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# The 1505 General Seym in Radom and its Nihil novi statutes

Establishing in 1385 its personal union with the Grand Lithuanian Duchy, Kingdom of Poland undertook the great effort of rapprochement and unification of nations of the Kingdom and Duchy in the spirit of mutual understanding and respect for one another's identity. The effort reached its crowning moment with the real union that 'Both Nations' executed in 1569 in Lublin, which resulted in a federation of Poland and Lithuania. It unified not only Poles and Lithuanians but also Belorussians, Ukrainians, Germans, Latvians, Estonians, Vallachians, Armenians, Tartars, Jews, and many other nationalities that settled within its borders, such as political emigrés or settlers seeking a better, safer, and happier life in its lands. The union of Poland and the Grand Lithuanian Duchy was driven by the very motives which are the guiding principle of the European unification now. These are safety and well-being of societies through common effort towards their strengthening and development. It is significant that the Polish and Lithuanian Union was named a Republic, *res publica*, a public thing. The new name emphasised that the unified state was essentially to become a common good of all its inhabitants.

The 1569 union of Poland and the Grand Lithuanian Duchy, that is, a union of Central and East European peoples, was a result of a long-lasting historical process which consisted in even closer ties between the two states, both political and legal, aimed at a full unification. Upon the first step, taken with the statute of Krewa in 1385, followed others, producing a *sui generis* harmonisation of political institutions and laws as a necessary condition of political unity. The general seym (diet) of Poland, 1505, and its statutes, including the most famous *Nihil novi* act, played an important part in this two-century-long process of unification.

The general diet was convened to Radom by the king of Poland and grand duke of Lithuania, Aleksander Jagiellończyk, in circulars and letters dispatched immediately before Christmas of 1504[25]. According to the king's announcements, of which we know from the king's letter to the city council of Gdańsk dated 28 November 1504, he intended to call a "diet of all our dominions" (*Diaeta universis dominiis nostris generalis*)[26], or a seym, with not only senators and deputies of the Kingdom's voivodships but also representatives of the Grand Duchy and West Prussia in attendance. It was not by accident that Radom was chosen as the place of meeting. Its central location was expected to facilitate arrival of senators and deputies from the two principal provinces of the Kingdom, namely, Great and Lesser Poland, and authorised representatives of other invited states. The diet, set to begin on February 9, 1505, was intended to execute provisions of the union of Poland and the Grand Lithuanian Duchy signed at Mielnik in 1501. Articles of the Mielnik union stipulated: *Kingdom of Poland and the Grand Lithuanian Duchy shall unify and merge into one indivisible, uniform body to form one nation, one people, one brotherly union, as well as common councils, which body shall in perpetuity have one head, one king and one lord elected at a place and time assigned by all present and appearing at such election, where absence of any others shall not be an impediment, and the election decree in the Kingdom shall for ever be issued according to custom of long standing in the matter*[27].

The general diet in Radom opened only as late as 30 March 1505. The delay was caused by the late arrival of the king himself, who came from Lithuania to Radom in late March[28]. The seym sessions continued from 30 March to 31 May 1505, and the diet itself was not formally concluded until 4 June 1505[29]. The participants had to wait for Lithuanian nobility and Prussian deputies, therefore, the event was prolonged for 8 weeks[30].

The 1505 Radom seym did not become a unification event, as it was to occur only at the Lublin diet of 1569. In early 16th century, unification of Poland and Lithuania was virtually impossible in the face of many obstacles and difficulties, in particular, insufficient readiness of both the states for a union on conditions of full equality and partnership. Only pro-union members of the Lithuanian Grand Duchy Council arrived in Radom in May of 1505. They did not hold any authorisation, however, and did not bring copies of the 1501 Mielnik union documents countersigned by the Lithuanian party. The issue of the union could not thus be officially placed on the agenda. Nevertheless - which is significant – senators of the Grand Lithuanian Duchy who came to Radom in mid-May of 1505 did join the

senate chamber and in this way participated in the discussions and approval of the most important statutes passed during that seym. Their names were mentioned in the witness lists of these statutes[31]. The representation of the Prussian state who appeared at the Radom sessions was not authorised to debate the matters of the whole Kingdom either[32].

The Radom diet passed perpetual and temporary statutes. The former consisted of 26 articles[33], headed by the *Nihil novi* statute reading as follows: *Quoniam iura communia et constitutiones publicae non unum, sed communem populum afficiunt, itaque in hac Radomiensi conventione cum universi Regni nostri praelatis, consiliariis, baronibus et nuntiis terrarum, aequum et rationabile censuimus ac etiam statuimus, ut deinceps futuris temporibus perpetuis, nihil novi constitui debeat per nos et successores nostros sine communi consiliariorum et nuntiorum terrestrium consensu, quod fieret in praeiudicium gravamenque Reipublicae, et damnum atque incommodum cuiuslibet privatum, ad innovationemque iuris communis et publicae libertatis*[34].

The English translation reads: *Since commonly-applied Law and Crown statutes are not binding on one individual, but on the common people, therefore, while assembled with all our Kingdom's Prelates, members of our Council, Lords and ziemskie deputies, and while driven by ur reasonable understanding, we enact that from now on, nothing new which might cause harm and oppression to the Republic or which might be harmful and detrimental to any man, and which might tend toward changing the commonly-applied law and common liberty, shall be enacted by us and our descendants without a joint consent being given to it by our Council and Ziemskie deputies*[35].

Passing of the *Nihil novi* statute was preceded, on the Recovery of the Christ's Cross Day (3 May 1505), by the issue of a privilege to confirm the king's oath to abide by all rights granted to the Kingdom's lands and their inhabitants irrespective of estate, gender or condition (*Generalis confirmatio omnium iurium*)[36]. Creators of *Nihil novi* were certain to intend the statute as a safeguard against gratuitous royal legislation as it affected public liberty and common law. At the same time, *Nihil novi* reflected a breakthrough in the history of government in old Poland. The state changed from an oligarchic monarchy of first Jagellonians into a modern parliamentary monarchy. Therefore, it was an act of constitutional division of power. Enactment of general laws ceased to be the exclusive competence of kings and required a monarch to cooperate with a representation of the body politic. Passing of *Nihil novi* concluded the formative process of the parliamentary system of the Polish state. From then on, the key role in the system was played by two-chamber general diet as the legislative power, which had competed against local and provincial seyms in the 15th century.

The general diet (*Conventus generalis*) consisted of: king, royal council or Senate, and province deputies (*nuntii terrarum*). These three parts of the general diet began to be known as 'convening estates' in mid-16th century. The seym's function depended on their cooperation, or the ability to reach an agreement (*consensus*), i.e. a compromise. Parliamentary status of Jagellonian kings was no doubt dominant, like in the English government structure of the king in the parliament[37]. The king could on his own, and in practice at the senators' advice, convene a seym, open an assembly and monitor their progress, confirmed, that is, in fact instituted resolutions with legal power. Parliamentary statutes, called constitutions (*constitutiones*) were signed with his name. He also arranged for their publication.

Senate doubled as a royal council and legislative body. Royal advisers were obligated to form the kingdom's policies and support the monarch in their execution. The senate played an active part in the legislative process by preparing bills of laws together with the other chamber. Senators divided into clergy – Catholic endowment bishops – and laymen, including voivodes and castellans. Moreover, senators comprised such highest royal officials, called ministers, as the grand chancellor, under-chancellor, grand marshal, court marshal, treasurer. Royal secretaries and titular court officials could also participate in seym sessions.

The third 'convening estate' mentioned in *Nihil novi* includes provincial deputies (*nuntii terrarum*) of noble estate. In principle, representatives of townspeople did not take part in general diets, except for deputies of certain cities like Cracow or Poznań, by virtue of royal privileges or exceptional invitations. Lack of burgher representation in parliament derived mainly from the general weakness of that estate in former Poland, as well as from the cities' reservations about involvement in seym discussions which could be dominated by noble deputies.

*Nihil novi* statute required consent (*consensus*) of diet members: king, royal council, or senate, and provincial deputies, or the chamber of deputies, as a condition necessary for their resolutions to become effective. It did not mean that all participants in assemblies were unanimous, however. In Jagellonian times, the rule of consensus was treated flexibly[38]. *Ziemias* (*terrae* - lands) of the Kingdom were represented through their deputies dispatched to seym. Opposition of one or another deputy, especially where representations were numerous, was not legally significant and could be ignored. In the event, resolutions became effective with a majority of votes, which does

not mean the rule of voting majority prevailed. If representations of one or several *ziemias* disagreed, the king convened post-seym provincial diets in such voivodships to gain nobles' acceptance of resolutions approved by the other provinces. The fiction of a representation's agreement happened to be used when in fact only one of its members approved and the others remained silent. The principle of consent forced the participants in discussions to adapt attitudes of compromise and openness to opposing arguments. Consensus as the basis of validity of seym resolutions was at the same time a guarantee of their enforceability. Only a statute approved by all convening estates stood a chance of becoming accepted and executed by the noble society. The rule of agreement demanded maturity, moral development and high political culture of the elites. These qualities were not lacking at the time of Jagellonian and even the later Waza dynasties, which was a period of greatest successes of the Polish-Lithuanian-Ruthenian Republic and its parliamentary system.

The principle of consensus as expressed in *Nihil novi* exerted considerable influence on continuing growth of the Polish and Lithuanian political system. In the 17th century, the original rule of consent shifted into the notion of unanimity which in turn produced *liberum veto*. A deputy's right of free opposition was then considered as a necessary instrument of defending the Republic against the threat of power abuses, particularly against absolute monarchy (*absolutum dominium*). *Liberum veto*, as a legal-political institution of former Poland, certainly does not deserve praise, nonetheless, its motives are understandable. Absolute power, that is, an uncontrolled executive which is not subject to law, always brings more harm than benefit. This was cruelly proved by experiences of 20th century totalitarian states.

The view that the *Nihil novi* statutes were an act of significant weakening of the royal power and, as such, the original source of the subsequent political decomposition of the Republic cannot be supported. In early 16th century, legislation of this kind strengthened the state. It expressed the idea of cooperation between a *Dei gratia* king with a representation of body politic for the common good in the arena of seym – parliament. It was well understood by king Zygmunt I, who convened general diets on an annual basis, thus helping to reinforce the parliamentary system in the state. Zygmunt August in his turn cooperated with the seym, and only in this manner was he able to strengthen the Republic through reforms of the law execution movement. It was due to the parliamentary system that former Poland could be described as a civil society, and its culture as the civil participatory culture. Participation in political life was as a matter of fact limited to one estate, yet the numbers of the so-called body politic in Poland were greatly in excess of the numbers of enfranchised citizens in many European countries as late as the beginning of the 20th century.

Passing of the *Nihil novi* statutes at the 1505 Radom assembly was certainly in a cause and effect relationship with the original purpose of the diet, that is, a union of the Jagellonian states. The principle of consensus of all the assembled estates, expressed in *Nihil novi*, as the foundation of each new statute interfering with the *status quo* of public rights and liberties, provided a guarantee of equal rights for all members of the common body of the Republic. In this fashion, *Nihil novi* dispelled fears of Lithuanians and Ruthenians from the Grand Duchy or West Prussians that a real union with the Kingdom was intended to subject them to Polish domination. The statute facilitated a final union in future.

Perpetual constitutions (statutes) other than *Nihil novi* which were accepted at the Radom seym had first of all ordering of legislation in view. Among others, Article 2 of the 'perpetual' statutes stipulated the principle that each statute became effective only upon its publication[39]. Essentially the same legal principle was embodied only in the Polish Constitution of 1997. In turn, Article 3 confirmed the right of nobles' personal inviolability (*neminem captivabimus nisi iure victum*)[40], instituted in Władysław Jagiełło's privilege issued at Jedlnia near Radom in 1430, and reconfirmed in the Cracow privilege of 1433. The 1505 statutes clearly defined its limits, declaring that the right of personal inviolability could not be exercised by persons of ill repute or entered in the register of malfeasants. To further the cause of public law and order, the penalty of infamy was instituted for refusal to pursue thieves and other offenders[41]. Several articles tried to streamline court jurisdiction as exercised by royal *starostas* by delineating scope of their competence, defining the form of court summons, and modifying certain rules of procedure[42]. The Radom statutes comprised an extensive provision concerning granting of high clerical honours virtually only to persons of nobiliary descent[43]. This was justified with the latter's deserts in defence of the land. At the same time, legal rules of belonging to the nobiliary estate were established. That article reflected the growing social role of nobility, which was to lead to their decisive prevalence over townspeople.

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The Radom diet also passed wide-ranging temporary statutes (*constitutiones temporales*) aimed at improvement of domestic and international safety of the Kingdom. The most momentous legislative effort consisted in the campaign to codify Polish 'comonly-applied law', which bore fruit in the form of the famous Łaski Statute, a great collection of old Polish laws by the grand royal chancellor Jan Łaski[44]. After its approval by king Aleksander Jagiellończyk, it was regarded as the official source of knowledge about legislation valid in Poland. Chancellor Łaski compiled the statute to build a law-governed Republic where reasonable law is the foundation of or-

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der and justice. Only a law-abiding Poland, where not a monarch's whim but law and justice decide public issues and individual lives, could win trust of the neighbours and persuade them to join a union. The political programme of unification was illustrated with a woodcutting showing an image of the seym, included in the Łaski Statute. It shows a general assembly not of the Kingdom, or Poland, but as 'Seym of the Republic of Both Nations'. Coats of arms of the Polish Kingdom and Grand Lithuanian Duchy are placed at the top of the throne occupied by Aleksander Jagiellończyk. The shape of a wreath composed of coats of arms, which surrounds members of the diet, is also meaningful. Emblems of Polish voivodships are placed alongside Lithuanian and Prussian coats of arms. Participation of representatives of all members of the common body of the Republic, or the common parliament, on an equal footing, was supposed to point the way to the union[45].

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The political system of the 16th century Poland was the so-called 'mixed republic' (*respublica mixta*) which comprised institutions representing 'pure' forms, that is, the king (monarchy), senate (aristocracy), chamber of deputies (democracy)[46]. The political system rested on: sovereignty of law, freedom of body politic or nobility, and consensus of all political forces in the country. In the state known as 'republic' (*respublica*), or 'public thing', since late 15th century and early 16th century, as definitely secured by *Nihil novi* statutes, the seym became the principal debating and legislating body. It was facilitated by growing political activity of gentry who saw provincial diets and the general seym as an opportunity to participate in political life of the state. Their liberties were guaranteed in particular by the principle of rule of law, which was derived from *Nihil novi*, among other legislation. '*The wisdom prevalent in the Republic of Poland is reflected in the fact*', wrote a 16th century Polish political writer Jan Krasiński, '*that the rule of law is instituted among Poles. Regimes of other kingdoms, to be certain, are different. What pleases a king there has the force of law, whereas here a king does not set laws without consent of the senate council and nobility, and is subject to laws*'[47]. The Polish rule of law in the 16th and 17th centuries was best expressed in the brief saying *in Polonia lex est rex* – 'in Poland, law is king'[48].

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Although the 1505 Radom seym did not pass a union of the Jagellonian states, the *Nihil novi* statutes became its lasting heritage paving the way for creation of the future federation of the Kingdom of Poland and the Grand Duchy through a parliamentary union. The theory of social contract, stating that laws passed by a legislature representing the nation spring from the general will of body politic, is the foundation of modern constitutional theory and democracy. A similar concept was expressed in the Radom *Nihil novi* act of 1505. It put forward political ideas which won recognition in other European states only in the 18th and 19th centuries. *Nihil novi* itself, and the seym in Radom, often cited in debates over the union in 1569, facilitated signing of the Lublin union, and contributed to laying of constitutional foundations of the Republic of Both, or indeed many, Nations[49].

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Translated by Jacek Spólny

# The decrees of King Alexander adopted at the Seym held in Radom in 1505

We, King Alexander, did convene and hold our Seym in Radom in 1505. The commencement of its session in this year was stated on Sunday pro Dominica Conductus Paschae (which was the 30th of March) and the session was continued until Saturday following the octave of Corpus Christi (which was the 31st of May). The length of the session was caused by the fact that we waited for the arrival of the Lords of the Council of our
67 Ziemias[67] of Lithuania and Prussia who, as those present at the Seym's session, were listed in the testimony thereof. The length of the session was also caused by other developments of great concern. It is at this Seym that, with the consent of the most reverend and dignified fathers in Christ, and also with the consent of the eminent, venerable, born and noble Prelates and Barons of our Council as well as the deputies representing our Ziemias (all of the aforementioned persons being listed in the conclusion of this privilege), We have announced the Statutes that are recorded beneath.

**1** The King shall not make statutes that might contradict the Law without obtaining common consent.

Since commonly-applied Law and Crown statutes are not binding on one individual, but on the common people, therefore, while assembled with all our Kingdom's Prelates,
68 members of our Council, Lords and Ziemskie Deputies[68], and while driven by our reasonable understanding, we enact that from now on, nothing new which might cause harm and oppression to the Republic or which might be harmful and detrimental to any man, and which might tend toward changing the commonly-applied Law and common liberty, shall be enacted by us and our descendants without a joint consent being given to it by our Council and Ziemskie Deputies.

**2** New statutes shall not be of any binding force unless they are first duly published.

This is designed to prevent anyone from being misled by the lack of knowledge of the new statute in the event when someone has done something which is inconsistent with the statute that has not been duly published and thus left unknown; therefore We, while demonstrating our will to proceed publicly in our Statutory Law, enact that no one shall be obliged to observe the new statute until the latter is explained by being duly published in our Kingdom.

**3** Those among the nobility who may or may not be captured.

Since the number of the young men among the nobility who are involved in malicious acts has recently surprisingly increased and since their frolicking and doggedness cannot be bridled because old statutes provide that no one can be captured unless he is convicted by the Law, therefore, while abiding by the decision of our Ancestors, We enact that none Nobleman who is of good reputation shall be captured unless he were first defeated by the Law. And the individual who has three times been recorded in the thieves' Register shall not deemed of good reputation; such individual, being of bad reputation, deprived of protection by the present statute, shall be captured and detained.

**4** The servants that are not willing to set off in pursuit of the Thief shall be deemed infamous.

In our time the servants have everywhere sought excuse for being unwilling to pursue the Malefactors. They argued that their Lords themselves did not pursue the Thieves or Malefactors or hostile individuals. Hence the servants gave a considerable defence to evil individuals who might thus escape liability at the hands of those who could easily capture them. For that reason we enact that if any of the servants, while following their Lord's command, does not want to pursue or capture any thieves or malefactors, such servant shall be deemed infamous for ever; and those who would inflict infamy on those who pursued or captured the malefactors, shall themselves be subject to the punishment of infamy.

**5** The servants shall apply to their Lords for the dismissal six weeks before the commencement of the War.

If any of the servants involved in the Military campaign or any other justified need applies to his Lord for the dismissal, and leaves him, such servant shall be deemed infamous for ever. And everybody shall be granted six Weeks prior to the Military campaign and within this ond nat earlier, time he, shall apply to his Lord for the dismissal from the service.

**6** The Court hearing session shall not be of strict time limit nature either when held before the King or before the Starosta[69]. 69

It is in Great Poland that, on the request of the citizens of this Ziemia who are our subjects, we order and enact that the first Court hearing session which is held before any Starosta shall not be of strict time limit nature. This is sobecause the Starosta may not be deemed to be the one who would have the power larger than the King himself before whom the first hearing session is not of strict time limit nature, barring the exception when someone subjects himself to the strict time limit regime of such session.

**7** Confirmation of this present statute [the Starostas and Burgraves shall not collect any charges or gifts for the introduction of the plaintiff into the estate. Likewise, the Ushers shall satisfy themselves with the payment due to them.]

The Starostas, whenever they, while acting on behalf of the King, introduce any plaintiff into the estate, shall not collect ten, nor shall the Burgraves collect sixty grzywnas[70]. In this respect they shall proceed according to the Statute of King Jan Olbracht, the Statute forbidding the aforementioned collection.

**8** About the Starosta Courts that are referred to as the complaint-receiving Courts. Which matters are those that Starosta shall adjudicate according to the procedure applicable to complaints.

Our subjects of the Great Poland region, and specifically those of the Poznań Starosta province, complained to us about being particularly burdened with the statements of claims filed with the Starosta. We, therefore, order that Starosta shall not summon anybody on the basis of the complaint filed with him, barring the exception when the Lady having dowry is violently driven away of her landed estate, and when a freshly committed evil deed comes into play. And the standard for the assessing of the deed is fresh is one year and six weeks.

**9** The Grodzkie statements of claims[71] shall be sealed with the seal of Starosta.

In order to put on the same footing the territory of Starosta of Great Poland and the Ziemias subject to other Starostas of our Kingdom we enact that in Great Poland, from that time on, the statements of claims issued by the Ziemski Court[72] shall not be issued under the seal of Starosta but under our and our descendants' title, and under the Ziemski court[6] seal. In the Starosta Court, on the other hand, they shall be issued and granted under the title and seal of Starosta.

**10** The Starostas shall not grant to the servants any safe-conduct Letters against their Lords.

Since our Prelates and Lords of Great Poland region complained to us about Poznań Starostas who previously used to grant the safe-conduct Letters to these Prelates' and Lords' peasants and subjects, thereby inflicting certain affront and insult on these Prelates and Lords. We, while supported by common consent, enact that from that time on the Starostas of these places shall not issue any safe-conduct Letters to the Prelates', Lords' and other Citizens' subjects, peasants, townsmen or servants, but we order that in the matters that are subject of their concern the peasants and other individuals who file their complaints shall resort to the commonly applied Law so that everybody might have a due defence in compliance with the Law.

**11** In the Cathedral and Parish Churches the cannonries shall be granted to those who are of nobiliary descent by father and mother.

Let no one be received to the Cathedral and Parish Churches in our Kingodm for the Bishoprics, Prelatries, Cannonries but only the those that cure nobles by birth to both parents of nobiliary status, and those who are reared in the nobiliary habit. Yet a certain number of individuals of simple descent shall be affiliated with the Churches. And as regards those who are raised to the position of Bishops and Prelates and who are not of nobiliary descent by being born to both nobiliary parents, nor are reared in nobiliary habit, let them not accept higher rank position under the penalty of eternal infamy and forfeiture of their parents' and their relatives' estates for the benefit of Treasury. The penalty shall apply to those who would proceed against the aforementioned provisions while using the pretext of any power or authority. To prevent this we have formulated the present Statute and the one which is laid down beneath; this being openly made to reach the aforementioned goal by means of the present statutes as well as those of our ancestors that are confirmed by us.

**12** The Statute referring to the People of simple extraction, enacted upon the request of Her Highness Duchess Lady Elizabeth, by God's grace Queen of Poland, our Mother, that applies to those who shall be eligible to the Bishoprics and other Church dignities, and to the mode of their appointment. Likewise, the Statute refers to the manner by which their nobiliary status, shall be, from that time on, proven.

This is designed to prevent the time of our successful reign form the rise of any domestic doubts (the symptoms of which have already appeared) and domestic controversies (which used to be worse than wars against foreign enemies), the doubts and controversies being due to the fact that the individuals of lower social extraction, driven by ambition, used to frequently apply for dignities and posts in the Cathedral and Parish Churches of our Kingdom. Their applying for these dignities and posts involves manifest danger to these Churches and dignities and is prejudicial to our nobility who since remote time, thanks to their activities and virtues, were given priority in the process of selection among those applying for these Church dignities. Likewise, this our nobility used to risk their life and limb while defending - according to the duties laid on them – our Kingdom against wars. Likewise, the Churches, thanks to the kind of friends and the assistance that the nobility rendered to them, were left in peace and due protection, which would never have been achieved by those who, while, charged with their management, could not have resort to this assistance and help in order to secure their protection. Therefore, while following the common advice and consent given to us by all our Council, and the complaints laid to us by our entire nobility, We enact, decide and irrevocably order - by means of this present Statute and Decree which shall be binding for ever – that from that time on only the individuals of nobiliary descent shall be appointed to the Bishoprics and Prelatries as found in the Cathedral and Parish Churches, and - as regards the Collegiate Churches – to the first high offices or dignities. The behaviour that contradicts this Statute is severely prohibited and subject to the penalty of eternal infamy and forfeiture by the perpetrator of all his estates. This penalty shall be inflicted on those who, by whatever manner or method, would dare oppose the present Statute, thereby applying for superior posts, or accepting them if granted by anyone, in any of the aforementioned places. This penalty shall also be inflicted on their parents or relatives who would secretly or openly assist them in obtaining these Posts. And we urgently stipulate that if someone who is not a nobleman were found to have obtained any title while proceeding against this Statute, he and his parents as well as his relatives shall be punished with the aforementioned penalties. And as regards Cathedral and Parish Churches where the Cannonries are held by individuals of simple descent we wish that the

Privileges and Decrees adopted previously by our Ancestors be observed. In addition We enact that none of whaterer kind and dignity shall apply in no manner whatsoever for any ecclesiastical endowment, nor accept one, if given by anybody – the endowment being in fact our grant – without our permission, under the aforementioned penalty of infamy and forfeiture of his own estates, those of his parents and the estates of those close to him. And since there used to be asked questions about what the nobiliary habit is (the habit being variously understood) we explain this issue to the extent that is required by this Statute, and specifically that only the one shall be worthy the name of the nobleman and deserving of being awarded the specified dignities and Ecclesiastical endowment, whose both parents were noblemen and who was born in a nobiliary home and who himself lives – in the same way as his parents did – in his leaseholds, castles, boroughs, villages, according to the custom of his Fatherland and the habit of the nobility, thereby abiding by the Nobiliary Laws of our Kingdom. We wish that also the following individuals be classified as those belonging to the nobiliary estate, and specifically those whose Mother was of simple extraction but whose Father was a Nobleman, and these parents of theirs, like also he himself, have been living in our Kingdom while following the Nobiliary pattern (the one that has been described above) and who neither were involved in any craftsmanship, nor dealt with these things that the Townsmen and those who live in Towns commonly used to deal with. This is so because the involvement in things that are not of Nobiliary category leads to the conversion of the Nobiliary status into that of a simple man.

**13** The Statute to the effect that Spiritual person be not summoned before the Secular Court, and the Secular person before the Ecclesiastical Court.

Although in the old Statutes and Privileges it is forbidden for the Ecclesiastical Judges to usurp power of adjudicating secular matters, nevertheless We have faced the overwhelming proportion of common complaint against the fact that, with no regard to the old statutes, the secular persons were repeatedly summoned before the ecclesiastical Courts in matters that were secular. Therefore We order and enact that from now on, the Ecclesiastical Judges shall not be in authority in Secular Courts nor shall adjudicate secular matters.

**14** About Spiritual matters which are subject to Ziemskie Law[73].

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While filing suits referring to their estates or those referring to the damage done to these estates which are subject to the commonly applied law, the clergy shall take a resort to the Ziemskie Law. And the aforementioned damage is the one that refers to the boundries, refugee peasants, homicide, infliction of wounds on another: these are all these things that have been articulated in the Statute issued by His Majesty King Jan Olbracht.

**15** The matters for the settling of which the Commissioners shall be appointed.

In order to preserve everywhere the power of our Courts as a whole We enact that We and our Descendants shall make no adjudicating Commissions but for the marking of boundaries of our estates, and partitioning our Hereditary estates among our brethren or our relatives. However, this prohibition shall not apply to the situation when the parties give their consent to creating the Commission. The Commissions, when created contrary to these provisions, shall have no power or authority.

**16** No one shall disobediently establish a duty.

Since every collection, instituted on the basis of unfamiliar or special right, is likely to be the infringement of common liberty, therefore We, in order to defend the commonly-applied Law and civic liberty, and while equipped with the common consent that we have obtained to do that, enact that neither any Spiritual person nor Secular person shall establish or dare establish on his behalf any new Duty without our permission and allowance nor without our Crown Council's permission and allowance as given at the General Seym. And if anyone does otherwise, he when proven guilty by virtue of Law, shall – according to our and our Council's opinion – be punished with the penalty of forfeiture of these estates in which he, by means of his own will and his own – although allegedly our – authority established the collection of Duty from our subjects who are endowed with the commonly applied liberty of Law.

**17** The Court officers shall be elected at the Poviatowy[74] Seymiks and shall swear an oath.

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The Court officers shall be elected at the Ziemskie Seymiks according to the old and still preserved custom, and specifically according to the provisions of the statutes of King Jan Olbracht specified in his Privilege. And those that have been elected shall, by virtue of this our present Statute, make an oath. And, apart from the event of their suffering from any disease, they shall provide no substitutes to perform their duties upon the penalty of losing their posts.

**18** The Townsman who holds Ziemskie estates shall render military service.

It is common that merchants and townsmen are successful in using their prudence to acquire wealth. When they have sufficient proportion of the latter they used to integrate the Ziemskie estates with those that they have in Towns. They subsequently used to acquire exemption from military service. Being provident about the acquiring of their estates they also try to enjoy larger liberty in these estates than the nobles themselves do. Although we do not blame them for the concern that they demonstrate with respect to their interests, nevertheless this tendency of theirs is formative of a series of doubts and bad examples in our Republic. The reason for that is that this is the nobiliary blood with which the Republic and the peace throughout the land used to be protected and, thanks to this peace, the successful townsmen who have the possession of Ziemskie estates (thereby appropriating the nobiliary food) used, with their commonly observable prudence, to excuse themselves from the common service. Therefore We, with our Prelates, Council, Lords and Ziemskie Deputies, thought it right that the Townsmen who have hereditary Ziemskie estates shall not be exempt from rendering military service nor excused from partici-

pating in war expedition whenever the latter is proclaimed. And the Letters of his Majesty the King that were granted to exempt them from such service as well as the Letters that might still have been granted, shall not be effective, this issue being with more details provided for in the Privilege of our brother King Olbracht.

**19** The price of the goods that are put on sale shall be fixed according to the examination of prices paid in other Ziemias.

Although these our present Privileges as well as those issued by our Ancestors sufficiently discuss the price of things put on sale, yet, perhaps through negligence, the decrees referring to these questions have not been implemented, therefore We, for the second and the third time, order and enact that the voivodes in their voivodships shall decide about the price of goods and other things that are the object of sale. Let them learn of the price of the things on the basis of true testimonies and proofs by finding what the prices of the things are in other Ziemias from where the things are being brought. And consequently let them decide on the basis of right assessment. And those who do not observe these provisions produced by the voivode and show contempt to them shall be punished with the forfeiture of the things and the price collected for them.

**20** How shall be punished the one who successfully has applied for the Ecclesiastical endowments which in fact is the King's or the King's subjects' grant.

It frequently happens that Cortezans and other petitioners obtain by request in Rome Eclesiastical endowments which in fact are granted by our Subjects at the expense of their estates, which is designed to provide the consolation of those of their blood-relations who are still living as well as those who have already died. By doing this, those applying inflict a considerable damage to the poor nobles who try to resort to Law in order to defend themselves. Therefore We order that those who obtain by request in the Apostolic See the Ecclesiastical endowments which in fact are our grants or those of our Kingdom's Lords and our Kingdom's secular nobles, shall be punished by penalties inflicted on their persons and on their estates. The same penalty shall also be meted out to the blood-relations and relatives of the aforementioned applicants.

**21** The Dignities and Offices shall be granted only to those who are settled in the Ziemia.

While adhering to the Statute of Nieszawa and other Statutes that were deservedly made by our ancestors, We – on our and our descendants' behalf – enact and promise with this present privilege of ours that We and our descendants shall grant neither any Dignities nor any appointments to Ziemskie Offices to anybody but those who are settled in the Kingdom in those provinces in which such Dignities and appointments are found; the penalty for non-observance of the above provisions being the one laid down by our Lords in the foregoing Statute of Piotrkow.

**22** The assessment of the Florin. Since it has been assessed to the amount of thirty two groszes[75].

Since from the accumulation of gold there follows the increase in business, there being the lesser volume of gold the more expensively the latter is sold. Therefore in order to render some assistance to our subjects and by rendering this assistance to make them richer because the wealth is due to the ample supply of gold, We order and enact that the price of the Florin and the amount to be paid for it shall not exceed the thirty two groszes. If anybody purchases it or sells it in contradiction to this provision he shall be punished in accordance with the Piotrkow provisions of the previous year or, in other words, in accordance with the resolution of King Olbracht, our brother.

**23** Let all the Starostas in their Poviats enforce the Court-adjudicated awards under the penalty of one hundred grzywnas.

Since between the Ziemski Starostas and Poviatowy Starostas there came to being the disputes referring to the enforcement of the Court-adjudicated awards on occasions when the Starostas devolved their duties one on another, due to which our Subjects were prevented from enjoying justice already done to them, We therefore enact that the Poviatowy Starostas shall be obligated and required, under the penalty of one hundred grzywnas, to enforce all the Court-adjudicated awards against all our subjects of their Poviat.

**24** On the issue of free sale of nobiliary cereal in Bydgoszcz.

Our citizens in Kujawy Ziemia complained to us that they were restricted by our Townsmen who live in Bydgoszcz, and particularly on occasions when after they had struck a deal with somebody with regard to the cereal from their estates, and transported the cereal to the Town, there soon appeared other Townsmen who, without bargaining, took this cereal to their houses and granaries. And although they paid for this cereal yet they did it to the prejudice of the aforementioned first purchaser, thereby imposing restriction on the nobles. In order to prevent this practice We enact that in Bydgoszcz the sale and haulage of the Cereal shall be free and carried out without any impediment generated by the aforesaid Townsmen, and the Starosta shall be assigned the task to see to it that such impediments do not occur. And whenever there is such need the Royal Letters shall provide for the above described regulations and shall impose the penalty of fourteen grzywnas on the person who fails to observe the regulations.

**25** Those who hold Dignities or Starostwo posts in specific places should perform their duties there.

In view of the fact that some individuals hold their Offices, and particularly Starostwo posts and other dignities in the Ziemias which are situated far-away from their own estates (the dignities being granted to them *per favores*), their absence in these places has given rise to many unkind things because there was no one who might bridle the sprigs and others who are responsible for the wanton activities. Therefore We enact that in all our Kingdom's Ziemias and Poviats, the Starostas, Officers and all who hold any dignities shall have the status of settled inhabitants of the aforementioned places. And they shall be

exhorted by our Letters which will demand that they should fulfill their duties arising from the offices that they hold. And, in the event when three times exhorted, they are nevertheless found to neglect their duties they shall lose their offices and dignities. The aforementioned exhortation shall require that they should have the status of settled inhabitants and that they should more frequently visit the places in which they have dignities and offices.

## 26 About how to demand dowry if the Wife predeceases her Husband or the Husband predeceases his Wife.

When the Wife dies there used to be doubts referring to the payment of her dowry which was legated to her during her lifetime. Up to the present time there have been two causes of these doubts. First, some said that her blood-relations who, after her death, applied to her husband for the payment of her dowry should count on being judicially awarded the holding of these estates on which the dowry was legated during the Wife's life, it being the Husband who was holding them during her life. Second, others said that if the Husband predeceased his Wife, and the latter was holding the legated dowry all the time before she herself died and when, following the death of such Widow who died in her widowhood, her blood-relations applied for the payment of the dowry, some argued that this widow's blood-relations should sue for the payment of the dowry in a judicial way, others claimed that these blood-relations should be assigned the holding of the estates on which the dowry was legated. Having these doubts in view and in order to do away with them We, while assisted by our Council and our Ziemskie Deputies, have decided that from that time on for ever, if the woman whose dowry is legated on her Husband's estates predeceases her Husband, the dowry may be claimed from the Husband who is alive by judicial lawsuit. And We order the Husband to continue the using and holding of the estates upon which he legated the dowry of his Wife in the same way as he was using and holding them before his Wife died. And he bears legal liability to his deceased Wife's relatives (when they apply for the dowry) for all these things that were legated. But when the Husband predeceases his Wife, then if, following his death, his Wife continues – until her own death – the holding of these estates upon which her dowry was legated, her blood-relations, upon her death, shall be entitled to the holding of these legated estates that this woman was holding as a Widow. And we enact that this holding shall be awarded by the Starosta of the place to those who are entitled to demand the return of the dowry. This shall be done without applying any Judicial procedure by the entitled persons but only upon the information about the legated dowry and the existence of the holding.

And in the conclusion of the above - listed enactments we state that we have laid them down in Radom at the aforementioned time, while applying the ancient mode and following the common consent given to these enactments by the Prelates, ecclesiastical and secular, and by the most eminent citizens of the Kingdom and the deputies representing our Ziemias. Likewise, we state that We entrust the most reverend and dignified Fathers in Christ, Lords and eminent, venerable, born, noble and illustrious persons with the function of being the sincere, reliable, gracious and faithful witnesses of what has been pronounced, these witnesses specifically including: Andrzej Róża of Boryszowice performing the function of Archbishop of Gniezno and Primate of our Kingdom, Bernard Wilczek of Lubień who is elected Bishop of Lvov Church, the following Bishops of the Church: Jan of Konary representing Kraków, Wincenty of Przeremba representing Włocławek or Kujavia, Jan of Lubraniec representing Poznań, Łukasz representing Warmia, Maciej of Drzewica representing Przemyśl and performing the function of Deputy Chancellor of the Treasury in our Kingdom, Wojciech representing Wilno, Marcin representing Miednica, Spytko of Jarosław performing the function of Kraków Castellan, Jan of Tarnów performing the function of Voivode of Sandomierz, Jan of Zabrzezie acting in the capacity of Voivode of Troki and performing the function of Marshal of Grand Duchy of Lithuania, the following Voivodes: Mikołaj Gardzina of Lubraniec Kaliski, Piotr Myszkowski of Mirów Łęczycki, Stanisław Janowicz who is a Castellan of Troki and Starosta of Samogitia, Duke Gliński who performs the function of Knight Marshal of our Lithuanian Court, Stanisław Hlebowicz performing the function of Voivode or Starosta of Połock, and the following Voivodes: Mikołaj of Kościelec representing Brześć, Mikołaj of Kretków representing Inowrocław, Jan of Tarnów representing Ruthenia, Mikołaj of Kurozwęki representing Lublin, Prandota of Trzciana representing Rawa, and the following Castellans: Jan Juranda of Brudzów representing Kalisz, Jan of Przeremba representing Sieradz, Stanisław Chodecki representing Lvov, Janusz Latalski representing Gniezno, Jakub of Siekluki representing Wojnicz, Jan Słupecki representing Sącz, Piotr Szafraniec of Pieskowa Skała representing Wiślica, Jan Jordan of Zakliczyn representing Biecz, Stanisław of Młodziejowice representing Radom, Marcin Skotnicki of Bogoria representing Zawichojsk, Stanisław of Potulice representing Międzyrzecz, Piotr of Opalenica representing Ląd, Piotr Górski representing Nakło, Mikołaj of Radzików representing Dobrzyń, Stanisław of Srzeńsk representing Wisko, Andrzej of Oporów representing Kruszwica, Piotr of Niemygłów representing Rawa, Paweł of Chodcza representing Połaniec, Mikołaj Myssopada representing Czchów, Jan Szamowski representing Konary, Jan Łaski performing the function of Lord Chancellor [of the Crown], Jakub of Szydłowiec performing the function of Undertreasurer of our Kingdom, our Secretaries: Wojciech Górski who is a scholastic of Włocławek, Mikołaj of Bartniki who is a Custodian of Płock, Mikołaj Firlej of Dąbrowica who is a Chief Warrant Officer of Kraków and performs the function of Starosta of Lublin, our [Ziemski] Chamberlains: Wojciech Skóry of Gaj representing Dobrzyń, Deresław Wilczek representing Lubień Lwowski, Stanisław of Kazanów representing Lublin, Stanisław Szafraniec of Pieskowa Skała performing the function of Court Chamberlain, and other numerous lords sitting in our Council as well as the deputies who, as our subjects, represent all Ziemias.

Translated and footnote-commented by Kazimierz Baran

# Przypisy i bibliografia

[1] Radom. Praca pod red. J. Bonieckiego, Warszawa 1975, s. 8–9; S. Piątkowski, Radom zarys dziejów miasta, Radom 2000, s. 24–30; Radomskie wędrówki regionalne. Przewodnik edukacji regionalnej pod red. J. Pułnara, Radom 2000, s. 26–27; Radom. Fotografie Wojciecha Stana, Radom 2003, s. 7.

[2] Radomskie wędrówki regionalne, s. 52–53; S. Piątkowski, Radom zarys dziejów miasta, s. 38–39; Dominik Kazanowski w bitwie pod Chojnicami w 1454 r. z rycerzami ziemi radomskiej uratował będącego w niebezpieczeństwie króla Kazimierza Jagiellończyka. W nagrodę otrzymał starostwo niepołomickie i podkomorstwo, a w 1463 r. starostwo radomskie. W 1468 r. uzyskał zezwolenie i wsparcie finansowe na ufundowanie kościoła i klasztoru Braci Mniejszych /bernardynów/ w Radomiu. Zmarł w 1485 r., pozostawiając sześciu synów i córkę./ Cz. Zwolski, Historia miasta Radomia. Kronika, Radom 2005, s. 30–31/.

[3] W. Kalinowski, Urbanistyka i architektura Radomia, Lublin 1979, s. 65.

[4] S. Piątkowski, Radom zarys dziejów, s. 33–34. Cz. Zwolski przytacza informacje, iż województwo lubelskie wyłączono z woj. sandomierskiego na mocy decyzji Kazimierza Jagiellończyka, co utrudniło relacje handlowe Radomia i miast radomskich z miastami lubelskimi. /Tenże, Historia miasta Radomia, s.32/.

[5] Radomskie wędrówki regionalne, s. 58–59. W Księdze Oszacowań Dokumentów Beneficjalnych Diecezji Krakowskiej z 1529 r. zawarte są informacje o szkołach parafialnych Radomia i powiatu radomskiego oraz wynagrodzeniach nauczycieli. /Cz. Zwolski, Historia miasta Radomia, s. 37/.

[6] Radom. Praca zbiorowa pod red. J. Bonieckiego, s. 10; Radomskie wędrówki regionalne, s. 50.

[7] Radomskie wędrówki regionalne, s. 36.

[8] Cz. Zwolski, Historia miasta Radomia, s. 29.

[9] M. Duczmal, Jagiellonowie. Leksykon Biograficzny, Kraków 1996, s. 386.

[10] Król przebywał w Radomiu często w latach 1461– 1464, organizując zjazdy z udziałem rady królewskiej i możnowładców. W 1461 r. przyjął na zamku radomskim poselstwo Tatarów krymskich, od których otrzymał w darze wielbłąda. Kolejne spotkania króla z możnowładcami miały miejsce w latach 1473–1479. /Cz. Zwolski, Historia miasta Radomia, s. 31/.

[11] Tamże, s. 39.

[12] 30 XII 1474 r. w Radomiu królewna Jadwiga publicznie wyraziła zgodę na ślub z Jerzym, a następnego dnia podpisano ze swatami umowę małżeńską. M. Duczmal, Jagiellonowie. Leksykon Biograficzny, Kraków 1996, s. 285.

[13] Kallimach /Filip Buonaccorsi/ był wybitnym poetą, pisarzem politycznym, historykiem i dyplomatą, wychowawcą dzieci króla Kazimierza Jagiellończyka.

[14] M. Duczmal, Jagiellonowie, s. 236.

[15] Tamże, s. 323.

[16] Tamże, s 326.

[17] Cz. Zwolski, Historia miasta Radomia, s. 33.

[18] J. Luboński, Monografia historyczna Radomia, Radom 1907, s. 17.

[19] Tamże, s. 17.

[20] Radomskie wędrówki regionalne, s. 42–43.

[21] M. Duczmal, Jagiellonowie, s. 32–33.

[22] Bona Sforza zrezygnowała ze swego posagu ustanowionego na dobrach Radomia i przekazała je swojemu synowi – Zygmuntowi. Uposażył on nimi swoją pierwszą żonę Elżbietę – córkę Ferdynanda I. / Cz. Zwolski, Historia miasta Radomia, s. 37/.

[23] S. Piątkowski, Radom zarys dziejów, s. 40.

[24] Cz. Zwolski, Historia miasta Radomia, s. 38–39.

[25] Zob. Akta Stanów Prus Królewskich, t.IV cz.2 (1504–1506), wyd. M. Biskup przy współpracy K. Górskiego, Toruń 1967 (cyt. niżej: ASPK t.IV/2), nr 194, s. 21.

[26] Ibidem, nr 191, s.19.

[27] *Primum quod Regnum Poloniae et Magnus Ducatus Lithvaniae uniantur et conglutinentur in unum ac indivisum ac indifferens corpus, ut sit una gens, unus populus, una fraternitas ac communia consilia eidemque corpori perpetuo unum caput, unus rex unusque dominus in loco et tempore assignatis per praesentes et ad electionem convenientes votis communibus eligatur quodque absentium obstantia electio non impediatur et decretum electionis in regno semper sit iuxta consuetudines circa illud ex antiquo servatas.* [W:] *Volumina Constitutionum* t.I 1493–1549, vol.1 1493–1526, wyd. S. Grodziski, I. Dwornicka i W. Uruszczak, Warszawa 1996 (cyt. niżej: VC t.I/1), s.103. Przekład W.U.

[28] W liście pisanym z Brześcia Litewskiego z dnia 1 lutego 1505 r. do Rady Gdańska król informował, że nie może przybyć do Radomia na planowany pierwotnie dzień otwarcia sejmu 9 lutego z „powodu cara Zawołżańskiego i innych spraw Wielkiego Księstwa" (*pro imperatore Zawolhensi et aliis huius Magni Ducatus negociis*). Por.: ASPK t.IV, cz.2, nr 197, s.29.

[29] W. Konopczyński, Chronologia sejmów polskich 1493–1793, Kraków 1948 (= Archiwum Komisji Historycznej PAU, t.XVI)„ nr 12, s.133, na podstawie informacji zawartej we wstępie do konstytucji. Zob. VC t.I/1, s.138. W świetle wpisów do Metryki Koronnej obrady mogły trwać jeszcze do 4 czerwca. Taką datę nosi uniwersał poborowy (publ. w VC t.I/1, s.151). Por. *Matricularium Regni Poloniae Summaria*, ed. T. Wierzbowski, t.III, Varsaviae 1908 (cyt.: MRPS, t.III), nr 2270–2274, 2276–2280, 2288, s.150–151.

[30] *...propter consiliarios Lithvaniae ac Prussiae terrarum expectatos in testimonio praesentium scriptos, aliosque magnae importantiae eventus, usque ad diem sabbathi post Octavam Sacratissimi Corporis Christi [31 V] continuata fuit.* VC t.I/1, s.138.

[31] Por. VC t.I/ 1, s. 143, 147.

[32] Zob. *Akta Aleksandra Króla Polskiego....[1501–1506]*, wyd.F. Papée, Kraków 1927, nr 283, s. 465–474.

[33] VC t.I/1, s. 138–143.

[34] VC t.I/1, s. 138, art. [1].

[35] Przekład Adolfa Pawińskiego w: tegoż, *Sejmiki ziemskie, początek ich i rozwój aż do ustalenia się udziału posłów ziemskich w ustawodawstwie sejmu walnego 1374–1505*, Warszawa 1895, s. 213.

[36] VC t.I/1, s. 172–173.

[37] J. Bardach, [w:] Historia Sejmu Polskiego, t.I Do schyłku epoki szlacheckiej Rzeczypospolitej, pod red. J. Michalskiego, Warszawa 1984, s.57.

[38] Szerzej o tym [w]: W. Uruszczak, Sejm walny koronny w latach 1506–1540, Warszawa 1980, s.161 i n.

[39] *nullus obligatus fuerit ad novam constitutionem servandam, nisi ipsa primum per proclamationem in Regno publicetur*; Art.[2] De constitutionibus novis per proclamationem publicandis. VC t.I/1, s.138.

[40] Użyto formuły: *nullum captivandum fore, nisi iure victus esset.* Por. VC t.I/1, s. 138.

[41] Art.4.

[42] Por.art. art. 6, 7, 8, 9.

[43] Art.12.

[44] *Commune incliti Poloniae Regni privilegium constitutionum et indultum publicitus decretorum, approbatorumque, cum nonnullis iuribus tam divinis quam humanis per serenissimum principem et dominum Alexandrum, Dei gratia regem Poloniae, magnum ducem Lithvaniae, Russiae, Prussiaeque dominum et haeredem etc.....* Zob. M. Cytowska, Bibliografia druków urzędowych XVI wieku, Wrocław 1961, poz.1, s.53–54. O Statucie Łaskiego szerzej w: W. Uruszczak, Próba kodyfikacji prawa polskiego w pierwszej połowie XVI w. Korektura praw z 1532 r., Warszawa 1979, s.72 i n.

[45] B. Miodońska, Przedstawienie państwa polskiego w Statucie Łaskiego z r. 1506, w: *Folia Historiae Artium*, t.V, Kraków 1968, s. 19–68.

[46] J. Ekes, Trójpodział władzy i zgoda wszystkich. Naczelne zasady ustroju mieszanego w staropolskiej refleksji politycznej, Siedlce 2001, ss. 123.

[47] *Universa Reipublicae Poloniae ratio, huc spectare videtur, ut regi apud Polonos, sit constitutis legibus imperandum. Ex quo longa diversa esse, caeterorum gubernacula regnorum, constat. Ibi enim, quidquid regibus placuit, iuris habet vigorem: hic non modo nullam Rex sine senatus consilio, et nobilitatis assensu, fert legem, sed certis legibus obtemperare iubetur" [Joannis Crassini Polonia*, Bononiae 1574, k.40].

[48] Zob. W. Uruszczak, Le principe «Lex est rex» dans la théorie et dans la pratique en Pologne au XVIe siecle, w: *Aequitas – Aequalitas – Auctoritas. Raison théorique et légitimation de l'autorité dans le XVIe européen*, sous la dir. Daniéle Letocha, Paris 1992, s.119–126.

[49] O sejmie radomskim z 1505 r. szerzej w pracy: W. Uruszczak, Sejm walny wszystkich państw naszych. Sejm w Radomiu z 1505 roku. Konstytucja *Nihil novi*, „Czasopismo Prawno-Historyczne", Poznań 2005 (w druku).

[50] Commune inclyti Poloniae Regni privilegium. – Libri duo iuris civilis Magdeburgensis et provincialis Saxonicicum tertio libro iuris feudalis. – R. Parthenopeus, Summa utriusque iuris, Kraków, Jan Haller, 27 I 1506, k. 115 r–120 r.

[51] BJ Cim. 8002. Opis egzemplarza: Katalog poloników XVI wieku Biblioteki Jagiellońskiej, t. I, red. M. Malicki, E. Zwinogrodzka, opr. M. Gołuszka, M. Malicki, W. Ptak-Korbel, Z. Wawrykiewicz, E. Zwinogrodzka, Warszawa–Kraków 1992, s. 426.

[52] K. 117 r: Presule, Tomicio, Carncoue, duce atque forensi Regina aflata, heu, talia Jura petit; k. 118 v: supra fo[lium] 63 a.

[53] Tom I, Warszawa 1732, s. 299–309. Reedycja: Volumina Legum, t. I, nakł. J. Ohryzki, Petersburg 1859, s. 136–141. Opis wydawnictwa w: S. Grodziski, Wstęp [w:] Volumina Constitutionum, t. I 1493–1549, vol. 1 1493–1526, do druku przyg. S. Grodziski, I. Dwornicka i W. Uruszczak, Warszawa 1996, s. 15 i n.

[54] Pełny tytuł por. przyp. 53. Konstytucje sejmu radomskiego znajdują się w tomie I, vol. 1, s. 138–143.

[55] J. Herburt, Statuta i przywileje koronne, Kraków, Mikołaj Szarfenberger, [po 20 IV] 1570, s. 24, 26, 72, 96, 129–131, 138, 159, 167, 172, 177, 207, 209, 212, 261–262, 282, 302–303, 341, 358, 391, 447, 554, 556–557. Późniejszy przekład konstytucji Nihil novi sejmu radomskiego w: A. Pawiński, Sejmiki ziemskie. Początek ich i rozwój aż do ustalenia się udziału posłów ziemskich w ustawodawstwie Sejmu Walnego 1374–1505, Warszawa 1895, s. 213.

[56] Instrukcja wydawnicza do źródeł historycznych od XVI do połowy XIX wieku, red. K. Lepszy, Wrocław 1953.

[57] Przypisy zostały sporządzone na podstawie: Słownik polszczyzny XVI wieku, Słownik staropolski.

[58] Przekład Wacław Uruszczak.

[59] tum – kościół katedralny, katedra.

[60] awo – tu: więc.

[61] sna – tu: może.

[62] kortezan – duchowny starający się w Kurii Rzymskiej o beneficjum z naruszeniem uprawnień polskich władz lub posiadający beneficjum w Polsce a na stałe mieszkający w Rzymie.

[63] biegun – tu: poddany polski przebywający stale w Rzymie, a mający beneficjum w Polsce.

[64] przezysk – wyrok zasądzający.

[65] pośrzodek – tu: środek.

[66] Przekład Wacław Uruszczak.

[67] *Ziemia* is the old Polish name of teritorial unit (province).

[68] *Ziemskie* Deputies were the deputies elected by the respective Seymiks (local assemblies of the gentry in each *Ziemia*) to represent them in the *Conventio Magna* (*parlamentum generalis*) that was referred to as the Seym.

[69] *Starosta* was an official appointed by the King. He excercised jurisdiction of mostly penal profile over the landless nobility as well as over people of other social strate and, exceptionaly, also over the landed nobles in drastic cases such as highway robbery, invasion of a home, rape or arson etc. J. Ludwik Kos-Rabcewicz-Zubkowski, *Polish Constitutional Law*, in: *Polish Law throughout the Ages*, ed. W. I. Wagner, Hoover Institute Press, Stanford University, Stanford, California 1970, pp. 235-236.

[70] The monetary unit of the time.

[71] That is the statements of claims that sould be filed in the *Grodzkie* Courts which were the Courts that adjudicated mostly penal matters in people of different ranks were involved, including also the landed nobles in the most serions crimes.

[72] *Ziemski* Court was a typical Court for nobility. It excercised jurisdiction in all cases in which a nobleman was a defendant unless the type of the case was reserved for other Courts. Unlike *Ziemskie* Courts those of *Starościńskie* were under the jurisdiction of Starosta. J. Ludwik Kos-Rabcewicz-Zubkowski, *op. cit.*, pp. 235–236.

[73] *Ziemskie* Law was that branch of law of the Polish-Lithuanian state that applied to the nobility.

[74] Poviat was a territorial unit other than Ziemia but, like the latter, it could have its own local Seymik.

[75] The monetary unit of the time.

Ryciny użyte w książce pochodzą ze „Zbioru odcisków drzeworytów w różnych dziełach polskich w XVI i XVII wieku odbitych ...", Kraków 1848.

Na stronach XLII i XLVIII przedstawiono Statut Łaskiego oraz Przywilej radomski ze zbiorów AGAD w Warszawie.

Podobiznę króla Aleksandra ze strony IV zaczerpnięto z dzieła Jana Głuchowskiego „Icones książąt i królów polskich", Kraków 1605.

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