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PRIMARY PRINCIPLES OF A COMPULSORY PUBLIC WORKS SYSTEM (CORVÉE) IN THE CONSTRUCTION, REPAIR AND MAINTENANCE OF THE COMMUNICATION NETWORK OF THE KINGDOM OF POLAND AND OTHER FORMER POLISH TERRITORIES RULED BY TSARIST RUSSIA

Summary. This article focuses on the issue of introducing of a legal system concerning public works carried out on the widely understood transportation system in the Kingdom of Poland and other territories directly or indirectly ruled by tsarist authorities after the partition of the Commonwealth.

Keywords: corvée; Kingdom of Poland; 19th century

1. INTRODUCTION

Obligatory maintenance of the state corvée system (understood as the unfree “provision” of people, with and without their own tools, for carrying out compulsory repairs of roads, bridges, overpasses and dykes) constituted an “eternal” means of keeping the transportation network in Poland in good shape. By the early 1760s, however, these unpaid and unfree

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corvée obligations and burdens were most often implemented in full accordance with local customary practices. The sole duty of carrying out this forced labour had fallen on peasants, as well as on the agricultural population of towns and even cities. Thus, in this simple way, bridges, crossings and dykes were maintained in each Polish community area. At the same time, in the pre-partitioned Commonwealth, the main routes (like in many other countries, in Poland, these were generally known as “kings’ routes”) were also built and repaired thanks to the unmodified service of this type. Most often, compulsory transportation system maintenance was done on an occasional basis.

It was not until 1764, at the start of the reign of the last king of Poland, Stanisław Antoni (or August Poniatowski), that the Commission of Good Order (Commission Boni Ordinis) was established, while the systematic improvements of the road system were, at the same time, initiated in the whole of the Commonwealth. This required, among other changes, the introduction of the formal distribution of the corvée duty. With the passage of time, the Commission of Good Order even practised the shifting the formal obligations regarding compulsory roads maintenance from one county to another, while collecting dues from among the peasants in the adjacent municipalities or territories.² Above all, there was only one, albeit of a key significance, rule that imposing this obligation on Polish subjects, as it was generally the case that people were summoned for specific corvée purposes at a time when major agricultural works were not mandated.

In the course of and after the partitions of the Commonwealth, Prussian and Austrian authorities also imposed compulsory transport building and maintenance obligations on former Polish citizens, while the Berlin authorities tried to avoid imposing too heavy a burden on the local populations. As a result of this attitude, local Prussian administrative and financial offices were obliged, each time, to send such levy tables to Berlin for final approval. These provisions, due to the relatively short period since the seizure of the territories known as the ‘Congress Kingdom of Poland’, or ‘Congress Poland’, (after the Congress of Vienna) by Austria and Prussia, did not impose any significant impact on the further development of the corvée procedures in that area. On the other hand, it was important that, after the establishment of the Kingdom of Poland in 1815, when the very idea of rebuilding the main roads when the Russian occupation of the country was officially declared, the very issue of legal matters concerning the use of forced labour in the transportation system was intensively raised and settled.³

2. THE CORVÉE LEVY SYSTEM IN CONGRESS POLAND

The legislation regarding the formal corvée system of the Congress Kingdom of Poland was combined in a bill with “the provisional rules for the execution of public labour for the general construction of roads”, which were announced on 15 May 1816 by the Tsar’s Governor general Józef Zajączek and approved by the Administrative Council. This bill was accepted at the request of the Government Committee of Internal Affairs, after an analysis on this issue had been undertaken by the most competent legislative body, the General Assembly

² Central Archives of Historical Record in Warsaw. *The Third Council of the Kingdom of Poland* (1864). Signature 256: 43. *Collection of Administrative Regulations of the Kingdom of Poland. Department of Land and Water Communications. Land Communications.* 1866. Vol. 2: 33-35. Z. Gloger, 1903. *Illustrated Old Polish Encyclopaedia* Vol. 4: 305- 306.

³ Central Archives of Historical Record in Warsaw. *The Third Council of the Kingdom of Poland* (1864). Signature 256: 43.

of the Council of State. The purpose of introducing this bill was formally “to designate the rules by which the construction of public roads would be carried out as long as the provisions in force do not apply”.

The newly established law mostly emphasized that all communities/municipalities (including Jewish communities) and land owners were mutually obliged to maintain the viability of roads, bridges and dykes, as well as any crossings, situated within the boundaries of their jurisdiction or area of ownership. The way to implement such obligations was, in accordance with Article 1 of the Act of 15 May 1816, to properly carry out all the requirements of the overall corvée levy. Another basic aim of the new law was to “spread and divide” these public road maintenance commitments among local landowners “in part and in proportion to the population of their possessions”. The latter were clearly designed to “contribute” to relatively smooth functioning of the corvée system.⁴

According to General Zajączek’s official order of 20 April 1816, in cases where the maintenance of large or “medium-sized” (secondary) roads exceeded the capacity of a particular municipality or local landowner, the competent county provincial commission was forced to make a call for help to other people in local community or local landowners/residents from the area of the same county, or even people residing in the closest neighbouring administrative districts, in carrying out these heavy corvée duties. Nonetheless, such calls could only take place after a prior examination of the circumstances of the particular case by experts, despatched by transport authorities (Article 2). In the case of “side roads”, however, no such possibility of providing extraordinary help was formally foreseen by the lawgiver, who considered that the execution of the corvée for this category of transport route by itself should have fallen within the basic exclusive duties of local communes/municipalities or landowners (Article 3).⁵

Despite the promulgation of this new (seemingly less burdensome) public forced labour law in relation to transportation matters, a substantial number of abuses and shortcomings was observed in the Kingdom of Poland in this regard. Consequently, on 21 June 1817, the Administrative Council ordered local voivodeship committees to issue formal proclamations addressed to the public, which formally indicated that persons who neglected to fulfil the above-described duties, as a kind of retaliation rather than consequence, would be made to undertake double their corvée obligations, performing them “in nature”.⁶

Soon after, a new and much more detailed description of the rules for the operation of corvée procedures used for road and general transport purposes was written. This project was developed once again by the Government Committee on Internal Affairs. Then, at the Administrative Board formal meeting on 23 August 1817, the Tsar’s Governor General Zajączek sent it once again on for review by the General Assembly of the Council of State.⁷ The verification process occurred to be fast, such that, as early as 9 September 1817, the new general principles of the usage of corvée in Poland for the construction and repair of public roads were established⁸.

⁴ *Collection of Administrative Regulations of the Kingdom of Poland. Department of Land and Water Communications. Land Communications. 1866. Vol. 2: 37.*

⁵ *Collection of Administrative Regulations of the Kingdom of Poland. Department of Land and Water Communications. Land Communications. 1866. Vol. 2: 37-39.*

⁶ Central Archives of Historical Record in Warsaw. *The Administrative Council of the Kingdom of Poland (1816-1823). Signature 4: 381.*

⁷ Central Archives of Historical Record in Warsaw. *The Administrative Council of the Kingdom of Poland (1816-1823). Signature 5: 106.*

⁸ Central Archives of Historical Record in Warsaw. *The Administrative Council of the Kingdom of Poland (1816-1823). Signature 5: 132.*

Undoubtedly and to much surprise, at that moment, the genuine progress in terms of the verification and improvement endeavours in the field of public transportation, involving unpaid and unfree labour, in the Kingdom of Poland proved to be unsatisfactory from the tsarist point of view. Based clearly on such an assumption, Tsar Alexander I decided to return a whole new draft of rules for public road repair work levies to Warsaw, as well as Tsar demanded the receipt of additional data on Polish transport data. Polish administrators learned about this unexpected request from the Tsar at the Administrative Council meeting, held on 17 January 1818, when there also an extensive discussion on “the correctness” of the law.⁹ In this situation, one cannot be taken by surprise that, on 10 March 1818, the Polish government adopted a resolution provisionally extending “for the next spring” only the current binding of public transport arrangements, especially concerning the proper maintenance of the country’s transport system.¹⁰ The only significant innovation in the meantime regarding the corvée system, which was occurred in the spring of 1818, concerned the formal issuing on 5 May 1818 of an Administrative Council proclamation regulating the mode of pro-transportation services by residents of communes, who were located at a significant distance from the main road system of the country.¹¹

After another three months, the Tsar’s Governor General publicly announced, on 25 August 1818, that he had decided to regulate, for the time being, the issue of public transportation statute labour in accordance with his previous orders and instructions, previously issued by the Government Commission of Internal Affairs.¹² The case of communes far removed from the main roads was reopened on 5 January 1819, when the Administrative Council accepted another decree defining a further 12-month rule for transport network works being carried out by inhabitants of these local units. This time it was clearly and precisely stated that the law at stake was in force within the territory of municipals/communities located at least three miles away from the main roads.¹³

The important moment came on 30 March 1819, when the comments of Tsar Alexander I, concerning the scope of corvée burdens in the Kingdom of Poland, were read out in the Administrative Council. According to the tsarist insights, “the exact amount of corvée obligations must be precisely determined, even before the revenue that the public treasure could gain from the same counterparts [who are obliged to participate in transportation public works] could be known”.¹⁴

Next, at the beginning of April of 1819, Polish chief administrative authorities issued a decree decreasing, for the remainder of 1819, the number of so-called standard days of compulsory working on building, repairing and maintaining roads. Thus, on the basis of the decision of 3 April 1819, during the same calendar year, it was necessary for every “entitled” citizen to actively “execute” the eight working days of corvée. This was obviously lower than

⁹ Central Archives of Historical Record in Warsaw. *The Administrative Council of the Kingdom of Poland* (1816- 1823). Signature 6: 25-28.

¹⁰ Central Archives of Historical Record in Warsaw. *The Administrative Council of the Kingdom of Poland* (1816- 1823). Signature 6: 107.

¹¹ Central Archives of Historical Record in Warsaw. *The Administrative Council of the Kingdom of Poland* (1816-1823). Signature 6: 166.

¹² Central Archives of Historical Record in Warsaw. *The Administrative Council of the Kingdom of Poland* (1816-1823). Signature 6: 356.

¹³ Central Archives of Historical Record in Warsaw. *The Administrative Council of the Kingdom of Poland* (1816-1823). Signature 7: 10.

¹⁴ Central Archives of Historical Record in Warsaw. *The Administrative Council of the Kingdom of Poland* (1816-1823). Signature 7: 118.

the previous 10 days of unpaid compulsory transportation network maintenance per calendar year.¹⁵

In the meantime, new difficulties arose in carrying out typical transportation tasks. Namely, in the spring of 1819, it transpired that the local administrative authorities failed to prepare, on time, a schedule of the main constructions and repairs in the Polish transport network. Consequently, a decision made by the Administrative Council on 20 April 1819 suspended the execution of corvée until at least 15 May of the same year.¹⁶

This postponed commencement, in the spring of 1819, of transportation maintenance services also gave the central authorities of the Kingdom the rare opportunity to deal with issues related, perhaps in slightly different ways, with the main problems of corvée procedures, such as the question of just compensation for the possible consequences of accidents that could occur during dangerous public road construction work. By accepting, here, a relatively positive position, the Administrative Council, at its meeting of 18 May 1819, provided, for example, 25,000 Polish zlotys to support the remaining families of peasants who had died as a result of a fatal accident while participating in road building activities near the town of Lublin.¹⁷

All this practical and legal turbulence undoubtedly confirmed that, together with the relatively steady implementation of an initiated programme of redevelopment of the main Polish roads (it is worth mentioning here that, although the initial request for construction of national roads was made by the then Minister of the Interior as early as 16 March 1816, nevertheless, the Administrative Council only accepted the bill establishing a formal transportation network in the country on 24 April 1819¹⁸), the constant supervision of the whole of the practical process convinced the then decision makers that “for the inability to concentrate the corvée effort on the main building lines, their finishing would require too long a time” than previously expected.¹⁹ The strikingly slow development of transport projects carried out prior to 1820, especially on the main routes of the Kingdom, was not the only important problem of the time. It was obvious that, while the main transport routes were built for the sake of the common good and prosperity, “the main burdens of it fell on these residents, who were living closer to the rebuilt or built tracks, not touching the more distant neighbourhoods”. As a result, the need of implementing the very basic principle of social justice in the distribution of transportation duties and obligations became so evident that, nowadays, we can only be surprised that the Polish authorities of the period 1816-1819 did not foresee, or at least did not want to clearly see, this fundamental inconvenience or even injustice.²⁰

Eventually, at the beginning of the 1820s, these inconveniences were slowly but gradually repaired. On 21 June 1820, the Government Committee of Internal Affairs and Police

¹⁵ Central Archives of Historical Record in Warsaw. *The Administrative Council of the Kingdom of Poland* (1816-1823). Signature 7: 128.

¹⁶ Central Archives of Historical Record in Warsaw. *The Administrative Council of the Kingdom of Poland* (1816-1823). Signature 7: 148.

¹⁷ Central Archives of Historical Record in Warsaw. *The Administrative Council of the Kingdom of Poland* (1816-1823). Signature 7: 195.

¹⁸ Central Archives of Historical Record in Warsaw. *The Administrative Council of the Kingdom of Poland* (1816-1823). Signature 1: 486; 6: 469.

¹⁹ Central Archives of Historical Record in Warsaw. *The Third Council of the Kingdom of Poland* (1864). Signature 256: 43.

²⁰ *Collection of Administrative Regulations of the Kingdom of Poland. Department of Land and Water Communications. Land Communications*. 1866. Vol. 2: 41.

commissioned a conversion of part of the corvée duty into a relevant monetary tax.²¹ After some discussions in the General Assembly of State Council, within almost a month since proclaiming the above decision, a “partial approval” of the conversion of unpaid days of labour in the transportation network for suitable taxation was made at a meeting of the Administrative Council. That took place on 18 July 1820, when members of the council approved the new legal solutions “for the final decision” of Tsar Alexander I.²²

Consequently, and with the aim of a “fairer distribution of transport duties”, Tsar Alexander I formally signed the law on 29 August 1820, which essentially changed the rules on carrying out corvée obligations in the Kingdom of Poland.²³ This important tsarist decree replaced the four days of unpaid work required for every chimney/fume with a monetary payment, but the other four days remained in place in the form of a compulsory obligation to work in the field (in “nature”), which, however, could only be expected to be undertaken within the perimeter of one Prussian mile from the place of a citizen’s permanent residence area.²⁴ Already five days after this new set of basic legal regulations was signed, Alexander I confirmed an additional “imperial decree” changing the rules for fulfilling corvée obligations, which in principle converted real services into cash payments.²⁵ The decision of 29 August 1820 appeared to refer to a sort of long-term law, which remained in force, not only in the Congress Kingdom, but also during the post-uprising Paskievich era, and even after 1856 (i.e., after the Crimean War).²⁶

Soon after the adoption of the essential law on transportation maintenance duties, on 14 November 1820, other extremely important provisions were introduced, which, this time, set down rules for the diversification of corvée duties (in this case, in the form of transportation system maintenance levies/taxation) on individual chimneys/fumes. These solutions were implemented in accordance with Article 5 of the August 1820 law, which had announced the future completion of the general list of fumes, in turn becoming the formal basis for calculating individual financial charges. Another, undisguised objective behind the drafting of legislation in November 1820 by the Government Committee of Internal Affairs and Police, in order to specify conditions for the levying of corvée taxation, was the fulfilment of the obvious desire to introduce, at the earliest and most appropriate opportunity, tax tables, which would allow the levy itself to be available to the government in the anticipated year of 1821.²⁷ Ultimately, the Administrative Council decided in mid-November of 1820 (without, however, elaborating the deadline) that the Government Committee of Internal Affairs and Police should submit, as soon as possible, the general list of “financial and natural” obligations, as far as the transportation duties were concerned. This list was to be prepared not only in line

²¹ Central Archives of Historical Record in Warsaw. *The Administrative Council of the Kingdom of Poland* (1816-1823). Signature 8: 217.

²² Central Archives of Historical Record in Warsaw. *The Administrative Council of the Kingdom of Poland* (1816-1823). Signature 8: 243.

²³ *Collection of Administrative Regulations of the Kingdom of Poland. Department of Land and Water Communications. Land Communications*. 1866. Vol. 2: 41.

²⁴ Central Archives of Historical Record in Warsaw. *The Third Council of the Kingdom of Poland* (1864). Signature 256: 43.

²⁵ Central Archives of Historical Record in Warsaw. *The Administrative Council of the Kingdom of Poland* (1816-1823). Signature 8: 281.

²⁶ Central Archives of Historical Record in Warsaw. *The Third Council of the Kingdom of Poland* (1864). Signature 256: 44.

²⁷ Central Archives of Historical Record in Warsaw. *The Administrative Council of the Kingdom of Poland* (1816-1823). Signature 8: 356.

with the new principles described above, but also according to a detailed division of the country into individual communities/municipalities.²⁸

Despite all these efforts, it soon became apparent that the new rules for carrying out construction and repair duties in the network of the Kingdom's transport system did not necessarily have to be recognized by the highest authorities in order for proper solutions and the expected positive results to occur. The first reaction in this context was from Tsar Alexander I, himself, when he demanded at the beginning of January of 1821 that the Administrative Council should provide him with relevant explanations on the objections raised by Warsaw's parliament concerning the alleged improper trade in the amounts collected from transportation levies.²⁹ As more progress was made in the implementation of the new approach to the exercising of passive and active corvée obligations, more and more doubts arose in the interpretation of their real impact on the economy. That is why, on 10 April 1821, the Government Committee of Internal Affairs and Police prepared, and then sent to individual voivodeship commissions, a specific regulation note, which recognized the need for the detailed calculations of minimum corvée taxation quotas, as well as of the actual number of working days required to build and maintain local roads.³⁰ Additionally, on 1 May 1821, the Administrative Council approved the distribution of the levies to a selected category of chimneys/fumes for a single province only. On that day, the chief executive authorities of the Kingdom decided to accept the distribution of the levies on so-called "forest fumes" in the sole area of Augustów Province.³¹

The introduction of other noteworthy provisions took place on 22 January 1822, when the Administrative Council accepted a resolution specifying the principle of running corvée accounting according to the anticipated division of these responsibilities between the Government Committee of Revenue and Treasury and the Government Committee of Internal Affairs.³² A similarly important change took place on 25 February 1823, when a statement by the tsarist representative, General Józef Zajączek, was given, in which he broadened the scope of the duties performed by the staff of the Government Committee for Internal Affairs and Police, to include the control and balancing of transportation accounts. Therefore, as of that date, this control had to include not only the works maintained in the field of land transport, but also the financial aspect of water transport.³³

After making all these changes to the complex Polish economy of corvée procedures, on 8 July 1823, the Russian Tsar and the Polish King finally agreed to set aside the road toll charges in force within the Kingdom of Poland. Surprisingly enough, at the same time, the monarch expressed some, albeit minor, objections about the predicted efficiency of the very system of forced labour and taxation, which was required for the satisfactory development of Polish transportation construction, maintenance and repair. According to the Tsar, in the foreseeable future, the basic principles for the general maintenance of roads in the Kingdom

²⁸*Collection of Administrative Regulations of the Kingdom of Poland. Department of Land and Water Communications. Land Communications.* 1866. Vol. 2: 55.

²⁹ Central Archives of Historical Record in Warsaw. *The Administrative Council of the Kingdom of Poland* (1816-1823). Signature 9: 9.

³⁰ *Collection of Administrative Regulations of the Kingdom of Poland. Department of Land and Water Communications. Land Communications.* 1866. Vol. 2: 55-57.

³¹ Central Archives of Historical Record in Warsaw. *The Administrative Council of the Kingdom of Poland* (1816-1823). Signature 9: 147-148.

³² Central Archives of Historical Record in Warsaw. *The Administrative Council of the Kingdom of Poland* (1816-1823). Signature 10: 24.

³³ Central Archives of Historical Record in Warsaw. *The Administrative Council of the Kingdom of Poland* (1816-1823). Signature 11: 66.

of Poland would be somehow based on only a slight increase in tax charges for this purpose, “on which [most of the] unpaid working days in nature are converted”.³⁴ These remarks should not change our primary observation, however, that between 1818 and 1823, in the Kingdom of Poland, a relatively well-organized system of carrying out transportation duties in both physical and financial terms was introduced.

3. CORVÉE SYSTEM IN THE KINGDOM OF POLAND IN THE INITIAL PERIOD AFTER THE FALL OF THE NOVEMBER UPRISING

With the general acceptance of the pre-revolutionary legislation, which was still in force, a further slight diversification in the implementation of corvée labour and taxation in the Kingdom of Poland was visible just after the fall of the November Uprising of 1831. First of all, it turned out that, at the beginning of so-called Paskievich period, the schedules for labour, required from peasants, to carry out suitable maintenance of paved roads were, to a relative extent, often temporarily changed or shifted. The official reasons for such an attitude and behaviour among administrative authorities were usually: a) “the destruction and demolition of national forces because of a revolutionary war”; b) the increased need for the government to protect the majority of or all inhabitants of the Polish countryside, who became particularly economically weakened by the sudden and violent interruption in agricultural activities; c) the eventually significant, especially with the time lapse, possible delay in undertaking the essential part of road construction works, at last in the areas of the country that were mostly destroyed by the war. As a result, individual voivodeship committees, such as the Masovian Voivodeship Commission, shortly after the end of fighting, could hardly demand the implementation of corvée duties by local peasants with a positive outcome.

Instead, in order to become acquainted with the real status of even the most remote network structures of the Polish transportation system, local authorities most often demanded district commissioners to carry out a “an extensive search” and write down a “full statement” of any possible need for repairs on all checked routes. These commissioners did not have to travel themselves along every road in their supervision district, but rather they were advised to make such inquiries with persons directly responsible for regular transport structure control. This indicated that inspection, carried specially by mayors of towns, was to be finished by the end of April 1832, soon after which, as an outcome of this initiative, a “decent list” of observed “difficulties” was to be procured. The above-mentioned lists specifically referred to: a) the need to repair or build bridges, located on individual roads, as well as the necessity to determine the ownership of the land on which specific bridges were standing; b) the specification of places in need of levelling (paved roads), sand filling or dredging in order to level down mounds for the construction of dams; c) the indication of places requiring the deepening or cleaning of road ditches built to drain water from the road. These regulations, which effectively led to some postponements in the road maintenance process, did not obviously deal with the occurrence of emergency situations. In the event of the requirement for a sudden or provisory backfilling/improving of any road defect, or an immediate bridge repair, the legislator provided for the option of prompt performing such repairs.

As suggested by the Administrative Department of the Masovian Voivodeship Commission, in its official announcement of 7 March 1832, in early May of the same year, district commissioners were ordered to notify the mayors of towns, as well as commune

³⁴ Central Archives of Historical Record in Warsaw. *The Administrative Council of the Kingdom of Poland (1816-1823)*. Signature 11: 172.

leaders of the necessity to carry out the “work required” on paved roads, previously specified in already prepared official reports (as a result of supervision process). The district commissioners were informed by the way that each of the required works “should be mentioned [in their reports] with all accuracy”. Corrective or improvement tasks had to be accomplished by the “local force of the municipality... in due time after the spring sowing”. Taking this into account, most of the burden on local communities regarding road maintenance obligations was essentially moved over time, but not forsaken.³⁵

The provincial voivodeship commissions assumed in March 1832 that, in specific cases, namely, when the local community would not have the capacity to carry out the lawful and anticipated work for any independent reason, it was necessary to reach out for additional support from neighbouring municipalities. At the same time, it was expected that such aid, which was to be envisaged and performed only in exceptional circumstances, should be granted “in a modest proportion”.³⁶

It is also necessary to admit that, in the period after the fall of the November Uprising, specific access to extra works connected with the building or maintenance of the Polish transportation network was generally linked to the fact that the highest authorities of the Kingdom of Poland decided, in 1834, that the state would strongly support, in economic terms, peasants “who as a result of the aftermath of war, widespread deadly human diseases and many livestock plagues, or due to other causes of the nature of decay, became poor, and as such were indebted to the state treasury”. These actions had exceptionally pro-development and pro-stability aspects, which finally sought to increase the capacity of abstraction from peasants living via government property taxes.

The government stated openly that the purpose of such proceedings was to help peasants get “out of their arrears and, in addition, to provide means of recovery for the treasury that falls to them”. Thus, the Administrative Council decided to achieve this objective by regulating access to (additional) corvée duties. Hence, the decision prioritized access to government peasants for work on roadsides and around the Augustów Canal, or any other work supervised by the Directorate of Land and Water Communications, as well as by district and voivodeship provincial engineers. The appropriate edict of the Government Committee on Internal Affairs, Public Health and Enlightenment was issued on 30 October 1834. The ministerial note clearly underlined that, “in the case of works combined with repairs of paved roads, water constructions, stone breaking, and other [transportation] tasks done in an administrative way”, government peasants would be provided on the priority basis of earning money.³⁷

As for the less occasional changes in the corvée administration taking place after the fall of the November Uprising, one can mention here that the tax levy collected from residents of Warsaw for transportation purposes was changed at the beginning of the 1840s. As the Administrative Council pointed out in Article 1 of its decision of 21 February 1840, tax collected from house owners in Warsaw, then brought to the General Cashier of the Kingdom of Poland and left at the disposal of the Government Committee of Internal Affairs, now had to be (i.e., as of 1 January 1840) transferred to the budget of the capital city of Warsaw. On this occasion, the Administrative Council ordered employees of the Warsaw Economic Commission to “keep paved roads and unpaved places in a proper order, prolonging their use by keeping in good shape some mounds of broken stone, similar to that process used in

³⁵ *Official Journal of the Masovian Voivodeship*, 19 March 1832, No. 26: 273.

³⁶ *Official Journal of the Masovian Voivodeship*, 19 March 1832, No. 26: 27-274.

³⁷ *Official Journal of the Masovian Voivodeship*, 1 December 1834, No 167: 1673-1674.

building sold roads”. However, the overall amount of tax collected in the Polish capital from chimneys/fumes was left unchanged.³⁸

A specific turning point in the continued functioning in the post-revolutionary Poland transportation maintenance system seems to be 1840. The structure of corvée duties itself, which had been functioning for many years now, either suffered from legal corrosion or was no longer realistic. The number of so-called “pedestrian fumes/chimneys” or “carriage fumes/chimneys”, from which a lump sum of taxation was usually collected, or assistance was given in the form of actual labour that was required, apparently changed over the passing years. Nevertheless, it is almost unavoidable to say on this occasion that, dealing almost every day with censuses and statistical settlements, Polish authorities of the era could not have noticed this phenomenon. Difficulties, which deepened time after time, must have proven to be particularly inconvenient when the differences between the actual and formal state of corvée structure numbers etc. often caused considerable distress, both in the sphere of transport tax itself and in the distribution of transport work in “nature”. Consequently, in the Kingdom of Poland of the late 1830s, there emerged “an unbridled overburdening of some owners [combined] with undue relief for others” and, equally obvious, there were observed some significant financial losses to the state treasury.

In order to prevent, in the near or more distant future, these apparent injustices and inconveniences, it was decided at the general ministerial session of the Government Committee of Internal Affairs, Spiritual Matters and Public Enlightenment (held on 8 January 1840, under the chairmanship of the then Chief Executive of this committee, General Szypov) to make a number of updates to the tax collection and active transport services system. The main objectives of this update were then laid down as follows: a) carrying out the new lustration/chimney inspections; b) setting up new inventories, which were to serve as a kind of legal basis for the upgrading of levies and the distribution of actual works in “nature”/in situ. It was obvious that collecting these data and rewriting taxation inventories required guberniya governments to present them for approval to the Government Committee on Internal Affairs, which in turn passed them onto the Administrative Council. All this action was semi-formally explained as being provoked by deep conviction, coming out of an extensive administrative experience, that any requirement imposed by the state to meet the transport needs of a general nature “would be bearable for its active participants [taxpayers, peasants working directly by roads etc.] and would become acceptable for the government to make the distribution of transportation levies convenient, only if, besides the moderate extent of the burden, each person participating in it would be affected equally and annually”.

Finally, according to its own previous decision made on 8 January 1840, the Government Committee of Internal Affairs recommended on 14 March 1840 to all guberniya governments to carry out a costless (in the original: “without the need for applying separate costs”) inspection/lustration of all chimneys/fumes located in their sphere of governance. Furthermore, as a legal basis for this action, reference was still made to unaltered Articles 7, 8 9 and 10 of the old decree of 14 November 1820. Eventually, some cosmetic changes related to the text of these articles were only related to renaming the administrative structure of the Kingdom of Poland, already accomplished already in 1838 (when voivodeships were converted into guberniyas etc.).³⁹

Thus, in the above-described period, some of the main alterations or modification to the transportation network maintenance system mostly concerned: a) giving preference to its

³⁸ *Journal of Laws of the Kingdom of Poland*. 1840. Vol. 24: 361-363

³⁹ *Collection of Administrative Regulations of the Kingdom of Poland. Department of Land and Water Communications. Land Communications*. 1866. Vol. 2: 73-75.

actual implementation, and b) the possible shift of transportation money flows into the capital city of Warsaw. It was not until the beginning of 1840 that the idea concerning the accurate actualization of lists of corvée obligations required in the Kingdom of Poland was brought to light.

4. CORVÉE IN TERRITORIES DIRECTLY INCLUDED IN THE RUSSIAN PARTITION ZONE

In the remaining part of the former Commonwealth partitioned by the Russians, i.e., in the territory, which, after 1795/1815, was a direct part of the tsarist Russian Empire, a number of legal solutions was also introduced (as in a whole of the tsarist state) referring directly or indirectly to the forced labour used to maintain, repair and build the road network. These were: a) “remarks” concerning roads, approved by Tsar Alexander I in 1817; b) the order of Tsar Nicholas I of 2/14 March 1826; c) the opinion of the St. Petersburg’s State Council of 1832, which also referred to the problem of road surveillance/repair; d) the opinions and comments drawn up by a special committee, established “for the purpose of building roads in the state”.⁴⁰

In addition to the 14th point of the “sentence” of the St. Petersburg’s State Council, which originated in 1832 before being approved by Tsar Nicholas I on 24 March/5 April 1833, further extensive re-evaluation of road/transport legislation took place in Russia. On 25 January/6 February 1834, a formal order (“ukaz”) was issued by the First Department of the Ruling Senate, to which was also attached the proclamation of the State Council “on the building and maintenance of roads”, approved earlier by Nicholas I on 29 December 1833/10 January 1834.⁴¹

First of all, it was stated here that, according to the order of Alexander I dated as of 2/14 March 1826, the “road duty” (“corvée”) essentially related to the exclusive maintenance of roads in good shape (in the original: “in a decent state”). This obviously referred to the necessity to direct effort, combined with compulsory public works in transportation, on the road network already built, the repair and maintenance of which had to be made in accordance with existing and already practised rules. In addition, the legislator assumed the possibility of improving roads as being a part of the process of maintaining the transportation traction itself. Such opportunities would emerge when, at the request of private landowners, or on the orders of persons managing state-owned ruling areas, significant improvements in the road network were possible to make, especially where, due to poor soil conditions, frequent and significant damage to the transport network was constantly caused.

The Russian Council of State allowed, in such cases, for the reworking (but only when using private financial resources or private labour and resources) existing old roads by changing their status to “paved” or “chausse” types of tracks. Generally, the law gave preferences to repairing “perishable” sections of demolished roads with fascines, poles or possibly with flat stones. The anticipated remaking of the road structure and appearance was only allowed under the direct and strict guidance, supervision and control of the district surveyor, as well as other officials “aware of this stuff”, who were, as a rule, used on construction works of Russian roads during 1830s. These persons had to be engaged in each

⁴⁰ *Petersburg Weekly. Official Gazette of the Kingdom of Poland*, 21 February 1834, No. 11: 65.

⁴¹ *Petersburg Weekly. Official Gazette of the Kingdom of Poland*, 21 February 1834, No. 11: 61. *Digest of Laws of the Russian Empire*. 1834. Vol 8. Part. 1 1833: 817- 820.

of such road re-working processes, at least “before civil [road] engineers could be educated”.⁴²

In some cases, the tsarist law “on the installation and maintenance of roads” also provided for the possibility of performing repair work on the transport network by relying on state resources. Namely, the local governor of the respective gubernya was entitled to deliver to St. Petersburg’s Ministry of Internal Affairs the specific desired documentation, simply in order to obtain ministerial acceptance of the preliminary estimation of repair costs of the presumably destroyed gubernya or district road. Such documentation mainly included plans, drawn up by the local county/gubernya surveyor in accordance with the existing rules (also in full compliance with the standardized list of typical drawings, published in a special atlas and manual). This situation would be at stake when, as a result of the request made by local authorities, it was considered necessary from a ministerial point of view to repair some of the longer parts of specific roads (once such repair work was accepted and decided upon for some other reason). The funds required would be, in such a case, provided by either the general gubernya budget or local taxpayers, via land taxes obtained from private citizens of a particular district.

The mere repair and maintenance of roads in the form of a “corvée” system was expected to be accomplished by the efforts of work of local peasants, led by “conscious and zealous officials”. Technically speaking, the compulsory public work system for the construction, repair and maintenance of the Russian communication network was, of course, based on unpaid labour, and only the supply of necessary building materials was paid for. The whole of the road network in the area of the individual gubernya, and all of the smaller bridges and less important dykes, which were capable of being built or repaired even by unprepared and inexperienced common peasants, were described in detail by district surveyors. Subsequently, the obligation to build and maintain them was divided into separate “faculties” or “districts”, which formally consisted of local residents in the main. The overall process of keeping the local transportation network of a particular part of it in at least relatively good shape was thus delegated to all local inhabitants of all social classes. Obviously, such a delegation only referred to those who were, by law, obliged to carry out “corvée” duties in one form or another.⁴³

Having described examples of Russian legislation concerning “corvée” procedures (which were also in force in the tsarist part of the partitioned territory of the former Commonwealth), one can observe a rather strange and less devoted attitude among the St. Petersburg authorities towards this phenomenon, such that some of the burden was placed on the shoulders of citizens, without proper support from the state.

5. CONCLUSION

The system of compulsory construction and repair/maintenance work in the transportation network, which had been functioning for a long time in the Commonwealth, was significantly altered and above all formalized in the areas directly or indirectly occupied by tsarist authorities after the partition of Poland had taken place. The preliminary time frames of these changes can be dated back, for both the Kingdom of Poland and the Russian Empire, to 1816/1817. Problems with the correct distribution of the actual corvée service, which finally led to significant inequalities in the share of public burdens, resulted in the Kingdom of

⁴² *Petersburg Weekly. Official Gazette of the Kingdom of Poland.* 21 February 1834. No. 11: 65-66.

⁴³ *Petersburg Weekly. Official Gazette of the Kingdom of Poland.* 21 February 1834. No. 11: 66.

Poland, during the period 1820-1823, publishing a number of diverse statutes dealing with these matters. Even after the fall of the November Uprising, this new system, despite a few modifications and updates, did not change significantly. On the other hand, within the former Polish territory, which was then directly under the authority of St. Petersburg, somewhat different solutions were adopted, involving a less evident role of the state in the eventual improvement of the transportation network.

References

1. Central Archives of Historical Record in Warsaw. *The Third Council of the Kingdom of Poland: 1864*. Signature: 256.
2. Central Archives of Historical Record in Warsaw. *The Second State Council of the Kingdom of Poland: 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823*. Signature: 1, 4, 5, 6, 7, 8, 9, 10, 11.
3. *Dziennik Praw Królestwa Polskiego*. 1840. [In Polish: *Journal of Laws of the Kingdom of Poland*.] Vol. 24. Warsaw: Government Printing House by Government Commission of Justice.
4. *Dziennik Urzędowy Województwa Mazowieckiego*. [In Polish: *Official Journal of the Masovian Voivodeship*.] 19 March 1832, No. 26. Warsaw: Commission of Masovian Voivodeship.
5. Gloger Zygmunt. 1903. *Encyklopedia Staropolska Ilustrowana*. [In Polish: *Illustrated Old Polish Encyclopaedia*.] Vol. 4. Warsaw: Piotr Laskauer and Company.
6. *Dziennik Urzędowy Województwa Mazowieckiego*. [In Polish: *Official Journal of the Masovian Voivodeship*.] 1 December 1834, No. 167. Warsaw: Commission of Masovian Voivodeship.
7. *Tygodnik Petersburski. Gazeta Urzędowa Królestwa Polskiego*. [In Polish: *Petersburg Weekly. Official Gazette of the Kingdom of Poland*.] 21 February 1834, No. 11. Petersburg: J.E. Przeclawski.
8. *Svod Zakonov Rossijskoj Imperii*. 1834. [In Russian: *Digest of Laws of the Russian Empire*.] Part. 1. 1833. St. Petersburg: Printing House of Second Division of His Imperial Majesty's Chancery.
9. *Zbiór Przepisów Administracyjnych Królestwa Polskiego. Wydział Komunikacji Lądowych i Wodnych. Komunikacje Lądowe*. 1866. [In Polish: *Collection of Administrative Regulations of the Kingdom of Poland. Department of Land and Water Communications. Land Communications*.] Vol. 2. Warsaw: Orgelbrandt Printing House.

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