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Animals in the legal culture of Prussian towns (the 13th–16th centuries): An overview

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In this article I attempt to show crucial problems connected with the presence of animals in Prussian towns from the legal perspective¹. I shall present regulations from selected legal codes of Chełmno law, Lübeck law, and Magdeburg law. I shall start my story in the 13th century – the beginnings of both German law and Prussian towns. I will finish it at the end of the 16th century – the time when Prussian towns started to lose their economic and political power. This crisis was also reflected in the limited development of city law; the end of the 16th century closes its golden age².

The majority of the hitherto conducted research concerning animals concentrates mainly on economic aspects. Yet it should be remembered that animals were not only an ordinary “comestible

¹ The literature on the subject is quite sparse. See: P.M. Modrzyński, *Prawne aspekty hodowli zwierząt w średniowiecznych miastach ziemi chełmińskiej i terenów przygranicznych*, “Rocznik Toruński” 2015, nr 42, pp. 203–220; M. Zajęcki, *Przepisy dotyczące chowu zwierząt w większych miastach Polski przedrozbiorowej*, “Studia z Dziejów Państwa i Prawa Polskiego” 2007, t. 10, pp. 105–125; J. Wyrozumski, *Hodowla w średniowiecznym Krakowie* [in:] *Cracovia Medievalis*, Kraków 2010, pp. 403–410.

² About old city law, see: E. Steffenhagen, *Deutsche Rechtsquellen in Preussen vom XIII bis zum XVI Hahrhundert*, Leipzig 1875; Z. Zdrójkowski, *Zarys dziejów prawa chełmińskiego 1233–1862*, Toruń 1983.

product” or a “tool” to help run a farm. Animals constituted part of human culture – a much larger part than they do now. The line between the world of animals and the world of men was quite thin, sometimes even unnoticeable. An animal was believed to be hidden somewhere deep in the human being, yet the human aspect was never looked for in animals. In the Middle Ages animals were bred almost everywhere: in the courts of monarchs, monasteries, villages, but also, surprisingly, in towns and cities. Although they were considered to ensure human existence, they were very often objects of human hatred. Apart from humans, their enemies included plagues, floods, and famine. Every day animals had to strive to survive. Every day they were threatened with death. This article is an attempt to depart from the anthropocentric approach to research on animals. It will be a story not only about the attitude of man to animals, but also a story showing the everyday life of animals, revealing the reality which they had to struggle with – a reality of the world subordinated to man. The sources of legal theory constituting the basis of this article provide broad knowledge about the everyday life and culture of burghers of the period³. Sometimes I shall also use other sources and present the general European background to complement the information provided by the legal sources. Medieval and Renaissance sources are exceptionally sparse and sometimes do not allow us to answer many questions that pervade us. Using sources of various kinds I will attempt to answer the question not of what the life of animals looked like in a town in the Middle Ages or the Renaissance, but what it might have looked like. What is of utmost importance in the methodology of this type is the research of zoologists and urban planners (particularly those who deal with towns and cities of the Third World, which have much in common with towns and cities of the Middle Ages and the Renaissance). This work is only an outline and it will not address all research problems. On account

³ Sources of legal theory may be divided into legal codices and special town council's regulations (willkurs). The registers of legal codices, see: E. Steffenhagen, *Deutsche Rechtsquellen...*; R.G. Päsler, *Deutschsprachige Sachliteratur im Preußenland bis 1500*, Köln 2003; of willkurs: T. Maciejewski, *Zbiory wilkierzy w miastach państwa zakonnego do 1454 r. i Prus Królewskich lokowanych na prawie chełmińskim*, Gdańsk 1989; *idem*, *Wilkierze miast pruskich lokowanych na prawie lubeckim (do 1454 roku)*, “Studia Bałtyckie. Historia” 1996, t. 1, pp. 119–136; A. Szorc, *Wilkierze warmińskie*, “Studia Warmińskie” 1984, t. 21, pp. 5–75; M. Mięka, *Edycje źródeł do dziejów prawa miejskiego w Polsce XIV–XVI w. Propozycja elektronicznej metaedycji źródeł normatywnych*, “Krakowskie Studia z Historii Państwa i Prawa” 2016, t. 9, pp. 487–508.

of the profusion of materials, only more accessible sources will be provided in the footnotes, and they should be treated as examples. I shall deal with the problems described below (and others) in a more comprehensive manner in my doctoral thesis.

Animals constituted a permanent element of the scenery of towns and cities in the late Middle Ages and the Renaissance. Breeding animals were the source of income for inhabitants of cities. It must be remembered that some towns were still farming and breeding centres. Towns were the home of livestock as well as animals which now could be referred to as domestic animals, e.g. dogs and cats. What is more, wild animals sometimes sneaked into towns in order to scavenge for food. The last group of animals living in towns could be considered neither wild nor domesticated. Along with the emergence of cities different species of animals appeared as well: some whose natural habitat was the city, and other that changed their natural habitat and moved there from the forest. The latter included, e.g., rats, pigeons, ravens, and crows. The late Middle Ages and the Renaissance are periods of the rapid development of cities and towns which had to face the problem of overpopulation and a lack of space. The increasing number of people entailed a growth in the number of animals. In the face of overpopulation, burghers asked themselves the question whether the coexistence of animals and people in the city space was necessary, or even possible. What may be concluded from legal theory is that several viewpoints on this matter developed. The presence of animals was appreciated by those burghers for whom breeding constituted the source of income, and for whom animals were the guarantee of their existence. Those burghers who did not gain any profits from breeding regarded animals as vermin which should be removed from the city space. Since the dawn of time domesticated animals had supported people in their struggle with wild animals. They guarded people's homesteads, defending man not only against other animals, but also against other people. However, animals caused many problems too – they produced large quantities of excrements, attacked livestock and people. They were believed to bring plagues and the wrath of God. Some species were regarded as Satan's accomplices. The question was posed then whether the city and man could and should operate without animals or whether animals in the city were not too big a burden after all.

Legislators tried to introduce regulations to satisfy the needs of both parties. They regulated the issue of maintaining livestock in the

patrimony. They established compensation rates and regulations concerning aggressive animals. They also tried to solve the problem of hygiene and the functioning of farm buildings in the city. Those concepts concerning the coexistence of people and animals in the city operated until the beginning of the 19th century.

From today's perspective, the then cities may be described as cramped – devoid of free space. For this reason, the coexistence of people and livestock was quite arduous. In the Middle Ages it was normal that animals roamed the cities freely⁴. Some of them would run away from the farm buildings. Legal sources suggest that some owners who no longer wanted to feed their animals would simply release them, hoping that they would eat their neighbours' crop, carrion, or even excrements found in the streets. Some of those animals lived a semi-wild life. From the information available to us it may be concluded that the number of animals in the Middle Ages was significant. Herds might have even included one hundred specimens each.

Animals are driven by instinct and can be dangerous to humans, other animals, or inanimate objects – both farm and wild animals can be aggressive. This problem was made even more acute due to the fact that animals were not properly guarded, which allowed them to roam the city freely. According to various legal sources, in the Middle Ages burghers also bred wild animals. Animals and their cubs were hunted, the mother killed, and the young taken away to be bred as if they were farm animals. The codices of Chełmno law mention wolves, bears, and deer⁵. The codices of German basic law also mention leopards, lions, and monkeys⁶. In the Middle Ages wolves, captured and

⁴ This is suggested by penalties for owners of such animals. They reappeared regularly in subsequent legal codices and willkürs.

⁵ *Prawo Starochełmińskie 1584 (1394)* (hereafter: PS), tłum. A. Bzdega, A. Gaca, Toruń 1985, ks. 5, art. 25, pp. 140–141; *Nieznany spis prawa chełmińskiego z przełomu XIV–XV wieku* (hereafter: NSPCH), wyd. i tłum. Z. Rymaszewski, Łódź 1993, kod. P, ks. 1, art. 69, p. 308 (there are two texts of this codex preserved: the Działyński codex and the Petersburg codex. In the footnotes I shall provide numbers of paragraphs according to the Działyński codex unless otherwise indicated).

⁶ Magdeburg Weichbild and Der Sachsenspiegel (the Saxon Mirror) mention it. Those animals appear in the 16th-century compilation, the source base of which was Magdeburg Weichbild, see: *Ius municipale. To jest prawo miejskie magdeburskie nowo z łacińskiego i z niemieckiego na polski język z pilnością i wiernie przełożone*, red. G.M. Kowalski, Kraków 2011, art. 123, pp. 261–263; see also: M. Mięka, *Prawo miejskie magdeburskie (ius municipale Magdeburgense) w Polsce XIV–pocz. XVI w. Studium o ewolucji i adaptacji prawa*, Kraków 2018; *Der Sachsenspiegel*, hrsg. v. C. Schott, R. Schmidt-Wiegand, Zürich 1984, Bd. 2, art. 62.1, p. 150.

tamed when young, played the role of dogs and were appreciated for their bravery. Bears were used in circuses. Deer were bred for meat. Nevertheless, the main role of animals was to be indicators of prestige, which shaped the social ladder in the Middle Ages. The purchase of a wild animal and the organisation of hunting were very expensive. Wild animals had to be maintained and the cost of their maintenance was quite high. Bears consumed much meat, which in the Middle Ages was rather costly. Many burghers copied the rich and the opulent court life. They had their own mentality: they disliked the *nouveau riche* – other burghers who, having been quite poor not so long before, now became affluent enough to buy animals for entertainment. The poor hated rich owners of costly pets, which were living proof of the fact that other people had better lives than them. Moreover, the mentality of burghers included respect for austerity – and rich owners of animals were not austere. Despite the fact that in the Early Modern period law prohibited the breeding of exotic animals, many cities imported such animals. The case in point are, e.g., an elephant from Kołobrzeg or a crocodile from Gdańsk.

Animals constituted a real threat for people in medieval towns. Legal codices tell of people attacked and killed by animals – both wild and household animals such as pigs, dogs, bulls, cows, and horses⁷. Thus, the presence of animals must have entailed a sense of fear. The man of the Middle Ages was afraid of everything, but first and foremost of death. Burghers must have feared the omnipresent animals, which could kill them in the field, in the street, and in their own houses. They might have also feared other people being killed by their animals, for if such a situation took place, they had to pay damages to the family of the victim – and the compensation (also: wergild or man price) was quite high. This could ruin them financially, which meant one thing – going down the social ladder. In the Middle Ages poverty was tantamount to high death risk. Average breeders were afraid of bankruptcy, as it could bring an end to their life.

Animals could defend themselves against people or attack them, which frequently led to people's death. This resulted in issuing special town council's regulations (willkurs) according to which an animal which took someone's life had to be killed. Chełmno law stated that

⁷ PS, ks. 5, art. 25, p. 140–141; NSPCH, kod. D, ks. 1, art. 20, pp. 122–124; art. 21, p. 124; art. 22, p. 124.

such an animal should be driven into a pen, lapidated, or famished⁸, which was the influence of biblical law contained in the Book of Exodus (Ex. 21, 28). The consumption of the meat of such an animal was forbidden, possibly for the fear that the animal could be sick, e.g. have rabies. This perceived impurity resulting from the act of killing a man could also have had a spiritual dimension. In Western-European cities dogs, pigs, and rats frequently attacked small children. Animals that injured or killed children were hanged in the city square. The sentence was carried out by the city's hangman. The animal was often lynched and tortured before it was killed.

Cramped pens in medieval towns did not offer much space for animals, which would often go through fences, enter other people's land and, specially in smaller towns, damage their crop. Loitering around in their homesteads, where they could walk in at any time, they would destroy everything they encountered – and for that, too, damages had to be paid by the animal's owner⁹. Dangerous animals were a source of conflicts between people, who blamed the owners for damages, injuries, or killings. Anger towards animals that persisted in destroying the homesteads or crops would manifest itself in violent behaviour. What is more, the law recommended catching the wrongdoers as security for payment lest the owner should refuse to pay compensation¹⁰ – and catching semi-wild animals cannot have been easy. Pigeons were also considered to be troublesome as they contaminated the cities with their excrements¹¹.

Despite the fact that animals constituted the basis for human existence, they were hated by people who did not breed them – and, as we know from medieval legal codices, animals-wrongdoers, when caught red-handed, could be chased away with a whip or a rod. Legal sources are consistent in the recommended treatment of such animals. According to some sources, animals could be injured seriously enough not to be able to live independently, or even killed¹². Some legal codices sanctioned the killing of animals-wrongdoers on the spot; others prohibited even beating them. This difference in the treatment of animals may have depended on the kind of animal. Smaller animals such

⁸ PS, ks. 5, art. 25, pp. 140–141; NSPCH, kod. D, ks. 3, art. 37, p. 272.

⁹ There is an overwhelming number of articles concerning the compensations for the damages perpetrated by animals.

¹⁰ NSPCH, kod. D, ks. 1, art. 24, p. 126.

¹¹ *Ibidem*, kod. D, ks. 1, art. 61, p. 156.

¹² *Ibidem*, kod. P, ks. 3, art. 62, p. 316.

as geese were treated leniently, unlike bigger animals such as cattle¹³. People often evinced their understanding for instincts animals were unable to control¹⁴. Bills and regulations for the city's executioners¹⁵ suggest that carrion lying in the street was a common sight in medieval towns. Seriously injured or weak animals would be torn apart by semi-wild dogs, or left to die of wounds inflicted by people. Legal codices suggest that animals, such as dogs, which roamed the cities freely, would fight with one another. Thus pernicious behaviour was quite common in the Middle Ages. Animals were frequently bred by poor people who hoped they would feed on their neighbours' crop or find their own food. Pigs were let out on the street to eat food leavings, excrements, or carrion, or committed to the custody of the city's herdsman, who grazed them in the forest, where they would eat pinecones, acorns, small rodents, insects, and mushrooms. An animal left on its own had to fight for food not only with people but with other animals as well. Packs of dogs hunted smaller animals, including other dogs. Owners of animals would often let them out on the street, where they could lose their lives any time they wanted to get some food. Carrion was found almost everywhere, in the streets, by sources of potable water, in the city's wells, or afloat in moats. It was such a common phenomenon that its removal was one of the daily duties of the city's executioner, like removing snow or cleaning the streets.

The majority of medieval towns aimed to decrease the number of animals within their limits. Town councils issued special regulations, according to which some animals were to be expelled and all semi-wild animals were to be caught by the city's executioner, his assistants, or dog catchers and killed on the spot¹⁶. Pigs were to be requisitioned

¹³ *Ibidem*, kod. D, ks. 1, art. 59, p. 154; kod. P, ks. 3, art. 62, p. 316.

¹⁴ *Ibidem*, kod. D, ks. 1, art. 55, p. 151.

¹⁵ Prussian and Polish sources from the Early Modern times which probably reflect the conditions in the Middle Ages, cf. D. Kaczor, *Utrzymywanie czystości w wielkich miastach Prus Królewskich XVI–XVIII wieku*, Gdańsk 2014, pp. 414–434; D. Wojtucki, *Kat i jego warsztat pracy na Śląsku, Górnych Łużycach i w hrabstwie kłódzkim od początku XVI do połowy XIX w.*, Warszawa 2014, pp. 289–300; A. Karpiński, *Kaci a problem oczyszczania miast koronnych w XVI–XVIII w.*, KHKM 2015, t. 53, pp. 351–359; D. Kaczor, *Labor infamus – labor utilis. Funkcja kata w systemie utrzymywania czystości w wielkich miastach Prus Królewskich XVI–XVIII wieku*, KHKM 2005, t. 53, pp. 361–376; J. Wijaczka, *Miotła i miecz. Jak kaci i ich słudzy sprzątaли ulice w Królewcu w końcu XVII i na początku XVIII wieku*, KHKM 2005, t. 53, pp. 377–382.

¹⁶ D. Wojtucki, *Kat i jego warsztat pracy...*, pp. 286–289; S. Wałęga, *O katach, hycalach i oprawcach w dawnym Toruniu*, "Rocznik Toruński" 1975, t. 10, pp. 275–332, fn. 15.

and killed for meat. Dogs were hanged alongside convicts or, at times, in the city gates or in the doors of houses in order to deter other dogs. Dead animals were usually taken away to the sites of executions, where the so-called holes of dog catchers were located – shallow holes where animals were buried. For lack of proper protection the bodies could easily be dug up by wild or semi-wild animals. Thus, execution sites attracted many scavengers, which would eat the remains of both dead animals and people.

Animals that did not roam the streets were placed in the hands of the commune's herdsman, whose responsibility was to graze all animals in the city's pastures. This, however, did not guarantee their safety. Legal codices suggest that the herds were attacked by packs of robbers and wolves, and being scattered around the pasture they were vulnerable to attack. Furthermore, if animals were not watched, they could drown in rivers and ponds.

The codices of German law, e.g. *Der Sachsenspiegel* (the Saxon Mirror), mention many other dangers awaiting the animals. One of them were floods. We know that in the Middle Ages animals living near the cities were virtually defenceless in the face of a flood and could be washed away by a tidal wave. Fires of stables and pigsties were among other dangerous and not unfrequent occurrences. Herdsmen and menials tasked with watching the animals would often get drunk and start fires¹⁷, which could be huge. Another danger were famine and plagues, quite common in the Middle Ages. In Prussia plagues affected cities and towns, and did not spare animals. Whole herds of animals were commonly slaughtered once the information about the outbreak of the plague reached the city. This was a preventive measure taken because animals were believed to spread epidemic diseases¹⁸.

What should also be mentioned are the relations the guardians of animals – herdsmen – maintained with their charges. In medieval towns herdsmen were regarded as a necessary evil. Although they would employ them for their professional experience which allowed them to control the herds, burghers did not think highly of them,

¹⁷ Willkurs regulated the issues concerning farm buildings such as stables and pigsties. Herdsmen are perceived as potential arsonists in the codices of bee-keeping law, see: P.M. Modrzyński, *Symbolika kar w dawnym prawie bartnym* [in:] *Historia – w drodze ku przyszłości*, t. 1, red. M. Zmudziński, Toruń 2016, pp. 79–90.

¹⁸ Sz. Wrzesiński, *Epidemie w dawnej Polsce*, Zakrzewo 2011; Z. Zdrójkowski, *Nieznanne źródła prawa chełmińskiego*, cz. 1, CPH 1971, t. 22, art. 112, p. 168.

but rather marginalised them, treating them as part of the underclass. The herdsmen led a nomadic life, which triggered an automatic negative reaction among sedentary people. In the Middle Ages, e.g. in France, herdsmen were accused of living in non-Christian communities and having common wives and children¹⁹. They were also accused of zoophilia²⁰. Owing to their proximity to animals, they fell victims of parasites and illnesses which they were believed to transmit to other people and animals²¹. Medieval legislation granted them the same rights as beggars, jugglers, and buskers. Cities tried to reduce the number of herdsmen employed by the municipal commune. It was forbidden to give them city privileges and they were refused the right to enter inns, fairs, and even towns²².

Animals were also present in criminal law, albeit in a different capacity. Already in ancient Rome they were used in executions. In the Middle Ages executions were not as spectacular, but they were certainly more diversified. There was a punishment in German law which originated from Roman law – with the aim to make his death as painful as possible, the convict was placed in a sack, into which various kinds of animals – including cats and monkeys²³ – were also thrown, and held above water by a primitive crane. As the sack was submerged, animals would start to bite and scratch the convict's body in an attempt to save their lives. Animals were also used in other kinds of punishments. Unfaithful husbands were undressed and sat backwards on a donkey, which was then shown around the city. Sometimes tools used to carry out punishments had the shape of animals – a case in point may be the Toruń donkey, which served as a whipping post (it did not survive in its original shape). According to Chełmno law, Jews trading in children were to be killed and their corpses thrown to the dogs²⁴. Horses were used to drag the bodies of

¹⁹ E.g. E. Le Roy Ladurie, *Montaillou, wioska heretyków*, Czerwonak 2014.

²⁰ R. Fossier, *The axe and the oath: Ordinary life in the middle ages*, Princeton 2010, pp. 86–87; B. Baranowski, *Życie codzienne małego miasteczka w XVII i XVIII wieku*, Warszawa 1975, p. 64.

²¹ J. Tyszkiewicz, *Ludzie i przyroda w Polsce średniowiecznej*, Warszawa 1983, p. 75.

²² E.g. *Acten der Ständetage Preussens unter der Herrschaft des Deutschen Ordens*, hrsg. v. M. Toeppen, Bd. 1, Leipzig 1878, pp. 322, 339–340, 475.

²³ B. Groicki, *Porządek sądów i spraw miejskich prawa majdeburskiego w Koronie Polskiej*, Warszawa 1953, pp. 209–210; *idem*, *Artykuły prawa magdeburskiego*, Warszawa 1954, p. 39.

²⁴ NSPCH, kod. D, ks. 3, art. 31, pp. 266–268.

convicts²⁵. As a punishment for moral offences medieval law would often make convicts wear masks of shame²⁶ in the shape of the heads of various animals, such as donkeys or pigs. The use of animals or their likenesses was linked with their symbolic meaning – they were meant to symbolise the convicts’ negative character traits (e.g. a pig symbolised greed and a donkey stupidity).

It is not possible to talk about breeding without mentioning bees. They were one of the few animals people considered to be useful and treated in the same way as farm animals. Cities had their own beehives in backwoods, or apiaries in the suburbs. Destroying beehives and apiaries was punished with death penalty. Notwithstanding, bees were likely to be killed by man, very often through their own fault. In the Middle Ages and the Early Modern period people believed in the existence of the so-called “robbing bees”, which were thought to be possessed by wizards and to steal honey from beehives. Beekeeping laws, particularly in Pomerania, sanctioned burning swarms of such bees. Robbing bees are not just a medieval fantasy. If bees fail to collect enough honey before winter, they try to increase their supplies by stealing honey from other hives²⁷.

The presence of animals is also connected with construction and fire-prevention regulations²⁸. Animals had to be properly housed and led to pastures. They were required to stay in grasslands in spring and summer, where they were supervised by the herdsman of the commune. Some issues concerning the construction of farm buildings such as stables and pigsties were regulated – for example, due to a risk of their collapse, stables could not have two storeys. Because the supplies of hay and straw stored in farm buildings could easily

²⁵ NSPCH, kod. D, ks. 2, art. 31, p. 222.

²⁶ See: W. Maisel, *Archeologia prawna Polski*, Warszawa 1982, p. 191.

²⁷ See: P.M. Modrzyński, *Symbolika kar...*, pp. 79–90 (which provides sources and literature on the subject).

²⁸ P.M. Modrzyński, *Prawo budowlane w teorii prawa miejskiego doby późnego średniowiecza i epoki renesansu. Szkic historyczno-prawny* [in:] *Doktoranckie spotkania z historią*, t. 2, red. M. Klempert, K.A. Kierski, S. Nowakowski, Olsztyn 2016, pp. 19–28; *idem*, *Przepisy przeciwpożarowe i budowlane w XVI-wiecznym Gniewie*, “Meritum – Rocznik Koła Naukowego Doktorantów-Historyków Uniwersytetu Warmińsko-Mazurskiego w Olsztynie” 2017, t. 9 (for the complete literature concerning construction and fire-prevention regulations). In English, on the case of Gdańsk, see: D. Kaczor, *City constitution, municipal laws and public order in the 16th-century Gdańsk* [in:] *New studies in medieval and Renaissance Poland and Prussia: Impact of Gdansk*, ed. B. Możejko, Abingdon–New York 2017, pp. 127–141.

catch fire, it was forbidden to enter them with a torch and use them to store flammable materials.

Animals had to drink, which leads us to regulations on the acquisition of potable water from wells and other sources and, more broadly speaking, to the issues of the relation between water supplies and animals²⁹. Burghers would often water their animals with the same water used by people, and some objected to this practice. Animals, particularly pigs, would not unfrequently fall into wells and other water containers situated in the city, as evidenced by bills for the city's executioner for the service of pulling the animals out of the water. Moreover, carrion introduced the so-called "cadaveric poison" into the water, which made it dangerous to drink. It was emphasised that wells should be built with a special protective pedestal. Animals were often led to the area by the moat, where they would drown or block the main gate to the city. Large groups of animals were difficult to control and could be aggressive, which is why the city authorities introduced special regulations on watering them. Animals were allowed to be watered at specific times of the day and in designated streets only in order to minimise the risk of disturbance in the normal functioning of the city and the lives of its inhabitants.

translated by *Agnieszka Chabros*

Abstract

Animals in the legal culture of Prussian towns (the 13th–16th centuries): An overview

Animals were a permanent element in the landscape of medieval towns. Many residents of the then urban centres lived of animal husbandry. In addition to farm animals (e.g. pigs), they kept domestic animals (e.g. dogs and cats) as well as wild animals. The latter often sought food in garbage and suburbs. Such animals were also kept for entertainment. Authorities of Prussian towns regulated many issues related to the functioning of towns, including those concerning animal husbandry. Animals could pose a threat to the health and life of residents. They were also considered to be pests that destroy crops, orchards, and household appliances. The legislation of the period was focused on determining guilt for

²⁹ Z. Zdrójkowski, *Nieznane źródła prawa chełmińskiego...*, art. 30, p. 155; art. 82–83, p. 165; art. 110–112, p. 168; PS, ks. 5, art. 14, p. 133.

crimes and offenses committed by animals. Either an animal, treated as an entity responsible for the harmful act, or its owner was blamed for the misconducts. The presence of animals, especially livestock, was considered to be the cause of considerable sanitary problems in towns, mainly due to animal waste. Town authorities regulated issues concerning cattle herding and grazing. The care over the herd was entrusted to urban shepherds whose service was regulated by town legislation. The problem of the perception of animals by the society of that time was also significant. Although seemingly unwanted, they were the only source of income for many residents. For some, animals were pests, and for others, a guarantee of fragile existence. It was also a time when people began to wonder what exactly an animal is, what role it should play in human life, and how to treat it.