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LEGAL ASPECTS OF ORGANISING THE ADMINISTRATION OF FOOD FOR THE ARMY IN THE DUCHY OF WARSAW BETWEEN 1807 AND 1812

The issues discussed in this article have not yet been widely analysed in the relevant literature. The provision of food to the army has usually been a side issue in the discussion of the economic policy of the Duchy of Warsaw.¹ The only monograph dealing directly with this subject was published before World War II – *Dzieje administracji w wojsku Księstwa Warszawskiego. Zaopatrzenie wojska* [The History of Administration in the Army of the Duchy of Warsaw. Supplies for the Army] (Warszawa 1928) by Henryk Eile. Although the author tends to directly quote the content of individual regulations rather than analyse them extensively, it does not undermine the fact that this work is of exceptional scholarly value for anyone researching the history of the Duchy of Warsaw.

In view of the above, the article is based mainly on archival sources and printed manuscript sources. They include, above all, collections held by the Central Archives of Historical Records in Warsaw (CAHR), the journal of the activities of the Governing Commission of 1807 published by Michał Roztworowski in 1918, Protocols of the Council of State of the Duchy of Warsaw (PCSDW) [*Protokoły Rady Stanu Księstwa Warszawskiego*], published periodically since 1960 as well as sources of law, i.e. decrees published in the Journal of Laws of the Duchy of Warsaw and, *inter alia*, instructions for

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¹ There are only two modern works on the organisation of the administration of food and they only cover years 1807-1809, see Kowalczyk 2006, 7-48; Idem 2014, 7-24. In addition, see *Statystyka Księstwa Warszawskiego 1808 r.*, Voivodship Public Library in Lublin, manuscript no.1176; Gembarzewski 1905, 270-72; Grossman 1925, 29-31, 75-77; Zych 1961, 38-40; Sobociński 1963, 141-47 and 164; Kowalczyk 2010, 186-87.

preparing accounts of food delivered to the army.²

The subject of my discussion is related to military mobilisation systems, which at the turn of the 19th century played, as in previous centuries, a significant role in the organisation of military administration and military operations. For the purposes of the analysis, a mobilisation system will be understood as a set of organisational, planning and training undertakings concerning the preparation of military units and personnel reserves to perform tasks related to the mobilisation of armed forces, including the collection from the national economy of a fixed amount of means of transport, devices and materials that serve to satisfy the needs of the army.³ However, due to the limited nature of my discussion, I will focus my attention on only one element of a mobilisation system understood in such a way, namely supplying the army with material resources, including food.⁴

1. The first years of the Duchy of Warsaw and the problem of supplies for the army

As it is well known, the army of the Duchy of Warsaw was under French command, while the military administration in it was held by the Minister of War, with military conscription and food supplies was partially the competence of the Minister of Internal Affairs [Sobociński 1963, 161 and 165-66]. With the establishment of the Duchy of Warsaw in 1807, the issue of food supply for the army became of course a fundamental issue for conducting ef-

² The instructions for officials at the warehouses with food and horse forage in the Duty of Warsaw of 15 November 1807; Letters from the chairman of the Food Committee to Prefects and Sub-Prefects of the Duchy of Warsaw explaining the issue of the "Instructions for preparing accounts of food and horse forage supplied to the French Army" of 4 May 1808 and 6 May 1808, sent to officials; "Instructions for preparing accounts of food and horse forage supplied to the French Army" of 6 May 1808 with the enclosed "Tariff of weights and measures for military rations according to new and old French regulations and inventory forms of various warehouses," CAHR, "Rada Stanu i Rada Ministrów Księstwa Warszawskiego. Akta spraw" [The Council of State and the Council of Ministers of the Duchy of Warsaw. Case files], fonds 175, file no. 175, cards 11-18 and file no. 179, cards 61-92 [henceforth cited as: CAHR CSCMDW].

³ See Laprus 1979, 227, 426 and 514; Koch 1980, 4-20.

⁴ For more on supplying the troops of the Duchy of Warsaw with material and technical resources, including means of transport, see Konarski 2019, 113-35.

fective military operations. There is no need to describe the nature of the political system of the Duchy of Warsaw at this point.⁵ However, before I proceed to the proper analysis of the issues that of interest to us, let me stress that the costs of provisioning the army that the population of the Duchy had to bear, resulting from the political, military and economic dependence of the Duchy of Warsaw on Napoleonic France led to considerable impoverishment of the peasantry, land owners [Kukiel 1918, 204], merchants and the industrial aristocracy. This was obviously caused by the fact that “all the activities of the authorities of the Duchy were subordinated to one goal – maintaining the army, providing equipment, building the infrastructure (staging posts, barracks, warehouses, bridges, fortification systems, etc.)” [Kowalczyk 2010, 145].

In view of the above, as I have already emphasised, organising the administration responsible for supplying food to the army became a fundamental issue.⁶ When the Governing Commission was established on 14 January 1807, the provision of food to the army was subordinated to the Alimentation Directorate. A separate department was established within this Directorate, responsible for supplying food and horse forage to the army. It was headed by a quartermaster to whom the internal departments in the Departmental Chambers were directly subordinated [Eile 1928a, 10-11; Idem 1928b, 18-19; Kowalczyk 2006, 11-12].

On 23 September 1807, the Government Commission established a Food Committee independent of the ministries, which meant that the administration of food in the army was fully handed over to the Poles, because until then both the above-mentioned Directorate and the department subordinate

⁵ These issues seem to have been discussed in detail in the relevant literature, see *inter alia* Kołłątaj 1810, 80-94, 95-112; Lelewel 1861, 83; Sobociński 1963, 96-97; Idem 1964, 47-48; Daszyk 2015, 24-28.

⁶ Initially, in the areas occupied by the French army, civic commissions were set up, which imposed an obligation on the inhabitants to provide food and drink for the entering Napoleonic army, CAHR CSCMDW, fonds 175, file no. 176, cards 17-18; Eile 1928b, 9-10; Kowalczyk 2006, 11. In 1807 the ration for a soldier was as follows 7/4 pounds of bread, 1/2 pound of meat, 1/2 pounds of dry legume. The ration for a horse in heavy cavalry and artillery, as well as a horse of an officer in the lower staff was as follows: 14 pounds of hay, 10 pounds of straw, 2/3 “boisseau” of outs, i.e. 2 1/4 of *garniec*. For light infantry, unallocated officers and infantry officers the ration was: 10 pounds of hay, 10 pounds of straw and 2 1/4 *garniec* of oats, see Gembarzewski 1905, 270.

to it were in practice subject to orders issued by the French military authorities, which were entrusted with the management of military administration in the Duchy of Warsaw [Kowalczyk 2006, 12].

Before this happened, however, at the 64th session of the Governing Commission on 23 February 1807, the urgent issue of regulating the way in which food was supplied to the French army was addressed. It was recommended to the Internal Director (of Internal Affairs – emphasis mine) that “he should prepare a plan of the organisation of warehouses, even if he had to use funds borrowed from the Emperor. Beforehand, all possible means should be used to protect the French army from the shortage of food.”⁷ At the 105th session on 30 March 1807, the problem of providing the army with food was addressed again. This time, while waiting for the Emperor’s decision on the proposal to conclude a contract for the provision of food for the army presented by the aforementioned Director, the Commission recommended that “he should make the necessary preparation to speed up the effect of the hottest desire to supply food to the army.”⁸

On the next day, on March 31, at the 106th session of the Commission, according to the activity log, as a result of the arrival of the Emperor’s approval of the proposal to conclude an agreement on the provision of food to the army, its draft was read out.⁹ The draft of this agreement was adopted at the 111th session on 2 April.¹⁰ Subsequently, during the 128th session on April 17, the Director of Internal Affairs presented to the Commission an imperial Decree designating two million francs for the purchase of food to be delivered to Warsaw as a result of the agreement concluded on April 2.¹¹

Several months later, at the 251st session on 9 September, the Director of the Internal Affairs issued a note to the Commission presenting the need to establish a separate deputation “which would have the specific object of su-

⁷ *Materiały do dziejów Komisji Rządzącej z r. 1807*. Vol. I: *Dziennik czynności Komisji Rządzącej*, prepared by M. Rostworowski, Kraków 1918, p. 64.

⁸ *Ibid.*, p. 117-18.

⁹ *Ibid.*, p. 118.

¹⁰ *Ibid.*, p. 126-27.

¹¹ *Ibid.*, p. 151.

plying food and horse forage for the army.”¹² The Commission agreed to this proposal and instructed the Director to draft a regulation on this subject. The following day, 10 September, at the 253rd session of the Commission, the Director presented the draft, and the Commission adopted it as a resolution.¹³

At the 257th session on 12 September, Count Jan Załuski was appointed chairman of the Food Committee, but at the 258th session the Chairman of the Commission presented a letter from the Count in which he announced that he could not accept the position offered to him. As a result of his refusal, at the request of General Jan Henryk Dąbrowski, the Commission nominated General Wincenty Aksamitowski for that position,¹⁴ but he did not take up his post and his duties were taken over by the Director of Internal Affairs. According to the resolution, the deputation for food and fusions established on 10 September was to deal exclusively with all supplies and supervision of food, horse forage and necessities for the allied army and the national army (the distribution of compulsory food contributions,¹⁵ allocation of places for warehouses, administration of warehouses, conclusion of contracts with suppliers, etc.). The deputy was to report directly to the Director of the Internal Affairs.¹⁶ However, as we will see later, this Committee did not take up any activity and was replaced by the Food Commission set up about two weeks later. The decision made on 10 September was repealed.

The problem of organising the administration of food for the army was still unresolved. At the 274th session on 23 September, remarks by Marshal Ludwig M. Davout were presented,¹⁷ which included a proposal to establish a separate committee, consisting of three persons, which, with the appropriate competences, would deal exclusively with the provision of food and all

¹² *Ibid.*, p. 403.

¹³ *Ibid.*, p. 407.

¹⁴ *Ibid.*, p. 420.

¹⁵ For more about the distribution of compulsory contributions of food between 1808 and 1812, see CAHR CSCMDW, fonds 175, file no. 186, cards 1-254.

¹⁶ *Materiały do dziejów*, p. 743.

¹⁷ Davout, as the military commander of the Duchy of Warsaw was entrusted with the task to organise the entire Polish army. He is considered to have been not only a good general but also a good administrator, see Gallaher 2000, 161 and 168.

needs to the army.¹⁸ The Commission accepted that proposal, and President Wybicki, on behalf of the Commission, declared that he would immediately proceed with the establishment of the requested Food Committee.¹⁹

As a result, at the same session, the Commission established a separate Food Committee, headed by the President of the Warsaw Department, Michał Kochanowski, who was given the power to take on three collaborators.²⁰

The Food Committee was authorised “to perform the most important task of the present time, to feed and provide all the necessities to the army stationing in the Duchy of Warsaw, by granting it the authority to appoint its subalterns and extraordinary commissioners in the Departments, and by stating that Administrative Chambers, Executive Chamber and Town Magistrates should, with regard to the supply of food and other needs to the army, provide assistance to the Commission and, in other cases, to The Honourable Directors, and by expressing the wish that the Food Committee should stay in direct contact with the Governing Commission, collaborating with Marshall Louis M. Davout and The Honourable Quartermaster Claude Chambon, and that it has all powers of supplying food to the army.”²¹

My interest here does not lie in the activities of the Food Committee but rather the military food administration body that was created after its dissolution.²² As a result of the need to organise a new form of food administra-

¹⁸ *Materiały do dziejów*, p. 447.

¹⁹ *Ibid.*

²⁰ As R. Kowalczyk points out, from the day Kochanowski was appointed President of the Food Commission, he was continually criticised, mainly by the Minister of War, Prince Józef Poniatowski, who, incidentally, proposed for the first time as early as on 13 May 1808 that the food administration should come under military authority, see Kowalczyk 2006, 42. The biography of M. Kochanowski is presented by Krzymkowski 2011b, 280-81; Kowalczyk 2014, 11-12. However, it should be noted that Prince Poniatowski was not in favour of a system in which the army itself (rather than civilian administration bodies, supported by military force if necessary) collected food from those who were obliged to supply it, see Eile 1928a, 35.

²¹ *Materiały do dziejów*, p. 448.

²² The information about the activities of the Food Committee can be found, *inter alia*, in the protocols of the Council of State, which often discussed these issue in the following years, see *Protokoły Rady Stanu Księstwa Warszawskiego* [Protocols of the Council of State of the Duchy of Warsaw], Vol. I, Part 1, published by B. Pawłowski, Toruń 1960 [henceforth

tion,²³ the Food Committee was replaced in July 1810 by the Directorate of Food, subordinate to the Ministry of War,²⁴ which was organised as a permanent administration of food for the army of the Duchy of Warsaw.²⁵ Unfortunately, its activities did not bring the expected results and it was abolished on 1 January 1812, while the provision of food to the army was transferred back to the Ministry of Internal Affairs. My main subject of discussion will cover the period from 1809, when the legislative work on the organisation of the food administration began, to 1 January 1812, when the Directorate for Food, which is the subject of this analysis, was abolished by the Decree of 27 December 1811.

2. The course of legislative work in 1809-1810 on the establishment of a permanent administration of food for the army

After the establishment of the Food Committee in September 1807, matters within its remit were discussed in the Council of State of the Duchy of Warsaw.²⁶ However, in view of the research methodology I have adopted and

cited as: PCSDW I (1)], oraz *Protokoły Rady Stanu Księstwa Warszawskiego* [Protocols of the Council of State of the Duchy of Warsaw], Vol. II, Part 2, published by B. Pawłowski, Toruń 1962 [henceforth cited as: PCSDW I (2)].

- ²³ In the opinion of R. Kowalczyk, the period of functioning of the Food Commission and the chairmanship of M. Kochanowski [Kowalczyk 2014, 12-23], taking into account the imperfections of the created food administration, resulting mainly from financial difficulties, but also from the limited estimated sowing rate and inexperienced field administration staff, was the best period of food administration in the Duchy, see Kowalczyk 2006, 47. On the negative assessment of the Food Committee, see Eile 1928a, 63-64.
- ²⁴ The Food Committee ended its *de facto* activities on 22 April 1809 after the entry of the Austrian army and the seizure of the capital. Therefore, the central authorities did not act and the supply of food to the army was handled by local administrative authorities or war quartermasters. The Food Committee returned to Warsaw in June 1809, but only dealt with liquidating its branches and preparing a report. This meant that from April 1809 to July 1810, i.e. the establishment of a new food administration, there was no central institution responsible for provisioning the army [Eile 1928a, 60-62].
- ²⁵ The institution of general directorates originated in France and was then being transferred to Poland. Apart from the Directorate of Food the following were established: the General Directorate of National Estates and Forests, the General Directorate of Treasury, the Directorate of National Education, the Directorate of War Administration and the General Directorate of *Popisy* [Gałędek 2013, 410].
- ²⁶ Issues related to the activities of the Food Committee are analysed in more detail by Kowal-

the purpose of my analysis, I will not discuss these issues at this point. Let me only point out that from as early as November 1807 various recommendations were made to it, and the Committee itself presented conclusions and reports on its activities to the Council of State.²⁷

On January 18, 1809, at the 255th session of the Council of State, a plan concerning the administration for the army was read out for the first time,²⁸ which was the result of the issue of preparing a new plan for feeding the army and therefore the need for a new plan for the administration of food, discussed from October 18, 1808 (202th session of the Council of State).²⁹ Let us recall that at the 114th session of the Council of State on 13 May 1808 the matter of the continuation of the Food Commission was considered for the first time, even referring to the provisions of the Constitution, which did not mention – and this was stressed – such a body. At the same time, the Council of State instructed the chairman of the Committee to prepare and present a proposal containing provisions for the continuation of the Committee and its organisation.³⁰

Several months passed and at the 212th session of the Council of State on 4 November 1808, the proposal to abolish the Food Committee and entrust

czyk 2006, 7-47. On the sessions of the Council of State (dates, meeting places, voting and preparing the protocols), see Krzymkowski 2011b, 98-125.

²⁷ PCSDW I (1), p. 45-46, 75-76, 80-83, 93-97, 99-100, 113, 127-28, 133, 139, 147-48, 166, 170-71, 182-83, 193, 195-96, 201, 208-209, 219, 227, 240, 244, 247, 249, 251, 257, 262, 272, 276, 285, 286, 303, 315-16, 325-26; PCSDW I (2), p. 24, 28-29, 32, 37-38, 86, 92-93, 99, 129, 145, 159, 161-64, 187, 191, 205, 211-12, 218-19, 235-36, 239-41, 245, 251-52, 256-57, 259-60, 267, 275, 281, 295, 303-304, 309.

²⁸ *Protokoły Rady Stanu Księstwa Warszawskiego* [Protocols of the Council of State of the Duchy of Warsaw], Vol. II, Part 1, published by B. Pawłowski and T. Mencil, Toruń 1965, p. 28 [henceforth cited as: PCSDW II (1)].

²⁹ PCSDW I (2), p. 173-74. The issue of the further existence of the Food Committee was addressed again a few days later at the 204th session of the Council of State on 21 October, when it was agreed to undertake the drafting a plan for the food administration at separate departmental meetings, PCSDW I (2), p. 178, 195. The change of jurisdiction, i.e. the transfer of the food administration into the hands of the military administration, was mainly influenced by the fact that after the victorious war with Austria and the enlargement of the Duchy of Warsaw, it entered a period of permanent peace, which was in favour of creating a permanent food administration in place of the previous one, which temporarily adapted to the time and conditions of the country and the war [Eile 1928a, 32].

³⁰ PCSDW I (1), p. 286, CAHR CSCMDW, fonds 175, file no. 180, cards. 3-6.

its scope of activities to one of the ministers was discussed in greater depth once again. It should be emphasised that the chairman of the Committee, Michał Kochanowski, took the view that “either the ministers of internal affairs and war should manage this administration [of food – M.K.] or if, because of their duties or other circumstances, they cannot undertake it at that time, it is necessary to create a separate department and give it a rank and dignity equal to that of a minister; otherwise, its actions will be subject to delay and failure, and this may result in unpleasant consequences.”³¹

As I mentioned above a plan concerning the administration of food for the army read out on 18 January 1809 was prepared by the deputation and introduced by Counsellor Linowski.³² It consisted of 19 articles, according to which a separate Food Directorate was to be established under the Minister of Internal Affairs and “with relations with ministers of war and treasury.”³³ At the same time another plan, consisting of three articles, was presented. Its aim was to enable the Minister of War to submit the needs of the army for food in detail, with the calculation of its price and administration costs³⁴ and “the Council, having distinguished between products which required expenditure and products that could be supplied through the distribution of compulsory contributions, and having prepared rules for this distribution will place these products in appropriate spaces in the draft of tax law, which is to be confirmed.”³⁵ Both plans were sent to the Ministers of War, Treasury and Internal Affairs as well as the Food Committee for an opinion.

At the 257th session of the Council of State on 21 January 1809, attention was drawn to the fact that until the food administration was organised, its establishment could not be planned, as there might be changes in the organisation with which the establishment would have to comply. In response to this remark Michał Kochanowski stated that the commission may temporarily specify the establishment for food, provided that the size of the army was known. In response, the Minister of War that said that out of a total num-

³¹ PCSDW I (2), p. 212.

³² CAHR CSCMDW, fonds 175, file no. 180, cards 10-13.

³³ PCSDW II (1), p. 28.

³⁴ CAHR CSCMDW fonds 175, file no. 180, card 9.

³⁵ PCSDW II (1), p. 28.

ber of 30,800 soldiers there were 22,758 infantry troops, 5,788 cavalry troops plus the artillery. As a result, the chairman of the Food Committee declared that he would prepare the establishment of food in a short time.³⁶

Later, at the 260th session on 27 January and 262th session on 30 January the issues concerning the organisation of administration of food were addressed. On 27 January 1809 attention was drawn to the fact “when introducing the matter of organising the management of food for the army, it was indicated that the relations between the national and French armies may change and make it impossible to prepare a permanent plan and therefore we should deal with tax issues.”³⁷ The Minister of War added that because he often received orders from chiefly commanding Marshal Fr. D’Auerstadt, he would not be able to give orders to the Food Directorate when it became separate.³⁸

On 30 January, a plan of the organisation of the Food Committee was read, and then M. Kochanowski read the remarks of the Commission against the organisation of the future Food Directorate. In the light of these remarks attention was drawn to the fact that the presented plan would lead to chaos in warehouse services and accounts, and would fail to meet its main task of feeding the army through inappropriate cooperation of different authorities leading to delays.³⁹ As a result, the Council stated that it expects a new plan.

At the 303th session of the Council on 21 March 1809 the Food Committee demanded that “the Council asked His Majesty the King to dissolve it and examine its activities. In the addition to the relevant plan it attaches another plan concerning the replacement of the Committee with the General Directorate of Food.”⁴⁰ At the same time, the Minister of the Interior pointed out that the competence to deliver the necessary products to the warehouses belongs to him, while the distribution of products from the warehouses should belong to the War Department. In addition Counsellor Węgliński stated that “the establishment and organisation of a new food directorate should not

³⁶ *Ibid.*, p. 33.

³⁷ *Ibid.*, p. 41.

³⁸ *Ibid.* In 1808 Davout was granted the title of the Duke of the Empire – Duke Auerstadt [Kukiel 1918, 205; Bielecki 2001, 134].

³⁹ PCSDW II (1), p. 48-49.

⁴⁰ *Ibid.*, p. 185.

only ensure that the army is served regularly, but also that citizens have no reason to complain that some of them are more burdened than others. He therefore thinks that each department should appoint one person to the Directorate and that each department should choose its own warehouse supervisors.⁴¹ Further issues related to the competencies of authorities to deliver food and the plans of the Food Committee were ordered to be recounted to Counsellor Karol Woyda.

On the following day – 22 March 1809 (305th session) – Counsellor M. Kochanowski submitted a letter in which he stated that at the end of the Sejm he would like to stop holding the office of the chairman of the Food Committee,⁴² and at the 307th session on 25 March this statement was discussed,⁴³ but only at the 308th on 27 March a decision was made to appoint his temporary deputy, Michał Wyszkowski,⁴⁴ while at the same time again commissioning the preparation of the food administration organisation in the future.⁴⁵

Work on the organisation of the administration of food administration continued during the following months,⁴⁶ but it was only at the 471th session 471 on January 13, 1810 that the plan to create the Central Food Directorate within the Ministry of War [Stojanowski 1929, 218-19, 231] was widely discussed and organising a separate administration of food was criticised.⁴⁷ The

⁴¹ Ibid.

⁴² Ibid., p. 189. M. Kochanowski's intention to resign was caused by the unfavourable opinion of the Sejm on the activities of the Food Committee, which he mentioned when speaking at the 9th session of the Chamber of Deputies on 20 March 1809, see *Diariusze Sejmów Księstwa Warszawskiego. Dziennik posiedzeń izby poselskiej sejmu r. 1809*, published by M. Handelsman, Warszawa 1913, p. 32-34. Cf. M. Kochanowski's letter to J.P. Łuszczewski, the Minister of Internal Affairs of 12 June 1809, CAHR CSCMDW, fonds 175, file no. 177, cards 108-109.

⁴³ PCSDW II (1), p. 192-93.

⁴⁴ M. Wyszkowski was temporarily appointed by the royal nomination, but he asked to be released from this duty, which he justified with ill health, incapacity and other reasons. The Council of State at its 209th session on 28 March stated that it could not accept his resignation from office, PCSDW II (1), p. 200. Cf. Eile 1928a, 104.

⁴⁵ PCSDW II (1), p. 196.

⁴⁶ See the meetings of the Council of State on 20 October (429th session), 10 November (439th session) and 24 November (447th session) 1809, CAHR CSCMDW, fonds 175, file no. 86, cards. 254-56, 292-93, 314.

⁴⁷ *Protokoły Rady Stanu Księstwa Warszawskiego* [Protocols of the Council of State of the

Minister of War referred to the French military system,⁴⁸ where each corps had a separate economic administration, including the food administration. Counsellor Kochanowski proposed the establishment of a separate directorate over the entire economy of the army, which would however consist of both civilians and military persons, with the aim of eliminating abuse by combining civil and military power. The Minister of Internal Affairs and the Minister of the Treasury also spoke in this discussion, pointing out, for example, that not all foodstuffs are delivered in kind, so that some of them are purchased for money.⁴⁹

Subsequently, at the 481st session on 9 February 1810, the Minister of Internal Affairs submitted a proposal concerning the administration of food, taking into account the previous comments of Counsellor M. Kochanowski.⁵⁰ At the 483th session, on February 13, 1810, the Minister of War submitted his own plan for the administration of food, drawing attention to how it is different from the plan of the Minister of Internal Affairs, who made the food administration separate from the military authority, unlike his plan, which in certain aspects subjected it to military authority. The Minister of War declared that “this plan is related to the general military system that the King ordered him to give.”⁵¹

The plan to establish and organise the Food Directorate, prepared by the Minister of War in connection with the Decree of 18 March – sent to the Council for and debated by the Council at the 511th session on 13 April⁵² – was presented at the 539th session on 2 June 1810. In the light of this plan, “The deputation divided the matter into two main parts. The first part covers the filling of the warehouses, which is the responsibility of the Minister of Internal Affairs. The second part covers the distribution of the quantity collected in the warehouses, which is under the authority of the Minister of War. In such a division, the first part is separated from the plan of Prince Minister of

Duchy of Warsaw], Vol. III, Part 1, prepared by T. Mencil and M. Kallas, Warszawa 1995, p. 38-40 [henceforth cited as: PCSDW III (1)].

⁴⁸ Cf. Eile 1928b, 22-23.

⁴⁹ PCSDW III (1), p. 39-40.

⁵⁰ *Ibid.*, p. 69.

⁵¹ *Ibid.*, p. 76.

⁵² *Ibid.*, p. 156.

War to a separate one, which was developed by the Minister of Internal Affairs, and which the deputy also discussed. The second part, as an important subject of the Food Directorate, remains in the plan of Prince Minister of War, which the deputation edit after a discussion, and which it first submits to the Council for its decision.”⁵³

The discussion of 2 June continued at the 546th session on 18 June, when the amendment of certain provisions that had already been adopted was discussed, e.g. those on the formalities concerning issuing and validation of coupons, “to ensure that they are genuine, preventing any infringement of the tariff.”⁵⁴

The plan was still discussed at the 552th session on 30 June,⁵⁵ and at the 553th session on 3 July (remarks on salaries in the Food Directorate).⁵⁶ The legislative work on the establishment of the new administration of food for the army was finalised at the 564th session on 11 August, when five royal decrees were read in the Royal Palace, including the Decree dated 28 July 1810, organising the Food Directorate, which was to manage military warehouses and the distribution from them, under the authority of the Minister of War.⁵⁷ This Decree was communicated in two copies: to the Minister of Justice for inclusion in the Journal of Laws, and to the Ministers of Internal Affairs and War for execution.⁵⁸

3. The analysis of the provisions of the Decree of 28 July 1810 – the regulation of the administration of food for the army

The result of many months of work on the establishment of a new admini-

⁵³ Ibid., p. 225-26.

⁵⁴ Ibid., p. 242.

⁵⁵ Ibid., p. 254.

⁵⁶ *Protokoły Rady Stanu Księstwa Warszawskiego* [Protocols of the Council of State of the Duchy of Warsaw], Vol. III, Part 2, prepared by T. Mencel and M. Kallas, Warszawa 1996, p. 7 [henceforth cited as: PCSDW III (2)].

⁵⁷ Several months after the establishment of the Food Directorate, the Minister of War demanded changes in the Decree in question, which he communicated to the Council of State at its 613th session on 9 March 1811, CAHR CSCMDW, fonds 175, file no. 90. cards 75-81.

⁵⁸ PCSDW III (2), p. 39.

nistration of military food warehouses was a Decree, signed by King Frederick Augustus, Minister of Justice Feliks Łubiński, Minister of State-Secretary Stanisław Breza and Secretary General Antoni Joneman, which was promulgated on 29 September 1810.⁵⁹

This Decree was one of the most extensive in terms of the number of editing units, normative act promulgated in the period of the Duchy of Warsaw. It consisted of seven titles, which were divided into 90 articles, with most of the editing units having their own titles in a concise descriptive form indicating the content, which significantly contributed to the readability of the entire act. In this way, the systematics of this Decree was logical and clear, although some issues, especially those contained in Titles V and VI, were, in my opinion, too detailed. Nevertheless, from the point of view of legislative technique, the decree is considered to be successful.

The first title of the Decree, “Regulation of the service,” was of an introductory nature and contained only three articles stating that the Food Directorate, whose duty was to supply food, horse forage and fuel to the army within the Duchy of Warsaw, was to be subordinated to the Minister of War, and contained provisions related to the funds of this administration: “Funds for this service” (Art. 2) and “Ancillary funds” (Art. 3).

Title II of the Decree included the following provisions: “Personal composition” (Art. 4-18), “Composition of the office of the Chief Director” (Art. 5), “Composition of active service personnel” (Art. 6), “Powers of the Chief Director” (Art. 7), “Powers of the Inspector” (Art. 8), “Liability of Officials and Sub-Officials” (Art. 9), “Warranty provided by the Supervisors” (Art. 10), “Payment for Officials and Sub-Officials” (Art. 11), “Uniform” (Art. 12), “Strict maintenance of the Officials’ attire” (Art. 13), “Food and horse forage rations” (Art. 14), “Officials shall not be entitled to remuneration for travel expenses” (Art. 15), “Annual checks and Registers” (Art. 16), “Lodgings” (Art. 17), “Maintenance in hospitals” (Art. 18).

According to these provisions the Chief Director, acting under the direct orders of the Minister of War, was to be appointed. The Chief Director appointed Sub-Officials. The office of the Chief Director consisted of 17 offi-

⁵⁹ Journal of Laws of the Duchy of Warsaw, Vol. II, No. 21, p. 307-56 [henceforth cited as: JLDW].

cials and the service of military squadrons was to include: 4 inspectors, 180 warehouse supervisors grouped in three classes and 20 second-class officials. Apart from that, 50 bakers in individual brigades entered the service.

As I said above, the food administration was headed by the Chief Director, who was subordinate to the Minister of War, while in each division the food administration was managed by inspectors, who remained under the supervision of administrators. Warehouse supervisors, officials and sub-officials were under the supervision of the war commissioners or officials replacing them. The food administration service of the Duchy of Warsaw had its own green and grey uniforms. These uniforms were regulated in detail by the provisions of Art. 12-13, for which unfortunately there is no room for discussion here. Apart from that, the officials in the food administration service were provided with pre-determined rations of food and horse forage, issued on the basis of coupons. Accommodation for warehouse supervisors and Sub-Officials in the food administration service was in military quarters or in other buildings and they had the right to remuneration for quarters, furniture and fuel. In the event of illness, the officials of this service, like military officials, were to be admitted to hospitals without unnecessary formalities.

Title III of the Decree "Establishment of warehouses" (Art. 19-46), the most extensive title in the whole Decree, consisting of 27 editing units, contained detailed provisions on the organisation of military food storage facilities and the procedure for supplying products to them. Individual provisions in this respect included: "Main warehouses" (Art. 19), "Places where warehouses should be established" (Art. 20), "Temporary warehouses" (Art. 21), "Places where stage warehouses are to be established" (Art. 22), "Products which rot in warehouses because they are stored too long" (Art. 23), "Quantity of products to be placed in a warehouse" (Art. 24), "Transport provided by the taxpayers" (Art. 25), "Transport of products to a different department shall be effected" (Art. 26), "Supervision of Prefects and Sub-Prefects over the receipt of products in warehouses" (Art. 27), "The presence of the Commissioner of War at every entry into the warehouse" (Art. 28), "Payment for products which the country does not supply" (Art. 29), "Inflow of funds of the administration of food into the Coffers of the General Payer" (Art. 30), "Public situation of articles not supplied by the country" (Art. 31), "Contracts concluded by the Director himself" (Art. 32), "Transportation of products by

a supplier” (Art. 33), “No article that can be found in the country should be imported from abroad” (Art. 34), “Sale of bran, hides and tallow” (Art. 35), “Use of emergency funds” (Art. 36), “Bills issued to taxpayers” (Art. 37), “What is meant by a contributor [*kontrybuent*]” (Art. 38), “Issuing of certificates to Warehouse Supervisors by Prefects or Sub-Prefects” (Art. 39), “Sending reports” (Art. 40), “The inspector must notify the Prefect of the delivery of products” (Art. 41), “Way to ensure the delivery of purchased products” (Art. 42), “Measures and weights by which products are to be received” (Art. 43), “Polish measurements” (Art. 44-45), “Surplus products considered to be the property of the Treasury” (Art. 46).

According to the provisions of this title of the Decree, a main and permanent warehouse was to be set up in each department for each type of food and horse forage, to supply the stage and garrison warehouses. It was up to the Minister of War, at the request of the Chief Director, to determine the most convenient locations for the establishment of the main warehouses. Apart from the main warehouses, temporary, i.e. stage warehouses were to be established, in places where the army was passing by or concentrating.⁶⁰ For such warehouses, the obligation to designate places for them belonged exclusively to the Minister of War. It was also the responsibility of this Minister, after receiving information from the Minister of Internal Affairs to indicate the places, products of a specified type and the time in which the individual departments were to deliver them, while supervising the delivery of products was to be taken care of by the Divisional Inspectors.

According to the Decree, each contributor was obliged to deliver to the warehouse designated by the Prefect or Sub-Prefect, at his own expense, the products in accordance with the distribution of compulsory contributions, and in the event it was necessary to transport the products to another warehouse in a different department, it was to be done at the expense of the Food Directorate. If the entities obliged to deliver the products to the warehouses (department, *powiat*, *gmina*, contributor) did not do so within the specified period of time, then the Divisional Inspector, after notifying the Prefect, was to announce the auction of products at the expense of the one who did not deliver the products. In such a situation the Prefect was obliged to announce the

⁶⁰ Cf. Szczepański 1977, 48-49.

auction publicly and carry it out.

Whenever products were delivered to a warehouse, a commissioner of war or his deputy were to be present to ensure that the contributors “were not harmed or detained.” All products delivered by a *liwerant* were to be delivered at its expense to the place indicated in the contract. It should be added, however, that in emergencies the Director could conclude a contract directly for the delivery of any type of food, but the products thus purchased by the Director could not under any circumstances be delivered to the warehouses by civic *podvodas* [Konarski 2019, 133].

At the request of warehouse supervisors, Prefects and Sub-Prefects were obliged to issue certificates of the quantity of products delivered from the *powiat* district or department. These documents were to be used to establish the warehouse’s takings. Warehouse supervisors were obliged to send, at least every 10 days, a report, in one copy to the war commissioner and one copy to the divisional inspector, on the condition of their warehouse in terms of products and money.

As regards the determination of measures and weights according to which products were collected, it was established that the *korzec warszawski* was used for grain collected on the basis of compulsory contributions and the French hundredweight for straw and hay. In addition, all other cereals delivered to warehouses were to be collected according to the measures the supervisors had to use when preparing accounts, in order to prevent any abuse: the *korzec* of wheat was 172 French pounds, the *korzec* of rye was 164 French pounds and the *korzec* of peas was 200 French pounds. In addition, 82 pounds of bolted flour and 15 French pounds of bran were to be calculated for 100 pounds of wheat and rye. For one French hundredweight 121 Warsaw were to be calculated.

Food distribution was regulated in Title IV of the Decree: “Distribution” (Art. 47-54), which covered the following issues: “Tariff of councillors for the army” (Art. 47), “Announcement of military tariffs” (Art. 48), “Sending a list of War Commissioners and Square Commanders to the Chief Director” (Art. 49), “Provisions for the issue of coupons” (Art. 50-51), “Inspection of warehouses by War Commissioners” (Art. 52), “Notification to warehouse supervisors of the number of troops to be fed” (Art. 53), “Ways in which justice should be dispensed to soldiers complaining about bad food” (Art. 54).

In accordance with the provisions of this title of the Decree, the Minister of War established and passed on to the King a tariff of food rations of all types to be issued to each military formation. This tariff was notified by the Minister of War in the form of a daily order by the army of the Duchy and the order was simultaneously submitted to the Chief Director. It was the responsibility of the Director to notify inspectors and sub-inspectors of districts, commissioners, quartermasters and war commissioners of the tariff. In addition, the Minister of War was obliged to send to the General Director a nominal list of war commissioners and military commanders, authorised to validate coupons in places where warehouses were located. This list was then sent by the Director to the warehouse supervisors.

As far as the coupons are concerned, in accordance with the Decree each party receiving separately each type of food was obliged to print coupons containing the quantity and type of the ration, the name and rank of the receiving party as well as the regiment, battalion or headquarters to which it belonged. Such a coupon was signed by the receiving party and validated by a war commissioner. If there was no war commissioner this was the duty of a military commander, and in the case of his absence – of a mayor or *voigt* (*wójt*).

This issue was resolved in a somewhat different way in the case of passing troops in smaller and larger units and for individual soldiers on the move. In such situations coupons for food and horse forage were not applicable but in accordance with the travel card (*feuille de route*) – issued by the commissioner and containing the quantity and type of the rations – the rations were confirmed by the traveller with his signature.

The provisions of this title of the Decree also concerned the inspection of the warehouses by war commissioners, which they were obliged to perform every day, in order to supervise whether the products issued to the army are kept in a decent condition, and whether specified rations, measures and weights are properly applied. In addition, in order to provide stocks for the troops stationed in a given military district, war commissioners were required to provide warehouse supervisors with all information on this subject.

The last provision in Art. 54 of the Decree concerned cases where the military did not want to take the products from the warehouse due to their poor condition. In such a case, the regulations required the appointment of experts:

one was appointed by the complaining party, another by a war commissioner and a third by the warehouse supervisor. If those experts considered the products to be fit for use and distribution, the costs of the examination were borne by the complaining party. Otherwise, those costs were borne by the warehouse supervisor, who had to ensure the quality of the products stored in the warehouse.

Title V of the Decree – “Accounts of the deliveries” (Art. 55-68) – covered the following matters: “Sending to the Divisional Inspector *Bordereaux* of deliveries in the places of the concentration of troops” (Art. 55), “General Divisional *Bordereaux* of the mentioned expense, prepared by Inspectors and sent to the Chief Director” (Art. 56), “Register of expenses for the army prepared by the Chief Director, sent to the Minister of War” (Art. 57), “Analysis of said summaries in the Office of the Minister of War” (Art. 58), “Return of excess rations” (Art. 59), “Supplies for troops on the move, delivered at the request of War Commissioners” (Art. 60), “Sending *Bordereaux* of the deliveries to troops on the move to the Divisional Inspector” (Art. 61), “Sending general *Bordereaux* prepared by the Inspector to the Chief Director” (Art. 62), “Sending registers of expenses in staging places, prepared by the Chief Director, to the Minister of War” (Art. 63), “Analysis of such registers in the Office of the Minister of War” (Art. 64), “Application of Art. 59 to excess rations received by troops on the move” (Art. 65), General register of all deliveries, submitted annually to the Minister of War by the Chief Director” (Art. 66), “Aforementioned regulations apply to all types of deliveries” (Art. 67), “Submitting the accounts for the maintenance of the products to the Chief Director in accordance with the regulations” (Art. 68).

The issues contained in this title were of an exceptionally detailed nature, so it is impossible to analyse them all here, given the limited editorial framework. However, let me draw attention to some of the most important issues. First of all, let me say that each warehouse supervisor was obliged, every three months, to send to the divisional inspector the *bordereaux*, in two copies, of rations issued to the army stationed in his district during the last quarter, which should be in addition confirmed by the coupons I have already mentioned above. The *bordereaux* sent in this way were then to be sent back to the General Directorate and compared there with extracts from inspection of corps or units. After the receipt of the accounts, the General Director was

also obliged to verify them and to compile a register of the deliveries issued to the army stationed in the whole Duchy. He was then obliged to send the register, in two copies, to the Minister of War within the first 10 days of the third month following the quarter of deliveries. The register was also to be accompanied by divisional *bordereaux*, excerpts from *popisy* and coupons.⁶¹

In the event that the accounts showed that a corps or other receiving party had taken more rations than it had been allocated the Minister of War recommended to the Chief Director that, at the first inspection of this corps or recipient party, he should recover the amount due, according to market prices, of the excess rations to the Treasury, and he should order to pay this amount the Directorate's Treasury. It should be added that in the case of excess rations collected by troops on the move the procedure was identical. Every year, the Chief Director had to present to the Minister of War register of all deliveries for the army in the Duchy, both to stationed troops and to troops on the move, covering all types of deliveries (bread, meat, horse forage, vodka, vinegar,⁶² salt, fuel, etc.).

Title VI of the Decree – “Cash accounts” (Art. 69-74) – contained the following provisions: “Provisions regarding the use of permanent funds” (Art. 69), “Provisions regarding the use of emergency funds” (Art. 70), “The Chief Director shall send quarterly cash accounts to the Minister” (Art. 71), “A contract shall become valid with the confirmation of the Minister of War” (Art. 72), “Submission of cash accounts by Warehouse Supervisors” (Art. 73), “Submission of general accounts for the whole year by the Minister of War” (Art. 74).

According to the provisions of this title, funds for recurrent expenditure were to be used: (a) to buy products which the country did not deliver in kind (meat, vodka,⁶³ salt,⁶⁴ firewood); (b) to cover the payment of all staff in the service, from the Director-General to the baker or daily wage labourer; (c) for the maintenance of buildings occupied for stockpiles of products and for

⁶¹ For more about *popisy* (control over the administration and management and a summary of the results of this management), see Eile 1928b, 17-18.

⁶² For more, see Kowalczyk 2010, 190.

⁶³ See *ibid.*, p. 184-85.

⁶⁴ For more, see *Idem* 2009, 761-80.

the payment of those which, owing to the absence of national buildings, will have to be rented; (d) for the cost of maintenance (bolting, purchase of barrels and equipment, salting of meat, etc.); (e) all exceptional expenditure connected with the activities of the service.

Duties of the Chief Director included the submission of a general account of expenditure for each quarter with a proof to the Minister of War. The Decree also stipulated that the conclusion of any contract, whether for purchase of any products or equipment, rent of warehouses or concerning transport costs, required the intervention of the War Commissioner. In addition the Minister of War was obliged to approve such a contract. Warehouse supervisors were obliged to submit quarterly accounts of received and spent cash. Such accounts had to be certified by the War Commissioner. The Minister of War was obliged to submit an annual report of the general administration of food.

The last title of the decree – VII – contained “Internal Orders” (Art. 75-90) and covered the following subjects: “Warehouse security” (Art. 75), “Subordination” (Art. 76), “Authority over the employed persons” (Art. 77), “Subordination, conduct and promotion” (Art. 78), “Punishment” (Art. 79), “Falsification of inspection and penalties prescribed in this respect” (Art. 80), “Supervision of inspectors” (Art. 81), “Supervision of Commissioners-Administrators and Commissioners of War” (Art. 82), “Handling a Warehouse Supervisor suspected of misappropriation” (Art. 83-84), “Inventories of products which remained in warehouses after the previous administration” (Art. 85), “Authority to such inventories are to be sent” (Art. 86), “Preparation of new accounts for entering products found in warehouses pursuant to the said inventory” (Art. 87), “Transferring Acts and Documents which remained after the former Food Committee (Art. 88), “Employed and sub-employed persons not covered by the new organisation” (Art. 89), “Organisation for the event of war” (Art. 90).

Ensuring security of the warehouses was the duty of their supervisors, who could, at every request confirmed by the war commissioner, call on the guards needed to watch over the security of the warehouse during the day and at night and maintain order during the distribution of products.

As far as the subordination was concerned, the Chief Director, as mentioned above, had all persons belonging to the service, under his authority

and his orders were to be executed strictly and without delay. For minor offences, the employed persons could be arrested and the sub-employed could be arrested for one day, and this punishment could be extended to two weeks in special case. More serious offences were heard by a military court. In cases of misappropriation of duties by warehouse supervisors (understating the measure or weight, overstating the measure or weight, etc.), they were also to be handed over to the military court, for which commissioners of war were to be responsible.⁶⁵

The distribution of rations and the presentation of accounting books were to be supervised by inspectors. Commissioners-administrators and war commissioners were to supervise accounting offices and warehouses and therefore they were entitled both to carry out any verifications they considered necessary and to inspect the books. It was them who gave the Minister of War guidance on possible improvements in the operations of the warehouses.

Further provisions of this title of the Decree stipulated that the Directorate of Food would take office from September 1810 and that the Minister of War at the same time recommended that the war commissioners, together with the prefects, should immediately prepare an inventory of the products and equipment in the warehouses that had been entrusted to the previous food administration. In addition, each newly appointed supervisor had to arrange an account in which he would place the products and equipment covered by the inventory as income. War commissioners were obliged to certify income and expense accounts every quarter, both in kind and in money. The last provision in the Decree (Art. 90), stipulated that in the event of war, the Minister of War had the power to use all those employed in the Directorate if it is necessary to include them in the organisation of the service in the army.

4. The analysis of the provisions of the Decree of 28 July 1810 on the method of delivering necessities in kind to warehouses

This decree, supplementing the previous one, and adopted on the same day, was announced on 3 October 1810 and signed by King Frederick August and authenticated by Jan Paweł Łuszczewski, who had been in charge of the

⁶⁵ Cf. Eile 1928a, 95-98.

Ministry of Internal Affairs from 5 October 1807,⁶⁶ Minister-Secretary of State Stanisław Breza and Secretary General Antoni Joneman.⁶⁷

The aim of the Decree was to ensure the delivery in kind to warehouses of products which were specified by the Sejm.⁶⁸ According to Art. 1, the Minister of the Interior was obliged to submit to the Council of State each year a list with the distribution of products that should be delivered in kind by each department. After this distribution was approved by the King, the Minister of Internal Affairs send it to prefects and convened departmental councils in order to distribute the quantity for a given department among *powiat* districts.⁶⁹ This distribution for *powiat* was then sent by each prefect to sub-prefects; prefects convened *powiat* councils, which divided it between contributors in accordance of the provisions in para. 58 of the Decree of 7 February 1809 (Art. 2).⁷⁰

In emergency situations or in the case of inactivity of departmental and county councils, the distribution was to be made by the prefectural council in a department to the *powiat* and by the sub-prefect in a *powiat* to contributors (Art. 3). Twice a year, by 1 May and by 1 November, the Minister of War had to send the Minister of Internal Affairs the information on the amount of and the place to which he was to deliver food and horse forage. Upon receipt of this information, the Minister of War designated which departments, to which warehouses, and at what time and in what quantities, the products were to be delivered (Art. 5). The Prefects, having received instructions from the Minister of the Interior to deliver the products from their departments, determined the distribution for their delivery to the districts (Art. 6). Sub-Prefects, informed about the places of delivery of products from their districts, decided to which warehouses *gmina* districts and contributors had

⁶⁶ Biography of J.P. Łuszczewski is presented by Krzymkowski 2011b, 269-70.

⁶⁷ JLDW, Vol. II, No. 21, p. 357-67.

⁶⁸ For more about the collection of products in kind, see *Wykazy produktów i tabele rozkładu produktów według departamentów* [Lists table of the distribution of products by departments], CAHR CSCMDW, fonds 175, file no. 230, cards 1-11, 13-20, 34-36.

⁶⁹ For more about overburdening in the distribution of the food for the army in 1808-1810, see CAHR CSCMDW, fonds 175, file no. 187, cards 1-32.

⁷⁰ The Decree on the organisation of department and *powiat* administrative authorities, JLDW, Vol. I, No. 8, p. 185.

to deliver the products as well as their quantity and time of delivery (Art. 7).

Pursuant to Art. 8, each contributor was obliged to supply a certain quantity of products at his own expense to the warehouse indicated by the Sub-Prefect, and he could choose whether he would supply these products by land or water (Art. 9). However, contributors were not obliged to transport the products from one warehouse to another and, if such transport was necessary, the costs were borne by the Food Directorate (Art. 10).

In accordance with the provisions of Art. 11, each Prefect was to be informed six weeks in advance by the Minister of Internal Affairs of the place and date on which products from his department were to be delivered in kind, and during this period the prefect was to inform the Sub-Prefects within seven days. The Sub-Prefects had 15 days to inform contributors, setting them a place and date of delivery, which could not be less than 21 days. In all cases, however, this period could be shortened. When receiving a delivery order, each contributor was to be informed at the same time of how many more products were required from him to complete his annual compulsory quantity (Art. 11).

For each delivery of products from contributors to a warehouse, the Decree required the presence of an official or a citizen, designated by the Prefect or Sub-Prefect. The task of such a person was ensure that the quantity of products falling on each contributor was actually brought in by him (Art. 12). In the event of doubt as to the actual quantity of the product, the task of determining the facts was to be entrusted to an expert witness, who was to assess whether the products brought in were to be accepted (Art. 13). If doubts about the products concerned their size or weight, or were related to “*podvo-da* stopping,” the local administrative authority was then obliged to settle the dispute and then send the report to the Divisional Inspector (Art. 14).

Contributors, or persons delivering products to warehouses for them, received receipts from the warehouse supervisor confirming delivery, together with the signature of the war commissioner or his deputy. These receipts had to be submitted to the relevant Sub-Prefect, who handed over the counter-receipts. The Sub-Prefect had the duty to prepare a table on the basis of the receipts he received. He sent one copy of this table to the warehouse supervisor and another copy to the Prefect. Each Prefect drew up a delivery table for the entire department, and sent it together with the receipts to the Minister

of Internal Affairs. The Minister was required to draw up a delivery table for the whole country, which he then forwarded to the King via the Council of State. According to Art. 15, within six weeks of the delivery of products, the Sub-Prefect was obliged to send the table in the form of report and then the Prefect had to send it, also within six weeks, to the Minister of Internal Affairs. The Minister was obliged to send it to the King within six months.

In the light of transitional provisions (Art. 19-22), the Minister of Internal Affairs recommended to the Prefects that they should prepare an account for all products delivered to military warehouses between 1 October 1808 and the last day of September 1809. The products delivered from the six former departments from 1 October 1809 were to be included in the report prepared by the Minister of Internal Affairs, taking into account the provisions of Art. 15 of the Decree.

Conclusion

The system of supplying the army with food, which was created by royal Decree of 28 July 1810, did not meet the expectations it raised, because although the supply of food to the army has passed into the hands of military authorities, as H. Eile emphasised, “but in fact it remained in the hands of civilian authorities, as the focus was not so much on the rational admission to and distribution from food warehouses, as on the activities which ensured sufficient supplies of food into warehouse and these remained in the hands of civil administration” [Eile 1928a, 208].

At the 709th session of the Council of State on December 21, 1811, a draft of a new act on provision of foodstuffs in the form of taxes in kind was presented, which was to be discussed in the Sejm. Before the opening of the Sejm, the Council of State held a meeting on the issue of abolishing the Food Directorate, which meant taking it away from the military management and returning it to civilian hands.⁷¹ At the meeting on that day, however, the Sejm it rejected the draft of the new act, and the Council of State met again for the 710th session, which took place on the same day⁷² and on the following day,

⁷¹ CAHR CSCMDW, fonds 175, file no. 91, cards 373-76.

⁷² *Ibid.*, cards 377-81.

i.e. 22 December, a modified draft was brought back to the Sejm. This bill, despite strong criticism of the activities of the Food Directorate, was adopted [ibid., 236].

As we have already said above, under the Decree of 27 December 1811 the administration of military food warehouses was returned to the authority of the Minister of Internal Affairs as of 1 January 1813.⁷³ General Józef Wielohorski was appointed General Director of military administration.⁷⁴ His office was to consist of the General Secretariat and three departments [Stojanowski 1929, 231], one of which was the food department. H. Eile stressed that General Wielohorski was one of the greatest administrators of the time, “but even he could not cope with the issue of supplying the army with food. It does not follow that the Minister of the Interior, who was entrusted with these duties after the abolition of the Food Directorate, was an even better administrator. It was only considered that the Prefects’ activities in the field of gathering food supplies for the army would be more efficient if they remained under the direct orders of their competent superior” [Eile 1928a, 241].

On 9 January 1812, a Decree was promulgated, supplementing the Decree of 27 December 1811 with regard to the administration of military warehouses.⁷⁵ The Decree provided that Prefects and Sub-Prefects are to manage the military food warehouses located in their department and *powiat* district from the date on which the warehouses were placed under the supervision of the Minister of the Interior by the existing administration (Art. 1). In addition, the Decree provided that this administration would be responsible for the admission of products delivered to warehouses in kind from the departments and the distribution of them (Art. 2). The warehouse officials were to remain under the authority of Sub-Prefects in *powiat* districts and Prefects in departments (Art. 4). Sub-Prefect could appoint members of the *powiat* district council to assist in the supervision of the warehouses (Art. 5). Furthermore, this Decree authorised the Minister of Internal Affairs to appoint,

⁷³ The Decree abolishing the Food Directorate and returning the administration of military warehouses to the authority of the Minister of Internal Affairs was promulgated on 4 March 1812, JLDW, Vol. IV, No. 40, p. 163-70.

⁷⁴ Biography of J. Wielohorski is resented by Askenazy 1898, 17-18; Krzymkowski 2011b, 286-88.

⁷⁵ JLDW, Vol. IV, No. 40, p. 171-78.

if necessary, one member each from the departmental councils in order to “hold a discussion with regard to the delivery means and accelerating the delivery to the specified place.”

In order to ensure regular supply of food for the army to warehouses a Decree, consisting of 37 articles, on the distribution of compulsory contributions of food and horse forage and the organisation of their delivery to warehouses was adopted on 5 June 1812.⁷⁶

Thus, the civilian administration of food for the army ceased to exist, and the supply of food to the army remained in the hands of the Minister of Internal Affairs until the end of the Duchy of Warsaw, while only the military bakeries were still under the military administration. The food administration remained in such a form until June 1812, when on 19 June 19, 1812, a resolution was passed to take over the branches of the Food Directorate by the Extraordinary Commission of the Army’s Needs, whose tasks were to include, *inter alia*, the provision of food and horse forage to the army.⁷⁷ When in January 1813 the Russian army, following the retreating French army, entered the territory of the Duchy of Warsaw, on 6 August 1813 an Extraordinary Military Needs Commission was established, headed by the referendary Karol Woyda⁷⁸ which was to become responsible for supplying the army from that time on.

⁷⁶ The Decree was divided into five titles: I. On the method of the distribution of products (Art. 1-3); II. On the delivery of products to warehouses and confirming it (Art. 4-17); III. On the establishment of warehouses (Art. 18-23); IV. On grinding warehouse grain (Art. 24-26); V. On the transport of warehouse products, (Art. 27-37), see CAHR CSCMDW, fonds 175, file no. 230, cards 21-33; *Ustawodawstwo Księstwa Warszawskiego. Akty normatywne władzy najwyższej*, Vol. 4, prepared by W. Bartel, J. Kosim and W. Rostocki, Warszawa 1969, p. 5-15.

⁷⁷ CAHR, “Rada Ministrów Księstwa Warszawskiego. Księgi kancelaryjne” [The Council of Ministers of the Duchy of Warsaw. Chancellery books], fonds 176, file no. 40, cards 8-11 [henceforth cited as: CAHR CMDW]; Krzymkowski 2011a, 130. Cf. the resolution of the Council of Ministers of 5 September 1812, CAHR CMDW, fonds 176, file no. 114, cards 88-90.

⁷⁸ In the previous Commission – established on 25 June 1812 – Karol Woyda was the commissioner, and Stanisław Wodzicki was appointed chairman. Wodzicki was the prefect of the Kraków department at the time of his appointment, CAHR CMDW, fonds 176, file no. 40, card 12. Later Woyda performed the duties of the chairman of the commission, at first without remuneration, which was granted to him by the resolution of the Council of Ministers on 27 January 1813, CAHR CMDW, fonds 176, file no. 114, card 78.

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Legal Aspects of Organising the Administration of Food for the Army in the Duchy of Warsaw between 1807 and 1812

Summary

The aim of this article is to analyse issues related to organising the administration for the army in the Duchy of Warsaw. During this period, the issue of feeding the army was first under the control of civil authorities, namely the Food Committee (1807-1809), then was taken over by military authorities (1810-1811), and finally returned to civil authorities. The analysis covers the course of legislative work preceding the establishment of the permanent food administration under military authority, and the provisions of the royal decrees establishing this administration.

Key words: Duchy of Warsaw, administration of food, military warehouses, Food Directorate

Prawne aspekty organizacji administracji żywności dla wojska w Księstwie Warszawskim w latach 1807-1812

Streszczenie

Celem niniejszego artykułu jest analiza zagadnień związanych z organizacją administracji żywności dla wojska w Księstwie Warszawskim. W okresie tym kwestia wyżywienia wojska podlegała wprawdzie zwierzchnictwu władz cywilnych na czele z Komisją Żywności (1807-1809), następnie zaś administracja żywności wojska przeszła pod zwierzchnictwo władz wojskowych (1810-1811), po czym wróciła z powrotem w kompetencje władz cywilnych. Analiza obejmuje przebieg prac legislacyjnych poprzedzających powołanie stałej administracji żywności znajdującej się pod zwierzchnictwem wojskowym oraz postanowienia dekretów królewskich powołujących tę administrację.

Słowa kluczowe: Księstwo Warszawskie, administracja żywności, magazyny wojskowe, Dyrekcja Żywności

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