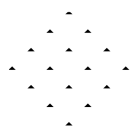


Artykuły henrykowskie - Tekst angielski

We, the Councils of the state, the gentry, and the knighthood of the Kingdom of Poland, of the Polish as well as the Lithuanian nation, no less from Ruthenia, Prussia, Samogitia, Masovia, Livonia, and also from all the other provinces and lands belonging to this our Rzeczpospolita [Commonwealth], by means of this present document, that is, diploma, this do stipulate, so that our future Prince and Lord newly-elected by us be under obligation to give us a privilege, that is, a document, by which the Articles expressed here below, containing certain rights and prerogatives of ours, shall be acknowledged and endorsed, and this in the following manner: Henry¹, by grace of God the King of Poland, Grand Duke of Lithuania, Lord of Ruthenia, Prussia, Masovia, Samogitia, as well as Duke of Anjou, Bourbon, and Auvergne, etc. We make it known by means of this present document, to whomever it be due to know, to all in general and each singularly, to the Councils and the Senators, the gentry and the estates of the Kingdom of Poland and the Grand Duchy of Lithuania, of Ruthenia, Prussia, Masovia, Samogitia, Volhynia, Podlachia, and to the other realms: [1] That during our lifetime, we and our descendants the Kings of Poland, and those very same Grand Dukes of Lithuania, Ruthenia, Masovia, Samogitia, Kiev, Volhynia, Livonia, and of the other States, shall not nominate, or elect, or present in any shape or form no matter how conceived, a king, and place him as our successor upon the State, and this for the reason that always and for time eternal after our demise, and of our descendants, the free election [of the monarch] may remain with all the Estates of the Crown; for which reason we are not to use the title of heir, nor shall our descendants, to the kings of Poland. [2] And since in this worthy Crown of the Polish and Lithuanian nation, of the Ruthenian, Livonian, and other nations, there is no small amount of heterodoxy, certain citizens of the Crown, mindful of the threat of seditions and tumults that may give rise to schism or discord in religion, have stipulated among themselves by a singular Confederation that in this respect, as concerns religion, they should be preserved in peace. This [Confederation] we promise to uphold in peace, for time eternal.

¹ Henryk Walezy/Henri de Valois (1551–89) was the first elected king of Poland and Grand Duke of Lithuania (1573–4). In 1574, having learned of the death of his brother Charles IX of France, Henry fled from Poland in order to ascend to the French throne as Henry III.

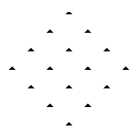


[3] And in matters of the Crown that should touch upon our a person and our eminence, the sending of legations to foreign countries, and the hearing and dismissing of foreign legations, also the gathering or accepting of certain armies and soldiers, we and our descendants are to commence no such thing, or do so, without being counselled by the Crown Councils of both the nations, violating in no wise matters belonging to the Sejm. However, those legations which would not touch upon the Rzeczpospolita, and might be dismissed according to their time and needs, we shall and will be able always to dismiss, upon notification to the Lords of the Crown Councils of both the nations, who will be abiding amongst us. [4] As regards war or a levée en masse¹, we are not to commence anything without the Sejm's consent from all the Estates, nor are we and our descendants the Kings of Poland to lead the Crown Knighthood beyond the Crown borders of both the nations as war-time custom has it, nor by any custom whatsoever, nor by our Royal request, nor by payment of five grzywnas² per spear. And this we hereby swear by our solemn word. For if under a Sejm resolution we raise a levée en masse, we should not command our subjects at the place whereto, by means of the general call-to-arms, that is, war-letters, we have marked the time and place, longer than but two weeks. And if we, with consent of all the Estates, be willing to lead our subjects beyond the borders, and they having voluntarily consented with us to do so: then, per each of the mounted knights separately, no person excluded, including dismounted gentrymen under the duty to serve at war, we shall give them prior to our setting-off from the borders five grzywnas each. And we are not to keep them in the pay of these five grzywnas otherwise than for a quarter-year, nor shall we divide these forces into parts, whether large or small. And if we have not moved them beyond the borders within two weeks, then they shall no longer be obliged to stand by us any longer. And in the time of war, we shall render all needs satisfied at our own cost, such as cannons, gun-powder, gun-smiths, infantrymen, and guards of all sorts. [5] The Crown frontiers of both the nations and of all the States belonging to the Crown, obliged we are and shall remain, and so too our descendants, to provide with defence against the incursion of any enemy, bearing the expenditure upon ourselves, and keeping the quarter³ in force according to the Polish statute.

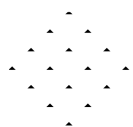
¹ Levée en masse – military formation in which all knights (nobles) had the duty to serve, normalised by the statutes of Casimir the Great.

² The grzywna was a weight and monetary unit (ca. 196.26-201.86g), in use from the mid-11th century.

³ quarter – 'quarter' [Polish, kwarta] denotes here a tax of a fourth of the income paid to the Treasury by leaseholders of royal estates, starosties, etc., and allocated (from 1562) for the maintenance of a standing army.



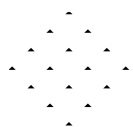
[6] What moreover may also occur, is that amongst so many Senators there will be statements, opinions, and understandings that might vary, rather than being concordant in everything and always. Therefore, we and our descendants are not to establish anything on our own authority, but instead are most diligently to endeavour that we bring all into unison, considering all the arguments which prove to be in accord with the law, and common liberties, and for the greater benefit of the Rzeczpospolita, and [discarding those] which do not prove to be in accord with the freedoms, laws, and liberties as bestowed to all the States. And if we be unable to bring all to a single and concordant opinion, then our conclusion shall be that which most adheres to the liberties, laws, and customs, according to the laws of every land and the good of the Rzeczpospolita, save for the matters of the Sejm, which are to be settled by way of regular custom, to the knowledge and permission of all the Estates. [7] As it is a certain and well-proven thing that the person of the king alone cannot be equal to all the affairs occurring within the great states of this Kingdom, whereby the Crown might succumb to lawlessness and peril; therefore, we hereby establish, and will it to be everlasting law, that for each General Sejm, instituted and nominated be sixteen persons from the Councils of the Crown, from Poland as well as from Lithuania and the other states belonging to the Crown, this being conveyed to all the estates, to the other Crown officials, Polish and Lithuanian alike, who would continually be with us, honouring the person of our majesty and common liberty, without the counsel and advice of whom we and our descendants are to do nothing, nor shall we do so in regular matters (violating nothing due to the Sejm); and these lords shall be obliged to safeguard that nothing, in all the affairs, may occur contrary to our dignity, and against the common law: in respect whereof they shall afterwards respond at the General Sejm soon to come; and, nevertheless, every one of the Lords of the Councils, the Senators, whenever whoever of them deigns arrive at our locality, he shall be allowed to dwell thereat, and as the Councils we admit them to this matter and to every other one, and about everything shall they deliberate and be aware: also, these deputies shall have nothing more than any others, except that until their time comes, they shall safely be dwelling amongst us, without preserving the old custom of describing by our letters to the absent Councils whenever some like thing has occurred.



[8] The designation of these Senators at the Sejm is to include 16 persons concurrently, four for each half-year: one from the Bishops, the other from the Voivodes, and two from the Castellans; in the order that they sit at the Council. And should any of them be unwilling to take his turn, or may not do so because of an impediment of a legal nature, let him readily announce this at that same Sejm, that another one be appointed in his stead. And these shall be provided for from our treasury and that of our descendants: the other bishops from the Ruthenian countries, and other senators of the secular estate, shall each receive for his half-year five-hundred zloties; whereas the lords clerical of the Polish countries need this not, for they are well-provided for.

[9] The General Sejm of the Crown is to be convened within two years at the furthest, and wherever there be urgent and dire need of this for the Rzeczpospolita, then upon the advice of the Lords of both the states, as the time and need of the Rzeczpospolita may require, we shall therefore convene it, and shall conduct it no longer than up to six Sundays at the furthest. And, prior to any such Sejm in Poland, in accordance with custom, and in Lithuania, in accordance with the Statute of the Grand Duchy of Lithuania, the sejmiks [lit. 'little sejms', i.e., dietines] of the poviats [i.e., districts] shall be held, as the famous sejmik is at times in Koło and in Korczyn, and a grand sejmik must be held also in Lithuania and in Wołkowysk; for which the sejmiks, through their deputies, shall be obliged to notify, by the ordinary custom, of the urgencies occurring. [10] We also promise by our solemn word that we and our descendants shall not use any signet-ring nor any individual seal in matters resting with the Rzeczpospolita, whether within or without, as the only [valid such] are the Crown seals that are with the chancellories and the vice-chancellors, Polish as well as Lithuanian.

[11] The crown offices of both the nations must be preserved in entirety, thus we shall neither obstruct nor repress the courtly offices; but indeed, to solid and worthy people of merit, of both the nations, and not to foreigners, shall [such offices] be given whenever they are vacant.

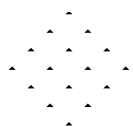


[12] So that there be no doubt whatsoever concerning the gentry's lands, they must always remain free, with all the benefits which might ever emerge in those lands, as shall their ores of all sorts, and salt orifices, and we, and our descendants, shall not forbid their free use for time eternal.

[13] We also promise that we shall not admit any exposition or argument from an alien law so that the tributes from our ancestors' estates, bestowed under hereditary law, might be considered as naught; for so it is that they were expressly bestowed under feudal law.

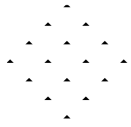
[14] The starostas [i.e., sheriffs] of frontier and court castles and of the main cities, and also those main cities that have no starosta, are to swear to the Kingdom and the King; that during any interregnum they shall not discharge the castles and cities to the detriment of the Rzeczpospolita, and to none other than the King who has been freely, and upon the consent of all, elected and crowned, on pain of death and loss of noble rank and property.

[15] The Crown of the Kingdom of Poland must be kept at the Crown treasury in Cracow by the Lord Treasurer of the Crown, under the seals and keys of the senators and the Castellan of Cracow and of Troki, who shall not open it, unless upon joint consent of all the Councils of the Crown, and the Estates. However, in absence of any one of them, by malady or another legal impediment, they shall not convey any joint permission to the detriment of the Rzeczpospolita; the person absent, indeed, having duly informed the senators, is obliged to send his key to the other colleagues. Should anyone happen to be taken by death, then his colleagues have the power to open his lock and break the seal.



[16] Certain countries of the Crown of Poland have ascribed common judicial justice to themselves, taking it from the royal person; which we permit them to do, and shall not inhibit, with the addition that others who should also will to so establish at their place, are always to be permitted, and this amendment must be free upon their joint permission. And, should they wish to have it placed upon our royal person, then we shall place it upon ourselves, we and our descendants. And similarly, also the Lords Councils, and all the estates of the Grand Duchy of Lithuania, and of the Land of Kiev, Podolia, Volhynia, Yaroslav, Bratslav, which hold justice under Lithuanian law, have thus resolved, in this same manner, that until the future Sejm be convened for our coronation, they shall amend their laws and decide between themselves the custom of justice, and how they may between themselves resolve matters, and what a major part of those holding justice under Lithuanian law will consent to – all this we shall have sworn at our Coronation, and thereafter they shall also be allowed, forever, to amend their laws and courts. [17] We stipulate, in particular, that we shall not raise or establish any taxes whatsoever, nor collections upon our royal names, and of the clerical councils, also new custom-duties on our cities, in Poland and in the Grand Duchy of Lithuania, and in all our Lands belonging to the Crown, unless with the consent from all the Estates at the General Sejm; neither shall we establish or admit the monopolies on these things which come from the states of the Crown, both Polish as well as Lithuanian ones.

[18] And, since there is much that is conditional upon our marriage for the good of the Rzeczpospolita, we hereby promise and pledge, for ourselves and for our descendants, the Kings of Poland, never to ordain or undertake anything concerning our marriages, against the notice and assent of the Crown Councils of both nations, and, apart from such reasons which are expressed by Scripture and the word of God, we shall seek no opportunities for living outside marriage, or for divorce, whatsoever.



[19] All of the conditions, proposed and strengthened in our name, by the envoys of His Majesty the French King, we shall all fulfill and do solemnly vow to uphold.

[20] All of what might else ever be proposed to us upon the coronation, of their liberties and rights, by the Crown Estates of both the nations, we do accept and are obliged to accept, and to vow, confirm, and hold eternally for time evermore, we are obliged to fulfill and do vouchsafe, upon our faith and our oath, on our word, and do promise, and confirm, for time eternal.

[21] And should we (God forbid) trespass against the laws, liberties, articles, or conditions, or fail to fulfill them, then we shall render free the Crown citizens of both the nations from the obedience and loyalty owed to us.

All this has been ordained and written by the Councils of the Crown of both the nations, the Knighthood and the Estates of all the States belonging to the Crown, at the General Sejm of Elections, near Warsaw, in the village of Kamień, on the twelfth day of the month of May, in the year of our Lord 1573.

Translated © by Tristan Korecki, Philip Earl Steele