

T R A V E L S

IN

POLAND, RUSSIA, SWEDEN,

AND

D E N M A R K ;

ILLUSTRATED WITH CHARTS AND ENGRAVINGS.

BY

WILLIAM COXE, A. M. F. R. S. F. A. S.

RECTOR OF BEMERTON.

IN FIVE VOLUMES.

VOL. IV.

THE FIFTH EDITION.

L O N D O N:

PRINTED FOR T. CADELL, JUN. AND W. DAVIES,
IN THE STRAND,

1802.

Articles of the New Form of Government established in
Sweden at the Revolution of MDCCLXXII.

The following form of government is an exact transcript of that which was translated into English, by order of his Swedish Majesty, from the original, and printed for the use of the English Merchants resident at Stockholm. Although it contains several expressions and phrases not perfectly consonant to the idiom of the English language, yet, as it is a state paper of great consequence, I thought it more advisable to print it in its present form, than to new model the style; particularly as there are very few expressions, the meaning of which can be doubted. The reader will therefore excuse any trifling errors in the style, or orthography; and not impute them to any negligence in the author.

WE, GUSTAVUS, by the grace of God, king of Sweden, Goths, and Vandals, &c. &c. &c, heir of Norway, duke of Schleswig, Holstein, &c. &c. make it known, that whereas, from the beginning of our reign, we uninterruptedly have endeavoured to employ our royal power and authority to promote the advancement, strength, and welfare of this realm, as well as the improvement, safety, and happiness of our loyal subjects; and that, in order to obtain this end, We have found, that the present situation of the country

requires an unavoidable amendment of the Fundamental Laws, adapted to the above-mentioned salutary purpose; and therefore, after the most exact and mature deliberation and reflection, We have drawn up a form of government, which the States of the realm now assembled unanimously have received and sworn to; which form of government, so agreed to by the states, We graciously have been pleased, by these presents, to approve and confirm, according to its literal sense, in the form and manner following.

We, the under-written Senators and States of the kingdom of Sweden, counts, barons, bishops, knights and nobility, clergy, chiefs of the militia, deputies of the towns and peasantry, here assembled in behalf of ourselves and our fellow-subjects at home, make it known, that whereas we, by a sad experience, have found, that, under the name of the blessed Liberty, several of our fellow Subjects have formed an Aristocracy, so much more intolerable, as it hath been framed under licentiousness, fortified by self-interest and severities, and finally supported by foreign powers, to the detriment of the whole society, and which hath brought us in the utmost insecurity by the wrong interpretation of the law, and at last might have led the kingdom, our dear native country, to the dreadful fate, which the history of former times, and the example of our neighbours, hath laid before us, had not the spirit of zealous citizens, and their love to the country, supported by the zeal and achievements of the High and Puissant Prince and Lord Gustavus III. king of Sweden, Goths, and Vandals, our most Gracious Sovereign, saved and drawn us out of it; so that we have turned our thoughts upon fortifying our liberty, in a manner, that it may not be abused by a bold enterprizing ruler, nor by ambitious, self-interested, and treacherous citizens, or spiteful and haughty enemies; but that the old kingdom of

Sweden and Gothia for ever may be a free and independent realm: therefore we have granted and confirmed, as we, by these presents, declare and assert this form of government to be an unchangeable and sacred Fundamental Law, which we, for us and our posterity, born and unborn, promise to obey and keep, after its literal sense; and deem those to be enemies to us and the kingdom, that would persuade us to deviate therefrom, as it, word for word, here follows:

1. Unanimity in religion, and the true divine worship, is the surest basis of a lawful, concordant, and stable government; and therefore the king, and all the officers and subjects of the realm, shall, hereafter as hitherto, first and foremost be addicted to the pure and evident word of God, as it is revealed in the Prophetical and Apostolic Writings, explained in the Christian Symbols, the Catechism of Luther, and the unvaried Confession of Augsburg, and confirmed by the Council of Upsala, and the former Decrees and Declarations of the States, in order that the right of the church may be strengthened, but without any prejudice to the rights of the king, of the crown, or of the whole Swedish people.

2. The king is entitled to rule his realm as the law of Sweden says, he and no other, to fortify, love and keep justice and truth; but forbid, abolish, and destroy unrighteousness and injury; not to ruin any man as to his life and honour, body or welfare, unless he be lawfully convicted and judged, nor to distrain, or suffer to be distrained, from any man his goods, moveable and unmoveable, without lawful trial and judgment, and to rule the kingdom according to the chapter of the law concerning the king's prerogative, the Swedish law, and this form of government.

3. The order of succession to the crown subsists entirely as it is established in the Act of Inheritance, set-

tled at Stockholm Anno Domini 1543, in conformity to the like Act of Westeras, Anno Domini 1544, and the Decree of Norrkoping, Anno Domini 1604.

4. Next to the king's majesty, the greatest respect hath been of old, and shall be hereafter, paid to the senators of the realm; and them the creates and elects of native Swedish knighthood and nobility, bound to his majesty by fidelity, loyalty, and allegiance; and though they cannot be determined to a fixt number, because so many may be constituted as the need and dignity of the kingdom requires; yet they ordinarily ought to be seventeen, inclusive of the high officers of the realm, and the lord-lieutenant of Pomerania. The chief care of all these shall be to advise his majesty in all the important affairs and concerns of the kingdom, whenever it pleaseth his majesty to consult them; to assert all rights of the realm, to advise all that is most advantageous for him and for the kingdom, after the best of their judgment; to influence the states and the people to loyalty and willingness; to be careful of the right, majesty, independency, advantage, and flourishing state of the king and the realm; and thus, according to what the Decree of the Diet of the year 1602 says, advise, as their duty demands, but not rule. For the rest, the senators are bound to the king alone, and answerable to him only for their counsels; yet the king cannot reproach, or impute to them any bad success, which may happen against their suffrages, expectations, thoughts, and opinions, formed upon good reasons, especially if the execution of good counsels does not reach the proposed aim, by the fault of him to whom it is enjoined and commanded to perform and execute them.

5. The king is entitled to govern and rule, save and protect towns and countries, and all the rights appertaining to him and to the crown, according to the law and this form of government.

6. Whereas the negotiations of peace, truces, and alliances offensive and defensive, seldom bear the least delay, and necessarily require the greatest secrecy, his majesty therefore consults with the Senators in those important matters, and, having pondered and collected their suffrages, takes such measures and expedients as he himself thinks to be the best and most useful for the kingdom; yet if, in those important matters, the senate should prove unanimous in an opinion, opposite to his majesty's, then his majesty yields to their sentiment; but if the advices should prove different, then his majesty decides, and approves of that opinion which he himself thinks the best and most advantageous.

7. If the king is a foreigner, he may not go out of his kingdom without the knowledge and consent of the states of the realm; but if he is a native Swede, then he only needs to communicate his resolution to the senate, and perceive its advice; in the manner set down in the foregoing 6.

8. And that all occurring business may be performed, by his majesty, with the more activity and order, the affairs are to be divided between the senators in the manner his majesty thinks most useful and proper; his majesty, as the head of the kingdom, only being accountable to God and the country for his ruling it; and in all these affairs, when his majesty hath collected the opinions of the senators, who are acquainted with those matters, and called by his majesty to ponder them, his majesty hath the decisive voice; yet herefrom shall be excepted all the juridical cases judged at the King's benches, courts martial, or any other of the tribunals in the kingdom, and which come in the last instance to the final decision of the high revision of justice, which always consists of seven senators, that have been employed in juridical offices, and are reputed to be just and skilled in the law, and where his majesty himself here-

after, as before, is present, having there but two voices, and, when the opinions prove even, the decisive vote.

9. It appertains to the king's majesty alone to do acts of grace, and to give pardon, to restore honour, life, and goods, in all crimes, which are not evidently contrary to the holy word of God.

10. All the higher offices, from lieutenant-colonel to field-marshal, both inclusive, and all their equals in the ecclesiastical and civil order, are in the king's gift, in the sitting of the senate, after the following wise:— When a place is vacant, the senators ought to take notice of the capacity and merits of all persons that sue for such places, and who may come into consideration, and make report thereof to his majesty; and his majesty having in the senate indicated the person who is come in his gracious remembrance to be advanced to the same place, the senators give their considerations thereupon in the protocol, but without any further votation. To all other employments the colleges, and other persons concerned, propose to his majesty three persons of the most skilled, worthiest, and best qualified for the vacant place, that are to be found; on which occasion, somebody or other of merit, besides those of the college, may be remembered; and all others that seek for the preferment, and are competent, may be named. In the regiments, the proposal to the vacant post is to be made according to the statute of king Charles XII. of the 6th November 1716. If, in the proposing, any man should be found to be injured, and without reason neglected, the respective persons concerned shall be accountable for it. Out of the soliciting persons his majesty chuseth him that he thinks the most qualified. But all the other lower offices, of which the colleges, chapters, and colonels of the regiments, as well as other bodies, before the year 1680, have been used to dispose, may be now

and hereafter in their particular gift. Foreigners, being princes or other persons, may not hereafter be employed in the commissions of the crown, neither in the civil nor military state, except in his majesty's court, if they be not by eminent and great qualities able to do signal honour and notable service to the kingdom. To all these places ability and experience shall only open the way, without any regard to favour or birth, when they are not accompanied with merit. The election of the arch-bishop, bishops, and superintendants, shall proceed after the former custom, and his majesty alone nominates one of the three who are proposed to him by the persons concerned. The preferment of the pastors of parishes shall be entirely according to the form of government of the year 1720, and the other statutes concerning these affairs enacted after that time.

11. The king is alone is entitled to ennoble those that by loyalty, virtue, valour, learning, and experience, have made themselves well deserving of the king and the country; but whereas there is a great multitude of noblemen in Sweden, his Majesty vouchsafes to restrain this number to one hundred and fifty; and the order of nobles may not deny introduction to these one hundred and fifty new families; likewise the nobility may not deny introduction to the noblemen his majesty will create counts or barons, and who by great and eminent merits have deserved it.

12. All affairs, here above not excepted, are to be reported to his majesty in his cabinet; or in one of the divisions in the senate; when his majesty thinks it more proper; or, if his majesty should be pleased, to advise with a greater number of senators; but in that case they shall always deemed to have been proposed in the cabinet.

13. The realm being large, and the affairs many, and of greater importance than that the king alone can be

able to examine and clear them all, he needs officers and governors to assist him.

14. For the diligent attendance, performance, and expedition of the affairs, certain colleges are instituted, who, like the arms of the body, extend their care to all that is to be done and executed in the kingdom. They have right and power, every one in their functions, in the name of the king, and in what relates to their charges and office, to command the officers under them, and to keep them who are under their care and direction, to the performance of their duty, to demand account of their expeditions, and to give his majesty all necessary and desired notice, as will of those as their own business.

15. In the King's Bench, which is the king's highest court of judicature, is to be one president, who by learning and skill in the law, has made himself a qualified judge; and has, for his assistants, one vice-president, and the usual counsellors and assessors of the King's Bench. These high tribunals, every one in their place, have inspection and care that justice may be accountably and well administered, according to law and established statutes; which, without misinterpreting, must be observed and kept in the judgements after the true and literal sense; insomuch, that the courts of King's Bench, without profit, self-interest, or other considerations, do justice to every body, as they shall be answerable before God and the king, lest unrighteousness might ruin the land and the kingdom. A nobleman may never, in arraignments of capital causes, be judged in any other court than that of the King's Bench, entirely as the privileges and statute relating to law-suits of the year 1615 prescribes and commands; yet the trial may be made *in loco*, and no other criminal cases than those touching life and honour be brought thither. It appertains likewise to the King's Bench to have a narrow inspection

over the inferior judges in the cities and country, as well as executors; and when any thing is done by them out of imprudence, blundering, or avarice, they must immediately be sued, judged, and punished as the case requires; but if any of them should be convicted of having wilfully, out of hatred, malignity, or for bribes, wronged the justice, and thus wounded his conscience, and damaged his fellow-subject on his life, honour, and welfare, such a one shall not be punished with fines, or removal from his place, but with loss of his life and honour, and according to the case, pay for his malice and mischievousness, entirely after the Swedish law. Nor may such misdemeanors be hushed up or countenanced by indulgence or unseasonable mercy, lest, in so grave matters, others may be induced to a licentious abuse of justice, when they perceive, that upon the offence, forfeiture and damage, due censure and well-deserved punishment does not follow. On the contrary, they who, out of malice, rashness, and revenge, fall upon the judges and executors of the law, in the performance of their offices, with calumnious, slandering, and injurious words and writings, without being able fully to prove what they have charged them with, shall be immediately and severely punished, as every particular case may require; in order that inconsiderate, malicious, and mischievous persons may take warning thereat: but nobody, whosoever he is, shall be for a long while kept in prison without being put to a trial and judgement. And, in order that need and distress may not give the judge an occasion and pretence to abuse his office, the lawman's-judge and session-money, granted by the peasantry to the maintenance of their judges, shall be kept untouched, and employed to its due end, and the pay of the judges, after the annual list, exactly according to the assurance of King Gustavus Adolphus, of blessed memory, in the year 1611. The king's attornies and ser-

jeants at law may not exercise their offices to the injury of others, and promoting their own self-interest: and if this should happen, they shall be accountable for it according to law; of which the chancellor of justice shall have a narrow inspection: his incumbent duty it is likewise to see how the law and the ordinances are obeyed, and give an account thereof to his majesty. The above-mentioned King's Benches shall hereafter, as hitherto, be three. The first at Stockholm, whereto appertains the whole kingdom of Sweden, properly so called in the old law: the second is always at Ionkoping, whereto belongs the whole kingdom of Gothia; and the third has its seat at Abo, to which the Great Duchy of Finland resorts.

16. All commissions, deputations with jurisdiction, or extraordinary tribunals, either established by the king or the states, shall be hereafter abolished, as being the means to further sovereignty or tyranny; and every Swedish man shall enjoy the right to be judged by that court to which he belongs, after the law of Sweden: but if it should happen, that any of so high a birth, or the senators, or a whole college, should prove guilty of so high crimes and misdemeanors, that it concerns the king, the realm, or the majesty of the crown, and that the criminal could not be judged neither by the King's Bench, nor by the Senate, then a tribunal of the realm shall be constituted, where the king shall be present, or in his place the prince royal shall preside, or the first of the hereditary princes, or the eldest senator; and whose members are to be all the senators, the field-marshal, all the presidents of the royal colleges, four of the eldest counsellors of the three King's Benches, one general, two of the eldest lieutenant-generals, two of the eldest major-generals, the eldest admiral, the two eldest vice-admirals, the two eldest rear-admirals, the chancellor of the court, and the three secretaries of state; the chancel-

lor of justice is always Solicitor; and the eldest secretary of revision shall keep the minutes. This tribunal is intituled, the trial past, to publish the judgement with the doors open, and nobody may afterwards have power to alter it, and much less to make it more severe: his majesty not deprived of his prerogative to pardon.

17. Next to the King's Benches follows the Military College, where now, as before, is to be a president, the master of ordnance, the quarter-master-general, and the wonted counsellors of war, who must be well used to accounts, and are especially to be taken out of those that are skilled in matters of war. This college has inspection and care of the land army in the kingdom, the artillery, used both in the field and in the fortresses, the body of fortification, guns, factories, weapons, ammunitions, and what belongs thereunto, the condition of the fortresses, especially at the frontiers, castles, and building for the war, the levying, enlisting, and reviewing of soldiers; and so further, according to the instructions, ordinances, and royal writs, as are already, or may hereafter be issued,

18. The whole land army and navy of the kingdom, with the high and low commanders thereof, shall take the oath of fidelity and allegiance to his majesty, the realm, and the states, according to the established form. The army of horse and foot, as well as the mariners, continues, as it is appointed, according to the sanction, called Indelnings-Werk, and is to be maintained by the contracts made with the peasantry and the towns, which are to be narrowly performed, obeyed, and kept, until his majesty, with the states, shall find it necessary to alter them in any way.

19. No colonel, or any other of the military commanders, may, without his majesty's own order, summon any home-sent troops to assemble, excepted the usual rendezvous of the regiments, unless in case of an

unexpected invasion of the enemies of the kingdom, which Shall then be instantly reported to his majesty; the chief command belonging to him alone over his whole army and navy, as it has always been usual in former, and for the country the most flourishing and happy times.

20. The third college of the realm is the Board of Admiralty, wherein is to be a president, and the members are to be all the admirals and flag-officers present; but for the better managing of these affairs, in his majesty's council there shall be at least one senator who hath served in the navy, and is experienced in the marine. This college has the inspection and care of the navy of the realm, with all things thereto belonging, as well the building of the ships, their equipping and furnishing with guns, as the victualling, the raising of the marines, the company of divers, the pilotry, and all other business thereto belonging, according to the instructions, royal writs, and ordinances, as are already, or may hereafter be issued.

21. The fourth college is the Chancery of the Realm, where one of the senators always is president, having, as members, one or more of the senators, one chancellor of the court, the secretaries of State, and the usual counsellors of chancery. In this college, all the statutes, ordinances, and recesses, concerning the kingdom in general, and the privileges of particular towns and persons, are framed and penned, especially commissions for places, edicts, writs, and warrants: hereto belong likewise all the records and rolls of the diets and other assemblies, alliances with foreign powers, treaties of peace with enemies, the due dispatching of envoys, all the counsels the king ordinarily takes from the senators, or some of them, and the records thereof, as well as all what is issued under his majesty's name and seal. This college has likewise the necessary care for the Post-of-

fices in the whole kingdom and the adjacent provinces, in order that they, under the inspection of the chief director, may be duly administered. The secretaries of state are to take particular care that the resolutions, according to his majesty's decision, and in conformity with the records, may be readily and speedily, duly, and in good order, issued, without the least neglect, in what view soever it might be. Should any person prove so rash as to issue a warrant, contrary to his majesty's decision, and therewith endeavour to surprize his majesty (which in such a multitude of expeditions, easily might happen) the same person shall, after trial and lawful judgement, be removed from his place, and punished as the crime deserves. Nor shall, therefore, any warrant be hereafter, more than hitherto, obeyed and executed, without due countersignation, except in military affairs. This college is besides to follow the ordinance of the chancery, the instructions, writs, and royal statutes, which are already, or may hereafter be issued.

22. His majesty denominates in the senate, but without voting, the president of the chancery, the counsellors of chancery that are senators, the chancellor of the court,, the chancellor of justice, the secretaries of state, the counsellors of chancery, as well as the secretaries of expeditions, and chuses them to whom his majesty has the best trust. In the same manner his majesty's envoys to foreign courts are to be constituted.

23. The fifth college of the realm is the College of the Chamber, which has a president and the usual counsellors of the chambers. There all who have any business with the income and expences of the king and crown, are to receive their order and give their accounts according to the instructions, writs, and ordinances, hitherto issued, or which may hereafter be enacted. The care and endeavour of this college shall be to see that

the rents and taxes be duly and seasonably gathered and increased, the ground well cultivated and improved by a good tillage and husbandry, in order that the *Regalia Fisci* may not be neglected, forfeited and purloined; but the substance of the realm by all means amended, adapted to the expences, kept in order, and in due time received, so that the public credit may not be lost; but that his majesty, in case of need, can depend upon aid and assistance as well within the kingdom as abroad. The great custom-house, with its receipt and accounts, as well as the petty land-tolls and the excise, appertain likewise, under the inspection of a chief director, to the care of the college of the chamber, where commissions are to be given to the respective custom-house officers and gatherers, and due security for his majesty to be observed.

24. In the Exchequer is to be a president and the usual commissioners of the exchequer. Hereunto belongs the disposition and distribution of the cash of the crown; and here likewise every one that handles the king's money, in due time ought to come in with their accounts (Foerslag) according to what their instructions ordain. The estimates must also in due time every year be settled, and thereby the establishment, or list of the year 1696, be the basis and rule; and care be taken, that the officers may be paid out of the incomes and coffers of the crown. But the aforesaid list may not be exceeded or augmented, should not the unavoidable service and interest of the king and the kingdom require it. In the list shall not only subsist the determined sum for his majesty's privy purse, which always is left to his majesty's particular will and disposition, but also a sum annually to be appropriated to extraordinary issues, and managed after his majesty's under-written and countersigned order: the whole, accord-

ing to the instructions, writs, and ordinances, as are already, or may hereafter be enacted.

25. His majesty denominates in the Senate, but without voting, the president and the commissioners of the Exchequer, out of such persons as, by faithfulness and skill in this interesting matter, have proved themselves worthy of his majesty's trust.

26. The college of the Mines shall likewise have a president and the usual counsellors and assessors; all such persons, who by learning and experience have made themselves qualified to be officers of judicature, and also have acquired a solid knowledge in metallurgic matters, and all the sciences thereto belonging. This college has inspection and care of all what concerns the rise and improvement of the mines and forges.

27. The College of Commerce has also a president, the usual counsellors, assessors and commissioners, who have a consummate knowledge in the matters of commerce and trade. It is the incumbent duty of this college to take care that the commerce may prosper and increase, that the manufactures may be supported, the work-houses well regulated and maintained, and duty (Licent) portory, custom-ordinances and taxes, observed; over and above what instructions, writs, and statutes, as are at present prescribed, or hereafter shall be ordained.

28. The Revision of the Chamber must likewise have a president, who, with the usual members, takes care, not only that all juridical affairs, there depending, may be lawfully judged and executed by the serjeants at law, but also that the annual accounts of the crown, without any delay, from that very time they are sent to the Royal College of the Chamber, and the Revision of the Chamber takes notice thereof, may be surveyed, explained, elaborated, and finally decided; all according to the instructions, writs, and ordinances, which are already, or may hereafter be issued.

29. The Lord High Steward of the Realm is one of the senators, in whole inspection his majesty's court, palace, and household are, and who rules, keeps, and takes care of his table and servants of the court, with all what thereto belongs.

30. His Majesty's Court and Household is to be at his own peculiar disposition; his majesty alone being able to alter, change, and reform whatever he should find necessary.

31. The grand governor (Ofver-Stâthallare) of Stockholm, the captain-lieutenant, lieutenant and quartermaster of the lifeguard-men, the colonel and lieutenant-colonel of the foot-guard, and also the colonel of the horse-guard, the colonel of the life dragoons, the colonel and lieutenant-colonel of the artillery, the general-adjutants and the commandants of the frontier towns, are all charges of trust, which his majesty grants or recalls in sitting senate, yet without voting.

32. All the colleges are bound to assist each other in all what can be conducive to the good and emolument of the king and the kingdom, whenever it shall be required and necessary: yet one college must not encroach or do any hindrance and prejudice to the other; but each attend to its business with due activity, care, sedulity, faith, and prudence. The presidents, when they are present in their colleges, enjoy their due power and authority; but when they are absent in the king's, or their own private affairs, although they then keep the title and honour due to their quality, yet they cannot order, dispose, and command any thing that belongs to the charge of presidents, till they shall return and be seated in their regular function. During their absence, the eldest member of the college performs, with equal right, authority, and effect, all what is adherent to the charge. The colleges are accountable to the king for their beha-

viour when he requires, and shall answer nobody but him alone for their administration.

33. The regency of the provinces is established in certain governments just as they now are constituted; so that there never, for the future, shall be any general-governor in this realm, if not on a very peculiar emergency, and then for a short time; also shall there no appanage, province, or government be bestowed; but the provinces shall be divided in the same governments they now, according to the Form of Regency de Anno 1720, actually are.

34. The prince heir apparent to the crown of Sweden, and also the princes of the royal Swedish blood, cannot have any appanage, or general-government, but must depend upon such annual allowance that can allotted them from the Exchequer, which money, for the hereditary princes, must not be less than one hundred thousand dollars S. mt. * from the day they shall be declared of age, which is at twenty-one years. The princes of the Swedish blood, who are more distant from, the crown. shall have such an annual pension for their maintenance, as can be convenient and suitable to their, birth. Yet they can be distinguished with the titles of duchies, as in old times has been in fashion; but without any right to those provinces whose name they bear, which always shall be incorporated under one head and ruler, without any diminution or separation.

35. Concerning the sustenance of the prince royal, who always is the reigning king his eldest son, or grandson, in a direct descending line, it must be bestowed in the same manner as established for the late king Adolphus Frederichus his son's, our now reigning most gracious king's Gustavus's the III. annual maintenance.

*About £. 4,166.

And when he is come to the age of eighteen years, he shall be admitted into the council of the king.

36. No prince of the Swedish blood, although he may be prince royal, or hereditary prince, or of a more distant line, may marry without the king's knowledge and consent. In the case any one should contravene, he shall be judged after the Swedish law, and the children be disinherited.

37. The king being sick, or absent upon a long journey, then the regency is to be administered by those of the senate, whom the king has denominated for that purpose; but if the king should fall sick so suddenly, that he cannot give any orders how the affairs of the realm should be managed, then all the warrants and decrees are to be signed by the four eldest senators and the president of the chancery: these five together are to exercise the royal power in all affairs that require a quick dispatch; but they are not entitled to denomination of employments, nor to conclude alliances, before the king being so restored to health, that he himself can take in hands the affairs of government; and then these shall be accountable to the king how business has been dispatched. But if the king dies, and the prince royal is under age, then the government of the realm is to be administered in the manner above-mentioned, unless that the late king had made any testamentary disposition; in which case it shall be according to the king's said testament.

38.. The states of the realm must not fail to convene, when called by the king, on time and place indicated, there to consult with his majesty on such affairs, whereabout his majesty desires their meeting. Nobody else but the king alone shall have the power to call the states to a public diet, except in the minority of the king; then the tutors* exercise this power. But if the crown

* Guardians.

should happen to be vacant by the extinction of the whole royal family on the male side (for which sad event the gracious God beware!) then the states of the kingdom are bound, without any convocation, on the 30th day after the death of the king, of themselves to meet at Stockholm, according to our act of convention, de dato Junii 23d, 1743; which act also expresses the penalty on whosoever in that case should endeavour, with practices and conspiracies, to encroach upon the free election of the states. In that unhappy event, it is incumbent on the wardens of the house of nobles, the chapter of Upsala, and the court of magistrates at Stockholm, instantly to publish it, in all the provinces, for the knowledge of all who are concerned; and whereas the provincial governors then are obliged, each in his territory, to make known the demise of the king to all the inhabitants, it is expected, that so many will be present before the appointed time, that they may be able to save and defend the liberty of the country, and a new successor to the crown be chosen.

39. The states of the kingdom are bound, with faithful concern, to leave intemperate all the royal prerogatives, after the dictates of the Swedish law, so that they shall be kept in their full vigour and strength, in order that all what in such manner appertains to the royal authority shall be zealously and carefully maintained, defended, and strengthened; wherefore, nothing of these fundamental laws is to be reformed, augmented or diminished, without the concert and agreement of the king, on purpose that no unlawfulness might render invalid the enacted law, or the liberty of the subjects, together with the king's rights, be invaded and subdued; but each be in possession of his due rights and privileges: to that end all the Statutes, from the year 1680 till this present time, which have been considered

as fundamental laws, in virtue of this shall be abrogated and rejected.

40. The king shall have no power to make new laws without the knowledge and assent of the states, nor abrogate an old one received formerly.

41. The states shall have no power to abrogate old laws, nor to make new ones, without the king's consent and approbation.

42. When a new law is to be settled, the following method shall be observed: if the states of the realm wish for a new statute, then they are to consult among themselves, and after they are come to agreement, the project is to be presented to his majesty by their four speakers, for to perceive the king's sentiment. His majesty thereupon asks the advice of the senate; and when he himself has pondered it, and fixed his resolution, he calls the states to public meeting in the Great-hall (Riks-Salen), and gives them, in a short speech, his consent and agreement, or else the reasons for his refusal. But if the king should propose a new law, he is at first to communicate it to the senate; and when the senators have given their advice to the protocol, the whole matter is to be delivered to the states, who, after having consulted, and come to an agreement amongst themselves, ask for a day to present their consent to his majesty in the Great-hall: but if it happens to be a refusal, then they deliver their reasons for it in writing by their four speakers.

43. If there should be raised some new question about the true meaning of the law, as in former times frequently has happened, then it shall be decided in the same manner as in the 42d article here above is enacted.

44. Although it always is an appurtenance to the crown to coin money, yet the states have, reserved themselves, when any raising or debasing of the standard, or

intrinsic value, should be designed or undertaken, that such a reformation shall not come to pass without their knowledge and agreement.

45. The king is to defend and save the country, particularly from foreign and hostile invasion; but he cannot against the tenor of the law, his royal oath and assurance, levy any aids for war, new taxes, enrolling of men, or other duties, without the knowledge of the states, and their free will and consent; yet, that unhappy case excepted, when the kingdom should be attacked by an army, then his majesty has power to take such measures, for the security of the realm, as he shall judge convenient for the good of his subjects; but as soon as the war is finished, the states must be called, and the new taxes in behalf of the war quite abolished.

46. The assemblies of the states are not to subsist longer than at most three months: and in order to avoid that the country being aggrieved by the expences of long diets, as has happened heretofore, the king is empowered, after that time, to dissolve the assembly, and fend away the deputies each to his own home; and if, in the like occasion, no new subsidies were granted, the old ones then are to subsist.

47. The states are intituled to denominate and chuse the persons who are to be seated in those committees, with which the king will please to consult about such business as he designs shall be kept secret. These members are invested with all that right and authority which appertains to the states themselves: but all matters that can be published shall be communicated to the states, and imparted to their deliberation.

48. The king has no power to wage war without the assent and agreement of the states.

49. No other minutes, but of such affairs that have been under the deliberation of the king with the states, can be required or delivered to them.

50. The state and condition of the Exchequer shall be laid open before the states of the realm, in order to take cognizance that the public money has been spent to the good and welfare of the country.

51. If a member of the states, during the diet, or on his journey to or from the diets, should be injured and wronged with words and deeds, when he has made known that he is in that quality and business, it shall be punished as a breach of the king's peace.

52. His majesty assures to maintain all the states of the kingdom in their duly acquired old privileges, immunities, rights, and liberties: and also, no new privileges, for any one of the states, without the knowledge, advice, and content of all the four States, shall be given or imparted.

53. To his majesty's gracious care alone the German provinces are left, that they may be governed according to the laws of the empire, and the tenor of the treaty of Westphaly.

54. The cities and towns of the kingdom are to remain in their duly acquired privileges and rights, which were granted and given them by former kings; yet so, that they are to be fitted and adapted to the circumstances of the times, for the good and advantage of the commonwealth.

55. The bank of the states is to remain hereafter as before, under their guarantee, and at their own disposition, so that it is to be administered according to the rules and statutes already enacted, or such as the states will establish for the future.

56. The cash of pensions belonging to the army shall remain, according to the ordinances already confirmed, or such as his majesty, with the faithful military commanders and deputies from the regiments, will agree to.

57. If this law in any point should be found obscure,

the literal contents must be observed, till the king and the states, in the manner expressed hereabove, articles 39 and 42, shall agree upon the true sense.

All this, We, now here assembled States, have judged necessary for the regular government of the realm, our liberty and security, to ratify and enact for us, our absent fellow-subjects, our posterity born and unborn. We declare and protest hereby anew, that we bear the greatest abhorrence to a king's despotic power, or the so-called sovereignty; deeming that our highest felicity, honour, and advantage, to be and dwell free and self-independent, law-giving but law-observing states, under the sway of a king in power, but bound to the law; both of us tied together and protected by the law, who preserves us and our dear country from the dangers which are the sad effects of disorder, licentiousness, despotism, and an aristocratic government of many, to the detriment of the whole society, and to the grievance and distress of every subject. We are so much the more assured to have an orderly, lawful, and happy government, as his majesty has declared, that he will regard it as his greatest honour to be the first citizen amongst a free people ; and we are hopeful that the like sentiments will be propagated in the royal family, from father to son, till the latest times of the world. Therefore we declare enemy to us and the country whoever shall be to imprudent and malignant a fellow-subject, as to endeavour to draw us off from this sanction by cheat and craft, secret plots or open violence, in order to intrude upon us royal despotism or sovereignty; or, under the pretence and show of liberty, overthrow these laws, which, when they corroborate a true and useful liberty, shut the doors to licentiousness and confusion. Whoever it may be, shall be punished without mercy, according to the plain law of Sweden. We assure also, in virtue of our sworn fealty and this form of government, that

we shall keep loyal obedience to his majesty, fulfil his orders in all that is due and warrantable before God and men, for him to command, and for us to do, all rights being safe, that belong to him and ourselves, as it becomes faithful men and subjects.

Signed and sealed in Stockholm the 21st day of August, in the year after the birth of Our Saviour 1772.

For the Nobility.

A. G. LEIONHUFWUD. AND. H. FORSSENIUS.
h. t Landtmarshal. Speaker.
(L. S.) (L.S.)

For the Clergy.

For the Burghers.

JOH. H. HOCHSCHILD.
In the place of the Speaker.
(L. S.)

For the Peasantry.

JOSEPH HANSSON.
Speaker.
(L.S.)

All this here above written, We ourselves not only receive as a firm fundamental law, but we ordain likewise, and enjoin all who are bound to us and our successors to the reign, with fidelity, allegiance, and loyalty, to acknowledge, keep, and obey this form of government. For the more certainty, we have signed this with our own hand, and caused our Royal Seal to be put hereunder, at Stockholm, the 21st day of August, in the year after the birth of Our Saviour one thousand seven hundred and the seventy-second.

G U S T A V U S.