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War Burdens and Requisitions in the Period of the Kościuszko Uprising of 1794

*Ciężary i rekwizycje wojenne w okresie
powstania kościuszkowskiego 1794 r.*

Introduction

War burdens and requisitions,¹ which are an indispensable element of the system of supplying the army with material means, including food, fodder and other items, have been imposed and used by State (military and civil) authorities on the population located within the range of the army's march and encampment

¹ The present reflections are a continuation of the analysis I have carried out more comprehensively elsewhere, see M. Konarski, *Osobiste i rzeczowe ciężary wojenne w świetle prawodawstwa okresu insurekcji kościuszkowskiej 1794 roku*, „Folia Iuridica Universitatis Wratislaviensis” 2020, vol. 2(9), pp. 8–37. The previous research conclusions have been extended and supplemented by the new archival sources and literature.

(quarters) or military operations since ancient times.² Nowadays these issues constitute the subject of constitutional and administrative law regulations and are included in the system of civic duties of universal character connected with the constitutional obligation to defend the homeland.³

With the outbreak of an uprising against the Russian Empire and the Kingdom of Prussia,⁴ the activities of the insurgent State apparatus were almost entirely subordinated to the matters of organisation, armament and supply for the fighting divisions. The burden of supplying the army with the materials it needed to fight rested mainly on the population of the country. In the area of supply, the experiences of the Polish-Russian war of 1792 in defence of the Constitution of 3 May 1791 were taken into account. During this war, the Polish army had great difficulties with food and transport due to faulty work of the bodies responsible for supplying the army.⁵ In 1794, the provisioning of the Polish army was already based on these experiences and the norms established by the insurrectionary authorities.⁶

It should be noted that at the outbreak of the Uprising in 1794, in addition to warehouses located in Warsaw, the army had at its disposal field warehouses established by order committees several years before.⁷ At the same time, unorganised (unlawful and arbitrary) requisitions, which were devastating the country

² For more, see T. Srogosz, *Ekonomiczne i społeczne następstwa przemarszów oraz stacjonowania wojsk własnych na terenie województw łęczyckiego i sieradzkiego oraz ziemi wieluńskiej w XVII wieku*, „Acta Universitatis Lodziensis. Folia Historica” 1990, nr 37, pp. 3–33. In Poland, before 1794, legal regulations were established for the quartering, provisioning of the army and the provision of *podvodas* for the army on the basis of the Sejm constitutions (resolutions) of 1775 and 1791, see *Volumina Legum*, vol. VIII, Petersburg 1860, pp. 100–101; *Volumina Legum*, vol. IX, Kraków 1889, pp. 149–152.

³ See M. Konarski, *Public Burdens for the Defence of the Polish State on the Example of the Obligation to Hand Over Means of Transport in the Event Mobilisation Is Announced or During a War*, „Wojskowy Przegląd Prawniczy” 2020, vol. 3(295), pp. 43–51.

⁴ For more on the causes of the outbreak of the Kościuszko Uprising, see M. Konarski, *Reflections on the Reform of the Legal Situation of Peasants during the Kościuszko Uprising 1794*, “Review of European and Comparative Law” 2018, vol. 4(35), pp. 45–48 and the literature cited therein.

⁵ See T. Rawski, *Siła zbrojna narodowa*, [in:] *Powstanie kościuszkowskie 1794. Dzieje militarne*, red. T. Rawski, t. 1, Warszawa 1994, p. 99. Cf. *Pamiętniki wojenne 1792–1812*, vol. 6, published by J.I. Kraszewski, Dresden 1871, p. 10; K. Górski, *Wojna 1792 roku*, Kraków 1917, p. 113; A. Wolański, *Wojna polsko-rosyjska 1792 r.*, t. 1, Poznań 1924, pp. 42, 44, 51–53, 121–122, 167, 218, 238, 361.

⁶ See S. Bratkowski, *Z czym do nieśmiertelności*, Katowice 1979, p. 332.

⁷ For more about the competencies of these committees, see J. Gordziejew, *Komisje Porządkowe Cywilno-Wojskowe w Wielkim Księstwie Litewskim w okresie Sejmu Czteroletniego (1789–1792)*, Kraków 2010, pp. 289–301; W. Uruszczak, *Ustawy okołokonstytucyjne Sejmu Wielkiego z 1791 i 1792 roku*, „Krakowskie Studia z Historii Państwa i Prawa” 2013, vol. 6(3), p. 256; K. Jakimowicz, *Komisja Porządkowa Cywilno-Wojskowa Ziemi Lubelskiej i Powiatu Urzędowskiego jako instytucja administracyjno-samorządowa*, „Wschodni Rocznik Humanistyczny” 2019, vol. 3(16), pp. 154–157.

and leading to demoralisation of soldiers, were counteracted.⁸ This should be considered a considerable success of both an organisational and military nature. In comparison with the Russian and Prussian armies, which in the analysed period widely used a system of ruthless requisitioning combined with robbery,⁹ the organisation of the material base of the Polish insurgent army may be regarded as a model worth recalling.

By improving the provisioning system, as we will see later, Tadeusz Kościuszko brought about a situation in which the supply of food and fodder to the army was generally sufficient. The situation was similar with transport. Unfortunately, the insurgent army had considerable difficulties with uniforms, which was due to the fact that the supply of linen and cloth from a few manufactories was only partially sufficient. In connection with this, which will also be discussed later, in addition to collecting gifts, requisitions of leather, linen, cloth, shirts, boots and sheepskin coats were carried out. Unfortunately, these requisitions were not able to satisfy such needs and insurgent soldiers often fought barefoot and ragged, without boots and coats.¹⁰

The purpose of this analysis is to present, in historical and legal terms, the institution of imposing burdens and the fulfilment of these obligations by means of war requisitions as means used by the insurgent authorities to achieve their military objectives.

The organisation of the insurgent administrative apparatus with regard to provisioning the army

It can be assumed that the first body responsible for supplying the army during the Kościuszko Uprising was the Military Needs Section of the Order Committee of the Kraków Voivodeship, which was created on 24 March by virtue of the Uprising Act. The scope of competences of this body was formed in the course of performing tasks in the field of the organisation and supply of the insurgent troops in Kraków.¹¹ This body became the model for the Department of Military Needs of the Provisional Council (*Rada Zastępcza Tymczasowa*), which

⁸ See T. Rawski, *op. cit.*, p. 99.

⁹ Cf. W. Tokarz, *Żołnierze kościuszkowscy*, Kraków 1915, pp. 12–15.

¹⁰ See *Rozkazy Kościuszki do generała Orłowskiego w roku 1794 skierowane*, published by A.M. Skałkowski, Poznań 1925, p. 13; J. Kiliński, *Pamiętniki*, red. S. Herbst, Warszawa 1958, p. 166.

¹¹ See A. Zahorski, *Uzbrojenie i przemysł zbrojeniowy w powstaniu kościuszkowskim*, Warszawa 1957, pp. 78–84; J. Dudziński, *Wydział Potrzeb Wojskowych i Komisariat Wojskowy za rządów Rady Zastępczej Tymczasowej – cywilne organy władz wojskowych (19 kwietnia – 28 maja 1794 roku)*, „Z Dziejów Prawa” 2013, vol. 6(14), p. 30.

was created on 19 April.¹² Its primary tasks were to ensure, *inter alia*, that the army received uniforms and other necessary items. It was this Department that the commanders of individual units contacted, presenting their material needs. Alongside this body was the War Council elected by the Warsaw garrison, which was to deal with matters of the city's defence and the provisioning of troops.¹³

Another body whose main task was to continuously and systematically coordinate the satisfaction of the needs of the insurgent army was the War Commissariat, which was established by the Provisional Council on 25 April. The Commissariat consisted of the General Directorate and the Central Chancellery and four departments whose names corresponded to their tasks: (1) Arms and Lazarettos, (2) Uniforms, (3) Food and Forage, (4) Horses and Harnesses. The responsibilities of this body covered almost all areas of the operation of the army.¹⁴

Both of these bodies – the Military Needs Section and the War Commissariat – functioned at the Provisional Council until 28 May, i.e. for a relatively short time. For a significant part of the Uprising, however, duties related to the performance of war burdens rested within the competences of the Supreme National Council, established in May 1794 as the insurrectionary authority for the whole country.

The Food Department of this new insurrectionary body coordinated the supply of surplus forage and foodstuffs to the capital through the order committees,¹⁵ while in addition it dealt with the supply of provisions for military units. A constant supply of goods was attempted to be secured by conducting a meticulous inventory of food and forage through the order committees.¹⁶ Thus, the main

¹² "Gazeta Wolna Warszawska" ["Free Warsaw Gazette"] of 26 April 1794, no. 1, pp. 5–6 (hereinafter referred to as "FWG"). Adam Próchnik points out that this body could have been created as early as on the first day of street clashes in Warsaw, i.e. on 17 April. See idem, *Francja i Polska w latach 1789–1794*, Warszawa 1964, p. 268.

¹³ "Gazeta Rządowa" ["Government Gazette"] of 21 October 1794, no. 109, pp. 442–443 (hereinafter referred to as "GG"). Cf. W. Bartel, *Ustrój władz cywilnych powstania kościuszkowskiego*, Wrocław 1959, p. 63. As early as on 21 April, work on the design of Warsaw's external fortifications was undertaken – the task was entrusted to the Commander of the Corps of Engineers, Colonel Karol Sierakowski. See J. Giergielewicz, *Przyczynki do umocnienia i obrony Warszawy w powstaniu kościuszkowskim*, „Przegląd Historyczno-Wojskowy” 1930, vol. 2(2), p. 26; S. Herbst, *Z dziejów wojskowych powstania kościuszkowskiego 1794 roku*, Warszawa 1983, pp. 295–301.

¹⁴ The Central Archives of Historical Records, fonds no. 11, file no. 257, card 388 (hereinafter referred to as "CAHR"). Cf. A. Zahorski, *Uzbrojenie i przemysł...*, pp. 84–93.

¹⁵ The organisation of the Food Department was finally determined on 5 July 1794, see GG of 20 August 1794, no. 49, pp. 197–198; GG of 21 August 1794, no. 50, pp. 201–202. Cf. A. Wilkoszewski, *Komisje Porządkowe Koronne za powstania Kościuszkowskiego*, „Przegląd Historyczny” 1929, vol. 2(28), p. 238. For more on provisioning the capital, see A. Zahorski, *Warszawa w powstaniu kościuszkowskim*, Warszawa 1985, pp. 237–249.

¹⁶ See FWG of 7 June 1794, no. 13 (supplement), pp. 177–178; FWG of 10 June 1794, no. 14 (supplement), pp. 193–195.

task of organising the logistics support for the armed forces of the insurrection, as in the case of conscription, rested on the shoulders of these order committees.

It should be added that, practically throughout the entire period of the insurrection, the insurrectionary authorities struggled with the problem of traders buying up necessities, as well as with speculation and food usury.¹⁷ The reasons for these problems lay in the fact that both traders and peasants did not want to sell goods for assignats, and demanded payment in cash.¹⁸ These were not the only problems, as the army often failed to respect the orders delegated by the Division of National Commissars supervising purchases, and often procured supplies on their own.¹⁹

On 10 May, the Supreme National Council (SNC) was established and its organisation for Poland and Lithuania was determined.²⁰ This body was in a way an executive authority, a Polish insurrectionary ministry.²¹ The general duties of the SNC were expressed in particular provisions of the Uprising Act. The SNC was divided into eight departments, including those most interesting to us by virtue of the subject of this analysis, namely: the Department of Food and the Department of Military Needs. The powers of the former included: (1) the supervision over farms “and endeavouring that the land does not remain fallow”; (2) “sufficient information on the quantity and quality of food”; (3) the establishment food and forage warehouses, and their supervision and maintenance;²² (4) the preparation of all forage and food for use; (5) the supervision over mills, windmills, bakeries and breweries; (6) public support for citizens in need of food; (7) internal and external trade in domestic products.²³

The responsibilities of the Department of Military Needs included the following areas: (1) the requisitioning (conscription) of men for the army; (2) the supervision of local military exercises; (3) the supervision of the armament and exercise of all citizens, inhabitants of the Polish land in villages and towns;

¹⁷ Regulations aimed at combating usury were promulgated by the Provisional Council on 17 May. They prohibited the resale of cattle and food within 4 miles of Warsaw. See *Uniwersał względem nieprzekupywania bydła i żywności*, AKU I, p. 163; FWG of 20 May 1794, no. 8, pp. 105–106. Cf. A. Zahorski, *Warszawa w powstaniu...*, p. 238.

¹⁸ See *ibidem*, p. 242.

¹⁹ See *ibidem*, p. 243.

²⁰ CAHR, fonds 11, file no. 318, cards 3–7.

²¹ CAHR, fonds 11, file no. 319, card 3; *Akty Powstania Kościuszki* [*Acts of Kościuszko's Uprising*], published by Sz. Askenazy and W. Dzwonkowski, t. I, Kraków 1918, pp. 199–204 (hereinafter referred to as “AKU I”); FWG of 31 May 1794, no. 11, pp. 143–147.

²² Cf. National Archives in Kraków, fonds 630, file no. 1258, cards 9–10 (hereinafter referred to as “NAK”).

²³ CAHR, fonds 11, file no. 279, cards 187–201; *Organizacja Rady Najwyższej Narodowej doczesnej dla Polski i Litwy*, AKU I, p. 202; M. Konarski, *Osobiste i rzeczowe...*, pp. 20–21.

(4) the supervision of factories and handicrafts needed to provide the soldier with all clothing as well as arms and ammunition; (5) the purchase of arms, clothing and ammunition; (6) war depots and armouries; (7) the supply of military horses; (8) the provision of all necessities for the army in accordance with the orders of the Supreme Commander of the National Armed Forces; and (9) the supply of all necessities for places of defence.²⁴

The obligation to provide food and forage

The first significant decisions concerning supplies for the insurgent army were made already in the period of civil authority exercised by the Provisional Council.²⁵ These decisions were connected with the shortage of supplies. On 4 May, the Provisional Council addressed the issue of the need for forage, recommending that the Order Committee of the Duchy of Mazovia select 1–2 people among its members and send them to Błonia and the neighbouring areas, who would “collect forage there in hay, oats and grain, confirm their quantity and price, and in the meantime they would oblige the citizens of these areas to keep the said forage until the further disposal of the Council, with an assurance that they would be paid in cash or taxes when they are used, and would soon report this to the Council.”²⁶

On 11 May, the Provisional Council issued a recommendation addressed to the War Commissariat,²⁷ in which it was ordered that the Department of Food and Forage²⁸ should assure the citizens “that it will collect in taxes all kinds of grain according to the price currently on the market and will issue receipts or certificates to tax collectors of such taxes for the amount of grain taken.”²⁹ This was an important declaration on the part of the insurgent authorities, the aim of which was to calm the mood of the population, which was reluctant to requisition

²⁴ CAHR, fonds 11, file no. 270, card 31; CAHR, fonds 11, file no. 319, card 3; *Organizacja Rady Najwyższej Narodowej...*, AKU I, p. 202. However, it was not until June 4 that a detailed Ordinance for the Department of Military Needs was issued regulating the conduct of the Department's sessions and the obligation of those sitting in them to attend. See *Ordynacja dla Wydziału Potrzeb Wojskowych*, AKU I, pp. 252–254.

²⁵ See FWG of 6 May 1794, no. 4, p. 49.

²⁶ *Zapewnienie o furazjach w Błoniu Komisji Porządkowej zalecone*, AKU I, p. 106. See the form of issuing conscription and requisition receipts: NAK, fonds 678, file no. 652, cards 35, 37, 41–69; NAK, fonds 630, file no. 1258, card 5.

²⁷ For more, see J. Dudziński, *op. cit.*, pp. 34–40.

²⁸ See *ibidem*, pp. 57–61.

²⁹ *Przyjmowanie zboża w poborze podług ceny na targu będącej nakazane*, AKU I, p. 140; FWG of 24 May 1794, no. 9 (supplement), pp. 125, 127–128. Cf. NAK, fonds 630, file no. 1258, card 7.

tions and often uncertain of receiving the equivalent for the products delivered, was, to say the least, extremely sceptical about the obligation to provide such contributions in kind.

When a new insurrectionary authority – the Supreme National Council – was established, it issued a recommendation to the Food Department on June 11 concerning the formation of food and forage warehouses, particularly in places where Polish national (insurrectionary) troops were to camp at or approach.³⁰ The Council's recommendations pointed to trusted and competent persons who were to be sent around the country to search for the most suitable places for the warehouses, to purchase food and forage, to appoint warehouse keepers, to maintain the warehouses and, above all, to co-operate with the order committees in matters of supplying the warehouses, both by way of purchase and “a universal levy in grain from every house”³¹

Such activities were obviously aimed at facilitating the organisation of the armed forces' supply facilities in the most efficient way possible. The knowledge of local (i.e. geographical, topographical) conditions, as well as the specifics of local social relations, significantly contributed to the accurate marking and indication of appropriate locations for the organisation of the supply infrastructure of the insurgent army.

Then, on 14 June, the SNC issued a comprehensive Proclamation on Food Registration in Towns,³² which in its introduction referred in a solemn, patriotic tone to the nation's sacrifices in fighting its enemies and the need to collect and store foodstuffs. At the same time, this normative act stipulated that the individual order committees would warn the citizens “that no products were to be transported abroad until the Supreme National Council expressly authorised it, and the Treasury Department issued appropriate orders to the treasury chambers”³³ This meant an express ban on exporting and trading agricultural produce abroad without the permission of the insurgent authorities, although further on in the Proclamation we read that “if someone is able to exchange his produce for arms, gunpowder or foreign materials needed for this purpose, an order committee may allow such an exchange if it is evident that the foreign goods will safely enter this country”³⁴ We can see that this prohibition was not absolute, as

³⁰ Cf. NAK, fonds 630, file no. 1258, card 11; M. Konarski, *Osobiste i rzeczowe...*, p. 21.

³¹ *Zalecenie Wydziałowi Żywności formowania magazynów żywności i furazów, szczególnie tam, gdzie wojska narodowe obozować albo zbliżyć się będą*, AKU I, pp. 292–293.

³² *Uniwersał względem spisania żywności po miastach i wsiach*, AKU I, p. 311.

³³ *Ibidem*, p. 312. Cf. A. Zahorski, *Powstanie kościuszkowskie 1794*, [in:] *Trzy powstania narodowe*, red. S. Kieniewicz, A. Zahorski, W. Zajewski, Warszawa 1994, pp. 111–112.

³⁴ *Uniwersał względem spisania żywności...*, AKU I, p. 312. Cf. GG of 17 July 1794, no. 17, p. 68; GG of 18 July 1794, no. 18, p. 71.

the insurrectionary authorities allowed foreign trade, provided, obviously, that it took place within the scope established by them, and, above all, that it was aimed at equipping the insurrectionary army with combat means, at enlarging the insurrectionary arsenal.³⁵

Apart from that, however, the Proclamation emphasised the importance of internal trade and recommended to the order committees to promote it, in particular “that internal trade with Warsaw should be encouraged, maintained and supported as much as possible”.³⁶ At the same time the SNC recommended that every manor in every village should be inspected by caretakers and a list should be made of products “unnecessary for the household”, and then these products should be given to the caretakers without delay and handed over to the order committees. Should the owners conceal the possession of such products or disobey the insurrectionary authorities’ orders to put them at their disposal, “they will be subject to strict local inspection by the order commission and punished in voivodeship criminal courts as an enemy of our Holy Uprising”.³⁷ Thus, the insurrectionary authorities unambiguously referred to the status of private property. This meant that the ownership of all items and products which in their opinion were not of a nature necessary for the normal functioning of a farm was transferred to the local insurgent authorities by way of contributions in kind.³⁸

On 2 August, the SNC promulgated an extensive normative act – the Arrangement on the Issue of Supplying Food and Forage to the Army³⁹ – which aimed to unify the rules of supply. The reason why it was decided to unify these rules was the numerous and recurrent complaints from both citizens and order committees about individual soldiers and whole units, who during the period of stationing or marching took forage, food and *podvody* from manors and peas-

³⁵ The issues of food and forage trade were regulated in detail by a proclamation issued by the SNC on 18 July, see FWG of 29 July 1794, no. 28, pp. 373–376; GG of 20 July 1794, no. 20, pp. 78–80. On the same day, the Announcement Assuring Warsaw of an Abundance of Food and Forage was issued. See GG of 21 July 1794, no. 21, pp. 83–84; GG of 22 July 1794, no. 22, p. 88. Cf. Z. Góralski, *Tranzyt zboża austriackiego przez Polskę a powstanie kościuszkowskie*, „Przegląd Historyczny” 1964, vol. 55(3), pp. 405–432.

³⁶ *Uniwersał względem spisania żywności...*, AKU I, p. 312. Due to dysentery at the time, the Food Department of the SNC imposed a ban on the sale of unripe fruit in Warsaw and military camps on 19 July. See GG of 25 July 1794, no. 25, p. 100.

³⁷ *Uniwersał względem spisania żywności...*, AKU I, p. 313. See FWG of 26 April 1794, no. 1, pp. 6–8 and the supplement, pp. 9–10. Cf. H. Jabłoński, *Sąd Kryminalny Wojskowy w roku 1794*, Warszawa 1935, pp. 41–99; A. Lityński, *Proces karny insurekcji 1794*, Katowice 1983, pp. 133–135; idem, *Sądy i prawo w powstaniu kościuszkowskim*, Wrocław 1988, p. 20.

³⁸ Cf. *Obwieszczenie wzywające do zwózki łupów nieprzyjacielskich*, GG of 16 September 1794, no. 74, p. 298.

³⁹ *Akty Powstania Kościuszki [Acts of Kościuszko’s Uprising]*, published by Sz. Askenazy and W. Dzwonkowski, t. II, Kraków 1918, p. 36 (hereinafter referred to as “AKU II”).

ants' houses without an official order, often without payment or presentation of requisition receipts.⁴⁰ To address these difficulties and the complaints submitted to the SNC in this regard, it recommended that each order committee draw up a detailed specification of "all products possessed by the citizens, whether in domestic need or intended for sale, and such specification should be given or sent to the commander on his demand".⁴¹ In addition, the SNC recommended that the Food Department establish a cash office to which the commissars were to direct the citizens for payment for products delivered to the insurgent army.⁴² It was made obligatory for the citizens to immediately deliver, after taking a prior order from the commissioners, food and forage to the designated place. Once a product was delivered, the citizen would receive a receipt from provisioning commissioners along with an assignat for payment,⁴³ with which he would then go to a cash office established by the Food Department. Thus, as we can read in the Arrangement, "from now on, every command will not be able to send its own people for products, take them arbitrarily, seize *podvodas*, and make any kind of extortion under the severity of military penalties".⁴⁴ This constituted significant progress in terms of ordering the procedure for obtaining contributions in kind, as it ensured the relative safety of providers by defining severe sanctions in the event of illegal requisitioning actions by the insurgent army in the form of robbery, plundering, etc.

As regards the war burden in the form of the obligation to provide forage for horses, as late as in the final period of the insurrection – on 19 October – the SNC issued a recommendation to the Department of Military Needs to requisition forage in view of the immediate need to remedy a situation in which it was necessary for the continuation of military operations to provide horses, which

⁴⁰ It should be noted that the SNC was also interested in the issue of authenticity of receipts, which was caused by numerous complaints of citizens that receipts for forage and other military necessities were not accepted. These facts became the reason for the recommendation of the SNC to the order committees of voivodeships, lands and poviats to appoint committees consisting of five persons to "examine receipts and calculate the citizens' receivables". See *Wyznaczenie Komisji z osób pięciu po ziemiach do rozpoznania kwitów za furaże, przez komendy wojskowe obywatelom dawanych*, AKU II, pp. 111–112. Cf. *Odpowiedź na zażalenie Komisji Porządkowej Księstwa Mazowieckiego względem wybierania przez komendy wojska narodowego ludzi, furażów i koni bez kwitów*, AKU I, pp. 307–308; NAK, fonds 630, file no. 1256, cards 1–3; NAK, fonds 630, file no. 1258, card 13.

⁴¹ *Urządzenie względem wydawania dla wojska furaży i żywności*, AKU II, p. 36. Cf. NAK, fonds 630, file no. 1256, card 35, 41–43; NAK, fonds 630, file no. 1270, cards 76–77.

⁴² See *Rezolucja względem rozpoznania kwitów i obrachowania należności obywateli za wydane wojsku furaże*, GG of 1 September 1794, no. 59, pp. 237–238.

⁴³ NAK, fonds 630, file no. 652, card 27; M. Konarski, *Osobiste i rzeczowe...*, p. 23.

⁴⁴ *Urządzenie względem wydawania dla wojska...*, AKU II, p. 37.

were kept in constant readiness, with decent forage.⁴⁵ In this case, therefore, military necessity provided the basis for the direct requisitioning of specific means of military requirements, which will be discussed in more detail in the next point of my analysis.

The obligation to provide horses and *podvodas*

Burdens of a military and martial nature consisting in the obligation to provide, on the orders of military authorities, means of transport for the needs of military or logistical operations conducted by them, have, like those analysed above, a centuries-old tradition.⁴⁶ In the period of the Kościuszko Uprising, means of transport, mainly in the form of horses and *podvodas*, were of interest to cavalry and horse artillery units, which was due to the fact that in the area affected by the Uprising there was a shortage of horses,⁴⁷ and during the final stages of the Uprising there was also a shortage of forage, as a result of which the horses were exhausted and often died. Apart from that, the officials of order committees and municipal offices were also eligible to means of transport.⁴⁸ In addition to the requisitions of horses, there were also requisitions of cattle and pastures for them.⁴⁹

Among the first regulations of the insurrectionary authorities concerning the obligation to bear burdens of this kind, these from 21 April 1794 should be pointed out, when the Provisional Council announced provisions concerning horses captured from the enemy. These regulations stated that anyone in possession of such mounts was obliged to bring them to the Palace of the Republic of Poland (the Saxon Palace in Warsaw) in order to have them taxed and paid for.⁵⁰ These

⁴⁵ *Zalecenie Wydziałowi Potrzeb Wojskowych rekwirowania o furaz dla koni*, AKU II, p. 254. Cf. NAK, fonds 630, file no. 1256, cards 18–17. For more on the established limits of food and forage for the insurgent army, see *Rozkazy Kościuszki...*, pp. 66–67.

⁴⁶ For more, see M. Konarski, *Przyczynek do badań nad publicznymi usługami transportowymi i komunikacyjnymi w dawnym prawie polskim*, „*Studia Prawnicze KUL*” 2019, vol. 3(79), pp. 111–131; idem, *Feudal Duties of the Population in the Light of Old Polish Law: The Case of Public Transport and Traffic Duties*, „*Acta Iuridica Olomucensia*” 2020, vol. 1(15), pp. 22–35; idem, *Powinności podwodowe w świetle przekazu pierwszych sześciu tomów „Volumina Legum”*, „*Biuletyn Stowarzyszenia Absolwentów i Przyjaciół Wydziału Prawa Katolickiego Uniwersytetu Lubelskiego*” 2019, vol. 16(2), pp. 63–86 and the literature cited therein.

⁴⁷ Cf. *Rozkazy Kościuszki...*, p. 65, 71.

⁴⁸ See *Ordynacja dla Komisji Porządkowych i Magistratów Miast względem urzędzenia i utrzymania kres po traktach i drogach*, GG of 6 July 1794, no. 6, p. 24; GG of 7 July 1794, no. 7, p. 28; GG of 8 July 1794, no. 8, pp. 31–32.

⁴⁹ GG of 1 September 1794, no. 59, p. 237.

⁵⁰ CAHR, fonds 11, file no. 260, card 82. Cf. NAK, fonds 630, file no. 1259, card 3.

horses were to be used to supply volunteer cavalry. Concealing the possession of horses was described by the authorities as a lack of love for the common good.⁵¹ A few days later, in a solemn proclamation, the Provisional Council asked Lithuanian citizens to supply horses for the artillery.⁵² In this proclamation, the Uprising was described as a “happy revolution” and the citizens of the Grand Duchy of Lithuania were described as equally interested in the liberation of the country as the Poles. The proclamation mentioned sending four cannons together with ammunition to Lithuanians under the convoy of an officer and eight gunners, for the transport of which it was necessary to provide horses, which was the main theme of the proclamation. The provision of these horses was considered to be in the common interest of the country.⁵³

As I have already mentioned above, the needs of the insurgent army were met mainly by way of requisitions.⁵⁴ Thus, on 30 April, the Provisional Council issued a recommendation on the use of the tobacco factory’s horses for cannons, where it was stated that, in order to make up for the lack of horses for the artillery, it was recommended that horses used in the tobacco factory be brought to the War Commissariat, the delivery of which was to be documented by the Commissariat’s presiding officer issuing a receipt confirming the fact of the delivery and handing over of the horses by the factory’s management.⁵⁵ On the next day – 1 May – the Provisional Council commented again about the need for a fast delivery of horses, owned by the factory for cannons, this time responding to the postponement of the Order Commission of the Duchy of Mazovia and maintaining its position on the subject.⁵⁶

The most momentous proclamation of the Provisional Council concerning the order to deliver horses to the Commissariat was issued on 5 May.⁵⁷ Written in a solemn, patriotic tone, the proclamation pointed out the obligation to bear the burdens caused by the war. The Council mentioned arming and its importance for the victory of the Uprising, and stressed that no property owned by the citizens

⁵¹ *Względem koni na nieprzyjacieli zdobytych*, AKU I, p. 15.

⁵² Cf. NAK, fonds 630, file no. 1270, card 75.

⁵³ *Zachęcenie obywateli litewskich do przystawienia koni pod artylerię*, AKU I, pp. 51–52; M. Konarski, *Osobiste i rzeczowe...*, p. 24.

⁵⁴ Andrzej Zahorski emphasised that of the various items subject to requisitioning, the most objectionable were the requisitions of horses, but depending on whether they were requisitioned for professional carters or wealthy people, the attitude to these requisitions bore different hallmarks. See A. Zahorski, *Warszawa w powstaniu...*, pp. 256–257.

⁵⁵ *Względem użycia koni fabryki tabaczej do armat*, AKU I, p. 88.

⁵⁶ *Powtórnie konie fabryki tabaczej do armat determinowane*, AKU I, p. 94; M. Konarski, *Osobiste i rzeczowe...*, pp. 24–25.

⁵⁷ In the War Commissariat, matters of supplying horses, *podvodas* and all other means of transport were handled by the Department of Horses and Harnesses. For more details, see J. Duziński, *op. cit.*, p. 61.

should be spared, as by using it for war purposes, it could save the lives of citizens and the entire country from destruction. Thus, the Council recommended that “all inhabitants of the city of Warsaw, who do not currently remain in military service, without distinction as to their class or condition, as sons of one fatherland, should keep no more than four horses for their own convenience, and those who have more than the above number of horses should surrender them to the War Commissariat within twenty-four hours upon being issued a receipt for the number of horses delivered.”⁵⁸

The order exempted brewers, carters, millers, butchers, cabdrivers and postal workers “who travel as guests, inevitably needing to maintain their horses in order to serve the public and their professions.”⁵⁹ At the same time, the Provisional Council emphasised the exceptional nature of the defence situation of the country and the related need to relinquish unnecessary comforts.⁶⁰

On 8 May, the Provisional Council again expressed its opinion on collecting horses, which took place as a result of a question posed by the War Commissariat, “how it is to behave with regard to the collection of horses”. The Council decided that horses not exceeding the estimated value of 15 *złoty* according to the conscription proclamation in force should be received. The Commissariat was obliged to issue a certificate to tax collectors, while the Council decided that the Commissariat had no competence to accept horses at a price higher than 25 *złoty*. In the case of citizens owning more expensive horses, it was decided that 25 *złoty* was to be paid “for each horse, or the delivery of horses suitable for warfare in this number and price, and then the Commissariat will give a certificate to the citizen fulfilling the proclamation in the above way, under which a Commissariat officer will be able to use the horses he has paid for without any hindrance.”⁶¹

Then, on 10 May, the Provisional Council expressed its opinion twice on the procedure for the delivery of horses by citizens. In the first case, the Council recommended the Order Committee of the Duchy of Mazovia to appoint from among themselves one person to each precinct, who together with the commander of the Duchy’s armed forces was to nominate and visit all houses subordinate to their precinct. They were to “examine the number of horses there and, having made sure of the number of horses, take them and deliver them to

⁵⁸ *Przystawienie koni do Komisariatu nakazane*, AKU I, p. 112; FWG of 10 May 1794, no. 5 (supplement), pp. 67–68.

⁵⁹ *Przystawienie koni do Komisariatu...*, AKU I, p. 112.

⁶⁰ It should be stressed, however, that the Department of Military Needs, while issuing orders for the delivery of *podvodas*, was at the same time obliged to return them to the citizens, if possible. Such a recommendation was contained in *Żądanie do Magistratu warszawskiego o uskutecznienie żądania Wydziału Potrzeb Wojskowych względem podwód*, AKU II, p. 47.

⁶¹ *Względem przyjmowania koni w poborze*, AKU I, p. 123.

the Commissariat against a receipt for future taxes, bring the above mentioned proclamation to effect without delay”.⁶² In the second proclamation of the same day, the Provisional Council asked the commander of the armed forces of the Duchy of Mazovia to appoint an officer to each precinct, who together with one order commissar and the precinct head would carry out the execution of provisions resulting from the obligation to provide horses.⁶³ The purpose of setting up such multi-person “commissions” was to limit possible abuses in requisitions by ensuring an objective assessment of the usefulness of these items for military purposes by a wider group of several people. It also seems that the precinct heads’ familiarity with the specificity of the local social conditions might have been important here, thus, increasing the effectiveness of executions without causing additional conflicts between the army and the local population.

On 29 May, the newly-established SNC issued an order to the Order Committee of the land of Drohiczyn to prepare at least 74 horses for the transport of a part of the ammunition sent to Vilnius from Warsaw, which, according to the itinerary issued by the commander of the armed forces of the Duchy of Mazovia, was to stop at noon on 1 June in Wągrów. In addition, the SNC requested that the Commission reconsider the further method of transport and facilitate it, and that the convoy be provided in a decent and safe manner.⁶⁴ At the same time, it was informed that the second transport would start on 3 June.⁶⁵ Recommendations with the same contents were also sent to the Order Committee of the land of Bielsko and to the Grodno and Merecz Committees.⁶⁶

One of the most significant normative acts promulgated by the SNC with regard to military burdens was the Proclamation on Making the Inventory of Harnesses for Land Transport and Water Vessels for Floating of 14 June.⁶⁷ In this act, the SNC, with a view to evenly distribute burdens among the citizens, instructed the order committees and municipal offices to “list horse and oxen carts and waterfront granaries by owners, possessors and administrators of all types of property, (...) so a list of these carts, vessels and granaries shall not denigrate the ownership of the citizens, but is only required for necessary information”.⁶⁸ The insurrectionary

⁶² *Egzekucja względem przystawienia koni*, AKU I, p. 137.

⁶³ *Ibidem*; M. Konarski, *Osobiste i rzeczowe...*, p. 26.

⁶⁴ *Rekwizycja do Komisji Drohickiej Porządkowej o dostawienie koni 74 do transportu armat do Litwy*, AKU I, p. 208.

⁶⁵ *Rekwizycja także, jak wyżej, do Komisji Porządkowej ziemi bielskiej*, AKU I, p. 208.

⁶⁶ *Rekwizycja, jak wyżej, do Komisji Grodzieńskiej*, AKU I, pp. 208–209. Cf. *Ponowienie żądania do Komisji Porządkowych Bielskiej i Drohickiej o uskutecznienie urzędzeń Rady i przystawieniu dla wojsk liniowego furazów z dnia 3 lipca 1794 r.*, AKU I, p. 390.

⁶⁷ *Uniwersał względem spisania zaprzęgów do transportów lądowych i statków wodnych do spławów*, AKU I, p. 311.

⁶⁸ *Ibidem*.

authorities, thus, wanted to obtain detailed information on the ownership of the above-mentioned items by the inhabitants of the country through these inventories in order to ensure that, in the event of requisitioning, the property was seized as evenly as possible.

A few days later – on 17 June – the SNC decided, “seeing the urgent need for horses for the army of the Republic of Poland (...) that all horses should be requisitioned against receipts, with the exception of those which are to remain for farming and domestic needs”. The payment for these horses was to be made either on presentation of receipts specifying the value of the mounts or in taxes accepted or already paid by the Treasury.⁶⁹

Subsequently, on 11 August, at the request of the Food Department, the SNC promulgated the Arrangement for Permanent Carts in Voivodeships,⁷⁰ i.e. regulations issued in recognition of the need for permanent carts at army columns and food commissariats, the purpose of which was to supply military needs,⁷¹ which was to relieve the burden on the citizens and, thus, not to distract them from field work. Therefore, the rules for the provision of carts were established and their number was set at two horses with a harness and a britzka per 200 agricultural houses of the nobility, clergy and others.⁷² As for the towns, the amount was set at two horses with a harness and a carriage with a forged frame per the indicated number of houses (150, 160, 170, 180, 200, 250, 280, 300), which paid a certain amount (16, 15, 14, 12, 10, 8, 6, 4 *złoty*) per a house.

In addition, the regulations stipulated that “in order to spare farmers, Jews were to be taken as britzka drivers”,⁷³ and the responsibility of order committees

⁶⁹ *Wzięcie w rekwizycję wszystkich w kraju koni*, AKU I, p. 331. At approximately the same time in revolutionary France, compulsory supplies for the army were provided against the issuance of assignats, documents allowing the purchase of certain goods under special conditions. These documents constituted paper money in the France of the time, which was covered by church estates, which in turn were transformed into national assets through reforms. See M. Konarski, *Reformy organizacji Kościoła Rzymskokatolickiego we Francji w latach 1789–1791*, „Kościół i Prawo” 2019, vol. 8(21), pp. 256–257. For more on the fiscal policy of revolutionary France in relation to assignats, see E. Levasseur, *The Assignats: A Study in the Finances of the French Revolution*, “Journal of Political Economy” 1894, no. 2, pp. 179–202. During the Kościuszko Uprising, treasury tickets were issued under the resolution of the SNC of 8 June 1794, which the National Treasury would pay to each ticket bearer from a fund allocated for their redemption, as in France, on mortgaged national estates. See State Archives in Warsaw, fonds no. 201, “Zbiór Korotyńskich”, file no. 186, cards 5–6; GG of 8 August 1794, no. 38, pp. 150–151; FWG of 12 August 1794, no. 32 (supplement), pp. 426–428. Cf. R. Rybarski, *Skarbowość Polski w dobie rozbiorów*, Kraków 1937, pp. 394–398.

⁷⁰ *Urządzenie względem stałych po województwach furmanek*, AKU II, p. 63; GG of 17 August 1794, no. 46, pp. 184–186.

⁷¹ Cf. NAK, fonds 630, file no. 1258, card 15.

⁷² Cf. A. Wilkoszewski, *op. cit.*, p. 258.

⁷³ *Urządzenie względem... furmanek*, AKU II, p. 64.

and towns included the calculation of the demand for drivers and to pass on the obligation to provide them, against payment, to individual *quahals*.⁷⁴

Another normative act issued by the insurrectionary authorities and specifying war burdens was the Supreme Commander's Arrangement Concerning the Selection of Food and Forage for the Army (as Well as the Delivery of *Podvodas* for Troops),⁷⁵ promulgated on 12 August, which in a detailed way regulated the principles and procedure of delivering these products and items. These provisions obliged the SNC to organise the wartime logistics in such a way that in every voivodeship, land and *powiat*, "there should always be food, forage, horses, harnesses, carts, checkpoints and at least those war materials that can be found in every town and village, for the purpose of replenishing and supplying military needs, such as iron, timber suitable for vehicles, leather, lead, ropes, wool, canvas, etc."⁷⁶

The Arrangement also provided for the obligation of the order committees to carry out a reliable specification of products and military needs, imposed the burden on citizens to provide twice a year, free of charge, designated products for war needs, and contained a number of provisions related to the organisation of the food administration of military units.

The shortages of transport resources in the insurgent army were felt the more the longer the Uprising lasted.⁷⁷ The confirmation of this fact can be found, for example, in the recommendation of the Order Commission of the Duchy of Mazovia of 20 August regarding the delivery of carts to a camp, where the SNC points out that the demand of Colonel Antoni Cichocki to deliver carts for the needs of the camp, which was submitted to that committee as many as three times, was still not fulfilled. Therefore, the SNC ordered this committee to fulfil this request, by obliging the nearby committee delegations to schedule the obligation to deliver the carts and to deliver them immediately.⁷⁸

⁷⁴ The enforcement of the obligation to provide carts by order committees often encountered difficulties. In the case of Jewish drivers desertions often occurred. See *Rezolucja na raport obywatela Sosnowskiego pełnomocnika względem furmanów, furmanek i nieopłacania poczty*, AKU II, p. 144. There were also situations in which carts delivering products for the corps were detained and used for several days to haul cannons without providing the animals with food. Attempts were made to prevent these abuses by issuing orders that the carts should not be kept longer than 24 hours. See *Rozkazy Kościuszki...*, pp. 86–87.

⁷⁵ *Urządzenie Najwyższego Naczelnika względem wybierania żywności i furazów dla wojska*, AKU II, p. 68.

⁷⁶ *Ibidem*.

⁷⁷ Cf. *Pamiętniki wojenne 1792–1812...*, p. 38. Horse artillery suffered considerable losses during the siege of Warsaw by the Prussians in August 1794. See Z. Walter-Janke, *Artyleria Koronna w obronie niepodległości 1792–1794*, Lublin 1999, pp. 243–246.

⁷⁸ *Zalecenie Komisji Porządkowej Ks. Mazowieckiego uskutecznienia rekwizycji względem przystawienia do obozu fur*, AKU II, pp. 88–89.

After the defeat in the Battle of Maciejowice and the imprisonment of Tadeusz Kościuszko by the Russians,⁷⁹ and then after Tomasz Wawrzecki took an oath,⁸⁰ when preparations were being made to defend the Warsaw district of Praga, the Supreme National Council issued a recommendation to the Order Commission of the Duchy of Mazovia to deliver 250 horse-drawn *podvodas* out of a total of 500 that were needed to fortify Praga.⁸¹ As we will see in a moment, these recommendations ultimately did not contribute to the military success of the Uprising, which, after the capture of Warsaw's Praga district, was on the verge of collapse.

Fortification works and other war burdens

Other war burdens, known also in the times preceding the Kościuszko Uprising and imposed by the insurrectionary authorities on the population of the Polish lands in 1794, included duties connected with work at building fortifications and trenches and guard service,⁸² and supplying clothing,⁸³ canvas,⁸⁴ raw iron

⁷⁹ See B. Szyndler, *Tadeusz Kościuszko 1746–1817*, Warszawa 1991, pp. 250–265; A. Smoliński, *Jak Kościuszko dostał się do niewoli pod Maciejowicami*, „Przegląd Historyczno-Wojskowy” 2014, nr 15, pp. 174–180.

⁸⁰ For more, see L. Wegner, *Ostatnie dni powstania kościuszkowskiego (od 12 października do 8 listopada 1794 roku)*, „Roczniki Towarzystwa Przyjaciół Nauk Poznańskiego” 1871, vol. 6, p. 273 ff.; J. Wojtasik, *Tomasz Wawrzecki: naczelnik zmięchu powstania 1794 roku*, „Niepodległość i Pamięć” 2015, vol. 3(51), pp. 57–78.

⁸¹ *Zalecenie Komisji Porządkowej Ks. Mazowieckiego przystawienia 250 podwód*, AKU II, pp. 250–251; CAHR, fonds 11, file no. 257, card 57. Cf. K. Bauer, *Umocnienia*, [in:] *Powstanie kościuszkowskie 1794. Dzieje militarne*, red. T. Rawski, t. 2, Warszawa 1994, p. 333.

⁸² *Ordynacja kresy czyli stójki po traktach urządzająca*, AKU I, pp. 369–371. Cf. W. Tokarz, *Żołnierze...*, pp. 18–21. The appeals of the insurgent authorities were not limited to calling on the inhabitants to participate *en masse* in building the fortifications, but also to man them, which was mainly due to the activity of the militia service. See A. Zahorski, *Warszawa w powstaniu...*, pp. 182–184.

⁸³ CAHR, fonds 11, file no. 318, card 54; *Odezwa do obywateli warszawskich i ziemiańskich o koszule i buty dla wojska*, AKU II, p. 65; *Zalecenie Wydziałowi Potrzeb Wojskowych użycia kozuchów moskiewskich dla wojska*, AKU II, p. 82; FWG of 13 May 1794, no. 6, p. 74; GG of 13 August 1794, no. 42, p. 167; GG of 14 August 1794, no. 43, p. 171; FWG of 16 August 1794, no. 33 (supplement), pp. 440–441; GG of 18 August 1794, no. 47, p. 189. In addition to the insurgent authorities' previous requests to citizens to donate clothing to the army, the SNC enacted regulations on 17 August forcing the delivery of shoes and shirts in the quantity indicated by it, see GG of 19 August 1794, no. 48, pp. 193–194.

⁸⁴ *Płótna i gotowizna, z fabryki płóciennej łowickiej przez akcjonistów ofiarowane, przyjęte i odebranie takowych nakazane*, AKU I, pp. 174–175; *Wzięcie w rekwizycję wszelkiego płótna, w Warszawie znajdującego się, dla wojska zdatnego*, AKU I, p. 371; *Zalecenie Magistratowi miasta Warszawy uczynienia konskrypcji sukna, płótna etc., dla wojska potrzebnego, w Warszawie znajdującego się*, AKU II, p. 30. Cf. NAK, fonds 678, file no. 652, card 5.

and sheet metal for the army.⁸⁵ The requisitioning of these and other items was administered by the Department of Military Needs, while the implementation of these orders was entrusted to order committees. One should also remember about the burdens imposed on the craftsmen and workers of bell-foundries and ammunition factories, whose labour force was crucial for the success of the insurgent arms industry.⁸⁶ The discouragement among the country's inhabitants caused by the numerous burdens imposed on them and enforced by means of requisitions, mainly in the capital,⁸⁷ was increasingly severe in the following months of the Uprising.⁸⁸

It should be noted that even before the intensive organisation of Warsaw's defence began in July, the SNC issued a recommendation to the Warsaw municipal office on 19 June, in which it ordered that persons be appointed to jointly assess, along with the Commander of the Duchy of Mazovia, the properties to be seized with a view to securing the city's fortifications.⁸⁹ The assessment of the compensation for such properties was to be left to the Council, whose opinion on the matter was to be presented after the assessment at the place of their location.⁹⁰ In this way, time was used to prepare the defence, and then complete and supplement the fortifications of the capital.

⁸⁵ *Wzięcie w rekwizycję surowego żelaza i blachy, w sklepach warszawskich będących*, AKU I, pp. 360–361.

⁸⁶ For more, see R. Matuszewski, *Broń i produkcja zbrojeniowa podczas powstania*, [in:] *Powstanie...*, t. 2, pp. 111–127; A. Zahorski, *Warszawa jako ośrodek polskiego przemysłu zbrojeniowego w powstaniu 1794 r.*, [in:] *Z bohaterskiej przeszłości Warszawy 1794–1864*, Warszawa 1961, pp. 54–79.

⁸⁷ See W.S. Mięka, *Obrona Warszawy w powstaniu kościuszkowskim 1794 r.*, Warszawa 2003, pp. 165–166.

⁸⁸ See *ibidem*, p. 166; L. Wegner, *op. cit.*, p. 252. The first proclamation to the inhabitants of Warsaw, calling on them to join the fortification works, dates from 27 April, see FWG of 29 April 1794, no. 2, pp. 18–19. In the first months of the Uprising, the inhabitants of the capital enthusiastically undertook the task of digging trenches, while in the course of these activities “a general spirit of democracy and equality prevailed in the patriotic claiming of merit in raising the defence of the capital”. See A. Woltanowski, „Okopy warszawskie”, *kwiecień–czerwiec 1794 r.*, [in:] *Francja–Polska XVIII–XIX w. Studia z dziejów kultury i polityki poświęcone Profesorowi Andrzejowi Zahorskiemu w sześćdziesiątą rocznicę urodzin*, Warszawa 1983, p. 320.

⁸⁹ Cf. K. Łopatecki, *Zawłaszczenie nieruchomości na przykładzie działań wojennych z początku XVII wieku w Rzeczypospolitej Obojga Narodów. Z badań nad prawem zdobyczy wojennej w epoce nowożytnej*, „Zeszyty Prawnicze” 2016, vol. 4(16), pp. 59–88.

⁹⁰ CAHR, fonds 11, file no. 259, card 380; CAHR, fonds 11, file no. 318, card 71; *Zalecenie Magistratowi miasta Warszawy, iżby wyznaczył osoby do oszacowania posesji z powodu fortyfikacji miasta znosić się mających*, AKU I, p. 340. However, as Zahorski (*Warszawa w powstaniu...*, p. 257) emphasised, “the seizure of flats for the needs of the army and soldiers' quarters did not cause major problems to the inhabitants of Warsaw”.

A few days later, on 23 June, when work on the construction of the trenches was already at an advanced stage, the SNC issued another proclamation to the inhabitants of the city, calling on them to carry out fortification work, in which it encouraged the rapid completion of this work, arguing that it is necessary for the safety of the city.⁹¹ The Council pointed out that the fortification of the city with trenches was solely the responsibility of the citizens, not the army.⁹² “Get to work, citizens, with new and doubled zeal. The Supreme Commander calls for it, the Council encourages you, and love of your homes, attachment to your homeland, attracts you most bravely”⁹³ – we read at the end of this proclamation. It should be noted, however, that the maintenance of a minimum trench crew required the inhabitants to give up their daily activities, which were often of a remunerative nature. On 16 July, the SNC addressed the need to remunerate “those who worked for a living”, and contributed to the defence of the trenches at the indicated times,⁹⁴ by establishing a wage of 1 *złoty*.⁹⁵ It was not only those who lived off work and were called up for work in the trenches that received remuneration, but also poorer citizens. In fact, according to the Council’s recommendation of 23 July to the Treasury Department, a sum of 12,000 *złoty* was to be paid to pay the many poorer citizens serving in the trenches.⁹⁶

It should also be remembered that the expansion of the fortifications entailed the demolition of many buildings, the cutting down of orchards and the destruction of fences. The owners of destroyed properties filed numerous complaints to the civil and military authorities demanding compensation for their losses.

⁹¹ Cf. GG of 14 July 1794, no. 14, p. 53.

⁹² From mid-July onwards, Kościuszko sent almost daily reminders concerning the construction of fortifications, demanding that peasants from neighbouring villages also be sent to work, and ordering that some prisoners of war (about 1,500) also be sent to fortification works on 18 July. See S. Herbst, *Obrona Warszawy 12 VII – 6 IX 1794 r.*, [in:] *Z bohaterskiej...*, pp. 29–30; K. Bauer, *Umocnienia...*, p. 333. The first regulations on directing prisoners of war to fortification work were issued by the Provisional Council as early as on 20 April 1794. See E. Gomulski, *Instrukcja Kościuszki o traktowaniu jeńców wojennych*, „Czasopismo Prawno-Historyczne” 1966, vol. 1(18), pp. 183–184.

⁹³ *Odezwa do obywateli warszawskich względem kończenia okopów*, AKU I, pp. 351–352.

⁹⁴ At the same time, a number of provisions were established to penalise violations related to the service in the trenches, which were under the jurisdiction of the municipal-military courts. See *Ustanowienie i organizacja sądów municypalno-wojskowych*, AKU II, pp. 21–26; GG of 2 August 1794, no. 32, p. 128; GG of 3 August 1794, no. 33, pp. 131–132; GG of 4 August 1794, no. 34, pp. 134–136; GG of 5 August 1794, no. 35, pp. 138–140; GG of 6 August 1794, no. 36, pp. 143–144; GG of 7 August 1794, no. 37, p. 148.

⁹⁵ *Wyznaczenie sumy na załogę, jak wyżej, po 1 złp, dla osób z pracy żyjących, a przy okopach bawiących się*, AKU I, p. 440.

⁹⁶ *Zalecenie Wydziałowi Skarbu wypłacenia złp. 12.000 na opłatę obywateli ubogich przy okopach stojących*, AKU I, p. 471. On 28 October, the Supreme National Council issued a recommendation to the Treasury Department to pay 30,000 *złoty* to people working at the trenches, *Zalecenie Wydziałowi Skarbu wypłacenia złp. 30.000 dla ludzi przy okopach pracujących*, AKU II, p. 279.

Unfortunately, these compensations were often not commensurate with the lost property, which resulted in a mood of disaffection with the Uprising among the aggrieved people.⁹⁷

In the meantime, on 1 August, the SNC issued a printed Regulation Concerning the Supply of Sheepskin Coats to the Army, which obliged the order committees by 15 September at the latest to collect from the population, against receipt, the sheepskin coats which all cantonists (recruits) were to receive. After collecting the sheepskin coats, the committees were to immediately forward a confirmation of this fact to the Department of Military Needs, which was to indicate the places and corps to which they were to be delivered.⁹⁸

At that time, a threat to the Uprising and the capital was approaching from the north-west, where the Prussians aimed to storm Warsaw.⁹⁹ In turn, fearing a Russian attack from the direction of Praga, the SNC, addressing the need to organise defence, issued a recommendation to the Order Committee of the Duchy of Mazovia on 13 August concerning abatis and fortifications in Praga, and ordered that the necessary number of peasants be called together without unnecessary delay in order to build them.¹⁰⁰ Then, on 23 August, the Supreme National Council ordered the plenipotentiary in the land of Stężyca and the powiat of Garwolin to supply 700 men for the Praga trenches,¹⁰¹ which took place even before the Prussian attack.¹⁰² These fortifications were to protect from a surprise attack and to facilitate counteraction and the repulsion of the enemy.

In October, when the military situation of the Uprising, as well as that of the capital itself, was becoming critical, fortification works on the Praga side were intensified. The task of the fortifications at that time was to defend Warsaw from bombardment from the Praga bank by Russian cannons.¹⁰³ It should be stressed that the order to fortify Praga came directly from Kościuszko, who, as early as in

⁹⁷ See W.S. Mikuła, *op. cit.*, pp. 166–167.

⁹⁸ *Przepis względem dostawienia kozuchów dla wojska*, AKU II, p. 31. Cf. NAK, fonds 630, file no. 1256, card 63.

⁹⁹ FWG of 29 July 1794, no. 28, p. 369. See S. Herbst, *Z dziejów wojskowych...*, pp. 311–324; W.S. Mikuła, *op. cit.*, pp. 125–162.

¹⁰⁰ *Zalecenie Komisji Porządkowej Księstwa Mazowieckiego uskutecznienia rekwizycji komendanta względem fortyfikacji miasta Pragi*, AKU I, p. 302. Cf. *Rozkazy Kościuszki...*, pp. 54–55.

¹⁰¹ *Rekwizycja do ob. Sosnowskiego o przystawienie węgla i ludzi 700 do okopów praskich z ziemi stężyckiej*, AKU II, p. 98. As Waław Tokarz emphasised, in the first months of the Uprising, “only the land of Stężyca did not adhere to the Kraków regulations and reduced the burdens imposed on the nobility, declaring, however, that it would submit to the decision of the Council in this matter”. See W. Tokarz, *Warszawa za rządów Rady Zastępczej Tymczasowej (19 IV – 27 V 1794)*, „Biblioteka Warszawska” 1911, vol. 4(2) (XI), p. 213.

¹⁰² See S. Herbst, *Przełom pod Warszawą*, [in:] *Powstanie...*, t. 2, pp. 118–130.

¹⁰³ See Z. Walter-Janke, *op. cit.*, pp. 262–264.

September, constantly remembered that this area of Warsaw was a convenient location for trench warfare and constantly reminded of it in his orders.¹⁰⁴ Despite initial problems caused by a shortage of construction workers, as early as on 10 October, 924 men, including 529 prisoners of war, were building entrenchments in Praga.¹⁰⁵ Still, this was not enough manpower.¹⁰⁶

In the face of these shortcomings, the SNC issued an order on 13 October, addressed to the Mayor of Warsaw,¹⁰⁷ for 2,000 men to be delivered by the following day for the building of the Praga fortifications, including 1,300 with shovels, 500 with axes and 200 with hoes. The Council stressed that “whatever wages (...) he establishes and calculates for those working hastily around these fortifications, such wages are already accepted, he declares.”¹⁰⁸ In mid-October, together with the army and the prisoners of war, an average of 3,391 people were working on the fortifications every day, although as time went by, the growing atmosphere of dread before the Russian assault paralysed the population, which came to the work with less enthusiasm. For example, on 26 October, 695 citizens turned up, who together with prisoners of war constituted on that day 1,051 people working at the fortifications.¹⁰⁹

As we can see, despite the intensive fortification works in Praga, in the construction of which numerous citizens took part, the Praga entrenchments, made of loose sand and reinforced with a triple row of *trou de loups* and entanglements,¹¹⁰ were not strong enough to hold back the Russian attack,¹¹¹ which eventually led to their taking over the capital and the rapid fall of the Uprising.

The theme of the fortification works also permeated the poetry of the time, which more than once referred to and emphasised the patriotic attitudes of the country’s inhabitants, including numerous women – “both highborn ladies, and even tradeswomen from the stalls” – encouraging them to come to work at

¹⁰⁴ See FWG of 14 October 1794, no. 50, p. 647; *Rozkazy Kościuszki...*, pp. 74–75; S. Bratkowski, *op. cit.*, pp. 348–349.

¹⁰⁵ See K. Bauer, *Szturm Pragi 4 listopada 1794 r.*, „Studia i Materiały do Historii Wojskowości” 1969, vol. XV(I), pp. 114–116; idem, *Umocnienia...*, p. 333. Cf. *Rozkazy Kościuszki...*, p. 81, footnote 2. Prisoners of war were paid for their work regardless of their regular pay. See E. Gomułski, *op. cit.*, p. 194.

¹⁰⁶ Because of a shortage of manpower, the SNC issued a proclamation on 12 October encouraging the completion of trench construction in Praga. See GG of 13 October 1794, no. 101, p. 410.

¹⁰⁷ For more on the organisation and tasks of the civil authorities in besieged Warsaw, see W.S. Mikuła, *op. cit.*, p. 171.

¹⁰⁸ *Polecenie ob. Zakrzewskiemu przystawienia ludzi 2.000 do fortyfikacji Pragi*, AKU II, pp. 235–236.

¹⁰⁹ See K. Bauer, *Szturm Pragi...*, p. 115; idem, *Umocnienia...*, p. 333.

¹¹⁰ See L. Wegner, *op. cit.*, p. 303.

¹¹¹ See Z. Walter-Janke, *op. cit.*, pp. 368–371.

the trench construction, which was obviously one of the manifestations of the Uprising authorities' agitation for the fight against the Russians and Prussians.¹¹² Initially, these and other forms of insurgent agitation appealing to the spirit of patriotism resulted in the involvement of the population, mainly of the capital, in the fortification works. However, with the subsequent months of the siege of Warsaw, the inhabitants were becoming increasingly apathetic towards the appeals addressed to them by the insurgent authorities.¹¹³

Conclusion

To conclude this discussion, it is important to highlight some of the most significant issues that emerge from the analysis.

The normative and organisational solutions forming the basis for the activities of the insurgent administration should be regarded as the first Polish regulations of this kind in the modern era. The manner and mode of execution of means and objects serving the operational needs of the Polish army through the system of imposing personal and in-kind burdens on the inhabitants of the country should be considered well thought-out and effective. Although the insurrectionary authorities used a system of war requisitions modelled on the revolutionary France of the time – as the Kościuszko's army was formed simultaneously with the army of the French Revolution¹¹⁴ – these were carried out with a great deal of respect for human dignity and usually against remuneration. This was an expression of deep humanitarianism,¹¹⁵ which did not allow for such violence against the population as in the case of other European armies, including the French army.¹¹⁶

Let us also remember that the Kościuszko Uprising started without money. The country remained ruined by the Polish-Russian War of 1792 in defence of the Constitution of May 3 and the economy of overexploitation of the Targowica

¹¹² See *Poezja powstania kościuszkowskiego*, compiled by J. Nowak-Dłużewski, Kielce 1946, p. 56, 131; B. Leśnodorski, *Polscy jakobini. Karta z dziejów insurekcji 1794 roku*, Warszawa 1960, pp. 421–424; S. Bratkowski, *op. cit.*, p. 345; A. Wołtanowski, *Nieznana poezja litewska powstania kościuszkowskiego*, „Studia Podlaskie” 1996, vol. VI, pp. 145–168; K. Maksimowicz, *O kobietach w czasie powstania kościuszkowskiego czyli wokół druku okolicznościowego „Nowy zaciąg z samych kobiet pod chorągiew białą”*, [in:] *Czasy Nowożytnie*, t. 29: *Materiały sesji „Tadeusz Kościuszko. Historia – Mity – Tradycja”*, Szczekociny, 6–7 czerwca 2014 roku, red. M. Trąbski, Warszawa 2016, pp. 133–143.

¹¹³ Cf. B. Leśnodorski, *op. cit.*, p. 424.

¹¹⁴ See S. Bratkowski, *op. cit.*, p. 332.

¹¹⁵ Cf. S. Herbst, *Z dziejów wojskowych...*, p. 420.

¹¹⁶ See M. Wise, *Requisition during the French Revolution (1789–1815)*, “Louisiana Law Review” 1944, vol. 1(6), pp. 47–62; J. Lynn, *Bagnety Republiki. Motywacja i taktyka armii rewolucyjnej Francji 1791–1794*, Oświęcim 2016, pp. 126–128.

Confederation.¹¹⁷ Apart from the in-kind and personal burdens for the insurgent army which I have analysed, it should be mentioned that the population was burdened with numerous taxes, the most severe of which was the conscription tax.¹¹⁸ However, even these measures proved to be insufficient for conducting war. Therefore, apart from the aforementioned burdens and taxes, the insurgent authorities ordered the requisitioning of gold and silver,¹¹⁹ as well as of money deposited in cash; however, it was not a confiscation of deposits¹²⁰ but their seizure for the purpose of a compulsory loan, but unfortunately no time limit for its return was specified.¹²¹ In addition, let us remember that the effect of the export ban, or the war requisitions which are the subject of this discussion, did not, at the same time, allow for greater revenue from customs duties and consumption taxes. Nor should we forget about the voluntary donations for the Uprising, which the citizens of the country, and mainly of Warsaw, made in large numbers out of patriotic duty.¹²² These were proof of the involvement of various classes of Polish society in the defence of the independence and sovereignty of the state.

Finally, it should be emphasised that the experience in organising the system of supplying the army with the necessary items for its military needs from both the Polish-Russian War of 1792 and the Kościuszko Uprising of 1794 made a lasting and largely positive mark in the history of the Polish State and army. This resulted in a generally disciplined and well-organised military administration in the Duchy of Warsaw, which also based the system of supplying the army during the

¹¹⁷ As for the estates of the traitors of 1792, the so-called *Targowiczanie*, on 30 April, the Provisional Council announced their general requisition. See *Nakaz oddania prezentów i pieniędzy podczas Zjazdu Grodzieńskiego wziętych*, AKU I, pp. 82–83; FWG of 6 May 1794, no. 4, p. 49. Cf. W. Tokarz, *Deputacja Indagacyjna*, Kraków 1928, pp. 7–8.

¹¹⁸ See FWG of 6 May 1794, no. 4, pp. 45–47; FWG of 17 May 1794, no. 7, pp. 95–96; FWG of 14 June 1794, no. 15, p. 201; FWG of 21 June 1794, no. 17 (supplement), pp. 235–237.

¹¹⁹ See FWG of 17 May 1794, no. 7, p. 94; FWG of 12 August 1794, no. 32 (supplement), p. 425.

¹²⁰ Cf. The Resolution of the Supreme National Council of 16 June 1794 on the taking into deposit of the depots of the Prussian Company and all property of the Prussian government, FWG of 24 June 1794, no. 18, p. 241; GG of 17 September 1794, no. 75, p. 302; GG of 18 September 1794, no. 76, p. 306; GG of 20 September 1794, no. 78, p. 314; GG of 21 September 1794, no. 79, p. 318; GG of 22 September 1794, no. 80, p. 321.

¹²¹ CAHR, fonds 11, file no. 318, card 71. Cf. R. Rybarski, *op. cit.*, pp. 386–394.

¹²² See, i.a., FWG of 3 May 1794, no. 3 (supplement), p. 40; FWG of 6 May 1794, no. 4 (supplement), pp. 55–56; FWG of 13 May 1794, no. 6, pp. 82–83; FWG of 17 May 1794, no. 7, pp. 87–88 and the supplement, pp. 96–97; FWG of 24 May 1794, no. 9 (supplement), pp. 126–127; FWG of 1 July 1794 (supplement), pp. 278–279; FWG of 12 July 1794, no. 23, p. 319; GG of 9 August 1794, no. 39, p. 156; GG of 3 September 1794, no. 61, pp. 244–246; GG of 14 September 1794, no. 72, p. 289; GG of 15 September 1794, no. 73, p. 273; GG of 17 September 1794, no. 75, p. 301; GG of 25 September 1794, no. 81, p. 326; GG of 24 September 1794, no. 82, p. 314; GG of 26 September 1794, no. 84, p. 338; GG of 27 September 1794, no. 85, p. 342; GG of 29 September 1794, no. 87, p. 352; GG of 4 October 1794, no. 92, p. 372; FWG of 14 October 1794, no. 50 (supplement), pp. 653–654.

Napoleonic Wars on requisitions carried out by civil and military authorities.¹²³ This testifies to the stability of legal and factual solutions which were adopted for the first time on a large scale during the Kościuszko Uprising, which was the first modern test of combat readiness for Poland, both in terms of the organisation of the military administration and the system of supplying troops.

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¹²³ See M. Konarski, *Publiczne posługi transportowe w okresie Księstwa Warszawskiego w świetle postanowień dekretu z dnia 22 maja 1810 roku „względem koni i podwódek dostarczonych pod transporty i wojskowych”*, „Czasopismo Prawno-Historyczne” 2019, vol. 2(71), pp. 113–135; idem, *Legal Aspects of Organising the Administration of Food for the Army in the Duchy of Warsaw Between 1807 and 1812*, „Biuletyn Stowarzyszenia Absolwentów i Przyjaciół Wydziału Prawa Katolickiego Uniwersytetu Lubelskiego” 2020, vol. 15(17/1), pp. 99–128.

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Abstract: The subject of the analysis are war burdens, which are a form of public burdens which mean various kinds of administrative duties imposed on inhabitants in the public interest. As far as the present discussion is concerned, these burdens were imposed by the insurgent authorities on indicated entities during the war against the Russian Empire and the Kingdom of Prussia in 1794 in order to satisfy the army's needs for all items necessary for military operations. The author analyses particular encumbrances for the benefit of the army and the ways of their implementation by means of voluntary services and contributions or compulsory requisitions.

Keywords: administrative law; military administration; war economy; requisitions

Abstrakt: Przedmiotem analizy są ciężary wojenne, będące postacią ciężarów publicznych, które oznaczają różnego rodzaju obowiązki administracyjne nakładane na mieszkańców w interesie publicznym. Ciężary te nakładane były w okresie wojny przeciwko Imperium Rosyjskiemu i Królestwu Prus w 1794 r. przez władze powstańcze na wskazane podmioty w celu zaspokojenia potrzeb wojska we wszelkie przedmioty niezbędne do prowadzenia militarnych działań operacyjnych. W opracowaniu dokonano analizy poszczególnych obciążeń na rzecz wojska oraz sposobów ich realizacji w drodze dobrowolnych świadczeń bądź przymusowych rekwizycji.

Słowa kluczowe: prawo administracyjne; administracja wojskowa; gospodarka wojenna; rekwizycje