

"FORENSIC MEDICINE IN THE POLISH LANDS DURING THE PERIOD OF PARTITIONS"

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This doctoral thesis is dedicated to the history of forensic medicine in the former lands of the under partitions in a legal and historical context. Over the centuries, the knowledge of medical issues among legal experts gradually became insufficient to solve legal-medical problems, therefore other experts began to be asked for help. The dissertation provides a detailed synthesis and analysis of the participation of medical expert witnesses in old legal proceedings (criminal and civil) in cases related to the assessment of health (physical and mental) or in various cases of violent death (e.g., as a result of poisoning, suffocation, injury). In addition to the tasks of medical expert witnesses, the activities of the first state institutions dealing with medico-legal cases are described in detail, as well as the activities of universities and medical or legal faculties, where pioneering experiments and research for the purposes of justice were carried out. The issues raised have never before been studied comprehensively from a legal and historical perspective, and therefore require further analysis. This is evidenced by the conducted query of the Polish source literature, showing a clear shortage of current studies on this issue.

This dissertation consists of a table of contents, an introduction, six chapters, and a conclusion. The work covers 546 pages. Chapter I begins with the history of medico-legal assessment in Poland before the partitions in land, municipal, canon and rural laws. Each of these laws describes the rules governing the art of medico-legal assessment, which was related to such factors as religion or advancement in general medicine. Until the end of the eighteenth century, expert witnesses in forensic medicine were officials - court ushers, as well as medical experts - physicians, surgeons, feldshers, bath-keepers, barber surgeons, and midwives (matrons). In the land law, these were court ushers, while medical experts were appointed sporadically. Doctors and surgeons, on the other hand, not infrequently inspected or dissected the corpses of Polish kings or provided opinions in forensic psychiatric cases (including the

examination of Stanislaw August Poniatowski, the autopsy of John III Sobieski, the autopsy of Stefan Batory, the examination of the mental state of Krystyna Poniatowska of Duchniki). They also appeared in canon law and provided opinions in cases involving annulment or dissolution of marriage, confirmation of mental illness or possession. The chapter studies the earliest documents from forensic-medical examinations ordered by the court performed in the Polish lands (including forensic medical examinations, court usher's forensic examinations, autopsy reports, and firearms examinations).

The subsequent chapters (II, III, IV, V, VI) of this doctoral thesis deal with forensic medicine in the Prussian Partition, the Austrian Partition, the Duchy of Warsaw, the Kingdom of Poland and the Russian Partition. The chapters are structured in a similar manner. Each begins with a subsection describing the sources of law determining forensic medicine in the former lands of the Republic of Poland, as well as the history of forensic medicine of Prussia, Austria, Russia, as well as France. Furthermore, all chapters describe forensic medicine in criminal and civil proceedings, as well as scientific and academic or research activities, with a reference to the rich casuistry of forensic medicine, a presentation of the tasks of learned societies and the pioneering work of forensic medicine researchers of the time (in the lands of the Prussian Partition there was no scientific or academic center that engaged in forensic-medical research - the scientific centers for medico-legal opinion in Poland under the partitions were Warsaw and Cracow).

Chapter II of this work is devoted to forensic medicine in the former Polish lands under the Prussian scepter. Within this chapter, the long tradition and high level of Prussian forensic medicine is emphasized in comparison with other European countries. According to the author's research, the Collegium Medicum in Berlin (founded in the late seventeenth century) became a model for the Medical Council of the Duchy of Warsaw and the Medical Council of the Russian Empire. The activities of the Poznań Society of Friends of Sciences are described, as well as individual medico-legal studies published in the pages of "Medical News".

Chapter III of this dissertation is dedicated to forensic medicine in the Austrian Partition. It emphasizes the long tradition (thanks to, among others, the influence of *Carolina, Theresiana*, the performance of *totenbeschauprotokolle* in the so-called death chambers, the activities of the Medical University of Vienna or *Josephinum*). The chapter points out numerous similarities between Prussian and Austrian medico-legal assessment. A description of the history of forensic medicine in Cracow at the Cracow Academy is provided, along with a

discussion of several interesting trials using forensic-medical knowledge as well as expert research (including the trial of Barbara Ubrykówna, the pioneering ballistic research of Frederick Hechel, Leon Blumenstok-Halban's research in forensic-medical psychiatry, and a description of the Wachholz-Sieradzki attempt on carbon monoxide).

Chapter IV of this work deals with forensic medicine in the Duchy of Warsaw. It presents the issues of the activity of the Medical Directorate in the scope of medico-legal opinion, the role of the Faculty of Medicine operating by the Minister of Police, the activity of the Medical School in the Duchy of Warsaw with regard to teaching forensic medicine, the work and assessment of the Medical Council. Emphasized here is the relationship between scientific centers and the administration of the Duchy of Warsaw against the background of medico-legal opinion.

Chapter V of the dissertation is concerned with forensic medicine in the Congress (Kingdom of) Poland. Discussed in this chapter are the activities of the Medical Council of the Kingdom of Poland, the Warsaw Medical Society, the Royal (since 1870 Imperial) University of Warsaw, the Medical and Surgical Academy of the Main School, as well as the Provisional Medical Committee and the Medical Examination Board. The activities of the Warsaw Medical Society are described, along with individual forensic-medical examinations that played a significant role in assessment. The chapter also indicates the similarities and relationships between Polish and Russian forensic medicine in the second half of the nineteenth century.

Chapter VI is dedicated to the history of forensic medicine in tsarist Russia, as well as the issues of medico-legal assessment in the western governorates. It presents the scope of activity of the Medical Council in the Russian Empire and the western governorates, as well as the scientific activities of Vilnius University. Useful information on forensic medicine in the western governorates was provided by the Medical Instruction of 1828, which was later incorporated into the *Svod Zakonov*. Among other valuable regulations was the Charter of Forensic Medicine of 1842. Chapter VI illustrates what medico-legal investigation (inspections, autopsies) looked like at the time, the performance of expert reports (mainly in criminal proceedings), the differences and similarities between the forensic medical examination report and visum et repertum. Key works for Russian forensic medicine (and the western governorates) were those of Gromoff, Belokrylin and Nelyubin.