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LEGAL REGULATIONS CONCERNING TRANSPORTATION ENGINEERING STAFF IN THE KINGDOM OF POLAND DURING THE 1830S

Summary. This article focuses on the problem of changing job descriptions of Polish transportation engineers (including general inspectors and voivodeship engineers, as well as newly introduced county engineers) after the fall of the November Uprising. The text also explains possible obstacles that uncoupled these transportation staff officials from their basis duties.

Keywords: transportation engineers; law; Kingdom of Poland

1. INTRODUCTION

Even before the outbreak of the November Uprising, a number of official trials to slightly change Polish road legislation was in force. On 1 December 1829, the Administrative Council sent a request to the Legislative Department to draft legislation on river-floating and navigability along the main river courses, as well as the building, functioning and maintenance of public roads. However, on 13 May 1830, the same Administrative Council learned from the Russian capital (St. Petersburg) of the Emperor Nikolai I's refusal to approve this new draft

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law. Instead, Polish legislators were asked to prepare for the issuance of new deliberations on the important subjects of navigable rivers and public roads².

On the other hand, at the beginning of the Paskievich period, Tsar Nikolai I decided to include Polish transportation administrative staff in the ranks of Russian public services. The decision at stake was revealed on 6 March 1832³. Nevertheless, and surprisingly enough, the newly appointed Governmental Committee on Internal, Spiritual and Public Enlightenment Matters, on 25 June 1832, presented its official note, in which it was stated that the Ministry of Interior requested that the overall relations between this governmental body and the local (Polish) General Directorate of Roads and Bridges would remain unchanged. On the same day, Warsaw's ministry strongly demanded the immediate suspension of the unexpected transfer of their officials (mostly engineers) "to the Land and Water Communications of the Russian Empire staff" (in appropriate degrees), as well as asked for such a solution to be accepted at least until the new organization of the Polish General Directorate of Roads and Bridges was finally confirmed. Despite these numerous formal contradictions expressed in Warsaw, during its next session on 29 June 1832, the Administrative Council of the Kingdom of Poland formally admitted and declared that Tsar Nikolai I had officially decided to transfer all Polish road officials (namely, road engineers) to the Russian Corps of Land and Water Communications (to the same extent as "before the revolution")⁴.

In reaction to the decision of the Administrative Council, made on 27 July 1832, the Governmental Committee on Internal, Spiritual and Public Enlightenment Matters presented, on 2 August 1832, its primary proposal for a new internal organization of Warsaw's General Directorate of Roads and Bridges. This was subsequently reviewed by the Administrative Council on the very next day, 3 August 1832⁵.

Following the final decision of the Administrative Council undertaken on 3 September 1832, as a result of which the new reorganization of the engineering positions within Polish transport services emerged, the Ministry of Interior issued a general law on the organization of engineering staff in the Kingdom of Poland on 12 December 1832. This new law referred, among other things, to engineers who were employed by the transportation authority that bore the officially changed name of the Directorate of Land and Water Communications⁶.

2. GENERAL INSPECTORS/ENGINEERS OF LAND AND WATER COMMUNICATIONS

By pointing out duties and powers of general inspectors/engineers, the official document on "Civil Engineering Organization of Land and Water Communications", dated as of December

² Central Archives of Historical Record in Warsaw. The Administrative Council of Kingdom of Poland (1829, 1830, 1832). Signature 17: 617; 18: 228.

³ Tygodnik Petersburski. Gazeta Urzędowa Królestwa Polskiego, 8 March 1832, No. 18:121; Tygodnik Powszechny, 6 March 1832, No. 64: 263.

⁴ Central Archives of Historical Record in Warsaw. The Administrative Council of Kingdom of Poland (1829, 1830, 1832). Signature 24: 337-341.

⁵ Central Archives of Historical Record in Warsaw. The Administrative Council of Kingdom of Poland (1829, 1830, 1832). Signature 25: 7-10; Central Archives of Historical Record in Warsaw. The Second State Council of Kingdom of Poland (1832). Signature 105: 154-155.

⁶ *Digest of Administrative Laws of Kingdom of Poland. Department of Land and Water Communications. Organization and Attributes of the Board of Communications and General, Administrative and Technical Regulations.* Warsaw: Orgelbrandt Printing House, 1866, Vol. 1, 27: 13; A. Okolski. 1880. *The Lecture of Administrative Law and Polish Administrative Law in Force in the Kingdom of Poland.* Warsaw: Editorial Office of Library of Legal Utilities, 144.

1832, emphasized the necessity of preparing each and every transport plan, project and analytical report by these most important engineers, as well as checking every piece of relevant documentation before being presented to Warsaw's Directorate of Communications for verification. As partners in the main transportation decision-making process, they usually brought the above-described projects to the official meetings of the Directorate of Communications. As members of the management of this directorate, they were responsible for referring particular cases over which they had supervision; namely: a) "maintenance" of paved ("beaten") roads; and b) works carried out on the rivers and canals. Another responsibility of these general inspectors was "to build" a general system of paved roads, especially those routes that were handed over to them for supervision and care. In particular, general engineers performed all the tasks that were somehow related to construction, inspection or simple control works ordered by the Directorate of Land and Water Communications itself (Article 10).

The most important responsibilities among general inspectors/engineers also included the need to perform, at least twice a year (namely, during each spring and autumn), so-called seasonal "overall itineration" of all engineering works in the area entrusted to their care in each individual voivodeship area. Matters that were usually evaluated during this checking period were: a) the progress of the work of the regional voivodeship and county engineers, as well as road conductors; b) the settlements and accounts made by these engineers; c) the "lists of corvée works" usually involving the constant supervision of local road maintenance officers; and d) the current state of roads and transport works. The obligation of general inspectors also consisted of: a) analyses undertaken in situ (with voivodeship engineers) of building plans for upcoming years; b) dealing with any emergencies or unexpected circumstances (Article 11).

Another duty among general engineers was to write down their eventual observations and opinions regarding any notes in county engineers' control books, with special attention to the state of the roads and the implementation of "two-day-lasting" corvées. However, general inspectors only described, in the control books of county engineers, corvée matters in a form of future recommendations, as these issues were reserved for collegial considerations made by the Directorate of Land and Water Communications (Article 13).

Inspections of the location and works of county engineers conducted during such general events also focused on the eventual confirmation (or otherwise) of the regular submission of reports or the "listings of needs and requirements", which were sent to local provincial administrative committees.

It is worth adding that, apart from voivodeship roads, general engineers also controlled "the most significant non-chaussé routes" and bridges, and as well as any works connected with the proper functioning of river-floating. In addition, they checked whether transportation investments were made in full accordance with contracts approved with certain private entrepreneurs. Meanwhile, general inspectors verified data submitted to them concerning the quality of materials used in diverse road building and maintenance endeavours, as well as the scope of their delivery to the relevant locations, or in relation to the compliance of works with rules in force describing typical engineering services. When possible irregularities were identified, general inspectors/engineers possessed the full ability "to correct" or even "to suspend" the exact investment, doing so by notifying local administrative and transport authorities and reporting "the damage itself" to Warsaw's Directorate of Communications, pointing out specific reasons that informed their negative decision, obviously along with any future conclusions (Article 12).

Even more important, these overall itinerations and “detailed revisions” performed by general inspectors not only took place at selected times of the year, but were also carried out following each specific request by the main transportation director himself (Franciszek Christiani) or the Directorate of Communications as a whole (Article 15).

Reports issued as a result of the indicated itinerancy processes had to be submitted directly to Warsaw’s governmental Directorate of Land and Water Communications for review and possible comments. After submitting these official materials to the capital’s highest-level transportation authorities, the Directorate was responsible for their proper assessment, prior to their finally delivery to the state’s Government Committee of Internal Affairs (Article 16).

It was also the responsibility of general inspectors to develop comprehensive legislation for the regulation concerning the clearing and deepening of river bottoms/beds along their whole courses in the Kingdom of Poland and also for floating matters (Article 14). Another power (which was rather theoretical in the Kingdom of Poland under the Tsarist Field Marshal Ivan Paskevich’s rule) attributed to general inspectors/engineers was to report on the actual conditions of the works related to the traffic and river-floating special police force (Article 13)⁷.

3. VOIVODESHIP ENGINEERS

The law issued by the Government Committee of Internal, Spiritual and Public Enlightenment Matters on 12 December 1832 clearly identified responsibility for the entire engineering service, along with its proper supervision and functioning in a given voivodeship, as the basic task of the so-called voivodeship engineers. However, they not only conducted their duties under the general (but not strict) authority and supervision of the Directorate of Land and Water Communications, but were also restricted by the direct management of provincial civil administrative committees (as well as by local military powers, given that, in each Polish voivodeship, after 1831, a Russian military governor was installed who controlled each civilian administrative initiative with his decisive voice). Therefore, voivodeship provincial engineers, executing their mandatory orders as delegated to them by regional civil administrative commissions, had to submit to the same institutions their reports on the exact implementation of received suggestions. As such, in the field of civil engineering, they constituted their responsibilities, duties and orders on the basis of “a comprehensive manual” and regulations developed “in terms of pure engineering art” by the Directorate of Land and Water Communications and approved by the Ministry of Interior (Article 17).

Under all these circumstances, the administrative structural status of these engineers could be finally regarded as desk officers (reporters), “attached” to the civilian voivodeship committees. This meant that, without hearing their opinion, Polish local administrations at the provincial level were not able at all to submit any transportation proposals to higher authorities (Article 18).

Voivodeship provincial engineers controlled their counterparts at the county/district level, mostly for the sake of: a) maintaining appropriate levels of performance b) and ensuring proper usage, in accordance with the principles of engineering art, of any plans and financial estimations or schedules (so-called “anschlügen”) of local investments. They also presented studies at the level of each county for approval by the voivodeship commissions. Another task of provincial engineers was to prepare tenders for any transportation works, as well as for the

⁷ *Digest of the Administrative Laws of the Kingdom of Poland. Department of Land and Water Communications. Organization and Attributes of the Board of Communications and General, Administrative and Technical Regulations.* Warsaw: Orgelbrandt Printing House, 1866, Vol. 1: 117-121.

supply of construction materials related to them, and to control these processes by themselves in a form of participating in these auctions themselves. Finally, voivodeship engineers had to prepare handwritten notes on the course of each dealing involving transportation matters. In addition, these classes of engineers were forced to ensure compliance with all police regulations regarding all land and water transport investments (Article 19).

It is also necessary to admit that the lists of existing transport networks remained in each voivodeship under the control of specific voivodeship engineers, as they were responsible for creating an exact map of such connections (Article 20). However, the Law of 12 December 1832 strongly stressed their overall inability to change the path of any routes of “major roads” without obtaining ministerial approval for doing so (Article 22). Provincial voivodeship engineers additionally issued current price lists (tariffs) for: a) construction materials; and b) labour, on the basis of the greatest possible accuracy, “so that one could rely on them [namely, tariffs] completely” (Article 21).

The voivodeship engineers submitted their “designs” or proposals and financial estimations/schedules for primary evaluation to local provincial civil administrative committees; only from here were these papers subsequently sent to the Directorate of Land and Water Communications, based in Warsaw. Then, and only after attaching to them certified ministerial opinions, were the highest transportation authorities finally obliged to send the above-mentioned papers directly to the Government Committee of Internal Affairs. After all the stages of procedure used in carrying out any transport undertakings at the expense of the state treasury were completed, every voivodeship engineer was strongly guided by the need for prior approval of their plans and formal cost estimations by the Ministry of Interior (Article 23).

Taking into account these restrictions, it was surprising that it was also possible for voivodeship engineers to undertake any formal transport works only after their primary authorization from the provincial administrative commission. However, this could only be possible following sudden and unpredictable disasters and accidents, which, when caused by a cataclysm, heavily affected the transport accessibility of the region. During any extraordinary need or danger, the voivodeship engineer could always order the commencement of any necessary “remedial works”, except that the local civil authority was forced by legal regulations to report such abrupt undertakings to the Directorate of Land and Water Communications, attaching to its announcement appropriate plans and financial schedules. In such a case, Warsaw’s transport authorities informed the Government Committee of Internal, Spiritual and Public Enlightenment Matters of previously undertaken, yet urgently desired, works, officially asking for final ministerial approval (Article 24).

Another task awaiting voivodeship engineers was to check the accounts of all transport works performed in the areas covered by their jurisdiction. This concerned deeds of either the state’s own administration or private entrepreneurs. The main engineers of each and every Polish voivodeship carried out “partial computations” with private investors, issuing, according to contractual agreements, attestations authorizing, for instance, the receipt of sums of money due for refund for confirmed performances of partially finished transportation works. These (fragmentary) computations, as well as the final receipt and delivery of papers, were adopted on a simple protocol basis, while checked by voivodeship regional engineers, along with both county engineers and civil administration commissars. In addition, the ministerial author of the law at stake (Count Alexander Stroganov), in the 25th Article of his Act of 12 December 1832, stated literally that, in the event of such a legal reservation being included in the original contract, the protocols of the final reception of particularly important transport investments had

to be “accompanied” by a certificate issued directly by the Directorate of Land and Water Communications (Article 25).

Voivodeship engineers were invited to submit official reports describing their formal activities to the offices of regional civil administrative committees at two possible intervals of time: a) quarterly; b) or once a year (all of these reports were obviously to be written and composed in accordance with the model developed by the Directorate of Communications and confirmed by the Government Committee of Internal, Spiritual and Public Enlightenment Matters). The voivodeship civil administrative commissions eventually sent them to Warsaw’s Transport Administration Headquarters.

Besides, these voivodeship engineers maintained (in line with the administrative path model proposed by the Directorate of Land and Water Communications) accurate records of the expenditures and revenues produced, along with transportation services staff, quarterly submissions of such detailed lists to voivodeship provincial committees. On the other hand, the material registers were delivered to local administrative authorities for verification at each six-month stage in the reporting year (Article 26). The deadline for submitting a typical annual (so-called “general”) report was 31 December of each year. The closing date for the submission of a detailed report, based on the data included in such a yearly report, was, in turn, 1 February of the following year (Article 27).

It was also unavoidable to recognize, as one of the main responsibilities of the voivodeship engineers, the formal necessity of performing, at least three times a year, the strict itinerancy of their entire dependent provincial territory, which was to be done “for the sake of visiting and checking all the [transportation] works” and in order to obtain the exact knowledge of actual needs and requirements (or lack thereof) of the works designed and carried under the control of local county engineers. When verifying the context of books, booklets and “lists of corvée works”, the general rule was to check the level of “conservation” of the whole of the voivodeship transport network structure, especially in terms of looking for any possible savings to be achieved in this field. A special task to be achieved during these itinerations undertaken by provincial voivodeship engineers could be also referred to the anticipated assessment of the state of main (paved) roads, and of the construction material used to build them. Taking advantage of the possibilities offered by travelling on these extended trips, voivodeship engineers also checked the drainage works at the same time (Article 27).

Naturally, any reports from these official voyages or rather itinerancy (with any possible observations, remarks and conclusions) were submitted by voivodeship engineers to the local administrative civil commissions of the same level, from where they were later addressed to the Directorate of Land and Water Communications, and subsequently to the Government Committee of Internal Matters (Article 28). Finally, as it concerns submission to the provincial voivodeship civil commissions of any specific transportation projects designed for the following year (both in terms of the personal status of employed staff and in terms of the budget itself), the voivodeship engineers were forced to fulfil their obligation no later than 1 September of the previous year. The provincial civil authorities had a further 12 days to assess the situation, such that, no later than 13 September, they had to send their personal and financial projects directly to Warsaw’s Directorate of Communications (Article 29)⁸.

⁸ *Digest of Administrative Laws of Kingdom of Poland. Department of Land and Water Communications. Organization and Attributes of the Board of Communications and General, Administrative and Technical Regulations.* Warsaw: Orgelbrandt Printing House, 1866, Vol. 1: 121-127.

3. COUNTY/DISTRICT ENGINEERS

During the so-called Paskievich period, the basic responsibilities of county/district engineers were stated in Article 3 of the “Civil Engineering Service Organization”, dated 2 July/3 August 1832⁹.

According to Article 30 of the Government Committee on Internal, Spiritual and Public Enlightenment Matters’ Law of 12 December 1832, county engineers were required to be supervised and carry out technical transportation works within the whole perimeter covered by their territorial legal powers. Their opinion (generally perceived as given by legitimate members of local county committees) was absolutely essential when submitting any transportation requests by provincial county/district authorities to be addressed to any “higher levels of administration”. These duties were performed by county engineers under the general supervision of Warsaw’s Directorate of Land and Water Communications and voivodeship engineers, as well as under the direct control and authority of county commissioners. As such, the above-mentioned county transportation servicemen carried out their tasks in the field of civil engineering in full accordance with the instructions, issued “in terms of art” by the Polish general communication administration, while obviously also wholly fulfilling orders issued by the local county/district commissioners. Strictly speaking, the basic instance by which county engineers reported the results of their work always primarily referred to county/district commissioners (Article 30).

The main tasks facing county engineers were identified as: a) “copying” (in the sense of preparing in relation to the observation performed in situ) and “drawing” plans; b) taking measurements and “levelling” in order to prepare the transportation projects entrusted to them; and c) arranging financial estimations or schedules (so-called “anschlügen”, a German term that was common at this time in Polish administration) for these projects. In addition to the above, it was county engineers’ most important responsibility to directly evaluate the process of development of any state or private transport administration proceedings in the county (Article 31). They personally created the financial accounts for the “repairing” and “maintenance” of roads, which were submitted each year to provincial voivodeship committees during the month of September, and, via the Directorate of Land and Water Communications channels, the Ministry of Interior in October.

One of the biggest responsibilities of county engineers was described in terms of carrying out the successive control of quality of construction materials used in the maintenance of roads. Primarily, they possessed, from the side of entrepreneurs, the right to receive such stone/gravel/saber materials required for the construction or maintenance of roads only after the whole amount of material was transported on the spot etc. (Article 32).

Other typical tasks of county engineers included: a) the constant supervision of the correct usage of construction and maintenance materials; b) “measuring and checking” the work done; c) final acceptance of roadworks; and d) preparing so-called temporary accounts, estimated by the entrepreneurs engaged in the process of building or repairing the local transportation network. Some other powers attributed to county engineers focused on issuing certain certificates, which, under contractual agreements, were provided on the basis of receiving “partial payments”. To be able to serve as legal proof allowing for the payment of monies, such certificates had to be signed by county commissioners, apparently only after their proper verification. However, the final “pass-and-receive protocol”, which opened up the path to the

⁹ Central Archives of Historical Record in Warsaw. The Administrative Council of Kingdom of Poland (1829, 1830, 1832). Signature 25: 7-10; Central Archives of Historical Record in Warsaw. The Second State Council of Kingdom of Poland (1832). Signature 105: 154-155.

final stage of a typical fee instalment, was also signed by a voivodeship engineer and confirmed by the administrative commission at the same level.

Another key task of county/district engineers was to undertake detailed checks of the stocktaking that were previously used for the verification of the proper maintenance of paved roads. As such, this led to the need to check, during the “overall iteration”, whether such stocktaking was performed in full compliance with the paper settlements. Every October, county engineers and administrative commissioners at a similar level jointly carried out such a formal investigation, recording their obtained results in the form of a formal protocol. Such lists were then forwarded to county provincial civil committees and, via these institutions, to Warsaw’s Directorate of Land and Water Communications, as well as the Government Committee of Internal Affairs (Article 34).

The supervision process for the proper maintenance of road houses, cellars, barriers etc., as well as the level of general compliance with police regulations in the field of transport issues, was also counted among the diverse responsibilities of typical county engineers (Article 35). It was carried out along with the list of communication routes in the county/district and the elaboration of their exact and detailed maps (Article 36). This accountancy, led by county engineers, was conducted in such a way that the necessary clarifications were provided at any time (Article 38). They also “strictly” controlled “two-day lasting” corvée forced labour (using the term that was popular among employees of the Directorate of Communications), that is, that county engineers had a legal obligation to submit every March their personal proposals regarding the prospective usage of corvée works in the following year to the regional civil administrative committees, via county commissioners (Article 39).

Trips around the whole road networks of each county/district, as well as the supervision of river-floating process in the area had to be performed by county engineers “as often as possible”. The same applied to the idea of their writing down possible new regulations and suggestions, or eventual orders in the pages of register books kept by road conductors, eventually involving the control of any ledgers.

It is also worth noting that, generally speaking (and especially during his working hours), a typical county/district engineer could not complain whatsoever about conducting too resident a lifestyle. This refers to the text of Article 40 of the Regulation of the Government Committee of Internal, Spiritual and Public Enlightenment Matters dated 12 December 1832, which instructed this class of engineers to act and perform their duties “without constant and permanent staying in their formal place of residence... [with the exception of] the time needed to organize accounting, preparation of projects, formal financial estimating and other activities required”. Additionally, it was understood that, while executing any technical and transport works requiring considerable skills, each county engineer had to be present in person on the very site (Article 40). Finally, the reports and detailed lists of their activities were transferred (according to the standards developed by the Directorate of Communications) by the regional commissioners and committees usually once a month (Article 37)¹⁰.

¹⁰ *Digest of Administrative Laws of Kingdom of Poland. Department of Land and Water Communications. Organization and Attributes of the Board of Communications and General, Administrative and Technical Regulations.* Warsaw: Orgelbrandt Printing House, 1866, Vol. 1: 127-131.

4. IMPROPER PERFORMANCE OF DUTIES BY VOIVODESHIP AND COUNTY ENGINEERS IN RESPECT OF THE NEW LAW OF 1832

The introduction of a new law describing in detail the powers and duties of Polish transportation engineers did not go as smoothly as one might have expected. That said, the difficulty of the situation was oblivious to the ministerial authorities of the Kingdom of Poland. Thus, on 24 March 1834, State Councillor Mateusz Lubowidzki and Director of the Department of Industry and Commerce of the Government Committee of Internal, Spiritual and Public Enlightenment Matters, addressed (on behalf of the Ministry of Interior) all voivodeship administrative civil commissions his new regulation (No. 9,715/31,904), in which he criticized the incorrect implementation of the provisions of 3 August 1832 on the “organization of the civil engineering service”, and the ministerial law of 12 December 1832, defining the powers and tasks of employees at several levels of the transport authorities. As Lubowidzki wrote in his official record: “from various sides comes... the message that many of the county civil commissioners, as well as some provincial committees, having insufficiently understood the spirit of the above-mentioned regulations, [wrongly] employ engineers, imposing on them less proper operations.” In practice, the general complaint concerned entrusting engineers with such tasks as the formal delimitation and “calculation” of different areas of land. In other words, local engineers were burdened at this time with the kinds of duty that, before 1832, were only expected to be undertaken by sworn land surveyors. These duties included: a) city area measurements; b) geodetic survey diverse interventions undertaken by members, especially in cases of non-conformities (controversies) between owners of municipal lands and properties (or manors) of government “institutes”, on the one hand, and private possessors, on the other. Meanwhile, some provincial voivodeship and county civil commissioners, at the start of the post-uprising period, to delegates such duties away from local transportation engineers to administrative officers.

Against the backdrop of such widely unaccepted abuses, the Government Committee of Internal, Spiritual and Public Enlightenment Matters officially explained its negative attitude towards any further practising of observed phenomenon. Thus, as represented by Mateusz Lubowidzki, the Ministry of Interior expressed its desire for a permanent and effective separation of duties of transportation engineers and civil administration staff. At the same time, Warsaw’s transportation authority openly expressed its fear that any future (and unlawful) forced employment of voivodeship and county/district engineers, as a result of imposing on them any non-compliance with existing laws, could and should probably lead to their increasing negligence, at least given that their statutory obligations were at stake. To tolerate such a situation could lead, in the opinion of the Ministry of Interior, to a further departure from the main idea whereby these engineers were called upon to practise their responsibilities, while general failing to meet their statutory tasks. In his statement of 24 March 1834, State Councillor Mateusz Lubowidzki strictly pointed out that, in terms of enforcing the legal reality whereby voivodeship and county engineers were burdened in terms of exerting considerable time and energy in order to meet the most important necessity of supervising and maintaining the acceptable condition of (paved) roads, overloading them with minor or less significant activities should be avoided. The Director of the Department of Industry and Commerce deeply stressed that distracting the majority of county engineers from their main official responsibilities and obligations could possibly result in their inability to provide sufficient supervision and control in their spheres of authority regarding the proper distribution of transportation funds and construction materials.

As outlined in Lubiwidzki's statement of March 1834, the Government Committee of Internal, Spiritual and Public Enlightenment Matters also strongly felt obliged to draw the attention of the voivodeship administrative committees throughout the country to this issue, ordering each of these administrative agencies to present detailed recommendations for the future restoration of engineering transportation services "to their proper destination". The Ministry of Interior additionally forbid, in March 1834, any future usage of these engineers for any undue actions, such as geodetic measurements.

The second problem that Mateusz Lubowidzki tried to solve in early spring 1834 was another episode of misconduct involving local civil administration staff, as observed in their relations with transportation officials whereby engineers were encumbered by administrative authorities at the provincial voivodeship and county levels with official correspondence (which, in addition, mostly had no specific relation to their education nor to their duties). Hence, in the official statement of 24 March 1834, Lubowidzki called on provincial voivodeship and district civil commissions to stop this clearly unlawful procedure. While reminding them that the exact wording and meaning of Articles 18 and 30 of the "Civil Engineering Organization of Land and Water Communications" actually forced and encouraged them to consult local administration staff on any matters regarding their "arts of engineering", while the overall ministerial intention was to provide the administrative structures with explanations from these highly educated experts, Lubowidzki stressed, at the same time, that the above-mentioned facts did not prove the necessity to direct any correspondence, which was not directly related to "technical purposes", to local transportation engineers¹¹.

5. FORBIDDING ANY DETACHMENT OF VOIVODESHIP AND COUNTY ENGINEERS FROM THEIR BASIC ACTIVITIES AS OF 1835

On 15 January 1835, Mateusz Lubowidzki, State Councillor and Director of the Department of Industry and Commerce of the Ministry of Internal Matters, renewed for the second time his remarks on the subject of the official ban on the detachment by civil higher authorities of provincial voivodeship and county engineers from their basic obligations. After realizing that these engineers were still being directed by regional civil committees to undertake diverse tasks not directly related to their technical skills and education, the leader of the Department of Industry and Commerce of the Government Committee of Internal, Spiritual and Public Enlightenment Matters harshly criticized such behaviour. Lubowidzki was strictly pointing out that these reprehensible practices not only meant a considerable loss of engineers' time and their ability to deal with proper technical issues, but also became the very source and cause of the "deviation from the goal, which was introduced by the government itself, while establishing public engineering services". As these accusations were considered as a kind of serious legal abuse, it should not have taken anybody by surprise that the statement of 15 January 1835 instructed the regional voivodeship civil committees: a) to immediately cease employing voivodeship engineers on any projects not strictly related to their posts; b) to issue instructions to county civil authorities, which would openly ban any possible detachment of district engineers from their duties.

¹¹ *Digest of Administrative Laws of the Kingdom of Poland. Department of Land and Water Communications. Organization and Attributes of the Board of Communications and General, Administrative and Technical Regulations.* Warsaw: Orgelbrandt Printing House, 1866, Vol. 1: 135-139.

Meanwhile, Mateusz Lubowidzki instituted, in January 1835, a categorical ban on any further unnecessary occupation among county engineers of the “re-scribing of any costs or estimation protocols, as well as other forms of formal *apparatus* [of clerk activities], often without any real requirement or necessity to go so far”. On the basis of the singular example used as a kind of explanation for issuing another section of his formal statement, Lubowidzki described, in the winter of 1835, one of the completely unsuitable “treatments” of county engineers by local civil authorities. He mentioned that as many as seven copies of the cost estimation protocol were attached to the one and only single report, sent to the Ministry of Interior by the Masovian Voivodeship Commission. Apparently, these copies had to be written down by one of the local county engineers. As the final ministerial sentence clearly stated, since numerous copies of the cost estimation protocols were multiplied, as a rule, among the responsibilities of officers and clerks of regional voivodeship and county civil commissions, the order issued on 15 January 1835 strongly required the unconditional abandonment of these unlawful procedures, compelling transportation engineers to repeatedly rewrite the costs of estimation protocols¹².

6. CONCLUSION

During the 1830s, the Kingdom of Poland issued some new laws concerning transportation engineers working on different administration levels, which were obviously meant to increase their abilities in terms of properly and steadily fulfilling their multiple formal duties. As such, these new changes could be considered to have represented a generally positive formal trend. The only problem was that their implementation happened to be made much more difficult in practice than had been previously anticipated by state lawmakers. Such an opinion could be drawn while observing numerous trials that were established to widen the scope of transportation engineers’ responsibilities.

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¹² *Digest of Administrative Laws of the Kingdom of Poland. Department of Land and Water Communications. Organization and Attributes of the Board of Communications and General, Administrative and Technical Regulations.* Warsaw: Orgelbrandt Printing House, 1866, Vol. 1: 139-141.

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