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On Legal Regulations and Practices relating to Funerals and Burials in the Towns of the State of the Teutonic Order and Royal Prussia in the Middle Ages

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Legal regulations and practices surrounding funerals and burials in medieval towns have long been the subject of scholarly discussion. These topics belong to the broader field of historical studies on death in Europe.¹ The same is true for urban centres in the State of the Teutonic Order and in Royal Prussia. However, these issues are usually treated briefly on the margins of broader studies on the role of the Church in the life of the city and on the religious practices of the population,² including, above all, the obligations of

¹ A general view of the issue is offered in the following: P. Ariès, *L'Homme devant la mort*, Paris 1977 (English translation by H. Weaver: *The Hour of Our Death*, New York 1981; Polish translation by E. Bąkowska: *Człowiek i śmierć*, Warszawa 1989); M. Derwich, *Badania nad śmiercią – Europa Zachodnia*, in: *Śmierć w dawnej Europie. Zbiór studiów / La mort en Europe médiévale et moderne. Études*, ed. M. Derwich, Wrocław 1997 (“Acta Universitatis Wratislaviensis. Historia”, Nr 129), pp. 11–19; M. Derwich, *Les recherches sur la mort – Pologne*, in: *Śmierć w dawnej Europie*, pp. 21–27; A. Angenendt, *Grundformen der Frömmigkeit im Mittelalter*, München 2003 (“Enzyklopädie Deutscher Geschichte”, Bd. 68), pp. 107–109, 132–133; E. Isenmann, *Die deutsche Stadt im Mittelalter 1150–1550. Stadtgestalt, Recht, Verfassung, Stadtreigement, Kirche, Gesellschaft, Wirtschaft*, Wien–Köln–Weimar 2012, p. 122.

² W. Radziwiński, *Kościół w państwie zakonu krzyżackiego w Prusach 1242–1525. Organizacja, uposażenie, ustawodawstwo, duchowieństwo – wierni*, Malbork 2006, pp. 221–222; A. Radziwiński, *Glaube, religiöse Praktiken und Reli-*

members of craft corporations and religious brotherhoods regulated in their statutes.³ Therefore, drawing on selected examples, this article considers legal norms and practices concerning funerals and burials that were applied in the cities of the State of the Teutonic Order and in Royal Prussia in the Middle Ages.

Funerals

The principles for conducting funerals were strictly regulated by the provisions of church law.⁴ Of course, this did not mean that certain patterns typical of medieval society did not emerge, which were also met with in the state of the Teutonic Order in Prussia. The specificity of this region consisted primarily in that the form of Christian funeral recognized by the Church itself was something introduced along with the Christianization of the Prussian population. Therefore, detailed regulations regarding the obligation to maintain the form of Christian burial and to bury the deceased only within a cemetery were already included in the Treaty of Dzierzgoń (Christburg) of 1249, which regulated the relations of the Teutonic Order with the indigenous Prussian population of Pomesania.⁵

With regard to the population entering Prussia, mainly from the territories of the Holy Roman Empire, detailed regulations were

giosität der Gesellschaft im Deutschordensstaat Preußen. Ausgewählte Fragen aus dem Bereich des Religionstransfers, in: *Migration-Kommunikation-Transfer*, eds. A. Radzimiński, J. Rakoczy, H. Flachenecker, R. Skowrońska, Göttingen 2021, pp. 100–103.

³ J. Tandecki, *Pozazawodowe funkcje i powinności korporacji rzemieślniczych w miastach Prus Krzyżackich i Królewskich w XIV–XVIII wieku*, ZH 1995, t. 60, z. 1, pp. 18–19; Z. Kropidłowski, *Samopomoc w korporacjach rzemieślniczych Gdańska, Torunia i Elbląga (XIV–XVIII w.)*, Gdańsk 1997; J. Tandecki, *Struktury administracyjne i społeczne oraz formy życia w wielkich miastach Prus Krzyżackich i Królewskich w średniowieczu i na progu czasów nowożytnych*, Toruń 2001, pp. 162–172.

⁴ For general data on this topic, see: A. Labudda, *Liturgia pogrzebu w Polsce do wydania Rytuału Piotrkowskiego (1613)*, Warszawa 1983.

⁵ “mortuos suos iuxta morem christianorum in cymiteriis sepelient et non extra”, PrUB, Bd. 1, H. 1, hrsg. v. R. Philippi, C.P. Woelky, Königsberg 1882, no. 218, p. 161. For more on the consequences for the Prussian population of this change, see: A. Dobrosielska, *Opór, oportunizm, współpraca. Prusowie wobec zakonu krzyżackiego w dobie podboju*, Olsztyn 2017, pp. 108–109; S. Szczepański, *Pomezania. Na styku świata pogańskiego i chrześcijańskiego (studia z dziejów)*, Olsztyn 2019 (“Rozprawy i Materiały Instytutu Północnego im. W. Kętrzyńskiego w Olsztynie”, nr 268), p. 225.

introduced by the church authorities in individual dioceses. According to the provisions contained in the synod statutes of the Sambia (Samland) diocese from the early fourteenth century, funeral ceremonies began with a mass for the deceased, and then the priest, after removing his chasuble, in clerical attire was to escort the deceased to the grave. After the ceremonial funeral rites had been performed, the deceased was sprinkled with holy water, a blessing was given, and the faithful were called to pray for the soul of the deceased. In the absence of a parish priest, the funeral ceremony could be conducted by a scholaster dressed in a surplice, who, after reading the psalms *Miserere mei Deus* and *De profundis* or another prayer, sprinkled the deceased with water.⁶ This kind of situation was probably so common that in Braniewo (Braunsberg), the city council decided in 1399 that the rector of the school (*schulmeister*) could receive the maximum remuneration of one *ferto* ($\frac{1}{4}$ of a *mark*) for keeping vigil in the church, bringing in lights, and participating in escorting the deceased to the grave.⁷ In turn, the Warmia (Ermland) chapter established that for participating in the singing of mourning psalms (vigils) and in a mass, the teacher was to receive one *ferto*, and for accompanying the body to the cemetery another two *scoti*.⁸ A principle, which was repeated in synodal legislation, was a ban on conducting funerals for people from outside the parish without the consent of the parish priest.⁹

⁶ W. Radziwiński, *Kościół w państwie...*, p. 222; *idem*, *Chryścianizacja i ewangelizacja Prusów. Historia i źródła*, Toruń 2011, pp. 90–91.

⁷ CDW, Bd. 3, ed. C.P. Woelky, Braunsberg-Leipzig 1874, no. 358, p. 409 (no. 7). The Chelmno (Kulm) *mark* was a unit of exchange in the State of the Teutonic Order and in Royal Prussia. "The weight of a Kulm *mark* was set at 191.29 g of silver and sufficient to mint 720 *denarii* (pfennigs) from it", W. Odyniec, *Chełmiński system miar i chełmińska stopa mennicza w rozwoju historycznym*, in: *Studia culmensia historico-juridica, czyli księga pamiątkowa 750-lecia prawa chełmińskiego*, t. 1, red. Z. Zdrójkowski, Toruń 1990, p. 406. As a unit of exchange: 1 *mark* = 4 *fertones* = 24 *scoti* = 720 *denarii*. Further, in the fifteenth century, a distinction was made between so-called good and small *marks*: 1 good *mark* = 2 small *marks*.

⁸ E. Waschinski, *Erziehung und Unterricht im Deutschen Ordenslande bis 1525 mit besonderer Berücksichtigung des niederen Unterrichtes*, Danzig 1907, p. 54.

⁹ Thus, in the acts of the Warmian Synod of Bishop Heinrich Sorbom from the late 14th century. *Constitutiones synodales Warmienses, Sambienses, Pomeanienses, Culmenses, necnon provinciales Rigenses* [hereafter: *Constitutiones synodales*], recens. F. Hipler, Brunsberga 1899, p. 3 (no. 10); *Statuty synodalne warmińskie, sambijskie, pomezańskie, chełmińskie oraz prowincjalne ryskie*, tłum. J. Wojtkowski, Olsztyn 2010 [hereafter: *Statuty synodalne*], p. 6 (no. 10). A similar

The obligation to participate in funeral ceremonies and the form they had to take was often also regulated in the detailed statutes of guilds, journeymen/apprentice associations, and craft fraternities.¹⁰ For example, in 1334, the statute of the fraternity of the Blessed Virgin Mary in Elbląg (Elbing) established that a member of the fraternity could not be buried without a priest being present.¹¹ In the case of religious fraternities, funeral ceremonies consisted of three parts: the vigil – funeral matins (*vigilia defunctorum*); a mass; and the funeral.¹² Journeymen and apprentices were obliged to participate in singing funeral psalms (*vigilia*), in prayers, and in accompanying the deceased member of the association to the cemetery. The exact forms of obligations and the penalties for failure to fulfill them were described in almost every statute. The costs of funerals of poor members of the association were also paid from the funds collected by these bodies.¹³

The right to be buried in church was a special privilege. In 1388, the priest of the parish church of the Old Town in Toruń (Thorn) decided that councillors, aldermen, and their wives, as well as all parish benefactors, would be buried in that church. This regulation

provision is found in the acts of the Sambia (Samland) Synod from 1427, see *Constitutiones synodales*, p. 267 (no. 41); *Statuty synodalne*, p. 243 (no. 41).

¹⁰ J. Rink, *Die christliche Liebestätigkeit im Ordenslande Preußen bis 1525*, Freiburg 1911, p. 132; A. Matz, *Die Zünfte der Stadt Elbing bis zum Einzug der Schweden 1626*, "Elbinger Jahrbuch", H. 1, 1919/1920, pp. 55–56; H. Steffen, *Die soziale Lage der Pfarrgeistlichkeit im Deutschordensstaate*, "Zeitschrift für die Geschichte und Altertumskunde Ermlands" 1927, Bd. 23, pp. 85–88; J. Tandecki, *Pozazawodowe funkcje i powinności...*, pp. 18–19.

¹¹ CDW, Bd. 1, hrsg. v. C.P. Woelky, J.M. Saage, Mainz 1860, no. 269, p. 445; H. Steffen, *Die soziale Lage...*, pp. 86–87; Z. Kropidłowski, *Samopomoc w korporacjach...*, pp. 187–188. The literature also points to the role of priestly brotherhoods in organizing funerals and offering prayers for the living and deceased members of the brotherhood; see M. Sumowski, *Duchowni i mieszczanie. Kler niższy w społeczeństwie późnośredniowiecznych miast pruskich*, Toruń 2022, pp. 274–300.

¹² This issue was discussed in detail by I. Czarciński, *Bractwa w wielkich miastach państwa krzyżackiego w średniowieczu*, Toruń 1993, pp. 90–93. For an example of detailed regulation, see I. Czarciński, J. Przeracki, *Společne funkce Bractwa Najświętszej Marii Panny w Nowym Mieście Toruniu*, *Acta UNC. Historia* 1981, t. 17 (117), pp. 114–116, 132.

¹³ T. Hirsch, *Handels- und Gewerbsgeschichte Danzigs unter der Herrschaft des Deutschen Ordens*, Leipzig 1858, pp. 296, 303; F. Schultz, *Die Stadt Kulm im Mittelalter*, ZWG 1888, H. 23, p. 250; J. Tandecki, *Pozazawodowe funkcje...*, pp. 18–19.

was confirmed in 1391 by the Bishop of Chełmno (Kulm).¹⁴ As late as 1405, the council of the Toruń Old Town established that 10 *marks* had to be paid to be buried in the Church of St John the Baptist and St John the Evangelist.¹⁵ The burial fees were confirmed in 1406 by the Bishop of Chełmno, Arnold Stapil, who specified that one-third was to be collected by the priest and the parish church.¹⁶ Certain customary regulations relating to the course of the funeral were also introduced by the city authorities, guaranteeing a special form in the case of office holders (mayors, councillors, and aldermen) and their families.¹⁷ In 1418, the council of the Toruń Old Town decided that the wives of councillors would be buried in the parish church free of charge after their death, unless they remarried with someone who was not a member of the city council.¹⁸

Similarly, in Chełmno, according to old custom and law, priests, councillors, churchwardens and the most important officials were guaranteed a free burial in the parish church.¹⁹ In 1429, the authorities of Elbląg were also supposed to have issued regulation concerning funeral costs of which no more than that is known.²⁰ In 1389, in the ordinance of St Mary's Church in the Main City of Gdańsk (Danzig), which was later supplemented by fifteenth-century additions, it was decided that a free burial in the church was guaranteed to mayors, councillors, and city clerks together with their wives. After a councillor's death, his wife was entitled

¹⁴ *Thorner Denkwürdigkeiten von 1345–1547*, hrsg. v. A. Voigt, "Mitteilungen des Copernicus-Vereins für Wissenschaft und Kunst zu Thorn" [hereafter: MCV] 1904, H. 13, pp. 14, 19.

¹⁵ *Thorner Denkwürdigkeiten...*, p. 35. The church accounts have been preserved, which, of course, also recorded the fees collected for funerals; see A. Sumowska, M. Sumowski, *Średniowieczne rachunki kościoła Świętojańskiego w Toruniu. Uwagi źródłoznawcze*, *SŻ* 2020, t. 68, pp. 234, 238.

¹⁶ *Thorner Denkwürdigkeiten...*, p. 38.

¹⁷ For more on the conduct of commemorative liturgies for member of city councils organized by the councils themselves, see: R. Czaja, *Grupy rządzące w miastach nadbałtyckich w średniowieczu*, Toruń 2008 (RTNT, R. 93, z. 1), pp. 101–105.

¹⁸ *Thorner Denkwürdigkeiten...*, p. 52.

¹⁹ *Księga czynszów fary chełmińskiej (1435–1496)*, wyd. Z.H. Nowak, J. Tan-decki, (Fontes 78) Toruń 1994, no. 493, p. 56.

²⁰ However, this information has only survived in a somewhat late chronicle entry. See: Peter Himmelreich, *Elbinger Chronik*, in: *Die Preussische Geschichtsschreiber des XVI. und XVII. Jahrhunderts*, ed. M. Toeppen, Bd. 4, Abt. 2, Leipzig 1881, p. 41.

to such burial, unless she remarried. Burial for proprietors of private chapels in the church was also free. The regulation referred to above also established the exact fees charged for the burial of other people (4 good *marks* for the burial of an adult, 1 *mark* for a child up to eight years of age, and 8 *scoti* for a newborn). In the case of impoverished patricians, the priest was to be content with a reduced burial fee. A separate fee was charged for the use of bells during the funeral. The ringing of the large bell cost 10 *marks*, and the ringing of the smaller bell (here called “osanna”) cost 5 *marks*. It was also established that if the body of the deceased remained unburied at home for two nights, the churchwardens were to remove the cloths covering the coffin, and the friends of the deceased had to pay 10 *marks*. Finally, any gold or silk cloth used to cover the coffin was to be divided equally between the priest and the churchwardens. These cloths were to be used for chasubles, copes, or other necessary items for the church.²¹ In 1430, the council of the Main City of Gdańsk issued its own regulation regarding burials in St Mary’s Church, for which councillors with their wives and legal children, as well as the chief city clerk, his wife and children, were eligible.²² In comparison to earlier regulations, the children of councillors were also eligible for free burial

²¹ *Kirchenordnung der Danziger Marienkirche von 1389 / Ordynacja kościoła NMP w Gdańsku z 1389 r.*, in: *Chronik der Marienkirche in Danzig Das “Historische Kirchen Register” von Eberhard Bötticher (1616). Transkription und Auswertung / Kronika kościoła Mariackiego w Gdańsku “Historisches Kirchen Register” Eberharda Böttichera (1616). Transkrypcja i analiza*, bearb. v. / oprac. Ch. Herrmann, E. Kizik, Köln–Weimar–Wien 2013 (“Veröffentlichungen aus den Archiven Preussischer Kulturbesitz”, Bd. 67), pp. 196, 198–201.

²² *Die Danziger Chroniken*, hrsg. v. T. Hirsch, in: *Scriptores rerum Prussicarum*, Bd. 4, hrsg. v. T. Hirsch, M. Töppen, E. Strehlke, Leipzig 1870, p. 336; H. Steffen, *Die soziale Lage...*, p. 83; K. Neitmann, *Ein rätselhaftes Danziger Stadtbuch des 15. Jahrhunderts. Textedition mit Bemerkungen zur Entstehungsgeschichte*, “Beiträge zur Geschichte Westpreußens. Zeitschrift der Copernicus-Vereinigung zur Pflege der Heimatkunde und Geschichte Westpreußens” 2004, Bd. 19, p. 40 (no. 1 f); Ch. Herrmann, *Die Kirchenväter der Danziger Marienkirche. Stellung, Aufgaben und Wirken vom 14. bis zum Anfang des 17. Jahrhunderts*, in: *Chronik der Marienkirche in Danzig...*, p. 121. On the subject of the activities of city councils in this respect in Prussia and in Hansa areas, see: R. Czaja, *Grupy rządzące w miastach...*, pp. 100–107. A list of members of the city authorities of the Gdańsk Main Town with their places of burial, based on research by Joachim Zdrenka (see: J. Zdrenka, *Urzędnicy miejscy Gdańska w latach 1342–1792 i 1807–1814*, t. 1: *Spisy*; t. 2: *Biogramy*, Gdańsk 2008), is presented in T. Jurkowlaniec, *Nagrobki średniowieczne w Prusach*, Warszawa 2015, pp. 40–41.

in church. However, this regulation was changed in 1470, restoring the wording contained in the ordinance of 1389.²³

In Toruń in 1446, the city council determined that in the event of the death of the mayor, guild elders and aldermen should participate in the funeral and in a vigil and candlelight mass in church.²⁴ Provisions regarding the bishop's consent to a church burial were of 180 particular importance, because of the high prestige of this form of funeral and because of abuses associated with burial and fees charged in connection with it. The matter was so important that in 1448, in response to a complaint by two townspeople from Brodnica (Strasburg) against the local parish priest, who had demanded 3 *marks* for a burial in the church, the Grand Master of the Teutonic Order Konrad von Erlichshausen raised the matter with the commander of Ostróda (Osterode) (who passed on information about the Chełmno bishopric obtained from the commander in Brodnica and the Vogt in Lipienek – Leipe) and the bishop of Pomesania, Kaspar Linke, asking them to send him explanations regarding the customs prevailing in this regard. In response, he received information that there was no specific law, but an old custom (*eine alde herkommende gewonheit*), according to which for a burial in a church a fee of 3 *marks* was charged, which was divided equally three ways among the bishop, the parish priest, and the parish church. Only churchwardens and liege lords (*lehenherren*) were exempt, and, therefore, probably the local knights who supported the church with donations or even were the patrons of village churches they had founded.²⁵ The fees for a burial in a municipal cemetery and in village were correspondingly lower. In 1484, in Reszel (Rössel), 1 *mark* was paid for a burial, while in 1500 the fee was 1 *mark* and 6 *scoti*.²⁶ In 1501,

²³ *Die Danziger Chroniken*..., p. 336, commentary and quotation from the source is in footnote 2.

²⁴ *Thorner Denkwürdigkeiten*..., p. 67; B. Quassowski, *Obrigkeitliche Wohlfahrtspflege in den Hansestädten des Deutschordenslandes (Braunsberg, Elbing, Königsberg, Kulm und Thorn) bis 1525*, ZWG 1921, H. 61, p. 136.

²⁵ H.F. Jacobson, *Geschichte der Quellen des Kirchenrechts des Preussischen Staats, mit Urkunden und Regesten*, 1. Th., Bd. 1, Königsberg 1837, nos. XXVI–XXVII, pp. 120–121; W. Radzimiński, *Kościół w państwie*..., p. 222. In 1403, the Grand Master paid out almost 5 *marks* toward the burial of a certain David, a servant of the Order, including the cost of a vigil and exequies, H. Steffen, *Die soziale Lage*..., pp. 84–85.

²⁶ *Das Röseler Pfarrbuch. Aufzeichnungen der Kirchenväter an der Pfarrkirche zu Rösel in den Jahren 1442–1614* hrsg. v. G. Matern, Braunsberg 1937 ("Monumenta Historiae Warmiensis", Bd. 13/1), pp. 97, 124.

in an ordinance issued by the Bishop of Warmia, Lucas Watzenrode, for the church in Dobre Miasto (Guttstadt), it was established that for singing mourning psalms and ringing a bell at a funeral (*vigiliarum et pulsaliū*) one small *mark* (half of a good *mark*) had to be paid; half of that was collected by the vicars and the rector of the school (*schulmeister*), and the other half went to the collegium.²⁷ Further, in the visitation to the rural parish of Ostrowite (Osterwick) near Tuchola (Tuchel) from 1485, it was recorded that in 1439, 1 small *mark* was charged for a burial in the cemetery, and additionally a charge of 4 *grossis* was levied for ringing the large bell, and for ringing the small bell a charge of 2 *grossis*. If someone wanted to be buried in the church, they had to agree on the costs with the parish priest. In addition, in a description of extraordinary income from 1485, it was recorded that the parish priest received 1 or several *marks* for a burial, and the cantor assisting him at the burial received 1 *grossum*, bread, salt, beer and the piece of cloth covering the coffin (*linteum funebre*, commonly known as the *Trurkap*).²⁸

In addition to members of city authorities, it was primarily wealthy burghers who sought the right to be buried in church, often making provisions for this purpose in their wills, where the place of burial was sometimes specified (including in the chancel of the church). This was the case in the will made by Ursula Emyke from Elbląg, who in 1440 wanted to be buried in the chancel of the Dominican church, where her dead brother Georg Emyke lay.²⁹ Wills also included appropriate provisions for funeral costs.³⁰ Greater numbers of such documents of this type from the

²⁷ H. Steffen, *Die soziale Lage...*, p. 85.

²⁸ "Praeterea Ecclesiae a quovis pulsu maiori cum omnibus campanis pro mortuo assignati sunt quatuor grossi (vulgo Dreyling), pro minori duabus minoribus duo grossi, pro sepultura una marca levis. Si vero quis velit sepeliri in Ecclesia, conveniat cum parcho", Visitatio Archidiaconatus Camenensis Andrea de Leszno Leszczyński archiepiscopo A. 1652 et 1653 facta, cur. P. Panske, (Fontes 12), Toruń 1908, pp. 213, 218, 222–223. In this case 1 small *mark* = 20 *grossis*.

²⁹ M. Toeppen, *Elbinger Antiquitäten. Ein Beitrag zur Geschichte des städtischen Lebens im Mittelalter*, Danzig 1871–1873, p. 132. Brothers of the Teutonic Order were also buried in city churches; see: S. Józwiak, J. Trupinda, *Pogrzeby, pochówki i sposoby upamiętnienia braci zakonu niemieckiego w średniowiecznych Prusach. Kilka uwag w kontekście funkcjonowania kaplicy św. Anny*, in: *Kaplica św. Anny na Zamku Wysokim w Malborku. Dzieje, wystroj, konserwacja*, eds. J. Hochleitner, M. Mierzwiński, Malbork 2016, pp. 30–31.

³⁰ In Elbląg, these are found in only 7% of wills; see: R. Kubicki, *Formy pobożności w mieście późnośredniowiecznym w świetle zapisów na rzecz Kościoła*

fifteenth century are known from Gdańsk and Elbląg, but they usually date from after 1454.³¹ In this context, it is worth recalling in particular the burial provisions included in the wills of burghers from Elbląg. In 1460, Tydeman Wynnenberg made provision for his burial in the cemetery belonging to the parish church of St Nicholas.³² In 1465 Tydeman Fischer mentioned that his funeral was to be in the local Dominican church.³³ This custom continued, and in 1470 and 1484 the will of Mattis Folmer mentions his burial in the parish cemetery of St Nicholas's Church.³⁴ Further, in 1499, the last will of Niclis Broder from Spandau indicated that he was to be buried in the Church of St James in Elbląg.³⁵ This same church was also designated as the burial place of Jacob Karschnyk (1507).³⁶ Also known is the disposition included in the last will from 1483 of Philip Bischof, Mayor of Gdańsk; he was interred before the chancel of the Cistercian church in Oliwa. He also ordered that two black Amsterdam cloths be purchased to cover his coffin. After the funeral, one of them was to be given to the parish priest of St Mary's Church for clothes for poor priests, and the other to the Cistercians in Oliwa.³⁷

i biednych w testamentach elbląskich (XV – początek XVI w.), ZH 2011, t. 76, z. 2, p. 13. It was otherwise in Stralsund, where detailed dispositions concerning funeral arrangements are contained in 48% of the the documets written up to 1525; see: J. Schildhauer, *Hanseatischer Alltag. Untersuchungen auf der Grundlage Stralsunder Bürgertestamente vom Anfang des 14. bis zum Ausgang des 16. Jahrhunderts*, Weimar 1992, p. 26.

³¹ B. Możejko, *Rozrachunek z życiem doczesnym. Gdańskie testamenty mieszczkańskie z XV i początku XVI wieku*, Gdańsk 2010, pp. 42–47; R. Kubicki, *Testamenty elbląskie. Studium z dziejów miasta i jego mieszkańców w późnym średniowieczu*, Gdańsk 2020, p. 118.

³² AP w Gdańsku [hereafter: APG], Akta miasta Elbląga, dokumenty, 368/I, 125.

³³ APG, 368/II, 107. Earlier this church was also the burial place for members of the local elite and clergy. A gravestone lost and today only known from a description indicates two Wesseling brothers among others were buried there. In 1395 Father Gerhard and in 1405 his brother Werner, councillor and Mayor, were interred there. See: M. Toeppen, *Elbinger Antiquitäten...*, p. 130; T. Jurkowianiec, *Nagrobki średniowieczne w Prusach...*, pp. 156–157.

³⁴ APG, 368/III, 60; 368/I, 133.

³⁵ APG, 368/II, 87.

³⁶ APG, 368/II, 120.

³⁷ "Item will ick, dat man kopen sall 2 schwarte Amsterdamsche Lacken up Lick to legen, de man verwegen (nach dem Begräbniss verschenken) sall, dat ene hier dem Herrn Parner (Pfarrer), um arme Priestere mede (damit) to kleden, dat andre in de Olive den Monniken (Mönchen)", G. Löschin, *Aus alten Testamentsstiftungen und Schenkungsakten*, in: G. Löschin, *Beiträge zur Geschichte Danzigs und seiner*

The city authorities also regulated the conduct of funeral ceremonies. A decision (town law – *Willkür*) from Chełmno states it is forbidden to bury bodies in coffins, except for burial in a church.³⁸ On the other hand, the Old Town Council of Elbląg determined that during a funeral, candles were to burn until the ceremony was over and the body was buried. Then, according to custom, one candle was taken by a parish representative, and the remainder by the person who had paid for the funeral; others had to wait to see whether he would give them candles or not. No one was allowed to take candles from the church without permission.³⁹ This regulation applied to the parish church of St Nicholas and also to the Dominican church (dedicated to the Blessed Virgin Mary) and the church of St James. In St Mary's Church in Gdańsk; however, it was common practice for a person participating in the funeral procession in front of the coffin to collect the candle ends left. In 1449, the council of the Main City of Gdańsk granted a certain Claus Feddler the right to live out his life in the Hospital of the Holy Spirit; in return, he was to collect alms in the hospital church on holy days and take part in funeral processions by walking before the coffin in St Mary's Church and to collect candle ends after funerals.⁴⁰

The rules for dividing up donations and fees from funerals were often the cause of misunderstandings.⁴¹ In 1320, the Teutonic Order's commander in Starogród (Althausen) resolved a dispute between the Chełmno city council and the local parish priest, concerning, among other things, the rules for dividing (between the church administrators and the parish priest) the

Umgebungen, 1. H., Danzig 1837, p. 18; B. Możejko, *Rozrachunek z życiem doczesnym...*, p. 70. For details about the tombstone in the Cistercian church, see: T. Jurkowlaniec, *Nagrobki średniowieczne w Prusach...*, pp. 249–250.

³⁸ H.F. Jacobson, *Geschichte der Quellen...*, Bd. 1, p. 143; F. Schultz, *Die Stadt Kulm im Mittelalter*, ZWG 1888, H. 23, p. 250; B. Quassowski, *Obrigkeitliche Wohlfahrtspflege...*, p. 135.

³⁹ B. Quassowski, *Obrigkeitliche Wohlfahrtspflege...*, pp. 135–136; A. Semrau, *Die mittelalterlichen Willküren der Altstadt und Neustadt Elbing*, MCV 1926, H. 34, p. 56.

⁴⁰ There is a mention of the document in T. Hirsch, *Die Ober-Pfarrkirche von St. Marien in Danzig*, Th. 1, Danzig 1843, p. 196, note 1; P. Simson, *Geschichte der Stadt Danzig*, Bd. 1, Danzig 1913, p. 219; W. Długokęcki, *Przyczynki do dziejów szpitali gdańskich w średniowieczu*, „*Studia Historica Gedanensia*” 2020, t. 11, p. 91.

⁴¹ For the broader context of the clergy's disputes with city councils, see: M. Sumowski, *Duchowni i mieszczanie...*, pp. 533–544.

silk covers used to cover the body during a funeral. The principle was adopted that they were received half by the parish priest and the church administrator for his needs.⁴² Similarly, in 1363, the commander in Gdańsk resolved a dispute between the parish priest of St Mary's Church and the churchwardens and the council of the Main City of Gdańsk. He confirmed the right of the parish priest to a share of the fees for a burial in the church and in the cemetery; he also stressed that the poor should be buried for free, and that only prelates and feudal lords (*lenheren*) should be buried in the church. He also repeated that chaplains (vicars) were not allowed to charge additional fees for vigils and exequies.⁴³ In the ordinance of St Mary's Church in Gdańsk from 1389, mentioned previously, it was established that one third of the income from burials was to go to the parish priest, while two thirds were to go to the churchwardens to be used for the needs of the church. As mentioned, the fabrics used to cover the coffin were to be divided in half.⁴⁴ It was also set out that placing tombstones in the church and carving inscriptions and symbols on them could only take place with the knowledge of the church administrators.⁴⁵ It is worth adding that in 1479 the churchwardens of St Mary's Church in Gdańsk entered into a dispute with the superiors of the brotherhood of St Olaf, who believed that they had the right to be buried under the church tower. This dispute was resolved by the city council in favour of the administrators of St Mary's Church.⁴⁶

In the Old Town in Elbląg, in 1364, a similar conflict between the parish priest and the city council was resolved by the Bishop of Warmia, Johannes Stryprock, along with members of the chapters

⁴² UBCulm, hrsg. v. C.P. Woelky, Bd. 1–2, Danzig 1885–1887, no. 187, p. 128; H. Steffen, *Die soziale Lage...*, p. 73; M. Sumowski, *Duchowni i mieszczenie...*, p. 534; Ch. Herrmann, *Die Kirchenväter der Danziger Marienkirche...*, p. 121.

⁴³ H.F. Jacobson, *Geschichte der Quellen...*, Bd. 1, no. XXIII (p. 106); P. Simson, *Geschichte...* Bd. 1, p. 86; Bd. 4, no. 90, p. 46; H. Steffen, *Die soziale Lage...*, p. 82; Ch. Herrmann, *Die Kirchenväter der Danziger Marienkirche...*, p. 120; M. Grulkowski, *Privilegia Casimiriana. Przywileje króla Kazimierza IV Jagiellończyka dla Gdańska z okresu wojny trzynastoletniej*, Gdańsk 2023, pp. 104–105.

⁴⁴ *Kirchenordnung der Danziger Marienkirche von 1389...*, pp. 198, 200; M. Grulkowski, *Privilegia Casimiriana...*, pp. 105–106.

⁴⁵ *Kirchenordnung der Danziger Marienkirche von 1389...*, p. 199; M. Grulkowski, *Privilegia Casimiriana*, p. 106.

⁴⁶ *Kirchenordnung der Danziger Marienkirche von 1389...*, p. 201.

of all four Prussian dioceses, which potentially gave it the character of a law generally applicable in Prussia.⁴⁷ Detailed explanations confirmed that a fee was due to the church for burial in a church or in a cemetery and for ringing the large bell. The silk covering of the coffin, necessarily new each time, was to be divided equally between the church and the parish priest. The chaplains of the parish priests (vicars) were to sing vigils for the deceased without requiring a fee and were not to demand anything for funerals and exequies. But they were allowed to accept voluntary offerings. The churchwardens, however, had the right to collect offerings in the morning until nine o'clock exclusively outside the church in the cemetery, and during the mass both in the cemetery and in the church; these donations were in their entirety intended for the church, and no part was to be given to the priest.⁴⁸ In 1385, at the request of the council of the Old Town of Königsberg (now Kaliningrad), the Bishop of Warmia, Heinrich Sorbom, and the Grand Marshal of the Teutonic Order, Konrad von Wallenrode, resolved a dispute regarding the funerals of poor people and children up to the age of seven, which were held in a shortened form (without mass and singing of psalms or a vigil), confirming that they were to be free of charge.⁴⁹

The city authorities also established the amount of fees for burials in cemeteries. The first regulation, the content of which is unknown, was made by the council of the Old Town in Toruń in 1410.⁵⁰ Later, in 1439, it decided that for burials in the cemetery of the church of St. Johns the fee was 1 *mark*, and for the burial of a child it was 1 *ferto* ($\frac{1}{4}$ *mark*).⁵¹ Further, the city priests, in accordance with the principle of the canonical portion, also demanded a share of the income from conducting funerals and burials in the

⁴⁷ CDW, Bd. 2, hrsg. v. C.P. Woelky, J.M. Saage, Mainz 1864, no. 363, pp. 369–376; M. Józefczyk, *Średniowiecze Elbląga z problematyki społeczno-religijnej*, Elbląg 1996, pp. 107–109; H. Steffen, *Die soziale Lage...*, p. 65, 82; M. Sumowski, *Duchowni i mieszczanie...*, p. 535.

⁴⁸ Similar rights were confirmed in 1402 for the churchwardens of the parish church in Braniewo; these included collecting offerings in the cemetery of St Catherine's Church, CDW, Bd. 3, no. 384, pp. 373; H. Steffen, *Die soziale Lage...*, p. 77; Ch. Herrmann, *Die Kirchenväter der Danziger Marienkirche...*, p. 121.

⁴⁹ CDW, Bd. 3, no. 182, p. 147; H. Steffen, *Die soziale Lage...*, p. 83; M. Józefczyk, *Średniowiecze Elbląga...*, p. 77.

⁵⁰ *Thorner Denkwürdigkeiten...*, p. 41.

⁵¹ *Ibidem*, p. 62.

cities on behalf of mendicant monasteries. The priests of St Mary's Church in Gdańsk, Andreas Slommow and Andreas Ruperti, made such a demand to the local Dominicans. They wanted to receive a fee of one golden guilder for each burial conducted for the Dominicans.⁵²

The resolutions of the Elbląg Synod of 1427 included provisions condemning the abuses of priests in parish churches, who, contrary to the relevant provisions of church law, allowed cemetery burials for excommunicated people, drunkards, those slain in duels, and usurers.⁵³ This took place despite the fact that such prohibitions had been repeated in the resolutions of earlier diocesan synods. In 1402, the synodal statutes of the bishop of Włocławek, Nicolaus Kurowski, included a ban on the burial in churches and cemeteries of publicly excommunicated persons or those under an interdict.⁵⁴ Similarly, in 1411, the synod of the Pomesanian diocese banned the burial in churches and cemeteries of publicly excommunicated persons, those punished by an interdict, and open usurers.⁵⁵ The synod also decided that for burial in a parish church, special permission from the bishop was required; this, however, did not apply in the case of meritorious priests and benefactors of the church.⁵⁶ Similarly, in 1427, the Sambia synod of Michael Junge banned the burial in cemeteries of, among others, the cursed, those who died in open mortal sin, and suicides.⁵⁷

⁵² T. Hirsch, *Die Ober-Pfarrkirche von St. Marien...*, p. 118; R. Kubicki, *Podstawy gospodarcze utrzymania klasztoru dominikanów w Gdańsku (1227–1835)*, in: *Inter oeconomiam coelestem et terrenam mendykanci a zagadnienia ekonomiczne*, red. W. Długokęcki, T. Gałuszka, R. Kubicki, A. Zajchowska, Kraków 2011, pp. 308–309. On the subject of fees due to city priests from mendicants, see: I. Skierska, *Obowiązek mszalny w średniowiecznej Polsce*, Warszawa 2003, p. 103.

⁵³ O. Günter, *Eine Predigt vom preussischen Provinzialkonzil in Elbing 1427 und die „Ermahnung des Carthäusers“*, ZWG 1919, H. 59, p. 102; W. Radziwiński, *Kościół w państwie...*, p. 222.

⁵⁴ *Statuta synodalia diocesis Wladislaviensis et Pomeraniae*, ed. Z. Chodyński, Warsaviae 1890, pp. 6–7.

⁵⁵ Regulations of this kind are also in the determinations of the synod of the Chełmno diocese; see: *Constitutiones synodales necnon ordinationes diocesis Culmensis*, Pars 1, ed. A. Mańkowski, (Fontes 24), Toruń 1929, p. 17.

⁵⁶ W. Radziwiński, *Kościół w państwie...*, p. 222.

⁵⁷ *Constitutiones synodales*, p. 266 (no. 35); *Statuty synodalne*, p. 242 (no. 35).

Burial – the cemetery

For most of the faithful, burial took place in the cemetery belonging to a parish church.⁵⁸ As I have already mentioned, an exception in this respect concerned distinguished persons, such as clergy,⁵⁹ including prelates, monks, benefactors of churches (rich burghers and knights), tertiaries (third order members) of religious orders, members of religious corporations and brotherhoods, who were buried within the church or, in the case of members of religious orders, also within the monastery complex, sometimes in a crypt specially prepared for this purpose, including a brotherhood chapel.⁶⁰ Accordingly, each parish church, as well as filial churches, in the city and in the countryside, had its own designated cemetery area. City hospitals also had their own cemeteries. For example, in the privilege for St Elizabeth's Hospital in the Old Town in Gdańsk, the Grand Master of the Teutonic Order, who oversaw it, allowed it to have its own cemetery; if those who died in the hospital could not be buried there, they were to be interred in the cemetery of St George's hospital.⁶¹ The right to burial in a specific

⁵⁸ On the space of the cemetery, see: R. Simiński, *Od "solitudo" do "terra culta." Przestrzeń jako przedmiot wyobrażeń w Inflantach i Prusach od XIII do początku XV wieku*, Toruń 2008, pp. 202–205, 208–211. References are made there to further detailed literature on the subject.

⁵⁹ In the already cited ordinance of St Mary's Church in Gdańsk from 1389, free burial in the church is guaranteed to all priests who serve there: "Item des gleychen alle prister die hie in der kirchen seyn, dy der kirchen undt dem pfarrer dynen sullen ouch in der kirchen freye beygraff haben", *Kirchenordnung der Danziger Marienkirche von 1389...*, p. 200.

⁶⁰ On the subject of secular burials in monastery churches, see: R. Kubicki, *Zakony mendykancie w Prusach Krzyżackich i Królewskich od XIII do połowy XVI wieku*, Gdańsk 2018, pp. 70, 144–145, 148, 158, 194, 281. For a mention of the burial of the Toruń cleric Johann Furste in the church of St James there, see: M. Sumowski, *Duchowni w testamentach mieszczańskich – mieszczanie w testamentach duchownych. Zapisy ostatniej woli jako źródła do badania powiązań (Prusy, XV – początek XVI wieku)*, "Kwartalnik Historii Kultury Materialnej" 2020, R. 68, nr 3, p. 326. On clerical gravestones in Prussia, see: M. Sumowski, *Duchowni i mieszczanie...*, pp. 235–236; T. Jurkowlanec, *Nagrobki średniowieczne w Prusach...*, p. 276.

⁶¹ *Codex Diplomaticus Prussicus. Urkunden=Sammlung zur ältern Geschichte Preussens*, Bd. 4, hrsg. v. J. Voigt, Königsberg 1853, no. 120, pp. 171–173. On the right to burial in cemeteries belonging to hospitals, see: Ch. Probst, *Heilen und Heilen. Hospital, Firmarie und Arzt des Deutschen Ordens in Preussen bis 1525*, Bad Godesberg 1969 ("Quellen und Studien zur Geschichte des Deutschen Ordens", Bd. 29), pp. 56, 62, 71, 83. For mentions of cemeteries belonging

cemetery was usually subject to strict regulation. Basically, the rule was to bury a person in his or her parish cemetery, which was closely linked to the funeral fees due to the parish priest. The cemetery itself was often located directly next to the parish church and separated from its surroundings in cities by a wall and in rural areas by a fence.⁶²

The space of the cemetery, like that of the church, was subject to special protection.⁶³ The ban, repeated in the ordinances of synods, on burials in cemeteries of persons who had been publicly excommunicated or placed under interdiction meant that in the event of such an act, the cemetery had to be consecrated anew.⁶⁴ The matter of respecting the space of the cemetery in a manner similar to that of the church was often referred to in synod resolutions. In 1411, the synod of the Pomesanian diocese banned ceremonies and customary processions from being held in a desecrated cemetery, as well as the burial of the bodies of the deceased there. In cases of desecration, the bishop had to reconsecrate the cemetery, just as when he consecrated a church.⁶⁵ A cemetery was desecrated: when persons who had been publicly cursed were buried there; when human blood or semen was spilled there; when the right of sanctuary,⁶⁶ which covered the cemetery and the church,

to hospitals in Gdańsk, see: W. Długokęcki, *Przyczynki do dziejów szpitali gdańskich w średniowieczu*, "Studia Historica Gedanensia" 2020, t. 11, pp. 84–124.

⁶² This was the case in Chełmno, and in the Old and New Town in Elbląg; see: R. Simiński, *Od "solitudo" do "terra culta"...*, p. 203.

⁶³ For general remarks on this subject see: R. Simiński, *Od "solitudo" do "terra culta"...*, pp. 203, 208.

⁶⁴ Thus, in 1402 in the synod statutes of the Bishop of Włocławek, Nicolaus Kurowski; see: *Statuta synodalia diocesis Wladislaviensis et Pomeraniae...*, p. 7. Situations like this arose frequently. In Elbląg, the cemetery of St James's Church was consecrated three times: in 1406, 1415, and 1424, M. Toeppen, *Elbinger Antiquitäten...*, p. 126; R. Simiński, *Od "solitudo" do "terra culta"...*, p. 204.

⁶⁵ H.F. Jacobson, *Geschichte der Quellen...*, Bd. 1, App. no. XLVII (pp. 156–157); *Constitutiones synodales*, p. 278 (no. 38); *Statuty synodalne*, p. 253 (no. 38); R. Simiński, *Od "solitudo" do "terra culta"...*, p. 205. The question of breach of this rule is found in the visitation report of the Pomesanian diocese (a form consisting of questions put by the inspectors of synod courts); see: H.F. Jacobson, *Geschichte der Quellen...*, Bd. 1, no. LXXVII (p. 263); J. Wiśniewski, *Kościół i kaplice na terenie bylej diecezji pomezjańskiej 1243–1821*, cz. 1, Elbląg 1999, p. 684.

⁶⁶ On the right of sanctuary within the area of the cemetery, see: P.A. Jezior-ski, *Proskrypcja i banicja w miastach pruskich późnego średniowiecza*, Warszawa 2017, p. 39. However, sometimes acts of violence were committed in the cemetery itself; see: *Najstarsze księgi kamlarskie Głównego Miasta Gdańska z XIV–XV wieku*,

was violated; and in cases of burglary and theft.⁶⁷ The cemetery grounds and their dignity were also violated by unworthy behaviour. This happened so often that in the statutes of the city of Chełmno from around 1400 it was determined that playing bowls and dicing in the cemetery was to be punished by a fee of half a *ferto* ($\frac{1}{8}$ of a *mark*). Begging in the vicinity of the cemetery was punished similarly, except for those who did it alone.⁶⁸ In turn, according to Old Chełmno Law, robbing graves was treated as an offence against the church to which it belonged. Anyone caught doing so was to pay a fine from all his property; if he did not have any, he was to be tied to a pole in the cemetery and punished with a flogging (forty lashes) and with stigmatization in the form of cutting his hair above his ears. If a priest committed the crime, the punishment was that he be deprived of all priestly dignity forever and be suspended (*suspensio*) from all priestly duties and privileges.⁶⁹

It was a common custom for the faithful to visit cemeteries, especially on major religious holidays. For example, in 1398 in resolving a dispute between the parish priest in the village of Stężycza and the churchwardens, it was decided that a painting of St Catherine from the church would be exhibited in the cemetery there four times a year (on St Catherine's Day, on the anniversary of the church's consecration, at Pentecost, and on the Feast of the Assumption of the Blessed Virgin Mary); donations collected thus would be used

wyd. M. Grulkowski, Warszawa 2016 ("Studia i Materiały do dziejów Kancelarii w Gdańsku", t. 2, seria B: Księgi kamlarskie, t. 1), pp. 47, 201.

⁶⁷ H.F. Jacobson, *Geschichte der Quellen...*, Bd. 1, no. XLVII (p. 157); Constitutiones synodales, p. 278 (nos. 39–40); Statuty synodalne, pp. 253–254 (nos. 39–40). Grounds for the desecration of cemeteries are given in the Warmia synod statutes of Heinrich Sorbom from the end of the fourteenth century, in the Warmia synod of Franz Kuhschmalz from 1449 and in the Warmia synod of 1497, H.F. Jacobson, *Geschichte der Quellen...*, Bd. 1, no. LXII (pp. 218–219, nos. 5–6), no. LXIII (p. 227); Constitutiones synodales, p. 2 (no. 7), p. 15 (no. 5–6), p. 27 (nos. 5–6); Statuty synodalne, p. 6 (no. 7), p. 16 (no. 5–6), p. 25 (no. 5–6).

⁶⁸ H.F. Jacobson, *Geschichte der Quellen...*, Bd. 1, p. 143; A. Semrau, *Die Willkür der Stadt Kulm von etwa 1400*, MCV 1927, H. 35, p. 45 (no. 32), p. 47 (nos. 40); F. Schultz, *Die Stadt Kulm im Mittelalter*, ZWG 1888, H. 23, p. 249; R. Simiński, *Od "solitudo" do "terra culta"...*, p. 209.

⁶⁹ *Das Alte Kulmische Recht mit einem Wörterbuche*, hrsg. v. C.K. Leman, Berlin 1838, pp. 193–194; *Prawo starochełmińskie 1584 (1394)*, red. W. Maisel, Z. Zdrójkowski, Toruń 1985 ("Teksty Pomników Prawa Chełmińskiego w Przekładach Polskich", nr 2), p. 164 (art. 68); R. Simiński, *Od "solitudo" do "terra culta"...*, p. 209.

to decorate the church.⁷⁰ The Teutonic Order also attached great importance to such solemnities.⁷¹ In 1422, the statutes of Grand Master Paul Rusdorf determined that at each parish church belonging to the Teutonic Order, after the morning mass (*missam matutinalem*) on Monday, priestly brothers were to lead a procession with a cross, a censor, and holy water to the cemetery, where the brothers and sisters of the Order, and *familiares* and benefactors of the Order were buried.⁷² Visiting cemeteries by the faithful also generated undesirable behaviour. In 1449, the Synod of Warmia banned the practice of offering market goods for sale there. This decision was also repeated by the synod of this diocese in 1497.⁷³

The monasteries of mendicant orders (Dominicans and Franciscans) had their own burial places both inside churches and in cemeteries. It is interesting to note that the chapel of the Dominican Church in Gdańsk was used to conduct burials of members of the Gdańsk convent of the Teutonic Order. Later, senior members of merchant brotherhoods belonging to Arthur's Court (Artushof) were buried here. The church itself was also the burial place for wealthy townspeople and members of craft brotherhoods (including members of the dark bread bakers' guild of the Main Town in Gdańsk).⁷⁴ A separate issue is the memory of the deceased (*memoria*); an attempt was made to ensure this memory in various ways, primarily through prayer foundations, through membership of a religious brotherhood, including a monastic one (leading

⁷⁰ H.F. Jacobson, *Geschichte der Quellen...*, Bd. 1, no. XXV (pp. 118–119); S. Kujot, *Kto założył parafie w dzisiejszej diecezji chełmińskiej?*, RTNT 1903, R. 10, pp. 173–174; H.F. Jacobson, *Geschichte der Quellen...*, Bd. 1, pp. 33–34; Constitutiones synodales, pp. 318–319 (no. XXII); Statuty synodalne, pp. 286–287 (no. XXII).

⁷¹ On customs practiced in the Teutonic Order, see: S. Józwiak, J. Trupinda, *Pogrzeby, pochówki i sposoby upamiętnienia braci zakonu niemieckiego...*, pp. 27–35.

⁷² *Die Satuten des Deutschen Ordens nach den ältesten Handschriften*, hrsg. v. M. Perlbach, Halle 1890, p. 157 (no. 3); R. Simiński, *Od "solitudo" do "terra culta"...*, p. 203.

⁷³ H.F. Jacobson, *Geschichte der Quellen...*, Bd. 1, no. LXII (p. 221, no. 21), no. LXIII (p. 227, no. 21); Constitutiones synodales, p. 17 (no. 21), p. 29 (no. 21); Statuty synodalne, p. 18 (no. 21), p. 28 (no. 21).

⁷⁴ R. Kubicki, *Podstawy gospodarcze utrzymania klasztoru dominikanów w Gdańsku...*, pp. 309–310, 322–323. Rich burghers were also buried in other monastery churches in towns and cities; see: T. Jurkowlaniec, *Nagrobki średniowieczne w Prusach...*, pp. 144–146, 156–159, 237–247, 306, 319–330; R. Kubicki, *Zakony mendykanckie w Prusach...*, pp. 144–145; R. Kubicki, *Franciszkanie w Gdańsku w XV–XVI wieku*, Gdańsk 2022, pp. 93–94.

to an entry in the list of deceased and the monastic *liber benefactorum*), or finally a setting a tombstone in the church.⁷⁵

To summarize, the legal regulations and practices surrounding funerals and burials in the towns of the State of the Teutonic Order in Prussia and in Royal Prussia, as in other areas, were related to the social position and wealth of a given person, or his/her participation in professional and religious life, for example, among other things, membership in a religious brotherhood. Here, members of the city authorities and their families held privileged position, having the right to be buried inside the church, which was seen as particularly prestigious. The right to be buried within the church was also acquired by wealthy townspeople. This applied to mendicant monastery churches as well. City hospitals usually also had their own cemeteries. The funeral and form of burial were simplified in the case of children and the poor. Funeral fees were of a customary nature and depended on the form it took. The clear divisions of financial status visible in the structure of the medieval city's population were, thus, also reflected in the conduct of the funeral and the place of burial. The latter also emphasized after death the position occupied by a given person during his/her lifetime.

Bibliography

Archival Sources

Archiwum Państwowe w Gdańsku (The State Archives in Gdańsk):

Akta miasta Elbląga, dokumenty (The records of the city of Elbląg, documents), 368/I, 125, 133; 368/II, 87, 107, 120; 368/III, 60.

⁷⁵ For more on this subject, see: *Memoria in der Gesellschaft des Mittelalters*, hrsg. v. D. Geuenich, O.G. Oexle, Göttingen 1994; P. Oliński, *Fundacje mieszczańskie w miastach pruskich w okresie średniowiecza i na progu czasów nowożytnych* (Chełmno, Toruń, Elbląg, Gdańsk, Królewiec, Braniewo), Toruń 2008; R. Kubicki, *Formy pobożności w mieście...*, p. 13, 21. On the subject of gravestones, including those in city churches, see: T. Jurkowlaniec, *Nagrobki średniowieczne w Prusach...* For general information on memorial foundations, see: A. Radzimiński, *Glaube, religiöse Praktiken...*, pp. 103–106.

Printed Sources

- Codex Diplomaticus Prussicus. Urkunden=Sammlung zur ältern Geschichte Preussens*, Bd. 4, hrsg. v. J. Voigt, Königsberg 1853.
- Codex diplomaticus Warmiensis oder Regesten und Urkunden zur Geschichte Ermlands*, Bd. 1–3, hrsg. v. C.P. Woelky, J.M. Saage, Mainz–Braunsberg–Leipzig 1860–1874.
- Constitutiones synodales necnon ordinationes diecesis Culmensis*, Pars 1, ed. A. Mańkowski, (Fontes 24), Toruń 1929.
- Constitutiones synodales Warmienses, Sambienses, Pomesanienses, Culmenses, necnon provinciales Rigenses*, recens. F. Hipler, Brunsberg 1899.
- Das Alte Kulmische Recht mit einem Wörterbuche*, hrsg. v. C.K. Leman, Berlin 1838.
- Die Danziger Chroniken*, hrsg. v. T. Hirsch, in: *Scriptores rerum Prussicarum*, Bd. 4, hrsg. v. T. Hirsch, M. Töppen, E. Strehle, Leipzig 1870, pp. 299–800.
- Das Röseler Pfarrbuch. Aufzeichnungen der Kirchenväter an der Pfarrkirche zu Rösel in den Jahren 1442–1614* ("Monumenta Historiae Warmiensis", Bd. 13/1), hrsg. v. G. Matern, Braunsberg 1937.
- Die Satuten des Deutschen Ordens nach den ältesten Handschriften*, hrsg. v. M. Perlbach, Halle 1890.
- Kirchenordnung der Danziger Marienkirche von 1389 / Ordynacja kościoła NMP w Gdańsku z 1389 r.*, in: *Chronik der Marienkirche in Danzig Das "Historische Kirchen Register" von Eberhard Bötticher (1616). Transkription und Auswertung / Kronika kościoła Mariackiego w Gdańsku "Historische Kirchen Register" Eberharda Böttichera (1616). Transkrypcja i analiza*, bearb. v. / oprac. Ch. Herrmann, E. Kizik, Köln–Weimar–Wien 2013 ("Veröffentlichungen aus den Archiven Preussischer Kulturbesitz"), pp. 195–204.
- Księga czynszów fary chełmińskiej (1435–1496)*, wyd. Z.H. Nowak, J. Tandecki, (Fontes 78) Toruń 1994.
- Najstarsze księgi kamlarskie Głównego Miasta Gdańska z XIV–XV wieku*, wyd. M. Grulkowski, Warszawa 2016 ("Studia i Materiały do Dziejów Kancelarii w Gdańsku", t. 2, seria B: Księgi kamlarskie, t. 1).
- Peter Himmelreich, *Elbinger Chronik*, in: *Die Preussische Geschichtschreiber des XVI. und XVII. Jahrhunderts*, ed. M. Toeppen, Bd. 4, Abt. 2, Leipzig 1881, p. 41.
- Prawo starochełmińskie 1584 (1394)*, red. W. Maisel, Z. Zdrójkowski, Toruń 1985 ("Teksty Pomników Prawa Chełmińskiego w Przekładach Polskich", nr 2).

- Preußisches Urkundenbuch*, Bd. 1, H. 1, hrsg. v. R. Philippi, C.P. Woelky, Königsberg 1882.
- Statuta synodalia diocesis Wladislaviensis et Pomeraniae*, ed. Z. Cho-
dyński, Varsaviae 1890.
- Statuty synodalne warmińskie, sambijskie, pomezańskie, chełmińskie
oraz prowincjalne ryskie*, tłum. J. Wojtkowski, Olsztyn 2010.
- Thorner Denkwürdigkeiten von 1345–1547*, hrsg. v. A. Voigt, “Mit-
teilungen des Copernicus-Vereins für Wissenschaft und Kunst
zu Thorn” 1904, H. 13.
- Woelky C.P., *Urkundenbuch des Bisthums Culm*, Bd.1–2, Danzig
1885–1887.
- Visitatio Archidiaconatus Camenensis Andrea de Leszno Leszczyński
archiepiscopo A. 1652 et 1653 facta*, cur. P. Panske, (Fontes 12),
Toruń 1908.

Secondary works

- Angenendt A., *Grundformen der Frömmigkeit im Mittelalter*, München
2003 (“Enzyklopädie Deutscher Geschichte”, Bd. 68).
- Ariès P., *L’Homme devant la mort*, Paris 1977 (English translation
by H. Weaver: *The Hour of Our Death*, New York 1981; Polish
translation by E. Bąkowska, *Człowiek i śmierć*, Warszawa 1989).
- Czaja R., *Grupy rządzące w miastach nadbałtyckich w średniowie-
czu*, Toruń 2008 (“Roczniki Towarzystwa Naukowego w Toruniu”,
R. 93, z. 1).
- Czarciński I., *Bractwa w wielkich miastach państwa krzyżackiego
w średniowieczu*, Toruń 1993.
- Czarciński I., Przeracki J., *Společné funkce Bractwa Najświętszej
Marii Panny w Nowym Mieście Toruniu*, “Acta Universitatis Nicolai
Copernici, Historia” 1981, t. 17 (117), pp. 109–149.
- Derwich M., *Badania nad śmiercią – Europa Zachodnia*, in: *Śmierć
w dawnej Europie. Zbiór studiów / La mort en Europe médiévale et
moderne. Études*, red. M. Derwich, Wrocław 1997 (“Acta Universi-
tatis Wratislaviensis. Historia”, Nr 129), pp. 11–19.
- Derwich M., *Les recherches sur la mort – Pologne*, in: *Śmierć w daw-
nej Europie. Zbiór studiów*, red. M. Derwich, Wrocław 1997 (“Acta
Universitatis Wratislaviensis. Historia”, Nr 129), pp. 21–27.
- Długokęcki W., *Przyczynki do dziejów szpitali gdańskich w średniowie-
czu*, “Studia Historica Gedanensia” 2020, t. 11, pp. 84–124.
- Dobrosielska A., *Opór, oportunizm, współpraca. Prusowie wobec
zakonu krzyżackiego w dobie podboju*, Olsztyn 2017.

- Grulkowski M., *Privilegia Casimiriana. Przywileje króla Kazimierza IV Jagiellończyka dla Gdańszazokresu wojny trzynastoletniej*, Gdańsk 2023.
- Günter O., *Eine Predigt vom preussischen Provinzialkonzil in Elbing 1427 und die „Ermahnung des Carthäusers“*, „Zeitschrift des Westpreussischen Geschichtsvereins“ 1919, H. 59, pp. 69–111.
- Herrmann Ch., *Die Kirchenväter der Danziger Marienkirche. Stellung, Aufgaben und Wirken vom 14. bis zum Anfang des 17. Jahrhunderts in: Chronik der Marienkirche in Danzig Das „Historische Kirchenregister“ von Eberhard Bötticher (1616). Transkription und Auswertung / Kronika kościoła Mariackiego w Gdańsku „Historische Kirchenregister“ Eberharda Böttichera (1616). Transkrypcja i analiza*, bearb. v. / oprac. Ch. Herrmann, E. Kizik, Köln–Weimar–Wien 2013, pp. 115–149.
- Hirsch T., *Die Ober-Pfarrkirche von St. Marien in Danzig*, Th. 1, Danzig 1843.
- Hirsch T., *Handels- und Gewerbsgeschichte Danzigs unter der Herrschaft des Deutschen Ordens*, Leipzig 1858.
- Isenmann E., *Die deutsche Stadt im Mittelalter 1150–1550. Stadtgestalt, Recht, Verfassung, Stadtrecht, Kirche, Gesellschaft, Wirtschaft*, Köln–Weimar–Wien 2012.
- Jacobson H.F., *Geschichte der Quellen des Kirchenrechts des Preussischen Staats, mit Urkunden und Regesten*, 1. Th., Bd. 1, Königsberg 1837.
- Jeziorski P.A., *Proskrypcja i banicja w miastach pruskich późnego średniowiecza*, Warszawa 2017.
- Józefczyk M., *Średniowieczne Elbląga z problematyki społeczno-religijnej*, Elbląg 1996.
- Józwiak S., Trupinda J., *Pogrzeby, pochówki i sposoby upamiętnienia braci zakonu niemieckiego w średniowiecznych Prusach: kilka uwag w kontekście funkcjonowania kaplicy św. Anny*, in: *Kaplica św. Anny na Zamku Wysokim w Malborku. Dzieje, wystrój, konserwacja*, red. J. Hochleitner, M. Mierzwiński, Malbork 2016, pp. 27–36.
- Jurkowlanec T., *Nagrobki średniowieczne w Prusach*, Warszawa 2015.
- Kropidłowski Z., *Samopomoc w korporacjach rzemieślniczych Gdańska, Torunia i Elbląga (XIV–XVIII w.)*, Gdańsk 1997.
- Kubicki R., *Formy pobożności w mieście późnośredniowiecznym w świetle zapisów na rzecz Kościoła i biednych w testamentach elbląskich (XV–początek XVI w.)*, „Zapiski Historyczne” 2011, t. 76, z. 2, pp. 7–26.

- Kubicki R., *Franciszkanie w Gdańsku w XV–XVI wieku*, Gdańsk 2022.
- Kubicki R., *Podstawy gospodarcze utrzymania klasztoru dominikanów w Gdańsku (1227–1835)*, in: *Inter oeconomiam coelestem et terrenam mendykanci a zagadnienia ekonomiczne*, red. W. Długocki, T. Gałuszka, R. Kubicki, A. Zajchowska, Kraków 2011, pp. 303–332.
- Kubicki R., *Testamenty elbląskie. Studium z dziejów miasta i jego mieszkańców w późnym średniowieczu*, Gdańsk 2020.
- Kubicki R., *Zakony mendykancie w Prusach Krzyżackich i Królewskich od XIII do połowy XVI wieku*, Gdańsk 2018.
- Kujot S., *Kto założył parafie w dzisiejszej diecezji chełmińskiej*, Toruń 1903 (“Roczniki Towarzystwa Naukowego w Toruniu”, R. 10).
- Labudda A., *Liturgia pogrzebu w Polsce do wydania Rytułu Piotrkowskiego (1613)*, Warszawa 1983.
- Löschin G., *Aus alten Testamentsstiftungen und Schenkungsakten*, in: G. Löschin, *Beiträge zur Geschichte Danzigs und seiner Umgebungen*, 1. H., Danzig 1837, pp. 18–24.
- Matz A., *Die Zünfte der Stadt Elbing bis zum Einzug der Schweden 1626*, “Elbinger Jahrbuch” 1919/1920, H. 1, pp. 43–94.
- Memoria in der Gesellschaft des Mittelalters*, hrsg. v. D. Geuenich, O.G. Oexle, Göttingen 1994.
- Możejko B., *Rozrachunek z życiem doczesnym. Gdańskie testamenty mieszczkańskie z XV i początku XVI wieku*, Gdańsk 2010.
- Neitmann K., *Ein rätselhaftes Danziger Stadtbuch des 15. Jahrhunderts. Textedition mit Bemerkungen zur Entstehungsgeschichte*, “Beiträge zur Geschichte Westpreußens. Zeitschrift der Copernicus-Vereinigung zur Pflege der Heimatkunde und Geschichte Westpreußens” 2004, Bd. 19, pp. 29–68.
- Odyniec W., *Chełmiński system miar i chełmińska stopa mennicza w rozwoju historycznym*, in: *Studia culmensia historico-juridica, czyli księga pamiątkowa 750-lecia prawa chełmińskiego*, t. 1, red. Z. Zdrójkowski, Toruń 1990, pp. 393–409.
- Oliński P., *Fundacje mieszczkańskie w miastach pruskich w okresie średniowiecza i na progu czasów nowożytnych (Chełmno, Toruń, Elbląg, Gdańsk, Królewiec, Braniewo)*, Toruń 2008.
- Probst Ch., *Helfen und Heilen. Hospital, Firmarie und Arzt des Deutschen Ordens in Preussen bis 1525*, Bad Godesberg 1969 (“Quellen und Studien zur Geschichte des Deutschen Ordens”, Bd. 29).
- Quassowski B., *Obrigkeitliche Wohlfahrtspflege in den Hansestädten des Deutschordenslandes (Braunsberg, Elbing, Königsberg, Kulm*

- und Thorn) bis 1525, "Zeitschrift des Westpreussischen Geschichtsvereins" 1921, Bd. 61, pp. 103–148.
- Radziwiński A., *Chryścianizacja i ewangelizacja Prusów. Historia i źródła*, Toruń 2011.
- Radziwiński A., *Glaube, religiöse Praktiken und Religiosität der Gesellschaft im Deutschordensstaat Preußen. Ausgewählte Fragen aus dem Bereich des Religionstransfers*, in: *Migration-Kommunikation-Transfer*, hrsg. v. A. Radziwiński, J. Rakoczy, H. Flachenecker, R. Skowrońska, Göttingen 2021, pp. 85–110.
- Radziwiński W., *Kościół w państwie zakonu krzyżackiego w Prusach 1242–1525. Organizacja, uposażenie, ustawodawstwo, duchowieństwo – wierni*, Malbork 2006.
- Rink J., *Die christliche Liebestätigkeit im Ordenslande Preußen bis 1525*, Freiburg 1911.
- Schildhauer J., *Hanseatischer Alltag. Untersuchungen auf der Grundlage Stralsunder Bürgertestamente vom Anfang des 14. bis zum Ausgang des 16. Jahrhunderts*, Weimar 1992.
- Schultz F., *Die Stadt Kulm im Mittelalter*, "Zeitschrift des Westpreussischen Geschichtsvereins" 1888, Bd. 23, pp. 3–293.
- Semrau A., *Die mittelalterlichen Willküren der Altstadt und Neustadt Elbing*, "Mitteilungen des Copernicus-Vereins für Wissenschaft und Kunst zu Thorn" 1926, H. 34, pp. 1–80.
- Semrau A., *Die Willkür der Stadt Kulm von etwa 1400*, "Mitteilungen des Copernicus-Vereins für Wissenschaft und Kunst zu Thorn" 1927, H. 35, pp. 29–58.
- Simiński R., *Od "solitudo" do "terra culta". Przestrzeń jako przedmiot wyobrażeń w Inflantach i Prusach od XIII do początku XV wieku*, Toruń 2008.
- Simson P., *Geschichte der Stadt Danzig*, Bd. 1, Danzig 1913.
- Skierska I., *Obowiązek mszalny w średniowiecznej Polsce*, Warszawa 2003.
- Steffen H., *Die soziale Lage der Pfarrgeistlichkeit im Deutschordensstaate*, "Zeitschrift für die Geschichte und Altertumskunde Ermlands" 1927, Bd. 23, pp. 1–97.
- Sumowska A., Sumowski M., *Średniowieczne rachunki kościoła Świętojańskiego w Toruniu. Uwagi źródłoznawcze*, "Studia Źródłoznawcze" 2020, t. 68, pp. 231–251.
- Sumowski M., *Duchowni i mieszczenie. Kler niższy w społeczeństwie późnośredniowiecznych miast pruskich*, Toruń 2022.

- Sumowski M., *Duchowni w testamentach mieszczańskich – mieszczanie w testamentach duchownych. Zapisy ostatniej woli jako źródła do badania powiązań (Prusy, XV–początek XVI wieku)*, "Kwartalnik Historii Kultury Materialnej" 2020, R. 68, nr 3, pp. 315–334.
- Szczepański S., *Pomezania. Na styku świata pogańskiego i chrześcijańskiego (studia z dziejów)*, Olsztyn 2019 ("Rozprawy i Materiały Instytutu Północnego im. W. Kętrzyńskiego w Olsztynie", nr 268).
- Tandecki J., *Pozazawodowe funkcje i powinności korporacji rzemieślniczych w miastach Prus Krzyżackich i Królewskich w XIV–XVIII wieku*, "Zapiski Historyczne" 1995, t. 60, z. 1, pp. 7–23.
- Tandecki J., *Struktury administracyjne i społeczne oraz formy życia w wielkich miastach Prus Krzyżackich i Królewskich w średniowieczu i na progu czasów nowożytnych*, Toruń 2001.
- Toeppen M., *Elbinger Antiquitäten. Ein Beitrag zur Geschichte des städtischen Lebens im Mittelalter*, Danzig 1871–1873.
- Waschinski E., *Erziehung und Unterricht im Deutschen Ordenslande bis 1525 mit besonderer Berücksichtigung des niederen Unterrichtes*, Danzig 1907.
- Wiśniewski J., *Kościół i kaplice na terenie byłej diecezji pomezańskiej 1243–1821*, cz. 1, Elbląg 1999.

Abstract

On Legal Regulations and Practices relating to Funerals and Burials in the Towns of the State of the Teutonic Order and Royal Prussia in the Middle Ages

Using selected examples, this article discusses legal regulations and practices concerning funerals and burials in the towns of the State of the Teutonic Order in Prussia and in Royal Prussia in the Middle Ages. The analyses revealed that these practices were linked to an individual's social status, wealth, and possibly his/her involvement in professional and religious life, including membership in religious guilds. Privileged positions were held by members of municipal authorities and their families, who had the right to be buried inside the church, which was regarded as particularly prestigious. The right to burial within church premises was also acquired by wealthy burghers, including the churches of mendicant monasteries. Municipal hospitals typically had their own cemeteries as well. The burial practices for children and the poor were simplified. Burial fees were customary and depended

on the chosen form of burial. The clear divisions in material status visible in the medieval city's population structure were also reflected in the conduct of funerals and in burial locations. The latter emphasized the posthumous position of an individual, highlighting the social standing he/she held while alive.