

## ŻYDZI W LUBLINIE – NOWE SPOJRZENIA

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### **Jews, Christians, and Violent Crime: Two Cases from Lublin's Castle Court at the Turn of the Sixteenth and Seventeenth Centuries**

**Abstract:** This article describes two capital cases involving Jews heard in the Lublin castle court at the turn of the sixteenth and seventeenth centuries. In the case from 1596, a Christian man staying in a Lublin suburb, who posed as a subject of a Princess Zbaraska, was executed for having attempted to murder a Jewish merchant after ten Christian witnesses testified against him. In the second case, which took place ten years later, in 1606, three members of the Lublin Jewish community were accused of murdering and robbing a Jewish convert to Christianity who was the subject of the magnate Janusz Ostrogski. The complaint implicated the Jewish community of Lublin as a whole and referred to the accused as being innately disposed to violence against the Christian faith. Both cases illustrate the complex position of Jews within the evolving legal and social situation in post-Union Lublin, as well as the ways Jews were conceived of by their Christian neighbors.

**Keywords:** Lublin castle court, Jews in Lublin, violence, murder, late sixteenth century, early seventeenth century.

**Słowa kluczowe:** urząd grodzki lubelski, Żydzi w Lublinie, przemoc, morderstwo, koniec szesnastego wieku, początek siedemnastego wieku.

This article will examine two cases involving violent crime that appear in the records of Lublin's castle court from the years 1596 and 1606. In each case, a Jew was a victim of violence, but their fates were quite different, and the ways their Jewishness impacted each case varied greatly. In the first case, a Christian robbed a Poznań Jew in Lublin, and made an attempt on his life. In the second, a Jew from Ostróg in Volhynia (now

Ostroh in Ukraine) was found dead on a street in Lublin, shot twice in the back and robbed. These cases represent exceptional events, since this level of violence was rare in this period and cases involving murder and attempted murder seldom appeared in the records of the castle court in Lublin.<sup>1</sup> At the same time, the records of these cases illustrate some of the key relationships that shaped Jewish experience in the urban communities of royal cities in Poland at the turn of the sixteenth and seventeenth centuries—Jewish relationships with burghers, with members of the nobility, with other Jews, and with castle courts. An examination of these two cases may thus contribute to understanding Jewish urban life in Poland during the period under study.<sup>2</sup> This article also aims to illustrate, through a close examination of these two cases, the potential of the Lublin castle court record books as sources for qualitative historical analysis regarding Jews in the Lublin region and beyond.<sup>3</sup>

Lublin played an important role in Poland due to its geographic location near the border with Lithuania and on trade routes that linked east and west. With the Union of Lublin in 1569, the Kingdom of Poland and the Grand Duchy of Lithuania formally joined together as one Commonwealth,

<sup>1</sup> In Henryk Gmiterek's volume of Lublin castle court record entries involving Jews in the years 1587–1632, there are twenty entries involving murder or attempted murder, out of nearly 1,100 total entries. Henryk Gmiterek, *Materiały źródłowe do dziejów Żydów w księgach grodzkich lubelskich z doby panowania Zygmunta III Wazy 1587–1632* (Lublin, 2014).

<sup>2</sup> Jewish urban life in Lublin itself has been the subject of a number of studies, including: Anna Kuwałek, Robert Kuwałek, "Żydzi i chrześcijanie w Lublinie w XVI i XVII wieku. Przyczynek do dziejów Żydów w Lublinie w okresie staropolskim," in Tadeusz Radzik (ed.), *Żydzi w Lublinie. Materiały do dziejów społeczności żydowskiej Lublina* (Lublin, 1998), 2:9–31; Ryszard Szczygieł, "Uгода Żydów lubelskich z gminą miejską w sprawie udziału w życiu gospodarczym miasta z 1555 r.," in Waldemar Kowalski, Jadwiga Muszyńska (eds.), *Żydzi wśród chrześcijan w dobie szlacheckiej Rzeczypospolitej* (Kielce, 1996), 43–50; Hanna Węgrzynek, "Jewish-Christian Agreements and Their Impact on the Legal Status of Jews in Polish Towns (The Case of Lublin)," *Kwartalnik Historii Żydów* (2011), no. 1; ead., "Fala napaści na miasto żydowskie pod Lublinem w latach 1633–1635 jako przejaw siłowego rozwiązania długotrwałego konfliktu," *Czasy Nowożytne* 28 (2015), 45–59; Michał Tomasz Wójcicki, "Podstawy prawne relacji między ludnością żydowską a chrześcijańską w Lublinie i na Podzamczu Lubelskim od połowy XVI do połowy XVII wieku," *Pogranicze (Lublin)* 4 (2012), 207–256.

<sup>3</sup> Henryk Gmiterek has published four volumes of collected material from the Lublin castle court records that mention Jews in the years 1587–1733. These volumes demonstrate the breadth and depth of this material as a source for Jewish history, serve as an index of these works, and provide the aspiring reader of the original material an invaluable guide. Additionally, castle court records are important for research into the history of Jews around Poland. See Przemysław Zarubin, "Resources Concerning the History of Polish Jews in Castle Court Records of the 17th and 18th Centuries in the Central State Historical Archives in Kyiv and Lviv," *Scripta Judaica Cracoviensia* 18 (2020), 127–139.

creating the largest state in Europe. The so-called Jagiellonian road that linked the capitals Kraków and Wilno passed through Lublin, which was the closest major city in the Kingdom of Poland to the border with Lithuania. This road was one of the busiest in sixteenth-century Europe, which led to its depiction in *Itinerarium Orbis Christiani*, the oldest atlas of European roads published in 1579.<sup>4</sup>

At the end of the sixteenth century, Lublin was a dynamic, mid-sized royal city with an ethnically and religiously diverse population.<sup>5</sup> An estimated population of around 8,000 lived within the walled city and its suburbs.<sup>6</sup> Whether the city of Lublin received the privilege *de non tolerandis Judaeis* in 1535, as Lublin burghers would go on to claim, is a matter of scholarly debate.<sup>7</sup> Regardless, Lublin's Jews, who made up around a quarter of the population, lived in the Podzamcze district, which was located outside of Lublin itself, north of Lublin's Grodzka Gate and south of Czwartek and Przedmieście Lwowskie (later Kalinowszczyzna and Słomiany Rynek).<sup>8</sup> Though Lublin itself was a royal city, and therefore under the authority of the king, Podzamcze was a private district (*jurydyka*), under the control of the *starosta*, a royally appointed official. As the Jews of Lublin lived in Podzamcze, which was under the jurisdiction of the *starosta*, they often appeared in the castle court that was ultimately under his authority.<sup>9</sup>

<sup>4</sup> Janusz Kopaczek, "Via Jagellonica: The Kraków–Lublin–Vilnius Route and the Challenges of Its Gaining Recognition for the UNESCO World Heritage List," *The Polish Review* 63 (2018), 3:50–55.

<sup>5</sup> Ryszard Szczygieł, "Lublin czasów renesansu i baroku. Gospodarczy, polityczny i kulturalny wizerunek miasta," *Annales Universitatis Mariae Curie-Skłodowska* 23 (2005), 11–20.

<sup>6</sup> Roman Szewczyk, *Ludność Lublina w latach 1583–1650* (Lublin, 1947), 28. Compare to the similar figures from 1583 and 1616 in: Andrzej Jakubowski, Urszula Bronisz, Elżbieta Łoś (eds.), *History of Lublin in Figures* (Lublin, 2018), 25–26.

<sup>7</sup> Archiwum Państwowe w Lublinie [henceforth: APL], collection: Akta Miasta Lublina, call number 693, pp. 140–140v. Majer Bałaban and others accepted that this did exist. Others, like Michał Tomasz Wójciuk, think it did not exist. See Wójciuk, "Podstawy prawne," 213. On the privilege *de non tolerandis Judaeis* generally, see Jacob Goldberg, "De non tolerandis Judaeis: On the Introduction of Anti-Jewish Laws into Polish Towns and the Struggle against Them," in Shmuel Yeivin (ed.), *Studies in Jewish History Presented to Professor Raphael Mahler on His Seventy-Fifth Birthday* (Merhavia, 1974), 39–52.

<sup>8</sup> Józef Mazurkiewicz, *Jurydyki lubelskie* (Wrocław, 1956), 27. Stefan Wojciechowski determined the central point of the Jewish community was on the site of the Maharshal and Maharam synagogues near the northwestern corner of the castle. See Stefan Wojciechowski, "Gmina żydowska w Lublinie w XVI wieku," *Biuletyn Żydowskiego Instytutu Historycznego* (1952): 2:215–226.

<sup>9</sup> Lublin's Jews, like all Jews in sixteenth- and seventeenth-century Poland, appeared in various courts. Jewish internal courts served many of the needs of the local Jews in disputes among themselves. Jews were also under the jurisdiction of the local voivode. On the relationship of Jews to the voivode, see Anat Vaturi, "Voivodes and Their Office as Agents

Jews were not the only residents of Podzamcze; the Christian burghers of Podzamcze were awarded Magdeburg rights in 1595.<sup>10</sup>

With the 1569 Union of Lublin, the Ruthenian voivodeships of Kiev, Volhynia, and Braclaw were transferred from Lithuanian to Polish control, which led to magnate-nobles acquiring vast tracts of land and the creation of large latifundia. The subsequent growth and development of these magnate-owned estates bolstered the magnates' growing political power. While the nobility in Poland-Lithuania made up a relatively large percentage of the population compared to most other European countries, at roughly ten percent of the population, only a small number of these nobles, the magnates, had vast tracts of land and great fortunes.

Jews followed the magnates' movement eastward on to large, noble-owned latifundia, as leaseholders or serving as a stand-in for a burgher class in private cities, which were developed later than royal cities and therefore lacked a developed merchant and artisan class. Living on private, noble-controlled land would eventually become the largest form of Jewish settlement in the Commonwealth in the eighteenth century.<sup>11</sup> However, in the late sixteenth and early seventeenth centuries, Jews still largely lived in crown cities, like Lublin, subject to the jurisdiction of Jewish kahals and royal authority.<sup>12</sup> Magnate-nobles played a role within Lublin too, as they owned *jurydyki*, enclaves under private jurisdiction that existed within royally controlled areas.<sup>13</sup>

Due to its geographic and institutional importance, Lublin became a meeting place for people living in the eastern and western parts of the Commonwealth, particularly at its famous trade fairs, which took place in February, August, and November. The cases that follow involve both Jews and Christians who came from elsewhere in the Commonwealth as well as inhabitants of the city.

of the Law in Christian-Jewish Coexistence: The Example of Early Modern Krakow," in Yvonne Kleinmann, Stephan Stach, Tracie L. Wilson (eds.), *Religion in the Mirror of Law: Eastern European Perspectives from the Early Modern Period to 1939* (Frankfurt am Main, 2016), 263–282.

<sup>10</sup> Jan Riabinin, *Materiały do historii miasta Lublina, 1317–1792* (Lublin, 1938), no. 258.

<sup>11</sup> The development of this partnership with magnates allowed Jews to flourish in the later Commonwealth. See Adam Teller, "Telling the Difference: Some Comparative Perspectives on the Jews' Legal Status in Poland and in the Holy Roman Empire," *Polin* 22 (2010), 109–141.

<sup>12</sup> Jürgen Heyde, "Ewolucja zwierzchności królewskiej nad ludnością żydowską w XVI wieku," in Marcin Wodziński, Anna Michałowska-Mycielska (eds.), *Małżeństwo z rozsądku? Żydzi w społeczeństwie dawnej Rzeczypospolitej* (Wrocław, 2007), 40–41.

<sup>13</sup> Mazurkiewicz, *Jurydyki lubelskie*.

### Case #1: Bienasz Kochman vs. Maciej Piotrowski, 1596

On 12 November 1596, Bienasz Kochman, a Jewish merchant from Poznań, met a Christian named Maciej Piotrowski in Lublin.<sup>14</sup> Piotrowski arranged to buy twenty sable pelts for 300 zlotys from Kochman and invited him to transact the sale in Krakowskie Przedmieście, the suburban district west of Lublin's Kraków Gate, in the home of Katarzyna Sieniucina. This building, known today as Lubomirski Family Palace, had been inherited by Sieniucina upon the death of her father, Lublin voivode (provincial governor) Mikołaj Firlej, in 1588.<sup>15</sup> Kochman agreed to this arrangement and, later that day, he arrived at the Sieniucina home. Kochman brought with him the sable pelts to sell, as well as a Jewish boy to assist him.

When Kochman met him, Piotrowski had a young servant of his own with him, who was dressed in red. Piotrowski led the small group to a dark, vacant room. When they went deeper into the room, Kochman realized the danger of the situation and he shouted to his assistant "in Hebrew" (more likely, in Yiddish) to run to the door and call for help. In this moment, Piotrowski lunged at Kochman, grabbed his throat, and started to choke him. Kochman was able to make a narrow escape from Piotrowski's hands, running to the garden with Piotrowski in pursuit, sable pelts in hand. Others in the area heard Kochman's cries and saw the scene unfold outside. They eventually intervened, captured Piotrowski, and took him and the sables to Lublin's castle court. The case was heard one week after the attack, on 19 November, by the Lublin castle court together with the city court of Podzamcze. Podzamcze, Lublin's Jewish district, was located in the area to the east of Lublin's Old Town; its Christian burghers had received Magdeburg rights in 1595. A detailed record of the trial can be found today in the record books of Lublin's castle court, housed at the State Archives in Lublin (APL).

#### Witness testimonies

At the trial, the court heard from ten Christian witnesses. Kochman summoned the first witness, Marcinowa Rybitwowa, a housekeeper in the

<sup>14</sup> APL, collection: Księgi grodzkie lubelskie – Relacje [henceforth: CLRMO], call number 30, pp. 1135–1141.

<sup>15</sup> Mieczysław Kurzątkowski, "Pałac Komisji Województwa Lubelskiego zwany Radziwiłłowskim w Lublinie," *Kwartalnik Architektury i Urbanistyki* 13 (1968), 3:288–289; Krzysztof Janus, "O najnowszych badaniach architektonicznych w pałacu Lubomirskich," *Studia i Materiały Lubelskie* 22 (2020), 66.

house of Lady Sieniucina, to court. She testified that she spoke with Piotrowski when he arrived to the Sieniucina home, where he introduced himself as a servant of Princess Barbara Zbaraska and asked for a place for her to stay.<sup>16</sup> The housekeeper agreed and tidied a “house where nobody lived,” and brought Piotrowski to the house the altercation would take place.

Rybitwowa said that, after lunch the same day, she witnessed Piotrowski leave the house and return with “a certain Jew,” Kochman, leading him through the courtyard of the manor, into the house she had prepared for Piotrowski. Not long after, she saw Kochman run out of the house towards the gate shouting about an attack. Another servant in the house, Adam Kościński, asked Piotrowski what Kochman was upset about. Piotrowski answered him, claiming that Kochman was remonstrating in an attempt to coerce Piotrowski to pay a higher price than originally agreed for sables.

Right after speaking with Piotrowski on the day of the incident, the servant Kościński asked Piotrowski’s young servant what happened, and why the Jew was upset. The boy replied that he and Kochman had furs and 1,000 zlotys worth of goods that had been stolen from his mistress, Princess Zbaraska. Kościński asked why, if that was indeed the case, did they not make a formal complaint in court. The boy answered that it was because the Jew repeatedly would call for help and then run away. Kościński pointed out that Kochman was not escaping at the moment, but rather “standing at the gate calling for help,” admonishing Piotrowski and his servant to “go get him if you want.” The boy replied that they would not be able to get him since he was shouting for help. It was at this point, the housekeeper Rybitwowa testified, that “wagon drivers and lower-class people” apprehended Piotrowski and brought him to the castle.

The second witness, Wojciech Dziewalski, was a wagon driver. He testified that he had been sitting at an inn in Krakowskie Przedmieście that evening around nine o’clock, when a housekeeper said there was someone calling for help in the street. He saw the Jew Kochman in front of the Sieniucina manor, shouting for help. He then saw Piotrowski come out of the manor with a cutlass and brandish it towards Kochman, who

<sup>16</sup> Though the source does not provide Princess Zbaraska’s first name, presumably Piotrowski was referring to Barbara Zbaraska, the only daughter and inheritor of Stefan Andrejewicz Zbaraski, voivode of Troki, and granddaughter of the Lublin castellan Andrzej Firlej. On her marriage and death in 1602, and thus her inherited holdings, see Zbigniew Anusik, “*Latyfundium Tęczyńskich w XVII wieku. Dobra i właściciele*,” *Kwartalnik Historyczny* 128 (2021), 3:697–741.

started to run from him, calling out to God and yelling, “Return the sables!” Piotrowski responded that he did not have them. A crowd of people assembled at the scene began telling Piotrowski to return the sables to the Jew, and he continued to deny having them. He then lashed out with the cutlass to cut Kochman in the neck, and at this point, a group of wagon drivers apprehended Piotrowski, and wrested the cutlass from his hands. A young Jewish boy retrieved a white cloth sack containing the sables and, leading Piotrowski by the neck, a group of Jews proceeded together with Kochman and the sables “not far, to the castle.”

The third and fourth witnesses were wagon drivers who participated in the events of the evening and confirmed the testimony of Dziejewski, the second witness. The fifth witness, Jan Turopolski, testified that the previous Wednesday, 6 November, he had witnessed three carts pull up to a house on Dyska Street in Lublin. Two drove away after the drivers fed their animals, while Piotrowski’s cart remained. Turopolski witnessed Piotrowski enter a house opposite his own, owned by a man named Brozek. Piotrowski stayed there until the following Saturday, when he began to reside at Turopolski’s. Turopolski testified that Piotrowski did not sleep or eat in his house that Saturday through Monday; “he only looked for something.” Then, on the Tuesday of the attack, Piotrowski arrived around nine o’clock in the evening and ordered his cart and horses to be brought out. He took a bundle and white cloth sack and left. Later, Turopolski testified, he heard that Piotrowski had been imprisoned.

The sixth witness, wagon driver named Jarempko from Gliniany (Hlyniany) in Ruthenia (some 40 km east of Lwów), testified as to how he had been hired as a driver by Piotrowski. Jarempko’s lengthy testimony includes many details about his own life—including that he was a native of the town of Gliniany, that at the time of the trial his father lived in its suburbs, and his own employment history. Despite the formality of this record, which is a clean copy likely made by a scribe based on notes taken during the actual proceedings, the record suggests that Jarempko was willing, or perhaps even eager, to talk about his own life. Jarempko mentioned how Piotrowski lived outside Gliniany, in a small manor. He described some trips Piotrowski had taken in the past, including how he came to hire a young servant, and how, after Easter of that same year, Piotrowski had traveled to Prussia to visit his wife’s paternal uncle. From Prussia, he traveled to the village of Bełżec (known since 1946 as Honcharivka), located between Busk and Złoczów (now Zolochiv in Ukraine), where he



stayed with Andrzej Bełżecki until 1 November. Jarempko told the court about his six-day journey with Piotrowski from the home of Bełżecki to Lublin on 2–7 November. Jarempko noted that some valuable belongings of Piotrowski had disappeared while he stayed in Bełżec and that he sought to recover them in Lublin. Jarempko testified that Piotrowski had stayed at Brozek’s Thursday and Friday nights, 7–8 November, and that he slept and ate there. He, like Turopolski, said that on Saturday Piotrowski stayed at Turopolski’s but that he ate in the city. On Tuesday, Piotrowski went to an inn where Jarempko was staying and asked that his horses be readied, claiming he would return later. Jarempko said that he did not see him after that until Piotrowski’s arrest.

The next two witnesses corroborated and filled in missing parts of the tale regarding Piotrowski’s lodging and activities in Lublin prior to the attack. The seventh witness, Krzysztof Brozek, testified how Piotrowski had stayed at his home Wednesday through Friday, and moved across the street to Turopolski on Saturday. The eighth witness was a man who also stayed at Brozek’s. He testified that he had spoken to Piotrowski there. Piotrowski had said he wanted this man, a furrier by trade, to line his cap, though apparently had a change of heart and did not give the man his hat.

The ninth witness was Stanisław Prusak, a nobleman from Pomerania. He testified that the Jew Kochman had bought a horse from him the day of the attack. The noble testified that later that day, he was in Krakowskie Przedmieście and saw Kochman in the street, crying out to God and shouting to Piotrowski, “Return the sables to me!” He saw Piotrowski threaten Kochman with his cutlass and Kochman appeal to people on the street for help, “for God’s sake.” According to Prusak’s testimony, the people assembled initially did not intervene, but shouted to Kochman not to let Piotrowski get away with the sables. Prusak then spoke to a burgher at the scene, who mentioned that before the trade fair in Lublin, Piotrowski had reserved lodgings at the burgher’s inn, allegedly for a military official (*rotmistrz*) who was his master. Piotrowski had disappeared and caused the burgher to lose the money he would have made at his inn. Afterwards, Prusak claimed, he shouted words of encouragement to Kochman, and a group of Jews, presumably part of the assembled crowd of observers, stepped in to help him. Some approached Kochman, others captured Piotrowski, found the sables, and led everyone to the castle.

The tenth witness was Tomasz Sutkowicz, a furrier who lived on Jezuicka Street in Lublin. He testified how Piotrowski, on Wednesday,



6 November, had rented a room from him under a false name, saying it was for a cavalry officer he worked for. He claimed that his master rented a room at a different inn for his possessions but was unable to name it when asked. Despite his reservation for a room beginning on Wednesday, Piotrowski did not sleep at the inn until Friday, on which day he also brought a young servant dressed in red. Sutkowicz testified that Piotrowski told him that he had been entrusted with the key to his master's treasury, but that two sables and twenty beaver furs had disappeared from it. Piotrowski proceeded to tell Sutkowicz that he planned to look for the sables among Lublin's Jews, since, he claimed, he had already recognized one of the missing sables among the wares of a particular Jew. Piotrowski told Sutkowicz of his plans to confront the Jew himself. Sutkowicz, per his testimony, counseled Piotrowski not to take the law into his own hands, but rather to report the Jew to the government office to avoid greater problems. Piotrowski admitted such was the case but said he would wait and look more carefully for the sables. Sutkowicz testified that he saw two Kraków Jews with sables come to his home a few times, presumably to meet with Piotrowski. Both on Monday and Tuesday, Sutkowicz told Piotrowski to leave, since he had not heard from his purported master, the cavalry officer, in so long. When Piotrowski left, the only belongings remaining in the room where he stayed were two chains.

#### **Piotrowski's response**

Piotrowski then gave his own version of the events that transpired. He listed a number of expensive goods, including sables, that he had obtained from his wife's uncle Jakub Skoczyński in Malbork for 120 zlotys. Piotrowski said that these goods had disappeared while he stayed in the Bełz voivodeship, and that "some tailor who worked at Mr. Błoński's" had seen a young man "in a tavern in Łukaszów" show the items to a Jew, saying that he had "found them." The Jew told this young man, "Sell them to me; I will travel to Lublin and sell them there so that nobody will find out" about the items' provenance. Hearing this, Piotrowski went to Lublin in hopes of recovering his stolen items. When he arrived, Piotrowski spoke to the furrier Tomasz (the tenth witness) on Jezuicka Street, explaining to him why he had come to Lublin. The furrier advised him to look among the Jews there for the sables.

Piotrowski told the court that he had recognized three of his missing sables in the possession of the Jew Kochman and invited him to the manor

house in order to get a closer look to confirm they were his. He claimed that Kochman had ran and scattered the sables when he was confronted, after which Piotrowski collected the sables into the cloth bag Kochman had brought the sables in. Piotrowski claimed that he then gave the bag to Kochman, who was already calling for help, and began walking on his own to the city wall of Lublin when he was apprehended and brought to the castle. When the court asked him why he had secured rooms while posing as a servant of Princess Zbaraska, Piotrowski answered that he was trying not to be recognized by the Jew and needed a place to see the sables.

### The verdict and outcome

After the testimony of the witnesses and Piotrowski's defense, the Lublin castle court and Podzamecze city court found Piotrowski liable to death by beheading for his crime. In Poland, as elsewhere in early modern Europe, beheading was considered a lenient form of the death penalty, in contrast to other methods like hanging or quartering. It seems likely that the court chose beheading in this instance because Piotrowski's crime was attempted murder, rather than murder itself. The Lublin castle court may have shared the rationale given at the sentencing of another man convicted of attacking someone with a sword in Poland during this period: "For everything, they sentenced him to be punished by capital punishment [literally, 'with the throat'], that whoever sits on someone else's throat and thirsts for their blood is punished with the throat himself."<sup>17</sup> Thus, Piotrowski was sentenced to death by beheading for attempting to strangle Kochman and for lunging towards him with his cutlass. The court record notes that it was important to make an example out of Piotrowski's sentence, in order that "such licentious acts do not multiply, especially here in this city, when many different merchants come together with large goods."<sup>18</sup> The courts wanted to ensure that Lublin continued to be a place where merchants felt safe bringing their costly wares so it could continue to benefit from the commerce generated at its large trade fairs.

In the verdict, the castle court also stipulated that, "in order to make the matter more certain and clearer for everyone," Kochman and six witnesses, three Jews and three Christian noblemen, had to swear an oath that Piotrowski was guilty of the crime Kochman alleged prior to

<sup>17</sup> Jan Stanisław Bystroń, *Dzieje obyczajów w dawnej Polsce. Wiek XVI–XVIII* (Warsaw, 1933), 332.

<sup>18</sup> APL, CLRMO, call number 30, p. 1140v.

the execution. This arrangement, wherein an accuser would swear an oath with six witnesses, was used in Poland in cases where the certainty of the crime was not completely clear to the court.<sup>19</sup> On this occasion, the inclusion of Jewish witnesses along with Christian nobles is noteworthy.

The decision of the court indicated that the execution was scheduled to take place on the following Monday, though it appears to have been delayed for two weeks until 9 December.<sup>20</sup> Kochman stood in front of the court's officers and the six witnesses and pronounced his oath, swearing "on the name of the Lord God Almighty, who created heaven and earth and everything that is on the earth and in the heavens," that Piotrowski had attempted to steal his sabres and cut his throat.<sup>21</sup> After confirmation by the witnesses, the Lublin castle court office confirmed the sentence and Piotrowski was handed over to the city to be beheaded.<sup>22</sup>

### **Case #2: Jan Domaradzki vs. the Jewish community of Lublin, 1606**

On 18 March 1606, Jan Domaradzki, a nobleman, acting as a plenipotentiary of the castellan of Kraków Janusz Ostrogski, appeared before Lublin's castle court office with a protest against Lublin's Jewish community, naming its leaders, Moses Doktorowicz, Marek, Chaim Frank, Samuel the

<sup>19</sup> For an example where six witnesses were required to swear this oath along with plaintiffs, see Stanisław Waltoś, "Z procesów w dawnej Polsce. Zabójstwo w kościele Mariackim w Krakowie," *Palestra* 3 (1959), 9:57–58.

<sup>20</sup> Jewish leadership in the Commonwealth had trepidations about Jews reciting oaths in non-Jewish courts. Records of the Council of Lithuania from 1622 to 1623 state that Jews should check with community leaders before swearing oaths in non-Jewish courts, so that they could determine if it would violate Jewish law about desecrating the name of God. See Simon Dubnow (ed.), *Pinkas ha-medinah o Pinkas Va'ad ha-kehilot ha-rashiyot bi-medinat Lita* (Berlin, 1925), 12, no. 60. If Kochman consulted with Jewish authorities before swearing his oath at Piotrowski's execution, it is not mentioned in the record.

<sup>21</sup> APL, CLRMO, call number 30, p. 1141v. The record contains the full text of the oath in the first person, suggesting that Kochman pronounced his oath in the Polish language.

<sup>22</sup> The records of Lublin's Books of Villains (*księgi złoczyńców*) are not extant for the years 1565–1622, which might have contained a record of Piotrowski's execution. Piotrowski was likely executed the same day as his sentence. He may have been executed at the Lublin castle itself. Marcin Kamler, *Złoczyńcy. Przestępczość w Koronie w drugiej połowie XVI i w pierwszej połowie XVII wieku (w świetle ksiąg sądowych miejskich)* (Warsaw, 2010), 413–414. A 1602 inspection (*lustracja*) described a newly built "tower for beheadings" at the Lublin castle, though it is unclear what this replaced. See Grażyna Jakimińska, "Zamek lubelski w XVI i pierwszej połowie XVII wieku," *Roczniki Humanistyczne* 53 (2005), 4:251.

*szkolnik* (beadle).<sup>23</sup> In contrast to the previous case, this record contains only an initial legal complaint and no witness testimony or verdict. In his protest, Domaradzki described how a subject of Ostrogski's named Hirsz, notably referred to as a "Hebrew" rather than the usual term "Jew," had come to Lublin in order to pay the considerable sum of 6,000 zlotys to Ostrogski for a lease (*arenda*) contract for the city of Ostróg. Domaradzki claimed that Hirsz also came to Lublin in order to undergo baptism as a Christian out of his admiration of "faith and the Christian religion." Hirsz, however, was unable to do these things, Domaradzki explained, because as he was arriving at his lodgings in Lublin on the street known as "Towards St. Stanislaus Church" (today named *Złota Street*),<sup>24</sup> a notorious robber attacked him. The Jewish community, Domaradzki alleged, had hired the robber "out of a malevolent spirit and malice and innate hatred against the Christian faith," because they had presumably heard about Hirsz's intention to be baptized. Once the robber confronted Hirsz on the street, he called out to two hidden Jewish accomplices who, wielding muskets, proceeded to shoot Hirsz in the back with two bullets, killing him instantly. "Not satisfied by these events," Domaradzki continued, the assailants stole the 6,000 zlotys from Hirsz's corpse, and divided part of the sum among themselves. The rest of the money, Domaradzki claimed, they gave to the Jewish community.

#### In Lublin city court

On the same day, Domaradzki also presented his complaint to the city court in Lublin. Domaradzki's allegations are consistent, though the record from this court does not contain as much detail as the castle court record. His account alleged that the Jewish community had planned the murder in advance, to take place during the Candlemas trade fair. It can be inferred, therefore, that the murder happened between 2 and 17 February, as Lublin's annual Candlemas trade fair lasted for sixteen days. Thus, approximately a month had passed between the murder and Domaradzki's appearance in court.

Later that same day, 18 March, a Lublin burgher and furrier named Tomasz Dudkowicz registered his testimony at the Lublin municipal court,

<sup>23</sup> APL, CLRMO, call number 37, pp. 75–75v. I am grateful to Lyn Schaeffer for their assistance with the Latin in this document. Any mistakes are my own.

<sup>24</sup> Known in the seventeenth century as "Towards St. Stanislaus Church" (*Do kościoła św. Stanisława*), the name refers to the Dominican basilica of St. Stanislaus, which has stood on this street since the thirteenth century.

at the insistence of Domaradzki. He said that a Jew named Jeruch, also from Ostróg, came to Dudkowicz's shop with Hirsz's body in a casket. Jeruch had visited Dudkowicz's place earlier that day, and when he arrived with Hirsz's body, it was late at night. Dudkowicz testified that Jeruch had asked him to examine the body in the casket, and he refused. Jeruch then asked him to seal the casket, which he did. The next day, Dudkowicz came to his shop and found "the casket open and money that had been counted" by two city officials. Dudkowicz mentioned that Jeruch was the only Jew staying at his inn that day, though he had brought in an older and a younger Jew with him to the inn. Dudkowicz said that on the third day after the murder, Jeruch left the inn, later admitting to Dudkowicz when they ran into each other on the street in Lublin a few days later, that he left because was afraid of getting shot himself.

#### Later in the Lublin castle court

On 6 April, a Jew from Ostróg named Icko Pinczuk arrived at the Lublin castle court to collect Hirsz's belongings. Pinczuk was there on behalf of Hirsz's widow and children, as well as the leaders of Ostróg's Jewish community. The belongings had been held in a sealed box by Hirsz's nephew, the son of his sister, a Jew named Saul. He gave the box along with other items of clothing to Pinczuk with the castle court clerk as a witness.

#### Analysis of the two cases

On their face, these two cases are strikingly different from each other. In the first, a Jewish victim of violent crime was aided up by both Christian and Jewish bystanders, managed to recruit ten Christians to testify in court, many of whom directly confirmed his side of the story, and witnessed the court-ordered execution of his attacker.<sup>25</sup> In the second case, a Christian nobleman construed the murder and robbery of a Jew as an anti-Christian conspiracy masterminded by the Lublin Jewish community. Jewish life in early modern Poland encompassed both of these realities:

<sup>25</sup> Under the Polish municipal law, a Jew accusing a Christian would need at least two Christian witnesses and one Jewish witness. That Kochman was able to recruit ten Christians would presumably be significant to the court. Paweł Szczerbic, *Speculum Saxonum, albo prawo saskie i majdeburskie, porządkiem obiecadtla z lacińskich i niemieckich egzemplarzów zebrane. A na polski język z pilnością i wiernie przełożone* (Warsaw, 1581), 532.

the existence of cross-religious solidarities as well as the potential for exploitation of anti-Jewish animus.

The first case contained an extensive record of the trial and sentencing of the accused. The court who heard the case was a mixed court of both the Lublin castle court and the city court of Podzamcze. Such mixed courts between castle courts and those of municipalities happened in the Kingdom of Poland at this time, usually when a charge was particularly severe.<sup>26</sup> The interesting thing in this case, though, is that the alleged crime took place in Krakowskie Przedmieście rather than in Podzamcze.

In contrast to the first case, the records of the second case are fragmentary. The absence of extant trial records is not dispositive that such a trial, or follow up complaints, did not occur. The accusation that Jews would murder a Jewish convert to Christianity was not an isolated one, and indeed there are records of cases where it might have actually occurred.<sup>27</sup> Additionally, claims of Jews murdering converts to Christianity also reflected conspiratorial stereotypes against Jews. In his 1598 anti-Jewish pamphlet, the priest Przeclaw Mojecki wrote that only young Jews convert to Christianity, because any older Jews wishing to be baptized would be killed by his fellow Jews, lest he disclose Jewish secrets. He mentions a case from Lublin, where supposedly a Jew who wanted to do just that was beaten by his fellow Jews and handed to the city executioner with the instruction to have his tongue cut out. Then, allegedly by a miracle, he was healed and began to speak of the Lublin Jews' crimes. In the end, Mojecki wrote, the money of the Jewish community spoke louder to the authorities than the righteous victim.<sup>28</sup> Attention has been paid in the historiography on Polish cities to the way social cohesion involved dynamic processes of negotiation between heterogeneous groups.<sup>29</sup> This includes the conflicts that took

<sup>26</sup> Marian Mikołajczyk, *Proces kryminalny w miastach Małopolski XVI–XVIII wieku* (Katowice, 2013), 42.

<sup>27</sup> Adam Kaźmierczyk, *Rodzilem się Żydem... Konwersje Żydów w Rzeczypospolitej XVII–XVIII wieku* (Kraków, 2015), 183–184. Notably, in the cases mentioned by Kaźmierczyk, the perpetrators were Jews from the neophytes' former communities in response to their baptism. This is in contrast to the accusation against the Jews of Lublin, who may or may not have had knowledge of the potential conversion of Hirs.

<sup>28</sup> Przeclaw Mojecki, *Żydowskie okrucieństwa, mordy, y zabobony* (Kraków, 1598), Chapter 7, C3. See also Kaźmierczyk, *Rodzilem się Żydem*, 58.

<sup>29</sup> Tomasz Wiślicz, *Zelman Wolfowicz i jego rządy w starostwie drohobyckim w połowie XVIII w.* (Kraków, 2020), 188–189; see also Justin Colson, Arie van Steensel, "Cities and Solidarities: Urban Communities in Medieval and Early Modern Europe," in Justin Colson, Arie van Steensel (eds.), *Cities and Solidarities: Urban Communities in Pre-Modern Europe* (New York, 2017), 3–6.

place within these diverse groups themselves.<sup>30</sup> These cases from Lublin illustrate some of the central relationships that shaped Jewish experience in royal cities like Lublin during this period.

Economic connections between Jews and burghers inform the background to these cases, as both cases happen around the times of Lublin's trade fairs. Bienasz Kochman may have remained in Lublin after the annual eight-day trade fair that began on 28 October, the Feast of Saints Simon and Jude. This fair brought hundreds of other merchants along the various trade routes, including the one between Ruthenia and Greater Poland, which connected Kochman's home of Poznań with Piotrowski's near Gliniany.<sup>31</sup> This trade fair, along with Lublin's two other annual fairs in February and August, meant that Lublin's residents were used to the influx of outsiders to town. Both Christian and Jewish bystanders in Krakowskie Przedmieście intervened on Kochman's behalf, including Adam Kościński, the servant of Lady Sieniucina, who separately interviewed both Piotrowski and his young servant, and rejected what he perceived were their spurious excuses.<sup>32</sup> The identities of those who physically intervened were not recorded, though Wojciech Dziewalski's testimony, which indicated a group of wagon drivers had subdued Piotrowski, suggests that a number of them were not burghers and were also from outside of Lublin; perhaps they came to Lublin for the trade fair.

In the second case, Domaradzki noted in his complaint to the Lublin city court that Hirsz was murdered during the Candlemas trade fair in early February. It is unknown whether Hirsz intended to engage in trade at the fair, or if the fair was connected to Janusz Ostrogski's visit in Lublin, whom Hirsz intended to meet there to pay his *arenda* rent. Hirsz was allegedly murdered at night, while walking to his lodging place, within the walled city of Lublin on the street near St. Stanislaus Church. It was not explicitly mentioned in the complaint if Hirsz stayed at Tomasz Dudkowicz's inn alongside Jeruch, his fellow Ostróg Jew. Dudkowicz's testimony to the

<sup>30</sup> Ryszard Szczygieł, *Konflikty społeczne w Lublinie w pierwszej połowie XVI wieku* (Warsaw, 1977), 22–31.

<sup>31</sup> Kazimierz Myśliński, "Lublin na dawnych szlakach handlowych," in Tadeusz Radzik, Adam A. Witusik (eds.), *Lublin w dziejach i kulturze Polski* (Lublin, 1997), 27–49.

<sup>32</sup> Residents of Krakowskie Przedmieście itself were technically not "burghers" at this time, as they did not live within the city walls. They might be referred to in English as "suburbanites." For a discussion of terminology in Polish and Latin, see Jerzy Sadownik, *Przyjęcie do prawa miejskiego w Lublinie w XVII wieku* (Lublin, 1938), 10. On the relationship between Krakowskie Przedmieście and Lublin, see also Szczygieł, *Konflikty społeczne*, 35–37, 152.



Lublin city court mentioned that Jeruch was the only Jew staying at his inn after Hirszt's murder, implying that at other times more Jews had stayed there. That Jews from outside Lublin stayed at burgher-owned inns in the walled city indicates—alongside historical evidence that Jews rented cellars and market stalls from Lublin burghers—that the boundaries of Jewish and Christian areas in Lublin were permeable.<sup>33</sup> Yehiel Yeshaya Trunk indicated that it was only during trade fairs when Jews were allowed total freedom of movement within the city of Lublin, though this is not borne out by current scholarship.<sup>34</sup>

Dudkowicz also mentioned that he ran into Jeruch in Lublin later and spoke with him, presumably in Polish, at enough length to learn that the latter feared for his own safety while he stayed at the inn after Hirszt's murder. This interchange suggests that Jeruch spoke Polish—and so did other Jews; there is no indication that this was an exceptional form of communication. The fact that Jews in early modern Poland spoke Polish, particularly in mid- and small-size communities like Lublin, is reflected in current historiography.<sup>35</sup> That Hirszt's body was stored at Dudkowicz's place, rather than with Jews, implies that Jeruch felt at least some level of comfort in so doing. Dudkowicz's interactions with Jeruch, far from the antagonistic relationship between Jews and Christians portrayed by Domaradzki's accusations, suggest a level of solidarity between the two.

Another notable aspect to the relationships between burghers and Jews is the perception of the role of courts in mediating disputes. In the first case, Lublin burgher Tomasz Sutkowicz testified before the castle court that he had counseled Piotrowski not to take the law into his own hands by trying to recoup his stolen sables from the Jew he believed had them

<sup>33</sup> Bałaban noted that, "in practice," restrictions on Jewish and Christian settlement in Lublin "were not respected." Majer Bałaban, *Żydowskie miasto w Lublinie*, trans. Jan Doktor (Lublin, 1991), 15. Here, Bałaban mentioned the existence of a supposed privilege *de non tolerandis Christianis* extended to the Jews of Podzamcze in 1568. Bałaban cited Bersohn's *Dyplomatarjusz dotyczący Żydów w dawnej Polsce*, no. 103, which appears to have been an error. No. 109 in Bersohn described how King Sigismund II Augustus renewed a privilege to the Jews of Lublin after a fire. Unfortunately, this also appears to have been an error, as the original document refers to the Jews of Lwów. See Archiwum Główne Akt Dawnych, collection: Metryka Koronna, call number 101, p. 160v. Subsequent references to Lublin Jews' privilege *de non tolerandis Christianis* in the historiography cite Bałaban.

<sup>34</sup> Y[eħiel] Y[eshaya] Trunk, "Toledot yehudei Lublin," in Itzhak Gruenbaum (ed.), *Entsiklopedyah shel galuyot* (Jerusalem, 1953), 23. Cf. Hanna Węgrzynek, "The Role of Legal Agreements in Developing Christian-Jewish Relations in Polish Towns and Cities," *Polin* 34 (2022), 104.

<sup>35</sup> Debra Kaplan, Magda Teter, "Out of the (Historiographic) Ghetto: European Jews and Reformation Narratives," *The Sixteenth Century Journal* 40 (2009), 2:382, n. 54.

in his possession, but instead to take the matter to the authorities. One cannot know for certain whether this conversation happened exactly as he described to the court, or whether Sutkowicz added this remark to his testimony for his own benefit. It is significant in any case: either Sutkowicz believed that taking issues to court was the right thing to do, or he knew it was something he was supposed to say in court. Both options reflect an understanding regarding the authority of courts and their role in public life, whether sincerely held or simply performative.

Historians have examined the relationships between Jews and magnate-nobles in recent decades, particularly on private estates themselves towards the end of the Commonwealth period and have made important conclusions.<sup>36</sup> They have demonstrated that the relationships between Jews and nobility facilitated Jewish economic and demographic growth as the power of magnate-nobles increased. Jews played critical roles in administering and developing the magnates' latifundia in Ruthenia, which also strengthened the power and influence of these nobles. Such relationships, though often they benefited both magnate-nobles and Jews, should not be viewed as equal partnerships, however, since Jews working on noble estates and for the nobles themselves were under the sole jurisdiction of these nobles, who held ultimate power. An examination of the second case from Lublin's castle court suggests that it may be fruitful to investigate these relationships in royal cities like Lublin, which were not under noble jurisdiction, and during the earlier history of the Commonwealth when most Jews still lived in royal cities. In these royal cities and within castle courts, magnate authority was subordinate to the authority of the king, or at least to his appointed officials.

Hirsz, as a resident of Ostróg, was under the legal jurisdiction of the magnate-noble Janusz Ostrogski. As such, his murder was of legal and political import to Ostrogski; it was for this reason that his plenipotent, Domaradzki, filed legal complaints on his behalf. The Sejm Constitution of 1539 granted nobles absolute legal jurisdiction over Jews living on

<sup>36</sup> Murray Jay Rosman, *The Lords' Jews: Magnate-Jewish Relations in the Polish-Lithuanian Commonwealth during the Eighteenth Century* (Cambridge, 1990); Gershon David Hundert, *The Jews in a Polish Private Town: The Case of Opatów in the Eighteenth Century* (Baltimore, 1992); Adam Kaźmierczyk, *Żydzi w dobrach prywatnych w świetle sądowniczej i administracyjnej praktyki dóbr magnackich w wiekach XVI–XVIII* (Kraków, 2002); Adam Teller, *Money, Power, and Influence in Eighteenth-Century Lithuania: The Jews on the Radziwiłł Estates* (Stanford, 2016); the last item was originally published under the same title in Hebrew in Jerusalem, 2006.

their estates.<sup>37</sup> This was part of a longer process of power shifting from the king to the nobility that began in the medieval period.<sup>38</sup> Ostrogski's vested interest in the welfare of his subjects was directly tied to his political authority. At the microlevel, Domaradzki's appearance in the castle court was a small part in an ongoing power negotiation between magnate-noble authority on the one hand, and the authority vested in the *starosta*, the royally appointed official who presided over the castle and its court.<sup>39</sup> As Ostrogski's subject was killed in Lublin, and his annual rent for the lease of Ostróg was stolen, his agent sought to pursue restitution to the best of his ability, given that the location where the incident occurred was not under Ostrogski's dominion. The same is likewise true regarding the case in the city court, as Ostrogski's power as a powerful magnate-noble met up against the local authority of Lublin's burghers.

Janusz Ostrogski was a particularly powerful individual. As the last heir of the centuries-old Ostrogski princely family, he presided over one of the largest noble land holdings in the Commonwealth. Ostrogski would go on to play a key role in mediating between the nobility and King Sigismund III Vasa in the rebellion (*rokosz*) led by Mikołaj Zebrzydowski beginning in August 1606.<sup>40</sup> Incidentally, the rebels held an important convocation

<sup>37</sup> Anna Michałowska-Mycielska (ed.), *Sejmy i sejmiki koronne wobec Żydów. Wybór tekstów źródłowych* (Warsaw, 2005), nos. XII–XIII, 32–33. For an English translation, see Adam Teller, "Early Modern Poland-Lithuania, 1507–1795," in François Guesnet, Jerzy Tomaszewski (eds.), *Sources on Jewish Self-Government in the Polish Lands from Its Inception to the Present* (Leiden, 2022), no. 3, p. 90.

<sup>38</sup> Bożena Czwojdrak, "Governance System in Poland during the 15th Century," in Grischa Vercamer, Dušan Zupka (eds.), *Rulership in Medieval East Central Europe: Power, Ritual and Legitimacy in Bohemia, Hungary and Poland* (Leiden, 2021), 304–305. Adam Teller has identified the 1454 Statutes of Nieszawa as a turning point in the power shift between the Polish nobility and the king. Teller, "Early Modern Poland-Lithuania," 63.

<sup>39</sup> Historians have disagreed about whether to view starostas, and thus the castle courts under their jurisdictions, as representing royal authority or simply the individual authority of the starostas themselves. It is important to note that starostas were powerful nobles themselves (indeed, Janusz Ostrogski was a *starosta* four times), and thus the categories of "royal" and "noble" were not always clearly distinct. Cf. Aleksander Wejnert, *O starostwach w Polsce do końca XVIII wieku z dołączeniem wykazu ich miejscowości* (Warsaw, 1877); Curtis G. Murphy, "Foul-Weather Friends: Reinterpreting Jewish-Christian Urban Interaction in the Final Decades of the Polish-Lithuanian Commonwealth," *Polin* 33 (2021), 441–461; Hanna Węgrzynek, "Agreements between Towns and Kahals and Their Impact on the Legal Status of Polish Jews," in Antony Polonsky, Hanna Węgrzynek, Andrzej Żbikowski (eds.), *New Directions in the History of the Jews in the Polish Lands* (Boston, 2018), 219–230.

<sup>40</sup> Agnieszka Pawłowska-Kubik, *Rokosz sandomierski 1606–1609. Rzeczpospolita na politycznym rozdrożu* (Toruń, 2019), 257–259.

in Lublin in June 1606, just a few months after Domaradzki's complaint in Lublin. The rebellion would not be fully resolved until 1609.

While no actual nobles were involved in the first case, Maciej Piotrowski presented himself as the servant of Princess Zbaraska, in order to advance his mission to obtain the sables in Kochman's possession. He knew that creating this association between himself and a powerful figure like Zbaraska would afford him the air of legitimacy necessary to make Kochman feel at ease meeting with him with a large volume of goods and would offer him access to enough private space to accomplish the robbery. Testimony at the trial established that Piotrowski used this tactic of associating himself with high-ranking officials on multiple occasions to secure private rooms.

These cases also point to the different relationships between Jews and members of the lesser nobility, which were often more fraught. This tension was in part due to the fact that they were often direct economic competitors vying for leasing contracts.<sup>41</sup> Jürgen Heyde has demonstrated that, in the sixteenth century, the *szlachta* used anti-Jewish complaints in order to indirectly attack the king.<sup>42</sup> Since Jews had close ties to the king, they could be attacked at the king's political expense. At the same time, attacking Jews was much more politically acceptable than attacking the king directly.

While its provenance was Domaradzki's himself, or whether it originated with Ostrogski or someone else, the anti-Jewish accusations Domaradzki made against the Lublin Jewish community comprised a legal strategy. The reason for blaming the Jewish community for Hirsz's death is unknown. It may have been a calculated appeal for the court's sympathy; perhaps Domaradzki thought the judge would be amenable to such an argument.<sup>43</sup> Being able to name a responsible party also meant the court had an actionable complaint. This way, Domaradzki could pursue monetary restitution for the Ostrogski's lost rent. Bringing the complaint against the Jewish community of Lublin, which had more assets than most individuals did, may have been a tactic Domaradzki considered the most likely to generate a large enough sum to make up for Ostrogski's lost 6,000 zlotys of lease

<sup>41</sup> Judith Kalik, "Szlachta Attitudes towards Jewish Arenda in the 17th and 18th Centuries," *Gal-Ed* 14 (1995), 15–25.

<sup>42</sup> Jürgen Heyde, "Relations between Jews and Non-Jews in the Polish-Lithuanian Commonwealth: Perceptions and Practices," in Antony Polonsky, Hanna Węgrzynek, Andrzej Żbikowski (eds.), *New Directions in the History of the Jews in the Polish Lands* (Boston, 2018), 198–218.

<sup>43</sup> Murphy, "Foul-Weather Friends," 443.

payment. Had Domaradzki chosen to accuse an individual with enough personal wealth to pay this amount, such an individual would presumably held a lot of power in Lublin and would have made a formidable opponent in court. In implicating the Lublin Jewish community in Hirszt's murder, Domaradzki's case had a defendant that was both potentially politically disadvantaged and also had the ability to pay the income lost to Ostrogski in the event of Hirszt's death and robbery.

At the same time, this accusation had the potential to be very damaging to Lublin's Jewish community. The leadership of the Jewish community who were named in the complaint, may have been subject to torture and even capital punishment.<sup>44</sup> If they had been found financially responsible, the debt added to the community would present an additional burden upon the community. Additionally, such an accusation could incite violence against Lublin's Jewish population.

Piotrowski's estate is never clearly articulated in his trial. In place of a title or profession, the word "some" (*niejaki*) appears the first time Piotrowski is named, indicating that he did not specify his estate, or even that the court was skeptical of whatever he had claimed. According to the testimony of his driver Jarempko, Piotrowski lived in a small manor house outside of Gliniany. Perhaps he was of the lesser nobility, if he owned this small manor and its land. Jarempko's testimony, as well as that of the tenth witness Tomasz Sutkowicz, reflected Piotrowski's own account of how he was desperate to recover the valuable property he had lost. His own testimony suggests that Piotrowski believed that a Jew had acted as a fence in Lublin, selling his stolen property to cover up its theft. In his testimony, it would appear that Piotrowski's motive for suspecting Jews stemmed from what he was told happened to his stolen goods and his own recognition of a sable held by Kochman, rather than any particular animosity towards Jews. The court record does not indicate whether the court deemed Piotrowski's account of being a victim of theft true or not, and the reader can only speculate. Piotrowski's documented trail of lies regarding his connection to nobles, as well as his calculated plan to lure Kochman into the empty guesthouse of Lady Sieniucina suggest either he was experienced at crime, or he was particularly desperate. In either scenario, it appears Piotrowski's attack on Kochman was, like most crime

<sup>44</sup> Kaźmierczyk, *Rodziłem się Żydem*, 183. In the instances Kaźmierczyk cites, only one death sentence is mentioned for the killing of a neophyte.

between Christians and Jews in Poland, due to economic motivations rather than particularly anti-Jewish sentiment.<sup>45</sup>

Worthy of consideration as well are the relationships between fellow Jews. Bienasz Kochman's rescuers in Krakowskie Przedmieście included a group of Jews, who recovered his sabres and were the ones who escorted him and Piotrowski to the castle court. Three Jewish witnesses also participated in the carrying out of Piotrowski's execution. The court record does not mention who these Jews were, or if Kochman had known them beforehand. While it was possible that he knew other Jews in Lublin prior to Piotrowski's attack, aside from the young Jewish boy he brought with him to the Sieniucina house, Kochman was from Poznań, a considerable distance away. That some Jews in Lublin helped rescue him and others served as witnesses at the execution suggests a level of intra-Jewish solidarity, particularly in this event where a fellow Jew was attacked. Notable too is the fact that this attack happened in view of the public, and Piotrowski was met with condemnation from all around him, both Jews and Christians. That Jews would intervene and help, alongside the wagon drivers who disarmed Piotrowski, therefore did not present much risk to the safety of those Jews or to the Jews of Lublin as a whole.

In the second case, while Domaradzki assigned blame to the Lublin Jewish community, the Jews involved in the development of this case in the courts were from Ostróg. Jeruch, who presumably knew (and possibly traveled with) Hirsz from Ostróg, cared for his body in the immediate aftermath of the murder. Icko Pinczuk, another Jew from Ostróg, was the one who retrieved Hirsz's belongings on behalf of his surviving family, at the behest of the Jewish elders of Ostróg. As a wealthy leaseholder in Ostróg, the Jewish community there presumably knew Hirsz well. Whether he was part of the community governance or if he had been able to distance himself from their jurisdiction, as other wealthy and well-connected Jews sometimes managed, is unknown from the Lublin court records.<sup>46</sup>

It is unknown whether the Jewish community of Lublin involved itself in the aftermath of Hirsz's murder, including speaking to officials about Domaradzki's accusation or even making burial arrangements for Hirsz's body. The fact that the Lublin Jewish community does not appear in the records regarding this case in either the Lublin castle or city court is not

<sup>45</sup> Magda Teter, *Sinners on Trial: Jews and Sacrilege after the Reformation* (Cambridge, 2011), 214.

<sup>46</sup> Teller, *Money, Power, and Influence*, 197.

particularly surprising, since it had no legal obligations to involve itself since Hirsz was not a member of the community. The Jews of Ostróg were the ones who took care of Hirsz, his belongings, and his family. Even the Jew who had held Hirsz's possessions in Lublin until Icko Pinczuk arrived was a blood relation of Hirsz's, his sister's son Saul. Unsurprisingly, the connection between an individual Jew and his own community was a stronger connection than between an out-of-town Jew and the local community. In the first case, it is not clear whether the Jews who intervened on Kochman's behalf were Jews from Lublin itself or if they were, like Kochman himself, from outside of the city.

These cases present the opportunity to look at the relationship between Jews and the castle court itself. Castle courts in that period operated on a near-daily basis.<sup>47</sup> Jews in Poland had the privilege, in disputes between Christians and Jews, to have their cases heard at the court of the subvoivode, known as the Jews' judge (*iudex Iudaeorum*). However, this court did not meet very often and over time started meeting at infrequent intervals.<sup>48</sup> In Kochman's situation, when the incident had immediately occurred, and took place outside Lublin's city walls, the castle court was the logical destination. Additionally, Kochman, although a Jew, was not a member of Lublin's Jewish community, so he had no compelling reason to go to the court of Lublin's Jewish community.

By all accounts, Kochman received justice at the trial: the witnesses corroborated his story and Piotrowski, his attempted murderer, was executed. The court recognized and accommodated Kochman's Jewishness. The oath he recited at the execution was compatible with the Jewish religion and three of the witnesses to his oath were Jews. The Jewish witnesses were equated with the other witnesses, who were members of the *szlachta*. Kochman was able to secure these three noble witnesses and thus the execution was carried out.

In the second case, Jews themselves did not appear before the castle court until Icko Pinczuk arrived three weeks after Domaradzki's complaint to pick up Hirsz's remaining belongings from Hirsz's nephew, who presumably lived in Lublin. That this property transfer happened in front of the court is notable; there the recording of such a transaction presumably came

<sup>47</sup> Adam Kaźmierczyk, "Sądy grodzkie a Żydzi w drugiej połowie XVII wieku (na podstawie akt grodzkich województwa krakowskiego)," *Śląski Kwartalnik Historyczny Sobótka* 51 (1996), 1–3:181.

<sup>48</sup> *Ibid.*, 179.



at a cost, and for some reason either one or both of the parties insisted on it.<sup>49</sup> A request may have been due to a lingering fear of the Lublin Jewish community to inflame the conflict and visit retaliation onto them, or perhaps for the records of the Ostróg Jewish community.

Both cases reveal the expanding function of castle courts in Poland during this period. Polish castle courts were given special jurisdiction over the “four articles of castle courts,” which were: arson, rape of a noble woman, assault on a public road, and invading a noble manor, when the accused was any member of the nobility, though their competences extended beyond these.<sup>50</sup> In the sixteenth and seventeenth centuries, starostas themselves gradually amassed more authority and the role of the castle courts likewise expanded.<sup>51</sup> The expansion of castle courts and their competences meant that more and more often they were places where Jews sought resolutions to their disputes or were accused of crimes by others.<sup>52</sup> Castle court records, including Lublin’s castle court records, are still an under-utilized source on Jewish life in the early modern period.<sup>53</sup> Further examinations of this source material can deepen our knowledge of Jews in Lublin in the early modern period, including both Jews living in Lublin itself as well as those who came to the city from elsewhere in the Commonwealth.

<sup>49</sup> Ibid., 184. Records from the Kraków castle court in 1719 show that Jews were charged three times more than the nobility to perform official acts and have them entered into the official court records.

<sup>50</sup> Michał Pawlikowski, *Sądownictwo grodzkie w przedzobiorowej Rzeczypospolitej* (Strzałków, 2012), 10.

<sup>51</sup> Wejnert, *O starostwach w Polsce*, 48–57; Adam Kaźmierczyk, “Żydzi w sądach grodzkich (na podstawie akt grodzkich województwa krakowskiego),” *Miscellanea Historico-Archivistica* 10 (1999), 164–166. While the king’s power was declining, the *starosta* as a local official saw his own power grow. Though appointed by the king, the role of the *starosta* grew beyond representing royal interests into representing his own.

<sup>52</sup> Wójciuk, “Podstawy prawne,” 210. Wójciuk points out that usage of courts by Jews and others did not always change due to formal changes in law and regulations, but was organically shaped by the realities of everyday life. Gmiterek points out that the Lublin castle court itself had particular significance, given its auxiliary role to the Crown Tribunal. See Gmiterek, *Materiały źródłowe*, 7–8.

<sup>53</sup> Some notable exceptions are: Moshe Rosman, “The Indebtedness of the Lublin Kahal in the Eighteenth Century,” in Adam Teller (ed.), *Studies in the History of the Jews in Old Poland: In Honor of Jacob Goldberg* (Jerusalem, 1998), 166–183; Adam Teller, “‘In the Land of Their Enemies’: The Duality of Jewish Life in Eighteenth-Century Poland,” *Polin* 19 (2007), 431–446.

## Conclusion

These cases illuminate some of the influential relationships that shaped the position of Jews in Poland in the late-sixteenth and early-seventeenth centuries. Writing about the eighteenth century, Curtis Murphy has described a “common political culture” among the estates of Polish society, including Jews, that resulted in a shared expectation of justice.<sup>54</sup> The cooperation of Christians, Jews, and the courts in Kochman’s case illustrates that this culture extended at least as far back as the latter part of the sixteenth century. Kochman’s Jewishness did not preclude his participation in this culture, nor did it take a backseat to his involvement in the court proceedings.

Conversely, the case of Hirszt’s murder complicates the role that Jewishness could have played. The Lublin city court record tells of the familiarity between Jeruch and Dudkowicz, the connections that could and did exist between certain Jews and certain burghers. At the same time, Domaradzki’s accusation of anti-Christian conspiracy murder against the Jews of Lublin shows how anti-Jewish accusations were employed, sometimes to a sympathetic ear, or at the right occasion to spark outrage. Notably, Hirszt’s worthiness as a subject of noble concern is connected to the rhetorical construction of him as a soon-to-be Christian, which may or may not have been based in truth.

At the same time, an important aspect to interpreting these cases is to recognize their exceptional nature. Violent crimes were a small percentage of the voluminous collection of records in which Jews appear in Lublin’s castle court.<sup>55</sup>

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<sup>54</sup> Murphy, “Foul-Weather Friends,” 460–461.

<sup>55</sup> Gmiterek, *Materiały źródłowe*.

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