

Konstytucja o Trybunale Koronnym - Tłumaczenie angielskie

Stephan, by the grace of God, King of Poland, Grand Duke of Lithuania, Russia, Prussia, and the territories of Mazovia, Samogitia, Livonia, Volhynia, Podlasie, Kiev and Transylvania, etc.

To be known far and wide, we announce, to each and all who need to know, the ordinances that we have set forth.

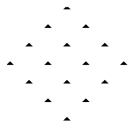
The Order of Appointing Judges

In every Province, in every land, in every place wherein old custom dictate the appointment of judges; we designate *authoritate praesentis Conventus*, the day and time, that is, the first Monday after the birth of Mary of each respective year, for the appointment of judges for the courts *judiciorum generalium ordinariorum Tribunalis Regni* [...].

Appointment of Judges

During aforementioned councils, each Province shall jointly reach a decision to appoint one single person of reverence, dignity, virtue, lawfulness and righteousness. [...]

The tenure of these appointees may last no longer than to the other court and subsequent judges shall be *ad hoc idem judicium sive Tribunal generale* appointed at a time and day as defined above. Furthermore, a period of four years must elapse before each judge be allowed to serve the office again, unless a Province governor, *nemine contradicente*, agrees to grant exception and successfully solicits such favour from said judge. [...]

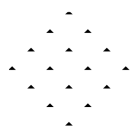


How should they judge and the matters of clergy

They are to judge fairly in congruence with the register of the Province in which they vote while at all times availing themselves of the Common Law of the Land and of the Lord, whose justice shall be their guiding light. Judges are to pass decrees ex scripto, on which two or three judges are to place their respective signatures. Wherever contention occurs, or paritas votorum, they are to proceed with one, two, three per vota so as to grant favour to the side with more legal evidence, and subsequently conclude major pars. All the lands in the possession of the clergy, whether falling under the Zemstvo Borough or Chamberlain Office law, are to be adjudicated, regardless of any custom or appeal, by the aforementioned Tribunal in congruence with the Common Law. [...]

What are they to judge

They are to judge causas omnes et singulas, in Land Tribunals, Borough or Chamberlain courts, in causis divisionis bonorum, at Rally Courts, permotiones, apellationes, remissiones, limitationes, et alio quovis modo, and all others generaliter, Sejm, or pertaining to the Royal Court, tam ab officijs, quam ex officijs occasione non factae executionis decreti, aka decretorum, judicij Tribunalis generalis Regni, hujus ultimeae instantiae, in his rebus quae quae judicio hujus Tribunalis judicandae incumbunt, et judic et aliorum gravaminum ex judicij, sive officijs Capitaneorum et eorum officialium, circa administrationem justitiae illorum. All cases which were either in judicij ultimeae instantiae, or in the Zemstvo or Borough prejudged, y ad locorum Capitaneos pro executione facienda relegated, wherein under such conditions remain unexecuted, also cases which fell from any past Tribunals ultimeae instantiae under the jurisdiction of Provinces, and all other matters, be it old or present appeals, will be adjudicated by this Tribunal. [...]



Places for courts

In Great Poland of Piotrków, to which these Provinces shall belong: Poznańskie, Kaliskie, Sieradzkie, Ziemia Wieluń, Łęczyckie, Brzeskie, Inowrocławskie, Ziemia Dobrzyńska, Mazowieckie, Płockie, Rawskie.

In Lesser Poland of Lublin, to which these Provinces shall belong: Krakowskie, Sandomierskie, Ruskie, Podolskie, Lubelckie, Bełskie, Podlaskie, with the following proviso: those judges who have adjudicated the Provinces of Great Poland in Piotrków are to subsequently make way do Lublin and there adjudicate the Provinces of Lesser Poland for a period specified below. [...]

Prussia

Prussian Provinces shall under our judges fall hence not the Tribunal but we ourselves shall adjudicate.

Lithuanian Kingdom Courts

The Grand Duchy of Lithuania shall adhere to its laws as established by the Union, the improvement of its statute as per the constitution of Lublin, 1569 and in congruence with the oath sworn by His Majesty Henryk and ours, in toto retaining, for the betterment of such judicial cases of the Grand Duchy of Lithuania, while designating the regional councils of Provinces to convene on the 23rd of May of the following year 1578. A greater congress is to be held on the Feast of the Archangels in Nowogródek for the States W.X.Lit. for the betterment of their laws, also this year. This betterment is to be brought fourth to the Sejm of the Commonwealth, for our confirmation. [...]

(Volumina Legum vol. II, St. Petersburg 1859, pp. 182-187)