



26TH IAJGS INTERNATIONAL CONFERENCE
ON JEWISH GENEALOGY

SPIRITUAL GENEALOGY:
A LOOK AT POLISH NOTARY DOCUMENTATION
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Session 153

MARRIOTT MARQUIS HOTEL
NEW YORK, NY
AUGUST 13-18, 2006



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Were it not for a meeting between a genealogist and historian, which took place a few years ago, I would certainly not be present as a lecturer at this year's conference. This meeting became an inspiration for the historian to consider the usefulness of notarial deeds in genealogical investigations. I would like to present to you the results of research that I have conducted as well as some remarks, and to encourage you to make use of the less known but valuable notarial sources that can be very helpful in genealogical researches.

I decided to base my analysis on the records of the State Archives in Warsaw (APW) and the State Archives in Suwałki (APS). This choice was not accidental since I had earlier conducted a search in the notarial documents of Warsaw's archives and I knew what types of archival materials were available to a historian-genealogist. It seemed to me to be reasonable to refer the investigation's results to an analogous set of documents of another archive and for the purpose of such comparison I chose the archives of a far smaller town which, however, had had a large Jewish population. The set of documents forming the so-called "Warsaw Notariate" of 1808-1924 comprises the registers of 192 notarial offices, which occupy about 1,200 metres of shelves¹. The legacy of 52 notarial offices that operated in Suwałki in 1809-1951 is far more modest since it is formed by a collection of documents that occupy 89 metres of shelves. My search covered 20 offices of Warsaw's notaries and seven offices of notaries who had worked in Suwałki. In selecting the individual notaries I was guided, first of all, by the volume of archival material available for analysis. Because of the wide chronological brackets of the sets of documents forming the legacy of individual notarial offices and the mass of material I limited my inquiry to several dozen years. I concentrated my efforts on the period between 1808 and the 1870s. As far as the archives in Suwałki are concerned I examined the files of all notarial offices that had operated

since the establishment of the institution of notary public till the 1860s.

The selected collections differ considerably. The "Warsaw Notariate" forms a coherent and well-arranged set. Although no additional lists of names or matters handled by individual notarial offices have been prepared there exist repertories and indexes that were prepared for tax control purposes² and that now constitute the only tool of a researcher's work. In every alphabetically arranged index the names of clients and matters handled were listed in chronological order³. In the index kept by the office of notary Jan Wincenty Ostrowski there is an entry under the letter A, which was made in 1832: "Adamska, Acknowledges receipt (of money from) Jakub Bereksohn Sonnenberg." In the next column the number of the notarial deed is given (8672). The index covering the 1850s is arranged in a similar way: a letter of the alphabet, then the year and below the name of the client, the type of the matter handled and the number of the notarial deed. Under the letter H there is an entry made in 1855: Hirszfeld Ludwik. Prenuptial agreement⁴. On the left side of the page the number of the deed is given (890). Repertories constitute a chronological record of matters handled by individual notarial offices and comprise the names of their clients. Repertories include the consecutive number of a deed, the day and the year of its preparation and a brief summary of its content confirmed by the signatures of the parties involved. The deed numbered 2709 that was drawn up in the office of notary Józef Żbikowski dealt with the distribution of property remaining after the death of Michał Bergsohn Sonnenberg. Repertories and indexes kept in Warsaw's archives have been preserved in an almost complete form. However, in the case of some notarial offices I had to work searching partly through the repertories and partly through the indexes to fill in the gaps in the material. On the other hand, the search conducted in the archives in Suwałki, where repertories and

indexes had not been preserved, was extremely toilsome since I had to examine every register and every deed. Thus, the set of documents forming the "Suwałki Notariate" would require methodical and extremely strenuous examination. The archival material, partly in the form of microfilms, is fully available. It should be noted, however, that the documents of some notarial offices are not stored in Warsaw but in the local divisions of Warsaw's State Archives: in Grodzisk Mazowiecki, Kutno and Nidzica.

When the institution of notariate was introduced on the Polish territories in 1808 notaries-public servants began to receive the so-called acts of good will, i.e. various types of private agreements (pertaining to lease, hire, partnership), to draw up testaments, inventories of movable property, prenuptial agreements and catalogues. The task of a notary, as a public official, was to merely prepare in writing a document whose content was dictated by the parties involved. The place of the document's preparation was the notary's office situated in the place of his residence. One of the exceptions from this rule was the preparation of posthumous inventories, which were physical inventories of sealed movables that were being listed in accordance with the division of items into various categories or in accordance with the division of a home into individual rooms. A rare exception from this general rule was also the prenuptial agreement between Joanna Stefania Fraenkel and Karol Gustaw Wolff, which was drawn up at the home of the bride's parents⁵ as the document clearly indicates owing to a sentence that I want to quote: "This took place and was written down in Warsaw, at the home of the earlier mentioned Fraenkels." From 1808, when the notariate was established, till 1876, when the administration of the Congress Kingdom of Poland became fully Russianised, the majority of documents was being prepared in Polish. I consciously use the word "majority" because there naturally were exceptions whose number depended on the type of documents that were being drawn up. I have not found any inventories written down in a foreign language. Only the list of items remaining after the death of Herman Epstein was partly written in French⁶, which was due to the fact that apart from real estate in Poland he also owned a

flat in a prestigious district of Paris, where he died. This called for the preparation of an inventory by a French civil servant.

Prenuptial agreements were chiefly written in Polish. In the case when the mother tongue of one of the spouses was other than Polish the prenuptial document was being translated into a foreign language. Let me use as an example the prenuptial agreement of Stefania Laska, a Warsaw banker's daughter, who married Wilhelm Rau, the administrator of a factory producing machines (photograph of the prenuptial agreement APW J.W. Bandtkie, 1841 act number 7933). Attached to this document is a long list (in Polish only) of items making up the bride's trousseau (photograph). Also the prenuptial agreement of Zofia Lesser, the daughter of a Warsaw merchant - Levy Lesser, includes a German translation of the document (photograph of the title page by J. Jeziorański, 1849, act number 963). In turn, the prenuptial agreement of Julianna Kronenberg, who intended to marry a Paris merchant - Emil Oppenheim, was written down in French (M. Zieliński, 1860, act number 3001). Attached to this agreement was a short specification (which was translated into French) of Miss Kronenberg's personal effects (photograph).

As far as the testaments are concerned it is evident that they could be written down in any language. Let me use as an example - which I think is well known from the literature on the subject - the testament of Ber Sonnenberg written down in Hebrew in 1822 (photograph by J. W. Ostrowski, 1822 act number 34). Hebrew was the language used also in the testament of the former lieutenant of Thaddeus Kosciuszko's army⁷, Jakub Epstein, who could speak and write Polish well. The testament was prepared ten years before Jakub Epstein's death. The document was written down in Warsaw on June 3, 1836 and it was read out in the office of notary Teofil Brzozowski in 1846 (photograph by T. Brzozowski, 1846, act number 566 - photograph). Most wills were written down in German and only some of them in Polish. Felicja Golstand (nee Salinger)⁸ explains in her testament why she chose to use German in the document: "...My son-in-law, Ignacy Leipziger from Wrocław, cannot speak Polish hence, to avoid any misunderstandings that could arise for both sides due to this fact, I am

writing down my will in German.” It should be noted that the families which settled in Warsaw were under the strong influence of the ideas of the Jewish Enlightenment that had originated on the territory of Germany. However, the followers of this movement were fast becoming assimilated and it sometimes happened that the children of the Jews who had arrived in the Congress Kingdom of Poland from Germany were fluent in Polish. Testaments were not conventional, uniform documents. Their formula, length and content depended on the author. Among the testaments there are both brief, laconic texts that cover one or two pages and more extensive documents. Probably the shortest will is that written down by Doctor Józef Bernstein (photograph by M. Zieliński, act number 1546) who seeks protection for his young daughter Natalia⁹. It is just a brief note that can hardly be called a testament. However, there were no binding rules for the formulation of testaments.

The most extensive notarial documents were, of course, inventories. These documents usually consisted of several pages or even several hundred pages on which a notary or an authorized expert listed the movables and immovables remaining after a person's death. The length of an inventory naturally depended on the number of possessions left by the deceased but also on his/her family relations. Rarely - and only in the case of death of a woman, an inventory merely stated the total value of the remaining movables without presenting a detailed description of the possessions or the estimated value of individual items. The items forming the dead person's movable possessions were registered in accordance with the so-called German model that is in accordance with their division into separate categories, or in accordance with the English model in which items found in individual rooms were being listed. In the Congress Kingdom of Poland the method employing categories was more commonly used in the preparation of inventories. An inventory was made at the request of the surviving spouse, and in the case of death of both parents all matters pertaining to the inheritance of children under full legal age were regulated on their behalf by a guardian appointed by the so-called family council. Inventories were usually prepared immediately after a person's death and most often at the place

of his/her residence. To ensure a fair presentation of the left property the movable possessions were entrusted to a person appointed to protect them. This could be the surviving spouse, a child that attained the legal age of majority, a relative, a friend or a clerk who received remuneration for his services from the deceased person's family. In the situation when moveable possessions were listed several or more years after a person's death an inventory was prepared in a notarial office. The family of the deceased attached to the document a list of items made by an authorized expert and, next, the persons acceding to the act took an oath before the official representing the Jewish community to confirm that the inventory was true and honest. Let me quote here the text of such a declaration: “In connection with the preparation of this inventory I have listed every item - known to me and remembered by me, of possessions left by my parents (...)Jakub Bereksohn Sonnenberg and Hana Bereksohn Sonnenberg (nee Horowitz) that constituted their exclusive property, of which I have not appropriated a single thing and about which I said everything that I knew.” The preparation of an inventory could take a few or more days, depending on the number of the left possessions. Listed in the inventories were both movables: clothes, jewellery, valuables, furniture, and money in cash, funds constituting an income from economic activities and the value of a business. It should be noted that incomes from economic activities could mean both incomes obtained owing to major industrial ventures and incomes earned by small businesses. The estimated value of property was reduced by the so-called liabilities. The remaining amount was divided among the inheritors in proportions envisaged by the Civil Code of the Congress Kingdom of Poland unless the inheritors' share in the remaining property was differently regulated by a testament.

Prenuptial agreements, testaments and posthumous inventories form a part of mass sources. Although the preparation of such documents was not required under the binding law it became a common procedure, especially among the owners of any property. The circumstances in which such documents were being drawn up and their form constitute an interesting source of information for

genealogists, which is something I intend to discuss later on.

Prenuptial agreements served to regulate financial relations between the future spouses. Such documents were designed to ensure economic safety to a woman in the case of death of her husband or in the case of a divorce. They also defined the manner of the resolution of property issues in the case of the childless death of one of the spouses. Prenuptial agreements registered in the form of notarial acts could not be revoked after the marriage had been contracted.

The first registered prenuptial agreement was prepared in 1813 by Anna Tischler, nee Jakubowicz¹⁰ (the daughter of Judyta, the example of Mrs. Jakubowicz and Szmul Zbytkower as well known Warsaw entrepreneurs) who was marrying the future senator of the Congress Kingdom of Poland, Józef Aleksy Morawski. Anna, who was twenty-five years old then, had been earlier married to Łazarz Tischler, a trader, but that marriage had been terminated by a divorce. Her second husband was not from her own national and religious group, which compelled her to convert to a different religion but also to use new legal opportunities. The prenuptial agreement concluded in the form of a notarial document constituted a sort of material guaranty which functioned in Jewish culture in the form of ketuba. It seems that Mrs. Jakubowicz, who acted as an agent and supplier of goods, expected that her daughter's marriage to a high-ranking official of the Congress Kingdom of Poland would help her increase her income owing to possible government contracts. Although this was a typical "business" marriage the couple lived in harmony and had six children during 15 years of wedlock. The structure of prenuptial documents practically did not change over the years. In the right-hand upper corner of the first page (prenuptial agreement between Emilia Moldauer and Zachariasz Londyński registered by the office of notary Jan Wincenty Ostrowski, 1826, act number 7118) the place and date of the occurrence is indicated. We can read that: "This took place in the capital city of Warsaw on May 7, 1826."¹¹ The text written immediately below provides information about the official receiving the act: They appeared in person before Jan Wincenty Ostrowski, notary public of

Mazowieckie Voivodeship who resides at 542A Długa Street, in the presence of witnesses appointed with my knowledge." Next, persons acceding to the act are characterised and their decision is announced. We can read that: "Miss Emilia Moldauer, the daughter of the late Febus Moldauer and his wife Machela Anna Moldauer, nee Lesser, who live here in Warsaw at 5426 Nowolipie Street, appears, assisted by her mother, on one side." On the other side Zachariasz Londyński, a merchant from Płock, appeared before the notary. We can read further in the text that: "their common will to act being known they have voluntarily and deliberately concluded and confirmed the following prenuptial contract." Here follows a declaration to the effect that the future spouses wish to regulate financial questions prior to civil and religious solemnization of marriage. Emilia Moldauer brought to her husband at marriage 12,000 zlotys that constituted her dowry. In accordance with the prenuptial contract this amount and other gifts for Emilia Moldauer were to constitute her exclusive property. Unfortunately, the amount contributed in the form of dowry was not secured by a mortgage or in any other way. An oral promise made by her fiancé was the only guarantee that the future bride obtained. In article II of the document the right to represent Emilia Moldauer as a minor was transferred from her relatives to her husband, and in article III it was stated that in the case of the childless death of one of the spouses his/her property would pass to the surviving spouse. Article IV ensured the rights to inheritance of the surviving spouse in the situation when the couple had any children. Below the text there are the signatures of persons acceding to the act – Emilia Moldauer and Zachariasz Londyński, the signatures of witnesses – Józef Solecki and Ludwik Zalewski, and the signature of the notary: Jan Wincenty Ostrowski. Anna Moldauer- Emilia's mother, declared: "I can't write therefore I haven't signed the document." The pattern of the document was identical for the first part of every prenuptial agreement. For the purpose of comparison let me present a document prepared in 1858 in the office of a notary in Sejny. Here again we can see in the right-hand upper corner of the page information stating where and when the event occurred (this happened in Sejny in the notarial office (..) in the

house situated at 234 Grodzieńska Street (..) on November 18 (30), 1858).¹² Before the notary, Szymon Mocarski, there appeared in person - in the presence of witnesses, Chaskiel Chaimowicz Bardyni, a trader and owner of real estate in Sejny who resided in that town, and Fajga Ryt, nee Typograf, a widow from Kaunas in the Russian Empire (currently Lithuania). The couple took a rather unconventional decision concerning the full preservation of separate property rights, which in practice meant that both the possessions owned before marriage and acquired by each of the spouses during marriage would constitute their separate property. Article II of the prenuptial agreement provides interesting information from the point of view of the principles of conduct. It makes it clear that Fajga Ryt, nee Typograf, lived in the house of her future husband before the solemnization of marriage and that all the movables that formed her dowry were in Bardyni's house in Sejny. These movables consisted of items of everyday use and personal effects whose value and descriptions are presented in points 1-98 of the document. The total value of these possessions amounted to 1,551 silver roubles. Chaskiel Chaimowicz Bardyni also received from his future wife 500 roubles in the form of a loan secured on his real estate in Sejny. The future spouses put their signatures under the document - Bardyni in Polish and Fajga Ryt, nee Typograf, in Hebrew. I would like to present and discuss yet another prenuptial agreement. It was concluded in Warsaw between Balbina Stern and Izidor Poznański.¹³ As in the case of the earlier discussed documents this one, too, characterizes the parties to the agreement. Miss Balbina Stern, already of age, arrived in the office in the company of her parents: Izaak Stern - a lottery-office keeper, and Pessa Stern, nee Joachimowicz. Izidor Poznański, employed in the Lesser Bros. trading firm arrived unaccompanied by his parents. Article I of the document offers interesting information from the point of view of social customs since it reveals that: "Balbina Stern and Izidor Poznański, inspired by the feeling of mutual attraction, have decided to unite through marriage with the consent and blessing of the bride's parents." The declaration of mutual feelings is something absolutely extraordinary for the mid 19th century (the document was drawn

up in 1845). Very intriguing is the openness and courage with which the young pair spoke about the reasons for their marriage. Let me present some remarks concerning this matter. Firstly, the young people had an occasion to meet personally because they lived in the same house in Warsaw, at 2323 Dzielna Street (as indicated by information included in the ante-nuptial agreement). Secondly, Miss Stern was not only an enterprising young woman who earned her own living but she also received an outfit of articles forming a bride's trousseau from her parents and a handsome amount of money from her uncle. The future bride contributed items worth a total of 4,474 roubles and 900 roubles in cash bequeathed her by Lewin Witkowski from Gniezno. Izzak Stern handed this amount directly to his daughter and not, as it could normally be expected, to his son-in-law. It is a pity that the document contains no information about property owned by Izidor Poznański. The documents discussed so far make it absolutely clear that financial independence allowed women to break the barriers of social customs and change the stereotypes of behaviour. In the successive articles of the document Miss Balbina Stern, who carried on trade, obtained guarantees from her future husband that she would be allowed to continue business activities under her own name. Also worthy of attention is article VI of the document, which defines the financial duties of the spouses: "all incomes earned by the future spouses will constitute their joint property which will serve to finance the needs of their household, to satisfy all their life needs and to support children with whom, God willing, they may be blessed." The parties to the agreement and the parents first put their signatures under the document and, next, also under the attached list specifying movables owned by Balbina Stern. I would like to draw your attention to that list. Besides personal effects: clothes, lingerie and furs, the future spouse also owned bedclothes, towels and furniture as well as jewels, kitchen utensils and such luxurious articles as silver cutlery, candlesticks, clocks and mirrors. In the case of men the signing of the document was followed by a declaration concerning the value of the property they owned. Herman Meyer, a merchant from Warsaw, declared upon marrying Matylda Toeplitz that his property consisted of ("a sum of 10,000

silver roubles (...) and of personal effects and movables worth a total of 2000 roubles"¹⁴. The presentation of a separate list of movable possessions of the future husband was absolutely exceptional. Among the several hundred examined prenuptial agreements there was only one – that concluded between Anna Marii Wawelberg and Leon Rotwand, to which the husband attached a detailed description of his possessions¹⁵. The amounts contributed by each of the future spouses were impressive. Miss Wawelberg received from her father: 20,000 roubles in cash and 10,552 roubles in articles forming her trousseau. Her total property was worth about 34,000 roubles (this amount was increased by 1,090 roubles inherited after the death of her mother and by the value of articles made of silver that she received as a gift from her future husband). Property owned by Leon Rotwand was far more modest. It consisted of 4,000 roubles in shares, securities and cash, 8,000 roubles invested in an enterprise selling timber and 2,270 roubles in "movables indispensable to a man". The total value of Rotwand's property was 14,270 roubles. Equally exceptional is the prenuptial agreement concluded between Ludwika Bershon and Ludwik Natanson. Miss Bershon's contribution consisted of 20,250 roubles in cash and in various articles, whereas her future husband declared that: "he currently had no possessions and that his property would consist of only that (...) which, after the longest of lives, he might inherit or receive as a gift". It is not my role to check the fairness of Natanson's declaration but it I think it hardly probable that a physician working in Warsaw could have no possessions. He certainly had to have some medical instruments, clothes and the most necessary pieces of furniture. It is hard to tell whether this was a marriage between money and intellect. However, it is certain that after the death of his wife, who passed away three years after the wedding (and shortly after giving birth to a child), Ludwik Natanson kept pestering his parents-in-law for money allegedly due him and even criticized them for summoning, without his consent, a doctor to examine their daughter and for making arrangements for her stay at a holiday resort in summer. The documents suggest that the well know physician, the founder and editor of the medical weekly "Tygodnik Lekarski" and, later on, the

chairman of Warsaw's Association of Physicians was a miser and an irritating man. I hope that the descendants of the Natansons present here, will forgive me for making this remark. I can understand that they may have a different opinion about their ancestor. By concentrating on genealogical information contained in prenuptial agreements I wanted to draw your attention to the fact that we can learn a lot from these documents about the character of their authors.

During the preparation of an prenuptial agreement the children who were not yet of age had to appear before the notary in the company of both parents if the parents were still alive. In 1838 Sara Krasnopolska, a maiden not yet of age, arrived to sign her prenuptial document in the company of her father Hersz Krasnopolski. The future bridegroom, Wolf Landau, a merchant from Brody in Galicia (a part of the Austro-Hungarian Empire at the time and now a part of Ukraine)¹⁶ arrived in the company of his mother Rebeka Landau. For reasons that I cannot understand the document contained no information about Hersz Krasnopolski's marital status. The document stated clearly, however, that Rebeka Landau was a widow. Thus, I felt inclined to infer that Sara's mother was already dead at the time. I managed to find information confirming this hypothesis. Hersz Krasnopolski's first wife must have died before 1837 since he married again that year choosing for his wife a widowed woman Chaja Basia Czerkasowa, nee Fejnberg, this explains why Sara was accompanied by her father only during the signing of the prenuptial agreement. In the case of death of both parents the duty to represent under-age children was shifted onto the main guardian and the auxiliary guardian. Adela (whose Jewish name was Eidl), the under-age daughter of the late Hersz Krasnopolski and his first wife Maria Krasnopolska, nee Gold, appeared before a notary in the company of her main guardian Mathias Rosen, a Warsaw banker, and the auxiliary guardian Zajwl Gold, her dead mother's brother and a trader, who arrived in Warsaw from Zamość¹⁷ to fulfill the indispensable legal formalities. Owing to marriage an under-age woman was gaining legal power. In the case of divorce the woman, such as Sara Krasnopolska whose marriage with Wolf Landau was dissolved in 1842, i.e. four years after the wedding, did not fall

again under the guardianship of the Family Council but was merely given a curator.

To sum up the hitherto considerations I want to stress that I think that prenuptial agreements provide essential information about the future spouses and their parents (revealing their age and marital status). They include information about the addresses, occupation, property and social status of concrete persons. They also shed light on family relations and moral attitudes. They provide information about the relations between spouses as well as about their hopes and fears. They make it possible to observe changes in customs and behaviours, which first began to occur in individual families. Prenuptial agreements also introduce us into the world of possessions indispensable to a young married couple.

Testaments seem to me to be equally worthy of attention. To be valid every testament had to be written in the testator's own hand, although there were some exceptions from this rule. For example, Aleksander Laski, who stayed in Aachen in August 1850, dictated his last will to the local notary: "This took place in Aachen at the testator's bedside"¹⁸. In similar situations a testament prepared abroad was being next filed with a notarial office on the territory of the Congress Kingdom of Poland. Any corrections or additional notes could be made in the document exclusively by the testator. Every change made in the text of the document had to be confirmed by the testator's signature and date written in his own hand¹⁹. Next, the testament was accepted by a notary in the presence of witnesses. Since the document was an expression of the testator's last will it could also be revoked by him. The then binding legal regulations envisaged that after the announcement of a testament efforts to prepare an inventory should be launched at the request of the first beneficiary – not later than three months after the testator's death. There were no regulations stating when the document expressing a person's last will could or ought to be prepared. Such decision depended chiefly on the testator. Some testators prepared documents disposing of their property decades before their death but there were also such testators who did that when old and ill or even on their deathbed. The earlier quoted Jakub Epstein used the following words to describe the motives

for the preparation of his testament: "Blissful is the man who always remembers that God will summon him some day hence it is just and reasonable to think about a testament while one is sound in body and mind. And as for me, guided by good sense, I have decided on the following testamentary disposition." The provident testator lived in good health for ten more years. Samuel Antoni Fraenkel, in turn, wrote in the introduction to his testament that: "old age and poor health compel me to predict that my life will end soon, therefore I am not putting off the preparation of my testament"²⁰. The preparation of a testament was not obligatory and it seems to me that it largely depended on the features of a person's character. Many testators, guided by the concern for the prosperity of the members of their families, felt obliged to write a testament to confirm their orally made promises. They also wished to guarantee adequate means of livelihood to the surviving spouse. Berko Mendlowicz, a merchant from Wizajny (the notary scrupulously recorded the fact that the testator lived in his own house near the town's Market Square – at number 92) unbosomed his grief before disposing of his property in a testament written in 1814. He complained that his only daughter Paja Berkowicz²¹, married to Abel Boruchowicz, had retained the entire income from the family property and business managed by her after the death of her mother Gitla (maiden name Dawidowicz). Berko Mendlowicz, who married again, wanted to prevent discord in the family. Although in accordance with the Jewish religious laws he guaranteed financial safety to his new wife the tense relations with his daughter prompted him to write and file a testament with a notarial office (photograph). It is also probable that his second wife urged him to prepare a testament because she had brought to him at marriage not only a dowry but also children by her first husband. What can we learn from this document? We can learn that Berko, the son of Mendel, was a trader and a resident of Wizajny. He lived in the best part of that town where he owned a house and where he ran a brewery and an inn. The testator described himself as a man: "of over sixty years of age." He also stated that eight years earlier (i.e. in 1806) he had married Irana Szmerkowicz, the widow of Chaskiel from Białystok. We can also learn from

the testament that his daughter managed the affairs of the family's business and household in the twelve months following the death of Berko's first wife. This means that Berko's wife Gitla (maiden name Dawidowicz) died around 1805. Since according to the testator's remark, his first marriage lasted 40 years it can be assumed that Berko and Gitla became husband and wife in 1765. I think that in determining the year of the testator's birth some flexibility is required, which allows me to state that Berko was born between 1740–1748.

The content of individual testaments differed greatly. Some of them included brief dispositions: "I bequeath all my movable possessions, with the exception of cash, shares and securities, to my Wife (...) Berta Tischler," whereas others constituted detailed instructions indicating who should receive what and why. Bequests were being made not only to family members but also to employees and institutions. Tekla Kronenberg, who died in 1848, declared in her testament that: "After the labours of my life (...) I would like to donate a part of the property that I have acquired through work (Tekla Kronenberg's husband died in 1826 and she did not marry again) for charitable purposes, for assistance to the poor members of my own and my dead husband's family. I would also like to show through little gifts granted to other persons – even those better off, my affection for them." ²² The testator donated a quarter of her property for charitable purposes. She made bequests to welfare and religious institutions representing various denominations. Among such institutions there was an Orthodox Jewish hospital and an Evangelical hospital, a Jewish almshouse and work-house as well as the Institute for Charitable Affairs and the Institute for the Deaf-and-Dumb. She also made bequests to the poor of the Jewish and Calvinist communities. She made bequests designed to support the expansion of synagogues and the activity of religious societies. On the long list of beneficiaries there are the names of both her close and distant relatives since, as she saw it, a family consisted not only of parents and their children (photograph). Relations linking the members of the Kronenberg clan, i.e. the members of the family of Tekla Kronenberg's husband, were described in a detailed way in a publication brought out before the Second World War²³. The

testament, on the other hand, is a source abounding in information about the testator's own large family. The list of bequests made to private persons starts with the name of the testator's sister – Rywa Brun. Rywa's daughter – Brandl, is fifteenth on this list of beneficiaries. Laja Brun was bequeathed several pieces of expensive garments, instead of money. Other beneficiaries were: Sura Rywka, daughter of the testator's already dead sister Perel, and the children of Perel's other daughter – Brandl. Perel also had a blind son Mejer and the testator made a bequest to him as well. Bequests were also made to the sons of the testator's already dead sister Dwojra: Lewek and Dawid, and to Leyb Schwartz, the son of the testator's already dead brother Herszek. Small amounts of money were also bequeathed to the testator's two step-sisters: Elka Lewandowska, who was blind, and Zysla Lewandowska. A bequest, in the form of a small amount of money, made to Leyb Grunsztein, the brother of the testator's husband, occupies 24th position on the list and a far larger amount bequeathed to her husband's sister – Anna Maria Breslau, is shown in the 25th position. It is a pity that the testator did not mention the remaining relatives by name. She merely wrote that: "to my own poor relatives – and not the relatives of my husband – who are connected to me by blood in any degree and who have not been mentioned by name among the beneficiaries I bequeath 150 talers". The last names on this long list of beneficiaries are those of persons linked to the synagogue situated in Danielewiczowska Street in Warsaw – Cantor Izaak and his two assistants.

Testaments not only provide genealogical information but also yield revealing information about the character and personal attitudes of the testators. An exceptionally interesting testament is that written in 1833 by Samuel Antoni Fraenkl who arrived in Warsaw from Wrocław at the turn of the 18th century and who converted to become a Roman Catholic upon marrying Atalia Jakubowicz Laska. In the 1830s he belonged to the financial elite of the Congress Kingdom of Poland. The testament that he has left allows us to form a portrait of a man with an original mind who was ahead of his time in terms of the way of thinking and attitudes²⁴. He left his property to the family and relatives, and his body to scientists, with a request for an autopsy to determine

the cause of his death. It was his will to be buried in the clothes that he wore during the illness preceding his death, in a plain black wooden coffin that he wanted to be put in a grave dug directly in the ground. He also expressed a wish for the funeral mass to be celebrated by the priests from his parish. He divided his property among the children that he had with Atalia and among Atalia's children by her first marriage. He also ensured life rents to his two sisters (Rozalia Neyderman in Berlin and Babeta Delmar in Charlottenburg, currently a district of Berlin) and to three meritorious employees. Among the documents that I am discussing only the testaments were being formulated freely by the authors, thanks to which they constitute the best and most reliable characteristics of individual people. The authors of testaments verbalised their fears, concerns and life priorities, and their decisions concerning bequests shed light on family relations and personal attitudes of individual testators.

Posthumous inventories, which are the most extensive among the discussed types of documents, constitute the richest source of genealogic information. I was surprised to discover that the earliest, registered inventory was kept in the State Archives in Suwałki²⁵. It was prepared in 1812 after the death of hop and timber seller Zelman Dawidowicz Josielewicz (the notary was using both Josielewicz and Dawidowicz as a patronymic in different parts of the document so I have decided to quote the two names here) who lived in the church village Lejpuny²⁶. The structure of the document resembles that of the earlier discussed prenuptial agreements. In the right-hand upper corner of the first page the place and date of the document's preparation are given. Above that line the registration number of the document can be seen. The first lines of the text identify the notary, and beneath the text there are the signatures (in Hebraic script) of the legal guardians of Zelman's under-age child (namely that of the child's late father's father Josiel Dawidowicz, of his mother's father Szachn Dawidowicz, and of Wolf Zelmanowicz). The inventory was made two years after the death of Zelman Josielewicz, probably due to the fact that his widow Cypa Josielewicz, nee Szachnowicz, married again and her and Zelman's son was entrusted to the guardianship of his grandfather Josiel Dawidowicz.

It became necessary to estimate the value of goods and movables left by the deceased. The appointed legal guardians of Zelman's son, Mowsza (Josiel, son of Dawid from the village Lejpuny and Szachn, son of Dawid from the village Lipniunice²⁷) decided to sell the remaining movables. Part of the funds raised through the auction were to be used to cover the expenses incurred in connection with Zelman's illness and medical treatment as well as debts drawn after his death. The amount remaining after the payment of all debts was to pass to Mowsza, Zelman's only son and heir. This inventory can be regarded as a sort of a family chronicle. Zelman Josielewicz, "feeling weakened in health and seeking a remedy travelled to the Prussian town of Tylża to consult and undergo treatment prescribed by doctor Morgens". The medical treatment, continuing for several months, proved ineffective and Zelman Josielewicz died on August 14, 1810. He was 28 when he died therefore it can be estimated that he was born around 1782. Zelman had two children born by Cypa (maiden name Szachnowicz) whom he married around 1805. They were: Mowsza Zelmanowicz, a son born in 1806 (it is stated in the inventory that the boy was four years old in 1810), and Chaja Dyna Zelman, a daughter who was 18 months old when her father died. Thus, the girl was probably born in February 1809. She died in February 1811. The document also indicates that Zelman Josielewicz's widow married Dawid Ruwenowicz in November 1811 and went to live with him in Olwita²⁸. The property of the deceased was estimated at 14,765 zlotys, of which 12,348 zlotys were accounted for by credits and other loans. Thus, money in cash constituted about 83.6% of the property left by the deceased. The index of debtors shows: the amount owed the first name of the debtor and his patronymic, and the place of his residence (photograph). The debt owed by Chaim Berkowicz from the church village Lejpuny (village situated on land forming the property of the Church) amounted to 30 Polish zlotys. A part of the debt amounting to 500 Polish zlotys, owed by Jankiel Jickowicz, also the resident of Lejpuny, and his wife, was paid back. Only the unpaid amount of 398 zlotys was included in the estimates of the property's total value. Also the debt owed by Eliasz Judelowicz from Kalwarja was reduced by a sum returned by the debtor.

The preparation of an inventory constituted an important event in the life of a family. This is the reason why all the closest surviving relatives of the deceased were acceding to the act either in person or represented by plenipotentiaries. In the situation when certificates of birth, marriage and death offer only certain pieces of information notarial acts form an excellent complement to them. They contain information about the occupation and sources of income, the place of residence, marital status and even the number of children of the persons involved. They provide facts relating to family ties, which is particularly important in the case of change of a woman's name. Accounts of deliberations held by family councils that are attached to inventories allow one to acquire knowledge about distant relations and friends of persons concerned.

The sources discussed here have found practical application in the so-called genealogical puzzles which boil down to combining pieces of information contained in the certificates of birth, marriage and death and in the notarial documents. I would now like to present the results yielded by my research on the example of several families. When selecting the documents for examination I searched for acts that did not involve persons forming the group of prominent and esteemed citizens of the Congress Kingdom of Poland. I chose an inventory prepared in 1844 after the death of Jakub Joachim Kempner²⁹. This inventory of property left by the deceased allowed me to establish that Jakub Joachim Kempner and Rozalia Rosenthal got married in April 1822 – in Olesno the “Prussian State”³⁰. The bridegroom declared that his permanent place of residence was Lipie in Kalisz province, where he most probably held on lease a metallurgical facility. Jakub Joachim and Rozalia had three children: Aleksander, who was their oldest child and who was not yet of age in 1844, which means that he was born after 1826, Franciszka, who died in April 1843, and Edward, who was their youngest child. It proved impossible to establish even the approximate dates of birth of the two younger children because the preserved certificates relating to the family (i.e. parents and children) consisted of only three documents: the certificate of marriage prepared in Olesno, the certificate of death of Jakub Joachim Kempner and the certificate of death of Rozalia Kempner, who, it

might be interesting to know, outlived her husband by forty-one years (photograph of the couple's death certificates). The two certificates are kept in the State Archives in Warsaw. In the case of the Kempners information contained in the inventory suggests the direction of further genealogical investigations. The documents prove that the family did not have its roots in Warsaw. Rozalia's parents most probably had their home in the part of partitioned Poland controlled by Prussia. Jakub Joachim Kempner, who maintained that the place of his birth was Praszka, lived and certainly had relatives in the Kalisz region.

I have conducted a similar analysis on the basis of an inventory of property left by Helena Bein, nee Libas³¹, who died in December 1870. The document was signed by three of her children: Jakub, Aleksander and Anna, wife of Ludwik Hirschfeld. Unfortunately, the document did not allow me to establish the name of Helena's husband or her marital status. However, the document mentioned the fact that Ludwik Hirschfeld's first wife was Anna's sister – Róża Bein. Ludwik and Róża became husband and wife in 1855, which is a fact confirmed by their prenuptial agreement³². This agreement was very important for my investigations because it stated that the name of the already dead father of Róża Bein was Salomon. An inventory was also prepared when Róża Bein – Ludwik Hirschfeld's first wife, died in December 1861³³. The inventory of property left by her allowed me to establish that Róża and Ludwik had four children: Stanisław Samuel, Amalia, Bolesław and Róża. I also found an prenuptial agreement which made it possible to ascertain that the older son of Helena and Salomon – Jakub, who was a merchant and who lived in Warsaw in Nowiniarska street, married Charlotta Merzbach in 1856. She was the daughter of a Warsaw bookseller, who was already dead at that time. The establishment of facts concerning this marriage may not be a particularly spectacular event but the unsuccessful efforts of the earlier quoted Kazimierz Reychman³⁴ to establish the date of Jakub Bein's marriage or his occupation and place of residence, despite access to family archives and birth, marriage and death certificates, permit me to emphasize the value of notarial acts in genealogical researches. I have enriched the retrieved information about the

family by facts stemming from several certificates. Salomon Bein and Helena Bein had yet another son – Michał, who was born in 1828 and died as an infant³⁵. The certificate of his birth allowed me to determine that Helena Bein died at the age of 71. I have not managed to establish the year of death of her husband, Salomon. It can only be stated that he probably died not earlier than in 1837 and not later than in 1855 (his daughter Róża was born in 1837 and she concluded her prenuptial agreement in 1855). The certificates in question also made it possible to ascertain that Ludwik Hirschfeld's oldest son – Stanisław Samuel, married Żaneta Ginsburg in 1881³⁶ and three years later a son was born whom they named Ludwik in honour of his already dead grandfather³⁷. Ludwik Hirschfeld and his first wife Róża Bein, their son Stanisław Samuel and his wife Żaneta Ginsburg are buried in the Jewish cemetery in Warsaw (plot XX).

I have also examined the documents of the Eiger family from Warsaw. The starting point for my analysis was, naturally, an inventory made after the death of Mojżesz Eiger.³⁸ Although this document says nothing about his occupation the list of possessions left by him suggests that he engaged both in trade and money-lending services. He and his wife Gitla (Wertensztein, nee Goldreich) had nine children.

It was much more difficult to apply a similar method of linking various facts during the examination of documents kept in the State Archives in Suwałki. To explain why I will refer to the earlier discussed inventory of property left by Zelman Josielewicz³⁹. His son Mowsza, who was entrusted to the grandfather's care after Zelman's death and who lived in Lejpuny, started using a name derived from the name of this village. Among the birth, marriage and death certificates of the residents of the area around Sejny there is a document (number 15) confirming that Zelman Leypuner, son of Mowsza and Chana, was born in 1829. Mowsza Leypuner and Chana Leypuner had yet another child: Sora Bejla, who married Oszer Frank in 1849. Chana was most probably Mowsza's second wife since there exists a document (registration number 28) dated 1828 which confirms the death of Złatka Leypuner, child of Mowsza and Bluma. It is probable that Złatka's mother, Bluma, died that year, too, and

Mowsza married again. I found it equally difficult to establish the family connections of Abraham Szymon who died in Sejny in April 1816. This merchant dealing in lumber left a property whose value was estimated at 130,518 Polish zlotys. The successors of the deceased were his wife Sura (maiden name Dawidowicz) and children: Izaak Abrahamowicz, Leyb Abrachamowicz, Hirsza Abrachamowicz, and Chaja Szaj (nee Abrahamowicz), who all lived in Sejny⁴⁰, Rywka Leybowicz, who lived in Sereje⁴¹, Rochla, who lived in Szereszewo⁴², and Leja Leybowicz, who lived in Wiłkomierz⁴³. Owing to the existing birth, marriage and death certificates I have found out that Rywka Abrahamowicz married Lejb Wazbucki. However, I cannot say how many children the couple had. It is only certain that they had a daughter named Złatka who was born in 1827 (act number 21). A year later (in 1828) the death of Lejb Wasbucki was recorded.

I hope that I have succeeded in encouraging the persons present here to use the less traditional sources of information for the purpose of genealogical investigations. I know that it is not an easy task. Firstly, the sources in question are incomplete and, secondly, meticulous and laborious analysis is needed to discover essential evidence. However, with a bit of luck one can achieve spectacular results. I, personally, took a great pleasure in studying the life and character of people mirrored in the documents. The quality of information about the ancestors who lived two centuries ago that is contained in these sources can be regarded as exceptional and paralleled only by memoirs and records of well-preserved family archives. However, in the case of Warsaw the examples of the latter two types of sources can be counted on the fingers of one hand. When analysing the notarial deeds we see ordinary people with their feelings, desires, maladies and life priorities. The clients of notarial offices were not Mr. X and Mrs. X, who were born and who died on such and such day, but noble, caring and prudent great great grandfathers and great great grandmothers, generous fathers and enterprising mothers, grateful children, and probably also inconsiderate and wasteful great great grandfathers and great great grandmothers, unscrupulous fathers and helpless mothers, greedy children. Thanks to notarial documents it is possible to check the accuracy

of stories-legends circulating for generations among the members of various families. For example, in a conversation with a descendant of a Warsaw family (who still lives in Poland) I heard that his ancestor had owned a landed property. Of course, there was a grain of truth in that story. The ancestor actually purchased the property in question but only to transfer it to his brother who did not have the right to buy land or sign the necessary contract. However, the brother financed the deal. According to a tale circulating in another family, one of the ancestors bought real estate owing to a prize won in a lottery. In fact, the family became rich when the ancestor re-married, taking as his wife a wealthy and enterprising widow.

A very satisfying part of my work was the search for and discovery of family connections. The use of notarial sources was essential for the direction of my pursuits and it allowed me to link generations and, sometimes, to explain why birth, marriage and death certificates pertaining to a Warsaw family could not be found in the city's archives. In the case of one

family I have managed to establish the existence of a child that was not mentioned even in Kazimierz Reychman's "Szkice genealogiczne" (Genealogical Sketches) so often quoted by me. It was thanks to the analysis of an inventory that I discovered that Levy Lesser had a daughter named Rebeka who became baptised prior to getting married and who changed her name to Aniela Górską. Together with her husband Stanisław she settled in Brześć Litewski. By adopting a new name she so effectively covered up her tracks that it was almost impossible to trace her. It is probable that Lesser had yet another child - Abraham, who was mentally ill and stayed in an asylum, which, again, was a fact stated in the inventory.

In my opinion all the types of documents discussed earlier have an exceptional value for a researcher who tries with determination to fathom the history of his/her forebears. Thank you for your attention. If you have any questions I will gladly answer them.

[Endnotes follow] ➤

Endnotes

- ¹ E. Mazur, Wykorzystanie inwentarzy w badaniach nad kulturą XIX wieku na ziemiach polskich (Use of Inventories in Research Covering 19th Century Culture on Polish Territories) , "Kw.HKM", R. LI, 2003, No. 2, p.177.
- ² J. Hensel, Burżuazja warszawska w połowie XIX wieku w świetle akt notarialnych (Warsaw's Bourgeoisie in Mid 19th Century), Warsaw 1979, p.14.
- ³ APW, the Office of Notary J. Ostrowski, call number 55, p.1-v and 2.
- ⁴ APW, the Office of Notary N. Stepowski, call number 41, p. 62-v.
- ⁵ APW, the Office of Notary J. W. Bandtkie, act number 4200.
- ⁶ APW, the Office of Notary St. Jasiński, act number 7900.
- ⁷ M. Fuks, Żydzi w Warszawie (Jews in Warsaw). Warsaw 1997, p. 80.
- ⁸ APW, the Office of Notary S. Jasiński, act number 8377.
- ⁹ APW, the Office of Notary T. Brzozowski, act number 566.
- ¹⁰ APW, the Office of Notary J. W. Bandtkie, act number 1408.
- ¹¹ APW, the Office of Notary J. W. Ostrowski, act number 7118.
- ¹² APS, the Office of Notary Sz. Mocarski, act number 134.
- ¹³ APW, the Office of Notary J. Jeziorański, act number 715.
- ¹⁴ APW, the Office of Notary M. Zieliński, act number 1396.
- ¹⁵ APW, the Office of Notary J. Jasiński, act number 6211.
- ¹⁶ APW, the Office of Notary Ks. Józefowicz, act number 450.
- ¹⁷ APW, the Office of Notary Ks. Józefowicz, act number 1550.
- ¹⁸ APW, the Office of Notary M. Zieliński, act number 726.
- ¹⁹ J. Hensel, op. cit. p. 19.
- ²⁰ APW, the Office of Notary J. W. Bandtkie, act number 6479.
- ²¹ APS, the Office of Notary K. Olechnowicz, act number 3.
- ²² APW, the Office of Notary J. Noskowski, act number 11,100.
- ²³ K. Reychman, "Szkice genealogiczne" (Genealogical Sketches) , Warsaw 1936, pages 111 – 115.
- ²⁴ APW, the Office of Notary J. W. Bandtkie, act number 6479.
- ²⁵ APS, the Office of Notary K. Olechnowicz, act number 42.
- ²⁶ Lejpuny, - a village on the river Serejka in the former Sejny district, now in Lithuania.
- ²⁷ Lipniunce – a village situated south-east of Maraimpol, now in Lithuania.
- ²⁸ Olwita – a village in the former Wyłkowyski district, now in Lithuania.
- ²⁹ Jakub Joachim Kempner (1801 – 1840) holder of a lease for a lottery office in Warsaw, owner of a factory producing kerchiefs in Tomaszów.
- ³⁰ APW, the Office of Notary Ks. Józefowicz, act number 3023.
- ³¹ APW, the Office of Notary W. Śliwiński, act number 197.
- ³² APW, the Office of Notary N. Stępowski, act number 890.
- ³³ APW, the Office of Notary J. Żbikowski, act number 763/465.
- ³⁴ K. Reychman, op. cit. p. 136.
- ³⁵ APW, Birth, Marriage and Death Certificates of Persons of Non-Christian Faith, 1882, birth certificate number 242.
- ³⁶ APW, Birth, Marriage and Death Certificates of Persons of Judaic Faith, 1881, marriage certificate number 27.
- ³⁷ APW, Birth, Marriage and Death Certificates of Persons of Judaic Faith., 1884, birth certificate number 70.
- ³⁸ APW, the Office of Notary M. Zieliński, act number 1863.
- ³⁹ APS, the Office of Notary K. Olechnowicz, act number 85.
- ⁴⁰ Sejny – a town in north-eastern Poland.
- ⁴¹ Sereje – a town situated north-east of Sejny, currently in Lithuania.
- ⁴² Szereszów- a locality situated west of Prużany, currently in Belarus.
- ⁴³ Wilkomierz - a small town north-east of Kaunas, currently in Lithuania.