were different. Women were more involved in preparing documents reflecting family relationships, i.e. donations and dowries. For men, on the other hand, strictly economic issues were of great importance, seen in the proportionally more popular loans, deletions of encumbrances and leases.

The prevalence of familial relationships is also confirmed by the analysis of the connections between the persons involved in the transactions, which occur in quite large numbers. These ties reveal themselves in a twofold way – within the contracting parties, e.g. when the sellers were together a husband

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<sup>189</sup> In the cities in 1901, proxies accounted for more than 30% of the men of Polish nationality listed in the documents (!), while women accounted for only 1%.

with his wife or a father and his son, and between the parties – when a mother gifted her daughter or a brother sold something to his sister, etc. In both cases, the ties of marriage, kinship or affinity were most often involved.

**Table 1.3. Legal action in notarial documents  
(taking into account the gender structure of clients)**

Type of activity:	Women	Men
Buying and selling	43.14%	43.02%
Donation	13.38%	7.58%
Dowry	10.39%	5.69%
Loan	6.33%	11.80%
Deletion of encumbrances	5.37%	9.19%
Cession	4.16%	2.68%
Declaration	2.34%	1.83%
Other	14.89%	18.21%

Source: same as in Table 1.1.

Men were more independent, marked by a lack of ties for nearly 70%–80%. When the party was a woman, the probability that she was accompanied by another family member or a husband reached as much as 50%, although with a tendency to decrease to 1/3. The most common relationship between persons constituting one side of the contract was marriage, while in bilateral relations – parental relationships. In the countryside it still happened that newlyweds or siblings appeared quite numerously – especially in the 1880s.

Women from the Jewish community differed somewhat from the above pattern. While still in the 1880s their situation did not differ much from that of the Polish women, already at the beginning of the 20<sup>th</sup> century family ties between them concerned less than 10% of the parties (among the Polish women about 30%). Documents such as donations or dowry transfers from parents played a minor role there. Documents in the nature of a prenup, relating to a dowry brought by the wife, should be considered as an exceptional example of the connection of the sex of a party to the subject of a legal action. Such were the circumstances of preparation of the majority of personal property lists. Sources of this type were created on the occasion of spouses dividing their property, but their authors were men.

Apart from the smaller size and slightly different structure of the notarial documents, could the above phenomena have translated into the content and

thus the information potential of the source? Table 1.4 shows the data gaps occurring within the typical elements characterising the contracting parties – occupation and place of residence. As can be seen, the disparity between women and men was not so great, although the latter still were represented more favourably. In both cases, the problem grew over time, and the most susceptible to this ‘washing out of information’ were documents written with the participation of the Jewish population, especially records concerning women from this environment.

**Table 1.4. Missing data on the place of residence and occupation (by gender and the most numerous nationalities)**

Basic data	Year			
	1881		1901	
	W	M	W	M
	total			
Residence	10.29%	9.29%	17.24%	16.31%
Occupation	16.14%	11.62%	26.45%	24.41%
Poles				
Residence	8.76%	8.14%	15.80%	16.02%
Occupation	14.99%	10.19%	24.19%	21.84%
Jews				
Residence	14.78%	13.33%	<b>30.73%</b>	18.20%
Occupation	22.53%	18.55%	<b>53.30%</b>	43.61%

W – women, M – men

Source: same as in Table 1.1.

Women’s higher absence during the preparation of the documentation placed them in a slightly worse position. They were mostly residents of cities, constituting only 12%, and in 1901 even 8% (after excluding the rural population, respectively 30% and 25%). A particularly telling example of marginalisation can be seen in the widespread attestation of numerous transactions without their direct participation. It was precisely the adherents of the Mosaic religion who clearly differed in this respect from the Polish population, who validated legal documents more often with all parties present. Among Jews, the proportion of women absent in proportion to those personally present was high and almost double that of men, amounting to more than 43%

in 1901 (Table 1.2). This also resulted in a much higher disparity in basic information about them.

As can be seen, therefore, despite their perceived numerical share, women still remained hostage to the traditionally prescribed passive role in society. Paradoxically, it was their positioning in the family space, within which only the position of mother and wife predestined them to manifest greater activity in certain areas of life, which constituted an important factor stimulating the creation of sources. They appeared in the notary's office at a younger age than men, although rather in a passive role. The proportion of minors among women was usually three times higher (1881: women – 6.18%, men – 2.47%; 1901: women – 3.38%, men – 1.18%). Within the group of those under the age of majority, the number of females was increasing, as expressed by proportions of 57.69% in 1881 and 64.14% in 1901. Men, as the external representation of the family, however, were involved in more aspects of the process. They are encountered in the records not only in double the number, but also more frequently in addition in roles beyond the responsibilities of being a family member.

Much therefore points to the importance of the extent to which the mere reflection of the image of the woman in the mentality of nineteenth-century provincial society shaped the informational value of the source. And this does not include such issues as attempting to determine a woman's nationality on the basis of the sound of her surname, where one can theoretically see a considerable risk of error especially with regard to married women. In some cases, the informational value of a source created with the participation of a woman may have been poorer and somewhat distorted, but for entirely different reasons. These most likely lay in the rather specific and distant from modern realities way of perceiving a woman in the 19<sup>th</sup> century.

The data gaps presented above (Table 1.4), greater for women than for men, were not due to concealment or omission. The worlds of men and women were impossible to unify in the non-marital or non-family areas and described differently. The notarial document, although one of the sources with a heterogeneous content structure, nevertheless required the notary to standardise it. This procedure, however, was not entirely successful especially in the case of describing a woman, as can be seen directly from the declared occupation. In the face of a modernising social structure, it was easier to omit female occupations than to describe them in the same categories as men. Such attempts yielded only partial results, as their identity was sought as wives, mothers, widows and even through terms such as private persons or citizens, while later such practices were abandoned altogether.

# The woman in the family

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## 1. Notarial records as a source for family research

In the nineteenth century, the family was faced with challenges that violated the traditional nature of the relationships linking its members and modernised the unquestionable roles they had hitherto played. This process took place with varying degrees of intensity and its scale depended largely on the environment with which the members of the household were associated. Although the position of the husband and father as head of the family remained unshaken, the role of the woman as the nurturer of the household was gradually being revised (especially in the second half of the century). This was partly due to a number of external factors, mainly economic ones. Models of social advancement within traditional structures gradually lost their attractiveness and did not always adapt to the changing reality. The dynamics of these changes were conditioned by the progress of the processes of industrialisation and urbanisation, which, as we know, were characterised by a delay in Galicia. On the other hand, however, phenomena such as labour migration had the effect of loosening traditional ties and patterns.

In the most populous rural environment, a woman may have had a well-established position as the *de facto* head of the farm and was prepared for such a function from childhood, with care taken to keep up appearances, especially in external contacts, so as not to violate the tradition-honoured patriarchal image. There are examples of this also in the still sparse diaristic literature of the period. However, the path to independence conceived in this way was not accessible to everyone. Włodzimierz Mędrzecki shows three models of fulfilling a woman's vocation in the countryside: the model of the classic housewife, which required an appropriate property status; the model of a woman striving to ensure the basics of existence on an equal footing with her husband, characteristic of families living on the verge of poverty; and the third one, concerning completely impoverished environments, deprived of any property, in which women had to earn their living by taking a job as a maid

or servant on richer farms, or in the countryside, in the city or in exile.<sup>190</sup> Another, rarer alternative was to obtain a suitable education which enabled them to become economically active outside agriculture. This third model led to an obvious disruption of traditional structures and was, in fact, becoming increasingly characteristic by the end of the 19<sup>th</sup> century.

The mainstay of traditionalism were landed-aristocratic families, most of whom remained passive in the face of the changes taking place in the sphere of intra-family relations. A type of differentiating factor here, besides wealth, was the place of residence: the countryside in the case of manor owners and the city quite popular among the aristocracy, or nationality, and especially the social advancement of landowners of Jewish origin. In this environment, daughters were married off early and this was their main purpose in life. In the traditional mentality, the wife was expected to perform representative functions, and the area of her activity was specified by Klemantyna Hoffmanowa née Tańska with the words: “to be the second in society”, which most often meant confinement within the family circle. The actual scope of her duties depended on her wealth and social status, and usually included various degrees of managing the household and the so-called women’s household – including its finances. Attention was also paid, especially within the urban aristocracy, to women’s participation in the cultural life of the local elite. These patterns were adopted by the wealthier layers of the intensively developing clerical intelligentsia, although variations in behaviour depending on wealth position can be observed across the group. The countryside, on the other hand, placed strictly practical expectations on women, often at the expense of education.<sup>191</sup>

In the face of the social and economic changes of the second half of the 19<sup>th</sup> century, cracks and fissures increasingly appeared on this traditional model of the landed family. The dowry capital of the daughters of indigent landowners was to become education, professional qualifications and, in effect, preparation for an independent existence. For some of them – if at all achievable – this meant breaking traditional ties and, in view of the post-enfranchisement crises, often seeking alternative life choices in the cities.<sup>192</sup>

Paradoxically, the woman in the Jewish community had the most freedom in the changing socio-economic conditions of the 19<sup>th</sup> century. It would be

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<sup>190</sup> W. Mędrzecki, *Kobieta w warstwie chłopskiej i przemiany jej pozycji w II połowie XIX wieku i w pierwszej połowie XX wieku*, in *Pamiętnik XV Powszechnego Zjazdu Historyków Polskich*, vol. 2: *Social transformations and the family model*, Gdańsk–Toruń 1995, p. 33–37.

<sup>191</sup> D. Rzepniewska, *Kobieta w rodzinie ziemiańskiej w XIX wieku. Kingdom of Poland*, in *Kobieta i społeczeństwo*, p. 37–40.

<sup>192</sup> *Ibidem*, p. 60–61; *eadem*, *Ziemianki w mieście. Królestwo Polskie w końcu XIX wieku*, in *Kobieta i kultura życia codziennego*, p. 32–33.

glaringly obvious to mention patriarchalism here; nevertheless, the clear disadvantage in relation to men was most clearly visible in the sphere of religious life.<sup>193</sup> Jewish girls were more open to the influence of the outside world<sup>194</sup> and this did not conflict with tradition. They were more willing to be sent to secular schools than boys. Besides, the traditional law defended them in the face of abuse by the husband or his family, but this does not change the fact that, as Zofia Borzymińska put it, at birth “boys were considered a more precious gift of God”.<sup>195</sup>

In petite bourgeois families, a woman’s place was determined by the phenomenon of professional hermeticism (mostly craftsmanship in the case of Poles and trade in relation to the Jewish population), linked to wealth.<sup>196</sup> As a further consequence, this specific concern for the dignity of the state condemned many daughters from craftsmen’s families to old age or marriage to an elderly suitor. On a much smaller scale such circumstances can be found among Jews, where both the disproportion between the bride and the groom and the age of tying the knot was lower. It also appears that patriarchal influences, depriving women of any individuality, were more pronounced among the petite bourgeoisie, especially Christian ones, than elsewhere. These patterns also influenced the secularising groups of the Jewish petite bourgeoisie.

In the last quarter of the nineteenth century, a gradual evolution of the position of women is also observable in these communities, although not in all areas. Particularly in the developing cities, a move towards independence, the enjoyment of the benefits of the educational system, or wider professional activation was evident.

A marked change, compared to other sections of society, took place in the working class. The passive position hitherto accorded to women was difficult to achieve under the prevailing work system. The ranks of the workwomen, maidservants and the still rare female industrial workers were supplemented by the deprived rural population uprooted from their natural environment. Women, usually augmenting the group of hired, seasonal and other labourers, no longer returned to the countryside and formed ties on new, traditionally alien terms.

Some of these phenomena were reflected in diverse source material, most often, however, based on official statistics. It should be emphasised that the rarely used Galician notarial records illustrate, above all, the changes

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<sup>193</sup> Z. Borzymińska, *Żydowska narzeczoną, żydowska żona. Obyczajowość ujęta w ramy prawa*, in *Kobieta i małżeństwo. Społeczno-kulturowe aspekty seksualności. Wiek XIX i XX*, vol. 8, ed. A. Żarnowska and A. Szwarz, Warszawa 2004, p. 121.

<sup>194</sup> *Vide*: R. Manekin, *op. cit.*

<sup>195</sup> *Ibidem*, p. 138.

<sup>196</sup> W. Najdus, *Zmiany*, p. 238.

taking place in rural families – both those of high property status and those in material decline, although in possession of small holdings. More than 80% of the members of the surveyed families resided in the countryside. Only in the materials from the law firms of the larger towns was this percentage lower and persisted at 50%. Such centres were dynamic in the development of economic life, which was reflected in the multitude of various economically motivated interactions undertaken by individuals.

Documents dealing strictly with the issue of the petite bourgeois family appeared much less frequently and usually, apart from details of a transfer of property or a loan, contained no relevant information. Polish marriages were more numerous. Representatives of the Jewish community, although very active in the observed source material, appeared twice less frequently as family members. The specific nature of the records also does not allow for a precise reconstruction of the professional profile of a significant proportion of them. Relatively the smallest amount of information on the pages of notarial records is devoted to various family relationships in the landed gentry, intelligentsia and working class.

However, on the basis of the notarial records it is possible to construct a certain picture of the family and women's roles within the family according to the relations between the contracting parties. Relationships of kinship or affinity were made visible through legal actions performed jointly or in relation to each other. As a result, today it is possible to undertake the analysis of the family's contacts with the outside world or the relationships between individual family members. Considerations of the place of women in the provincial community in this particular context, lead to findings in the area of customs, everyday life, material culture or the world of values. The link between these spheres seems to be economic issues, to which, however, I have devoted more space in a separate section.

A characteristic feature of a source was the existence of a certain repetitive cycle and related types of documents. Its first stage began when the parties, while still children, became beneficiaries of legacies or of similar donations made by grandparents, parents and other relatives. The role of both girls and boys here was very limited and constrained by the powers and decisions of the legal guardian. However, this fact introduced a young person for the first time into the pages of this source. The second stage involved entering into marriage, which was accompanied by the issues of dowry and legitim. These issues were settled by the parents or guardians through legal means and were reflected in notarial acts in the form of various donations, endowment contracts and dowry transfers. It is also worth noting that on this occasion, the donors quite often put all family and property matters in order. This involved securing the

donor's livelihood or imposing other obligations towards other family members (e.g. repayment of brothers, sisters etc.) or creditors, similarly to last wills. In families of the upper petite bourgeoisie, the continuation of matrimonial matters in notarised form was the prenup, here taking the form of a marriage contract. This act became popular in the wealthier strata of the Jewish community, where, unlike Catholics, dissolution of marriage was not excluded.

The third stage lasted until the endowed children finally took the roles of their parents. For a woman, it may last around twenty years or more, in some ways the most intensive stage of all. During this time, as a wife, a woman looked after the economic basis of the family by caring jointly or equally with her husband for the upkeep of the farm. In the countryside this took many forms of trading in property and loan capital to expand the acreage; in the city – financial speculation. The fourth and final stage was the time of making last wills, closing the whole generational cycle. There were deviations from the above pattern, some stages were even omitted, as the situation of a childless woman, a single woman or a woman who died at a young age was different. Most of the circumstances motivating the possible parties to visit a notary's office could also be finalized in the form of a private or oral agreement and finally in a law office. This cycle was repeated, with the result that over the course of a lifetime, a single person, without distinction of gender, could be recorded in the source several times. In fact, there are cases where this situation occurred very often, but such intensity was not due to the existence of a cycle but was rather related to the fact of conducting business activities and involved men.

The contacts of individual members of the nineteenth-century community with the notary's office at successive stages of human life make it possible today to observe some of its fragments from the perspective of the roles played by its participants. Among the most frequently recurring female images reflected in the documents were the typical family roles of a daughter, a mother, a grandmother of another relative, and, separately, a wife.

## **2. The daughter and the bride (childhood, dowry, inheritance)**

### **The role of the daughter in the family**

There is little data on the early childhood period. The legal conditions for boys and girls were not as different as in adulthood. Some differences can be seen in the relationship with parents. According to the Austrian Civil Code, the father and husband were entitled to manage the family household, while the so-

called paternal authority applied to children. In theory, this extended up to the age of 24, i.e. legal majority. On this basis, the father was entitled to choose the children's status and to manage their property. They could also not incur any obligations without his permission. The division of roles between mother and father was regulated in such a way that, while the father was obliged to provide for the children "until they were able to feed themselves" – it was up to the mother "to look after their bodies and their health".<sup>197</sup>

The sex of the child, however, determined the time of entry into and exit from the father's authority. Girls remained with their mothers for longer – up to the age of 7, while boys only up to the age of 4. After that, both came under the father's authority. Earlier independence was made possible by a so-called decree of majority granted by the judicial authorities. For a daughter, this was the only way; a boy was also considered of age after receiving permission from his father to run his own household.

Gender was irrelevant with regard to compulsory schooling (which started at 6 and lasted until the age of 14) and religion (up to the age of 7, the parents decided on the child's religion, after the age of 14 everyone was free to choose, between 7 and 14 no change of religion was allowed). Only in the case of mixed marriages did sons 'follow' their father's religion, while daughters would follow their mother's religion.

Marrying before the age of 24 created a conflict of interest on the part of the father-in-law and son-in-law. The case of a minor bride constituted a clash between the father's right to retain paternal authority over his daughter and the husband's right as head of the family. The court retained the right to adjudicate whether the guardianship passed to the husband. However, informally, the patriarchal principle was adhered to: a minor wife, regarding her person, comes under the authority of her husband, while concerning her property (e.g. dowry in real estate), the rights and duties of the guardian rest with the father until the age of 24. Although the court here retained the right to rule on whether guardianship passed to the husband, the patriarchal principle was commonly adhered to: an underage wife as to her person passed to her husband's authority, while as to her property (e.g. dowry in real estate) the rights and duties of guardianship until the age of 24 rested with the father.

As I have already mentioned, this stage of life appears rather enigmatic in the light of the notarial documents. A circumstance that provided a child with a chance to make a relatively early appearance in the source was property relations (inheritance, etc.), but under-age beneficiaries are barely mentioned there, providing little information. Children even a few years old could

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<sup>197</sup> ABGB, §141.

become heirs to part of the estate, but it was effectively administered by a legal guardian. Notarial documents include records of such cases: already at the age of 8, the youngest daughter of a peasant from Rączna, Magdalena, became the universal successor (with the obligation to pay off her 2 sisters – 25 Rhenish zlotys).<sup>198</sup> There were also bequests to unborn children.<sup>199</sup> These phenomena were fostered by fear of the testator's imminent death and the uncontrolled parceling out of his estate. The sources of donations were not only parents, but also grandparents or distant relatives. Early entry into possession mainly occurred mainly in the village community, with no apparent favoritism towards male or female descendants at this stage. It seems that at such a young age this problem did not exist, especially in view of the institution of the legal guardian. Rather, it was apparent that children were treated in an object-like manner.<sup>200</sup>

In Polish society, on the other hand, little importance was attached to the girls' education beyond knowledge of farm management. This is why we usually find them at the side of their mothers, who thus prepared them for their future role: in the countryside – a housewife, in the city – a wife. Unlike boys, this was to be their total domain. As late as the mid-1880s, there was still a traditional dichotomy among the middle class, according to which daughters had to be decently groomed and married off. Vocational education (typically craftsmanship) was given to sons, while education in religion and literacy was considered appropriate for girls up to the age of 14.<sup>201</sup> However, this was to change over time. At the turn of the 20<sup>th</sup> century, the need for education was recognised by the wealthier layers of the petite bourgeoisie. For example, in a document from 1901, a married couple of property owners from Pilzno guaranteed that their daughter Zofia Kosińska would receive the sum of 400 crowns to be used for “her education in Kraków, where she is already and currently living”.<sup>202</sup> Similarly, in 1910 in Bochnia, a will of property owners mentions that their daughter Aniela was educated as a teacher with the financial support of her parents, and therefore only receives a legacy of 600 crowns.<sup>203</sup> Earlier records were unlikely to mention such an item of information. The parents included the costs incurred for this purpose as part of the child's share of any future inheritance or legitim.<sup>204</sup> In rural areas, on the other hand, even

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<sup>198</sup> ANK, *Liszki, Jendl*, sygn. 20, l.rep. 4951.

<sup>199</sup> APPm, *Przeworsk, Wodecki*, sygn. 1, l.rep. 42.

<sup>200</sup> *Ibidem*, *Ulanów, Kosiński*, sygn. 12, l.rep. 2569.

<sup>201</sup> ANK, *Bochnia, Ramult*, sygn. 7, l.rep. 1380.

<sup>202</sup> APPm, *Pilzno, Bujnowski*, sygn. 47, l.rep. 8413.

<sup>203</sup> ANK, *Bochnia, Hanusz*, sygn. 31, l.rep. 21929.

<sup>204</sup> APPm, *Przeworsk, Wodecki*, sygn. 9, l.rep. 2032.

in the early 20<sup>th</sup> century similar aspirations for daughters are nowhere to be found; there are mentions, however, of sons.<sup>205</sup> With some exceptions, there was no investment in female offspring, and once they married, there was no time for education. The prospect of wage labour was therefore closer to them. In a document from 1901, a landlady from Łopuszka writes about her daughter that “she was not present at the place, because she was travelling the world to earn money, but now having returned she hereby declares that she accepts the inheritance of her father Józef Ilasz [...], but at the same time she cedes the same inheritance to her sister Petronela Wierzbińska [...]”<sup>206</sup>

The chances of coming into possession of some property at a young age, even if only formally, sometimes created the need to dispose of it or even to bequeath it. In 1888, a 19-year-old female peasant in Balice (bedridden) bequeathed to her father everything she owned, i.e. half of the farm inherited from her deceased mother.<sup>207</sup> In 1901, Adelajda, a 17-year-old peasant from the Bochnia area, bequeathed the property acquired in the same way to her grandmother and uncle in equal shares. She also established legacies of 80 crowns each for the benefit of 3 guilds from Ujście Dolne. She also wanted 200 crowns to be spent on her funeral and the same amount on her gravestone,<sup>208</sup> which, incidentally, was not a small sum.

It is also worth highlighting that there often existed a special bond between grandchildren and their grandparents, who did not forget them in their last wills even when the grandchildren had grown up. This was one of the few examples of an emotional connection noticed especially at the end of life. In 1875, Teresa Zdyska, a citizen of Tarnobrzeg, appointed her already-married granddaughter Gabriela as her universal successor (offering her a house in Tarnobrzeg). To another granddaughter she bequeathed only an eiderdown, while to her grandson – a bed and one pillow.<sup>209</sup> Such was also the case with a farmer from the village of Dzianisz near Nowy Targ.<sup>210</sup>

In all environments, however, children were required to respect and help their parents in their daily lives and responsibilities from an early age. This was a universal value, the failure to adhere to which was to be reproved right up to the deathbed and beyond. It should also be stressed that the criteria for evaluation here were stricter for daughters than for their brothers, perhaps

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<sup>205</sup> *Ibidem*, sygn. 36, l.rep. 9918.

<sup>206</sup> *Ibidem*, sygn. 35, l.rep. 9755.

<sup>207</sup> ANK, *Liszki, Jendl*, sygn. 19, l.rep. 4584. *Vide: ibidem*, sygn. 16, l.rep. 3852.

<sup>208</sup> *Ibidem*, *Bochnia, Hanusz*, sygn. 6, l.rep. 3894. *Vide: APPm, Tarnobrzeg, Różamski*, sygn. 15, l.rep. 8423.

<sup>209</sup> APPm, *Tarnobrzeg, Rogalski*, sygn. 1, l.rep. 154.

<sup>210</sup> APNS, *Nowy Targ, Trybulec*, sygn. 2, l.rep. 763.

because girls became a burden in the future due to dowry obligations, but also to the manifest patriarchalism of the provincial community.

Any preference given to daughters in the family, most often in bequests, divisions of property, endowments, the donors tried 'to justify' them by their exceptional merits in fulfilling their duties. Interestingly, this was not done with male heirs. They were not required to be good sons, it was enough that they were not bad, wasteful and respected their parents. Especially in the countryside, in the management of the farm, a hard-working daughter was highly valued, taking over the role of housekeeper in the event of her father's widowhood. This was the case in the early 1880s on the farm of Jan Michalik of Gorliczyna, who decided that "my daughter Zofia is to run the entire farm in the event of my death, because she is already 18 years old and so developed and talented that she is doing it today – she is to keep her siblings [...] with her on the land, and continue to send the younger one to the Przeworsk school until she graduates".<sup>211</sup> Unfortunately, this high position was offset by the fact that after her marriage, the daughter left the family farm and reduced it by her dowry.

Another typical role of a daughter was to take direct care of her parents.<sup>212</sup> As one might guess, although this was expected of her, perhaps more than of the son, these expectations were not always met with understanding. In 1877, a widow from Urzejowice writes of her daughters: "being old and in poor health, I have all my maintenance and nurturing in her [the younger daughter] and I experience maternal respect, and, contrary to my elder daughter Teresa [...], although she is a wealthy housewife I cannot expect any assistance from her".<sup>213</sup>

A frequent recurring factor in dowry bequests and endowments was that they were formally conditional on the subsequent care on the part of the children. This phenomenon was very common, and in Austrian law there was even the concept of 'black ingratitude' justifying the revocation of a bequest when the beneficiaries forgot their obligations.<sup>214</sup>

Before her independence, a daughter had non-negotiable responsibilities. Their enforcement belonged to the paternal authority and the traditional system of family dependencies embedded in the patriarchal rule. When she became a wife and an independent housewife, these dependencies weakened, so the fact of care, no longer enforced, was appreciated and sought to be rewarded in various ways.

These matters were almost identical in the Jewish community, which may be confirmed by a quote still from 1913 from Bochnia. Anna Lemensdorf nee

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<sup>211</sup> APPm, *Przeworsk, Wodecki*, sygn. 4, l.rep. 1131.

<sup>212</sup> APNS, *Nowy Targ, Weigel*, sygn. 5, l.rep. 3944.

<sup>213</sup> APPm, *Przeworsk, Wodecki*, sygn. 1, l.rep. 30.

<sup>214</sup> *Vide*: APPm, *Rzeszów, Prochaska*, sygn. 6, l.rep. 1647.

Monderer, a property owner writes: “To my daughter Keila, married to Klinger, in addition to the dowry [2,000 crowns – Sz. K.] which she received, I therefore also allocate [...] 1,000 crowns, because this daughter nursed and served me for a long time during my illness”.<sup>215</sup> Such flattering opinions are not found at all in relation to men, both during the period of full dependence on paternal authority and later. Cases of pathological behaviour were equally stigmatized. However, it is more common to find bad sons, and the scale of the harm done was usually greater as well: “My son Maciej [...] has actively hurt me several times on my body, he has dragged me along the ground by my hair, he has always called me insulting words, he has even been punished by the court for beating me, which did not help. Moreover, I have to consider this son of mine, Maciej, to be the murderer of my wife and his mother, for when he hit her several times in the breast with a fist last year, she fell on her back, blood spurted out of her mouth and died shortly afterwards; for this reason I disinherit this son of mine, Maciej, and do not allocate anything from my estate to him. – I would like to mention that my son Maciej also robbed me of 300 Rhenish zlotys”.<sup>216</sup> The above mentioned Anna Lemensdorf disinherited her sons because: “they constantly assaulted me and my husband, Salomon Monderer, both verbally and physically; they took money from me without my knowledge and, in general, their behaviour was and still is reprehensible towards me and my husband”.<sup>217</sup>

These pathologies were more prevalent in the countryside. In the city they were a rare phenomenon or such information rarely found its way to the sources. In contrast, in the countryside they were clearly and loudly condemned, and disinheritance was a common punishment. This problem, which is encountered with increasing frequency in more recent source materials (especially from the early 20<sup>th</sup> century), may be symptomatic of a gradual transformation of family ties based hitherto on deeply traditional foundations. Neither God’s punishment nor the ostracism of the environment condemning this type of behaviour was sufficient, a more direct incentive was necessary – temporal punishment in the form of loss of material benefits. The number of cases of such conduct, unfortunately increasing with time, concerned both sexes more and more often, although such incidents with women seemed to be somewhat milder: “I have a great grudge against my daughter [the father writes at the end of the 19<sup>th</sup> century – Sz. K.], that she defiles me among people and swears at me, so that strangers have to reprove or admonish her for this,

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<sup>215</sup> ANK, *Bochnia, Hanusz*, sygn. 39, l.rep. 26340. *Vide*: APPm, *Przeworsk, Wodecki*, sygn. 2, l.rep. 780.

<sup>216</sup> ANK, *Liszki, Jendl*, sygn. 7, l.rep. 1532. *Vide*: APPm, *Przeworsk, Zieniewicz*, sygn. 1, l.rep. 67.

<sup>217</sup> ANK, *Bochnia, Hanusz*, sygn. 39, l.rep. 26340.

that it is not right”.<sup>218</sup> Another father, a carpenter, laments: “the daughter from the first wife got married and she is not interested in me at all”.<sup>219</sup> In the Jewish community, another factor worthy of condemnation was coming to the fore: the abandonment of the religion of the fathers. Mojżesz Izak Birnbaum, a property owner in Przykop, disinherited his daughter because: “she led a life contrary to public morals, she further converted to the Roman Catholic religion without my permission, the cow and other movables as well as cash in the amount of 32 rubles she stole from me, and most importantly she beat me and my wife and her mother”.<sup>220</sup>

### Dowry relations

A new stage in women’s lives was commenced by marriage. They married for the first time, most often before reaching legal majority. Such a trend intensified in the second half of the 19<sup>th</sup> century, reaching, at 10-year intervals from 1860 onwards, proportions of 49%, 53%, 64%, 60% and 61%.<sup>221</sup> However, the proportion of girls under the age of 20 (i.e. the age of reaching majority) was decreasing, while those aged 20–24 was on the increase. In 1910 this category was the most numerous and already exceeded 1/3.<sup>222</sup> For men, the age limit for entering into a first marriage also rose over time. At least from the 1890s onwards, more than half married between the ages of 25 and 29.<sup>223</sup>

Marriage involved a whole series of property issues commonly referred to as *endowment* (in Polish – *wyposażenie*). This was an extremely important issue for the entire family, as it affected both the image of the family and its future economic basis. Only in poor families was it assumed that poverty justified the omission of dowry transfer.<sup>224</sup> Indeed, it should be emphasised that the sense of obligation to endow children was very strong in the 19<sup>th</sup> century society and, in the public perception, most often only marrying against the will of the parents constituted grounds for being exempted from this duty. For a significant part of Galicia’s agrarian society this was also a heavy burden. There is, moreover,

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<sup>218</sup> APPm, *Przeworsk, Wodecki*, sygn. 26, l.rep. 7766.

<sup>219</sup> *Ibidem*, l.rep. 7791.

<sup>220</sup> *Ibidem, Tarnobrzeg, Łapiński*, sygn. 21, l.rep. 4653.

<sup>221</sup> K. Zamorski, *Informator*, p. 170 (Table 98).

<sup>222</sup> *Ibidem*.

<sup>223</sup> *Ibidem*, p. 169 (Table 96).

<sup>224</sup> K. Kowalski, *Prawne zwyczaje w zakresie wyposażenia dzieci i dziedziczenia oraz sprawa podzielności małych gospodarstw wiejskich w byłym zaborze austriackim*, Warszawa 1928 (hereinafter: *Prawne zwyczaje*), p. 15.

a hypothesis about the deliberate delaying of the age of first marriage in the countryside due to dowry problems leading to the fragmentation of farms.<sup>225</sup>

Dowry relations in Galicia received considerable attention very early on in relation to the rural population. Even before the First World War, the problem surfaced in a wave of research into the causes of land fragmentation and found its continuation in the form of studies as early as in the following era.<sup>226</sup> By contrast, there was no interest in the other communities – particularly urban ones – in either this or a related context.

In the system of Austrian law, *dowry* [Polish – *posąg*] meant property which the future wife or a third party on her behalf gave or secured for her husband in order to lighten his marital obligations;<sup>227</sup> *a bride token, a bride price* [Polish – *wiano*] was a gift which the husband promised to give to his wife on the first morning of their married life;<sup>228</sup> *a dowry guarantee* [Polish – *oprawa*] was a multiplication of the dowry on the part of the fiancé.<sup>229</sup> Great importance in dowry relations was attached to the right of the so-called *legitim* [Polish – *zachowek*], i.e. the part owed to the children from the parents' farm, which was non-disposable during its utilisation.<sup>230</sup> It was therefore characteristic to link the issue of dowry and endowment with the rules and customs of inheritance. However, these concepts, defined precisely by the ABGB (§1230, 1232), were not reflected in the social mentality. They were often used interchangeably, especially in the Galician countryside, where 'endowment' was referred to without regard to gender.<sup>231</sup> This

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<sup>225</sup> K. Sójka-Zielińska, *Prawne problemy podziału gruntów chłopskich w Galicji na tle ustawodawstwa agrarnego*, Warszawa 1966.

<sup>226</sup> *Vide*: K. Kowalski, *op. cit.*; *idem*, *Prawa zwyczajowe w zakresie wyposażania dzieci oraz sprawa niepodzielności małych gospodarstw wiejskich w województwie lubelskim*, Warszawa 1929; *idem*, *Stosunki rodzinne i zwyczaje spadkowe włościan w latach 1775–1870 w świetle tabuli prowincjonalnej cyrkulów lwowskiego i samborskiego*, Warszawa 1932; *idem*, *Zwyczaje spadkowe włościan w Polsce*, part 1, Warszawa, 1928; K. Kowalski, J. Górski, *Zwyczaje spadkowe włościan w województwach centralnych (b. Królestwo Kongresowe)*, Warszawa 1929; K. Kowalski, S. Grzybowski, R. Karpiniec, *Zwyczaje spadkowe włościan w województwach południowych*, Warszawa 1928. In the post-war period, some aspects of this research were covered by: J. Mazurkiewicz, *Znaczenie akt notarialnych dla badań nad własnością w Księstwie Warszawskim i Królestwie Polskim*, „Annales Universitatis M. C. Skłodowska” 1965, sectio F, vol. 20, Lublin 1968, p. 115–126.

<sup>227</sup> *Cit. per*: ABGB, §1218.

<sup>228</sup> *Cit. per*: ABGB, §1232.

<sup>229</sup> “The utilization of the dowry guarantee does not belong to the wife during the marriage, but when she outlives her husband, then without a separate agreement it belongs to her [...] even though the dowry in the event of the wife's survival was not bequeathed to the husband”. *Cit. per*: ABGB, §1230.

<sup>230</sup> *Vide*: ABGB, §1220.

<sup>231</sup> Kowalski cites a similar phenomenon with regard to the Polish term *odwianowanie* [the provision of a bride price]. *Vide*: K. Kowalski, *Prawne zwyczaje*, p. 8.

was probably due to the belief that each party should to some extent contribute to the foundations of the future farm.

However, the form under which dowry transfers were made varied. In addition to the typical notarial contract, it could be a promise in front of witnesses, an oral donation accompanied by the actual act of transfer, and a sham contract of sale with judicial or notarial authentication of the signature.<sup>232</sup> Although any documents created outside the law office carried risks, its services were mostly used by circles with a certain degree of wealth. It is worth mentioning that this stage involved at the same time the assertion of the right of legitim, hence the endowment of a daughter or a son thus became a pretext for regulating the situation of other family members.

A similar inconsistency permeated the notary's office, finding expression in the varied nomenclature of records. Between 1881 and 1901, dowry activities were the content of 8–9% of documents, most often classified as a *preuptial contract*, *dowry bequest*, or outright *donation*.<sup>233</sup> It was only at the beginning of the 20<sup>th</sup> century that the legislator sorted out this area of property transfer<sup>234</sup> by excluding outright donation from it. As a result, a few years before the First World War, most such actions took the form of an *endowment contract*.<sup>235</sup>

In rural communities already in the 1880s, the transfer of dowry as well as the dowry guarantee was often done jointly by the parents of both the bride and the groom, usually by a single deed.<sup>236</sup> They could thus obtain even two endowments of different provenance (from parents and in-laws) but for joint use. An equally popular form of endowment, provided for the execution of a bequest by the parents of the bride, both to the bride and the groom for so-called *joint ownership*. In practice, however, it was the fiancé who was the subject of the bequest; it was him upon whom the benefactors – the future in-laws – imposed such obligations as repayment of debts, legacies in favour of the fiancée's siblings, etc. It was sometimes the case that these obligations were imposed by the parents of the bride. Sometimes these burdens were disproportionately large in relation to the received bequest.<sup>237</sup> At the beginning

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<sup>232</sup> *Ibidem*, p. 19.

<sup>233</sup> *Vide*: APPm, *Rzeszów, Pogonowski*, sygn. 48, l.rep. 8122.

<sup>234</sup> Sz. Kozak, *Rzeszowskie akta*, p. 82.

<sup>235</sup> *Ibidem*.

<sup>236</sup> APNS, *Nowy Targ, Trybulec*, sygn. 2, l.rep. 285.

<sup>237</sup> According to the terms of the endowment contract, the future son-in-law was to repay his fiancée's four sisters 800 crowns each and give one cow each on their wedding day. After three days, however, he realised that this was too much of a burden and the parties requested the notary to change the wording of the deed to a more balanced one. APPm, *Ulanów, Kosiński*, sygn. 12, l.rep. 2594; *ibidem*, l.rep. 2615. *Vide*: ANK, *Liszki, Jendl*, sygn. 7, l.rep. 1573.

of the twentieth century such practices were already increasingly rare.<sup>238</sup> The prevailing practice was the preparation of separate bequests from parents only for their children. This may have been a reaction to the massive problems of implementing succession according to the statutory regulations at that time. This peculiar evolution was also expressed in the gradual separation of women (Table 1.5). If still in the 1880s only 1/3 of them accepted dowries on their own, twenty years later this form of endowment applied already to 60%!

**Table 1.5. Evolution of dowry relations in the countryside**

Categories	Year	
	1881	1901
The endowed parties in relation to endowing ones		
Daughter	75.34%	83.54%
Sister	2.74%	0.82%
Daughter-in-law	13.70%	5.76%
Fiancée	8.22%	8.23%
Other	0.00%	1.65%
Women in total	51.77%	58.70%
Son	51.47%	64.33%
Brother	0.00%	0.58%
Son-in-law	39.71%	22.22%
Fiancé	8.82%	11.70%
Other	0.00%	1.17%
Men in total	48.23%	41.30%
Parties receiving marital endowments jointly with the fiancé/fiancée		
Total (men and women)	62.82%	41.03%
Parties receiving marital endowments individually		
Women	34.15%	58.40%
Men	32.43%	38.55%

Source: same as in Table 1.1.

In contrast, such a radical transformation is not observed in the case of bridegrooms. This is best shown by the ratios from the cross-sections included in the survey. In 1881, for one person being endowed jointly, there were 0.53

<sup>238</sup> *Vide*: ANK, *Bochnia, Hanusz*, sygn. 3, l.rep. 2172.

brides or grooms receiving marital endowments individually, a ration similar for both women and men. In 1901, the same ratio for men was 0.80 and for women as high as 1.68, which seems to be a very telling statistic. In the observed phenomenon, two different endowment mechanisms overlapped. The older one, emphasising the supremacy of the male-fiancé, and the newer one, already focusing only on the economic-ownership aspect. This situation fostered the spread of a sense of strong property identity, expressed in the fact that each of the spouses-to-be considered themselves to be the owner of what they had received from his parents.<sup>239</sup> In its extreme form, this phenomenon affected the entire property relations of the family, producing a specific division of roles, in which a mother was responsible for endowing her daughters with her property and a father – his sons with his.

In addition to the parents, their siblings, not so much older ones as those already endowed, played a serious role in dowry bequests to their daughters. In this case, so-called repayments or monetary legacies of varying extent could come into play. This phenomenon became more widespread only at the beginning of the 20<sup>th</sup> century and began to affect not only the closest family, but also relatives. Whereas previously the endowing parents usually reserved various forms of life estate rights (i.e. the rights to utilize and inhabit a given property until death) for themselves alone, over time they increasingly passed on to the beneficiary the burden for their children as well, including the obligation to provide endowment. Originally known mainly through wills, over time this formula became an important source of dowries – especially for younger daughters. Payment did not take place until they reached the age of majority or were married. In 1901, a peasant from the vicinity of Nowy Targ<sup>240</sup> was obliged to pay his three sisters 60 crowns each in return for a donation from their mother. In a village located in the Tarnobrzeg judicial district (powiat), the son, along with the paternal donation, accepted the obligation “to repay, from the portion of the paternal estate (of Michał Gurdak), to the minors Agnieszka and Ewa Gurdak, each of them, at the time when they come of age, or even earlier if they were to get married, the amount of 400 crowns. Furthermore, to provide each of them with a cow worth at least 50 crowns and a fur coat worth at least 30 crowns”.<sup>241</sup> In the Ulanów area, on the other hand, the future son-in-law was supposed to repay his bride’s four sisters 800 crowns each and give one cow each on the wedding day.<sup>242</sup> Many examples of such behaviour are widely known and occurred in all the surveyed rural communities.

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<sup>239</sup> K. Kowalski, *Prawne zwyczaje*, p. 8.

<sup>240</sup> APNS, *Nowy Targ*, *Weigel*, sygn. 5, l.rep. 3951.

<sup>241</sup> APPm, *Tarnobrzeg*, *Hinzinger*, sygn. 31, l.rep. 15299.

<sup>242</sup> *Ibidem*, *Ulanów*, *Kosiński*, sygn. 12, l.rep. 2594.

A similar approach was adopted in landed gentry circles, but the endowment repayments were immeasurably higher. In most cases, they were only paid to the direct beneficiaries. In a way, this was the result of a strong tendency, also characteristic of peasants, to keep landed property in the male line. This is well illustrated by an example from the Pilzno area, where the son of the estate owner – a governor's apprentice in exchange for a bequest of the estate – undertook to pay his sisters Maria and Aldona 14 and 24 thousand crowns each.<sup>243</sup>

The source of endowments could also be distant relatives (especially if they had the sufficient material conditions) or even former employers. Although this was not a widespread phenomenon, notably, it affected daughters more often than sons. In 19<sup>th</sup> century society, this obligation was considered to be a point of honour, just like getting married or having male offspring. Thus, grandparents or uncles were found among the endowers, but in reality they were the guardians of the beneficiary's share of the estate of the deceased parent. An important role in this system was played by an independent, usually already educated, member of the family – usually a clergyman, who still had a sense of connection with the former community.<sup>244</sup>

Notarial documents, however, contain no information on the issue of endowing women originating from a significant portion of the petite bourgeoisie or labour circles. However, it is difficult to imagine a maiden in the 19<sup>th</sup> century without even a symbolic dowry. It can therefore be assumed that in most cases of this kind, dowry relations were not regulated by notarial contracts. Such a procedure might have disturbed the sense of a peculiar, even prudishly conceived aesthetic, although it is more likely that these dowry goods were probably not valuable enough to multiply the costs of their transfer.<sup>245</sup> Items of clothing and articles of daily use, considered to be so-called 'insignificant things', or small cash, often individually earned or accumulated before the wedding.<sup>246</sup> In the upper layers of the petite bourgeoisie the parents made sure that the daughter had a dowry, sometimes a substantial one. The daughters of Przeworsk property owners at the turn of the 19<sup>th</sup> century received more than just money as dowry from their parents. Barbara was endowed with a house worth 2,000 crowns, Wiktoria received cash in the amount of 2,000 crowns; Józefa – a homestead worth 5,000 crowns.<sup>247</sup>

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<sup>243</sup> *Ibidem*, *Pilzno*, *Bujnowski*, sygn. 48, l.rep. 8625.

<sup>244</sup> In 1901, a farmer from the Nowy Targ area mentions that his daughter was endowed with several thousand Rhenish zlotys [sic!] by his brother, the now deceased priest Maciej Dzielski. *Vide*: APNS, *Nowy Targ*, *Weigel*, sygn. 5, l.rep. 3944.

<sup>245</sup> As late as in the 1870s, drawing up a prenuptial agreement cost in the region of 10 Rhenish zlotys. *Vide*: APPm, *Przeworsk*, *Wodecki*, sygn. 37 and others.

<sup>246</sup> APPm, *Przeworsk*, *Wodecki*, sygn. 36, l.rep. 9862.

<sup>247</sup> *Ibidem*, *Goyski*, sygn. 12, l.rep. 2811.

The situation was somewhat different among Jews, where there was a real ‘danger’ of the breakdown of a planned relationship, and the lack of formal confirmation of the dowry could lead to its complete loss. Even in this case, however, traces of direct dowry bequests to daughters can be found in rather wealthy families. However, this was accompanied by the preparation of a prenup full of precise regulations on the use of the property contributed by the bride. A dowry in real estate provided the woman with greater stability in the event of a marital breakdown, and in order to compensate for this, a cash dowry was subject to specific conditions. This was usually done by the parents, who were also the direct source of the dowry and, characteristically, paid it into the hands of the future husband and not the daughter. An agreement on the allocation of the dowry was necessary to secure the rights of the woman (or rather, the parents) in the event of divorce and the resulting property perturbations. Various agreements concluded before a notary (also recommended by the state) were the most effective in this case. As a result of these restrictions it was not obvious that the future husband could dispose of the dowry completely freely although he firmly demanded it. Throughout the marriage, however, the dowry existed on the basis of a special ‘loan’ granted not even by the bride but by her parents. This amount could be freely disposed of by the husband, but had to be returned after the dissolution of the marriage.

What also distinguished this type of contract from other transactions in the Jewish community was the pressure from the fiancé on the future in-laws, whose daughter did not receive her own dowry. Dowry contracts from the 1880s set detailed deadlines for the payment into the hands of the fiancé “for his free management of this amount”,<sup>248</sup> and he reserved the possibility of enforcement [sic!] from the in-laws in the event that they did not fulfil their obligations and did not deliver it.<sup>249</sup> Sometimes the payment was made in parts and the last instalment was even delivered on the wedding day. Otherwise, the fiancé was threatened with withdrawal from the marriage and a ‘disappointment’ penalty, which in the case of the amount of 1,500 Rhenish zlotys was to be 100 Rhenish zlotys.<sup>250</sup> On the other hand, once the dowry was paid, the former fiancé and the current husband had to acknowledge its receipt: “Concerning the notarised prenuptial contract of 17 June 1881 [...] I declare that my then fiancée, and today already my wife, Mrs Scheindla 1°Panzerowa 2°Galizerowa, paid me [...], on this day, before the signing of this deed, into my account [...] the dowry amount [...], on this day of the wedding, before the wedding itself, the amount

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<sup>248</sup> *Ibidem*, Tarnobrzeg, Rogalski, sygn. 11, l.rep. 2185.

<sup>249</sup> *Ibidem*.

<sup>250</sup> *Ibidem*, l.rep. 2279; *ibidem*, l.rep. 2289.

of [...] 1,000 Rhenish zlotys Austrian currency to be paid, in cash the amount of [...] 750 Rhenish zlotys Austrian currency the receipt of which I hereby confirm [...]. Finally, I state that I have no rights or claims to the stipulated contractual penalty specified for me in the above-mentioned prenuptial deed, in the event that Mrs Scheindla 1°Panzer 2°Galizer does not meet the due date of the dowry payment”.<sup>251</sup> These were very common in the nineteenth century, although they are seen less frequently in the following century, with the exception of second marriages.<sup>252</sup>

The object and size of the endowment was shaped by factors such as wealth, but also by age, rivalry with siblings and the order of bequest. Gender often became a catalyst in this respect. The wealth stratification, was reflected in the subject of dowry bequests, among which real estate was valued the most, followed by pecuniary capital, and finally, in the countryside, livestock, clothing and everyday use items. Among the more affluent strata such as the rich clerical intelligentsia or the aristocracy, additionally furnishings and numerous wardrobes.

In the rural community, dowry in real estate was typical of families subsisting on a certain, though not necessarily high, standard generally determined by the size of the farm. The direct dowry bequests of the rural population concerned almost exclusively land and parts of farms. All other items appeared there, as it were, incidentally. Endowing parents followed the already mentioned principle of keeping the majority of the farm in the male line, which for their daughters resulted in them receiving smaller or less valuable acreage in relation to their brothers. For example, when endowing their children in the 1890s, a married peasant couple from the Bochnia region bequeathed to their sons: Władysław “land for sowing 3 tubs [Polish – *korce*] of grain”, Ignacy – “land for sowing 6.5 tubs of grain, a barn, a granary and a house”, while their daughter Joanna – “land for 2 tubs of grain, a cow worth 156 crowns, a trousseau worth 100 crowns and wedding costs – 260 crowns”.<sup>253</sup> A few years before the First World War this situation did not change. In his will, a farmer from Gorliczyna near Przeworsk recalled the bequests made so far, according to which his sons Szymon and Wojciech received 6 and 3 morgens of land respectively, while his two daughters received only  $\frac{3}{4}$  morgens each.<sup>254</sup> This disproportion was to be compensated for by movable property, which also included livestock. The aforementioned daughters, Teresa and Katarzyna, could not feel disadvantaged,

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<sup>251</sup> *Ibidem*, l.rep. 2310.

<sup>252</sup> *Ibidem*, Rogalski, sygn. 20, l.rep. 4372; *ibidem*, Pilzno, Bujnowski, sygn. 47, l.rep. 8475; *ibidem*, Przeworsk, Wodecki, sygn. 43, l.rep. 10264; ANK, Bochnia, Hanusz, sygn. 39, l.rep. 26340.

<sup>253</sup> ANK, Bochnia, Hanusz, sygn. 20, l.rep. 15088.

<sup>254</sup> APPm, Przeworsk, Zajączkowski, sygn. 10, l.rep. 1969.

as part of their dowry was 2,000 and 1,000 crowns, cows and their endowment. Movable property was not uncommon among men either, only that they received it more often in their wills.

Detailed descriptions of a peasant's dowry can be found in numerous documents presenting this issue in retrospect. It is worth mentioning a testament of a peasant from the village of Sokolniki near Tarnobrzeg, who, mentioning his daughter's endowment, writes that in the 1870s he gave her a fur coat (worth 25 Rhenish zlotys). In mentioning his daughter's endowment, he writes that in the 1870s he gave her a fur coat (valued at 25 Rhenish zlotys), a caftan (12 Rhenish zlotys), 2 skirts (5 Rhenish zlotys), 2 kerchiefs (8 Rhenish zlotys), wooden utensils: tubs, trays, basins and an axe (7 Rhenish zlotys), a heifer (11 Rhenish zlotys), 2 heads of cattle (a bullock and a one-year heifer – 30 Rhenish zlotys), a wardrobe for utensils (3 Rhenish zlotys), and covered the costs of the wedding (20 Rhenish zlotys).<sup>255</sup> Extravagance was manifested with ornaments, among which beads, listed separately next to land, cattle and clothing, led the way. In the 1870s and 1880s their value was estimated in some cases as high as 80 Rhenish zlotys!<sup>256</sup>

The chances of the daughter acquiring most or all of the land increased if the brother proved incapable of working on the land or acquired a non-agricultural profession and emigrated to the city for a living, with no intention of returning.<sup>257</sup> Nor was the object of the dowry always the property from the family farm. Ewa Bester, a peasant from Mnikowo located near Liszki recalls: "I completely endowed my daughter Jadwiga [...] during her lifetime from my estate by buying a piece of land with a cottage for her".<sup>258</sup> And this was not an isolated case.<sup>259</sup> In particular, obligations to build a house for a daughter getting married were frequent throughout the period in various areas. This phenomenon can be seen in documents concerning rural population from the area of Tarnobrzeg,<sup>260</sup> Przeworsk,<sup>261</sup> Ulanów,<sup>262</sup> or Bochnia,<sup>263</sup> with the land for house construction usually coming from the husband.

In addition to the already mentioned preference for male descendants, expressed in terms of larger land holdings, the Galician village also applied

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<sup>255</sup> *Ibidem*, Tarnobrzeg, Rogalski, sygn. 18, l.rep. 3893.

<sup>256</sup> *Ibidem*, Przeworsk, Wodecki, sygn. 5, l.rep. 1345.

<sup>257</sup> K. Kowalski, *Prawne zwyczaje*, p. 17.

<sup>258</sup> ANK, Liszki, Jendl, sygn. 30, l.rep. 7318.

<sup>259</sup> APPm, Pilzno, Bujnowski, sygn. 48, l.rep. 8648.

<sup>260</sup> APPm, Tarnobrzeg, Rogalski, sygn. 11, l.rep. 2369; *ibidem*, Hinzinger, sygn. 33, l.rep. 15762.

<sup>261</sup> *Ibidem*, Przeworsk, Wodecki, sygn. 28, l.rep. 8036.

<sup>262</sup> *Ibidem*, Ulanów, Kosiński, sygn. 12, l.rep. 2590.

<sup>263</sup> ANK, Bochnia, Hanusz, sygn. 3, l.rep. 2213.

other principles such as the proportionality of the property of both bride and bridegroom. This phenomenon could take a variety of forms. A bridegroom with land in debt or without buildings sought a wife with a suitable cash dowry. The lack of the latter resulted in various obligations on the part of the parents, such as the aforementioned declarations concerning the construction of houses, the purchase of building materials or outright capital payments in due time after the marriage. In the future, this could result in the wife being allowed joint ownership of the farm. In less wealthy families it was common for a daughter to be given away ‘sideways’, i.e. to another ready-made farm. In such cases the dowry consisted mainly of a small amount of cash and a trousseau in linen or livestock, and the bride and the groom were separated by a considerable age difference.<sup>264</sup>

The amount of dowry in proportion to the remaining siblings was determined not only by gender, but also by personal considerations, especially when the farmer had no sons. Jan Dzielski, a peasant from Waksmund near Nowy Targ writes in 1901 that “...his daughter Marianna [...] and her children should have been better endowed than his daughter Józefa [...] because they live with him all the time, always work for him, are obliged to take care [of him – Sz. K.], to help him in work and in running the household [...], while his daughter Józefa Hajerska moved away from him at a young age and was not, nor is she at present, any help to him in any activities...”.<sup>265</sup> The older siblings were also more fortunate than the younger ones, which, however, was no longer always considered fair and sometimes even imprudent. In the future, younger children might feel disadvantaged and demand equal treatment. The review of parental decisions, especially when they affect legitim rights, could also affect other siblings and lead to costly disputes. In some cases, a simple sense of justice came into play. When in 1878 a peasant from the vicinity of Liszki near Kraków received 2 morgens of land from her father, a few years later, “acknowledging that her younger sister Marianna [...] is wronged by the deed of donation [...] as she [Marianna] is obligatorily entitled to her share of the inheritance [...], I hereby cede [...] half of the said 52 strips of land”.<sup>266</sup> Such noble attitudes have timeless value, indicating that neither age nor gender constituted an adequate legitimation of privilege, as proven by similar records from as late as the beginning of the 20<sup>th</sup> century.<sup>267</sup> Despite the existence of common trends, however, those who study the issue of endowment point out

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<sup>264</sup> K. Kowalski, *Prawne zwyczaje*, p. 17.

<sup>265</sup> APNS, *Nowy Targ, Weigel*, sygn. 5, l.rep. 3944.

<sup>266</sup> ANK, *Liszki, Jendl*, sygn. 7, l.rep. 1574.

<sup>267</sup> APPm, *Tarnobrzeg, Hinzinger*, sygn. 31, l.rep. 15217; *ibidem, Pilzno, Bujnowski*, sygn. 32, l.rep. 8921.

that there was considerable variation in custom determined by a number of subjective factors depending on both individual preferences and the general family situation.<sup>268</sup> In many cases, the size of the endowment corresponded to the endower's share of his or her parental inheritance, which was emphasised with the clear statement that the beneficiary should not expect anything more.<sup>269</sup> Exceptions to this rule concerned children remaining on the farm – with their parents, usually the eldest sons.

The above considerations make it possible today to distinguish several standard models of women's endowment. The first – the optimal one, in which the daughter received a part of the farm or land and took physical and legal possession of it immediately after marriage. When augmented by an endowment from her fiancé, such a farm provided a decent livelihood. However, such an option required several conditions to be met. A very important one was the wealth of the parents, while no or few siblings, preferably younger, was also an advantage.

In reality, the bequeathed land was small and additionally encumbered by life estate rights, numerous easements and even debts passing to the beneficiaries. Both brides and bridegrooms were therefore bound for a long time to the parents of one or the other party, often living together in the same place of residence. They obtained full rights only after their death. Their numerous siblings required repayment from them, so the funds they may have accumulated were not used to expand the farm, but dedicated for this very purpose. Moreover, there was the prospect of having to provide marital endowments for their own children. This was the second option, and the one most frequently encountered in notarial documents.

The third model, concerned families with many children and younger daughters, whose dowry was a repayment from older, already endowed siblings. They could also count on an additional financial injection (in the form of cash or part of the land left over after the death of their parents) resulting from the legitim. However, in the case of significant pauperisation, the legitim in practice was constituted by a legacy from elder siblings.

The fourth model concerned women whose property status precluded them from obtaining a dowry from their parents or relatives in the form of land or even cash. It may be presumed that the role of dowry was taken over by small movables in the form of clothing or livestock, which in the circles of richer peasants were of supplementary importance. According to Jan Michalik of Gorliczyna, who owned

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<sup>268</sup> K. Kowalski, *Prawne zwyczaje*, p. 14.

<sup>269</sup> APPm, *Pilzno, Skowroński*, sygn. 12, l.rep. 1505; *ibidem*, *Rzeszów, Pogonowski*, sygn. 48, l.rep. 8122; ANK, *Chrzanów, Romowicz*, sygn. 42, l.rep. 13424; APPm, *Tarnobrzeg, Różamski*, sygn. 12, l.rep. 7526.

5 morgens (approx. 2,8 ha): his wife “brought [him] only one cow”.<sup>270</sup> Although the popularity of the above model in view of the generally not-so-good economic situation of the village may have been quite high, the notarial documents (due to their nature) contain only some indication of this.

The size of the dowry in Polish petite bourgeois families is difficult to determine due to the possibility of omitting the notarial procedure, as mentioned earlier. Consequently, it can also be presumed that the majority of cases involved moderate amounts of money. The few cases referred to in the bequests were characterised by a wide range of bequeathed capital. In a craftsmen’s family from Kańczuga in the 1880s, the amount in question was 150 Rhenish zlotys accumulated by the fiancée herself.<sup>271</sup> The aforementioned property owners from Przeworsk at the turn of the 19<sup>th</sup> and 20<sup>th</sup> centuries endowed their daughters with more substantial cash (after conversion – 1,000 Rhenish zlotys) and a real estate.<sup>272</sup> Bequests of part of the furnishings<sup>273</sup> were also characteristic of all the monied classes living in the city.

More information is provided by research materials on the Jewish petite bourgeoisie. Unlike in the Polonised countryside, here a distinction was made between the concepts of both dowry [*posag*] and dowry guarantee [*oprawa*]. The amounts received by daughters were of a similar range as in the case of the Polish petite bourgeoisie; it is possible that a similar mechanism of bypassing official documents was at work here. As it seems, however, even with small amounts, such conduct may have been limited, given, for example, the real threat of divorce and the associated economic consequences. In addition, the role of dowry documents in this community was played by prenups, which contained details of what both the bride and the groom contributed to the union and the various conditions under which these goods were to exist. The scale of the value of the donated sums was parallel to the state of wealth. Therefore, the documents include information about relatively small amounts of 80–100 Rhenish zlotys<sup>274</sup> as well as often exceeding the value of 1,000–1,500 Rhenish zlotys.<sup>275</sup> An example of the position of an endowed daughter against male siblings is the declaration of Izrael England, the owner of a real estate in Przeworsk, who in 1901 writes that “[...] children getting married

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<sup>270</sup> APPm, *Przeworsk, Wodecki*, sygn. 4, l.rep. 1131.

<sup>271</sup> *Ibidem*, sygn. 36, l.rep. 9862.

<sup>272</sup> *Ibidem, Goyski*, sygn. 12, l.rep. 281.

<sup>273</sup> ANK, *Bochnia, Ramult*, sygn. 17, l.rep. 3348.

<sup>274</sup> APPm, *Tarnobrzeg, Rogalski*, sygn. 11, l.rep. 2289; *ibidem*, l.rep. 2185; *ibidem*, sygn. 20, l.rep. 4372.

<sup>275</sup> APPm, *Tarnobrzeg, Rogalski*, sygn. 11, l.rep. 2279; *ibidem*, l.rep. 2310; *ibidem, Pilzno, Bujnowski*, sygn. 47, l.rep. 8475; ANK, *Bochnia, Hanusz*, sygn. 39, l.rep. 26340.

received far more than a legitim, for Abracham Englard, when getting married, received 300 Rhenish zlotys Austrian currency, **Tauba Englard, when getting married, received 500 Rhenish zlotys Austrian currency** [emphasis mine – Sz. K.], Meilech Englard, when getting marrying, received 300 Rhenish zlotys Austrian currency, Jonas Englard, when getting married, received 300 Rhenish zlotys Austrian currency, Markus Englard, when getting married, received 350 Rhenish zlotys Austrian currency, in addition to this, their father Izrael Englard gave them, according to the custom observed by Jews, an appropriate allowance in clothing, household furnishings, underwear and bedding, which was worth much more to each of these children than each of them received in cash [...]”<sup>276</sup>

A daughter’s endowment was more costly, which is also confirmed by marriage contracts.<sup>277</sup> In comparison to the dowry, the dowry guarantee on the part of the fiancé seemed a mere symbolic gesture. In the case of Natan Galizer, a merchant from Mielec, a dowry of 1,500 Rhenish zlotys was offset by 100 Rhenish zlotys from his side in 1881.<sup>278</sup> This phenomenon was common until the end of the Galician period, although the disparity was not always so sharp. It even happened that the dowry guarantee matched the value of the dowry, but rather did not exceed it.<sup>279</sup> At the turn of the nineteenth century, there was also an increased tendency among the wealthier petite bourgeoisie to bequeath property.<sup>280</sup>

The upper strata of Galician society – the landed gentry and intelligentsia – were not over-represented in comparison with other groups of inhabitants of provincial towns and villages. In terms of matrimony, they constituted a hermetic but complementary circle, which affected endowment issues. The dowry of a maiden married to a court official or a doctor’s daughter had to be substantial and had to be secured, not so much from her husband as from her heirs. This is why various declarations and statements resembling prenups and containing descriptions of what the bride brought to the marriage became a characteristic phenomenon in notarial deeds.

The documents containing these ‘juicy’ examples – mostly dowry movables – are true rarities, preserved until this day. They indicate, however, that the bride’s domain was, in addition to her wardrobe, the interior furnishings (furniture, tableware, etc.). At the end of the 1870s, Leopold Goldman, an apprentice at the governor’s office, declared that “all furnishings, furniture and

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<sup>276</sup> APPm, *Przeworsk, Wodecki*, sygn. 36, l.rep. 9963.

<sup>277</sup> *Ibidem*, *Rzeszów, Machowski*, sygn. 26, l.rep. 8759; *ibidem*, *Midowicz*, sygn. 3, l.rep. 635; *ibidem*, sygn. 65, l.rep. 14552.

<sup>278</sup> APPm, *Tarnobrzeg, Rogalski*, sygn. 11, l.rep. 2279.

<sup>279</sup> *Vide*: Sz. Kozak, *Kobieta w Rzeszowie*.

<sup>280</sup> APPm, *Pilzno, Bujnowski*, sygn. 47, l.rep. 8475; *ibidem*, *Przeworsk, Wodecki*, sygn. 43, l.rep. 10264.

movables, bedding, clothing and linen, in a word all the things that are in my flat, are the exclusive property of my wife, Sarah vel Franciszka Goldmanowa, and were acquired from her estate, for when I married her, I had no property of my own, and my income, or consideration in the amount of 39 Rhenish zlotys [...] per month, which I receive as an unpaid [...] civilian construction apprentice is not even sufficient for the modest upkeep of the house”.<sup>281</sup>

It is also evidence of the wealth stratification among the enlightened provincial strata of the time, with folk school teachers and lower civil servants at the bottom rung. On the other hand, however, perhaps it is a sign of desperation and an escape from spinsterhood, since no property balance was maintained. The opposite end of the spectrum includes the rich bequests of the dowry alone of the wife of the treasury councillor from Rzeszów, amounting to over 1,000 crowns,<sup>282</sup> or the daughter of Karolina Hellmanówna, a doctor and mayor of the city of Tarnobrzeg. The latter, who was married to a governor’s legal clerk, still received endowment in movables worth 1,000 Rhenish zlotys in the 1880s.<sup>283</sup> The numerous dresses, furs and embroidered handkerchiefs listed there pale in comparison with beads, sheepskins and eiderdowns handed down from generation to generation. In addition to a trousseau, the landed gentry usually limited dowry to a capital exceeding several thousand crowns;<sup>284</sup> nevertheless, it happened especially among the more affluent members and the aristocracy that dowry took also the form of real estate.

Against this background, the situation of the lowest wealth strata, including urban workers, stands in sharp contrast. It should be emphasised that in the provinces they in many cases combined multiple sources of livelihood, with agriculture, being the most important of all. The least information can be found about this group. It can be assumed that here dowry was a rather symbolic phenomenon. As Michał Kapusta, a watchman in Przeworsk in the mid-1880s recalls: “my wife [...] brought no property”.<sup>285</sup>

### Daughters in succession

In a similar manner, the issue of inheritance was approached; compared to marital endowment though, several additional factors also played a role, e.g. the possibility of considering not only children but also the spouse, a longer-term

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<sup>281</sup> APPm, *Tarnobrzeg, Rogalski*, sygn. 7, l.rep. 1580.

<sup>282</sup> *Ibidem, Rzeszów, Prochaska*, sygn. 8, l.rep. 2590.

<sup>283</sup> *Ibidem, Tarnobrzeg, Rogalski*, sygn. 17, l.rep. 3608.

<sup>284</sup> *Ibidem, Pilzno, Bujnowski*, sygn. 48, l.rep. 8625.

<sup>285</sup> *Ibidem, Przeworsk, Wodecki*, sygn. 9, l.rep. 2032.

perspective affecting the assessment of potential beneficiaries, the associated preferences and antipathies, or the necessity of securing oneself in old age. It should also be borne in mind that in some cases the will may have been a form of dowry bequest. All of these modifiers, combined with the wealth of the testator, resulted in an extremely diverse picture of inheritance practices.

Austrian law allowed for several possibilities with regard to making a will. At the notary's office, the parties could leave it in the form of a sealed letter, or they could request a form of protocol, also known from court practice. The latter consisted in expressing one's will orally, and the notary or court clerk would then make a record.<sup>286</sup> Of course, the people of Galicia also used other ways of leaving an inheritance such as the codicil or testimony before third parties.<sup>287</sup> In succession proceedings, however, their validity was often challenged.<sup>288</sup>

From a legal point of view, the gender of the children did not give rise to any preference or exclusion. The absence of a last will decree resulted in the implementation of the succession according to the so-called statutory order. This established six lines, entitled to receive the inheritance. The first, constituted in equal shares for the children, followed by the ascendants. The spouse received an equal share with the children. It is worth taking this opportunity to focus on the already mentioned *legitim*,<sup>289</sup> understood as a part of the inheritance, legally entitled to the children. Its size was set by the legislator at half of what would be due to each child (a necessary heir) according to the statutory order of inheritance (in the ascending line, however, 1/3). Neither the father nor the mother was allowed to dispose of these assets. However, the Civil Act provided for the possibility of disinheritance, which included the following cases:

- departure from the Christian faith (abolished in 1868);
- leaving the testator in poverty – without assistance;
- harm to the testator's body, honour or property and the implementation of criminal proceedings;
- a sentence of life imprisonment or 20 years in prison;
- bad conduct;
- marriage of a minor against the will of the parents.<sup>290</sup>

It was also possible to deprive a prodigal and indebted heir of his or her legitim, provided that it was passed on to his or her children.<sup>291</sup> The statutory formula for inheritance, dictated that all heirs from one line should be treated

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<sup>286</sup> *Vide*: Sz. Kozak, *Rzeszowskie akta*, p. 104–106.

<sup>287</sup> *Vide*: APPm, *CK Sąd Powiatowy w Mielcu*, sygn. 3.

<sup>288</sup> K. Sójka-Zielińska, *op. cit.*

<sup>289</sup> ABGB, § 762.

<sup>290</sup> ABGB, §540–544.

<sup>291</sup> ABGB, §773.

equally. Seemingly fair, however, it inevitably led to the division of the inheritance (if it was a farm) into smaller and smaller patches of land, the negative impact of which was particularly felt by the rural population. This phenomenon was all the more acute because the Galician courts implemented it against peasants, as it were, *ex officio*, often invalidating codicils and extra-notarial and extra-judicial forms of wills.<sup>292</sup>

In most cases (i.e. wherever the so-called statutory succession was applied), the positioning of the daughters in relation to the other heirs was equal. It should also be remembered that at the stage of such a bequest there was not much left to divide: the act of making of such a bequest could actually occur at the moment of dowry transfers, while the endowers enjoyed life estate rights the end of their lives. Notary offices in provincial towns recorded an average of a few such documents each year, a small fraction of a percentage. They were also almost exclusively given the form of a protocol as mentioned above. It was much more common for people to go to the local district or regional court with these matters than to the notary. Nevertheless, wherever ‘a higher form’ of last will was attempted, its subjective expression could influence the position of the offspring.

At the end of the 1870s, Jan Bieniasz of Maćkówka, married three times, managed a 15-morgen farm (over 8.5 hectares), divided his property between his wife and six children in his will in such a way that he gave his wife the right to live on 1 morgen of land, to inhabit the house for life, to have 2 cows, which, as he claimed, “have always been the property of his wife and should remain so”,<sup>293</sup> a chest – and the management of the entire farm until the children became independent. The eldest sons received the most – the 16 year old son – 4 morgens of land, a house and a horse, the 14 year old son – 4 morgens of land, a barn and a horse. The daughter received an equal share with her younger brothers. At the age of 12, she obtained 2 morgens of land and a cow, as did her 8-year-old brother. The youngest son, together with his still unborn child, received 3 morgens of land, construction timber and a plot of land of 400 square fathoms.<sup>294</sup>

In many peasant families, testators were motivated by the desire to prevent the farm from being completely divided up, because, as they rightly believed, “it is wrong when children divide a small piece of land into little pieces”.<sup>295</sup> This was the origin of the institution of the so-called universal successor, who inherited the whole and was responsible for paying off the others. The causal

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<sup>292</sup> *Vide*: Sz. Kozak, *Śmierć jako czynnik źródlotwórczy. Akta spraw spadkowych z obszaru Galicji z lat 1855–1918*, in *Choroba i śmierć w perspektywie społecznej w XIII–XXI wieku*, ed. D. K. Chojecki and E. Włodarczyk, Warszawa 2010, p. 135–146.

<sup>293</sup> APPm, *Przeworsk, Wodecki*, sygn. 1, l.rep. 42.

<sup>294</sup> *Ibidem*.

<sup>295</sup> *Ibidem*, sygn. 4, l.rep. 1131.

motive was also the necessity of disinheritance, the justification of the lack of division of inheritance, a previous endowment or a donation already received. It is, moreover, characteristic that the parties then invoked both the right of legitime and the size of the donation, which, according to them, corresponded to the portion of the inheritance due to them under the law.

The position of women in these relationships varied greatly. An almost exemplary case is provided by the will of a farmer from the village of Gorzejowa near Pilzno: "I, Feliks Zaworski, make the following heirs to my estate: my daughter Zofia in one half, my daughter Wiktoria in one fourth, and my son Stanislaw in one fourth; I do not allocate anything to my daughter Klara, who is married to Krzysiak, because the dowry given to her equals her inheritance share due to me. I disinherit my sons Szczepan and Ignacy completely, as they beat me, abused me and stole from me until the last moment. This is my last will".<sup>296</sup>

Did a woman have an equal chance of becoming a universal successor in the event of competition from male offspring? As it turns out, this was not an uncommon phenomenon, but it also required favourable circumstances. Such possibilities increased when possible male successors had already received some portion of the inheritance, and they had displayed unworthy behaviour which disqualified them. Especially the latter case had a very clear impact: if they were not disinherited completely, they had to settle for a small repayment from their sister.<sup>297</sup>

Another characteristic phenomenon was that the youngest daughters were privileged in this role, even if they already had families of their own.<sup>298</sup> Universal successors, assumed, in addition to the repayment of their siblings, most often also the duty to maintain the benefactors, i.e. the parents, in their own household. This specific female minority was quite important, because in most cases of this type, the testator, as a widower or widow not necessarily of advanced age, nevertheless hoped for a prosperous 'autumn of life'. All the more so because, in view of the inexperience of his successors, the testator did not have to retire at all, and was for some time the *de facto* manager of the farm. Interestingly, when the reason for making a will was the real prospect of death, the focus shifted to the older siblings.<sup>299</sup>

Favouring the youngest, let alone the daughters, was not seen positively by the others. Particularism often prevailed here over the welfare of the family as a whole. A fundamental complication was that the eldest and youngest siblings

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<sup>296</sup> *Ibidem*, Pilzno, Skowroński, sygn. 12, l.rep. 1505.

<sup>297</sup> *Vide: ibidem*, Przeworsk, Wodecki, sygn. 36, l.rep. 9829; *ibidem*, l.rep. 9830.

<sup>298</sup> ANK, Liszki, Jendl, sygn. 20, l.rep. 4951; *ibidem*, sygn. 4, l.rep. 926; *ibidem*, Bochnia, Hanusz, sygn. 19, l.rep. 14128.

<sup>299</sup> ANK, Bochnia, Hanusz, sygn. 11, l.rep. 7897; *ibidem*, sygn. 31, l.rep. 21503.

could come from different marriages and were not infrequently antagonised over property relations, as a record from 1881 attests: “Since at present my children from my first wife are already threatening, in advance during my lifetime, my son from my second wife, the minor Florian Zwolak, that immediately after my death they will take for themselves the above-described country estate [on the basis of a private document – the cession of 1870 – Sz. K.] [...] therefore, for the validity and legal effect as well as the credibility [...] of the cession, I request that this cession be confirmed by a notary [...]”.<sup>300</sup>

However, when Agnieszka Budysiowa of Kolanów near Liszki, having six children (including only one son) made the youngest daughter Franciszka<sup>301</sup> her universal successor, she had to revoke this will after only one week. As a result, all the children (who, interestingly, already had families of their own) received equal shares, subject only to a legacy of 2,400 crowns in favour of the above mentioned daughter Franciszka.<sup>302</sup>

The matter of the size of the hereditary portion was somewhat similar to that of marital endowment, with the difference that the universal successor – also in the case of a daughter – inherited the whole; the others, received repayments from the successor. With regard to sisters the repaid amount of money constituted a supplement to the small acreage of land, or its surrogate. It seems that male offspring felt more privileged to take possession of the property. In 1905, a property owner in Podedworze near Bochnia, having 6 children (3 sons and 3 daughters) allocated the land with buildings to her daughters, while her sons received repayments of 760 crowns each. However, this was met with opposition and this will was also revoked.<sup>303</sup>

These issues point to a considerable variety of ways and motives guiding testators. In addition to those discussed, there are also forms of will-making that seem to constitute equal divisions, especially when the size of the land in question is somewhat larger (exceeding 10 ha).<sup>304</sup> In this case, ‘folk justice’ dictated an equal division, especially when there were few claimants; gender did not then play a role.<sup>305</sup> Towards the end of the 19<sup>th</sup> century, with the shrinking of rural households and families with numerous offspring, such cases are virtually no longer encountered.

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<sup>300</sup> APPm, *Ulanów, Jarema*, sygn. 3. l.rep. 396.

<sup>301</sup> ANK, *Bochnia, Hanusz*, sygn. 19, l.rep. 14128.

<sup>302</sup> *Ibidem*, l.rep. 14166.

<sup>303</sup> *Ibidem*, sygn. 16, l.rep. 12348.

<sup>304</sup> Even in documents dating from the 1860s from the central areas of Galicia, we come across a statement that a farm of 15 morgens (over 8.5 hectares) is sufficient to support two families. *Vide*: APPm, *Przeworsk, Zieniewicz*, sygn. 1, l.rep. 213.

<sup>305</sup> *Vide*: APPm, *Przeworsk, Zieniewicz*, sygn. 1, l.rep. 216.

Few wills written with the participation of the Polish and Jewish petite bourgeoisie have survived. For this reason, it is difficult to discern any broader regularities in the inheritance customs associated with daughters. An extreme individualism can be discerned among the studied cases, determined by the above mentioned family and property circumstances. Throughout the entire period, daughters from petite bourgeois families acted both as universal successors,<sup>306</sup> equal heirs,<sup>307</sup> or received repayments.<sup>308</sup> There are no signs of any radical evolution in these relations as the same patterns were repeated both in the 1870s and on the eve of the First World War.

On the other hand, female offspring were quite often mentioned in wills in the role of passive heirs, whom the testator reminded of the endowment-related donations already made, thus justifying their omission in the current will, as they had taken their due share at the endowment stage. The youngest siblings, hitherto disregarded, also had a better chance of receiving a share of the inheritance. It was only in such a context that the daughters' chances of becoming universal successors seriously increased. An example of this relationship can be found in the will of Ryfka Friedman, the widow of a merchant from Tarnobrzeg, who in 1875 bequeathed her entire remaining estate to her minor son Mojżesz, allocating to her older, married daughter only a payment of 250 Rhenish zlotys, which "is to be paid only in this case: after the death of Ryfka Friedman's mother, if she is the mother of a living child or more children [...]. And if Beila Friedmanowa [the daughter – Sz. K.] had no offspring and died childless, then Mojżesz Friedman becomes the owner of this amount".<sup>309</sup> Almost 35 years later, property owners from Bochnia, having five children, made the successors of the will the two daughters from the third marriage half each, as the older siblings had already been taken care of.<sup>310</sup>

Even more unique were the wills of the other socio-professional groups. As can be guessed, the landed gentry could make greater use of the offices of the regional courts, which were the natural instance for tabular property [Polish – *dobra tabularne*] (regional courts, by the way, were the instance where inheritance cases of citizens of this category were finalised).<sup>311</sup> I have met only a few of them in the notary's offices, mostly located in the seats of

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<sup>306</sup> ANK, *Bochnia, Hanusz*, sygn. 20, l.rep. 15444; APPm, *Rzeszów, Goyski*, sygn. 7, l.rep. 1764.

<sup>307</sup> ANK, *Bochnia, Hanusz*, sygn. 39, l.rep. 26340; APPm, *Tarnobrzeg, Lapiński*, sygn. 21, l.rep. 4718.

<sup>308</sup> APPm, *Przeworsk, Goyski*, sygn. 12, l.rep. 2811.

<sup>309</sup> *Ibidem*, *Tarnobrzeg, Rogalski*, sygn. 1, l.rep. 17.

<sup>310</sup> ANK, *Bochnia, Hanusz*, sygn. 31, l.rep. 21929.

<sup>311</sup> APRz, *CK Sąd Obwodowy w Rzeszowie*, sygn. 113; *ibidem*, sygn. 130.

this instance of court.<sup>312</sup> It is therefore difficult to draw any broader patterns from this scant data.

In the examined documents there are also references to illegitimate daughters, whose fates are often intertwined with those of their mothers. According to Austrian law, it was mothers who were responsible for endowing such offspring and, admittedly, they did not forget this duty.<sup>313</sup> However, sick and infirm children, regardless of gender, were entrusted to the care of healthy offspring when the mothers no longer had sufficient strength.

Most of the cases described involved families from different backgrounds, although those from the Galician countryside dominated in numbers. The characteristic features with regard to the role of the woman-daughter in a nineteenth-century family living in the provinces, is their involuntary insertion into the prevailing paradigm of patriarchal relations. One gets the impression, however, that this positioning not only did not bother them, although they formally took second place behind their brothers, but they were even able to exploit it. The privileging of male offspring was due to male representative functions and the principle of inheritance, which dictated that the priority of the male line should be preserved, but that was where the son's role ended. In fact, the most important qualities lay behind the ability to manage the farm, or, as further discussion will show, the maternal functions. In this field, sisters not only equaled their brothers, but even surpassed them, sometimes replacing the housewife and the mother. The widower had to find a wife quickly to prevent his farm from falling into ruin, only to be saved by his experienced eldest daughter. Petite bourgeois families, especially craftsmen, seemed to be more conservative in this respect – here the position of the son was still unquestionable.<sup>314</sup> The dowry that had to be obtained or collected in order to marry a daughter was also a problem.

### 3. Mothers, grandmothers, mothers-in-law

While a woman's role changed with marriage, her position within the family only became firmly established after the birth of a child. There were cases where this fact even conditioned the woman's receiving an appropriate place in the customary system of inheritance.<sup>315</sup> As already noted, it was the

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<sup>312</sup> APPm, *Rzeszów, Machowski*, sygn. 27, l.rep. 9101; *ibidem, Pogonowski*, sygn. 5, l.rep. 1294.

<sup>313</sup> *Ibidem, Machowski*, sygn. 28, l.rep. 9739.

<sup>314</sup> *Ibidem, Przeworsk, Wodecki*, sygn. 4, l.rep. 1183.

<sup>315</sup> APPm, *Tarnobrzeg, Rogalski*, sygn. 1, l.rep. 17; APNS, *Nowy Targ, Weigel*, sygn. 5, l.rep. 3820.

mother's responsibility to look after her children up to the age of 4 and 7 in the case of girls. This bond continued even after they reached adulthood and proved to be much stronger in relation to daughters, and sometimes idealised by mothers. While a peasant woman from Urzejowice complains about her older daughter that she forgets about her,<sup>316</sup> a certain Agnieszka Sieteska from Kańczuga, who has gone blind, finds shelter with her daughter.<sup>317</sup> Surprisingly, however, in the event of illness or a setback in life, the spouses found more support in themselves than in their children. Perhaps this was the price for a rather frigid relationship in childhood? After all, many documents contained explicit orders or made the care of a spouse, usually the wife, a condition of the donation. Against this background, the relationship between mother and daughter became more pronounced. Indeed, besides husbands, it was mainly daughters who provided care for ailing mothers, such as Keila Klinger from Bochnia, cited above.<sup>318</sup> Conflicts directed directly against the mother were very rare. If anything, children's aggression turned against both parents. Despite this, one of the older documents reads about a son that "neglected his mother, drove her out of the house, cursed and beat her".<sup>319</sup>

Between 1881 and 1901, mothers accounted for between 8% and 9% of all women participating in notarization. The described phenomenon does not entail any surprising dynamics: nearly half of them acted in this role at the same time as a wife to her husband. Fathers seemed to be more independent in this respect (Table 1.6). In the petite bourgeois milieu, these phenomena developed in a similar way. Initially, however, the focus shifted even more than in the countryside towards the father as head of the family. In the 1880s, mothers who undertook any act in relation to their children did so under the auspices of their husband; only ¼ acted completely independently. Twenty years later, these proportions were reversed.

In spite of this, the analysis of the records leads to the conclusion that in many cases both father and mother spoke with one voice in their relations with the children. Examples of mutual reassurance were disinherences for ill-treatment, done, as it were, jointly by the husband and wife, even, or perhaps especially, if one of the spouses was the injured party.

It should also be borne in mind that the family model at the time was predominantly a family with many children. Although the source does not allow for a statistical treatment of this issue, a shift of the family model in this direction is clearly discernible in the analysed material. While wills from the 1870s speak of 3–4 heirs linked by a parent-child relationship, at the turn of

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<sup>316</sup> APPm, *Przeworsk, Wodecki*, sygn. 1, l.rep. 30.

<sup>317</sup> *Ibidem*, sygn. 42, l.rep. 10109.

<sup>318</sup> ANK, *Bochnia, Hanusz*, sygn. 39, l.rep. 26340.

<sup>319</sup> APPm, *Przeworsk, Zieniewicz*, sygn. 1, l.rep. 195.

the century one can find up to 11 children in this group. As multiple marriages were common, the woman became both a mother and a stepmother at the same time. This was a very common problem in rural areas and gave rise to various property conflicts in the event of widowhood. This is one of the reasons why Jędrzej Płach, a peasant from Stobierna, did not want to leave his wife at the mercy of his stepson (more on that later).<sup>320</sup>

**Table 1.6. Parents as a party to notarial documents**

Year	Mother		Father	
	in proportion to women	also as wife	in proportion to men	also as husband
1881	7.83%	44.21%	6.96%	26.45%
1901	9.03%	43.41%	7.53%	29.65%

Source: same as in Table 1.1.

Other discernible roles resulted from grandparents-grandchildren relationships, which sometimes became quite warm. Importantly, their most frequent expression was in testamentary bequests, stimulated, however, by individual sympathies; gender was not decisive here, although in certain situations it could bring the donor and the beneficiary closer together. It was easier for a grandmother to bequeath a piece of clothing, jewellery or other items of everyday use to her granddaughter than to her grandson, and such items were most often involved.

Grandparents also took on the role of parents in crisis situations. In the Jewish community instances of such were divorce and the need to care for grandchildren. For the rural population, the threat was mainly posed by pathologies in the family, the death or disability of a parent. It was then that grandparents intervened, as was the case at the end of the 19<sup>th</sup> century in the village of Manasterz, where the grandfather, a landed peasant, bequeathed almost 3 hectares to his granddaughter (orphaned by her mother), 10-year-old Marianna, who had been brought up by her grandmother since she was a child, with the reservation that “this land must never be given to the granddaughter’s father [...], as I have reasons for not wanting to entrust the land to him, as even before coming into possession of the land, he already wanted to sell it”.<sup>321</sup>

That the antagonistic relationship between a daughter-in-law and a mother-in-law was not only a product of popular literature is evidenced by

<sup>320</sup> *Ibidem*, *Midowicz*, sygn. 4, l.rep. 923.

<sup>321</sup> *Ibidem*, *Przeworsk, Wodecki*, sygn. 27, l.rep. 7804.

the following quotation: “Since the cohabitation Mrs Scheindla Kranz with her husband’s mother Mrs Feiga Kranz [...] is so discordant that Mrs Scheindla Kranz was forced to leave her husband for this reason [...]; therefore Mr Chil Kranz is obliged to give his mother Mrs Feiga Kranz another dwelling in another house immediately and not to take her back to her former dwelling”.<sup>322</sup>

The fact that they lived together led to the escalation of the conflict. The problem probably stemmed from generational differences rather than the from the proverbial antipathy born of rivalry for the title of the housewife. Both parties were apparently aware of this, which seems to be proven by the reservations quite often found in the records. Both parents and future spouses declared to live together under the same roof, assuming, however, in advance the possibility of disagreement. Hence, possible avenues of dissolution can be found there: mainly pertaining to the prospect of the breakdown of this peculiar community with some compensation.

Nevertheless, there are also examples of positive intergenerational relationships. In 1881, a peasant from Wiśniowa, near Dobczyce, divided an 8-hectare farm between his granddaughter and daughter-in-law, entrusting the latter with the management of the whole.<sup>323</sup> Zofia Lew from Gorliczyna, located within the boundaries of the Przeworsk powiat court, donated the farm to her daughter-in-law out of gratitude for the debts she had once paid.<sup>324</sup> As late as 1901, the daughter-in-law was also similarly appreciated by a family of peasants from Kościelisko.<sup>325</sup> It should be remembered, however, that similar formalised relations were not very frequent. Neither daughter-in-laws nor mother-in-laws accounted for more than 1% of the total.

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<sup>322</sup> *Ibidem*, Rzeszów, *Kaniewski*, sygn. 32, l.rep. 6485.

<sup>323</sup> ANK, *Dobczyce*, *Rogalski*, sygn. 5, l.rep. 984.

<sup>324</sup> APPm, *Przeworsk*, *Wodecki*, sygn. 2, l.rep. 772.

<sup>325</sup> APNS, *Nowy Targ*, *Weigel*, sygn. 5, l.rep. 3820.

# The wife and her living space

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## 1. Husband's entitlements

Where the boundaries of paternal authority ended and the husband's domain began can be seen in a rather grotesque way in a document from 1881, drawn up in the Tarnobrzeg law office. In this dowry bequest, the fiancé undertook towards his future in-laws to influence his fiancée – once she became his wife and came of age – “with all his effort”, so that she would fulfil the pledge given to her stepfather and mother.<sup>326</sup>

As I wrote in a previous chapter, the age for entering into a first marital union in the second half of the 19<sup>th</sup> century was gradually increased. Under the law, marital unions under the age of 14 were illegal, but they did happen. Notarial documents do not provide direct data on the age of newlyweds. Only when they were not yet of legal age, i.e. under 20 or 24 years of age, did the notaries record this fact, confirming, moreover, our previous observations. For a woman, the most characteristic period for starting a family was between the ages of 20 and 24, so the collision of paternal authority with the husband's prerogatives as head of the family was becoming increasingly rare. But what did the transition from one type of protection to another mean for women?

The Civil Act, while imposing the privilege of head of the family on the husband, granted him extensive powers, including the right to manage the household. It also burdened him with responsibilities, which included providing for his wife<sup>327</sup> and deputising for her at all events. The wife, in turn, assuming his surname, status, membership in the municipality (*gmina*) (i.e. the right of domicile; in Polish – *prawo swojszczyzny*), citizenship and court jurisdiction, was obliged “[...] to live with her husband, help him as much as possible with the household and employment, and if the household requires it,

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<sup>326</sup> *Ibidem*, Tarnobrzeg, Rogalski, sygn. 11, l.rep. 2390.

<sup>327</sup> ABGB, ruling of 21 December 1898, p. 59; *ibidem*, ruling of 9 June 1880, p. 60.

not only carry out the orders made by him herself, but also make sure that they are carried out [...]”.<sup>328</sup>

Thus, it is not difficult to see an analogy here with paternal authority, which was best illustrated by the formula about the husband’s responsibility for his wife’s conduct violating the possession of third parties.<sup>329</sup> Another example was the notion of domestic discipline<sup>330</sup> placing in the husband’s hands the initiative of the rule of law in the family. According to the criminal law, theft and embezzlement between spouses were criminal offences.<sup>331</sup> However, unless they were of a grave nature, they were subject to the husband’s discipline as head of the family and could only be punished at his request.<sup>332</sup> Such included acts described as highly indecent and including the breach of marital fidelity, provided, of course, that these matters did not go beyond the family and become an offence against public morality. Making the husband the sole guardian of marital fidelity laid the foundations of what the 19<sup>th</sup> century knew as double morality. A woman whether wife or daughter had to be impeccable in this respect, while “a close relationship of the husband with a third person, is not on a par with adultery, and if this relationship lasted a short time, it cannot be considered as disorderly conduct”.<sup>333</sup> As this was the law in force, it is not surprising that this phenomenon became one of the main targets of criticism from feminist circles of the time.

Despite this, in a marriage neither party was above the law. Indeed, if a wife was obliged to follow her husband to his home, she also had the right to forcibly move there, even in the face of his opposition.<sup>334</sup> She also had the right to demand decent maintenance and representation (which was particularly evident in various authorisations, e.g. during the election of authorities) and to claim reimbursement of the costs of maintaining children when the husband was in prison.<sup>335</sup> However, the actual and legal dependence on her husband, handicapped the woman in the area of public life. A misalliance deprived a noblewoman of the rights of her state, while the obligation to follow her husband to his place of residence was a nightmare for the wives of government officials transferred from place to place.

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<sup>328</sup> ABGB, §92.

<sup>329</sup> F. Schwarz, *op. cit.*, p. 14–16

<sup>330</sup> *Vide*: J. W. Willaume, *Ustawa karna z dnia 27 maja 1852 r. l.117 D.p.p. z uwzględnieniem wszelkich zmieniających ją ustaw austriackich i polskich*, Lwów 1924, §413, p. 142.

<sup>331</sup> *Ibidem*, §189, p. 69.

<sup>332</sup> *Ibidem*, §§460, 463, p. 157–158,

<sup>333</sup> ABGB, *ruling of 18 November 1908*, p. 75.

<sup>334</sup> *Ibidem*, *ruling of 7 July 1899*, p. 60.

<sup>335</sup> *Ibidem*, *ruling of 24 October 1895*, p. 97.

## 2. The material basis of marriage

A consequence of the dowry customs discussed above was the approach to property matters during the marriage. Here, a common distinction was made between three types of property: that which was received before the marriage; property obtained jointly during the marriage; and things acquired individually or derived from gifts to each party which were his or her private property (if this could be proven).

The ABGB in §1237 explicitly stipulated that in marriage “[...] each person retains their previous property rights separately. The same applies to what one spouse already acquires during the marriage, the other cannot have any claim to it [...]”.<sup>336</sup>

However, if there was any doubt as to what specifically was owned by each spouse, it was recommended that this property be presumed to come from the husband. Similar stipulations were made in §1238 of the Civil Act, which gave the husband the presumption and the right to manage all the property.<sup>337</sup> However, the legislator placed certain limits on this power,<sup>338</sup> declaring it null and void in the situation of the wife’s opposition. In the countryside, the common property of both spouses was the so-called ‘gained property’ (in Polish: *majątek dorobkowy*), with the difference that horses or oxen were customarily considered the property of the husband, cows the property of the wife.<sup>339</sup>

The starting point defining the wife’s property basis was most often the dowry. The question of its subsequent utilisation, after the marriage, therefore seems legitimate. If the object was real estate, in contrast to capital, it formally belonged to the wife at all times (and this was entered in the mortgage registry). The husband had only a limited right of management. The practice, especially in the early days, of bequeathing land to both the bride and the groom in joint ownership, necessitated the need in the future to set clear boundaries for possession in the event of death and possible inheritance claims.

It was different when the dowry was given in money. Although, according to the law and the documents cited so far, any capital could immediately or in the future be paid into the husband’s hands, the use of it nevertheless entailed certain restrictions. There is also ample documentary evidence that these particular beneficiaries were well aware of this. If there was any proof of dowry

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<sup>336</sup> *Ibidem*, §1237.

<sup>337</sup> *Vide*: S. Warmski, *op. cit.*

<sup>338</sup> “The husband, as the administrator of the wife’s house, is not a statutory possessor”. *Cit. per*: ABGB, *ruling of 2 June 1874*, p. 182.

<sup>339</sup> K. Kowalski, *Prawne zwyczaje*, p. 9.

transfer, the provenance of these sums was strictly reserved until the end of the relationship and there was little question that it could change in the event of death or remarriage. A good illustration of this is a document drawn up in 1891 by Sara Notowicz from Kolbuszowa, in which she declared “that from her husband, Mr Natan Notowicz, she claims the entire dowry which she brought to him, which has not yet been secured, and which is to constitute the only future source of income and livelihood in the event of her husband’s death [...]. The appearing party, Mr Natan Notowicz, hereby admits [...] that by virtue of the dowry [...] taken for his wife [...] he owes her only the sum of 2,000 Rhenish zlotys [...] and hereby acknowledges being indebted to Mrs Sara Notowicz, née Brandt”.<sup>340</sup> On the other hand Tobiasz Wandstein, a bookkeeper from Tarnów, directly acknowledged his wife’s receipt of the dowry with a promissory note.<sup>341</sup>

The *ad hoc* purpose of the dowry was usually to invest in the household or possibly to pay off debts, although the latter is less often mentioned.<sup>342</sup> In the countryside, the money often went assigned to the purchase of additional land. As late as the 1870s, a peasant, Antoni Pakla, used the amount of 800 Rhenish zlotys coming from his wife’s dowry “entirely to improve his farm”.<sup>343</sup> The situation was similar in the landowning family of Henryk Czyżewicz, owner of estates in the Leżajsk powiat.<sup>344</sup> On the other hand, Jędrzej Krupiński, a craftsman from Przeworsk, writes that the sum of 300 Rhenish zlotys paid to him by his wife was “put into the shoemaking craft”,<sup>345</sup> and Aleksander Chodorowski, a construction entrepreneur from Mokrzychów near Tarnobrzeg, “ran his business with his wife’s capital”.<sup>346</sup> Thus, these phenomena occurred in a similar way in different environments and were accompanied by another aspect – compensation. It was almost a rule to secure for the wife the dowry used in this way. Among the rural population, admission to joint ownership with the husband or a separate donation was used.<sup>347</sup> In the case of the aforementioned Antoni Pakla, it was a landed property<sup>348</sup> of undetermined size, but e.g. Józef Ochyra from Rozbórz still in the 1860s bequeathed to his wife as much as 8.5 hectares in exchange for, as he put it, “a substantial dowry of 800 florens

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<sup>340</sup> APPm, *Rzeszów, Midowicz*, sygn. 6, l.rep. 1777.

<sup>341</sup> *Ibidem*, sygn. 3, l.rep. 678.

<sup>342</sup> *Ibidem, Tarnobrzeg, Różanski*, sygn. 15, l.rep. 8318.

<sup>343</sup> APPm, *Przeworsk, Wodecki*, sygn. 36, l.rep. 9881.

<sup>344</sup> *Ibidem, Zieniewicz*, sygn. 1, l.rep. 55.

<sup>345</sup> *Ibidem, Wodecki*, sygn. 3, l.rep. 860.

<sup>346</sup> *Ibidem, Tarnobrzeg, Rogalski*, sygn. 1, l.rep. 50.

<sup>347</sup> ANK, *Bochnia, Hanusz*, sygn. 3, l.rep. 2207; APPm, *Pilzno, Bujnowski*, sygn. 46, l.rep. 8312.

<sup>348</sup> APPm, *Przeworsk, Wodecki*, sygn. 36, l.rep. 9881.

[Rhenish zlotys – Sz. K.], both in cash and in bees, cattle and dresses”.<sup>349</sup> In the case of the petite bourgeoisie a similar role was played by the donation of a part of the house (the construction or renovation of which was contributed to by the wife).<sup>350</sup> These issues were regulated by separate donations or wills, although in the latter case other motivations came into play, as discussed further below.

In the case of city-dwelling families, the dowry was also offset by movables, such as furnishings for the flat. This was done, for example, by Stanisław Rybicki, the owner of a property in Brzesko,<sup>351</sup> or Wawrzyniec Pisz, a bookseller from Bochnia.<sup>352</sup> Often, however, the content of similar bequests consisted of items which the woman, as a wife, already used anyway (such as these residential parts of the house), but, on the other hand, of things which were even completely useless to her. For example, Michał Kleinman, a lessee of a hotel in Rzeszów, donated movables in his flat and hotel premises to his wife. Apart from furnishings consisting of, among other things, a dozen beds, tables, chairs, wardrobes and bedding – there was also a gramophone worth an estimated 60 Rhenish zlotys and a cabinet with 60 records (100 Rhenish zlotys), and even 150 bottles of vodka (90 Rhenish zlotys) or a beer apparatus with two pints and a cabinet for glasses (150 Rhenish zlotys).<sup>353</sup> Similarly, Jan Ostrowski, a master shoemaker from Bochnia, gave his wife, in addition to household furniture, even his clothes and the equipment of his shoemaking workshop, including a shoe sewing machine.<sup>354</sup>

More affluent circles (where the wife’s dowry was also a rich trousseau consisting of numerous movables) solved these problems in a slightly different way. In view of the threefold provenance of marital property, a special form of declaration was used, in which the husband declared which items belonged to his wife’s dowry, which she herself had acquired or received during the marriage and thus owned, and finally what was jointly owned. This move, however, already had a different purpose, as it was done “so that in the event of my death, there would be no disputes or doubts as to my legacy”.<sup>355</sup> These doubts are the already quoted presumption that, in the absence of the relevant documents, the property belongs to the husband and thus to his heirs.

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<sup>349</sup> *Ibidem*, *Zieniewicz*, sygn. 1, l.rep. 202.

<sup>350</sup> *Ibidem*, *Wodecki*, sygn. 36, l.rep. 9862; *ibidem*, l.rep. 9932; *ibidem*, l.rep. 9982.

<sup>351</sup> ANK, *Bochnia, Ramult*, sygn. 17, l.rep. 3348.

<sup>352</sup> *Ibidem*, sygn. 3, l.rep. 450.

<sup>353</sup> APPm, *Rzeszów, Goyski*, sygn. 4, l.rep. 1104.

<sup>354</sup> ANK, *Bochnia, Ramult*, sygn. 31, l.rep. 6567; APPm, *Rzeszów, Prochaska*, sygn. 6, l.rep. 1762.

<sup>355</sup> APPm, *Tarnobrzeg, Rogalski*, sygn. 9, l.rep. 2047.

The declaration of the treasury counsellor, Rudolf Meidinger of Rzeszów,<sup>356</sup> was very comprehensive in this regard. It divided a wife's property into items given to her recently by her husband (worth 300 Rhenish zlotys); long-owned by her and coming from the trousseau, gifts or from her own savings (worth 600 Rhenish zlotys); and, finally, bought and given by her husband as a compensation for a part of dowry used for his needs and the money for the sold trousseau silver (worth 550 Rhenish zlotys).<sup>357</sup> The records of other representatives of the intelligentsia<sup>358</sup> and of the Jewish petite bourgeoisie displayed a similar tendency, more modest in the size of transferred property, though.<sup>359</sup>

It was common among the rural population and the poorer petite bourgeoisie to postpone property issues in marriage until the will-making stage. Thus, if no separate gifts had been made beforehand, either the husband or the wife made such provisions for themselves in the decrees of the last will. The consensual cohabitation of both spouses made such endeavours unnecessary during the marriage. It made little sense to accentuate the difference between the assets of the two parties when they lived together.<sup>360</sup> The necessity to do so arose only in connection with inheritance, and the idea was mainly to safeguard the property of one spouse against the claims of ascendants of the other. For, as noted above, under civil law his share was as much as the equivalent due to each child, but not more than  $\frac{1}{4}$ . The entire inheritance could only be taken over if the statutory order of succession was exhausted.<sup>361</sup> In practice, therefore, such bequests were very laconic, often without a description of the gifted object, but only with a disposition such as that "I bequest or devise everything I own, all my movable and immovable property, etc. to my husband or wife". Similar behaviour was mostly typical of childless marriages.<sup>362</sup>

The other possibility was for one spouse to be individually considered by the other spouse alongside the other heirs. The wife would allocate part of the land to her husband for lifelong enjoyment, or possibly a repayment from the children. Often, she also made one of them responsible for supporting the father in return for the bequest. Husbands acted in a similar way. In 1881, a farmer from Zakopane not only bequeathed a property to his wife, but also ordered his

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<sup>356</sup> *Ibidem*, Rzeszów, Prochaska, sygn. 8, l.rep. 2590.

<sup>357</sup> *Ibidem*.

<sup>358</sup> *Ibidem*, Tarnobrzeg, Rogalski, sygn. 1, l.rep. 50

<sup>359</sup> *Ibidem*, sygn. 7, l.rep. 1589; *ibidem*, sygn. 9, l.rep. 2047.

<sup>360</sup> *Vide*: K. Kowalski, *Prawne zwyczaje*, p. 9.

<sup>361</sup> *Vide*: ABGB, §§757–759.

<sup>362</sup> ANK, *Liszki, Jendl*, sygn. 5, l.rep. 1001; *ibidem*, sygn. 18, l.rep. 4389; *ibidem*, Bochnia, *Ramult*, sygn. 18, l.rep. 3553; *ibidem*, *Hanusz*, sygn. 13, l.rep. 9665; *ibidem*, sygn. 14, l.rep. 10545; APPm, *Pilzno, Skowroński*, sygn. 12, l.rep. 1557.

sons “to cultivate the land bequeathed to her for life, to plough it, to sow it with her grain, to collect the crops from the field and to thresh it for her benefit, and all this without any remuneration”.<sup>363</sup>

In comparison, the position of husbands married to widows was very weak. Among the exceptions was the will of Karolina 1°Urbaniak, 2°Kromkowa, née Dybek, who, as the owner of an 8-morgen farm (over 4.5 hectares) in Wołowice near Liszki, bequeathed ¼ of the estate to her second husband in 1881 for life, including half of the house and a barn, as well as a stable, a coach house, a shed, a hayrick, a couple of horses, a cart with harness, a cow, two bullocks and additionally 1/3 hectares of land.<sup>364</sup> As it seems, this was only possible because she lived with him in marriage for twenty years, having only one son. Otherwise his fate would probably have been more modest, e.g. scant accommodation at the children’s place of residence until the end of his life or a small repayment from one of them.<sup>365</sup> This was a mechanism encountered both in the country and in the city, as evidenced by the will of Maria 1°Jedlińska, 2°Rynczarska of Bochnia, who, bequeathing to her children, among others, several thousand crowns each, allocated to her second husband only “a room, a kitchen and a woodshed, with the reservation, however, that should he ever marry again – he will be obliged to immediately resign from the lavatory for life”.<sup>366</sup> Equally ruthless in its tone was the will of the female property owner from Podedworze.<sup>367</sup>

It also happened, especially in the face of a conflict situation, that the husband left empty-handed, as the story of Wiktoria Ceglarz indicates: “[...] My husband Wojciech Ceglarz drove me out of the house and was bad to me, that’s why I don’t bequeath anything to him [...]”.<sup>368</sup>

In the above context, the direct application of the husband’s privileged position to property matters seems somewhat stereotypical. The image of the ruthless male disposer of his wife’s property popularised in the literature, starting with the dowry, highly symbolic in this respect, was not entirely consistent with reality, especially in the rural environment. Competition from children could effectively dull many male appetites. Towns created a situation of greater uncertainty for women, as indicated by seemingly pretended donations of movable property. Although the discussed phenomena, albeit quite common, did not necessarily affect the entire provincial community, it

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<sup>363</sup> APNS, *Nowy Targ, Trybulec*, sygn. 2, l.rep. 786.

<sup>364</sup> ANK, *Liszki, Jendl*, sygn. 17, l.rep. 4105.

<sup>365</sup> *Ibidem, Dobczyce, Jaroń*, sygn. 2, l.rep. 394.

<sup>366</sup> *Ibidem, Bochnia, Hanusz*, sygn. 20, l.rep. 15444.

<sup>367</sup> *Ibidem*, sygn. 16, l.rep. 12348.

<sup>368</sup> APPm, *Rzeszów, Machowski*, sygn. 25, l.rep. 8277.

should initially be emphasised that Austrian law in the 19<sup>th</sup> century respected the property of married women. This is evidenced, for example, by the case of Katarzyna Olechowa from the village of Kraczkowa near Łańcut, who accused her husband before the court that he had appropriated 1,900 crowns, obtained by her from the sale of land. As a result, the husband, “considering the demand of the said complaint for payment of 1,900 crowns as valid, instead of paying this sum, he hereby cedes to the plaintiff, his wife, [...] the full ownership of one fourth (1/4) of the property [...]”.<sup>369</sup>

In the community of Jews living in the cities and towns of Western Galicia, this aspect of family life was further reinforced by the possibility of divorce. For this reason, the prelude to every relationship was a marriage contract regulating the use of the dowry. A reading of these detailed stipulations indicates that both in the event of the break-up of a relationship and the death of the wife, the husband at best regained all of his dowry guarantee. In the marriage contract between Chaim Holloschutz and Adela Gewurc, the husband, in the event of his wife’s untimely death, was obliged to pay his mother-in-law the entire dowry amount, which in this case amounted to 1,500 Rhenish zlotys. If, on the other hand, he himself had died early, the wife was entitled to both her dowry and her husband’s dowry guarantee, which together amounted to 2,000 Rhenish zlotys.<sup>370</sup> Abraham David Nichthausner, to whom Chaja Grünstein contributed 7,600 Rhenish zlotys as dowry, was even obliged to “[...] return and to pay the above dowry sum [...] to his future wife, Chai Reisli, of two names, Grünstein, or her heirs in three months after the day, on which he will be called upon from his wife [...] or her heirs by a notary or court to pay [...]”.<sup>371</sup> Just how important good marital relations were for husbands can be seen in the example of Adolf Sobel, who, when marrying the banker’s daughter Ernestine Geschwind, included a stipulation in the document that if his wife “[...] will be inclined to leave the house of her spouse, Mr Adolf Sobel, and this separation will last for more than three months [...]”,<sup>372</sup> he will return both the dowry and the dowry guarantee (i.e. a total of 4,500 Rhenish zlotys) “[...] and from the moment of actual separation until the dowry is returned he will give her 10 Rhenish zlotys Austrian currency per week for her upkeep [...]”.<sup>373</sup> A dowry secured in this way after the death of his wife was more difficult to obtain than during her lifetime. It is most likely for this reason that Michal Kleinman or his other followers mentioned above, made these useless, grotesque bequests to their wives.

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<sup>369</sup> *Ibidem*, *Goyski*, sygn. 6, l.rep. 1486. *Vide: ibidem*, *Przeworsk*, *Wodecki*, sygn. 2, l.rep. 732.

<sup>370</sup> *Ibidem*, *Rzeszów*, *Machowski*, sygn. 26, l.rep. 8759.

<sup>371</sup> *Ibidem*, *Midowicz*, sygn. 65, l.rep. 14552.

<sup>372</sup> *Ibidem*, sygn. 3, l.rep. 635.

<sup>373</sup> *Ibidem*.

### 3. Highs and lows

“Above all, both parties are obliged to marital duty, fidelity and decent behavior towards each other”,<sup>374</sup> reads one paragraph of the Civil Act. In many cases, this may indeed have been the case, as evidenced by the many compliments the spouses included in the documents they prepared together. This phenomenon was typical of the population of almost all social groups living in the provinces, except for the intelligentsia and landed gentry. Wincenty Piątkowski, a citizen of Przeworsk, writes about his second wife in 1878 that “she has earned the exclusive right to my property through her attachment, respect, care for my person as well as honest and persistent work at my estate”.<sup>375</sup> Similarly, Chaim Horn, a property owner in Leżajsk, “acknowledges his wife Hencia Horn, who has been living with him in a childless union for the last twenty-eight years and who has been helping him throughout this time and has thus contributed to a considerable extent to the increase of his estate, and who therefore has a legitimate claim to a part of the estate, to compensate her, at least in part, for her assistance and services rendered to him during all this time, and to his wife, the already mentioned Hencia Horn, he is indebted for the amount of five thousand Rhenish zlotys [....]”.<sup>376</sup> There are also many more modest, seemingly perfunctory yet eloquent mentions of virtuous and best-loved wives, at whose side life passes peacefully and prosperously.<sup>377</sup> The emotional charge increased when the spouses were childless. It is worth noting the two-sided nature of these relationships. If these descriptions include the theme of the good wife, whose prominent qualities are fidelity and thriftiness, the husband’s qualities should be an ideal complement: “he was always a good husband and industriously maintained everything”.<sup>378</sup> Characteristically, successful marriages, especially in the countryside, resisted family pressure, as evidenced by an example from Markowa near Przeworsk, where a pregnant wife, fearing childbirth, bequeathed her property to her husband “.... completely excluding all my relatives from the inheritance, because in my weakness my husband Marcin is the only one to look after me and bear the costs”.<sup>379</sup> Caring in important crisis moments was sometimes particularly emphasised and

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<sup>374</sup> ABGB, §90.

<sup>375</sup> APPm, *Przeworsk, Wodecki*, sygn. 1, l.rep. 67.

<sup>376</sup> *Ibidem*, *Rzeszów, Midowicz*, sygn. 5, l.rep. 1234.

<sup>377</sup> ANK, *Bochnia, Ramult*, sygn. 3, l.rep. 450; APPm, *Przeworsk, Zieniewicz*, sygn. 1, l.rep. 4.

<sup>378</sup> ANK, *Liszki, Jendl*, sygn. 20, l.rep. 4951.

<sup>379</sup> APPm, *Przeworsk, Goyski*, sygn. 18, l.rep. 3705.

appreciated as yet another quality, this time shared by both spouses.<sup>380</sup> It is also worth noting that the emotional relationship here often prevailed over the maternal bond, especially among long-established marriages, and that gratitude for the good treatment towards each other also bore fruit on a material level: donations. The document with which Jędrzej Płach from Stobierna endowed his wife Klara states that he did it “[...] to provide for his wife’s future and not to leave her at the mercy of his stepson Kazimierz [...]”<sup>381</sup> and further on: “[...] Jędrzej Płach recommends to his endowed wife Klara that she should cede the half of the land and the cottage donated to her in the event of her death to his only son and her stepson Kazimierz, if Kazimierz Płach treats his stepmother well and respects her until her death, but if he treats her badly and causes her harm, she will decide about the donated land according to her will and desire [...]”<sup>382</sup> Michał Biskup, a farmer from Malawa, offered his wife a property worth 150 Rhenish zlotys “[...] as a donation and as remuneration for taking care of the donor for many years during his illness [...]”<sup>383</sup>

This idyll, however, was not shared by all. In her will from 1909, a 19-year-old, already married peasant woman from Mirocin writes about her husband: “that he is a bad man, he does not respect me and beats me so much that I was forced to leave my husband’s house and move to my mother’s, and finally, as a result of him kicking me in the side, I am weak and who knows whether I will pay for it with my life”.<sup>384</sup> Unfortunately, less than six months later she died.<sup>385</sup>

The dissolution of an unsuccessful marriage was not a simple matter in the 19<sup>th</sup>-century reality. In the multinational Austrian monarchy, its legal aspect was an example of the intertwining of nationality and religion, which in relation to the issue of divorce resulted in three formulas that differed in detail. Catholic marriages were deprived of the possibility of divorce, the secular version was subject to a number of stipulations, while Jewish marriages retained the institution of a divorce letter, but by mutual consent. The Jewish population was treated somewhat differently by civil law in some cases<sup>386</sup> and ritual marriages were not recognized.<sup>387</sup> Dissolution of marriage could be enacted by annulment or divorce; alternatively, separation was recommended. The rules of annulment

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<sup>380</sup> APNS, *Nowy Targ, Weigel*, sygn. 5, l.rep. 3908; APPm, *Rzeszów, Machowski*, sygn. 28, l.rep. 9402.

<sup>381</sup> APPm, *Rzeszów, Midowicz*, sygn. 4, l.rep. 923.

<sup>382</sup> *Ibidem*.

<sup>383</sup> *Ibidem, Machowski*, sygn. 28, l.rep. 9402.

<sup>384</sup> *Ibidem, Przeworsk, Goyski*, sygn. 18, l.rep. 3731.

<sup>385</sup> *Ibidem*, sygn. 18, l.rep. 3798.

<sup>386</sup> *Vide*: ABGB, §§124–136, p. 85–91. *Vide*: E. Till, *op. cit.*, p. 161–162.

<sup>387</sup> ABGB, §127.

were common to all and concerned marriages that were concluded against the law, i.e. with the omission of the obstacles of consanguinity and affinity,<sup>388</sup> the lack of permission,<sup>389</sup> the impossibility of fulfilling marital obligations<sup>390</sup> and the lack of essential formalities (banns, solemn declaration of consent in the presence of two witnesses). If only one of the parties was at fault, annulment could only be requested by the innocent party. Separation in the meaning of actual separation from bed and table<sup>391</sup> was intended as a preventive measure or a preliminary stage of divorce. In both cases, it was pronounced when one of the parties invoked the fact of adultery and improper conduct (danger to property, threats to life and health, physical injury, torment and infirmity) of the other party.<sup>392</sup>

Separation created a rather strange state of affairs, for while theoretically freeing the spouses from certain obligations, it did not significantly alter their joint situation. The wife's being removed from the husband did not imply separate residence. As a result, neither of the parties could demand that the other one leave the common home without a court judgement, which was justified by the rather curious view that "[...] if complete strangers, who are not bound by any family ties, can live next to each other in one and the same house, and even sometimes in one lodging, why should not the same right be granted to the separated wife, especially if she wants to live next to her husband as a sister next to her brother [...]"<sup>393</sup> For a woman this was sometimes beneficial, especially when in 1892 the Supreme Court ruled that a wife could not be

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<sup>388</sup> Obstacles of consanguinity and affinity, in the case of the Jewish population, differed somewhat from the general standards there. It was not possible to transplant the principles of Mosaic law (e.g. the ritual order for a widow to marry her husband's brother) to 19<sup>th</sup>-century European countries. A modification in Austrian marriage law was to allow marriage between an uncle and a niece. In other cases, marriages were forbidden on the grounds of consanguinity in the lateral line: between a brother and sister, further between a sister and her brother's son or grandson. Marriages burdened by affinity between husband and wife's sister, wife and son or grandson of a brother or sister and (contrary to Mosaic law) between wife and husband's brother were also impermissible. *Vide*: ABGB, §125.

<sup>389</sup> It applies to the insane, the demented, the mentally handicapped and the immature, to minors and those under guardianship, without marriage licence, in the case of forced consent, in the case of abduction, in the case of a mistake regarding the person of a future spouse, in the case where the husband, after getting married, finds his wife pregnant by someone else.

<sup>390</sup> In the case of permanent physical impotence, being married, taking monastic vows when one of the parties is a Christian and the other is not, consanguinity or affinity, when the persons concerned have committed adultery with each other which was proven before the marriage or instigated or by adultery or in any other criminal way caused the divorce of a previous marriage, when somebody's spouse was killed due to the promise of another marriage.

<sup>391</sup> In Jewish marriages, separation was unlikely to be practised, as it was not provided for in the religious rules of that denomination.

<sup>392</sup> *Vide*: ABGB, §109, p. 74.

<sup>393</sup> F. Schwarz, *op. cit.*, p. 33.

expelled from an occupied dwelling.<sup>394</sup> In addition to those generally known and already mentioned grounds, separation could be ruled based on *malicious abandonment*,<sup>395</sup> *abandonment of a craft*,<sup>396</sup> *playing cards and the stock market passionately*,<sup>397</sup> *sexual excesses*,<sup>398</sup> *epilepsy*.<sup>399</sup>

With the exception of Catholics, Austrian law allowed divorce in the case of other religions (with the formula ‘divorce according to their own religious notions’) and non-religious persons on the grounds specified in §115 such as adultery, a crime entailing a minimum of five years’ imprisonment, malicious abandonment when the whereabouts are unknown, threat to the life and health of the spouse, repeated grave insults and *insurmountable repulsion*. The Jewish population was treated completely autonomously in this respect.<sup>400</sup>

Most of these reasons are not questionable even from today’s point of view, but it was much more difficult for a woman to obtain a divorce. The most obvious of the reasons – adultery – was not as clearly qualified in the 19<sup>th</sup> century as it is today when a man is accused of such an act.<sup>401</sup> In fact, even in the Jewish population, there was a ruling that “an action for divorce brought by the wife should be rejected outright”.<sup>402</sup> With this understanding of the law, it was incredibly difficult to pronounce a divorce due to the husband’s fault. It is also possible to find such peculiar grounds for divorce as *insurmountable repulsion* or *malicious abandonment*.

*Repulsion* was not defined very precisely: a ruling in 1878 stipulated that “sexual impotence caused by a chest disease combined with an incurable weakness of the body may cause insurmountable repugnance and then divorce may be allowed without previous separation”.<sup>403</sup> In most cases, however, a prior separation was recommended. *Malicious abandonment*, on the other hand, was much more controversial. It was easier to accuse a woman of such an act because, as a wife, she was obliged to live in her husband’s house. By

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<sup>394</sup> *Ibidem*, p. 201.

<sup>395</sup> “Malicious abandonment occurs if the husband stays for many years in an unknown place without caring for his wife”. *Vide*: ABGB, *ruling of 19 September 1894*, p. 75.

<sup>396</sup> *Ibidem*, *ruling of 22 February 1878*, p. 75.

<sup>397</sup> *Ibidem*, *ruling of 7 October 1885*, p. 75.

<sup>398</sup> *Ibidem*, *ruling of 13 May 1874*, p. 75

<sup>399</sup> *Ibidem*, *ruling of 13 January 1865*, p. 75.

<sup>400</sup> This fact was clearly underlined by the ruling of 11 July 1861 “The grounds for demanding a divorce listed in §115 do not apply to Jewish marriages”. *Cit. per*: ABGB, p. 90 (Jewish marriages were referred to in §§133–135).

<sup>401</sup> Proven adultery was *punishable* by imprisonment (from 1 to 6 months), but it was explicitly stated that “[...] a woman should be punished more severely if the committed adultery gives rise to doubts as to the safety of the child born [...]”. J. W. Willaume, *Ustawa karna*, §502, p. 172.

<sup>402</sup> ABGB, *ruling of 30 July 1895*, p. 90.

<sup>403</sup> *Ibidem*, *ruling of 10 December 1878*, p. 80.

running away to her mother, as the 19-year-old cited above did, she could be accused of breaking the marital union. That such doubts existed is evidenced by subsequent court decisions. In 1883, an opinion stated that “there is no fault in a wife’s willful abandonment of the common dwelling, if she was enslaved to it by deprivation of subsistence and by insults”<sup>404</sup> and almost a decade later “for just reasons it may be refused to compel a wife to return to the marital union, living separately even without judicial separation”.<sup>405</sup> On the other hand, however, a situation in which a husband refused to receive his wife in his home was treated as malicious abandonment.<sup>406</sup>

Examples of bad marital relations can be seen in the notarial records mainly through the prism of documents pertaining to property issues. This was also one of the reasons for omitting a spouse from the inheritance. However, it should be emphasised that the sources did not record too many such cases and they concerned either young marriages or marriages with a significant age difference. Usually, the woman here did not play the role of a deceptive *femme fatale*. Her biggest sin was malicious abandonment of her spouse, as in the case of the farmer from Piekarczów, who writes “...I declare that my wife Marianna of Wojtaszek Zarzycka left me on the 12<sup>th</sup> of July [1880 – Sz. K.] without any reason and went away at harvest time, when a housekeeper and mother for children is most needed, and has not returned so far, therefore I cancel the prenuptial bequest”<sup>407</sup> – and this happened less than a year after the wedding. A twice-married city-dweller from Przeworsk spoke in a similar, though more forgiving tone: “Although my wife Julianna has left me and I have no obligations for her, yet in the event of my death, I agree that her son Maciej should pay her 50 zlotys from my estate that belongs to him, or, if she prefers, live together with my son as I did...”<sup>408</sup> Similar cases of breaking off the marital union are no longer found in records from the early 20<sup>th</sup> century.

Re-marriages were common during this period and it was not uncommon for both men and women to marry for the third and subsequent time. This, however, was not due to the prevalence of divorce but of widowhood which brought concerns for one’s own fate, but also for that of the entire household and minor children. Krzysztof Zamorski’s research shows that the proportion of such marriages was, however, gradually decreasing. If in 1860 they accounted for over 33% in Galicia, in 1910 it was only 21.12%.<sup>409</sup>

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<sup>404</sup> *Ibidem*, ruling of 28 August 1883, p. 58.

<sup>405</sup> *Ibidem*, ruling of October 1892, p. 61.

<sup>406</sup> *Ibidem*, ruling of 14 June 1878, p. 75

<sup>407</sup> APPm, Tarnobrzeg, Rogalski, sygn. 9, l.rep. 2016.

<sup>408</sup> *Ibidem*, Przeworsk, Wodecki, sygn. 4, l.rep. 1183.

<sup>409</sup> K. Zamorski, *Informator*, p. 171 (Table 100).

In 1884 Maciej Szpilma, a peasant from Białoboki, wrote: “I am a widower – my first wife Zofia [...] died this year, she was blind for the last three years – I had to nurse her myself – with her I had two adult children [...]. Well, as I said, I divided the land between my children, but I had no help from them, it was hard for me to grow old with my first crippled wife – also after her death, and since I do not know how long God will keep me in the world, maybe I would not be able to manage even in my later old age on my own, so I decided to marry Rozalia Chomikowa”.<sup>410</sup>

Fear of old age, or more specifically of loneliness in old age, was a very common motive for entering into another relationship. It concerned elderly men, and there were purely practical considerations rather than emotional ones, to the extent that such unions bore all the hallmarks of a marriage of convenience. In 1872, one of such ‘newlyweds’ obliged his wife “to maintain him decently with her, i.e. give me decent food, lodging and clothing and pay me 1 Rhenish zloty every week for minor needs”.<sup>411</sup> An extreme case took place in 1884 in Przeworsk, where a widowed shoemaker remarried just a few months after the death of his first wife. For his new wife, this was not only the first experience of life, as she had not even reached the age of majority. The groom stipulated that his advanced age exempted him from the obligation to support his wife and bear any expenses for her. On the other hand, however, a rather original formula was introduced, that “although conjugal life between spouses has not been annulled either ecclesiastically or judicially, the actual separation [...] from the table, bed and common dwelling – exists”.<sup>412</sup> This was the case in the city, and it can be presumed that the reality of the Galician countryside were even harsher. A young girl with a modest dowry married to a widower with numerous offspring, could not stand the pressure and abandoned him seeking to earn money in the city. The case is a very likely one, though not necessarily a common one either.

The Jewish population was in a slightly different position: here marriage seemed to be one big contract, as easily concluded as dissolved. From 1859 onwards, the state dispensed with special marriage permits for Jews;<sup>413</sup> however, the practice of ritual marriages continued to be consistently opposed.<sup>414</sup> Divorce did not necessarily carry the mark of a scandal; the greater evil was the failure to

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<sup>410</sup> APPm, *Przeworsk, Wodecki*, sygn. 5, l.rep. 1306.

<sup>411</sup> *Ibidem*, *Zieniewicz*, sygn. 2, l.rep. 987.

<sup>412</sup> *Ibidem*, *Wodecki*, sygn. 10, l.rep. 2307.

<sup>413</sup> In 1859, the obligatory permission of the regional office to marry Jews was abolished. *Vide*: Regulation of the Emperor of 29 November 1859. *Cit. per*: ABGB, p. 85.

<sup>414</sup> As late as 1892, the authorities issued a circular against ritual marriages as illegal (circular of 15 February 1892, l.189. *Cit. per*: F. Schwarz, *op. cit.*, p. 75–76).

complete dowry formalities in time. The deed concluded on 20 April 1891 reads as follows: “[...] A marriage according to the ritual of the Mosaic religion was celebrated ten years ago between the betrothed Jacob Weinfeld and Hinda Weinfeld, née Amkraut, and is still valid according to the laws of the Austrian Empire. Now that the characters of the couples are not in agreement, the two couples, by mutual consent, have decided to dissolve this marriage once and for all [...]”.<sup>415</sup>

This situation necessitated the regulation of the status of minor children, who could become a burden. In 1881, they became the subject of an agreement between the now-adult daughter and her parents Wolf and Ryfka Fruhmann of Strzegocice, who undertook “to provide maintenance for the minors Małka and Lipa Kirschbaum, children [from her first marriage – Sz. K.] Dwojra Kirschowa née Tammenbaum, whose current fiancé and future spouse Mr. Izak Alban does not want to have them with him from this day on, as long as these minor children cannot earn their own living and will need this maintenance [...]. Because the maintenance of these children [...] is worth 300 Rhenish zlotys”.<sup>416</sup> At the same time, during their divorce process, Manes and Debora Schnur, property owners from Baranów, concluded an agreement, according to which the ex-wife kept her daughter for 14 years, assuming the obligation to support her, while the father left the privilege of paternal authority to himself. However, “in order to ease the child’s upbringing” he conditionally relinquished his share allocated to him after the division of the property.<sup>417</sup> The phenomenon of children being left with a divorced mother or grandparents was extremely common in this community.<sup>418</sup>

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<sup>415</sup> APPm, *Rzeszów, Midowicz*, sygn. 4, l.rep. 876.

<sup>416</sup> *Ibidem, Pilzno, Skowroński*, sygn. 12, l.rep. 1602. *Vide: ibidem*, l.rep. 1601.

<sup>417</sup> *Ibidem, Tarnobrzeg, Rogalski*, sygn. 10, l.rep. 2228. *Vide: ANK, Bochnia, Ramult*, sygn. 14, l.rep. 2718.

<sup>418</sup> *Vide: APPm, Przeworsk, Wodecki*, sygn. 1, l.rep. 169.

## Single women

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The problem of loneliness did not form a separate and thus overly broad thematic category in the notarial records. The few and usually indirect pieces of information provided by this source indicated that it was a condition to be avoided at all costs. In combination with old age, it was treated with utmost revulsion. Suffice is to mention the already quoted newlyweds at an advanced age, entering into a marital union only to provide care for themselves. It is not known how great the extent of this phenomenon actually was, either in the countryside or in the city, or in the various groups of a stratified society. However, examples appearing in the documents indicate some variation in terms of who such women were and what determined their loneliness.

If one assumes that an unmarried woman, a widow, a divorced woman or a woman forced to abandon her family, but at the same time in charge of her own independent household, was considered lonely,<sup>419</sup> then, in the light of the source in question, one might think that this problem was almost non-existent. Indirect examples, however, argued that permanent loneliness tended to affect women outside traditional structures, which was most often due to their less than ideal economic situation and life choices. Such was the fate of Franciszka Rudzik from the Ulanów area, working as a maid.<sup>420</sup> The same factor, twenty years later, caused the loneliness of the aforementioned daughter of a landed peasant woman from Łopuszka, who “went around the world to earn money”.<sup>421</sup> These were almost the only certain testimonies of complete loneliness.

Another group besides the above-mentioned hostages to structural change were crippled and sick people. Even the ABGB handicapped them in this respect by opening the door to divorce in the case of certain illnesses, and it

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<sup>419</sup> *Vide*: C. Kukło, *Kobieta samotna w mieście przedprzemysłowym. Polska na przełomie XVIII i XIX w.*, in *Przełomy w historii. XVI Powszechny Zjazd Historyków Polskich. Wrocław 15–18 września 1999 roku*, vol. 3, part 4, p. 287–293; *idem*, *Kobieta samotna w społeczeństwie miejskim u schyłku Rzeczypospolitej szlacheckiej*, Białystok 1998; M. Wierzbicka, *Kilka uwag o kobiecie samotnej w XIX wieku*, in *Kobieta i kultura czasu wolnego*, p. 447–456.

<sup>420</sup> APPm, *Ulanów, Jarema*, sygn. 3, l.rep. 447.

<sup>421</sup> *Ibidem*, *Przeworsk, Wodecki*, sygn. 35, l.rep. 9755.

can be assumed that this also had a preventive effect. The peasant Wincenty Kowal was not wrong when he wrote about “his mentally infirm daughter” that he had no doubt that she would remain unmarried and childless for the rest of her life.<sup>422</sup> Anna Drzewińska, a property owner from Grębów near Tarnobrzeg, recalled that she found refuge in solitude with her brother-in-law, who “has been supporting her as a cripple for a long time”.<sup>423</sup>

In a similar way, women’s loneliness was also born in an atmosphere of family pathology. It is difficult to assess what life path was chosen by women who abandoned their husbands. On the other hand, it is enough to mention the young wife from Mirocin, who, as a result of being beaten by her husband, had to flee to her mother,<sup>424</sup> or Wiktoria Ceglars, who was driven out of her home by her husband.<sup>425</sup> In the Jewish community, divorce had similar effects, often condemning a woman not only to loneliness but also to poverty. Some were unable to provide for their children, despite the alimony due from their fathers.

The cases described above, however, did not involve the phenomenon of absolute loneliness. The family provided a kind of protective umbrella. Most of these lonely women found refuge either with their parents or with distant relatives.

The phenomenon was more differentiated within the most numerous group, i.e. widows. This was the only natural and acceptable state of loneliness. This does not mean, however, that the widow herself fully accepted it. As was the case centuries ago, the position of widow was characterised by independence and, with a certain level of wealth, brought a number of advantages. To a certain extent, the Civil Act also regulated the widow’s property situation, especially with regard to inheritance rights (e.g. in the absence of a will). This concerned the wife’s financial security in the event of her husband’s death, i.e. the so-called *widow’s income*, and the provision from the legacy.<sup>426</sup> If, according to the statutory order of succession, the surviving spouse had the lifelong right to use at most ¼ of a part from this legacy,<sup>427</sup> the widow benefiting from this could not, however, claim separate maintenance.<sup>428</sup>

As one might think, a strong fear of loneliness in old age effectively nullified widow’s privileges such as the absence of restrictions from her husband. However, while in the case of male widowers the inability to find

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<sup>422</sup> *Ibidem*, sygn. 42. l.rep. 10012.

<sup>423</sup> *Ibidem*, Tarnobrzeg, *Hinzinger*, sygn. 35, l.rep. 16208.

<sup>424</sup> *Ibidem*, Przeworsk, *Goyski*, sygn. 18, l.rep. 3731.

<sup>425</sup> *Ibidem*, Rzeszów, *Machowski*, sygn. 25, l.rep. 8277.

<sup>426</sup> ABGB, §§796, 1242–1243.

<sup>427</sup> *Ibidem*, §757.

<sup>428</sup> *Ibidem*, ruling of 16 November 1876, p. 437.

a female candidate for a wife was more likely to breed desperation, which was not always the case with widows. It seems that, depending on the circumstances, some women were more resourceful in this respect. Based on their life situation, several categories can be distinguished among widows:

- residents,
- seeking to remarry,
- completely single and independent by choice.

Resident status was granted by life estate rights and tended to apply to elderly women. This phenomenon was common in rural areas, where it was, in fact, permanently inscribed in the system of endowment and inheritance. Let us recall that some of the bequests envisaged cohabitation, for which there is a clear example from Dobczyce, where the mother-in-law explicitly “declares that she will live with her handicapped son from the second marriage together with newlyweds and for that she will support and help them in farm work according to her capabilities”.<sup>429</sup> The determination with which this peculiar privilege was demanded is evidenced by the great popularity of such practices,<sup>430</sup> indicating also the fact that relatively early a couple thought about their old age. It remained a matter of chance or destiny which of them would be widowed sooner. The situation was clearer at the will-making stage, when the state of widowhood already existed. Domicile even with extended family was at stake, while the bequest itself was a kind of security for something like today’s annuity.

Similar phenomena are not encountered on such a scale in the urban environment. The story of Dwojra Wachsman from Chrzanów, who, when selling her indebted tenement house to the Laufer couple, lowered its value in exchange for the possibility of living there for life, may be a symptom of some reaction to the above problems.<sup>431</sup> There is also much evidence that a widow’s loneliness occurred here in a somewhat more acute form.

Another solution was offered by remarriage. It was a step that was decided upon willingly, but also not unconditionally. The widow’s position in the marriage ranking was quite strong if she already had reared children and if the desire for assurance for the rest of her life was her main motive. In such unions, procreative goals were rather disregarded, hence the examples described above of the numerous restrictions imposed on husbands married in this way, so that they did not treat the whole situation as an opportunity for easy enrichment. This phenomenon was often observed in rural communities. However, they

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<sup>429</sup> ANK, *Dobczyce, Rogalski*, sygn. 5, l.rep. 947.

<sup>430</sup> *Ibidem, Chrzanów, Romowicz*, sygn. 42, l.rep. 13357. *Vide: APPm, Przeworsk, Wodecki*, sygn. 35, l.rep. 9779.

<sup>431</sup> ANK, *Chrzanów, Horwath*, sygn. 46, l.rep. 9358. *Vide: APPm, Przeworsk, Wodecki*, sygn. 42, l.rep. 10109.

were burdened with duties typical for this state “...to respect her, and in her sickness and old age to take proper care of her”.<sup>432</sup>

However, a widow, not necessarily at an advanced age and with young children, was already a considerable burden. Often her economic situation was not very promising for the future. The death of a spouse usually took her by surprise, so that a possible future spouse had to pay off debts, rebuild the ruined farm and support her often numerous offspring. In part, such a state of affairs was to be compensated for by a bequest to him in the form of land, with a value similar to any possible encumbrances, as in the case of the peasants from Łopuszna and Stare Bystre near Nowy Targ.<sup>433</sup>

An illustration of this theme in urban conditions is the story of Alojza 1°Kadlewiczowa 2°Trybalska from Przeworsk, who, as she writes, after the death of her first husband became “a widow with four small children and having no property apart from the above mentioned property, she had to get into debt and would inevitably have had to sell the whole property if it had not been for her second husband Tomasz Trybalski, who, having married her [...] paid off her debts, supported her and her children, and renovated the property [...] at his own expense”.<sup>434</sup>

The third model concerned widows (mainly enterprising, competent women), who decided to continue living alone of their own free will. Their security in old age was guaranteed by a certain, sometimes considerable estate or their own enterprise. This model included mostly single widows from the Jewish petite bourgeoisie. The fear of a lonely old age was alleviated by the possibility of employing a maid, which also allowed independence from the family. This situation offered greater opportunities for self-fulfilment. Most often after taking over a trade or business after a deceased husband, the widows did not want to tie their hands by marrying again.

In all the encountered cases, a widow's chances of decent solitude were raised by owning property. In the city, women tried to maintain their possessions at all costs and only gave them up under duress when threatened with an auction for debts. Wills from both petite bourgeoisie and, less frequently, peasant circles confirm that a significant proportion of widows ran their own farms. In most cases it was also only a serious illness that motivated them to make last-will dispositions to close and distant relatives. The subject of their last wills was small pieces of land and the buildings in which they lived, rarely tenement houses and mostly single-storey houses with gardens and appurtenances.

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<sup>432</sup> APNS, *Nowy Targ, Weigel*, sygn. 5, l.rep. 3635.

<sup>433</sup> *Ibidem*.

<sup>434</sup> APPm, *Wodecki*, sygn. 15, l.rep. 3297.

By contrast, little is known about the issues in question in the upper strata of society, especially the intelligentsia and the landed gentry. In the latter case, however, some indications point to the possibility of remaining with the family, in the form of a resident – as dictated by tradition.

Worst of all, however, was the fate of a single mother raising a child, although in theory the state granted her slightly more rights than elsewhere.<sup>435</sup> In nineteenth-century Austria, the biological father did not have the right to take an illegitimate child away from its mother if she wished to care for it herself. Instead, a maintenance obligation was imposed on him. In 1878, divorced Reisl Sauerbrun from Kańczuga was very lucky, when her ex-husband undertook to take over the upbringing of her 4-year-old daughter.<sup>436</sup> Another example is provided by the fate of the already well-known Franciszka Rudzik, a maid from the vicinity of Ulanów. As the mother of two illegitimate children, she received from their father and her employer about 1/3 hectare of land “...for the full payment of the amount due to her from me for services in the amount of 134 Rhenish zlotys [...] as well as for the upkeep of my two children conceived out of wedlock with her...”.<sup>437</sup> With the money from this source she acquired a small house with a garden in the city.<sup>438</sup> In a sense, then, it was a happy ending.

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<sup>435</sup> The position of a single woman (a widow or divorced) who is pregnant should also be noted separately. From the point of view of the ABGB, she was not allowed to marry until the date of dissolution or until six months after the death of her husband. *Vide*: ABGB, §120.

<sup>436</sup> APPm, *Przeworsk, Wodecki*, sygn. 1, l.rep. 169.

<sup>437</sup> *Ibidem*, *Ulanów, Jarema*, sygn. 3, l.rep. 447.

<sup>438</sup> *Ibidem*, l.rep. 458.

## Material culture and other aspects of social life

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At the outset, it must be said that the information on the state of possession contained in the notarial records is quite limited, but even in this form it is more a testimony to the poverty of the population than to a rich material culture. One cannot help thinking, however, that the Galician provinces were full of extremes in this respect. The chamber of a lonely peasant, often converted from a utility room, stands in stark contrast to the cottage of a wealthy farmer, and the size of the dowries of the wealthy part of the bourgeoisie and the provincial intelligentsia practically overshadowed the modest movables in the form of skirts and kerchiefs that the future young country housewives received from their parents.

The wooden architecture of the Galician countryside was mainly practical and multifunctional. Residential buildings could be dismantled and moved to another location, and often underwent modifications. It was very common to locate both living quarters and livestock housing under the same roof. The documents do not provide detailed information on the type of construction involved, e.g. log frame or half-timbered. They do, however, indicate the number and type of rooms, e.g. a wooden house “with one lodging, a chamber and a stable”<sup>439</sup> or “one room, a hall and a stable”,<sup>440</sup> covered with straw.<sup>441</sup> At the beginning of the 20<sup>th</sup> century, however, there was a tendency to increase the comfort of living, which was reflected in houses such as the one in Wiśniowa near Dobczyce, “with two rooms, a hallway, two chambers”,<sup>442</sup> and thus arranged not as before with one, but two living rooms. It was also at this time that the phenomenon of a specific enlargement of living space at the expense of utility rooms intensified. Endowed children were often obliged to make various

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<sup>439</sup> ANK, *Chrzanów, Horwath*, sygn. 46, l.rep. 9332.

<sup>440</sup> *Ibidem*, l.rep. 9370; *ibidem, Liszki, Jendl*, sygn. 6, l.rep. 1478.

<sup>441</sup> *Ibidem, Liszki, Jendl*, sygn. 6, l.rep. 1478; APPm, *Ulanów, Jarema*, sygn. 3, l.rep. 458; *ibidem, Przeworsk, Wodecki*, sygn. 3, l.rep. 870.

<sup>442</sup> ANK, *Dobczyce, Jaroń*, sygn. 2, l.rep. 394.

alterations to facilitate common existence in the future. A document from the Chrzanów law office reads that the son-in-law “should they [the parents – Sz. K.] not be able to agree with the gifted person to live in a room in the gifted house [...], he will change the pigsty in the house into a room at his own expense”.<sup>443</sup> The adapted premises were mainly intended as housing for the elderly.

In such a situation, the development of a living space generally limited to just one room was not very sophisticated. As Słomka writes: “The internal arrangement of the house was very simple. The household furnishings consisted of a table, which was not in every house, a couple of benches, chests used instead of wardrobes, and a bed or a cot [...]. All the furnishings were hewn only with an axe without a hex. There were only paintings on all the walls around [...]. Featherbeds and pillows were found only in wealthier and more orderly peasant homes in the past, while in poorer and neglected ones, they were completely absent. Beds were mostly left dishevelled overnight, a practice that still occurs among present-day housewives; only more meticulous housewives would make them during the day, and this preference for neatness continues to rise. Beautiful bedding became a pride for every diligent housewife who, while airing out eiderdowns and pillows on ordinary days, wanted to both show them to people and boast about them to neighbours”.<sup>444</sup>

This account finds almost exact confirmations in the picture of the material culture of the Galician countryside emerging from the notarial records, with one addition. The interior of the home, whether in the countryside or in the urban reality, was considered to be a woman’s world. One can read there explicitly that her domain was “bedding and domestic furnishings”.<sup>445</sup> However, it must be remembered that these items were of much greater value then than they are today. In the countryside, bedding was so valuable that it was passed down from generation to generation, even in legacies.<sup>446</sup> Quite common were the chests that women were given as endowment.<sup>447</sup> They were used in the same way as modern day linen closets and chests of drawers. Typical women’s household equipment included various types of utensils, in the 1880s still wooden pails, trays and basins kept in a separate cupboard.<sup>448</sup> The source, however, does not provide information on luxury items that were the product of folklore or

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<sup>443</sup> *Ibidem*, Chrzanów, Romowicz, sygn. 42, l.rep. 13357; APPm, Przeworsk, Wodecki, sygn. 35, l.rep. 9779; *ibidem*, sygn. 42, l.rep. 10109.

<sup>444</sup> J. Słomka, *Pamiętniki włościanina: od pańszczyzny do dni dzisiejszych*, Warszawa 1983, p. 34–35.

<sup>445</sup> ANK, Bochnia, Hanusz, sygn. 20, l.rep. 15082.

<sup>446</sup> *Ibidem*, Liszki, Gutowski, sygn. 51.

<sup>447</sup> APPm, Przeworsk, Wodecki, sygn. 1, l.rep. 42.

<sup>448</sup> *Ibidem*, Tarnobrzeg, Rogalski, sygn. 18, l.rep. 3893.

paintings. Perhaps they were hidden under a general term – movables.<sup>449</sup> This is how they were treated, for example, in the will of Katarzyna Pierzchała 1°Białuch 2°Korczak 3°Szymańska, a peasant from Balice near Kraków, who writes: “with regard to my inventory, livestock and movables, I do not dispose of them, as I reserve the right to give them away with a warm hand before my death”.<sup>450</sup> However, there is no information testifying to the modernisation of the women’s space. The exception was a large bequest made by a widower from Nienadówka to his fiancée. As one might think, he bequeathed to her items inherited from his previous wife, including a wardrobe for hanging clothes (1.5 Rhenish zlotys), a kitchen wardrobe (1 Rhenish zlotys), two beds (3 Rhenish zlotys), four pillows, two eiderdowns, two quilts (3 Rhenish zlotys), a sewing machine – *Singer* (10 Rhenish zlotys), two trunks (2 Rhenish zlotys), a sofa and two stools (2 Rhenish zlotys).<sup>451</sup> It is worth noting that the notarial records recorded sewing machines for the second time only in the households of the wealthy intelligentsia.

The wardrobe of the woman in the village was also not sophisticated. A fur coat or sheepskin, a kaftan, skirts, kerchiefs (not a staggering number, but mostly two),<sup>452</sup> constituted an already quite abundant inventory right after marriage. With such records, the picture drawn by ethnographical sources seems<sup>453</sup> no longer so colorful, although the color scheme in the literal sense of the word was sustained by one more element – beads.<sup>454</sup> This was a desirable and expensive type of rural jewelry. Their value sometimes exceeded the cost of livestock, so in a sense they reflected wealth. They are encountered in dowry documents, but also in wills. On the eve of the First World War, however, they disappear from view for unknown reasons. Indeed, documents from this period do not mention them as a separate, significant category alongside land, cattle or valuables. It can therefore be presumed that they were treated on a par with other, rather common movables, although a more likely reason here seems to be adverse changes within the source itself, as a result of which both these and similar records may have been generalised.

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<sup>449</sup> ANK, *Liszki, Jendl*, sygn. 27, l.rep. 6563; *ibidem*, *Bochnia, Hanusz*, sygn. 31, l.rep. 21503; *ibidem*, sygn. 33, l.rep. 23012.

<sup>450</sup> *Ibidem*, *Liszki, Jendl*, sygn. 22, l.rep. 5318.

<sup>451</sup> APPm, *Rzeszów, Prochaska*, sygn. 8, l.rep. 2498.

<sup>452</sup> APPm, *Tarnobrzeg, Rogalski*, sygn. 18, l.rep. 3893.

<sup>453</sup> Słomka writes: “The greatest ornament in women, however, was beads, and the richer she was the more of them she had, and for ceremonial performances she borrowed more from others. This was the biggest expense, as beads cost tens or even hundreds of Rhenish zlotys”. *Vide*: J. Słomka, *op. cit.*, p. 38.

<sup>454</sup> APPm, *Przeworsk, Wodecki*, sygn. 5, l.rep. 1345; *ibidem*, *Zieniewicz*, sygn. 2, l.rep. 602.

It is difficult to leave the material world of the rural woman without reference to the world of the men. In this case, it was linked to their designated role as farmer. Harnessed carts, ploughs, harrows and other farm equipment are typical items mentioned in the context of husbands, fathers and sons.<sup>455</sup>

The urban space of the Galician provinces, according to some descriptions, differed from the countryside only centrally – the market square and its buildings. After all, how different was a wooden shingled house with two rooms and a hallway located in Tarnobrzeg<sup>456</sup> from the structures described above found in the countryside? There were also many houses, mostly single-storey, with farms following the rural model. However, the inhabitants of these small communities emphasised their differences in both dress and lifestyle. The larger the town, the more noticeable this distance was. Nevertheless, also in the towns, the interior of the house and the accumulated movables were the natural environment of women, most often inherited from their mothers.<sup>457</sup> It was, however, a much more polarised world than the rural one.

However, precise information on this subject, which additionally takes into account the differences between workers, petite bourgeoisie and intelligentsia, is relatively scarce. Declarations to the effect that the beneficiary receives all immovable and movable property made it practically impossible to reconstruct the material world of a huge part of Galician society more broadly.<sup>458</sup> This phenomenon most affected the indigent and middle strata of society.

The owner of a property from Brzesko, Wiktoria Rybicka, had in her flat, among other things, cupboards, including glassware, a table, a chest of drawers, a bed and a sofa, as well as bed linen, and these were only items declared as her sole property. The furnishings of the entire flat also included other items of furniture, including dozens of paintings and pictures and quite extensive kitchenware, except that these were given to her by her husband in 1880.<sup>459</sup> Most common were metal utensils made of a tin and copper alloy called *bakwan*, but also porcelain and glass. There was a lot of such equipment, more varied compared to the countryside, but not luxurious. The equivalent of today's household appliances was a brass iron, a mortar, a coffee grinder and a coffee roasting cooker, but nothing more.

The more affluent Jewish petite bourgeoisie accentuated their wealth; the furnishings of their flats were full of extremes. Małka Marder, a property owner from Tarnobrzeg owned, among other things, a brass chandelier, 4 brass

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<sup>455</sup> ANK, *Liszki, Jendl*, sygn. 17, l.rep. 4105.

<sup>456</sup> APPm, *Tarnobrzeg, Rogalski*, sygn. 18, l.rep. 3925.

<sup>457</sup> ANK, *Bochnia, Hanusz*, sygn. 11, l.rep. 7897; *ibidem*, sygn. 31, l.rep. 21503.

<sup>458</sup> APPm, *Rzeszów, Goycki*, sygn. 7, l.rep. 1764.

<sup>459</sup> ANK, *Bochnia, Ramult*, sygn. 17, l.rep. 3348.

table candlesticks, a chest of drawers and a sofa.<sup>460</sup> Her will, drawn up in 1881, reads as follows: “all my other possessions, with the exception of my bedding, out of which my daughter Dwojra Marder is entitled to choose the best large bed clothing, the best two pillows and the best eiderdown, and out of which I dedicate the rest for my three children, that is Józef, Jutta and Jankel Marder [...]. Finally, my daughter Dwojra Marder is obliged to give my new skirt to Chaia Fejga Rappaport immediately after my death”.<sup>461</sup>

Chewet Hautserowa née Lasek, also residing in Tarnobrzeg, brought a sideboard, a wardrobe, a bathtub and a glazed cupboard to her husband’s flat as dowry.<sup>462</sup> Mariem Galizerowa from Bochnia used table silverware, including two candlesticks, a sugar bowl, a tray, four gilded cups, a salt shaker, six tablespoons, three knives, six forks, twelve spoons, tongs and a ladle.<sup>463</sup> The kitchen, however, contains objects that are more ostentatious than practical.

Little attention was paid to wardrobe, unless it also attested to extravagance. The aforementioned Galizerowa mentions only “a fur, dresses, lingerie and the like”,<sup>464</sup> but an abundance of items of value: a pearl necklace, a pair of diamond earrings, a diamond ring and a brilliant ring.<sup>465</sup> A distinctive feature of the women of this community was the possession of expensive jewelry, which can be observed especially in the early 20<sup>th</sup> century. Reisl Schewel from Przeworsk had 6 strings of pearls, which she pawned,<sup>466</sup> Chaja Kurzweil from Tarnobrzeg also had “other jewels, valuables and items for women’s adornment”,<sup>467</sup> and the mentioned Chewet Hautserowa had a silver pin and a pair of silver earrings – encrusted with diamonds.<sup>468</sup> A particularly prized accessory, however, was a diadem called a *binda*. The one owned by Kurzweilowa and Hautserowa consisted of “pearls with diamonds, earrings and a pin”.<sup>469</sup>

However, it was the world of women from the upper classes, the rich clerical intelligentsia, the wealthy landed gentry and the aristocracy that was the most glamorous. Among the many items of value, wardrobes and household utensils, however, one would look in vain for articles bearing witness to technical progress. A sewing machine was a rarity, found in the dowry of the daughter

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<sup>460</sup> APPm, *Tarnobrzeg, Rogalski*, sygn. 11, l.rep. 2442.

<sup>461</sup> *Ibidem*.

<sup>462</sup> *Ibidem, Różamski*, sygn. 11, l.rep. 7215.

<sup>463</sup> ANK, *Bochnia, Hanusz*, sygn. 36, l.rep. 24860.

<sup>464</sup> *Ibidem*.

<sup>465</sup> *Ibidem*.

<sup>466</sup> APPm, *Przeworsk, Wodecki*, sygn. 35, l.rep. 9781.

<sup>467</sup> *Ibidem, Tarnobrzeg, Rogalski*, sygn. 9, l.rep. 2047.

<sup>468</sup> *Ibidem, Różamski*, sygn. 11, l.rep. 7215.

<sup>469</sup> *Ibidem, Rogalski*, sygn. 9, l.rep. 2047.

of the mayor – a doctor<sup>470</sup> and the senior treasury councillor.<sup>471</sup> These social strata still favoured a different model of femininity, prioritising representative functions over practical ones. The art of playing the piano was more important than typical housekeeping skills, and in this respect nothing has changed in the provinces.<sup>472</sup> Such a lifestyle was an unrivalled and most desired model there. As was the case many years ago, a wife could still do textile handicrafts in addition to making her husband's time more pleasant by playing a musical instrument. However, even in this environment, the world of things was more permanent and more concrete than the one known from the present-day reality. Clothes were worn for a long time and passed from generation to generation, and small movables were in use for a long time. Probably it was not until the next century that the notion of disposable objects was introduced, but that remains a matter for entirely different research.

It is not known what burial attire was worn at that time as wills do not mention it and describe only a dignified and proper Christian burial. Seen through the prism of last wills, the religious culture externalised itself in the face of death, giving the impression of being inextricably linked to the realities of nineteenth-century provincial daily life. However, there is no direct evidence of how these phenomena were shaped over the course of its duration. In many cases there are no even such trivial indications as the occurrence of religious objects, prayer books or religious paintings among the available movable property inventories. This type of information was omitted from the materials on the rural population in general. It can therefore be presumed that objects testifying to religiousness were either not very numerous or not of great value. This seems understandable given the rather low property status of this part of society. The situation is different in the slightly wealthier strata. The city-dwellers from Brzesko mention paintings of the Lord Jesus, the Virgin Mary and St Francis in gilded frames as the most representative.<sup>473</sup> The noble Maria Meidinger had not only paintings, but also a statue of the Virgin Mary and a kneeler.

Other markers of religious culture in the light of notarial records therefore might be certain decisions made at definitive moments, and mostly include:

- bequest of a sum of money to a religious cause (church or synagogue),
- creation of a posthumous holy mass foundation,
- burial and gravestone issues.

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<sup>470</sup> *Ibidem*, sygn. 17, l.rep. 3608.

<sup>471</sup> *Ibidem*, Rzeszów, *Prochaska*, sygn. 8, l.rep. 2590.

<sup>472</sup> *Ibidem*, Pilzno, *Skowroński*, sygn. 13, l.rep. 1659.

<sup>473</sup> ANK, Bochnia, *Ramult*, sygn. 17, l.rep. 3348.

It should be emphasised that these phenomena occurred with similar intensity throughout the entire period under study, in all environments and national-religious groups. Everywhere, the element of religiosity understood in this way affected women to a greater extent. An example of a feeling of bonding with a religious community was a unilateral, selfless bequest to a religious association, most often a parish. Depending on the environment, the subject of the bequest was a moderate amount of money or, typical of rural areas, livestock. Bedridden Marianna Kościalkowa from Bielany near Liszki, bequeathed 1 cow to the local Carmelite convent.<sup>474</sup> Among the peasants of Gorzyce quite high legacies (1–2 thousand crowns) for the construction of an Orthodox church were typical.<sup>475</sup> Female city-dwellers followed suit. Antonina Gargulowa, a property owner in Bochnia, endowed the parish church with 400 crowns in 1912, while the other heirs received legacies of 2–4 thousand crowns. Only her grandson received less, 200 crowns.<sup>476</sup>

The holy mass foundation was also an evidence of religiosity. Józefa Puk from Bochnia donated 240 crowns as capital, from which an annual percentage was to gratify the celebration of mass “on the anniversary of my death – for my family members”.<sup>477</sup> These practices were very popular at the time.<sup>478</sup> Particularly precautionous about her posthumous fate was the above mentioned Galizerowa. She ordered the executor of her will to bury her in Brody, at the same time bequeathing 50 crowns for the lighting of the synagogue there, 100 crowns to the ritualist praying for her soul there, and made a number of other paid obligations designed to ensure her peace in the afterlife.<sup>479</sup>

Mentioned in almost every notarial will, burial dispositions were common externalizations of religiosity. To carry out these obligations belonged to the person who was particularly privileged by the made legacies, or who was distinguished in some other way. They entailed the provision of funds for this purpose; the testators themselves also determined the amount of costs to be absorbed by the funeral arrangements and sometimes even the shape and price of the gravestones.<sup>480</sup>

These issues, however, lead us more into the realm of customs where quite diverse yet important aspects of social relationships appear. Among these are

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<sup>474</sup> *Ibidem*, Liszki, Jendl, sygn. 9, l.rep. 2202.

<sup>475</sup> APPm, Przeworsk, Goyski, sygn. 6, l.rep. 1690; *ibidem*, l.rep. 1708.

<sup>476</sup> ANK, Bochnia, Hanusz, sygn. 37, l.rep. 25193; *ibidem*, sygn. 6, l.rep. 3894.

<sup>477</sup> *Ibidem*, sygn. 22, l.rep. 16575.

<sup>478</sup> *Ibidem*, sygn. 13, l.rep. 9665.

<sup>479</sup> *Ibidem*, sygn. 36, l.rep. 24860.

<sup>480</sup> *Vide*: APPm, Przeworsk, Wodecki, sygn. 12, l.rep. 2670; *ibidem*, Goyski, sygn. 6, l.rep. 1690; *ibidem*, l.rep. 1708; *ibidem*, sygn. 18, l.rep. 3799; ANK, Liszki, Jendl, sygn. 30, l.rep. 7318.

connections between customs and the spiritual, national, or legal culture. It is probably not a matter of coincidence that in this category the sources highlight most prominently life moments which relate to death (through the organisation and lavishness of burials) and marriage (especially the organisation of the wedding feast). The level and lavishness of these two extreme and to some extent incomparable episodes was indicative of social status. Apart from worldview issues, there is relatively little information on other aspects of spiritual culture. These issues can only be found in a handful of cases, generally covering the wealthiest strata of provincial society. Information on book collections would have been invaluable here, but they are mostly absent from the notarial records of the second half of the 19<sup>th</sup> century.<sup>481</sup> The subject of works of art, was only available in a few cases. Among the items in Meidinger's possession were paintings with historical themes – Union of Lublin, Battle of Grunwald, Prussian Homage, Sobieski at Vienna,<sup>482</sup> which makes it possible to conclude that patriotic values were emphasized during the process of upbringing. In addition, the analysis of other movables and documents leads to the assumption that in women musical talents were favoured and social predispositions were developed.

Awareness of the legal system generally remained neglected as indicated by some types of conduct recorded in the records by the notary. It was particularly expressed in documents written with the participation of women, resulting not only from poor education, as this characterised the majority of provincial society at the time, but rather from being assigned to a passive role in the public space. Extreme cases described situations in which they insisted on writing down provisions unfavourable to themselves, despite warnings from the notary: “it was pointed out to both the donor Regina Kałamarzowa and the recipient Salomea Kałamarzówna that they were acting improperly in bequeathing half of the land and the building to Marcin Siwak, since he does not allow his future wife to co-own the land owned by him; in answer to this, both [female] contracting parties stated that they nevertheless demanded that the deed of donation be written down and so it was”.<sup>483</sup>

Few wills were also written by the persons concerned entirely by themselves and those that took the form of a protocol were rather concise. The level of

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<sup>481</sup> Classical inventories of the remains can be found in sets of court records. *Vide*: Sz. Kozak, *Spisy ruchomości w zespołach galicyjskich akt notarialnych i sądowych oraz możliwości ich edycji. Zarys problematyki*, in *Edytorstwo źródeł XIX wieku – problemy teoretyczne i praktyka edytorska*, vol. 1, ed. J. Sikorska-Kulesza, Warszawa 2016, p. 35–47.

<sup>482</sup> APPm, Rzeszów, *Prochaska*, sygn. 8, l.rep. 2590.

<sup>483</sup> *Ibidem*, *Przeworsk, Wodecki*, sygn. 36, l.rep. 9994; *ibidem*, *Rzeszów, Midowicz*, sygn. 4, l.rep. 1019.

individual legal culture was commensurate with the education and background – it generally increased with higher social affiliation.

In conservative environments based on traditionalism (and this is the impression given by the Galician provinces emerging from the notarial records), a woman's situation was not the result of male oppression. Everyone occupied their own culturally conditioned place – children, husbands and wives. It is a subjective matter to judge to what extent it was better or worse. In any case, any change in this position was fiercely opposed by all parties and only exceptionally received cautious approval. This was the case when it came to working outside one's home. As a consequence, the state of female loneliness was viewed negatively. In traditional communities, the position of a woman was nevertheless strong and established, and she did not feel discriminated against because she knew her own value. In the countryside, even before the outbreak of the First World War, her actual involvement in the running of the farm transcended the formal division of functions into male and female, thus nullifying the supremacy of the father as head of the family.<sup>484</sup> The disruption of these traditional ties stimulated by the transformations resulting from the development of capitalist relations in the post-enfranchisement era may have led to competition with men in hitherto incomparable planes, which became apparent earliest in the cities. The detailed course of this phenomenon, however, is far beyond the scope of the sources produced in the notary's office and remains a matter for future research.

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<sup>484</sup> J. Molenda, *Zmiany roli kobiety w rodzinie chłopskiej w warunkach I wojny światowej*, in *Pamiętnik XV Powszechnego Zjazdu Historyków Polskich*, vol. 2: *Social transformations and the family model*, Gdańsk–Toruń 1995, p. 41.

**PART II**

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**THE WOMAN  
IN THE ECONOMIC LIFE**

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## Notarial records as a source for research on economic life

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The relationship between women and economic life has been recognised in the scientific literature for a very long time. The economic presence of women was shrinking as traditional, mostly unorganised forms of farming declined in importance. As late as the Middle Ages, they were still involved in entire branches of production (e.g. brewing, weaving); petty trade and usury were also feminized.<sup>485</sup> It was not until the separation of the household and the workshop that certain restrictions were imposed, arousing antagonism between the male and female parts of the labour market, partly due to the perception of women in terms of competition for the male part of the workforce. By offering work at lower wages and, in some areas, at a higher level, they represented a kind of economic threat, compounded by the impact of a number of non-economic factors, including worldviews and customs.

Historiography often perceives the history of women by considering the division of life realities into private and public space, within which various aspects of economic life were located.<sup>486</sup> A woman's place was determined by her home and family, although the dividing lines within the economic sphere could run in different directions and not always coincide with such boundaries. The 19<sup>th</sup> century brought a new quality to these problems. In the face of phenomena such as industrialisation, urbanisation and modernisation of society, the wider presence of women in the economy, especially beyond the household, seemed inevitable.

The above issues have only partially interested historians researching the history of the Austrian partition.<sup>487</sup> As in many such cases, the focus has usually been on issues relating to agriculture, industry, banking, credit relations, etc.

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<sup>485</sup> M. Bogucka, *Gorsza pleć. Kobieta w dziejach Europy od antyku po wiek XXI*, Warszawa 2006, p. 106–109.

<sup>486</sup> T. Buksiński, *Sfera publiczna*, in *Humanistyka i pleć*, p. 173–195.

<sup>487</sup> *Vide*: Sz. Kozak, *Kierunki aktywizacji*; *idem*, *Aktywność gospodarcza*; L. A. Zyblikiewicz, *Aktywność zawodowa*.

Attempts at drawing conclusions in this area have been made several times by Helena Madurowicz-Urbańska,<sup>488</sup> and more recently by Krzysztof Broński,<sup>489</sup> indicating a number of areas still requiring scientific study. Economic history, realised according to the classical canon, is for the most part a depersonalised history of institutions, a study of the broadly understood economic condition of Galicia, especially in the context of the effects of enfranchisement or civilisational delay. Among the most frequent demands is a further verification of the concept of ‘Galician poverty’.

Assuming that economic life is composed of aspects of human economic activities, with a change of research optics the possible areas of interest in women’s issues can be reduced to three levels including:

- traditional forms of economic participation,
- employment activation, professional work and related phenomena,
- economic activity in the sense of independent business activity.

In the first case, it is economic activity within a traditional living space, limited by domestic duties and care for the shape of the household. In the views of Klementyna Hoffmanowa, whose work became part of the educational canon of 19<sup>th</sup> century society, the position of the woman was clearly defined: “It is the husband’s business to think, so that there is something to satisfy the needs of the household every day, and the wife’s business to see that these needs are properly taken care of”.<sup>490</sup> Participation in economic life understood in this way was *ad hoc* in nature. Nor did it require leaving the home environment and going beyond the boundaries set by centuries-old tradition. Instead, it required taking up professional work, with all the baggage of moral doubts and moral prejudices.

The most obvious in this case, however, seems to be economic activity, understood as profit-making manufacturing, trade, construction, service activities and the exploration and exploitation of natural resources, performed on a continuous basis. One could risk saying that this was a space reserved for

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<sup>488</sup> H. Madurowicz-Urbańska, *Przemysł Galicji. Główne problemy i potrzeby badawcze*, „Studia Historyczne” 1975, R. 18, issue 2, p. 189–212; *eadem*, *Potrzeby w zakresie historii gospodarczej Galicji*, „Kwartalnik Historyczny” 1980, R. 87, issue 2, p. 415–424; *eadem*, *Stan i potrzeby badań nad historią gospodarczą Galicji w świetle polskiej historiografii*, in *Galicja i jej dziedzictwo*, vol. 1: *Historia i polityka*, ed. W. Bonusiak, J. Buszko, Rzeszów 1994, p. 208–209.

<sup>489</sup> K. Broński, *Problemy gospodarcze Galicji w polskiej historiografii na przełomie XX i XXI wieku*, in *Galicja 1772–1918*, vol. 1, p. 134–151.

<sup>490</sup> *Wybór pism Klementyny z Tańskich Hoffmanowej*, Wrocław 1833, vol. 9, *Listy o wychowaniu i różne w tym przedmiocie wyjątki*, List IX, p. 41. *Cit. per:* J. Dąbrowska, *Kobieta aktywna zawodowo w XIX wieku na przykładzie Klementyny z Tańskich Hoffmanowej*, in *Idealy wychowania i wzory osobowe narodu polskiego w XIX i XX wieku*, vol. 1, ed. E. J. Kryńska, Białystok 2006, p. 64.

only a few women, although the fragmentary state of research stands in the way of such an argument.

A comparison of these two worlds (male and female) shows that in the economic sphere the most equal proportions characterised traditional forms of activity. Areas of female activity were shrinking in the sphere which was considered to be public, where professional relationships were dominated by men.

Of the three levels mentioned above, the interest in women's labour market activation is the best represented in the research to date. However, few historians have taken up this issue autonomously. Czajecka, Najdus, Zyblikiewicz, and partly Burzyński or Kozak should be mentioned here. Such literature on the subject is scattered and multi-threaded, showing only certain facets of the issue, focusing either on the situation of women in general or on selected sectors of the Galician economy (cf. Burzyński, *Robotnicy w przemyśle ciężkim* [Workers in heavy industry]).<sup>491</sup> Occasionally these considerations turned into deeper and meticulous analyses, even of regional scope.

One of the fundamental problems manifested in the already sparse publications on this topic was the determination of the extent of women's actual employment in Galicia. Such attempts were made as early as the beginning of the twentieth century in works at the interface of history and feminist journalism<sup>492</sup> based on national statistics used also today. Currently, in spite of the long tradition, the reconstruction of the entire occupational structure from the female perspective appears to proceed in the most chaotic manner. Historians have extremely rarely attempted to reconstruct the occupational differentiation of women themselves,<sup>493</sup> stopping at an analysis of the general occupational structure of the Galician population. Another problem was the changing point of reference. Sometimes it was the entire female population, at other times – the active professional population, in other cases – only a group of independent female workers.

What is missing in Galician historiography, however, is a broader reflection on women's independent economic activity. It is difficult to find works devoted either to synthetic presentations or to selected regional examples. Female leaders of economic life in this sense usually remain anonymous. If they have found their way into the pages of history, it is most often in the role of a curiosity, and most of them were recruited from the aristocracy with post-partition connections (they appear here as owners of spas and landed estates, or breeders

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<sup>491</sup> A. Burzyński, *Robotnicy*.

<sup>492</sup> [...] Krzaczyński, *Kobieta w przemyśle i handlu*, in *Pamiętnik Zjazd Kobiet Polskich odbytego w dniach 11 i 12 maja 1913*, Kraków 1913, p. 185–192.

<sup>493</sup> Sz. Kozak, *Kierunki aktywizacji*; *idem*, *Aktywność gospodarcza*; L. A. Zyblikiewicz, *Aktywność zawodowa*.

of pedigree animals). In the regional literature of Galicia, the history of women as a social group appeared even less frequently. An exception is the work of Zyblikiewicz on Kraków.<sup>494</sup> Galician historiography has also overlooked the area of traditional forms of women's economic activity centred on household activities. Ethnographic studies appreciating, for example, their role in rural arts and crafts are an exception.

The following chapters will try to look at the above issues from the perspective of the notary's office. As a historical source, the documents produced there most often contain data on typical examples of alienation (conveyance) and the circulation of loan capital. At the same time, they provide information on the development of commerce, industry and entrepreneurship in the broadest sense, and are carried by acts of incorporation of companies, registration of business entities, lease of facilities, trade in goods, service contracts, protests, lawsuits, etc.<sup>495</sup> The link between these documents and the economic activity of individuals and business entities seems obvious, but to what extent do they reflect aspects of women's economic activity in nineteenth-century Galicia?

The following discussion will examine the three areas of their interest in economic life outlined above, starting from the traditional sphere, through occupational activation, and ending with examples of businesswomen of the time. Due to the nature of the work, it was impossible to exhaustively discuss all aspects of this activity. Therefore, the analysis will be limited to the threads best illustrated by the source. Their large number and commonness must also have expressed the activation of women. In the traditional sphere, such threads were real estate and capital trading; in the others, various examples of labour market participation.

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<sup>494</sup> L. A. Zyblikiewicz, *Kobieta.*, p. 105–114; *eadem*, *Aktywność zawodowa*.

<sup>495</sup> *Vide*: Sz. Kozak, *Rzeszowskie akta*.

# Traditional forms of women's participation in the economic life of the provinces

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## 1. Real estate and capital trading – general remarks

The economic face of Galicia in the second half of the 19<sup>th</sup> century was predominantly shaped by agriculture. A symptom of the post-enfranchisement changes was the year-on-year increase in property trading and the accompanying initiatives to obtain more funds. These activities were reflected in the vast majority of agreements and contracts. In 1881 and 1901, the proportion of documents of similar provenance reached between 80% and 90% and was constantly increasing. However, the internal variation showed several regularities, the most noticeable of which was the clear dominance (nearly 2/3) of the various forms of transfer of ownership. The parties to such transactions were clients of law firms described as *rustic* (more than 60%) and *urban* (43%).<sup>496</sup> The subject matter was overwhelmingly rural land. There was also an increase in the dynamics of capital movements, most often loans, as evidenced by the almost fourfold increase in the number of promissory notes, bills of exchange and assignments of claims that took place over a period of twenty years (Table 2.1). If in 1881 an average of 45 such documents were being drawn up in a single notary's office per year, by 1901 the number had even exceeded 250!

Some of the phenomena described in the previous chapter even forced women into the area of economic life and, although they mostly participated on an *ad hoc* basis, the scale of this participation took on a mass character, which was evident, to the greatest extent, in various purchase and sale transactions, donations and dowry bequests involving real estate (Table 2.1).

Interestingly, the position of women strengthened despite the tendency, described in the previous chapters, to favour men in the inheritance of land

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<sup>496</sup> *Ibidem*, p. 184.

(the most common source of obtaining landed property). As mentioned above, this phenomenon was partly expressed in providing women with monetary compensation, or in the allocation of smaller acreage to them in comparison with male descendants. However, just as some inheritance customs prescribing the indivisibility of the farm failed to curb fragmentation, the above practices also proved ineffective. The system of inheritance in equal shares, implemented *en masse* by the courts, seems to have been at fault in both cases. Making women the owners gave them the opportunity not only to bequeath the land, but to sell it, to burden it with debts, to lease it, and thus to participate equally with their fathers and husbands in the property market. It is worth noting that the significant participation of women was discernible in all aspects, both in the proportion to men (37–40%), in the dynamics (higher by  $\frac{1}{4}$ ) but also in the structure of legal transactions, where real estate, although at an almost unchanged level of 71–72%, started to play a greater role over the twenty years.

**Table 2.1. Participation of women in legal transactions under the notarial documents (with the consideration of place of residence)**

Legal transaction	In proportion to men		Structure of legal activity				Increase in proportion to 1881	
	1881	1901	1881		1901		M	W
			M	W	M	W		
Total								
Transfer of ownership (property trading)	36.72%	39.78%	66.61%	70.75%	62.93%	72.44%	156.54%	192.04%
Financial operations	31.75%	27.13%	16.24%	13.84%	28.12%	18.24%	369.92%	276.05%
Other activities	33.14%	36.28%	17.15%	15.41%	8.95%	9.32%	42.48%	63.69%
Village								
Transfer of ownership (property trading)	33.93%	40.53%	74.07%	75.94%	67.16%	74.14%	143.55%	223.19%
Financial operations	27.38%	29.58%	12.87%	9.68%	25.72%	17.50%	437.17%	498.61%
Other activities	35.23%	41.87%	13.06%	14.38%	7.12%	8.36%	46.39%	92.52%

Town								
Transfer of ownership (real estate trading)	41.60%	34.23%	56.10%	62.28%	42.73%	59.22%	46.49%	7.04%
Financial operations	39.26%	20.43%	18.57%	18.71%	43.32%	29.61%	348.48%	78.13%
Other activities	33.89%	21.91%	25.33%	19.01%	13.95%	11.17%	-0.74%	-33.85%

M – men, W – women

Source: same as in Table 1.1.

More favourable to women in this case was the rural environment, in which their status was determined by the state and size of the farm they owned linked with their daily life and working conditions. The opposite of this picture was the world of Galician cities and towns. The greatest disproportions concerned the dynamics of the described phenomena, which in the case of townswomen were lower in every respect (in relation to men – by a factor of 6, in relation to rural women – by a factor of almost 30!).

A lesser role was played by financial operations. This sphere only opened up more widely at the end of the 19<sup>th</sup> century, as reflected in the 1901 cross section. The very concept of financial operations referred to actions that were quite diverse and included all activities having the character of trading in capital, i.e., on the one hand, loans secured by promissory notes and, on the other, their termination certified by the deletion of the encumbrance. Other operations involved the trading in bills of exchange, the resale of debts or, finally, dowry capital, but only if it was the direct subject of a deed. Although in the overall structure of legal transactions involving women, financial operations did not exceed 20%, nevertheless their activation in this area of economic life was the greatest. In 1901, interest in loans and other forms of transactions increased by nearly 500% among rural women, in the town only about 80%.

The sources of the above fluctuations can be traced to a number of factors. The dynamic growth of various forms of lending can be linked with the development of credit institutions. Non-cash trading, which imposed a number of deferred financial obligations, was also not without influence. Their fulfilment required the acquisition of funds and their repayment – a corresponding notarised record. All of these phenomena added up to a specific picture of interrelated relationships resulting from the huge demand for land and the need for the financial resources necessary to acquire it.

**Table 2.2. Participation of the urban population in legal transactions  
(by sex and the selected nationalities)**

Legal transaction	Year							
	1881		1901		1881		1901	
	Women				Men			
	Poles	Jews	Poles	Jews	Poles	Jews	Poles	Jews
Transfer of properties (trading in real estate)	82.30%	17.70%	82.74%	17.26%	72.32%	27.68%	57.14%	42.86%
Financial operations	40.32%	59.68%	56.76%	43.24%	39.36%	60.64%	60.73%	39.27%
Other activities	58.62%	41.38%	71.79%	28.21%	55.56%	44.44%	51.18%	48.82%

Source: same as in Table 1.1.

**Table 2.3. Structure of legal transactions involving middle-class women  
(by the selected nationality)**

Legal transaction	In proportion to men		Activity structure legal				Increase in proportion to 1881	
	1881	1901	1881		1901		M	W
			M	W	M	W		
Jews								
Transfer of properties (trading in real estate)	31.62%	18.31%	40.20%	37.00%	42.55%	39.40%	117.50%	5.41%
Financial operations	39.36%	21.82%	28.64%	37.00%	42.05%	48.48%	201.75%	29.73%
Other activities	33.33%	15.07%	31.16%	26.00%	15.40%	12.12%	1.61%	-53.85%
Poles								
Transfer of properties (trading in real estate)	45.03%	44.63%	67.97%	73.82%	40.99%	66.55%	10.48%	8.72%
Financial operations	40.32%	19.15%	11.97%	10.73%	47.00%	22.42%	618.92%	152.00%
Other activities	36.17%	30.11%	20.06%	15.45%	12.01%	11.03%	9.68%	-13.89%

M – men, W – women

Source: same as in Table 1.1.

In the town, due to different living and working conditions, the focus shifted into a different direction. Women's activity was more visible here than in the countryside in various forms of capital formation. For men, this shift was somewhat more pronounced, which eventually led to a transformation in the structure of legal activities in 1901, when financial operations almost equalled the number of real estate transactions. For women, the proportions did not change so considerably. This may have been influenced by phenomena such as the lack of landed security on their part or the privileged position of the man as the family representative in his dealings with the outside world. The lower extent of trading in real estate may have been a result of restrictions on the spatial development of Galician towns, which meant that any demand for property was not balanced by supply. It was also met to a small extent by land located in neighbouring rural communities. The funds for the purchase usually came from institutional credit, but only at the end of the 19<sup>th</sup> century.

All the extremes observed above cumulated in the Jewish community, living in large numbers in the cities and towns of Western Galicia. For women, there was a much higher prevalence of financial operations, but on the other hand a low level of activism, compared to men (Tables 2.2–2.3).

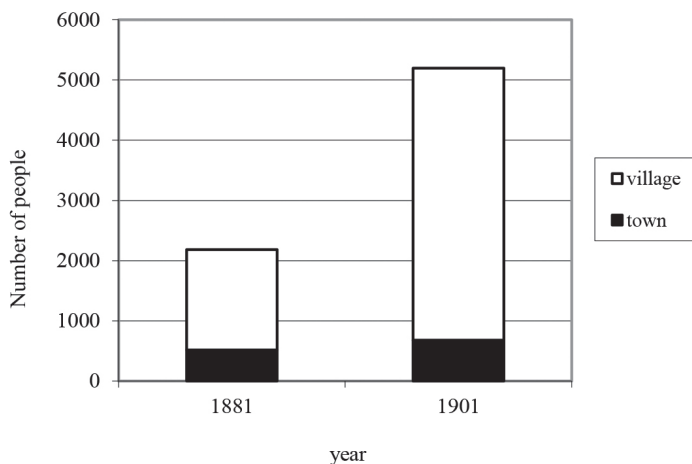
The urban environment was characterised by another regularity. In the cross section of 1881, the factor of nationality caused more variation in the described phenomena than sex. Twenty years later, the structures of legal transactions between men of both nationalities were very close to each other; the structures of women, in turn, showed a marked difference: the low interest in real estate on the part of the Jewish community, in contrast to Polish women, for whom this form was fairly popular all the time (about 70% in the structure of legal transactions and more than 80% in the proportion of Jewish women – Tables 2.2–2.3).

## **2. Women's participation in trading in real estate**

In the Galician provinces of the post-enfranchisement era, the most popular forms of real estate transactions were purchase-sale (64.76%) and donation (26.66%). The other forms were rarely notarised. Even a lease, as an example of a written contract, found expression in only 3% of documents. Divisions, cessions and exchanges of real estate in all law firms occurred sporadically.

The vast majority of such transactions were carried out in a rural environment (Chart 2.1). If the number of contracting parties is taken into

account, the proportion of peasants ranged from 76% in 1881 to 87% in 1901. These proportions are not surprising given that the inhabitants of towns in Western Galicia, at the time, accounted for 18–19%.<sup>497</sup> Typical Galician towns, however, were stagnating, while the growth of various forms of land purchase and sale or donations almost tripled in rural areas during these years (Chart 2.1).



**Chart 2.1. Trading in real estate by the residence of the parties**

Source: same as in Table 1.1.

The circulation of peasant land was initially subject to certain restrictions dating back to the Josephine era. They were not formally abolished even by the legislation of 1848,<sup>498</sup> although measures aiming at the inclusion of farms in free trade appeared as early as in 1846.<sup>499</sup>

In the years 1848–1850 the phenomena of land division increased on a massive scale, either due to the specific location of the land, partly as a result of the liquidation of co-ownership or the need for cash, the source of which could be the sale of.<sup>500</sup> It can be presumed that these practices continued until the end of the Galician period. A natural consequence was the so-called distribution in kind [Polish – *podział w naturze*], leading to an increase in the number of small

<sup>497</sup> T. Gąsowski, *Urbanizacja*, p. 232–233.

<sup>498</sup> *Vide*: K. Ślusarek, *Uwłaszczenie chłopów w Galicji zachodniej*, Kraków 2002.

<sup>499</sup> By virtue of Governorate circulars at that time, beneficial ownership of non-purchased lands was granted to ‘the current legal possessors’, and they were allowed unrestricted disposal of their property, with the stipulation that they were prohibited from incurring debts exceeding 2/3 of the property’s value. *Vide*: K. Sójka-Zielińska, *op. cit.*, p. 49 et seq.

<sup>500</sup> *Ibidem*, p. 51.

farms, unable to provide for the family, generating a series of unfavourable socio-economic phenomena for the future. The actual liberalisation of land trade that took place after 1868 under the Act on the Freedom of Trading in Real Property on the one hand legalised this hitherto informal *status quo* and, on the other hand, created the conditions for a further intensification of divisions and land trade.<sup>501</sup> It was also fostered by inheritance law and judicial practice manifested in favouring physical divisions.<sup>502</sup>

**Table 2.4. Forms of rural property trading**

Form	Women in proportion to men		Structure of real estate trading				Increase in proportion to 1881	
	1881	1901	1881		1901		M	W
			M	W	M	W		
Buying and selling	29.65%	37.03%	67.79%	55.77%	55.49%	47.86%	99.46%	178.34%
Donation	44.17%	46.28%	20.93%	32.33%	33.68%	42.55%	292.17%	326.92%
Lease	.	37.25%	2.18%	0.89%	5.79%	5.04%	.	.
Other	38.27%	38.07%	9.10%	11.01%	5.04%	4.55%	35.00%	33.87%

M – men, W – women

Source: same as in Table 1.1.

**Table 2.5. Women as parties involved in rural real estate transactions**

Form	In proportion to men				Structure of real estate trading				Increase in proportion to 1881	
	1881		1901		1881		1901		A	B
	A	B	A	B	A	B	A	B		
Buying and selling	31.96%	26.85%	39.37%	35.81%	61.51%	50.38%	53.76%	41.09%	232.26%	141.04%
Donation	37.36%	52.53%	41.70%	54.00%	26.98%	39.10%	33.30%	54.96%	369.12%	315.38%
Lease	.	.	43.02%	30.49%	1.59%	0.38%	8.04%	1.91%	.	.
Other	37.31%	37.50%	33.81%	45.71%	9.92%	10.14%	4.90%	2.04%	88.00%	-40.74%

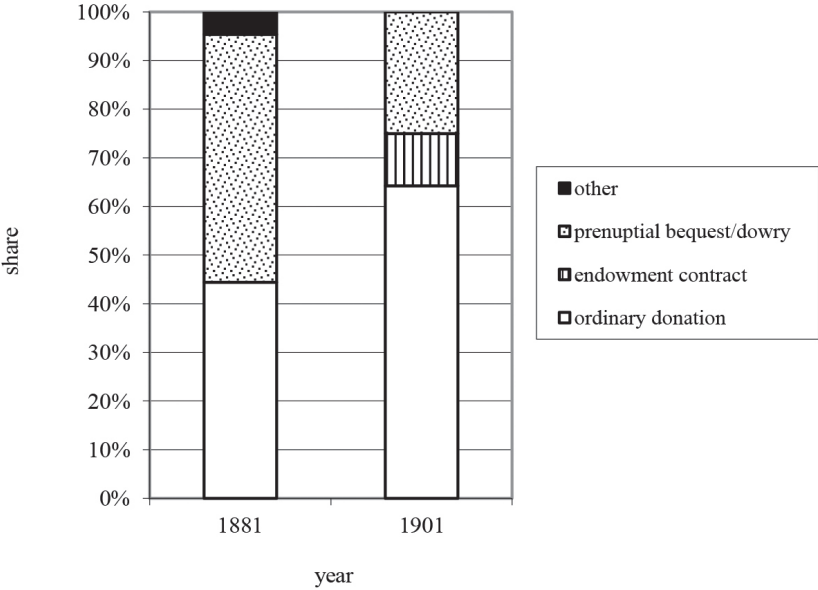
A – selling, donating, etc.; B – buying, accepting a donation, etc.

Source: same as in Table 1.1.

<sup>501</sup> *Ibidem*, p. 68.

<sup>502</sup> *Ibidem*, p. 136–137.

Despite the predominance of purchase-sale transactions, donations played a serious role in the marketing of rural properties. Their popularity has almost quadrupled in twenty years. This state of affairs goes some way to explaining the breadth of the concept itself, which includes, in addition to *ordinary donations*, also those qualified by notaries as bequests in the nature of *endowment* (Chart 2.2). As it seems, the actual borderline here was quite fluid because the difference concerned the possible motivation driving the parties and not the mechanism of property transfer itself, the same in both cases. It is also worth noting that in 93–95% of cases the parties involved in a document described as an *ordinary donation* were connected by family ties, which may suggest a causal relationship with the issue of inheritance and dowry. Actions of this type, due to their size and dynamism, clearly accentuated the differences between men and women (Table 2.4). Let us note that in 1901 the share of donations within the other forms of real estate was high among women and comparable to purchase-sale agreements; it was no longer, however, the case for men. Another noticeable phenomenon was the increasing predominance of female beneficiaries of donations (Table 2.5), which may have resulted from family obligations. Donations played an important role in matters of both endowment, inheritance and the exercise of the right of legitim.



**Chart 2.2. Forms of donation of real estate in rural populations**

Source: same as in Table 1.1

This form of dealing in property seems to have been enforced primarily by inheritance customs. In fact, it was not a matter of chance that even in actions that were neither *pre-nuptial bequests* nor *endowments*, more than 70% of the female beneficiaries were daughters. Whole marriages were also involved as the contracting party in the real estate transaction. It is noteworthy that women rarely appeared to donate jointly with their spouse and this was a steady trend (Chart 2.3). Husband and wife constituted one party mostly as donating parents (80–84%). However, the women receiving these donations appear without male company. It can therefore be thought that the numerous participation of women in rural land donations was due to the continuation of family and property matters. The implementation of earlier, perhaps informal, dowry declarations probably took place in this manner. Such a line of reasoning is further strengthened by the already mentioned large share of daughters accepting *ordinary donations*.

**Table 2.6. Women’s activity as parties to rural real estate transactions (with the consideration of marital status)**

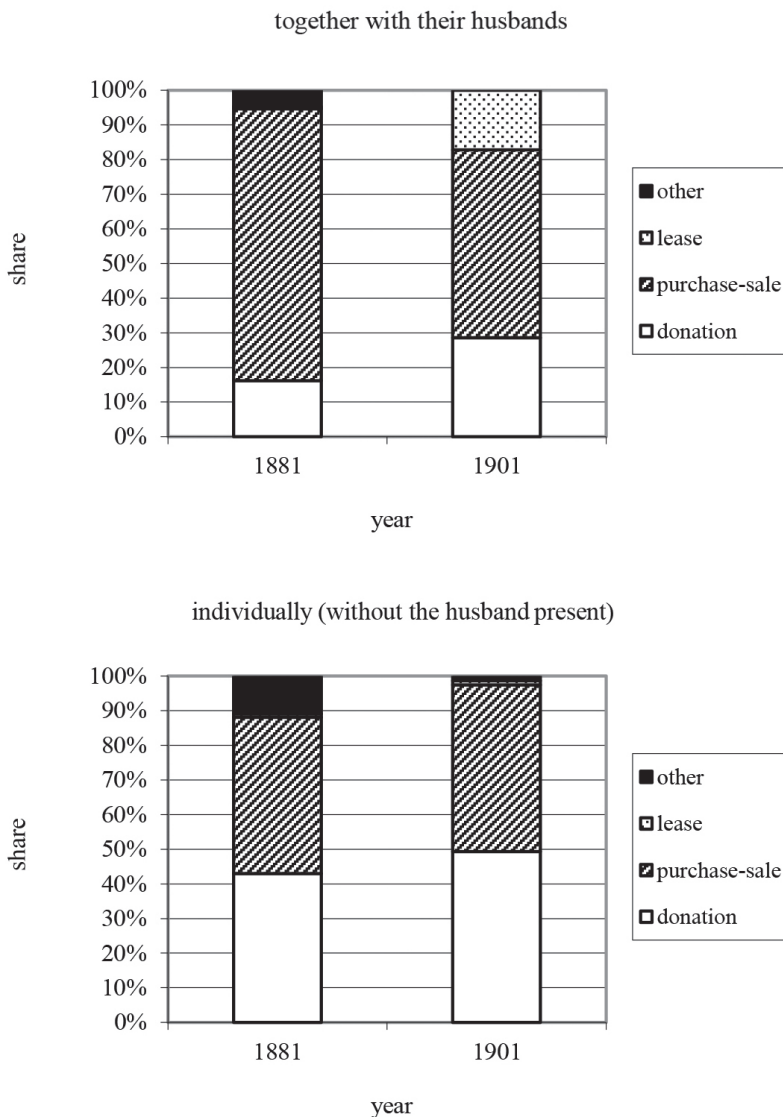
Form	In marriage				Other			
	1881		1901		1881		1901	
	A	B	A	B	A	B	A	B
Buying and selling	46.21%	53.79%	40.57%	59.43%	61.11%	38.89%	69.48%	30.52%
Donation	80.00%	20.00%	83.59%	16.61%	29.20%	70.80%	31.14%	68.86%
Lease	.	.	.	.	.	.	.	.
Other	33.33%	76.77%	0.00%	0.00%	54.29%	45.71%	75.00%	25.00%

A – selling, donating, etc.; B – buying, accepting a donation, etc.

Source: same as in Table 1.1.

This would also be the evidence of postponing some bequests, which may have been due to the donors’ need to raise funds in advance. They may have also intended to regulate the status in the inheritance of older offspring, e.g. daughters married before their siblings, so that they could not claim their inherited share in the future. In such a case, these donations would have been made in addition to earlier monetary bequests or a simple endowment. It could also have been intended to strengthen a daughter’s position vis-à-vis her husband, etc. In all these cases, women’s participation in the donations was mostly passive. Little is known about the subject of these donations, other than that they mainly involved undeveloped land known as parcels or parts thereof. Neither their value nor their area remains unknown, as they were most

often described subjectively as *an arable field with a pasture*,<sup>503</sup> or limited to mortgage register numbers. It is also not known whether the land so donated came from a family household.



**Chart 2.3. Women's participation in rural property transactions**

Source: same as in Table 1.1.

<sup>503</sup> APPm, *Ulanów, Jarema*, sygn. 3, l.rep. 382.

The phenomena outlined above generated other forms of real estate transactions under village conditions, with purchase-sale at the forefront. However, the basic proportions were different as well as the role of women. Compared to donations, these transactions were also characterised by lower dynamics, but their activation was faster than in the case of men. To a limited extent, this phenomenon concerned young people, before marriage (contrary to donations). In other words, they were already participating in purchase-sale transactions as representatives of their marriage, their family, elderly or lonely persons and widows. Indeed, the main motives for this activity were the need to raise funds (when they acted independently) or to enlarge the farm when they represented the family together with their husband. Another motive, perhaps the most important, may have stemmed from the fulfilment of dowry obligations to their children. In order to marry off a daughter well, it was necessary to endow her well beforehand. In favour of a similar argumentation are the examples described earlier of buying land for this very purpose.

In buy-sell transactions, women were more likely to dispose of their property and this phenomenon increased over time, affecting women who participated in transactions alone, independently of their husbands (Table 2.6). Married couples as a whole, on the other hand, were characterised by the opposite tendency, and were much more likely to buy land, which in that case was considered to be jointly owned. In a sense, this phenomenon may also have been a consequence of the changes taking place in the donation system: for women they were a source to acquire dowry land; in addition, between 1881 and 1901, there was a tendency towards individual bequests. Each of the newly-weds then acquired land donated to them separately by their own parents and not on the basis of joint ownership still prevalent in the 1870s and 1880s. In such a case, the eventual sale formally did not require the presence of the spouse, as it represented property brought before the marriage. This does not mean, of course, that such actions took place without the approval of both of them.

The specific motives for the sale of rural property by women are difficult to establish today. The sale concerned small pieces of land (Table 2.7), probably obtained earlier by way of e.g. legitim, property divisions, separated from the whole farm; their proportionally lower prices support this argument (Table 2.8). However, to a similar extent this phenomenon also involved men. Was the money from the sale of these plots used for current needs or did they have specific purposes? In addition to those already mentioned, it can be presumed that they were used to pay off usury debts or those arising from various family obligations.

The situation was different for married couples sometimes acquiring entire farms, where price and size were at a higher level. Such a trend was most visible

in 1901. It is possible that, as credit relationships became more widespread among the rural population, married couples could dispose of the cash needed to expand their holdings. On the other hand, however, they were by then so small that they needed to be reinvested if only for reasons of simple profitability.

**Table 2.7. Average size of land in purchase-sale contracts with the participation of women\***

Configuration:	Activity	Year	
		1881	1901
		in hectares	in hectares
In marriage	sale	1.33	2.04
	purchase	1.24	1.91
Individually	sale	0.54	0.36
	purchase	1.07	–

\*based on data with less than 50% representativeness

Source: same as in Table 1.1.

**Table 2.8. Average purchase and sale prices of rural properties (in Rhenish zlotys)**

Year 1881			
Configuration:	values	sale	purchase
In marriage	average	307.3	313.98
	median	240	150
	mode	200	80
Woman individually	average	151.78	156.07
	median	79	100
	mode	100	100
Men individually	average	168.52	194.30
	median	100	100
	mode	100	100
Year 1901			
In marriage	average	1051.19	<b>849.30</b>
	median	400	<b>550</b>
	mode	100	<b>500</b>

Woman individually	average	238.53	607.37
	median	130	290
	mode	100	200
Men individually	average	285.30	594.30
	median	195	250
	mode	100	300

Source: same as in Table 1.1.

**Table 2.9. Forms of trading in real estate in the town  
(by the selected nationalities)**

Form	Year							
	1881		1901		1881		1901	
	Structure				Proportions			
	M	W	M	W	M	W	M	W
Jews								
Buying and selling	80.00%	67.57%	93.64%	82.05%	71.91%	28.09%	83.51%	16.49%
Donation	3.75%	10.81%	1.16%	2.56%	42.86%	57.14%	.	.
Lease	0.00	0.00	0.58%	2.56%	–	–	.	.
Other	16.25%	21.62%	4.62%	12.83%	61.90%	38.10%	61.54%	38.46%
Poles								
Buying and selling	77.89%	77.91%	71.12%	71.66%	54.73%	45.27%	55.12%	44.82%
Donation	13.94%	16.28%	25.86%	26.74%	50.88%	49.12%	54.55%	45.45%
Lease	0,00	0.00	0,00	0,00	–	–	–	–
Other	8.17%	5.81%	3.02%	1.60%	62.96%	37.04%	.	.

W – women; M – men

Source: same as in Table 1.1.

Other forms of real estate transactions did not play such a large role among the rural population to be notarised on a mass scale. The already mentioned relatively low popularity of land leasing seems to be puzzling. This may have been due to the fact that it was commonly done under informal contracts, i.e. not secured by a formal document and, as one may think, for compensation in the form of rent in kind. However, this would have been rather possible only in a peasant environment. When the landlord was the lessor party, such

a transaction was carried out by notarisation. This was the case, for example, in 1901, when, with the participation of the owner of the Balice estate (near Kraków), Maria Dolores Radziwiłł and her husband, more than seventy lease documents were drawn up at the law office in Liszki.<sup>504</sup>

The landed gentry participated in the real estate trade on a large scale even through the parcelling of estates. Notarial documents recorded this fact in various years of the period under study. However, female owners of estates could rarely be found in it directly. More often than not, they were relieved of this task by their husbands on the basis of powers of attorney, and their peculiar 'removal' could be explained by cultural considerations.

A slightly different quality was represented by trading in urban real estate. As Jadwiga Hoff writes, small provincial urban centres were dominated by cramped, wooden and one-storey buildings.<sup>505</sup> Only in the towns considered to be larger, which at the same time served as administrative and judicial centres, did brick townhouses and public buildings occupy slightly more space. The decidedly rustic character of Galician towns was evident not only in the architecture. In 1881 and 1901, more than 70% of Liszki's inhabitants participating in various transactions declared their occupation as a peasant or a farmer! Although the petite bourgeoisie was dominated by craftsmen and merchants, many earned their livelihood from agriculture.

At the beginning of the twentieth century, Galician cities covered only 5% of the area of the whole country.<sup>506</sup> Their territorial development was constrained by a number of limitations, which had the effect of raising both urban land prices and the amount of rents for flats. These phenomena shaped unfavourably the number of real estate transactions, in this case characterised by low dynamics. In the notary's offices of the analysed towns, documents of property transfers involving urban facilities accounted for only 4%, which means that instances of sale, donation or lease of real estate did not occur more often than three times a month on average (in 1901). Only in larger cities such as Bochnia and Rzeszów more cases were recorded. Sold or, less frequently, donated properties differed little from those encountered in the countryside. The only noticeable difference was the significant dominance of built-up land. However, the buildings themselves did not always differ in shape from those typically found in the countryside. Sometimes the characteristic farm buildings were missing, but the layout and internal arrangement were equally poor. The property in Tarnobrzeg consisted of "a wooden dwelling house with

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<sup>504</sup> ANK, *Liszki, Gutowski*, sygn. 16, l.rep. 3982–4000; *ibidem*, sygn. 17, l.rep. 4001–4059.

<sup>505</sup> J. Hoff, *Spoleczność*, p. 50.

<sup>506</sup> T. Gąsowski, *Urbanizacja*, p. 238.

a cellar, a stable and a pigsty with a woodshed, as well as a building site and a garden”.<sup>507</sup> In 1883 Jan Reyman, a teacher, together with his fiancée, bought a brick house in Przeworsk in the Łańcut Suburbs for 600 Rhenish zlotys, with two rooms, a kitchen, a hallway, a courtyard at the back of the house and a stable.<sup>508</sup> In Chrzanów in 1881 a property was sold for 3,750 Rhenish zlotys, consisting of “...a brick one-storey house, and a wood cellar. [...] downstairs one shop and one kitchen together with a cellar under the shop, upstairs one lodging and one kitchen”.<sup>509</sup>

Bequests (donations) of individual rooms were common among the Jewish population (who sometimes owned substantial properties located within the town square<sup>510</sup>). This phenomenon, known mainly from big-city environments,<sup>511</sup> also occurred in provincial towns. In 1897, the owner of a property in Przeworsk, Lipa Hornstein, distributed, by means of a donation contract, among his children, grandchildren and relatives, individual rooms in a tenement house located in the town square.<sup>512</sup>

The national-religious aspect was more pronounced in urban real estate transactions. It is worth remembering that the Jewish population participated in similar transactions less frequently (Table 2.3), limiting themselves to buying and selling (Table 2.9), although in many towns it equalled the Polish population in numbers. Poles were still clearly interested in donations, which here reached over 20%. Women were their most frequent beneficiaries, either as a couple with their fiancé, with siblings or individually. On the donors' side, Polish married couples can be found in more than half of the cases. These donations, therefore, took on the role of dowry bequests or resulted from inheritance, given that daughters or granddaughters (more than 83%) can be found among the beneficiaries. It should also be noted that, unlike in the case of purchase-sale, these bequests entailed, to a large extent, built-up real estate (more than 50%), which the donors additionally encumbered with life estate rights or an obligation to repay. The trade in real estate in the form of a sale-purchase highlighted the tendency for the contracting parties to be confined within one nation. When the seller was a Polish city-dweller, the other party was usually also of Polish nationality. This phenomenon had a varied background. The Jewish population

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<sup>507</sup> APPm, *Tarnobrzeg, Rogalski*, sygn. 10, l.rep. 2189.

<sup>508</sup> *Ibidem, Przeworsk, Wodecki*, sygn. 5, l.rep. 1234.

<sup>509</sup> ANK, *Chrzanów, Horwath*, sygn. 46, l.rep. 9358.

<sup>510</sup> A. Zielecki, *Struktura ludności miast Galicji w dobie autonomicznej*, in *Rozwój przestrzenny*, p. 95.

<sup>511</sup> K. Karolczak, *Właściciele domów w Krakowie na przełomie XIX i XX wieku. Z badań nad dziejami Krakowa*, Kraków 1987.

<sup>512</sup> APPm, *Przeworsk, Wodecki*, sygn. 25, l.rep. 7589.

usually formed dense clusters within the urban infrastructure. The national-religious character was assumed by the districts of larger cities and the streets in smaller towns. In such a case, the restriction of part of the real estate trade by the denominational factor seems natural. Although Poles and Jews living together in cities and towns very rarely entered into alienation contracts (contracts of conveyance), the situation was different when rural land was the subject of sale. This was especially the case for Jews, who, living in towns, sometimes owned numerous rural plots. These plots of land, often acquired by them by auction, were later resold on a huge scale to the mainly Polish rural population. This is reflected in the structure of their clientele, among which peasants accounted for up to 92%.

In this context, the role of women was not as pronounced as in the rural environment. In the Jewish community they were even removed from owning property and this tendency seemed to be perpetuated (Tables 2.3, 2.9). In Tarnobrzeg, which had the highest percentage of Jewish population among the analyzed cities, only 5 women participated in purchase-sale transactions in 1881 and 9 in 1901. In many cases, this participation was not so much an expression of economic activity as it was due to the marital bond, whereby the woman, although formally a contracting party, was actually treated as a companion in the transaction made by her husband.<sup>513</sup> However, also in this environment there was a subtle tendency towards individualization: in 1881 half of them appeared in purchase-sale transactions together with their husbands, in 1901 – only 1/3. As one can guess, some of the women who independently appeared in the law office were single, most often widowed, and were brought there by the need to secure their means of further existence. This is probably the case with Dwojra Wachsman from Chrzanów, who in 1881 sold the already mentioned brick house for the price of 3,750 Rhenish zlotys to a married couple, the Laufers. The property was in debt for Rhenish 2,000 zlotys, and the buyers, taking on the obligation to repay, paid her 750 Rhenish zlotys. The missing amount of 1,000 Rhenish zlotys was treated as a deposit for life estate rights, as the seller had reserved the right to live in this tenement house for life.<sup>514</sup> In the same year, also in Chrzanów, a flour merchant, Feiga Bochner, sold “...a brick house with three lodgings, one vestibule and one sukkah...”.<sup>515</sup> Similar instances, although not very frequent, can be found in documents from all the analysed notary offices.

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<sup>513</sup> ANK, *Bochnia, Hanusz*, sygn. 3, l.rep. 2185; APPm, *Tarnobrzeg, Hinzinger*, sygn. 32, l.rep. 15468.

<sup>514</sup> ANK, *Chrzanów, Horwath*, sygn. 46, l.rep. 9358.

<sup>515</sup> *Ibidem*, l.rep. 9360.

Women in these transactions rarely crossed the nationality barrier. As a result, the few transactions which entailed them were confined within the same denomination. Their marginalization in real estate transactions is evidenced by the fact that women did not participate at all in the aforementioned mass sale of rural land.

The position of women from the Polish petite bourgeoisie was slightly better in this respect. If one were to trace their participation in the urban real estate trade by means of the feminisation rate, it would turn out to be much more favourable than in the case of Jewish women. There were just over 80 women for every 100 men of Polish nationality (feminisation rate values: 1881 – 82, 1901 – 80). Similarly, among Jews it was only 46 women in 1881 and only 22 in 1901. The relevant proportions were also more favourable. During the entire period under study, there were, on average, as many as five Polish women per one Jewish woman selling, buying or participating in the donation of real estate.

As in the countryside, women participating alone in purchase-sale transactions tended to be limited to selling off properties. It is not known exactly whether they were single; in only a few cases did documents describe them as widows. They disposed of small plots of land for not very exorbitant amounts. In the Polish community, these were admittedly urban properties, but of a decidedly agricultural nature. Marianna Skrajniak, a widow from Chrzanów, who sold a plot of undetermined size for 100 Rhenish zlotys, may serve as one of the numerous examples. Only 20% of such transactions involved built-up land and their prices varied. Tenement houses (quite rare) were most expensive as could already be seen from the earlier example of Dwojra Wachsmann. Polish women (more often, though) participated in transactions of somewhat lesser gravity. They sold built-up property in Ulanów, Baranów, Pilzno or other towns, on average, at the price of between 150 Rhenish zlotys (in 1881) and 550 Rhenish zlotys (in 1901). A brick property in Liszki turned out to be exceptionally expensive (5,300 Rhenish zlotys); however, it was sold by the owner, Anna Lubańska, who lived in Kraków.<sup>516</sup> An isolated case may be the sale of a pharmacy inherited from a deceased husband in Przeworsk in 1902.<sup>517</sup>

In the marriages of city-dwellers, as in the countryside, the tendency to buy more than to sell prevailed, more clearly in the case of Poles. However, agricultural land – meadows, gardens and arable land – was more often involved, with the price at 300 Rhenish zlotys in 1881 and 450 in 1901. This was less than in the case of Jews, where the value of purchased properties reached an average of 1,000 zlotys.

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<sup>516</sup> *Ibidem*, *Liszki*, *Gutowski*, sygn. 15, l.rep. 3594.

<sup>517</sup> APPm, *Przeworsk*, *Wodecki*, sygn. 43, l.rep. 18077.

### 3. Women's participation in capital trading

#### Forms of capital trading

Capital as a subject of legal transactions was much less popular than real estate trading (18–31%). Nevertheless, its role was becoming increasingly important, as indicated by the very large increase in the number of various types of promissory notes, acceptances of bills of exchange or discharges of encumbrances. It is worth remembering that the number of documents evidencing such actions increased by as much as 400% between 1881 and 1901! They can tentatively be divided into two groups:

- stating or sanctioning the fact of an action the subject of which was capital (loans, acceptance of bills of exchange, cession of claims, bequests of dowry and pecuniary donations),
- derivatives of previous actions in which there was capital and a benefit or obligation expressed in capital (deletions of encumbrances, repayment acknowledgements).

Here, too, there was a polarisation, with only a few forms playing a major role (especially loans and deletions of encumbrances). In the Jewish community in the cities, various examples of dealing in bills of exchange also appeared more commonly. Characteristically, women played a greater role in these type of transactions than elsewhere. In the overall structure of legal activities, however, various financial operations involving women occupied a rather distant position. The number of such transactions with their participation seemed to be higher in towns, which, however, was more due to the limited circulation of urban property (as already mentioned) than to any particular interest in capital in various forms. It might be vital to point out the relatively small dynamics of this phenomenon in the urban environment, where the number of women participating increased by  $\frac{3}{4}$ , while in the countryside it increased by as much as 5 times! (Table 2.1).

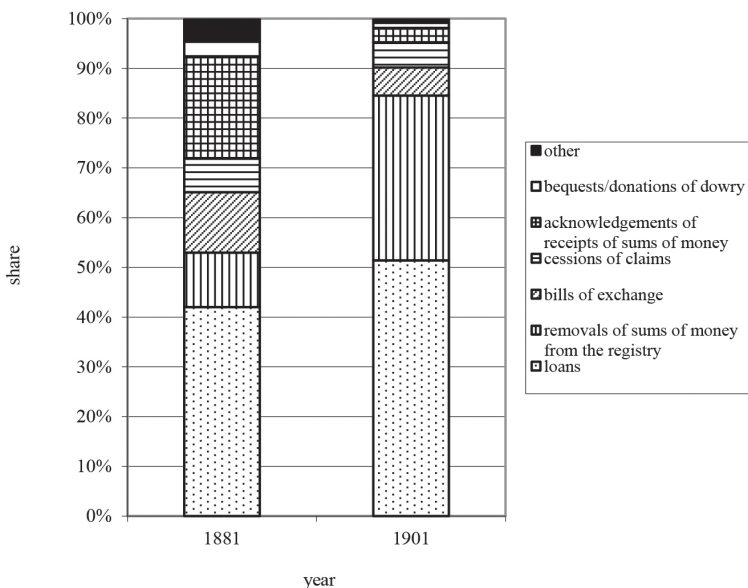
**Table 2.10. Participation of urban and rural population in financial operations**

Type of activities	Structure of activities				In proportion to men	
	1881		1901		1881	1901
	M	W	M	W		
Urban population						
Jews						
Loans	40.35%	43.24%	19.77%	31.26%	41.03%	30.61%
Bills of exchange	0.00%	0.00%	3.49%	14.58%	–	53.85%

Trading in receivables	8.77%	16.22%	22.67%	18.75%	54.55%	18.75%
Bequests/donations of dowry	8.77%	16.22%	0.58%	2.08%	54.55%	50.00%
Deletions of sums of money from the register (extabulations)	15.79%	10.81%	50.00%	25.00%	30.77%	12.24%
Acknowledgements of the receipt of sums of money	14.04%	8.11%	2.33%	6.25%	27.27%	42.86%
Other	12.28%	5.40%	1.16%	2.08%	22.22%	33.33%
Poles						
Loans	64.86%	61.54%	22.93%	53.97%	40.00%	35.79%
Bills of exchange	5.41%	0.00%	0.38%	6.35%	–	80.00%
Trading in receivables	2.70%	7.69%	5.64%	6.35%	66.67%	21.05%
Bequests/donations of dowry	0.00%	0.00%	1.13%	9.52%	–	66.67%
Deletions of sums of money from the register (extabulations)	8.11%	11.54%	69.92%	15.87%	50.00%	5.10%
Acknowledgements of the receipt of sums of money	8.11%	11.54%	0.00%	7.94%	50.00%	–
Other	10.81%	7.69%	0.00%	0.00%	33.33%	–
Rural population (total)						
Loans	49.22%	38.88%	69.88%	67.98%	22.95%	29.01%
Bills of exchange	17.28%	11.11%	4.48%	4.41%	19.51%	29.23%
Trading in receivables	3.14%	9.72%	1.75%	0.93%	53.85%	18.18%
Bequests/donations of dowry	3.66%	5.56%	0.88%	1.86%	36.36%	47.06%
Deletions of sums of money from the register (extabulations)	5.76%	5.56%	20.57%	19.72%	26.67%	28.72%
Acknowledgements of the receipt of sums of money	18.85%	27.78%	2.05%	3.71%	35.71%	43.24%
Other	2.09%	1.39%	0.39%	1.39%	20.00%	60.00%

W – women, M – men

Source: same as in Table 1.1.



**Chart 2.4. Documents related to financial operations**

Source: same as in Table 1.1.

### Private loans

As late as the first half of the 19<sup>th</sup> century, credit relations in the Galician provinces were characterised by a lack of large and active banking centres. This sphere of economic life was largely based on the activities of small exchange offices and high-interest loans (up to 40%), which were popular among some representatives of the Jewish community. These phenomena survived for a very long time.<sup>518</sup>

In the second half of the 19<sup>th</sup> century, in view of the strong demand for capital, forms of business credit such as advance payment societies, savings banks, etc. began to develop, favouring the accumulation of savings and the development of farms or entire communities. They represented an indispensable alternative for the population, both urban and rural, although their popularity showed some fluctuations in different periods.

As shown by the analysis of loan documents written by Galician notaries in provincial law offices, as late as the 1880s private creditors still constituted

<sup>518</sup> G. Zamoyski, *Institucje drobnego kredytu w Galicji*, in *Miasteczko i okolica – od średniowiecza do współczesności*, ed. J. Hoff, Kolbuszowa 2006, p. 159.

the vast majority (Chart 2.5). The scale of this phenomenon was increasing in urban centres, especially within the Jewish population. While in 1881 various credit institutions were the source of loans for 30% of those concerned, among Jews this figure was only 5%! The rural population participated to the greatest extent in institutional credit (over 30%, compared to less than 20% in the cities), although private lenders prevailed here as well. However, it must be remembered that at that time loan documents were quite rare in provincial law offices: about a dozen or so promissory notes were recorded there each year. It must therefore be assumed that in many similar situations the population may have used various other avenues and not all of them were finalized in the form of a notarial document.

In the course of twenty years this situation changed significantly. The number of loan unions in Galicia almost quintupled (from 117 in 1880 to 597 in 1900), the number of advance payment societies increased, and new institutions of small credit were developed and popularised. It was not until the 1890s that Raiffeisen-type credit unions, known here after the name of their promoter as Stefczyk companies, began to emerge. In 1913 there were as many as 1.397 of them.<sup>519</sup> This situation had the effect of reversing the proportions in the creditor structure, in which various credit institutions reached as much as 92% in 1901.

It is also worth noting that this was an increase of as much as 2,324% compared to 1881! (while the popularity of private creditors began to show a decreasing trend). In notary's offices the number of such documents was already 10 times higher, e.g. in Tarnobrzeg over 240 per year, in Liszki lower – over 130. In towns acting as provincial administrative centres the number of promissory notes was equally high. Here, however, the popularisation of provincial small-credit institutions resulted in an outflow of clients to small-town law firms. This was the case in Rzeszów, where between 1881 and 1901, the number of loan documents fell by half (from 338 to 162). Still, the relationship between private and institutional sources of credit depended on the place of residence and the nationality of the contracting parties. The highest share of private lending went to the urban population (about 30%) and the Jewish population (about 40%). Within the rural population, this form of fundraising was not very important (Chart 2.5).

In this context, women also did not play a decisive role. If their share as creditors is taken into account, it ranged from 25% to 30% in relation to men. It was also slightly higher during periods when the importance of private sources of credit increased. This phenomenon occurred in a similar way in the source materials from Rzeszów law firms. In proportion to men, they reached 36% in 1901 (private creditors there then accounted for as much as 40% in

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<sup>519</sup> *Ibidem*, p. 155–193.

relation to various lending institutions). Among women, however, lending did not necessarily bear the hallmarks of an economic activity. For borrowers, too, it was more a form of *ad hoc* support in an emergency or a difficult situation, e.g. a crop failure, the need to organize a wedding or in the event of another unexpected fortuitous event. At a time when private loans were very popular, as many as two-thirds of women using this source took out a loan together with their husband, which may indicate that the motives were rather serious. This is also indicated by the amounts of borrowed money (on average 300 Rhenish zlotys) exceeding the institutional offer at the time (Table 2.11). On the other hand, however, by participating as lenders, women must have had a commensurate surplus of cash at their disposal, leading to their wealth and independence which allowed them to accumulate capital. The urban-rural differences did not begin to become more pronounced until 1901, but this was linked to the entry of new credit offerings into the market.

**Table 2.11. Credit offer in the light of notarial records**

Mean values	Sources of credit						
	private		institutional				
	1881						
	total	women	banks and credit societies	savings banks <sup>a</sup>	advance payment societies <sup>a</sup>	savings and loans companies	other
Average amount of the loan (Rhenish zlotys)	344	300	4680 (821 <sup>b</sup> )	100 <sup>c</sup>	100 <sup>c</sup>	–	348.75
Crediting period (years)	1.5	1.8	17.82	0.25	2.5	–	3.85
Interest rate <sup>c</sup>	10%	10%	9%	7%.	10%.	–	8%
1901							
Average amount of the loan (Rhenish zlotys)	1040	1615	1214	438	253	416	8039
Crediting period (years)	3	2.91	12.30	10.46	5.5	9,5	14.66
Interest rate <sup>c</sup>	6%	7%	7%	6%	8%	6%	5.5%

<sup>a</sup> reconstruction based on the law offices in Rzeszów

<sup>b</sup> after the exclusion of one loan of 78 000 Rhenish zlotys

<sup>c</sup> the value of the mode

Source: same as in Table 1.1.

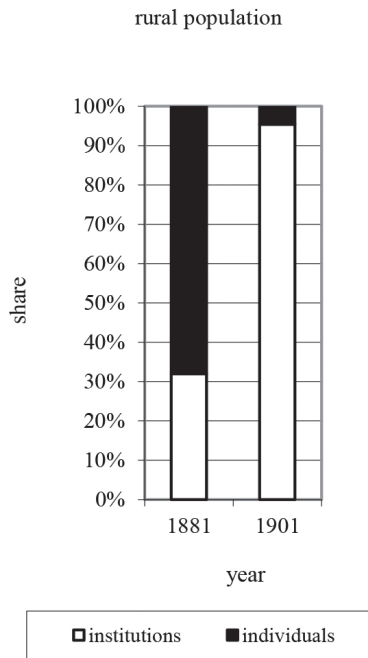
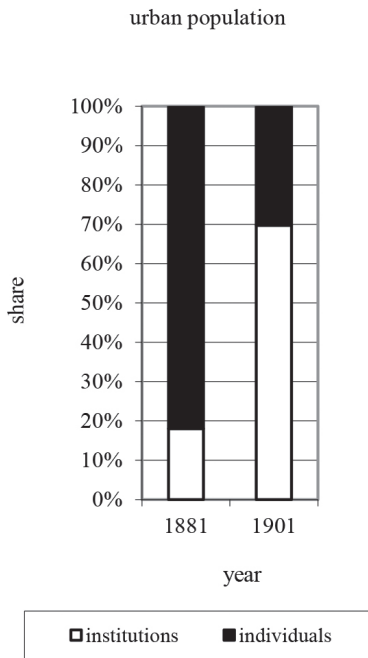
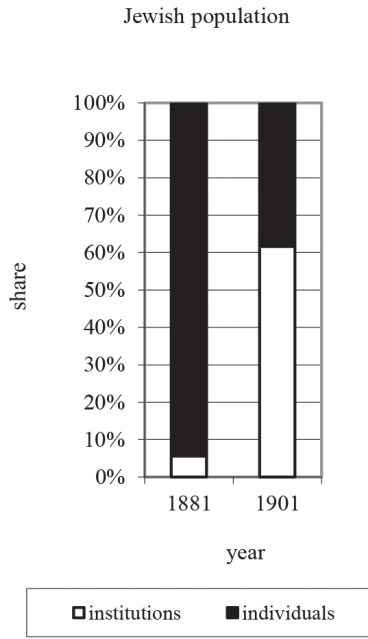
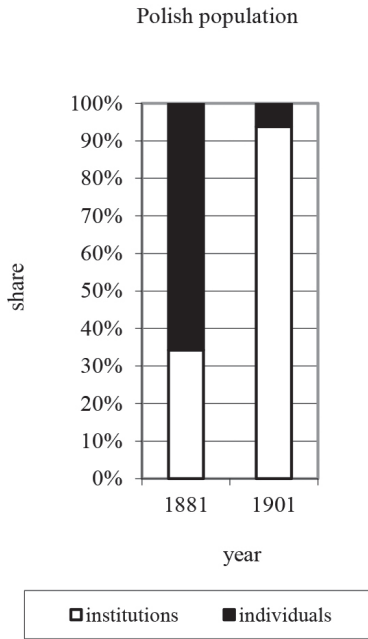
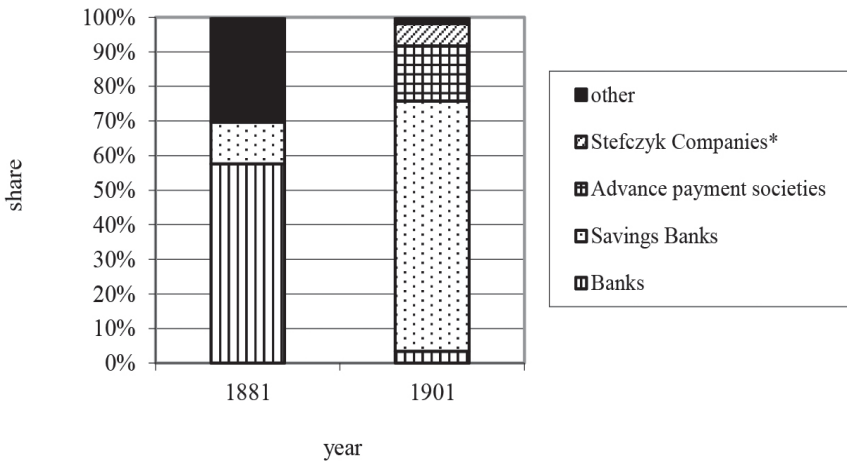


Chart 2.5. Sources of credit in the light of notarial records

Source: same as in Table 1.1.

## Institutional credit

Among the population in the Galician provinces, institutional credit began to gain considerable popularity only in the second of the studied cross-sections below, although, as can be assumed, this phenomenon had advanced earlier as credit institutions developed. In 1881 it was evidenced at best by about 30% of loan documents, in 1901 by at least 60% (and in some cases more than 90%). Its source was the financial institutions known since at least the 1840s. Over time, the institutions began to diversify by directing their offers also, or perhaps primarily, to the indigent sections of society. The offers were used to a large extent by farmers, as before, in need of financial support in difficult situations, in order to enlarge their farms or make necessary investments, but also by the urban population.



**Chart 2.6. Institutional credit in the light of notarial records  
from provincial law offices\*\***

\*savings and loans companies

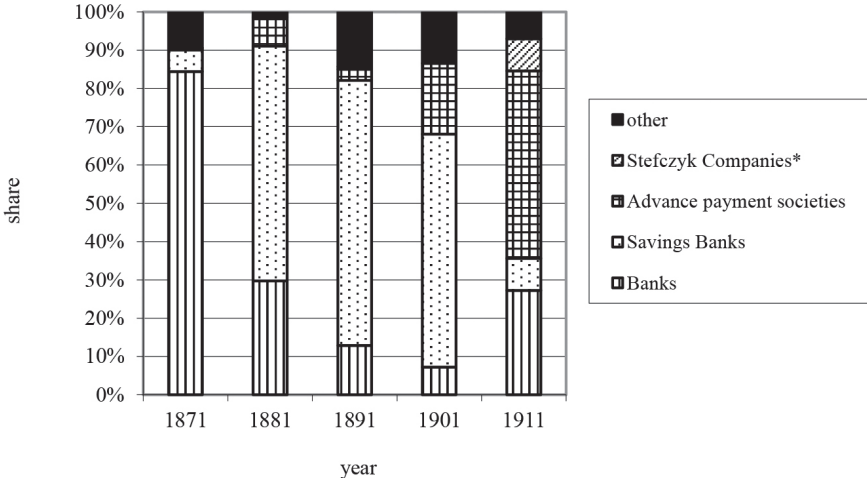
\*\*without Rzeszów law offices

Source: same as in Table 1.1.

The relevant literature on this subject classifies the financial institutions differently. For the purposes of the present discussion, the following division may be assumed:

- credit societies and joint-stock banks offering high long-term loans (cf. the Land Credit Society, the Galician Land Credit Company, the National Bank of the Kingdom of Galicia and Lodomeria, etc.);

- small credit institutions: savings banks, loan societies, advance payment societies (e.g. based on Schulze’s model), Stefczyk savings and loan companies (based on the model of the Raiffeisen companies);
- others: e.g. orphan funds, provident association, corporate funds.<sup>520</sup>



**Chart 2.7. Institutional credit in the light of notarial records from Rzeszów law offices**

\*savings and loan companies

Source: same as in Table 1.2.

The structure of creditors shows the evolution of credit relations, in which, over time, small-credit institutions with local savings and loan associations at the forefront gained dominance (Charts 2.6 and 2.7). Interestingly, in the case of small-town law offices, this phenomenon seems to be somewhat delayed (as evidenced by the similarity of the cross-sections from 1881 – the provinces and 1871 – Rzeszów). In fact, however, it rather points to the sparse distribution of the credit offer of the time, initially available only in larger towns. When, as already mentioned, the number of various provincial societies increased in the following years, there was an outflow of clientele from the law offices of cities hitherto favoured, probably to centres closer to the contracting parties’ place of residence. As illustrated by Rzeszów law offices, this is expressed by a decline in the number of promissory notes recorded with the participation of savings and loan societies, which were very popular in the 1880s, and a whole range of

<sup>520</sup> *Idem, Badania nad dziejami instytucji finansowych w Galicji, in Galicja 1772–1918, p. 152–166.*

which is included in the source of the present study.<sup>521</sup> Another characteristic phenomenon was a noticeable decrease in the number of loan documents involving banks and credit societies in all law offices, although there were still several such institutions operating in Galicia in 1915.<sup>522</sup>

Women used the offers of all these entities. Their share in relation to men fluctuated only slightly, oscillating around 1/3 of borrowers. They are least frequently found as clients of banks offering large loans.<sup>523</sup> In the period when these institutions enjoyed relative popularity (1870s and 1880s), their female clients accounted for nearly 20% of borrowers from various social circles, from the landed gentry to peasants. However, this offer did not meet with a wider response from female residents of cities and towns.

According to loan documents, savings and loan associations were the largest source of credit, displaced in the early 20<sup>th</sup> century by local advance payment societies. In the last years before the First World War, Stefczyk savings and loans companies also made their presence felt. These were institutions offering small credit on favourable terms. In 1901, female peasants, housewives and other female rural residents accounted for as much as 88% of the female clientele of these institutions. The vast majority (65%) took out loans jointly with their husbands (on average 400 Rhenish zlotys), probably for investment purposes, although it can be assumed that dowry obligations were also a significant motivation here. Less numerous and lower in number (up to 300 Rhenish zlotys) were loans granted to women individually. The reasons might be similar, however existential issues could play a bigger role here.

In urban areas, the size of loans was at a similar level. However, the proportion of women using the services of credit institutions was higher (40% in relation to men, cf. rural areas – about 30%). On the other hand, there were no significant differences between the situation of men and women when it comes to the structure of loan capital sources: in both cases, it bore marked resemblance, which can be seen from the documents from all the analyzed law firms. However, the proportions were reversed in favour of women who borrowed alone. Unlike in the villages, here they accounted for more than 65%, so it seems that the funds acquired in this way may actually have been used for subsistence in difficult moments in life or, less frequently, the purchase of property.

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<sup>521</sup> Sz. Kozak, *Obszary aktywności*.

<sup>522</sup> National Bank of the Kingdom of Galicia and Lodomeria, Joint Stock Mortgage Bank in Lwów, Joint Stock Cooperative Bank S.A., Industrial Bank for the Kingdom of Galicia and Lodomeria from the Grand Duchy of Kraków, Galician Merchant Bank SA, Galician People's Bank for Agriculture and Trade SA, Land Mortgage Bank SA, Land Credit Bank SA, Galician Bank for Trade and Industry in Kraków. Quoted from: G. Zamoyski, *Badania nad dziejami*.

<sup>523</sup> *Ibidem*.

## Trading in bills of exchange and receivables

Non-cash capital usually occurred in one of two forms – acceptance of bills of exchange or cessions of claims. Accepting a bill of exchange consisted of a third party accepting it and committing to repay it, which did not at all mean the end of further speculations as it could be resold. This form of capital trading was still fledgling in the 1880s. Over time, however, it lost out to other activities – loans or deletions of sums of money from the registry (the so-called *extabulations*). Women's participation in these operations varied quite widely. In rural areas, it ranged between 20 and 29 per cent compared to men, and was slightly higher in urban areas. Women accepting bills of exchange appeared proportionally quite frequently, especially in 1901 (Table 2.10).

On a considerable scale, this phenomenon was observable in the materials from law offices located in local administrative and judicial centres. More than 2/3 of the women accepting bills of exchange in the law offices in Rzeszów between 1871 and 1911 were representatives of Jewish nationality.<sup>524</sup> It was also the only category of activities in which they outnumbered men.<sup>525</sup> Some of them achieved a clear dominance in this area, Feiga Meth accepted, for example, in 1911 as many as 9 bills of exchange for a large amount – 9 thousand Rhenish zlotys, Perla Engelhardt in 1881 – 6 bills of exchange for 1,360 Rhenish zlotys, Rachela Klinger in 1871 also 6 bills of exchange for 207 Rhenish zlotys.<sup>526</sup> Thus, these were amounts not infrequently exceeding the value of the previously discussed loans.

The cession of claims usually amounted to the resale of rights to the sum owed (taking the colloquial name of 'trading in bills of exchange'). Mostly these were small amounts. In the countryside, this practice did not play a significant role, while in towns and cities it was recorded only among the Jewish population, and it is worth noting that in comparison with acceptances, the position of women was not as pronounced.

Actions described as derivative financial operations most often concerned the termination of the debt relationship (or any financial obligations) and the personal collection of the amounts due. In the first case, this was expressed by an *extabulation*, i.e. a declaration authorizing the entry of the deletion of the amount due in the books of the mortgage registry; in the second, by the so-called repayment acknowledgement (in Polish: *akt doliczenia*).<sup>527</sup>

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<sup>524</sup> *Vide*: „Głos Rzeszowski” 1898, no. 6, p. 1.

<sup>525</sup> *Vide*: Sz. Kozak, *Aspekty*, p. 289–290.

<sup>526</sup> *Ibidem*, p. 290.

<sup>527</sup> *Vide: idem*, *Rzeszowskie akta*, p. 194–196.

In the countryside, one in three people requesting the cancellation of encumbrances was a woman, unlike in the cities, where the ratio was only 5% for the Polish population and 12% for the Jewish. The more favourable proportions in the countryside may have been due to its specificity. This is because the land registers there recorded not only loan encumbrances, but also property divisions, easements etc., the variety of which, due to the ownership of farmland, could be much greater. Women, as already mentioned, were the sovereign owners of these properties and could *intabulate* various sums on them, i.e. encumber them with entries in the land registry. They received these lands mainly from dowry bequests and usually passed them on later as dowries to their children. This peculiar autonomy, resulting from the differentiation of the sources of individual parcels within the farm (into those coming from the husband and those from the wife), may have had the effect of making rural women somewhat more active in this particular area.

In the cities, this phenomenon took a more modest form, although due to significant limitations of source materials, it requires further research, supported by other sources. Other types of financial activities involving women were quite rare: in particular, dowry capital, which is mentioned in numerous documents, but is unlikely to have been the direct subject of a legal transaction (e.g. a donation or an actual bequest), usually in the form of an obligation deferred into the indefinite future.

The most numerous credit relationships presented here, however, indicate a keen interest on the part of the female part of society. Despite the somewhat late start of credit offers, women were actively involved in this sphere of economic life, which also indirectly demonstrates their active attitude towards family and farm economics. Small credit, available on a mass scale, was a new phenomenon; its receipt required several conditions, but it did not violate traditional attitudes. It is significant that, in this case, a woman was able to make use of it on an equal footing with a man and was not discriminated against in this as in trading in real estate

# Work as a form of economic activity

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## 1. Women's occupational activation in the 19<sup>th</sup> century

The development of capitalist relations in the nineteenth century and the accompanying modernisation processes entailed the inclusion of women in the labour market. The scale of this not entirely new phenomenon until then had not reached such proportions, which is why it became a social problem. The education system for women, legal norms, but above all a range of phenomena involving the mentality of the time, including moral norms, required revision. In feudal society, women from the lower strata were gainfully employed. Merchant women, tradeswomen and maidservants were a natural part of the Polish landscape in the pre-partition era. In the nineteenth century, the catalyst for professional activation was the progressive industrialisation of the Polish lands from the middle of the century, which resulted, among other things, in a gradual increase in the number of non-agricultural workers. In the countryside, women's work was a culturally well-established part of everyday life, especially if it was alongside her husband on a shared farm with the traditional division of roles. The effects of enfranchisement and the modernisation of society, which resulted in the formation of new social groups built on property and occupational status (intelligentsia, petite bourgeoisie, labourers), were also to leave an imprint on the position of many women.<sup>528</sup> The overcrowded countryside sought better prospects in cities and towns offering mostly hired labour. The impoverished landed gentry or nobility had to settle for white-collar occupations or even crafts or trade.

The pauperisation of many families from different social circles was a direct factor in these processes. In order to ensure the family's basis of existence,

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<sup>528</sup> H. Madurowicz-Urbańska, *Praca jako czynnik kształtowania struktur społeczno-zawodowych w przemyśle feudalnym i kapitalistycznym w Polsce (tezy)*, in *Pamiętnik XII Powszechnego Zjazdu Historyków Polskich 17–20 września 1979 roku*, part 1, sections I–IV, Katowice 1979, p. 199–211.

women increasingly had to leave the home environment provided for them by centuries of tradition in search of outside gainful employment.

Women's labour force participation in the 19<sup>th</sup> century took various forms. Alongside economic coercion, it also stemmed from the aspirations of the growing emancipation movement. Women's economic independence was an important, if not the most important, slogan in feminist circles, rising (alongside political rights) to the role of the foundation of equality. The need for self-fulfilment also was an important factor. These aspects interacted with varying degrees of intensity depending on the particular social environment.

For the most part, women in the labour market were treated as unskilled labour and their gainful activity due to environmental pressures had to bear the mark of temporariness. Professional work was mainly associated with men, due to their centuries-old predestination to be active in the public space. In the initial phase of urbanisation and modernisation in the mid-19<sup>th</sup> century, women's work outside home had not yet gained social acceptance in the Polish lands. As time passed, however, it became increasingly common. Both married (including mothers with children) and unmarried women, especially in the last quarter of the 19<sup>th</sup> century, increasingly often resorted to various gainful occupations. Employment opportunities even at the turn of the 20<sup>th</sup> century, in both manual and white-collar work, were very limited for them, and the whole process of women gaining a foothold in the labour market evolved gradually. The cautious approval of women's career aspirations at the turn of the 20<sup>th</sup> century stemmed from the fact that society started to notice purely utilitarian benefits. As Anna Żarnowska writes, "such a perspective began to be perceived as the only, albeit inferior, possibility of providing a woman with a means of subsistence in the event of widowhood or lack of chances of finding a husband".<sup>529</sup>

Throughout the nineteenth century, the most open market appeared to be for domestic servants, a kind of stepping stone on the career ladder. This was a phenomenon of continental scale, typical of both large cities with well-developed economic functions and small but numerous provincial towns. Domestic servants were the most numerous occupational group of women in 19<sup>th</sup> century Europe. Only in Britain was this group outnumbered by female industrial workers.<sup>530</sup> The source of recruitment was primarily the countryside. According to Michał Kopczyński, this occupation facilitated women's relatively 'smooth transition' from the provincial reality – devoid of economic prospects – to cities offering higher incomes.<sup>531</sup> At the end of the nineteenth century and

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<sup>529</sup> A. Żarnowska, *Praca zarobkowa*, p. 39.

<sup>530</sup> M. Kopczyński, *Slużba domowa jako grupa zawodowa w Europie XV–XX w.*, in *Kobieta i praca*, p. 71–75.

<sup>531</sup> *Ibidem*, p. 75.

especially before the First World War in many European countries, however, one can observe a tendency for this form of earning to decline in favour of the service sectors – trade, finance or office work.<sup>532</sup> In metropolitan Warsaw, as late as 1892, there were as many as five maidservants for every one female labourer; by 1913 there were only two.<sup>533</sup> Apart from new job offers, the explanation for this phenomenon could be the development and gradual dissemination of innovative technical solutions supporting household work, the expansion of the service market or gradual changes in mentality.<sup>534</sup>

The mass entry of women into the labour market took place at the end of the 19<sup>th</sup> century with the development of the textile industry.<sup>535</sup> In 1912 female textile workers in the Kingdom of Poland accounted for as much as 74% among female industrial workers.<sup>536</sup> At the end of the nineteenth century and in the first decades of the twentieth century, the proportion of women among the total workforce was approaching that of the most industrialised countries in Europe at that time.<sup>537</sup> Despite the unquestionable impact of industrialisation on the process of women's professional activation, their significant share in other non-industrial fields of employment, with agriculture at the forefront, still persisted.

In addition to women from impoverished peasant circles, professional activation extended to other circles, including the impoverished gentry and intelligentsia. At the end of the nineteenth century, many of these women were employed in the manufacture of clothing, including luxury haberdashery, embroidery and lace, i.e. cottage industry work traditionally considered feminine. A Polish peculiarity was the political and patriotic thread interwoven into the economic tapestry. The gainful employment of a landed woman, who lost her husband's property and traditional means of subsistence as a result of the post-Uprising repressions, gained serious recognition and social acceptance.<sup>538</sup> Earnings sanctified in this way contributed to prestige, constituting a kind of political demonstration.

Although women mostly lost out in the competition with men in the labour market, the early 20<sup>th</sup> century saw the emergence of industries that were largely feminised. In the garment industry of both Galicia and the Kingdom of Poland, their share exceeded 40%. Before the First World War it was common

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<sup>532</sup> *Ibidem*, p. 74.

<sup>533</sup> A. Żarnowska, *Kierunki aktywności zawodowej kobiet w Polsce XX w. (do 1939 r.)*, in *Kobieta i edukacja*, vol. 2, p. 165.

<sup>534</sup> M. Kopczyński, *op. cit.*, p. 73.

<sup>535</sup> A. Żarnowska, *Kierunki aktywności*, p. 162.

<sup>536</sup> *Ibidem*.

<sup>537</sup> *Ibidem*.

<sup>538</sup> *Ibidem*, p. 163.

to find female personnel in tobacco and cigarette tube factories, or in the paper, wood or food industries. Industry, apart from agriculture, created the widest opportunities for women to earn a living.

Economic coercion, when confronted with traditional society's reluctance to challenge prevailing patriarchal patterns, became one of the reasons for the revision of views on women's education. This clash was also compounded by fears of the demoralising influence of industrial plants (now with accessible workplaces for them) where contact between the two sexes was an unacceptable everyday occurrence. Craftsmanship with its cottage industry nature was to prove to be the remedy. In the 1870s and 1880s a kind of craft fever broke out in the society.<sup>539</sup> In Warsaw alone, 7 women's training establishments and 24 *ad hoc* craft courses were set up between 1869 and 1883.<sup>540</sup> However, only girls from the more affluent strata could afford to participate in this education.<sup>541</sup> At the turn of the nineteenth and twentieth century, real prospects for women from impoverished landed gentry and intelligentsia families were also created by pedagogical work, treated as a social mission but also caused by difficult material circumstances.

The issue of women's professional qualifications and the related availability of education, including higher education, remains relevant to the issue under discussion here. As late as the turn of the twentieth century, even girls from well-to-do families did not have much chance of working in any occupation after completing secondary school, and, furthermore, the general educational track was particularly favoured among them.<sup>542</sup> The disproportion in the occupational structure between female industrial/cottage workers and female white-collar workers was becoming huge.<sup>543</sup> In Galicia in 1880, there were more than 1500 women working as teachers, hence it was the most popular white-collar profession at the time. However, the number of men employed in education outnumbered women by almost six times!<sup>544</sup>

This situation was about to change, but the process of women entering the white-collar professions was very slow. A woman with a higher education (obtained with considerable difficulty), wishing to achieve the position she deserved on the labour market, had to overcome considerable male competition. In the last two decades of the 19<sup>th</sup> century, female doctors, pharmacists and bookkeepers began to appear in Poland. In 1910, 40% of Warsaw dentists

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<sup>539</sup> Z. Chyra-Rolicz, *Pionierki w nowych zawodach na początku XX w.*, in *Kobieta i edukacja*, vol. 2, p. 222.

<sup>540</sup> *Ibidem*.

<sup>541</sup> *Ibidem*, p. 227.

<sup>542</sup> A. Żarnowska, *Praca zarobkowa*, p. 30.

<sup>543</sup> *Eadem*, *Kierunki aktywności*, p. 166.

<sup>544</sup> Own calculations based on „Rocznik Statystyki Galicji” 1886, Vol. 1, Lwów 1887, p. 25–27.

were women.<sup>545</sup> However, they were merely “pioneers in the new professions” – as Zofia Chyra-Rolicz described them.<sup>546</sup> Professions which, seemingly, were reserved in the social mentality only for men. The practice of a notary public or a barrister remained inaccessible, and there were many more similar unattainable spheres in the 19<sup>th</sup> century.

## 2. Women and the occupational structure of Galicia

Research on the socio-occupational structure of Galicia was mainly based on official statistics. Despite this, it can be said with some simplification that attempts have rarely been made to present the issue as a whole, focusing either on selected areas of the economy or treating them from a regional perspective.<sup>547</sup> Against this background, women’s issue seems to be an extremely neglected phenomenon. There are no major monographic works devoted to the place of women in the professional structure of Galicia, although such a problem is not completely alien to our historiography.<sup>548</sup>

During the period of autonomy, Galicia was a country with a marked, although slightly decreasing over time, predominance of the rural population. However, this predominance did not melt too quickly and thus the occupational structure did not undergo too radical a transformation over several decades. If in 1880 nearly three quarters made a living from agriculture and forestry, thirty years later these proportions had changed only marginally.<sup>549</sup> Among all Austrian countries, Galicia was second only to Dalmatia in this respect. Occupational diversity throughout the period was very low. Representatives of industry and crafts, commerce and labourers were less numerous compared to farmers, as the share of each of these groups did not exceed 10%.<sup>550</sup>

The diversification of the occupational structure was facilitated by the urbanisation process taking place during this period. However, this phenomenon was limited in scope and concerned larger cities,<sup>551</sup> to which

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<sup>545</sup> Z. Chyra-Rolicz, *op. cit.*, p. 227.

<sup>546</sup> *Ibidem.*

<sup>547</sup> K. Broński, *Struktura społeczno-zawodowa*, p. 5–20; A. Burzyński, *Statystyka austriacka i krajowa jako źródło do badań nad strukturą społeczno-zawodową zatrudnionych w przemyśle ciężkim w Galicji*, „*Studia Historyczne*” 1983, R. 26, issue 2, p. 223.

<sup>548</sup> *Vide*: Sz. Kozak, *Kobiety w życiu gospodarczym Galicji. Stan i perspektywy badań in Region i regionalizm w archeologii i historii*, ed. J. Hoff, S. Kadrow, Rzeszów 2013, p. 174–183.

<sup>549</sup> J. Kłapkowska, *op. cit.*, p. 119, 125.

<sup>550</sup> *Ibidem.*

<sup>551</sup> K. Broński, *Struktura społeczno-zawodowa*.

the stream of emigration from both the countryside and small towns was directed. The industrialisation of the provinces progressed much more slowly. Galicia's population density rate (102 persons per km<sup>2</sup>), typical of an industrial country, was not reflected in the real economic situation.<sup>552</sup> As a result, it still retained an occupational structure typical of an agricultural country.<sup>553</sup>

Attempts to reconstruct it, made since the beginning of institutionalized forms of statistical research in Galicia, encountered a number of problems. Serious complications arose not only from the peculiarities of the nineteenth-century labour market, but also from the reliability of source materials, as Bujak himself had already noted.<sup>554</sup> This affected the situation of women in a particular way. As Walentyna Najdus writes: "if the main inhabitant of a flat in Kraków, filling in the census sheet during the 1880 census, in the column 'profession, occupation' indicated that his wife was a seamstress or a corset maker, or that she helped him in the shop, the census commissioner crossed out this information and replaced it with the stereotypical statement for a woman 'in housekeeping' or 'with her husband'".<sup>555</sup>

Despite this, the extent of actual female employment in Galicia can be estimated at ten or more percent (1880 – 10%; 1890 – 11%; 1900 – 12%; 1910 – 15% respectively).<sup>556</sup> If, additionally, this statistic included those treated in the censuses as 'helping members of family', these rates could rise to as high as around 50%.<sup>557</sup> Their main source of employment was agriculture – about 88%–90% (similar to men, by the way). About 10% supported themselves by working in services, public administration or as servants; only a few percent worked in industry and crafts.<sup>558</sup>

Official statistics show that women gained a decisive advantage over men in the staffing of relatively few professions, in addition to those in line with their traditional area of vocation. They accounted for nearly three quarters of the lower medical staff and more than 60 per cent in educational and charitable establishments.<sup>559</sup> The garment and food industries were very popular, but

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<sup>552</sup> J. Kłapkowska, *op. cit.*, p. 129.

<sup>553</sup> T. Gąsowski, *Urbanizacja*.

<sup>554</sup> F. Bujak, among other things, highlights this issue, writing that the question of socio-occupational stratification "is treated incidentally in population censuses, so its results should not be taken too strictly into account". *Vide: idem, Galicja*, vol. 1, Lwów–Warszawa 1908, p. 132.

<sup>555</sup> W. Najdus, *Zmiany*, p. 237–238.

<sup>556</sup> Sz. Kozak, *Kierunki aktywizacji*, p. 116.

<sup>557</sup> *Ibidem*, p. 107, 115.

<sup>558</sup> *Ibidem*, p. 107.

<sup>559</sup> Own calculations on the basis of „Rocznik Statystyki Galicji” 1886, Vol. 1, Lwów 1887, p. 26–27.

mostly based on manufactory production. However, interest in employment as a maidservant was declining. This state of affairs survived in the provinces with only minor changes until the First World War.<sup>560</sup>

At a time of industrialisation in Europe, the industrial labour market proved to be the most absorptive for women. This area of the economy in Galicia, however, was one of the least developed in comparison to other regions of the Habsburg monarchy.<sup>561</sup> Nevertheless, heavy industry (dominated here by coal mining, ore mining, metallurgy, salt or oil industry) was open to women's labour in factories, albeit on a smaller scale than in the case of male employment. The involvement of women in this field increased during periods of poor prosperity.<sup>562</sup> According to Burzyński, employment declined most rapidly in the best growing branches, namely coal mining and the oil industry.<sup>563</sup> Statistics on the insured persons in mechanised enterprises, show a systematic increase in the number of women employed between 1890 and 1910. However, they did not keep pace with men in this respect. If official figures are to be believed, their numbers increased by 44% during this two-decade period, while male employment increased by as much as 175%.<sup>564</sup> As a result of the limited development of factory industry, Galicia's industry was largely based on crafts, mostly taking the form of cottage industries.<sup>565</sup> One of the most important determinants of its occupational structure therefore still remained agriculture.

Any occupational divisions might be most clearly seen in the group of women living in cities with developed administrative and economic functions. Large agglomerations such as Warsaw in the Kingdom of Poland or Kraków in Western Galicia are excellent examples. Although it is impossible to compare these two cities, they both show a striking phenomenon: a significant group of women without (at least officially) any employment. In Kraków in 1880, more than 60% of women were dependants (for men the rate was almost half as high).<sup>566</sup> Ten years later, in provincial Rzeszów it was also as high as 67% (43% for men).<sup>567</sup> In the case of other provincial towns such research is still too little advanced to make comparisons, although it should be assumed that

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<sup>560</sup> „Wiadomości Statystyczne o Stosunkach Krajowych” 1905, vol. 20, issue 2.

<sup>561</sup> S. Misztal, *Przemiany w strukturze przestrzennej przemysłu na ziemiach polskich w latach 1860–1965*, Warszawa 1970, p. 96–99.

<sup>562</sup> A. Burzyński, *Robotnicy*, p. 43.

<sup>563</sup> *Ibidem*, p. 44.

<sup>564</sup> Own calculations based on „Podręcznik Statystyki Galicji”, vol. 7, part 2, Lwów 1904, p. 187; *ibidem*, vol. 9, part 2, Lwów 1913, p. 242.

<sup>565</sup> K. Broński, *Rozwój gospodarczy*, p. 49–50.

<sup>566</sup> L. A. Zyblikiewicz, *Kobieta*, p. 108, 148.

<sup>567</sup> Data based on the research Rzeszów census carried out by J. Kordzikowska.

their percentage (in the light of population censuses and official statistics) may have been as high or even higher.<sup>568</sup> One may wonder what these women did for a living, as a significant proportion of them were of working age. Another characteristic phenomenon was the large (reaching over 50% of the economically active) share of women employed as servants. The popularity of this form of employment was quite high in the 19<sup>th</sup> century, although, as already mentioned, it declined over time. According to Jadwiga Hoff's research, domestic servants in general accounted for up to 50% of the group of hired workers in Galicia during the years of autonomy (who, incidentally, prevailed in the socio-occupational structure of small towns until the end of the 19<sup>th</sup> century).<sup>569</sup>

**Table 2.12. Structure of the declared occupation of contracting parties**

Occupational category	1881		1901	
	W	M	W	M
Agriculture	38.34%	44.47%	57.89%	50.80%
Property owner	21.98%	21.83%	4.78%	4.83%
Owner of an estate	3.31%	2.43%	3.12%	4.11%
White-collar	0.08%	2.11%	0.03%	6.17%
Trade	0.91%	2.74%	0.99%	2.64%
Dependant	4.46%	1.53%	2.10%	0.79%
Entrepreneur	0.50%	2.34%	0.23%	1.76%
Labourer	1.57%	2.61%	0.29%	0.80%
Crafts	0.58%	2.11%	0.03%	0.89%
Services	0.17%	0.90%	0.09%	0.27%
Tenant	0.00%	0.58%	0.00%	0.08%
Military	0.00%	0.13%	0.00%	0.12%
Other	0.08%	0.40%	0.00%	1.17%
Unspecified	11.82%	4.18%	3.88%	1.07%
No data available	16.20%	11.64%	26.57%	24.50%

M – men, W – women

Source: same as in Table 1.1.

<sup>568</sup> *Vide*: Sz. Kozak, *Mieszkańcy Przeworska*.

<sup>569</sup> J. Hoff, *Spoleczność*, p. 38–39.

Women mastered this profession on a considerable scale. Compared to men, their share was, for example, in Łańcut, 88.8%,<sup>570</sup> in Rzeszów in 1890 – 77.3%, in Przeworsk in 1900 – 70.1%,<sup>571</sup> with the vast majority not usually reaching legal majority (i.e. 24 years of age). Between 1880 and 1910, the number of women earning their living as servants decreased by 20%.<sup>572</sup>

Notarial records include information on occupation in addition to place of residence. However, they are not sufficient to reconstruct a professional structure, regardless of gender. The problem here is not only the limited representativeness (the community of clients of a notary's office never comprised 100% or even a relative majority), but the variety and subjectivity of the criteria by which notaries made their professional qualification. The terms encountered in the files were vague, imprecise and sometimes ambiguous and, most importantly, not mutually exclusive. As a result, *a merchant* or *a shoemaker* could be *the property owner* at the same time.

However, the structure of the occupational-ownership declarations of the notary's office clients was less diverse in the female edition, and this trend strengthened over time (Table 2.12). Fairly general categories such as peasants, property owners and estate owners accounted for more than half of them in 1881 and as much as 63% in 1901. Leaving agriculture aside, because of its broad conceptual scope, the remaining terminology referred rather neutrally or even passively to occupational matters. The situation was most vividly seen in the urban environment, where specific declarations indicating a profession or gainful occupation characterised less than 8% in 1881 (in the case of men, as much as over 40%). After twenty years, however, there was a slow diversification of this structure: thanks to the interest in trade and services and the specific urban form of agriculture, women appearing in notarial documents and declaring some form of income already accounted for more than 1/4 (men, however, as much as over 60%) of clients. It is therefore likely that all of these female property owners, women with an unspecified mode of earning a living (private, citizens, city-dwellers) or simply characterised as wives, daughters, etc. were in reality dependent on their husbands, children or extended family, and most likely derived small profits from renting out part of their properties or may have engaged in some temporary form of cottage industry. The picture that emerges from this is of the employment structure of female residents of the Galician provinces. If not agriculture, then the active forms of occupation, such as mainly hired labour and trade, would have provided their livelihood. The others, i.e. the various varieties of crafts, services or white-collar occupations concerned only a few.

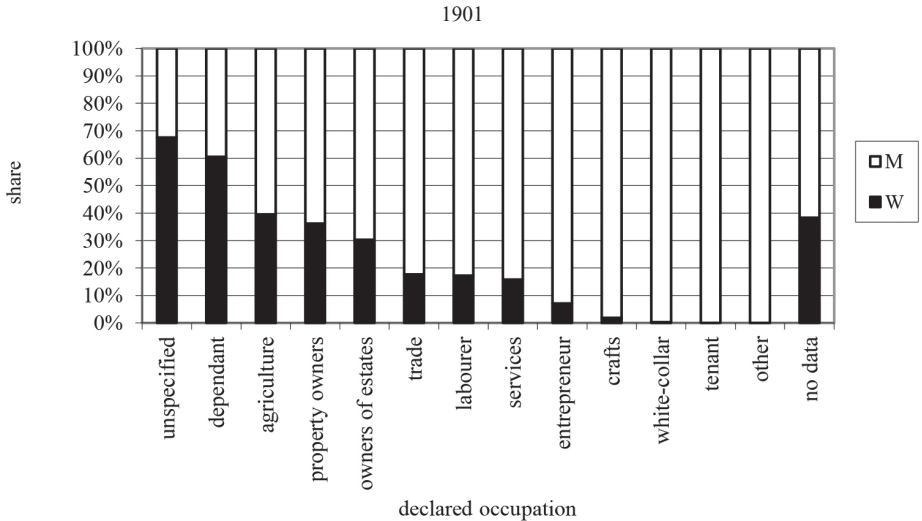
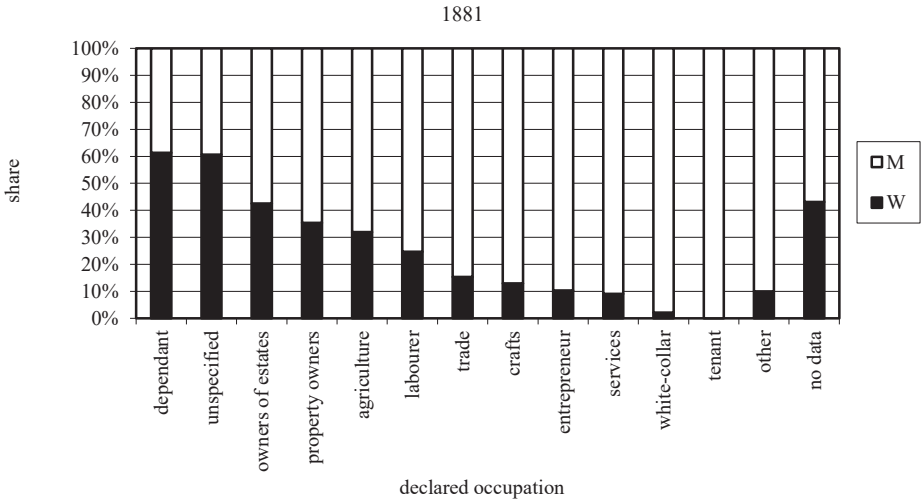
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<sup>570</sup> *Ibidem*, p. 40.

<sup>571</sup> Sz. Kozak, *Mieszkańcy Przeworska*, p. 86, 107.

<sup>572</sup> *Idem*, *Kierunki aktywizacji*, p. 112.

This phenomenon becomes even more pronounced after the analysis of the feminisation of the different occupational-ownership groups (Chart 2.8). If women accounted for 1/3 of the contracting parties, all specific gainful occupations fell well below this threshold.



M – male W – female

**Chart 2.8. Feminisation of occupational and ownership groups occurring in notarial deeds**

Source: same as in Table 1.1.

Only those parties not indicating any occupational category and declaring someone else directly as their source of income exceeded it twice. On the other hand, agriculture or property owners, understood very broadly, few owners of estates, and at a much lower, but noticeable level, the previously mentioned hired labour, services and trade, started to draw increasingly near the above threshold.

Such a range of work offers appears in some parts to be similar to the picture presented by the general-Galician statistics. In the provincial version, however, it was both more modest and less varied and certainly vague. Let us also remember that it was a picture shaped by the eyes and the pen of a notary, and, in addition, only for a small part of the population.

### 3. Work and professional identity

“A woman is a zero if a man does not stand beside her as a complementary digit”,<sup>573</sup> Eliza Orzeszkowa wrote in *Marta* [*Martha*]. If we look at some nineteenth-century sources, such as cemetery epigraphs, this statement becomes abundantly clear. Apart from the roles played in the family, a woman’s socio-professional position, which was usually only rarely accentuated anyway, was determined in tombstone inscriptions by lists of virtues containing her husband’s achievements and work. Very rarely among these inscriptions are there data on a woman’s activities beyond the sphere of private life.<sup>574</sup> Thus, she was an assessor’s wife, a shopkeeper’s wife, more often a beloved mother and wife, but her actual professional position, if it was definable at all, was no cause for pride.

As established above, it is not possible to reconstruct the occupational structure on the basis of notarial documents as is the case with population censuses. However, it is possible to infer some of its elements. The gradation of professions and occupations used by notaries seems haphazard and of little use in terms of *what they represent*. However, if we try to think about the question of *how they represent* a woman in the context of her occupation, we might, given the massiveness of the source material, see her actual role and attitude to professional work.

The terms appearing in notarial acts as terms of classes were characterised by varying degrees of concretisation. For the purposes of this study, 4 levels can be distinguished at which the phenomenon in question developed differently. *Level I* includes unambiguous terms that make it possible to distinguish elements of

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<sup>573</sup> E. Orzeszkowa, *Marta*, Warszawa 1970, p. 165.

<sup>574</sup> W. Najdus, *Zmiany*, p. 237.

the professional structure. It includes such categories as: *mercator, lawyer, teacher, clerk, etc.* *Level II* is composed of terms that do not indicate any closer links with gainful employment or are too general: *property owner, estate owner, peasant.* The criterion for their distinction is based more on the ownership category than on the occupational category. Due to the specificity of the labour market of the time, only agriculture can be singled out as a source of livelihood, but already without property stratification. *Level III* with the lowest degree of concretisation concerned terms not at all related to occupational structure, occupation or property status. The terminology occurring here usually indicates various types of family relationships (*wife of a merchant, daughter of a carpenter*) or status (*widow, private person, citizen, dependant, etc.*). Since a large number of entries did not contain any information on occupation, state or family connections, it was therefore necessary to create a *Level IV* for them (Table 2.13–2.15).

**Table 2.13. Declared occupation of parties by degree of concretization\*  
(by sex and place of residence)**

Level of concretization	Year			
	1881		1901	
	W	M	W	M
	Town			
I	8.80%	33.17%	11.29%	47.84%
II	48.24%	46.15%	43.26%	30.98%
III	34.86%	15.15%	26.33%	8.24%
IV	8.10%	5.53%	19.12%	12.94%
	Village			
I	2.81%	10.45%	0.47%	4.28%
II	78.94%	83.31%	84.29%	85.44%
III	10.92%	3.24%	4.89%	1.65%
IV	7.33%	3.00%	10.35%	8.63%

\* provincial law offices without Rzeszów

W – women, M – men

Source: same as in Table 1.1.

Taking this perspective, it is easy to see the differences between urban and rural areas. In the case of rural population, the absolute majority of entries (irrespective of gender) were characterised by Level II concretization; terms within Level I, best reflecting occupational differentiation, were relatively

sparse here. There may have been several reasons: the differences were mainly due to the specificity of the rural labour market, based on farm production. Only in the villages of the Chrzanów powiat did the Level I indicators turn out to be slightly higher (for both men and women), which may have been due to the mining industry developing in the area. In addition to typical *farmers*, *farm owners* or *peasants*, it is more common to find labourers (i.e. hired workers) there than elsewhere. The rural population, for the most part homogeneous in terms of employment structure, was nevertheless diversified in terms of property, as the diary literature sources inform us. The terminology used in the notarial records no longer reflects this stratification.

**Table 2.14. Concretisation of the occupation of contracting parties in Rzeszów law firms**

Level of concretisation	Year			
	1881		1891	
	W	M	W	M
I	3.98%	47.21%	6.75%	56.50%
II	13.93%	18.40%	32.80%	34.99%
III	4.98%	3.35%	18.65%	4.82%
IV	77.11%	31.04%	41.80%	3.69%
	1901		1911	
I	10.04%	69.62%	6.90%	48.81%
II	32.22%	23.15%	49.70%	46.47%
III	41.00%	3.47%	23.94%	1.68%
IV	16.74%	3.76%	19.47%	3.04%

W – women, M – men

Source: same as in Table 1.2.

In contrast to the cities, Levels III and IV with the lowest and zero degree of concretisation were also less numerous. It can be presumed that in this case professional identity, more strongly than in the city, was determined by the place of residence (here imposing a specific but rather general professional sphere). In the perception of the notary, it was natural that the inhabitant of a village was simply a *peasant* engaged in nothing but *agriculture*, regardless of whether they were wealthy farmers, farmhands or village grandmothers. If there were other terms next to the first and last name, they usually reflected family relations – *daughter*, *son*, *with parents* and referred to minors or dependants (not running their own farms). However, these cases were much

rarer than in the towns, as were the few representatives of Level I – e.g. craftsmen producing for the rural market.

In the cities, a shift of focus towards Level I concretisation was characteristic. As before, this mechanism can be explained by the different characteristics of the labour market compared to the countryside, which was more open to crafts, services, trade or white-collar occupations, and therefore more easily differentiated. The dynamics of this process in towns depended on their size and rank. As late as the 1880s – Pilsno or throughout the period under study – Liszki more closely resembled rural realities in this respect. Over time, however, there were discernible shifts in many towns that deepened the gap over the countryside in the early 20<sup>th</sup> century. This process could be observed in detail based on the example of rapidly advancing Rzeszów or cities such as Bochnia and Tarnobrzeg. The professional terminology of the urban population used by notaries was becoming more and more precise, but this phenomenon did not apply to women. Against this background, their overall situation in relation to men was clearly dependent on the place of residence. If in the rural environment, sex was not an important modifier (in both cases, for both men and women, a general nomenclature reflecting Level II prevailed), it was in the cities that this factor appears to be much more significant. Here, a characteristic phenomenon was the weak concretisation of women's occupations and quite high – of men's (Table 2.13). In the countryside, on the other hand, precisely defined occupations disappeared into the mass of farmers, peasants and farm owners. Nonetheless, even if a specific occupational role was played by a woman, this happened less frequently than for men. On the other hand, women were more associated with the family environment as evidenced by their rather significant advantage over men in Level III of concretisation.

From the point of view of a woman's position in the subjective hierarchy of activities (not occupations), the two environments, urban and rural, were similar to some extent. The city, however, seems to represent a somewhat different quality. Whereas in the countryside women were, as it were, blended into the family space, in the city this was counterbalanced by occupational anonymity. Here, the woman acted not only as *a daughter*, living *with her parents*, but as *a private person* hence a much higher share of Level III than in the countryside.

One of the determinants of the above phenomena may have been the presence of a husband. A married couple as one of the contracting parties quite often appeared in the notary's office (although over time there was a growing tendency to eliminate this joint form of contracting), and the professional identity of the woman in certain circumstances was shaped by the profession of her spouse.

Notaries quite often referred to entire marriages by a joint name, hence we have a husband and wife appearing as *shoemakers*, *merchants*, *industrialists*,

*property owners*, etc. We do not know whether this joint declaration resulted directly from the activity of the woman, who helped her husband in his profession, or whether it was conditioned solely by a specific manner of perception. It is known, by the way, that even as late as the 20<sup>th</sup> century there was a group of *helping members of family* in which women predominated. Such phenomena were the reason for the existence of a transitional form of family economic community combining household and workshop. In the countryside they were part of everyday life, but in the cities, they testified to the backwardness of the female labour market.<sup>575</sup> It cannot be ruled out, therefore, that this very mechanism was still at work in the Galician provinces, finding here a favourable ground and support in conditions of weak economic development and low intensity of modernisation processes. Independent professional work by women, either as a result of life's necessity or for ambition's sake, was still not welcomed here, unless it was a continuation of the work of a deceased husband.

**Table 2.15. Influence of nationality on the concretisation of the occupation of a party**

Level of concretisation	Year			
	1881		1901	
	Poles	Jews	Poles	Jews
	in proportion to each other			
I	48.15%	51.85%	17.39%	82.61%
II	78.74%	21.26%	87.12%	12.88%
III	62.26%	37.74%	80.85%	19.15%
IV	62.50%	37.50%	71.05%	28.95%
within the nationality				
I	5.63%	14.00%	2.86%	38.38%
II	59.31%	37.00%	50.71%	21.22%
III	28.57%	40.00%	27.14%	18.18%
IV	6.49%	9.00%	19.29%	22.22%

Source: same as in Table 1.1.

<sup>575</sup> A. Żarnowska, *Praca zarobkowa kobiet i ich aspiracje zawodowe w środowisku robotniczym i inteligenckim*, in *Kobieta i praca*, p. 42.

The formation of a woman's professional identity by her spouse's situation can be observed in rural and urban areas. In the countryside, the level of professional concretisation of women increased when she was a contracting party together with her husband and the profession was non-agricultural. In notarial deeds drawn up with the participation of the rural population, we can find marriages of *millers, day-labourers, innkeepers, merchants, intermediaries*, etc., while rarely of individual *female servants, female labourers* or *tradeswomen* (however, let us remember that in both cases, the group of such unambiguous female professions was small, its share oscillated between 3 and 0.5%, in addition, it decreased with time).

In the provincial town, the influence of the husband's occupation on the woman's professional identity was expressed in yet another way. A woman appeared here much more often than in the countryside as a wife, e.g. the wife of an *office clerk, the wife of a court official, the wife of a notary*, but also *the wife of a barber, the wife of an innkeeper, the wife of a butcher* or *the wife of a cabman*. At the time, a woman was described by a term categorised as the low Level III. This was a typical phenomenon especially for the small-town intelligentsia.

The consideration of the nationality factor also provides interesting insights (Table 2.15). In the cities, the group with the highest degree of concretisation was dominated by women of the Jewish faith. These were mostly representatives of both petty trade and shopkeepers. Relatively few Polish women participated in typically working-class occupations such as *maid, washerwoman*. The crafts were rather inaccessible to them. Among the exceptions were declarations indicating this form of earning a living; in addition, they almost always concerned entire marriages.

The perception described above points to the still traditional understanding of women's labour activation as an auxiliary force. In this way, their activity is still one form of work that does not require leaving the natural environment or any formal confirmation of qualifications and is only acceptable in this form. Not surprisingly, it cannot be described in self-contained categories, unless they are derived from the professional interests of their husbands, brothers or fathers.

## Business activities

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Anna Potocka née Działyńska, the founder of the Rymanów Zdrój spa, wrote: “The great flaw in my upbringing, or rather the lack of upbringing, stemming from the great preoccupation of my mother’s time with business, was that I was not taught at all how to handle money, I was completely unaware of how much income we had, how much it would cost us to live, whether there would actually be anything left for fancies. Finally, I had no idea how much and what something should cost [...]. How necessary it is to become skilled at evaluating goods and knowing prices! From how many bitter professions and losses would women be secured in this way, and, more importantly, a young husband would be spared the unpleasant duty of monitoring his wife’s expenses [...]”.<sup>576</sup>

As we can surmise, the factors that, apart from the economic issues, weighed heavily on women’s occupational activation lay on the moral side, influencing the educational system. Austrian legislation did not explicitly discriminate against them in economic activity. It was rather the right to free management of their property that conditioned their situation.<sup>577</sup> Informally, social standing and marital status also mattered. It is no coincidence that it was women like Anna Potocka quoted above, i.e. representatives of the aristocracy, who constituted the prototype of a businesswoman in the Galician provinces.

By abolishing the guild system, the Industrial Act of December 1859 theoretically opened the way for women to enter the crafts. In practice, however, a number of complications arose in the full implementation of this postulate, such as the problem of obtaining professional qualifications. The 1883 amendment actually created a division between qualified enterprises and those headed by persons without due qualifications, which included all women at the head of a workshop.<sup>578</sup> In 1907, handicraft occupations for women were singled out. These included: gold, silver and pearl embroidery, linen making, tailoring, gloving and bandaging, hat-making, millinery, artificial flower

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<sup>576</sup> A. Potocka, *Mój pamiętnik*, Kraków 1927, p. 75–76.

<sup>577</sup> S. Warmcki, *op. cit.*, p. 25.

<sup>578</sup> W. Najdus, *Zmiany*, p. 244–245.

making and bookbinding.<sup>579</sup> According to Article 6 of the Trade Act, “a woman, engaged in trade activities in the manner of earning a living [...], has in trade all the rights and duties of a merchant”.<sup>580</sup> Admittedly, further paragraphs add that a married woman must have the consent of her husband, nevertheless it is sufficient if he does not object. Furthermore, the introductory law in §6, in the absence of such permission, allowed it to be replaced – at the wife’s express request – by a court ruling issued on the condition that the wife’s activities did not jeopardise the husband’s rights.<sup>581</sup>

Based on the fragmented state of research, it is difficult today to have any point of reference when assessing women’s involvement in this sphere of economic life. It is only possible to see selected examples of their economic activity, mainly in large cities.

According to industrial and commercial censuses, on the eve of the First World War more than 2300 women ran their own businesses, mostly of a trade and service type, throughout the province.<sup>582</sup> The highest number was in Kraków and Lwów (together about 20%), in 30 larger towns in Galicia 24%, and in several hundred other towns and villages the remaining 56%. A typical Galician town provided conditions for the operation of several (but not more than 10) businesses run by women (in villages 1 or 2). An exception was Zakopane, where according to the census there were more than 60 such businesses, offering mainly hotel and catering services. Among the larger towns in Western Galicia, Rzeszów, Nowy Sącz and Biała gave employment to between 30 and 50 firms, while the others had an average of a dozen or so. The structure of economic activities carried out by women was dominated by branches defined according to the nomenclature of the time as industrial. This term was rather imprecise, as it included various types of manufacturing, which were to some extent identical to crafts (e.g. manufacture of clothing, weaving, textiles, food products, but also papermaking or the graphic arts industry). Such a profile characterised more than 50% of the businesses run by women in 1912. The remaining places

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<sup>579</sup> B. Czajeczka, *Z domu*, p. 157.

<sup>580</sup> J. Rosenblatt, S. Wróblewski, *op. cit.*, p. 12 (Art. 6). Cf: “Art. 8 A married woman trader may validly bind herself by commercial acts and does not need her husband’s special permission for each activity. She shall be liable for the debts of the trade with all her property, irrespective of administration and usufruct rights or any other rights her husband may have in that property as a result of the marriage [...]. Article 9: A woman trader may in commercial matters appear in court on her own, regardless of whether she is unmarried or married”. *Ibidem*, p. 12–13.

<sup>581</sup> *Ibidem*, *Introductory Act*, p. 435.

<sup>582</sup> Own calculations based on: *Skorowidz przemysłowo-handlowy Królestwa Galicji*, Lwów 1912.

were occupied by trade – 34% and services – 15%, with the latter being much more pronounced in the two largest Galician cities – Kraków and Lwów.<sup>583</sup>

There were greater disparities in the structure of the indicated branches of economic activity as it was location-dependent. In larger cities, it was characterised by greater diversity and higher specialisation. Taking into account the most numerous category – industry, in the provinces women’s activities were dominated by food production (over 30%), the so-called domestic and agricultural industry (16%) and clothing production (15%). In the larger cities, however, nearly 50% was occupied by millinery and luxury clothing manufacturing.

Similar differences could also be observed in trade. While in the larger cities it consisted mainly of specialised departments dominated by food products, clothing and stationery (together over 50%), in the provinces the sale of mixed goods occupied as much as 30%, ahead of trading in clothing (26%) and food (15%).

Most noticeable, however, was the polarisation of services, which in the provinces accounted for almost 90% of the hotel and catering industry. In Kraków and Lwów these occupied only 15%, giving way mainly to various forms of education (38%).

Notarial documents are often treated *a priori* as a source for the study of economic history.<sup>584</sup> The discussion so far shows that they signal certain aspects of economic history but do not fully reveal the extent of economic activity. Instead, they indicate certain symptoms of the changes taking place and direct the search to other sources. These materials provide a great deal of indirect information on the functioning of companies, industrial plants, economic societies. Such information is stored, for example, in the founding documents of these entities.<sup>585</sup> Such documentation, unfortunately, is not large and mostly kept in law offices located in the administrative centres of Galicia. There, founding documents are quite abundant, especially in the case of the legalization of signatures on applications to the regional courts for the registration of businesses. However, their nature is very laconic: they include requests for the registration of a company, its name, sometimes its specialisation and its owner.

Business entities also acted as contracting parties, at the same time providing data on business owners and establishments involved in various transactions.

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<sup>583</sup> *Vide*: Sz. Kozak, *Aktywność gospodarcza, passim*.

<sup>584</sup> W. Kula, *Problemy i metody historii gospodarczej*, Warszawa 1983, p. 357 et seq.

<sup>585</sup> *Vide*: the Galician Sugar Society in Przeworsk, the contract of the Czudec-based Company – founded by Henryk Dolański, owner of the Grębów estate, and two Jewish entrepreneurs – to produce lime, to burn and to sell lime, the protocol on the establishment of the First Union Tannery in Rzeszów and approval of its statute, the protocol on the establishment of the Advance Payment Bank in Rzeszów with the attached statute, the Credit Union in Rzeszów.

However, they rarely offered direct information on business profiles. However, women representing specific companies were a rarity (e.g. the owner of a brick factory in Przybyszówka – Amalia Strahl<sup>586</sup> or the owner of a distillery in Czudec – Karolina Wasilewska<sup>587</sup>). It should also be noted that in many provincial towns, business entities constituted a small percentage of the clientele of the notary's office.

The most important information on women's economic activity was mostly indirect. It could be inferred from declarations of occupation, frequent contacts with the notary's office, or documents describing specific examples referring to business activities, such as the establishment of companies, disputes, summonses, loans, and contracts, etc.

Obvious evidence of economic activation could have been the content of occupational declarations. In this research, therefore, only those declarations appear to be important, which directly confirm an independent activity and do not just testify to the performance of any work. Possible candidates for the role of provincial businesswomen are therefore: stall owners, tradeswomen, women described as female entrepreneurs, female innkeepers, female tavern-keepers, but also female representatives of specific craft professions, such as tailoring, shoemaking, butchery, etc. The most dynamic business activity for women, i.e. trade, involved the highest number female representatives. According to the analysed source, the number of women engaged in this form of business increased threefold between 1881 and 1901. Almost  $\frac{3}{4}$  of them prepared their documents without the company of their husbands, so his presence did not directly influence the shape of their declarations and did not distort their professional identity. Nevertheless, almost half women presented themselves not as a *female trader* or a *female merchant*, but as a *merchant's wife*, i.e. a wife or widow running a business jointly with her husband or after his death. This specific marital economic relationship in the provincial realities was not unusual in the 19<sup>th</sup> century.

The opposite situation can be seen in crafts, where relatively speaking women were the least numerous: almost always a professional declaration was determined by the profession of the husband (as expressed by the terms – *tailors*, *millers*), blurring female individualism. It is also characteristic that at the beginning of the twentieth century we actually no longer observe craft declarations by women. Their professional identity was replaced by their roles – a wife, a female private person, a female property owner. This demonstrates the

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<sup>586</sup> APPm, Rzeszów, Midowicz, sygn. 4, l.rep. 838, 873.

<sup>587</sup> *Ibidem*, Kaniewski, sygn. 31, l.rep. 6285.

much wider phenomenon of occupational alienation in the absence of formal confirmation of qualifications.

The nationality factor is worth noting at this point. Craftsmanship was the only form of economic activity in which we find the greatest number of Polish women, although they rarely ran or performed it directly. Female representatives of the Jewish nationality participated almost exclusively in trade, services and the so-called industrial activity, although the degree of this participation varied and was sometimes limited. Unfortunately, there are only few documents describing specific economic activities; these materials confirm previous conclusions about the considerable activation of Jewish women, but also about the transfer of patriarchal relations to economic relations. As late as 1880, documents written in Tarnobrzeg record the leasing of a distillery in Baranów by Pascha Arnstein, described as an *entrepreneur*.<sup>588</sup> This can also be seen in the documentation of the establishment of the business. In 1881, Markus Marder (a tailor or merchant from Nisko) made an agreement with Małka Waldman and her son (property owners in Tarnobrzeg) to set up a company to trade in cloth goods. On her part, the agreement provided for a contribution of 200 Rhenish zlotys, the lending of a room for a shop and a lodging. Marder was to take care of the rest. The profits were to be split 50–50, which was to be confirmed by a notarised contract. As this stage had not yet been finalised, Markus Marder called on the Waldman family to join the company and to perform the verbal contract on pain of forfeiting the earnest money (50 Rhenish zlotys), and bearing possible losses, etc. The deputy of the notary Rogalski, Alfred Lanc, went to Małka Waldman with this notice, whereupon she and her son declared that they had lost confidence in Markus Marder, because he had “[...] secretly removed the goods he had placed in our shop in the morning around three o’clock, both his own goods and our goods [...]”.<sup>589</sup> Małka Waldman did, however, express her willingness to join the company, but on the condition that her goods were returned and that new conditions were included in the contract “[...] so that our peace of mind would no longer be jeopardised because of distrust towards him [Markus Marder – Sz. K.] [...]”.<sup>590</sup> Marder, on the other hand, did not want to agree to any new conditions “[...] all the more so as the Waldmans’ reply above is unfounded and only seeks to torment him [...]”.<sup>591</sup> However, the whole thing came to fruition a few days later. Małka Waldman provided premises and food for one tailor’s apprentice and a contribution of 200 Rhenish zlotys. Markus Marder undertook to keep the materials in stock for at least 600 Rhenish zlotys. In addition, he became the sole

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<sup>588</sup> APPm, *Tarnobrzeg, Rogalski*, sygn. 9, l.rep. 2042.

<sup>589</sup> *Ibidem*, sygn. 10, l.rep. 2203.

<sup>590</sup> *Ibidem*.

<sup>591</sup> *Ibidem*.

representative of the company and its boss. The income was to be split 50–50. In the event of the untimely death of one of the shareholders, the company was dissolved. Similarly, if the business did not generate a minimum of 10 per cent profit (in the first three months).<sup>592</sup> Characteristic here was the role of the son, whose participation, although by all means passive, by virtue of being a man raised the profile of one of the parties vis-à-vis the other. Also in 1883, Sarah Friedel, an innkeeper, ran a business on behalf of her father Izak Geitzhols in the area of Wólka Ogryzkowa.<sup>593</sup> For women, therefore, the path to business for most of the period under the present study led rather through male agency. In the provinces, they usually took it over from their husbands or a family member, but they eminently rarely initiated such ventures themselves.

In contrast, there is no similar prejudice in a document written 20 years later in Pilzno. The matter concerned the rendition of services between Berl Tannenbaum and Beila Deresiewicz from Pilzno. The former purchased some 200 fathoms of wood in the forest and concluded a contract with Beila for a year and a half for transport services. As the document reads, “it is Beila Deresiewicz’s duty to order the necessary number of carts to transport the wood according to the receipts received from Berl Tannenbaum for the number of felling logs to be transported out of the forest each time and to issue the felling logs to the cart drivers. Beila is not liable to Berl Tannenbaum for the possible embezzlement on the part of cart drivers. She is, however, fully responsible for her deputies, to whom she would like to delegate her business”.<sup>594</sup>

Feiga Tauer, a merchant from Przeworsk, also acted on her own behalf, by declaring herself to be indebted to the Kraków Association of Merchants for the Observance of Common Interests, from which she borrowed 2687.41 Rhenish zlotys, for the purchase of silk and textile goods in order to trade.<sup>595</sup> In the course of my studies of library resources, however, I did not come across any material illustrating a similar activation of the Polish population. In the world of provincial towns and villages, women’s careers were derived from their marriages. If they wanted to fulfill themselves in this field, they had to marry a suitable person in order to later take the business into their own hands. During marriage, the role of the Polish woman was still limited to auxiliary functions.

Large-scale economic activity was available to the elites. Quite often there was evidence of (mostly indirect) activation of women from the landed gentry and aristocracy referred to as *honorable estate owneresses* and a *duchesses*. These women participated in many transactions during the year confirming, for

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<sup>592</sup> *Ibidem*, l.rep. 2211.

<sup>593</sup> *Ibidem*, Przeworsk, Wodecki, sygn. 5, l.rep. 1279.

<sup>594</sup> *Ibidem*, Pilzno, Bujnowski, sygn. 48, l.rep. 8693.

<sup>595</sup> *Ibidem*, Przeworsk, Wodecki, sygn. 27, l.rep. 7803.

example, land leases or land parcellation, in some cases the establishment of companies. Documents mention in this role, among others, Helena Turnau,<sup>596</sup> Zofia Tarnowska,<sup>597</sup> and very often Maria Dolores Radziwiłł,<sup>598</sup> Józefa Gładyszowa née Bogusławska<sup>599</sup> and several others. In the provinces, it was an activity that gained social acceptance in all circles, perhaps due to the social status of its representatives. The figure of Eleonora Lubomirska, née Husarzewska, wife of Prince Andrzej Lubomirski, well-known in Galicia, may be a very clear example. The notary's office recorded a number of episodes of her activity, such as the purchase of the tabular estate of Wola Szczucińska in 1911, part of the Świdrówka estate for 430,000 crowns,<sup>600</sup> or the establishment of a steam brick and tile factory in Szczucin (Dąbrowa powiat).<sup>601</sup>

The phenomenon of the activation of the landed gentry hardly affected women from the Jewish community. Although, as Gąsowski writes, before World War I, Jews already constituted 22% of the tabular estate owners (the highest number in Podole and Pokucie in Eastern Galicia),<sup>602</sup> even indirect evidence of economic activity by women from this community is found sporadically. The *nouveau riche* female owners of estates gave powers of attorney to their male representatives.<sup>603</sup> Although it would seem that in a community where the husband was expected to devote himself to religious practices and to excel only in this sphere of life, economic activity was also inscribed into the wife's duties; however, it must be concluded that gradual secularisation and the adoption of alien, not always up-to-date, patterns forced women to the margins of large-scale activity.

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<sup>596</sup> *Ibidem*, sygn. 36, l.rep. 9872; *ibidem*, sygn. 42, l.rep. 10063 et seq.

<sup>597</sup> *Ibidem*, *Tarnobrzeg, Hinzinger*, sygn. 34, l.rep. 16027–16031; *ibidem*, sygn. 35, l.rep. 16160.

<sup>598</sup> ANK, *Liszki, Gutowski*, sygn. 16, l.rep. 3982–4000; *ibidem*, sygn. 17, l.rep. 4001–4059.

<sup>599</sup> APPm, *Tarnobrzeg, Rogalski*, sygn. 10, l.rep. 2249–2273.

<sup>600</sup> *Ibidem*, *Przeworsk, Zajączkowski*, sygn. 22, l.rep. 1698.

<sup>601</sup> *Ibidem*, sygn. 23, l.rep. 3950.

<sup>602</sup> T. Gąsowski, *Żydzi – obywatele*, p. 192–194. According to the author, in Western Galicia the concentration of Israelite landowners was only in the Tarnów district.

<sup>603</sup> APPm, *Tarnobrzeg, Hinzinger*, sygn. 31, l.rep. 15246–15248; *ibidem*, *Pilzno, Bujnowski*, sygn. 48, l.rep. 8633.



## Conclusion

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“Absorbed in motherhood and economic production, they had a strictly practical life direction. Home, children, spindle, distaff, mill, bakery, brewery, hen house, cowshed created a daily scale of interests, interspersed with prayer”.<sup>604</sup> With these words, Łucja Charewiczowa sketched a picture of a Polish woman in the pre-partition period. It is astonishing how much this image still materialised in the second half of the 19<sup>th</sup> century for a significant proportion of the female inhabitants of the Galician provinces. Even when economic realities changed, their place in the collective consciousness remained unshaken. Régine Pernoud’s metaphorical Wheel of Fortune, mentioned in Introduction, seemed to stop several times in these areas and its course must have been slower than in western Europe.

The Galician provinces emerging from the notarial records exposes two faces. One of them can be described in words: *traditionalism*, *conservatism* or *conservativeness*. In its female version, this world gave the impression of being even poorer and more hermetic, which is why we have to agree with the arguments of Western observers, who perceived this very image of the Galician woman for quite a long time after the end of the First World War. The other face was shaped under the influence of modernisation changes. For women, however, this was a peculiar modernisation within the framework of traditional structures, which lacked the decisive impetus that industrialisation is considered to provide.

Notarial documents that constitute the basis of the present discussion do not allow us to elaborate on many issues relevant to women’s history. However, it might be a truism to point out the information gaps caused by source limitations. An excellent model for the study of women’s issues in a provincial community can be found in Regina Renz’s recently published book on women in the inter-war Kielce region community.<sup>605</sup> A similar study for Galicia would

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<sup>604</sup> Ł. Charewiczowa, *op. cit.*, p. 7.

<sup>605</sup> R. Renz, *Kobieta w społeczności międzywojennej Kielecczyny. Home – work – social activity*, Kielce 2008.

be highly advisable, oscillating around demographic, social, and national issues, economic life and work, family and household, everyday life conditions, religious circumstances, and finally cultural and educational or socio-political activities.

The material I have used in this thesis reveals only some fragments of the above mentioned endeavour, but nevertheless, because of its large scale and directness, it highlights certain features of the nineteenth-century provincial society at a time of modernisation transformations. One of these was the source-creating role of women, whose presence in the sources, as it turns out, did not necessarily have to be determined by extraordinary activity, although it was also an important factor. What weighed heavily here was the specific perception of women and the passive position they were assigned in the society. Therefore, even despite their considerable activation, they often remained anonymous in many spheres of socio-economic life. Seemingly, women played a lesser role in the source-creating process than men just like in other areas. There were fewer of them and also the records written with their participation were rather monothematic. On the other hand, it is worth remembering that, despite the legal privilege and obligation of the husband in the ABGB to represent his wife in all matters, this was quite rare in the notary's office.

The family remained the dominant category in social life in the provinces. Although it was a mainstay of traditionalism throughout time, it is clear how the old ties binding its members together have loosened over the course of almost half a century. However, the modernisation processes were very uneven. Their intensity was stronger in the larger cities. The petite bourgeoisie milieu of small towns remained conservative, even more so than in rural areas, where the position of women in the family was very strong, as mentioned by Charewicz, quoted above. It seems that the economic motive of owning and inheriting land, which even constituted a substitute for the equality sought by feminist circles, had a very strengthening effect here.

Activation in the economic sphere indicated an extension of the traditional framework into new, more widely accessible areas of activity, especially in the field of credit. The entry of women into the public space of economic life, however, was already characterised by a long delay compared to the male part of society. Interestingly, the modernisation of the occupational structure, was only perceptible among men. Among women, it expressed itself in a specific form of alienation, depriving them of the professional identity of their husbands in the newly emerging structure and condemning them to anonymity. Within this structure, they were simply 'women'.

A huge gulf separates the notarial records we know from the 1870s and those from before the First World War. A close examination of the source

reveals the evolution it has undergone, unfortunately not in a very favourable direction. However, this phenomenon occurred regardless of whether the contracting party was a woman or a man. A source recognised by historians as important for the study of economic and business processes, from the female perspective, is rather unsuitable for this purpose. On the other hand, it becomes an excellent source for the study of family issues, especially in rural areas. It thus appears to be an excellent complement to metrical records and other statistical sources, limited in their narrative layer. Through the exposition of moral themes, especially using the method of thick description, it can provide an ego-documentary alternative to the sparse and subjective diary literature of the period.



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<sup>606</sup> The symbol \* means *substitutionary law offices*.

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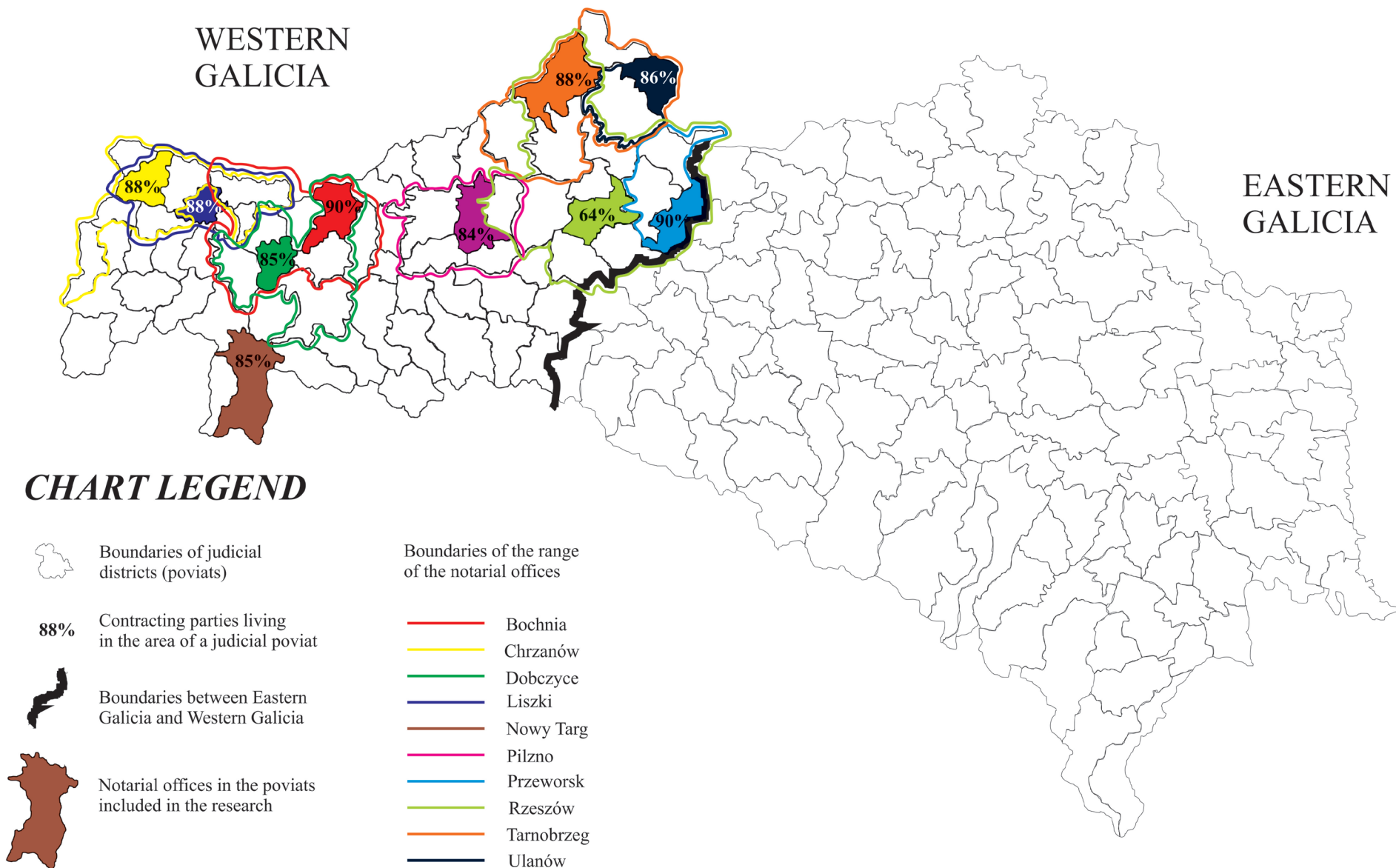
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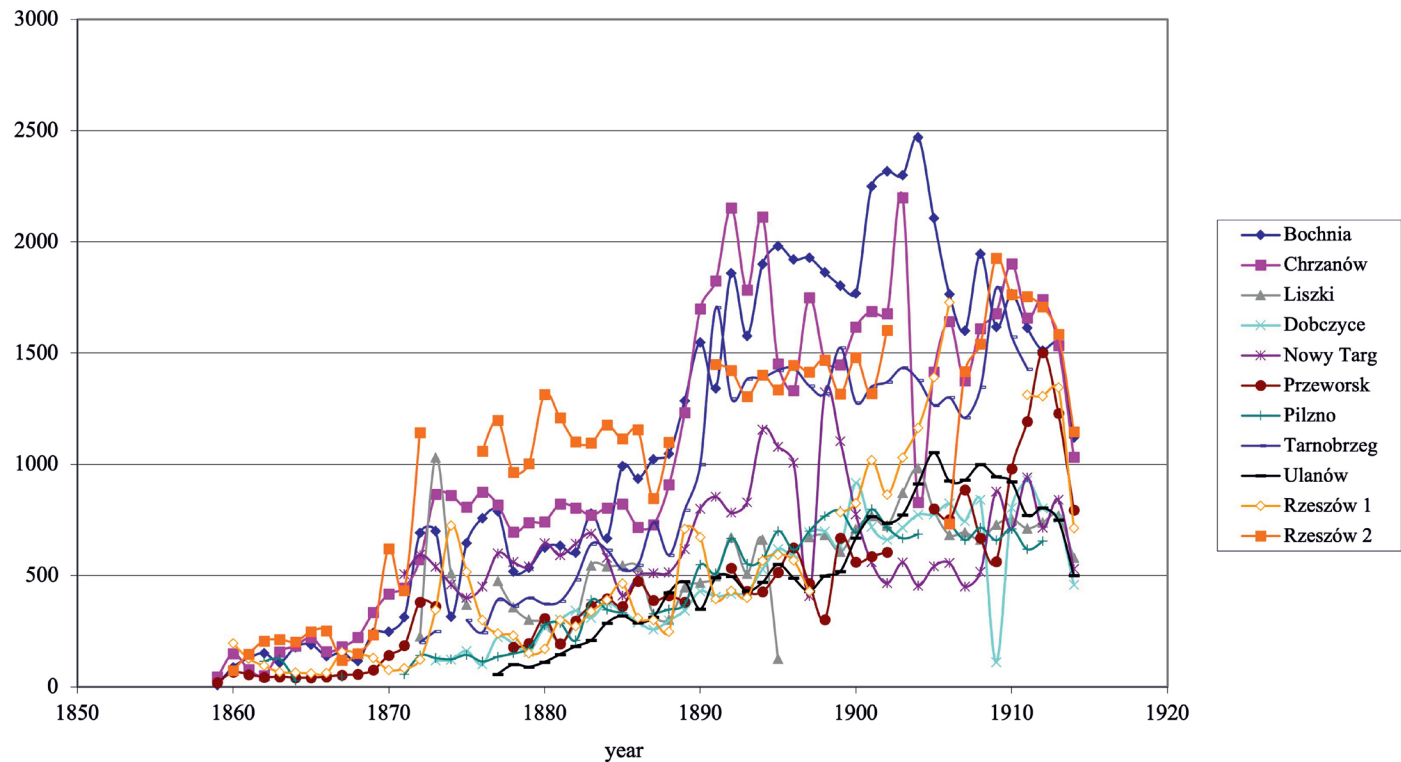
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Choropleth map: Compact range of notary offices included in the research



Source: own calculations based on the databases: *Galician Notarial Files* and *Rzeszów Notarial Files*

Chart: Number of files produced in selected notary offices of Western Galicia in the years 1859–1914



Source: own calculation based on: ANK, *Bochnia*, *Hanusz*, set of files 916; *ibidem*, *Karpiński*, set of files 915; *ibidem*, *Marynowski*, set of files 913; *ibidem*, *Ramult*, set of files 914; *ibidem*, *Chrzanów*, *Serafiński*, set of files 912; *ibidem*, *Bąk*, set of files 931; *ibidem*, *Dolais*, set of files 929; *ibidem*, *Horwath*, set of files 928; *ibidem*, *Mochnacki*, set of files 927; *ibidem*, *Romowicz*, set of files 930; *ibidem*, *Dobczyce*, *Jaroń*, set of files 936; *ibidem*, *Rogalski*, set of files 934; *ibidem*, *Więckowski*, set of files 935; *ibidem*, *Wilczyński*, set of files 933; *ibidem*, *Liszki*, *Gutowski*, set of files 956; *ibidem*, *Horak*, set of files 955; *ibidem*, *Jendl*, set of files 954; *ibidem*, *Madejski*, set of files 953; *ibidem*, *Nowak*, set of files 957; APNS, *Nowy Targ*, *Trybulec*, set of files 900; *ibidem*, *Horak*, set of files 901; *ibidem*, *Weigel*, set of files 902; *ibidem*, *Hosz*, set of files 1093; *ibidem*, *Aweyde*, set of files 1094; *ibidem*, *Wysoczański*, set of files 1095; *ibidem*, *Gabański*, set of files 1099; APPm, *Pilzno*, *Aweyde*, set of files 1252; *ibidem*, *M. Bujnowski*, set of files 1254; *ibidem*, *T. Bujnowski*, set of files 1253; *ibidem*, *Drozdowski*, set of files 1255; *ibidem*, *Kaisy*, set of files 1250; *ibidem*, *Skowroński*, set of files 1251; *ibidem*, *Sperling*, set of files 90; *ibidem*, *Struszkiewicz*, set of files 1256; *ibidem*, *Przeworsk*, *M. Bujnowski*, set of files 1047; *ibidem*, *Goyski*, set of files 1048; *ibidem*, *Wodecki*, set of files 1046; *ibidem*, *Zajączkowski*, set of files 1049; *ibidem*, *Zieniewicz*, set of files 93; *ibidem*, *Rzeszów*, *Breyer*, set of files 1183; *ibidem*, *Furgalski*, set of files 1176; *ibidem*, *Galziński*, set of files 1178; *ibidem*, *Goyski*, set of files 1184; *ibidem*, *Hinzinger*, set of files 1181; *ibidem*, *Holzer*, set of files 1174; *ibidem*, *Kaniewski*, set of files 1175; *ibidem*, *Machowski*, set of files 1182; *ibidem*, *Midowicz*, set of files 1177; *ibidem*, *Pogonowski*, set of files 98; *ibidem*, *Prochaska*, set of files 1179; *ibidem*, *Stanisz*, set of files 1180; *ibidem*, *Tarnobrzeg*, *Hinzinger*, set of files 1031; *ibidem*, *Jendl*, set of files 1028; *ibidem*, *Lapiński*, set of files 1030; *ibidem*, *Szeligowski*, set of files 193; *ibidem*, *Rogalski*, set of files 1029; *ibidem*, *Rużamski*, set of files 1032; *ibidem*, *Ulanów*, *Dzięciolowski*, set of files 1097; *ibidem*, *Jarema*, set of files 1095; *ibidem*, *Jendl*, set of files 105; *ibidem*, *Josse*, set of files 1098; *ibidem*, *Kosiński*, set of files 1096.

# EUROPE

## AND GALICIA

in the second half  
of the 19th century



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